



The State Plan Development Resource

Second Edition
Updated February 2011

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Introduction

The State Plan Development Resource was created to assist Councils in developing the 5-year State Plan. It is organized to guide Councils through a strategic planning process tied to the requirements in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (PL 106-402) (the DD Act). It also includes tips and resources for the planning process.

This document was updated in February, 2011 to provide additional information and resources based on the revised DD Council 5-Year State Plan Template.

The Resource has been compiled from a variety of sources, including the DD Act and information ITACC has gathered from State/Territory Councils on a variety of topics related to State Plan development. It is important to note the information is a reflection of methods and ideas that Councils throughout the network have found successful. This document is not intended to be prescriptive. Each Council is required to work within their State/Territory structure and must adapt the process to local requirements.

Throughout the process for developing the State Plan, Councils should keep in mind four key concepts:

1. Council member engagement in the planning process
2. Collaboration with the DD Network and other partners
3. Stakeholder input on state needs and the proposed plan
4. The use of data for planning purposes

These four concepts are critical to developing the State plan. The DD Act empowers Council members to be the driving force behind the State plan. Throughout the planning process, strategies should be used to fully support and involve members in all aspects of developing the plan.

In addition to Council member involvement, Councils understand and appreciate the importance of partnering with others in all aspects of their work, including the development of the State plan. Such collaboration allows for Councils to ensure various perspectives, needs, and priorities are included into the State plan.

Councils should solicit and consider the public's view on service gaps and priorities, as well as how well the Council's proposed plan addresses state needs.

Finally, the DD Act calls for "data-drive strategic planning". Data is an important source of information for Councils in the strategic development of the Five-Year State Plan. Data can be used to inform the Council's Comprehensive Review and Analysis of the availability of and the need for services, supports, and other assistance in the state. Data can also be used as the basis for developing the goals in the Council's Five-Year State Plan and for evaluating the results of Council efforts.

The State Plan Development Resource is organized into the following sections that are color coded for ease of use:

- *What does the DD Act Say?* This section is coded **red** and any references in *The State Plan Development Resource* to language in the DD Act appear in text boxes outlined in **red**.
- *Developing the State Plan.* Most of the information in this document appears in this section which is coded **blue**. It provides information for Councils to use in developing the plan drawing on strategic planning principles and the DD Act requirements.
- *Planning Timelines.* This section is coded **green** and provides Councils with resources for mapping out the timeframe for developing the State plan.
- *Assurance.* This is the **purple** section that provides information about the assurances and the actual assurances to be submitted as part of the Plan.
- *Technical Assistance.* The *State Plan Development Resource* is designed to be a technical assistance document for Councils. There are a number of Appendices at the end that provides additional supplemental technical assistance information for the different parts of the State Plan Resource. References to the Appendices that provide supplemental information appear in **orange**.

We hope you find *The State Plan Development Resource* helpful as you engage in the planning process. We view the *Resource* as a working tool that will be added to. To this end, we encourage your feedback and input on information and tools that would be useful to include.

What does the DD Act Say?

The DD Act has 6 main requirements of the State Plan.

1. Establish and maintenance of the Council
2. Identification of the designated State agency
3. Comprehensive review and analysis of the services and supports available to individuals with developmental disabilities
4. Plan goals and the method to be used in evaluating progress
5. Assurances
6. Public review and comment

Additional components of the State Plan include:

- Staff list
- Budget

The DD Act requirements for the State Plan appear in Figure 1. They can also be accessed on the ADD website at: <http://www.acf.hhs.gov/programs/add/ddact/DDB.html>

Figure 1: DD Act Requirements for the State Plan

SEC. 124 STATE PLAN.

(a) **IN GENERAL.** -Any State desiring to receive assistance under this subtitle shall submit to the Secretary, and obtain approval of, a 5-year strategic State plan under this section.

(b) **PLANNING CYCLE.** -The plan described in subsection (a) shall be updated as appropriate during the 5-year period.

(c) STATE PLAN REQUIREMENTS. -In order to be approved by the Secretary under this section, a State plan shall meet each of the following requirements:

(1) **STATE COUNCIL.** -The plan shall provide for the establishment and maintenance of a Council in accordance with section 125 and describe the membership of such Council.

(2) **DESIGNATED STATE AGENCY.** -The plan shall identify the agency or office within the State designated to support the Council in accordance with this section and section 125(d) (referred to in this subtitle as a "designated State agency").

(3) **COMPREHENSIVE REVIEW AND ANALYSIS.** -The plan shall describe the results of a comprehensive review and analysis of the extent to which services, supports, and other assistance are available to individuals with developmental disabilities and their families, and the extent of unmet needs for services, supports, and other assistance for those individuals and their families, in the State. The results of the comprehensive review and analysis shall include-

(A) a description of the services, supports, and other assistance being provided to individuals with developmental disabilities and their families under other federally assisted State programs, plans, and policies under which the State operates and in which individuals with developmental disabilities are or may be eligible to participate, including particularly programs relating to the areas of emphasis, including-

(i) medical assistance, maternal and child health care, services for children with special health care needs, children's mental health services, comprehensive health and mental health services, and institutional care options;

(ii) job training, job placement, worksite accommodation, and vocational rehabilitation, and other work assistance programs; and

(iii) social, child welfare, aging, independent living, and rehabilitation and assistive technology services, and such other services as the Secretary may specify;

(B) a description of the extent to which agencies operating such other federally assisted State programs, including activities authorized under section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012), pursue interagency initiatives to improve and enhance community services, individualized supports, and other forms of assistance for individuals with developmental disabilities;

Figure 1: DD Act Requirements for the State Plan

(C) an analysis of the extent to which community services and opportunities related to the areas of emphasis directly benefit individuals with developmental disabilities, especially with regard to their ability to access and use services provided in their communities, to participate in opportunities, activities, and events offered in their communities, and to contribute to community life, identifying particularly-

(i) the degree of support for individuals with developmental disabilities that are attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments;

(ii) criteria for eligibility for services, including specialized services and special adaptation of generic services provided by agencies within the State, that may exclude individuals with developmental disabilities from receiving services described in this clause;

(iii) the barriers that impede full participation of members of unserved and underserved groups of individuals with developmental disabilities and their families;

(iv) the availability of assistive technology, assistive technology services, or rehabilitation technology, or information about assistive technology, assistive technology services, or rehabilitation technology to individuals with developmental disabilities;

(v) the numbers of individuals with developmental disabilities on waiting lists for services described in this subparagraph;

(vi) a description of the adequacy of current resources and projected availability of future resources to fund services described in this subparagraph;

(vii) a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are in facilities receive (based in part on each independent review (pursuant to section 1902(a)(30)(C) of the Social Security Act (42 U.S.C. 1396a(a)(30)(C))) of an Inter-mediate Care Facility (Mental Retardation) within the State, which the State shall provide to the Council not later than 30 days after the availability of the review); and

(viii) to the extent that information is available, a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are served through home and community-based waivers (authorized under section 1915(c) of the Social Security Act (42 U.S.C. 1396n(c))) receive;

(D) a description of how entities funded under subtitles C and D, through interagency agreements or other mechanisms, collaborated with the entity funded under this subtitle in the State, each other, and other entities to contribute to the achievement of the purpose of this subtitle; and

Figure 1: DD Act Requirements for the State Plan

(4) PLAN GOALS. -The plan shall focus on Council efforts to bring about the purpose of this subtitle, by-

(A) specifying 5-year goals, as developed through data driven strategic planning, for advocacy, capacity building, and systemic change related to the areas of emphasis, to be undertaken by the Council, that-

(i) are derived from the unmet needs of individuals with developmental disabilities and their families identified under paragraph (3); and

(ii) include a goal, for each year of the grant, to-

(I) establish or strengthen a program for the direct funding of a State self-advocacy organization led by individuals with developmental disabilities;

(II) support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders; and

(III) support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions; and

(B) for each year of the grant, describing-

(i) the goals to be achieved through the grant, which, beginning in fiscal year 2002, shall be consistent with applicable indicators of progress described in section 104(a)(3);

(ii) the strategies to be used in achieving each goal; and

(iii) the method to be used to determine if each goal has been achieved.

(5) ASSURANCES.-

(A) IN GENERAL. -The plan shall contain or be supported by assurances and information described in subparagraphs (B) through (N) that are satisfactory to the Secretary.

(B) USE OF FUNDS. -With respect to the funds paid to the State under section 122, the plan shall provide assurances that-

(i) not less than 70 percent of such funds will be expended for activities related to the goals described in paragraph (4);

(ii) such funds will contribute to the achievement of the purpose of this subtitle in various political sub-divisions of the State;

Figure 1: DD Act Requirements for the State Plan

(iii) such funds will be used to supplement, and not supplant, the non-Federal funds paid under section 122 are provided;

(iv) such funds will be used to complement and augment rather than duplicate or replace services for individuals with developmental disabilities and their families who are eligible for Federal assistance under other State programs;

(v) part of such funds will be made available by the State to public or private entities;

(vi) at the request of any State, a portion of such funds provided to such State under this subtitle for any fiscal year shall be available to pay up to 1 /2 (or the entire amount if the Council is the designated State agency) of the expenditures found to be necessary by the Secretary for the proper and efficient exercise of the functions of the designated State agency, except that not more than 5 percent of such funds provided to such State for any fiscal year, or \$50,000, whichever is less, shall be made available for total expenditures for such purpose by the designated State agency; and (vii) not more than 20 percent of such funds will be allocated to the designated State agency for service demonstrations by such agency that-

(I) contribute to the achievement of the purpose of this subtitle; and

(II) are explicitly authorized by the Council.

(C) STATE FINANCIAL PARTICIPATION. -The plan shall provide assurances that there will be reasonable State financial participation in the cost of carrying out the plan.

(D) CONFLICT OF INTEREST. -The plan shall provide an assurance that no member of such Council will cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest.

(E) URBAN AND RURAL POVERTY AREAS. -The plan shall provide assurances that special financial and technical assistance will be given to organizations that provide community services, individualized supports, and other forms of assistance to individuals with developmental disabilities who live in areas designated as urban or rural poverty areas.

(F) PROGRAM ACCESSIBILITY STANDARDS. -The plan shall provide assurances that programs, projects, and activities funded under the plan, and the buildings in which such programs, projects, and activities are operated, will meet standards prescribed by the Secretary in regulations and all applicable Federal and State accessibility standards, including accessibility requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), and the Fair Housing Act (42 U.S.C. 3601 et seq.).

Figure 1: DD Act Requirements for the State Plan

(G) INDIVIDUALIZED SERVICES. -The plan shall provide assurances that any direct services provided to individuals with developmental disabilities and funded under the plan will be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of such individual.

(H) HUMAN RIGHTS. -The plan shall provide assurances that the human rights of the individuals with developmental disabilities (especially individuals without familial protection) who are receiving services under programs assisted under this subtitle will be protected consistent with section 109 (relating to rights of individuals with developmental disabilities).

(I) MINORITY PARTICIPATION. -The plan shall provide assurances that the State has taken affirmative steps to assure that participation in programs funded under this subtitle is geographically representative of the State, and reflects the diversity of the State with respect to race and ethnicity.

(J) EMPLOYEE PROTECTIONS. -The plan shall provide assurances that fair and equitable arrangements (as determined by the Secretary after consultation with the Secretary of Labor) will be provided to protect the interests of employees affected by actions taken under the plan to provide community living activities, including arrangements designed to preserve employee rights and benefits and provide training and retraining of such employees where necessary, and arrangements under which maximum efforts will be made to guarantee the employment of such employees.

(K) STAFF ASSIGNMENTS. -The plan shall provide assurances that the staff and other personnel of the Council, while working for the Council, will be responsible solely for assisting the Council in carrying out the duties of the Council under this subtitle and will not be assigned duties by the designated State agency, or any other agency, office, or entity of the State.

(L) NONINTERFERENCE. -The plan shall provide assurances that the designated State agency, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council, except that the designated State agency shall have the authority necessary to carry out the responsibilities described in section 125(d)(3).

(M) STATE QUALITY ASSURANCE. -The plan shall provide assurances that the Council will participate in the planning, design or redesign, and monitoring of State quality assurance systems that affect individuals with developmental disabilities.

(N) OTHER ASSURANCES. -The plan shall contain such additional information and assurances as the Secretary may find necessary to carry out the provisions (including the purpose) of this subtitle.

Figure 1: DD Act Requirements for the State Plan

(d) PUBLIC INPUT AND REVIEW, SUBMISSION, AND APPROVAL.-

(1) PUBLIC INPUT AND REVIEW. -The plan shall be based on public input. The Council shall make the plan available for public review and comment, after providing appropriate and sufficient notice in accessible formats of the opportunity for such review and comment. The Council shall revise the plan to take into account and respond to significant comments.

(2) CONSULTATION WITH THE DESIGNATED STATE AGENCY.- Before the plan is submitted to the Secretary, the Council shall consult with the designated State agency to ensure that the State plan is consistent with State law and to obtain appropriate State plan assurances.

(3) PLAN APPROVAL.-The Secretary shall approve any State plan and, as appropriate, amendments of such plan that comply with the provisions of subsections (a), (b), and (c) and this subsection. The Secretary may take final action to disapprove a State plan after providing reasonable notice and an opportunity for a hearing to the State.

Developing the State Plan

Overview

The DD Act requires that Councils develop the State plan based on data-driven strategic planning. Data driven strategic planning can be viewed as having three basic components:

- Review of Progress,
- Identification of needs based on data analysis and review, and
- Development of goals based on the data.

Strategic planning allows the Council to methodically and objectively plan its work. Strategic planning provides Councils a multi-step process that includes the following:

- Evaluation of current work and initiatives;
- Discovery of current needs;
- Agreement on vision for the future that provides a framework for the goals and results to be achieved;
- Review of current and projected resources for addressing needs to achieve results; and
- Agreement on goals, objectives, activities, and opportunities for achieving desired outcomes and results.

There are many different approaches to strategic planning and the DD Act does not mandate one method over another. Councils have a variety of options and/or approaches to consider as no single approach to strategic planning is ideal of all organizations. The following information is intended to offer Councils a basic process for consideration and exploration for strategic planning tied to the requirements in the DD Act for developing the State Plan. **An additional resource on strategic planning appears in Appendix A of this document.**

Step 1: Getting Started by Reviewing Progress

During the planning process, an important starting point is asking the following question:

- **Where are we now?**

As the current 5-year State plan is closing, it's important to evaluate the status of progress towards current goals and objectives. For each goal and objective that has not been fully addressed, Councils will want to ask:

- **How do the Council activities, products, and outcomes relate to the 5-year Plan?**
- **Who do we target through our funding and/or other activities?**
- **How is our money spent?**
- **What activities did we undertake, and what were the outcomes of those activities?**
- **Should we consider continuing this goal/objective in our next Five Year Plan?**

The answers to these questions will be determined through the planning process.

This is also an ideal time to review your Council mission, values and vision. Remember the adage: “If you don’t know where you’re going, any road will get you there.” To be strategic, you must have a clear sense of the desired future (vision) and your role in making that desired future become reality (mission). In addition, Councils will want to evaluate how closely their goals and objectives are aligned with the Council mission and vision and the DD Act purpose and principles that appear in Section 101(b) and (c) of the law (see Figures 2 and 3).

Figure 2: DD Act Purpose

Section 101 (b)

(b) PURPOSE. -The purpose of this title is to assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life, through culturally competent programs authorized under this title, including specifically-

(1) State Councils on Developmental Disabilities in each State to engage in advocacy, capacity building, and systemic change activities that-

(A) are consistent with the purpose described in this subsection and the policy described in subsection (c); and

(B) contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system that includes needed community services, individualized supports, and other forms of assistance that promote self-determination for individuals with developmental disabilities and their families;

Figure 2: DD Act Purpose

(2) protection and advocacy systems in each State to protect the legal and human rights of individuals with developmental disabilities;

(3) University Centers for Excellence in Developmental Disabilities Education, Research, and Service-

(A) to provide interdisciplinary pre-service preparation and continuing education of students and fellows, which may include the preparation and continuing education of leadership, direct service, clinical, or other personnel to strengthen and increase the capacity of States and communities to achieve the purpose of this title;

(B) to provide community services-

(i) that provide training and technical assistance for individuals with developmental disabilities, their families, professionals, paraprofessionals, policy-makers, students, and other members of the community; and

(ii) that may provide services, supports, and assistance for the persons described in clause (i) through demonstration and model activities;

(C) to conduct research, which may include basic or applied research, evaluation, and the analysis of public policy in areas that affect or could affect, either positively or negatively, individuals with developmental disabilities and their families; and

(D) to disseminate information related to activities undertaken to address the purpose of this title, especially dissemination of information that demonstrates that the network authorized under this subtitle is a national and international resource that includes specific substantive areas of expertise that may be accessed and applied in diverse settings and circumstances; and

(4) funding for-

(A) national initiatives to collect necessary data on issues that are directly or indirectly relevant to the lives of individuals with developmental disabilities;

(B) technical assistance to entities who engage in or intend to engage in activities consistent with the purpose described in this subsection or the policy described in subsection (c); and

(C) other nationally significant activities.

Figure 3: DD Act Policies

Section 101 (c)

(c) POLICY. -It is the policy of the United States that all pro-grams, projects, and activities receiving assistance under this title shall be carried out in a manner consistent with the principles that-

(1) individuals with developmental disabilities, including those with the most severe developmental disabilities, are capable of self-determination, independence, productivity, and integration and inclusion in all facets of community life, but often require the provision of community services, individualized supports, and other forms of assistance;

(2) individuals with developmental disabilities and their families have competencies, capabilities, and personal goals that should be recognized, supported, and encouraged, and any assistance to such individuals should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of such individuals;

(3) individuals with developmental disabilities and their families are the primary decisionmakers regarding the services and supports such individuals and their families receive, including regarding choosing where the individuals live from available options, and play decisionmaking roles in policies and programs that affect the lives of such individuals and their families;

(4) services, supports, and other assistance should be pro-vided in a manner that demonstrates respect for individual dignity, personal preferences, and cultural differences;

(5) specific efforts must be made to ensure that individuals with developmental disabilities from racial and ethnic minority backgrounds and their families enjoy increased and meaningful opportunities to access and use community services, individualized supports, and other forms of assistance available to other individuals with developmental disabilities and their families;

(6) recruitment efforts in disciplines related to developmental disabilities relating to pre-service training, community training, practice, administration, and policymaking must focus on bringing larger numbers of racial and ethnic minorities into the disciplines in order to provide appropriate skills, knowledge, role models, and sufficient personnel to address the growing needs of an increasingly diverse population;

(7) with education and support, communities can be accessible to and responsive to the needs of individuals with developmental disabilities and their families and are enriched by full and active participation in community activities, and contributions, by individuals with developmental disabilities and their families;

(8) individuals with developmental disabilities have access to opportunities and the necessary support to be included in community life, have interdependent relationships, live in homes and communities, and make contributions to their families, communities, and States, and the Nation;

Figure 3: DD Act Policies

(9) efforts undertaken to maintain or expand community-based living options for individuals with disabilities should be monitored in order to determine and report to appropriate individuals and entities the extent of access by individuals with developmental disabilities to those options and the extent of compliance by entities providing those options with quality assurance standards;

(10) families of children with developmental disabilities need to have access to and use of safe and appropriate child care and before-school and after-school programs, in the most integrated settings, in order to enrich the participation of the children in community life;

(11) individuals with developmental disabilities need to have access to and use of public transportation, in order to be independent and directly contribute to and participate in all facets of community life; and

(12) individuals with developmental disabilities need to have access to and use of recreational, leisure, and social opportunities in the most integrated settings, in order to enrich their participation in community life.

Step 2: Data Collection and Analysis

The DD Act requires Councils to conduct a comprehensive review and analysis of the extent to which:

1. services, supports and other assistance are available to individuals with developmental disabilities and their families, and
2. the extent of unmet needs for services, supports and other assistance for those individuals and their families in the State

The comprehensive review and analysis will help the Council understand the current state of services and supports for people with developmental disabilities and their families and identify gaps in services. This review should be useful in revealing needs related to the purpose of the DD Act.

The comprehensive review and analysis section of the revised State Plan Template plan is organized into three main sections for collecting, reviewing, and analyzing data:

1. Part A: Data on the state characteristics;
2. Part B: Review of state services, supports, and resources; and
3. Part C: Analysis of the services, supports, and resources available in the state.

Parts B and C should describe in summative form findings from the review and analysis of the unmet needs for services, specifically within federally assisted State programs

such as medical assistance, maternal and child health, children's mental health services, comprehensive health and mental health services and institutional care options, etc. Section 124 (c)(3)(C)(I – viii) of the DD Act includes a list of those areas that a Council will want to review as part of the Comprehensive Review and Analysis (see Figure 4).

Figure 4: Comprehensive Review and Analysis

Section 124 (c)(3)(C)

The results of the comprehensive review and analysis shall include-

(A) a description of the services, supports, and other assistance being provided to individuals with developmental disabilities and their families under other federally assisted State programs, plans, and policies under which the State operates and in which individuals with developmental disabilities are or may be eligible to participate, including particularly programs relating to the areas of emphasis, including-

(i) medical assistance, maternal and child health care, services for children with special health care needs, children's mental health services, comprehensive health and mental health services, and institutional care options;

(ii) job training, job placement, worksite accommodation, and vocational rehabilitation, and other work assistance programs; and

(iii) social, child welfare, aging, independent living, and rehabilitation and assistive technology services, and such other services as the Secretary may specify;

(B) a description of the extent to which agencies operating such other federally assisted State programs, including activities authorized under section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012), pursue interagency initiatives to improve and enhance community services, individualized supports, and other forms of assistance for individuals with developmental disabilities;

(C) an analysis of the extent to which community services and opportunities related to the areas of emphasis directly benefit individuals with developmental disabilities, especially with regard to their ability to access and use services provided in their communities, to participate in opportunities, activities, and events offered in their communities, and to contribute to community life, identifying particularly-

(i) the degree of support for individuals with developmental disabilities that are attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments;

(ii) criteria for eligibility for services, including specialized services and special adaptation of generic services provided by agencies within the State, that may exclude individuals with developmental disabilities from receiving services described in this clause;

Figure 4: Comprehensive Review and Analysis

Section 124 (c)(3)(C)

(iii) the barriers that impede full participation of members of unserved and underserved groups of individuals with developmental disabilities and their families;

(iv) the availability of assistive technology, assistive technology services, or rehabilitation technology, or information about assistive technology, assistive technology services, or rehabilitation technology to individuals with developmental disabilities;

(v) the numbers of individuals with developmental disabilities on waiting lists for services described in this subparagraph;

(vi) a description of the adequacy of current resources and projected availability of future resources to fund services described in this subparagraph;

(vii) a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are in facilities receive (based in part on each independent review (pursuant to section 1902(a)(30)(C) of the Social Security Act (42 U.S.C. 1396a(a)(30)(C)) of an Inter-mediate Care Facility (Mental Retardation) within the State, which the State shall provide to the Council not later than 30 days after the availability of the review); and

(viii) to the extent that information is available, a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are served through home and community-based waivers (authorized under section 1915(c) of the Social Security Act (42 U.S.C. 1396n(c)) receive;

(D) a description of how entities funded under subtitles C and D, through interagency agreements or other mechanisms, collaborated with the entity funded under this sub-title in the State, each other, and other entities to contribute to the achievement of the purpose of this subtitle; and

(E) the rationale for the goals related to advocacy, capacity building, and systemic change to be undertaken by the Council to contribute to the achievement of the purpose of this subtitle.

Comprehensive Review: Collecting and Using Data

To complete Parts A, B, and C of the Comprehensive Review and Analysis section, multiple data sources can be used to review the state of and trends in services and supports for people with developmental disabilities. The Councils will want to identify and use multiple sources of information as part of the comprehensive review. This can include information collected through surveys and/or focus groups, information from data sets, stakeholder input, and information from Council members.

Councils have reported using a variety of strategies to collect data, including the following:

- Public input on needs.
- Planning focus groups in conjunction with other events or organizations.
- Participating in disability conferences, annual meetings, etc. to distribute or conduct surveys.
- Using natural opportunities such as self advocacy or family support meetings to ask for input.
- Using existing consortium groups.
- Holding public forum sessions in conjunction with Council meetings.
- Rotating Council meetings to different regions of the state to solicit public input.
- Holding public forums with DD network partners.
- Using different formats to solicit public input on needs, such as mail-in surveys, email surveys, web-based surveys (such as survey monkey), and phone calls.
- Developing a survey based on the areas of emphasis to determine stakeholder's needs.
- Cross referencing Council member's membership in other organizations and having these Council members gather data from their organizations utilizing Council approved tools and resources.
- Gathering input from State agency representatives currently serving on the Council.
- Convening focus groups of faith based organizations and community organizations including those outside of the disability arena.
- Calling people who do not routinely get out of their homes.
- Using a sampling method to assess needs in specific geographic areas of the State.

Over the years, the ITACC has gathered information from Councils on the sources of data used to develop the State Plan. Councils have indicated the following types of data are useful when engaging in strategic planning:

- Data/trends gleaned from phone calls to the Council office;
- Service agency reports analyzed by area of emphasis to identify gaps in service or underserved;
- Data collected and used by other agencies and/or organizations in their State plans, including the P&A and UCEDD; and
- National data sets

National Data Sets

National Core Indicators (NCI): The annual NCI State Reports and Summary Reports of Consumer and Family Survey Data present findings for each participating state as well as aggregate cross-state benchmarks that can be used to understand unmet service and support needs of individuals with developmental disabilities and their families. Annual NCI State Reports and Summary Reports of Consumer and Family Survey Data highlight potential areas for improvement and could be used to inform Council goals.

Employment The ICI Access to Integrated Employment (ICI/AIE) project annual StateData report on employment services and outcomes provides data from 5 sources: IDD agency services, vocational rehabilitation outcomes (including rehabilitation rate, wages, hours worked, and engagement of VR with persons with DD), American Community Survey (working age population, employment participation, hours worked, wages, and poverty), Social Security Administration (work incentive participation and employment for persons on SSI), and state demographics (population, unemployment rate). www.StateData.info. The ICI/AIE website includes case studies of state policy, promising practices, and high performing states. www.communityinclusion.aie

The Residential Information Systems Project (RISP): RISP at the University of Minnesota gathers and reports annually on residential services (both public and private). You can get your state's information two ways: in our annual report and in a new service we call build a report at the same website which allows you to create state specific reports or comparisons of your state to the nation or to neighboring states. The RISP report includes information about the number of people waiting for residential services for each state. The report itself also includes a one page summary for each state with key data from the most recent survey, and historical data. Both of these resources are available at <http://rtc.umn.edu/risp/main/>; The RISP project at the University of Minnesota maintains an online data base indexing 2,400 products and resources on 85 topic areas related to supports and services for people with intellectual and developmental disabilities. It is available at <http://www.qualitymall.org> Topical areas include: Access Unlimited!, Classics and Landmark Resources, Moderated chat room, Communication Center (links to people who can help), Community inclusion, faith and culture, employment, resources for families, government resources and statistics, Health and Safety, Housing, Life and Future Planning, Community Living, Life stories, News, Person Directed Services, Quality Assurance and Improvement, Video screening room, Self-Advocacy, Service Provider resources, Direct Support Staff and Supervisor recruitment, retention and training, Systems Change.

The State of the States in Developmental Disabilities: This project is a benchmarking study of states' performance in providing services, supports, and financial assistance to individuals with DD and their families. The project collects comprehensive financial and programmatic data from the states including federal-state ICF/MR, HCBS Waiver and Medicaid State Plan optional services (specifically clinic, rehabilitation, targeted case management and personal care), and other Medicaid Section 1115, Section 1915b, and Section 1915c Waivers, local and county funding, state SSI payments, Title XX/SSBG funding, and other federal funds. Revenue, spending, and participant data are collected separately for public 16+ facilities,

National Data Sets cont.

private 16+ facilities, and for a range of community residential services and supports including family support, supported living and supported employment. The 1977-2009 dataset is presented in graphs and tables that summarize trends in I/DD revenue, spending, and program supports in each state and the US. The Project provides comparative revenue and spending data which can assist state Councils to gauge how their state is performing compared to their region, and to the nation as a whole, to promote systems change goals. The newly collected 2007-09 State of the States Project data will be posted in February 2011 on our website. (<http://www.cu.edu/ColemanInstitute/stateofthestates>)

Resources for collecting data include the following:

Fed Stats (www.fedstats.gov): provides a full range of official statistical information available to the public from the Federal Government on topics such as economic and population trends, education, health care costs, and more.

The Census Bureau (www.census.gov): provides data on disability based on four primary sources: the Survey of Income and Program Participation (SIPP), the decennial census of population, the Current Population Survey (CPS), and American Community Survey (ACS).

The Bureau of Labor Statistics (www.bls.gov): is the principal fact-finding agency for the Federal Government in the broad field of labor economics and statistics.

National Center for Education Statistics (<http://nces.ed.gov/>): is the primary federal entity for collecting and analyzing data that are related to education.

Office of Special Education Programs

(<http://www2.ed.gov/about/offices/list/osep/index.html>): provides data on early intervention and special education services provided in the States and Territories

National Center on Health Statistics (<http://www.cdc.gov/nchs/>): provides important surveillance information that helps identify and address critical health problems. As the Nation's principal health statistics agency, NCHS compiles statistical information to guide actions and policies to improve the health of our people.

Disability Statistics: An Online Resource for U.S. Disability Statistics:

(<http://www.ilr.cornell.edu/edi/DisabilityStatistics/>) provides access to comprehensive, up-to-date U.S. disability statistics via graphs and charts, tables, and written descriptions. Currently, all statistics are estimated by Cornell University using the Census Bureau's Current Population Survey - Annual Demographic Supplement.

Additional information about data sources is in Appendix B. There you will find a list of various data sources that may be useful in the planning process categorized by specific subsections in the Comprehensive Review and Analysis Section of the State Plan Template

Council Member Involvement

Council members can and should be involved with the data collection process in developing the State Plan. There are a variety of strategies that can be utilized to engage Council members in the data collection activities. Council members can be directly involved in the public input process. For example, they can attend public forums closest to where they live and be active in receiving comments.

Input from Stakeholders

Input from stakeholders is another important source of information when engaging in the state planning process. A Council may ask for input from stakeholders and the public in their State/Territory in identifying needs. These stakeholders may include:

- People who have developmental disabilities,
- Family members of people with developmental disabilities,
- Service providers, and
- Other people concerned with services for people with developmental disabilities.

Part A: State Information

The revised State Plan Template guides Councils to consider multiple data points for thinking about and identifying needs in the state. The sections that follow include information on how to access data for Part A of the State Plan Template.

Part A: State Information – Racial and Ethnic Diversity of the State Population

Documenting the overall racial and ethnic diversity of the state helps the Council get an overall sense of who lives in the state and track demographic trends. A good source for this data is the U.S. Census Bureau. To access this information:

- Go to the following webpage:
http://factfinder.census.gov/home/saff/main.html?_lang=en
- From there, you can access the "Fact Sheets" that provides demographic information on a state-by-state basis

Part A: State Information – State Poverty Rate

The state poverty rate is another important source of information for the Council. It gives an overall sense of the magnitude of the problem that can place additional pressures and stressors on state systems. The U.S. Census Bureau is again a good source for this information. Following the steps above (in the section on Racial and Ethnic Diversity), you can get information about families and individuals living below poverty level for your state. To get the poverty rate:

- Go to the U.S. Census Bureau home page: <http://www.census.gov/>
- Under the heading "People and Households", click on "Poverty". This will take you to a page with multiple resources related to poverty.
- Choose the "Income, Poverty and Health Insurance in the United States: 2009 - Tables & Figures" to get the poverty rate for your state.

Part A: State Information – State Disability Characteristics

Part A of the Comprehensive Review and Analysis section of the revised State Plan Template asks Councils to provide information about people with developmental and other disabilities in the state. By collecting this information as part of the State Plan, Councils can consider other information in thinking about the needs in the state.

Part A: State Information – State Disability Characteristics: Identifying the Prevalence Rate of People with Developmental Disabilities

Part A(iii)(a) of the Comprehensive Review and Analysis section in the State Plan Template asks Councils to identify the prevalence rate of people with developmental disabilities in the State. This information helps provide a context for the work of Council. It gives a sense of the need in the state in terms of the population size of people with developmental disabilities and the potential impact of the Council's work. Councils can use a variety of sources for identifying the prevalence rate for their state. **Appendix C provides a listing of these sources.**

Part A: State Information – State Disability Characteristics: Residential Settings

Part A(iii)(b) is a section for data on people in residential settings. The State of the States in Developmental Disabilities Project collects state by state data on average daily participants on a fiscal year basis for 24-hour residential services and supported living. The number of people with I/DD served in settings for 6 or less (per 100,000) [column A.] and for 7 or more (per 100,000) are available in Table 6 of the 2011 monograph. The number of individuals supported in the family home (per 100,000) [column C] is available in table 12 of the 2011 monograph. Finally, the number of individuals served in homes of their own, or other types of supported living/personal assistance, [column D] is available in Table 10 of the 2011 monograph for all 50 states and DC through 2009.

The annual Residential Information System Program (the last as of June 30, 2009) includes statistics provided by each of the states on the total number of people receiving residential services (in a setting other than living with a family member) and the number of people receiving services while living with family members. The number of people living in non-family home settings of 6 or fewer residents per 100,000 is reported as is the number in places of 7 or more per 100,000 by combining the columns of 7-15 residents and 16+ residents (see Table 2.4). Table 2.4 provides population data in 100,000s and computations can be done from raw data. Earlier data reports are on the project website: <http://rtc.umn.edu/risp>. Of course, these data are received directly from the states and a request for 2010 data directly to the state's key informant for the RISP survey could obtain 2010 data as well. These are currently being gathered but the report will not be completed for several months. Project staff would be happy to help identify individuals within the state program agencies that have the requested statistics. For more information about this contact: Charlie Lakin, lakin001@umn.edu.

Part A: State Information – State Disability Characteristics: Demographic Information about People with Disabilities

Part A(iii)(c) of the Comprehensive Review and Analysis section in the State Plan Template includes items for describing demographic characteristics of people with

disabilities in the state. This data is included to consider other sources of information and perspectives on the experiences of people with disabilities in the state. Although the data broadly covers disabilities, it can serve as a proxy or indicator for the experiences of people with developmental disabilities. Most of the data in this section comes from the American Community Survey (ACS) conducted by the U.S. Census Bureau. The ACS has substantial information on employment and income of people with disabilities on a state-by-state basis. To access the data from the ACS, follow the steps below:

1. Go to:

http://factfinder.census.gov/servlet/DatasetMainPageServlet?_ds_name=ACS_2009_1YR_G00

If this link doesn't work, go to the ACS main page at:

http://factfinder.census.gov/home/saff/main.html?_lang=en.

On the home page go to the section titled:

American Community Survey - an **ongoing survey that provides data** about your community every year

[learn more](#) | [get data](#) 

Click on 'get data'

2. Click on radio dial to choose: 2009 American Community Survey 1-Year Estimates (3rd option down in the list of options)
3. A menu will appear on right hand side – click on “List all tables”
4. In the list of tables, click on “S1810. Disability Characteristics” (it is towards the top of the list).
5. Click on “next”
6. In the box titled “Select a [geographic type](#)”, choose “State”. This will make the list of states appears in the box titled “Select a geographic area and click 'Show Result'”
7. In this box, click on your state (example ‘Alabama’) then click on “show result”
8. This will bring up the data table for your state.

Part B: Review of State Services and Supports

For the other sub-sections in Part B, the Council will review various services and supports available to people with developmental disabilities in the state in the areas of emphasis. There are a variety of data sources that can be used for these sub-sections of Part B. These are highlighted below:

- The National Core Indicators (NCI) Consumer Survey is typically administered to a representative sample of adults 18 and over with developmental disabilities who are receiving services and supports. The demographic items collected in the Background Information Section could be compared with the required census data. For example, information in this section includes: age distribution of adults

(18-64, 65 and over), race, Hispanic or Latino origin, employment status, wage data, and poverty status.

- The template requests employment and earnings data for ages 16 and over. The NCI Family Survey, individual demographics section, includes an item related to the educational attainment of the person with a developmental disability (age 18 and over).
- Population data are available from the American Community Survey website. Data on the population size by state for working age people with and without disabilities (defined as 16-64) are available from www.StateData.info using the “Population Data from the American Community Survey” data source.
- The NCI Family Surveys, respondent demographics section, includes information about the family’s household income level. Findings have shown that a large percentage of families are living at or below the poverty level.
- Annual earnings, hours worked, and poverty for working age adults is available from www.StateData.info using the “Population Data from the American Community Survey” data source.

See Appendix B for additional data sources for the different areas of emphasis.

Part B: Review of Inter-agency Initiatives

Councils will want to review inter-agency initiatives that improve and enhance community services and supports. Below are some common questions that may assist a Council in gathering this type of information:

- What kind of inter-agency initiatives are there in your State that ensures there is not a lot of overlap?
- What kind of inter-agency initiatives exist to address the barriers in your State of unmet needs for services?
- To what extent do the community services and supports directly benefit individuals? (Specifically, eligibility, assisted technology, waiting lists)?

See Appendix B for data sources.

Part C: Analysis of Services in the State

Part C of the Comprehensive Review and Analysis section of the State Plan Template is the section for analyzing the condition of services and supports for people with developmental disabilities and their families in the following areas:

- Criteria for eligibility for services
- Barriers to full participation of unserved and underserved groups
- The availability of assistive technology

- Waiting lists
- The adequacy of current resources and resources to fund services
- The adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are in facilities receive
- The adequacy of home and community-based waivers services

The sections that follow provide information for these areas

Part C: Un-served and under-served populations

Part of the comprehensive review and analysis must address the needs of the unserved and underserved (see Figure 5).

To identify un-served and/or under-served populations, a Council may elect to first analyze the populations served, which can be identified based on internal program data or by using the general Census categories. Once populations are identified, it is then recommended that Councils utilize a variety of sources to identify the barriers for people from un-served and underserved groups. This may include reliable data to expand

exploration and identification of un-served and/or underserved populations. Data may be secured from a variety of sources to include: state bureau of statistics; state department of public health; academic databases; and other members of the DD Network.

The needs of people who are un-served and under-served can be also analyzed based on geographic location of your State/Territory; type of disability; age group within a specific disability group or other criteria a Council may choose to identify.

Annual NCI State and Summary reports can provide insight into the unmet needs of individuals with developmental disabilities and their families, by state and depending on sample size, for specific subgroups.

Figure 5: Un-served and Underserved

Section 124(c)(C)(iii)

(C) an analysis of the extent to which community services and opportunities related to the areas of emphasis directly benefit individuals with developmental disabilities, especially with regard to their ability to access and use services provided in their communities, to participate in opportunities, activities, and events offered in their communities, and to contribute to community life, identifying particularly-

(iii) the barriers that impede full participation of members of unserved and underserved groups of individuals with developmental disabilities and their families;

Part C: Assistive Technology

One of the sub-sections in Part C asks that Council to assess the availability of assistive technology. The State of the States in Developmental Disabilities Project, through the

Coleman Institute, maintains a searchable Cognitive Technology Literature data base containing 930 entries/abstracts. Contents include literature on assistive devices, newly emerging technologies, communication, computers, universal design, activities of daily living, independent living, learning, personal support devices, mobility, self-care, and other technologies.

(<http://www.colemaninstitute.org/database.php>).

The NCI Consumer Survey provides information on Assistive Technology in the Background Information Section – Other Supports and Services (receives assistive technology services); Section II – Access to Needed Services (communication technology or other unmet needs) and in the NCI Family Surveys: Access and Delivery of Services (availability and quality of communication supports).

Councils may want to check with their UCEDD(s) for information about assistive technology. Several UCEDDs provide assistive technology services, and may have useful information for this part of the State Plan.

Part C: Waiting Lists

The revised State Plan Template asks Councils to provide more detailed information about the Waiting List(s) in the state. This sub-section was re-designed to offer Councils a way of better documenting and describing waiting list issues.

Waiting List(s) data are requested of states and reported annually in the annual Residential Information System report. The data requested include only residential services and only for people needing residential services in the next 123 months. States vary considerably in nature and quality of the information gathered on persons waiting for services, their level and immediacy of need and the specific supports for which they wait. There is a 2002 report on the RTC website on the status of waiting lists in the early part of the decade, but more recent data would be important to describing the current practices in maintaining and using waiting lists (<http://rtc.umn.edu/docs/waitlist2002.pdf>).

Longitudinal data reported by states on waiting lists for employment and day services are available in the ICI/AIE projects annual StateData report.

Part C: The Adequacy of Current Resources and Future Resources

The State of the States in Developmental Disabilities Project compiles statistics on fiscal effort levels in each of the states and the nation as a whole. Fiscal effort is I/DD spending as a percentage of aggregate statewide personal income, and is computed for each state, DC, and for the U.S. for: a) community settings, b) public and private 16+ institutional settings, and c) total I/DD spending in the states. Comparative state fiscal effort analysis enables distinctions to be made among states in their commitments to financing I/DD services and supports. This knowledge is useful in providing objective standards of comparison among the states in policy making and in the enforcement of accountability.

Part C: The Adequacy of Health Care and Other Services, Supports, and Assistance that Individuals with Developmental Disabilities who are in Facilities Receive

Councils may have to use various sources of information to assess the adequacy of health care and other services, supports, and assistance to people in facilities. While the independent review of an Intermediate Care Facility may be a required resource for understanding services, it may not be adequate. Councils may use Council members and stakeholder input for this sub-section. Depending on the state and the sample size, some NCI states will have Consumer Survey data regarding the health services provided to individuals living in residential facilities.

Part C: The Adequacy of Home and Community-based Waivers Services

The State of the States in Developmental Disabilities Project collects participant and spending data on HCBS waivers in the states and across the nation, as well as data on other Medicaid Section 1115, Section 1915b, and Section 1915c Waivers tailored to I/DD services in Arizona, Wisconsin, Vermont and Michigan. For example, State of the State Project Indicators can be used to gauge a state's performance including: number of participants, overall spending, average spending per waiver participant, waiver spending as a percentage of total I/DD spending, waiver spending per capita, and rankings based on spending per capita (e.g., Table 8 in 2011 monograph).

HCBS waiver participants can be identified in the NCI data, and several of the Consumer and Family Survey measures align with CMS Assurances.

What about Long-term Care?

In 2007, the Center for Medicare and Medicaid Services contracted with several states to create profiles of their long-term care reform associated with the National Balancing Indicator Contract. These projects are funded through Real Choice Systems Change Grants. A description of this project is available at CMS in their community services data research section http://www.cms.gov/CommunityServices/60_DataResearchEval.asp. A document describing the state profile process is posted at:

http://www.cms.gov/CommunityServices/Downloads/TA_Guide.pdf Profiles are currently available for Virginia, Iowa, Minnesota, Michigan, Florida, Maine, Kentucky, Nevada, Massachusetts, and Arkansas. These profiles if available for your state, provide a very comprehensive picture of your long-term care system including issues and challenges. Contact your state Medicaid office for more information. Presentations made at the October 2010 CMS Conference on the National Balancing Indicators projects are available online at: http://www.nationalbalancingindicators.com/index.php?option=com_content&view=article&id=63&Itemid=94

Collaboration

Another aspect of the review and analysis includes a requirement related to collaboration with DD Network partners and others (see Figure 6). The Council will want to describe how the P&A and UCEDD will collaborate with the Council in the State/Territory, and other key organizations in achieving the DD Act purpose for Councils. This may be accomplished through a variety of strategies, such as member participation in Council meetings, State DD Network meetings, review of P&A Statement of Goals and Priorities, review of UCEDD 5-year applications, and review of agency reports and plans.

Figure 6: DD Network Collaboration

Section 124(c)(D)

(D) a description of how [the P&A and UCEDD], through interagency agreements or other mechanisms, collaborated with the [DD Council] in the State, each other, and other entities to contribute to the achievement of the purpose of this subtitle;

Step 3: Developing the Plan by Envisioning the Future

Once the data has been collected, reviewed, and analyzed, the Council will develop the plan by determining specific goals, objectives and strategies to address the needs and gaps in services. In doing so, Councils should consider the related areas of emphasis and the types of activities, initiatives, and partners needed to reach the desired results.

Throughout this part of the planning process, the Council can be guided by the following two questions:

- **Given what we know about the current needs based on the data reviewed, what should the future be like for people with developmental disabilities and their families?**
- **What can we do to make that future a reality?**

The information gathered through data collection, which should include the perspectives and input from Council members representing individuals with developmental disabilities (self advocates, parents or guardians of children with developmental disabilities and, immediate relatives or guardians of adults with developmental disabilities who cannot advocate for themselves), will help the Council answer these questions in developing the goals, objective, and strategies for the Plan.

Presentation of Data to Council Members

Councils utilize a variety of strategies to present data and information on State/Territory programs as well as input from the public so that it is usable for Council members as they determine State plan goals and objectives. Some of those strategies include:

- Using the current 5-Year State Plan as a base, identifying information that is new, information that has changed, and information still relevant.
- Compiling information by the Areas of Emphasis in the DD Act.
- Cross referencing data from State sources and external sources.
- Compiling information from public forums and surveys into a reader friendly document.
- Using workgroups to synthesize information and make it meaningful for all.
- Using small group round table discussions to react to and discuss data results.
- Organizing the information into smaller units so it is manageable and useable for planning.
- Listing issues that emerged from the analysis by priority to identify the most pressing needs.
- Developing spread sheets that summarize the information gained from surveys.
- Distilling all information, defining common themes, and providing a summary report.
- Aligning agency information with Council member agencies.

Strategies for Developing the Plan

Councils can use various strategies for developing the State plan, including:

- Devoting time during each Council meeting for State Plan Development.
- Convening a planning retreat of the Council to explain the process, clarify all the information, make sure everyone understands expectations, present the research, and brainstorm.
- Conducting a large facilitated meeting for the Council, stakeholders and agencies.
- Using a facilitator or consultant to engage Council members in a discussion, to generate ideas, and to assist the Council with reviewing survey data and selecting goals/objectives.
- Hiring a strategic planner to assist with developing the plan.
- Using Council member expertise to build on what was revealed from the data analysis.

***Reminder:** Goals should be based upon your examination of your service system and input from people with developmental disabilities, family members of people with developmental disabilities, and other stakeholders.*

Prioritizing

In developing the State plan goals, a first important step is identifying priority areas. There are a number of considerations for Councils to explore in identifying priority areas and determining focus, goals, objectives, related areas of emphasis (see Figure 7), and use of funds, including the following:

- Information from the needs assessment.

- Staffing levels and funding amounts in relation to the breadth of the State plan.
- Current agency efforts, especially those the agency is particularly invested in to avoid overlap.
- Areas of emphasis related to the greatest unmet needs (see Figure 7).
- Trends (demographic, political, social, and economic) that impact the priorities.

**Figure 7: Areas of Emphasis
Section 102 (2)**

- Quality assurance
- Employment
- Child care
- Health Education
- Education and early intervention
- Housing
- Transportation
- Recreation
- Other formal and informal community supports

Councils use a variety of strategies to assist with setting priorities, including:

- Checklists to clarify important criteria for decision making (see Figure 8).
- Council members to point out restrictions on resources.
- Public input on priorities once the needs assessment is completed.
- Committees to develop information and present priorities.
- Brainstorming sessions on priority areas with the Council, and further researching those areas.

Figure 8: Sample Checklist For Screening Goals and Objectives

Instructions: Score goals and objectives (“yes”, “no”, “maybe”) based on how well they meet the criteria listed across the top of this table.

	<u>Aligned with purpose of DD Act</u>	<u>Aligned with Council mission, values, vision</u>	<u>Impact is measurable</u>	<u>Rationale is supported by data</u>
<u>Goal/objective</u>				
<u>Goal/objective</u>				
<u>Goal/objective</u>				
<u>Goal/objective</u>				

Developing the Goals

Information from the comprehensive review and analysis, which should include information from various sources (e.g., public input, surveys, organization and agency

annual reports, needs assessments, national data sets), should provide the basis of the rationale for the goals.

It is also important to review the goals in the Council's current State Plan, and to identify what needs to change and what can stay the same. To this end, the Council should pay attention to emerging issues and modify the plan accordingly.

The goals will focus on advocacy, capacity building and systemic change related to the areas of emphasis that are derived from the unmet needs of individuals with developmental disabilities and their families. The Council is required to have at least one goal related to self-advocacy and leadership development of people with development disabilities (see Figure 9).

Figure 9: DD Act Requirements for State Plan Goals

Section 124 (c)(4)(A)(i-ii)

(4) PLAN GOALS. -The plan shall focus on Council efforts to bring about the purpose of this subtitle, by-

(A) specifying 5-year goals, as developed through data driven strategic planning, for advocacy, capacity building, and systemic change related to the areas of emphasis, to be undertaken by the Council, that-

(i) are derived from the unmet needs of individuals with developmental disabilities and their families identified under paragraph (3); and

(ii) include a goal, for each year of the grant, to-

(I) establish or strengthen a program for the direct funding of a State self-advocacy organization led by individuals with developmental disabilities;

(II) support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders; and

(III) support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions;

Goals are the starting point for planning. Remember that success will rest, in part, on whether you have buy-in from key stakeholders of the group you want to reach. Planning for goals they find important will make the Council's work relevant, help to ensure sustainability, and encourage participation and partnerships.

There are many approaches to writing goals. Councils should aim towards developing goals that are **SMART**:

Specific
Measurable
Attainable
Realistic
Timely

Specific - A specific goal has a much greater chance of being accomplished than a general goal. To set a specific goal you must answer the six "W" questions:

- Who: *Who is involved?*
- What: *What do I want to accomplish?*
- Where: *Identify a location.*
- When: *Establish a time frame.*
- Which: *Identify requirements and constraints.*
- Why: *Specific reasons, purpose or benefits of accomplishing the goal.*

For example, a general goal would be, "Get in shape." But a specific goal would say, "Join a health club and workout 3 days a week."

Measurable - Establish concrete criteria for measuring progress toward the attainment of each goal you set. When you measure your progress, you stay on track, reach your target dates, and experience the achievement that spurs you on to continued effort required to reach your goal. To determine if your goal is measurable, ask questions such as:

- How much?
- How many?
- How will I know when it is accomplished?

Attainable - When goals are identified that are most important to the Council, the Council begins to figure out ways the goals can be achieved. The Council develops the attitudes, abilities, skills, and financial capacity to reach them. The Council begins seeing previously overlooked opportunities to come closer to the achievement of the Council's goals. The Council can attain most any goal when steps are planned wisely and when a time frame is established that allows the Council to carry out those steps.

Realistic - To be realistic, a goal must represent an objective toward which the Council is both *willing* and *able* to work. A goal can be both high and realistic. The Council can decide just how high the goals should be. But be sure that every goal represents substantial progress. A goal is probably realistic if the Council truly *believes* that it can be accomplished. Additional ways to know if the goal is realistic is to determine if the Council has accomplished anything similar in the past or asking what conditions would have to exist to accomplish this goal?.

Timely - A goal should be grounded within a time frame. With no time frame tied to it there's no sense of urgency. If the goal is to lose 10 pounds, what is the target date for the weight loss? "Someday" won't work. But if the goal is anchored a timeframe, "by May 1st", then work can begin on the goal.

T can also stand for **Tangible** - A goal is tangible when it can be experienced in some way. When a goal is tangible, there is a better chance of making it specific and measurable and thus attainable.

In writing goals that are **SMART**, the Council can simultaneously work on identifying the objectives, implementation activities, and timelines that will help to reach the goals. This process will also help the Council think about the evaluation approach to measure progress and impact. For example, the activities selected can be based on the outcomes hoped to reach.

See Appendix D for examples of goals, objectives, implementation activities and timelines.

Strategies for Implementing the Goals

The State Plan Template requires that Councils identify the strategies the Council will utilize to meet the goal. Section 125(c)(5)(A-L) of the DD Act identifies specific strategies a Council may utilize, such as outreach, training, informing policy makers, coalitions, etc. in implementing the goals in the State Plan (see Figure 10).

Figure 10: Strategies for Implementing the State Plan

Section 125 (c)(5)(A-L)

(5) STATE PLAN IMPLEMENTATION.-

(A) IN GENERAL. -The Council shall implement the State plan by conducting and supporting advocacy, capacity building, and systemic change activities such as those described in subparagraphs (B) through (L).

(B) OUTREACH.-The Council may support and conduct outreach activities to identify individuals with develop-mental disabilities and their families who otherwise might not come to the attention of the Council and assist and enable the individuals and families to obtain services, individualized supports, and other forms of assistance, including access to special adaptation of generic community services or specialized services.

(C) TRAINING. -The Council may support and conduct training for persons who are individuals with develop-mental disabilities, their families, and personnel (including professionals, paraprofessionals, students, volunteers, and other community members) to enable such persons to obtain access to, or to provide, community services, individualized supports, and other forms of assistance, including special adaptation of generic community services or specialized services for individuals with developmental disabilities and their

Figure 10: Strategies for Implementing the State Plan

families. To the extent that the Council supports or conducts training activities under this subparagraph, such activities shall contribute to the achievement of the purpose of this subtitle. (D) TECHNICAL ASSISTANCE. -The Council may support and conduct technical assistance activities to assist public and private entities to contribute to the achievement of the purpose of this subtitle.

(E) SUPPORTING AND EDUCATING COMMUNITIES. -The Council may support and conduct activities to assist neighborhoods and communities to respond positively to individuals with developmental disabilities and their families-

(i) by encouraging local networks to provide informal and formal supports;

(ii) through education; and

(iii) by enabling neighborhoods and communities to offer such individuals and their families access to and use of services, resources, and opportunities.

(F) INTERAGENCY COLLABORATION AND COORDINATION.- The Council may support and conduct activities to promote interagency collaboration and coordination to better serve, support, assist, or advocate for individuals with developmental disabilities and their families.

(G) COORDINATION WITH RELATED COUNCILS, COMMITTEES, AND PROGRAMS. -The Council may support and conduct activities to enhance coordination of services with-

(i) other councils, entities, or committees, authorized by Federal or State law, concerning individuals with disabilities (such as the State interagency coordinating council established under subtitle C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), the State Rehabilitation Council and the Statewide Independent Living Council established under the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the State mental health planning council established under subtitle B of title XIX of the Public Health Service Act (42 U.S.C. 300x-1 et seq.), and the activities authorized under section 101 or 102 of the Assistive Technology Act of 1998 (29 U.S.C. 3011, 3012), and entities carrying out other similar councils, entities, or committees);

(ii) parent training and information centers under part D of the Individuals with Disabilities Education Act (20 U.S.C. 1451 et seq.) and other entities carrying out federally funded projects that assist parents of children with disabilities; and

(iii) other groups interested in advocacy, capacity building, and systemic change activities to benefit individuals with disabilities.

(H) BARRIER ELIMINATION, SYSTEMS DESIGN AND REDESIGN. -The Council may support and conduct activities to eliminate barriers to access and use of community services by individuals with developmental disabilities, enhance systems design and redesign, and enhance citizen participation to address issues identified in the State plan.

Figure 10: Strategies for Implementing the State Plan

(I) COALITION DEVELOPMENT AND CITIZEN PARTICIPATION.- The Council may support and conduct activities to educate the public about the capabilities, preferences, and needs of individuals with developmental disabilities and their families and to develop and support coalitions that support the policy agenda of the Council, including training in self-advocacy, education of policymakers, and citizen leadership skills.

(J) INFORMING POLICYMAKERS. -The Council may support and conduct activities to provide information to policy-makers by supporting and conducting studies and analyses, gathering information, and developing and disseminating model policies and procedures, information, approaches, strategies, findings, conclusions, and recommendations. The Council may provide the information directly to Federal, State, and local policymakers, including Congress, the Federal executive branch, the Governors, State legislatures, and State agencies, in order to increase the ability of such policymakers to offer opportunities and to enhance or adapt generic services to meet the needs of, or provide specialized services to, individuals with developmental disabilities and their families.

(K) DEMONSTRATION OF NEW APPROACHES TO SERVICES AND SUPPORTS.-

(i) IN GENERAL. -The Council may support and conduct, on a time-limited basis, activities to demonstrate new approaches to serving individuals with developmental disabilities that are a part of an overall strategy for systemic change. The strategy may involve the education of policymakers and the public about how to deliver effectively, to individuals with developmental disabilities and their families, services, supports, and assistance that contribute to the achievement of the purpose of this subtitle.

(ii) SOURCES OF FUNDING. -The Council may carry out this subparagraph by supporting and conducting demonstration activities through sources of funding other than funding provided under this subtitle, and by assisting entities conducting demonstration activities to develop strategies for securing funding from other sources.

(L) OTHER ACTIVITIES.-The Council may support and conduct other advocacy, capacity building, and systemic change activities to promote the development of a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that contribute to the achievement of the purpose of this subtitle.

Step 4: Developing the Evaluation Plan

The Council must identify an evaluation method to determine if the goals have been achieved. Figure 11 shows the provisions in the DD Act for the State Plan goals with regard to evaluation.

Figure 11: State Plan Goals

Section 124(c)(4)(B)

(B) for each year of the grant, describing-

- (i) the goals to be achieved through the grant, which, beginning in fiscal year 2002, shall be consistent with applicable indicators of progress described in section 104(a)(3);
- (ii) the strategies to be used in achieving each goal; and
- (iii) ***the method to be used to determine if each goal has been achieved.***
(emphasis added)

In addition, the Act provides requirements with regard to the DDC Annual Report and indicates the type of information that should be included as part of the Council's evaluation plan for measuring progress on goals (see Figure 12).

Figure 12: Council Annual Report

Section 125 (c)(7)

(7) REPORTS. -Beginning in fiscal year 2002, the Council shall annually prepare and transmit to the Secretary a report. Each report shall be in a form prescribed by the Secretary by regulation under section 104(b). Each report shall contain information about the progress made by the Council in achieving the goals of the Council (as specified in section 124(c)(4)), including-

- (A) a description of the extent to which the goals were achieved;
- (B) a description of the strategies that contributed to achieving the goals;
- (C) to the extent to which the goals were not achieved, a description of factors that impeded the achievement;
- (D) separate information on the self-advocacy goal described in section 124(c)(4)(A)(ii);

Figure 12: Council Annual Report

- (E)
 - (i) as appropriate, an update on the results of the comprehensive review and analysis described in section 124(c)(3); and
 - (ii) information on consumer satisfaction with Council supported or conducted activities;
- (F)
 - (i) a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities in Intermediate Care Facilities (Mental Retardation) receive; and
 - (ii) a description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities served through home and community-based waivers (authorized under section 1915(c) of the Social Security Act (42 U.S.C. 1396n(c)) receive;
- (G) an accounting of the manner in which funds paid to the State under this subtitle for a fiscal year were expended;
- (H) a description of-
 - (i) resources made available to carry out activities to assist individuals with developmental disabilities that are directly attributable to Council actions; and
 - (ii) resources made available for such activities that are undertaken by the Council in collaboration with other entities; and
- (I) a description of the method by which the Council will widely disseminate the annual report to affected constituencies and the general public and will assure that the report is available in accessible formats.

But, there is always the nagging question about what differences (outcomes) the Council makes. Identifying what is important to measure and what can be measured is key to answering this question.

Benchmarking is one way of understanding outcomes achieved through Council efforts. Data can be useful for benchmarking purposes. NCI survey data could be used to track progress toward goals. Longitudinal data on participation in employment services is available from the ICI/AIE annual StateData report.

The State of the States in Developmental Disabilities Project data set has longitudinal revenue, spending and participation data across 1977-2009 in all 50 states and DC for

persons with I/DD and their families. The data are useful in comparing states to themselves over time, and to other states in their Region and nationwide, on measures such as downsizing institutions (i.e., Olmstead implementation issues), financial commitments and other initiatives in family support, supported living and supported employment, and HCBS Waiver utilization. The data help to analyze the impact of legislative, executive and other public policy initiatives for people with I/DD, in addition to identifying for DD Councils' possible priorities in their states for funding, training, technical assistance, etc.

The State of the States in Developmental Disabilities Project and related special projects have completed in approximately 40 special state projects resulting in reports in states such as California, Florida, Illinois, Indiana, Maryland, Massachusetts, New Hampshire, North Dakota, Texas, West Virginia, and Wyoming; special presentations and legislative and Congressional testimony have been provided as well. Recent reports for the States (and Councils) include:

- Illinois
http://www.state.il.us/agency/icdd/communicating/pdf/Serv_FundingforPWDDinIL_2008.pdf
- Indiana
http://www.in.gov/gpcpd/files/Braddock_Report.Executive_Summary.FINAL_10_10.pdf
- North Dakota
<http://www.ndacf.org/ND%20Executive%20Summary%20-%20Report%202009.pdf>
- California
<http://www.caic.org/BraddockReport.pdf>

Appendix E provides examples of evaluation plans and a variety of examples related to the individual components of an evaluation plan. Another approach in developing an evaluation plan is use of a logic model, which can be a useful tool. **Appendix F** of the *Resource* provides information about evaluation and logic models.

Step 5: Public Review

Regardless of whether the Council gets public input as part of the comprehensive review and analysis, Councils must demonstrate that citizens in the State/Territory have had an opportunity to review the draft State Plan (see Figure 13).

Frequently, Councils want to know, after the draft Plan has been presented for public review, what constitutes a significant comment to warrant a change to the draft Plan. Further, Councils want to know if changes to the draft Plan then go back out for public review again.

There is no definitive answer to this question however, if comments received from the public review are significant enough and substantiated in data, then the Council will most likely need to change a goal or goals in the draft State Plan. This amended draft Plan would need to go out again for public review to ensure that changes to any goals and/or objectives are acceptable to the public.

A Council is expected to be able to make changes to activities and/or strategies without necessarily having to give the public an opportunity for review. However, if a Council is going to change a goal or goals, the Council has an obligation to make sure the public has been given an opportunity to review the changes.

As a reminder, the DD Act specifically states a Council shall revise the Plan to take into account and respond to significant comments [Section 124(d)(1)]. This is true for the first round of public review and any subsequent rounds of public review needed to address possible revisions.

Budget

When developing the State Plan, the Council should consider the resources available to implement the Plan. The Council will want to ensure that its plan can be implemented and achieved utilizing the funds available, either through the DD Act allotment or other sources. Section 124 of the DD Act on State Plans does not include specific requirements for developing the budget as part of the State planning process. It only asks for the specific assurances related to the use of funds (see Figure 14).

Figure 13: Public Review

Section 124(d)(1)

(1) PUBLIC INPUT AND REVIEW. -The plan shall be based on public input. The Council shall make the plan available for public review and comment, after providing appropriate and sufficient notice in accessible formats of the opportunity for such review and comment. The Council shall revise the plan to take into account and respond to significant comments.

Figure: State Plan Assurance related to the Budget

Section 124(5)(B)

(5) ASSURANCES.-

(B) USE OF FUNDS. -With respect to the funds paid to the State under section 122, the plan shall provide assurances that-

(i) not less than 70 percent of such funds will be expended for activities related to the goals described in paragraph (4);

(ii) such funds will contribute to the achievement of the purpose of this subtitle in various political sub-divisions of the State;

(iii) such funds will be used to supplement, and not supplant, the non-Federal funds that would other-wise be made available for the purposes for which the funds paid under section 122 are provided;

(iv) such funds will be used to complement and augment rather than duplicate or replace services for individuals with developmental disabilities and their families who are eligible for Federal assistance under other State programs;

(v) part of such funds will be made available by the State to public or private entities;

(vi) at the request of any State, a portion of such funds provided to such State under this subtitle for any fiscal year shall be available to pay up to 1 /2 (or the entire amount if the Council is the designated State agency) of the expenditures found to be necessary by the Secretary for the proper and efficient exercise of the functions of the designated State agency, except that not more than 5 percent of such funds provided to such State for any fiscal year, or \$50,000, whichever is less, shall be made available for total expenditures for such purpose by the designated State agency; and (vii) not more than 20 percent of such funds will be allocated to the designated State agency for service demonstrations by such agency that-

(I) contribute to the achievement of the purpose of this subtitle; and

(II) are explicitly authorized by the Council.

Section 125(c)(8)(A-C) of the law states that Councils should develop budgets (see Figure 14). In developing the State Plan, it is recommended that Councils develop budgets for each year of the 5 year State Plan, based on the activities (staff and grant) that will be undertaken each year. However, the State Plan Template only requires that a budget be provided for the first year of the grant. Updates to proposed budgets will be made annually when State plan amendments are due.

See Appendix G for information related to budget form.

Figure 15: Budget

Section 125(c)(8)(A-C)

(8) BUDGET. -Each Council shall prepare, approve, and implement a budget using amounts paid to the State under this subtitle to fund and implement all programs, projects, and activities carried out under this subtitle, including

(A)

(i) conducting such hearings and forums as the Council may determine to be necessary to carry out the duties of the Council; and

(ii) as determined in Council policy-

(I) reimbursing members of the Council for reasonable and necessary expenses (including expenses for child care and personal assistance services) for attending Council meetings and performing Council duties;

(II) paying a stipend to a member of the Council, if such member is not employed or must forfeit wages from other employment, to attend Council meetings and perform other Council duties;

(III) supporting Council member and staff travel to authorized training and technical assistance activities including in-service training and leadership development activities; and

(IV) carrying out appropriate subcontracting activities;

(B) hiring and maintaining such numbers and types of staff (qualified by training and experience) and obtaining the services of such professional, consulting, technical, and clerical staff (qualified by training and experience), consistent with State law, as the Council determines to be necessary to carry out the functions of the Council under this subtitle, except that such State shall not apply hiring freezes, reductions in force, prohibitions on travel, or other policies to the staff of the Council, to the extent that such policies would impact the staff or functions funded with Federal funds, or would prevent the Council from carrying out the functions of the Council under this subtitle; and

(C) directing the expenditure of funds for grants, contracts, interagency agreements that are binding contracts, and other activities authorized by the State plan approved under section 124.

Planning Timeline

Depending on the size of the Council and State (allotment, geographic) the timeline may range from an 18 month planning process, for the larger States, 12 months for medium allotment States, and 9 months for minimum allotment states.

The Council should adopt a timeline for State Plan development that takes into consideration the Council and staff time needed to review progress, conduct a comprehensive review and analysis, and develop the plan. Below is a timeframe for consideration when developing the State plan.

Activity	Timeline
Review Progress, Mission, and Vision	12 – 18 months
Gather information from various sources for the comprehensive review and analysis	12 – 18 months
Gather public input on issues of importance to your State.	12 – 18 months
Analyze the data collected into meaningful and accessible parts and identify areas of emphasis for review by the Council.	6 – 12 months
Develop the goals and strategies for the plan.	Typically, 4 or 6 meetings prior to the due date, a meeting of the Council or planning Committee of the Council would meet to determine the goals and objective topics
Approve a public review draft of the State Plan and publish for comment	Three to 4 meetings prior to the Plan being due
Public Comment Period	45 days minimum or longer depending on what is required statutorily by your State/Territory
Review public comments to determine if any modifications should be made to the draft Plan and either approve or modify the draft Plan. If the Council modifies the draft Plan, a second public comment period would be required.	Two meetings prior to the Plan being due

Council approval of the final Plan.	One meeting prior to the Plan being due
Submit plan to ADD in OLDC	August 15, 2011, for all Councils.

Figure 5: State Plan Development Timeline



Please note: Meetings may be standing meetings or called meetings. Councils ideally will evaluate their resources and the scheduling needs of members to determine a timeline that offers the best fit. A minimum requirement of 45 days for public comments is required by OMB/ADD.

Planning Tips

- Plan early
- Plan often
- Plan backwards
- Implement forward
- Use clear, concise outcome language in the goals
- Clearly identify data sources for measuring results
- Ensure that the vision, mission, goals, objectives, and results are aligned throughout the Plan
- Ensure outcomes are consistent with the goals, vision, and mission

Assurances

The last component of State Plan requirements is assurances. Assurances is a signed document that includes a variety of items outlined in Section 124 (c)(5)(A-N) of the DD Act. Assurances include parameters around the costs for the responsibilities of the Designated State Agency and details information on conflict of interest, interference, and other assurances (see Figure 15). ADD requires a signed document for those assurances that Councils must submit with the State Plan. **See Appendix G** for an assurances example.

Who exactly signs the assurances?

The Designated State Agency (DSA) signs the assurances because they are the ones that have to ensure the State Plan, since they're the ones that are actually receiving the money for the Council. If a Council is operating as their own DSA, typically, the Council Chairperson signs the assurances.

DSA Consultation

Section 124 (d)(2) references consultation with the Designated State Agency. This is only to ensure that the Council State Plan is consistent with State law. This is not to gain the DSA's "approval" of the Plan, including the goals and objectives.

Figure 15: Assurances

Section 124 (c)(5)(A-N)

(A) IN GENERAL. -The plan shall contain or be supported by assurances and information described in subparagraphs (B) through (N) that are satisfactory to the Secretary.

(B) USE OF FUNDS. -With respect to the funds paid to the State under section 122, the plan shall provide assurances that-

- (i) not less than 70 percent of such funds will be expended for activities related to the goals described in paragraph (4);
- (ii) such funds will contribute to the achievement of the purpose of this subtitle in various political sub-divisions of the State;
- (iii) such funds will be used to supplement, and not supplant, the non-Federal funds paid under section 122 are provided;
- (iv) such funds will be used to complement and augment rather than duplicate or replace services for individuals with developmental disabilities and their families who are eligible for Federal assistance under other State programs;

Figure 15: Assurances

(v) part of such funds will be made available by the State to public or private entities;

(vi) at the request of any State, a portion of such funds provided to such State under this subtitle for any fiscal year shall be available to pay up to 1 / 2 (or the entire amount if the Council is the designated State agency) of the expenditures found to be necessary by the Secretary for the proper and efficient exercise of the functions of the designated State agency, except that not more than 5 percent of such funds provided to such State for any fiscal year, or \$50,000, whichever is less, shall be made available for total expenditures for such purpose by the designated State agency; and (vii) not more than 20 percent of such funds will be allocated to the designated State agency for service demonstrations by such agency that-

(I) contribute to the achievement of the purpose of this subtitle; and

(II) are explicitly authorized by the Council.

(C) STATE FINANCIAL PARTICIPATION. -The plan shall provide assurances that there will be reasonable State financial participation in the cost of carrying out the plan.

(D) CONFLICT OF INTEREST. -The plan shall provide an assurance that no member of such Council will cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest.

(E) URBAN AND RURAL POVERTY AREAS. -The plan shall provide assurances that special financial and technical assistance will be given to organizations that provide community services, individualized supports, and other forms of assistance to individuals with developmental disabilities who live in areas designated as urban or rural poverty areas.

(F) PROGRAM ACCESSIBILITY STANDARDS. -The plan shall provide assurances that programs, projects, and activities funded under the plan, and the buildings in which such programs, projects, and activities are operated, will meet standards prescribed by the Secretary in regulations and all applicable Federal and State accessibility standards, including accessibility requirements of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), and the Fair Housing Act (42 U.S.C. 3601 et seq.).

(G) INDIVIDUALIZED SERVICES. -The plan shall provide assurances that any direct services provided to individuals with developmental disabilities and funded under the plan will be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of such individual.

(H) HUMAN RIGHTS. -The plan shall provide assurances that the human rights of the individuals with developmental disabilities (especially individuals without familial protection) who are receiving services under programs assisted under this subtitle will be protected consistent with section 109 (relating to rights of individuals with developmental disabilities).

Figure 15: Assurances

(I) MINORITY PARTICIPATION. -The plan shall provide assurances that the State has taken affirmative steps to assure that participation in programs funded under this subtitle is geographically representative of the State, and reflects the diversity of the State with respect to race and ethnicity.

(J) EMPLOYEE PROTECTIONS. -The plan shall provide assurances that fair and equitable arrangements (as determined by the Secretary after consultation with the Secretary of Labor) will be provided to protect the interests of employees affected by actions taken under the plan to provide community living activities, including arrangements designed to preserve employee rights and benefits and provide training and retraining of such employees where necessary, and arrangements under which maximum efforts will be made to guarantee the employment of such employees.

(K) STAFF ASSIGNMENTS. -The plan shall provide assurances that the staff and other personnel of the Council, while working for the Council, will be responsible solely for assisting the Council in carrying out the duties of the Council under this subtitle and will not be assigned duties by the designated State agency, or any other agency, office, or entity of the State.

(L) NONINTERFERENCE. -The plan shall provide assurances that the designated State agency, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council, except that the designated State agency shall have the authority necessary to carry out the responsibilities described in section 125(d)(3).

(M) STATE QUALITY ASSURANCE. -The plan shall provide assurances that the Council will participate in the planning, design or redesign, and monitoring of State quality assurance systems that affect individuals with developmental disabilities.

(N) OTHER ASSURANCES. -The plan shall contain such additional information and assurances as the Secretary may find necessary to carry out the provisions (including the purpose) of this subtitle.