

**MINNESOTA GOVERNOR'S COUNCIL
ON DEVELOPMENTAL DISABILITIES**

Wednesday, June 6, 2014
12:15 p.m. – 2:30 p.m.
Continuing Education and Conference Center
University of Minnesota St. Paul Campus
1890 Buford Avenue, St. Paul, Minnesota 55108

MINUTES

MEMBERS PRESENT

Dan Reed, Chair
Ashley Bailey
Dawn Bly
Peg Booth
Kevin Dawson
Mary Hauff
David R. Johnson
Steve Kuntz
Jim Lovold
Barb Lundeen
Lynne Megan
Mary O'Hara Anderson
David Quilleash
Mary Raasch
Robbie Reedy
Bonnie Jean Smith
Mike Stern
Wendy Velzke
Katheryn Ware
Melissa Winger

MEMBERS EXCUSED

Pamela Hoopes
Eric Kloos
Carolyn Perron

GUESTS

Peter Beierwaltes, intern, The Arc Minnesota
Rick Cardenas, ACT, Inc.
Mary Catherine Interpreter
Laurie Krouse, Interpreter
Steve Larson, The Arc Minnesota
David Sherwood-Gabrielson, Olmstead
Implementation Office
Jerrod Vincent, staff support for Robbie Reedy
Darlene Zangara, Olmstead Implementation
Office

STAFF PRESENT

Colleen Wieck
Mary Jo Nichols

I. CALL TO ORDER

Dan Reed, Council Chair, called the meeting to order at 12:20 p.m.

II INTRODUCTIONS

Everyone present introduced him/herself.

COUNCIL PROGRAM

Dan Reed introduced Darlene Zangara, Executive Director, Olmstead Implementation Office, and said that she would provide an update about her role and responsibilities, and how we might help.

Zangara said that she is very excited with her new role. She then shared some background about herself.

She was born in Ohio, in a family whose family members are also deaf. She has a Bachelor's Degree in Education and taught young students who were deaf, and also has a Master's Degree in Counseling Services from Gallaudet University. She has worked in mental health, drug and alcohol/chemical dependency, and human services fields for 25 years, both in advocacy positions and administering programs. She also has a Ph.D.

She moved to and also worked in South Dakota so is familiar with different states and different state systems although, she noted, the issues are much the same across the states.

Zangara had heard about Olmstead for several years but knew little about what had actually happened. She sees this as an opportunity to transform the state and make a difference in the lives of individuals with disabilities. She has personally experienced lack of access to programs and services, and oppression. She believes she now has the leverage to create something positive in Minnesota.

She stated that the Olmstead Subcabinet embraces the Olmstead decision and Olmstead Plan. Key components of achieving a better Minnesota for everyone with disabilities include opportunities for us to live more independently. In terms of systems change, the way we think, the way we do things, and the way we provide services

requires that changes be made in laws, rules, policies, and practices. We need to make sure that the resources are available in order to realize these changes.

The goals set out in Minnesota's Olmstead Plan – living, learning, working, and enjoying life in the most integrated setting – reflect the Olmstead decision.

Zangara considers one of the biggest challenges will be related to money, getting all of the departments to work together and agree to shifting dollars to do things differently, resulting in changes that will benefit everyone and not just a specific person.

She said that she has been in her position for one month now and is trying to determine how to push the Olmstead Plan along the way. The core ideas are there to stay; we want to achieve a better quality of life for everyone.

Zangara noted that she is still trying to figure out what the Office should look like and where it should be located to make sure that everyone involved will be connected. The Office is now housed at the Department of Employment and Economic Development but that may not be the case next year. Additional funding is needed to carry out the Plan; the process for doing so will begin in the fall.

The overarching goal of the Plan is quality assurance and accountability. Zangara then identified six key components –

- 1 Review policies, laws, and funding through the perspective of Olmstead.
- 2 Provide leadership opportunities for people with disabilities.
- 3 Conduct a quality of life assessment to determine if programs and services are doing their job and are people receiving services satisfied.
- 4 Create an Olmstead dispute resolution process.
- 5 Establish the Olmstead office.
- 6 Develop an Olmstead Quality Improvement Plan.

A key person from each department has specific goals and action items to accomplish. It's both exciting and challenging to have agencies working together on joint goals. Changes will have to be made to meet the terms of the Settlement Agreement but the Agreement also gives us the leverage and a window of opportunity to roll out the Plan

Council members then offered ideas and suggestions related to implementation.

Kuntz asked about including MnSCU when looking at education and lifelong learning.

Wieck said that MN.IT, the Department of Natural Resources, MnSCU, and other departments were not included in the original Executive Order and should be added. We'll need to see if there will be a new Executive Order or if Zangara might have to draft legislation to assure these additions are made.

Zangara then talked about the changes in thinking that will need to occur with person centered planning being the most critical. The focus here is on what the person needs and wants; she added that not many people think this way.

The Olmstead Plan takes this into account what people are saying they want - a decrease in the number of individuals with disabilities in segregated settings, an increase in integrated employment opportunities, an increase in individual control over supports and services, expanded self advocacy and peer support, a move away from restraints and seclusion, and new practices to improve health outcomes.

Bly said that, in going forward with the Plan, it would be important to look at what Minnesota has done and what programs have worked but no longer exist due to lack of funding. Zangara said that an example would be a wellness recovery program and stakeholder groups will be created to address this issue. We would encourage people with expertise in these areas to continue or restart programs that are or were working rather than reinvent new programs.

Smith said that early intervention programs are not broken but we tend to always start over. Person centered planning needs to be plugged in during the middle school years.

Hauff added that she didn't see education as a focus point. If we want systems change, it has to start with education. Education needs to be a cornerstone.

In response to Winger's question about who the Implementation Office reports to, Zangara said the Olmstead Subcabinet. The Office wants to be an independent entity.

Quilleash emphasized the importance of lifelong learning and lifelong supports. He said we've focused on the kindergarten through 12th grades but, when young adults go out into the world, they're missing the supports they need when they need them. Everyone transitions in their own time and at their own pace. When students are transitioning from school, housing is the most important. So, during those transition years, students should automatically be getting the help and assistance they need to live on their own rather than waiting until they are out of school.

Zangara said that everything is interconnected. When all agencies come together, it's easier to see the overlaps and relationships.

Reed said it's important to provide more background so people can see what has happened from the Olmstead decision until now.

Jerrod Vincent said that the Settlement Agreement is just symptomatic of where we've lost our way. We're behind where we should be.

Megan noted that this all boils down to individual choice. In traditional systems, we can't dictate what each person gets. We have a spectrum of people with disabilities. In the area of employment, for example, we can't dictate that people get jobs.

Kuntz said that business is a stakeholder that's not here. Getting people jobs and housing is good business. Minnesota has to be out front in this area.

Ware said that Dakota County does person centered planning now but they are restricted about how much they can do. Nursing homes and foster care are not the most integrated settings. When my son finishes school, where can he be integrated? The options and choices are all segregated now.

Stern added that, if there were more housing options for consumers, it would force group homes to change. As a parent, the only choices my son has are a group home or live with me.

Reedy said that fight now there is not a lot of funding for people to be in their own home.

Reed thanked Zangara for her presentation.

III. APPROVAL OF AGENDA

Reed asked for approval of the Agenda.

MOTION: Reedy moved, seconded by Velzke to approve the Agenda. Motion carried; there were no dissenting votes.

IV. APPROVAL OF MINUTES FOR APRIL 2, 2014

Reed asked for approval of the Minutes as written for April 2, 2014

MOTION: Velzke moved, seconded by Reedy to approve the Minutes for April 2, 2014 with the correction that Velzke is continuing to serve and is not an outgoing Council member. Motion carried; there were no dissenting votes.

V. CHAIR'S REPORT

Reed extended a welcome to new Council members.

Reed mentioned the TPT premiere of the *Independence to Inclusion* documentary; he said that the documentary was beautifully and superbly done.

Bly added that school districts should use this documentary for training. It would help them to understand what inclusion really is.

Wieck asked David R. Johnson if he would speak briefly about the Institute on Community Integration and the 25th Anniversary edition of their newsletter, *IMPACT*, that was published in May.

Johnson first provided some background. The Institute on Community Integration began in 1985 as a sister program to the DD Council and the Protection and Advocacy agency. The three programs together encompass the areas of public policy, research and development, and legal aid. Robert Bruininks served as President of the University of Minnesota for nine years and was interviewed for this edition of *IMPACT*.

The *IMPACT* newsletter began in 1988. Over the years, more than 60 editions have been published. In planning for the 25th Anniversary newsletter, Johnson said the Institute wanted to talk about some of the issues covered and the stories of individuals in the areas of inclusive education, employment, and home of your own – where they were in those early years, where they are now, and how enriched their lives have become.

The Council is mentioned several times in the newsletter, and the Partners in Policymaking® program is identified as one of the programs that defines and distinguishes the Council from other groups.

Johnson added that the Institute on Community Integration will celebrate its 30th anniversary next year.

Copies of the May 2014 issue of IMPACT were disseminated to Council members.

VI. GRANT REVIEW COMMITTEE

Stern welcomed new Council members.

Preallocations for FFY 2015 were reviewed. Allocation recommendations will be brought to the full Council for approval at the August meeting.

Two supplier performance reviews were held, one with Advocating Change Together and SAM, the statewide self advocacy network; and one with Kaposia, inc. for the Employment Project.

Self advocates for SAM gave a very lively presentation and talked about the training sessions offered. The sessions focus on personal empowerment, systems change, and disability awareness

Kaposia talked about the Discovery Process, a person centered planning tool they use to really get to know a job seeker, their skills, and what they can do. This leads to identifying three vocational themes for each person. They also shared some stories about individuals who are working through the process, including one young woman who actually turned down a job. Stern said he wondered how many people with developmental disabilities would ever do that.

Kaposia is also partnering with the Autism Society of Minnesota, who is offering employer training, and with several school districts.

VII. PUBLIC POLICY COMMITTEE

Reed reported that Steve Larson provided a wrap up of the 2014 Legislative Session. He highlighted many successful efforts including the 5% campaign, passage of the Safe and Supportive Schools Act, and a reduction in parental fees. He noted that the knowledge level of legislators grew immensely during the session and the coalitions were very strong.

Peg Booth is now heading the Jensen Implementation Office at the Department of Human Services (DHS) with four staff. The Office is included in the Comprehensive Plan of Action. She was surprised about how many DHS staff were unaware of the Jensen Settlement Agreement. The Office was given 60

days to train 6,000 people statewide about the impact of the Settlement Agreement on the work that they do and the changes that need to be made. A total of 4,000 staff have been trained to date.

Part of the training includes the video that is posted at the Council website about the METO lawsuit and Jensen Settlement Agreement, specifically the interviews with self advocates about the kind of training that staff/service providers should have. Raasch said that her video interview is included so she is part of this training.

Hauff said that this could be added to the College of Direct Support training.

Quilleash said that he participated in a mock press conference and played the part of a hostile audience member. He stated his concerns about Medical Assistance income and asset standards, and asset restrictions that are placed on people with disabilities. He believes the ability of people to keep needed services is a civil rights issue and restricting income is fundamentally bad public policy. The ability to earn and save, and generate income that makes you a taxpayer is good public policy.

VIII. EXECUTIVE DIRECTOR'S REPORT

Wieck provided the following updates and highlights from monthly reports:

1. Olmstead Plan updates:
 - a. Four listening sessions were held in Mankato, St. Paul, Duluth, and Bemidji. There are a lot of misunderstandings about the Olmstead Plan and what it means, including concerns about no funding and loss of jobs;
 - b. Plan modifications were reviewed on May 30, the Subcabinet will approve on June 9, with submission to the court monitor and the Court on July 15, 2014;
 - c. A quality of life survey will be conducted this summer with funds from Minnesota Housing;
 - d. A comprehensive review of all policies, practices, and funding is scheduled for the October Council meeting;

- e. The Comprehensive Plan of Action was approved by Judge Frank on March 11, 2014;
 - f. The first and second status reports have been submitted.
2. The ADA Legacy Project featured Wolf Wolfensberger in April, self advocacy in May, and the Olmstead decision this month in June.
 3. A total of 101 people attended the TPT premiere of the documentary, *Independence to Inclusion*, and the Disability Justice website. Guests included Chief United States District Judge Michael Davis, United States District Judge Donovan Frank, Magistrate Judge Steven Rau, Warren Spannaus, former Minnesota Attorney General, and the family of Ken Kohnstamm. After several airings and in the first two and one-half weeks, there were more than 2,000 viewings of the documentary.
 4. Disability justice and the new website were the focus of a Federal Judges retreat, and CLEs with the Attorney General's Office (400 attendees) and at the CLE Center (100 attendees).

The US District Court website includes a link to the Disability Justice website. The Federal Courts seal was added to publicity materials.

5. The Rud Turnbull video interview on ethics/ethical communities, special education, and dignity of risk has been released.
6. The Project SEARCH website has been updated.
7. The OH CRAP bill, authored by Senator John Hoffman regarding outdated language, passed.
8. Partners Class 31 graduation was held on May 13, 2014. There was a large turnout and David Quilleash gave out the graduation certificates.
9. The Department of Administration is developing a customer survey; this will be used as a substitute for our Stakeholder Survey for this year's annual report.

10. The G-Tube lawsuit was heard by the Eight Circuit Court of Appeals on May 14, 2014.
11. Roberta Opheim was honored at this year's Public Policy Recognition Event that was held on May 14, 2014 and sponsored by The Arc Minnesota.

IX. ADJOURNMENT

Reed asked that the meeting be adjourned.

MOTION: Reedy moved, seconded by Stern to adjourn the meeting.

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Colleen Wieck
Executive Director