

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

Wednesday, April 2, 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
Dawn Bly
Peg Booth
Jennifer Giesen
Steve Kuntz
Louis Lenzmeier
Barb Lundeen for Shawn Holmes
Lynne Megan
Stevie K. Nelson
Carolyn Perron
Scott Price
David Quilleash
Mary Raasch
Robbie Reedy
Bonnie Jean Smith
Mike Stern
Joe Timmons
Wendy Velzke
Katheryn Ware

STAFF PRESENT

Colleen Wieck
Mary Jo Nichols

MEMBERS EXCUSED

Mary Hauff
Tom Holtgrewe
Matt Kramer
Eric Kloos

MEMBERS ABSENT

Bryan Schmidt
Melissa Winger

GUESTS

The Honorable Donovan Frank, United States
District Judge, District of Minnesota
Anne Barry, Deputy Commissioner,
Department of Human Services
Spencer Cronk, Commissioner, Department of
Administration
Laurie Beyer-Kropuenske, Department of
Administration
Bill Hanley, Executive Vice President, TPT
Steve Larson, The Arc Minnesota
Shelley Madore
Nancy Miller, Metropolitan State University

GUESTS, cont'd.

Pam Palan, TPT
Steve Spencer, TPT
Jerrod Vincent, staff support for Robbie
Reedy
Jonah Weinberg, Autism Society of Minnesota
Alauna Yust, TPT

COUNCIL PROGRAM

Colleen Wieck introduced Bill Haley who then spoke briefly about the work that TPT has been doing with the Council over the past couple of years, leading to today's presentation. He also noted that there will also be time for Council members to share their ideas on how the 25th Anniversary of the Americans with Disabilities might be celebrated in July 2015.

Hanley first talked about how very difficult it is to put projects of substance together. They think seriously about making substance and television work together, learning of challenges in the community and then trying to design projects to meet those challenges.

The statewide partnership model that TPT uses in creating its programming is a national model, recognizing public servants who dedicate their lives to improving the lives of many other people. To date, TPT has completed 673 projects with 202 partners across the state.

When Institutions to Independence was produced, it was knowing that the TPT viewing audience didn't have a lot of direct experience with people with developmental disabilities. That first documentary was designed to introduce viewers to the lives of people with disabilities along with a bit of the history of where we've been in Minnesota.

The new documentary, Independence to Inclusion, presents both the vision and the realities of the lives of people with disabilities today.

Hanley then introduced Pam Palan, managing producer, who has been responsible for putting this project together over the past two years.

Palan noted that she worked with the Council previously on the Honoring Choices public education program. The current project consists of two parts, the continuing legal education website (<http://DisabilityJustice.tpt.org>) and the Independence to Inclusion documentary that Steve Spencer has produced.

Spencer said that they wanted this documentary to be factual and compelling, and challenge people's perceptions and stereotypes about people with disabilities. He also provided some background on this production.

At the August 1, 2012 Council meeting, TPT conducted a brainstorming session with Council members to learn what people most misunderstand about people with disabilities, and how perceptions and attitudes have changed over the years. Spencer said that all of that information has been considered in producing this documentary.

They wanted Independence to Inclusion to be positive but also for the individuals in the documentary to express their views to a general audience that aren't always so positive. Getting the issues out there is important. This will be broadcast throughout the state.

Palan added that the premier will air on April 15, 2014 at 9:30 p.m.; it will air on the statewide MN channel on April 27, 2014 at 7:00 p.m. and on the Life channel at 12 Noon on May 4, 2014. The documentary will then be available online; she provided the website link and how to locate at the TPT website. A clip from the documentary was played.

Palan then talked about the Disability Justice website. There will be over 70 clips total from a taping completed last summer. Palan then identified some of the presenters and a sample of topics that each will be discussing: Palan then played clips.

- Judge Frank - the purpose of the Disability Justice Resource Center;
- Jim Backstrom - witness competency issues when individuals with disabilities are crime victims;
- Justice Wilhelmina Wright - access to the courts;
- Professor Steve Befort - the ADA and the impact it has had on employment;
- Professor Elizabeth Schiltz – right to vote and voting issues.

Hanley talked about the financing of the website, the *cy pres* fund that was created by Judge Frank and has its origins in the Jensen lawsuit. Judge Frank has the authority to designate how such funds can be used, to serve a public purpose and a good cause. The funds that remained from the Settlement were so designated and the Disability

Justice Resource Center and documentary will be dedicated to P.Kenneth Kohnstamm.

Ann Barry, Deputy Commissioner, Department of Human Services, said that early on in the settlement negotiations, the Department's Chief Compliance Officer decided that the right thing to do was to settle the lawsuit and construct a settlement agreement that would have a positive impact on people. Throughout those negotiations, the question that was always asked by Ken Kohnstamm was, "What's the right thing to do?"

Barry added that attorneys on both sides agreed about how the *cy pres* funds would be used. Judge Frank wrote the Order creating the *cy pres* fund; the Order was filed October 18, 2012. Ken Kohnstamm died on April 4, 2013.

Judge Donovan Frank then read from an April 23, 2013 Order that included a Memorandum about Ken's death. The Memorandum recognized Ken as "a true credit to the legal profession and a good, decent, and caring man who wanted to improve the world around him, which he did." The two TPT projects were thus dedicated to Ken. The portion of the Memorandum regarding the dedication is attached to these Minutes.

Hanley then talked about the 25th Anniversary of the Americans with Disabilities Act (ADA) that will be celebrated next year. He invited Council members to give their ideas and suggestions about how to approach this celebration in terms of the primary audiences, the tone of the celebration – challenges still being faced and the challenges that have been overcome, two or three take away messages, and how to make this celebration happen.

The following ideas and suggestions were made:

1. It's important to remember the history; include pictures and videos.
2. Look at the successes and what has changed, and what remains to be done. There are still businesses that know nothing about the ADA.
3. We've been desensitized to the issues. We need to revitalize. This should be a celebratory occasion but we also need to recognize the remaining challenges.
4. A balanced approach – the history is extremely important. Present a realistic but also an optimistic view.
5. Regarding audiences, there are areas where we have a long ways to go. Schools and businesses are two of those areas.

6. Businesses would be a huge audience. We need to show that people with disabilities are not the problem but a solution and an opportunity.
7. Specific success stories would be one way to sell to employers.
8. The more profoundly involved the person is, the more impactful will this be.
9. Include people in small towns.
10. Talk with self advocates and learn how people are living their lives.
11. Some self advocates have better balance in their lives than people without disabilities.
12. We need to be talking with young families, parents of children birth to three years.
13. Include language/terminology issues.
14. Include political people, elected public officials.
15. Ask the same questions of people in different age groups.
16. CLEs are now including self advocates on panels.
17. Imagine what it would be like if people could live where they want to live and are doing what they want to do – what's possible and what could we learn.
18. I'm still amazed when people learn I have a child with a disability. They'll ask where does he go to school and what does he do during the day.
19. It's "normal" to be different.
20. Special education is still considered a place rather than a service.
21. Disability etiquette.
22. Need to get real inclusive.

Reed thanked all guests for their presentation.

I. CALL TO ORDER

Dan Reed, Council Chair, called the meeting to order at 1:50 p.m.

II INTRODUCTIONS

Everyone present introduced him/herself.

III. APPROVAL OF AGENDA

Reed asked for approval of the Agenda.

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

IV. APPROVAL OF MINUTES FOR FEBRUARY 5, 2014

Reed asked for approval of the Minutes as written for February 5, 2014

MOTION: Smith moved, seconded by Bly to approve the Minutes as written for February 5, 2014. Motion carried; there were no dissenting votes.

Wieck provided additional background information about the Disability Justice website.

The video interviews with federal judges and law school faculty that are featured on the website focus on constitutional rights and lawsuits regarding voting issues, the right to education, and civil rights issues.

The concept of disability justice has already been incorporated into CLEs on Elimination of Bias. The website is intended to provide supplemental information for law school classes and CLEs.

The website can also be converted into an online course. We have worked with Peter Berge, CLE Center, on webinars; an online course could be created from this content.

V. GRANT REVIEW COMMITTEE

Stern reported that a performance review was done for the Partners in Policymaking® program. Recruitment has started for Class 32; a flyer was available and Committee members were asked and offered to assist with disseminating recruitment information. La Qui Parle and Wabasha counties are targeted for recruitment; we still do not have a Partners graduate from either of those counties.

MarketResponse International provided an update on the education study about the school experiences of students who are receiving special education services, students with IEPs. Special education directors will help disseminate information about the study. Stern noted that Committee members said they would have liked more input on the survey. A question about regions in the state will be added to the survey to track the number of responses by region and help identify which districts may not be getting survey information out to parents.

Stern also reported that all of the dollars available for cosponsorship funds for training conferences were not awarded. There were few dollars remaining and those funds will be reallocated to Electronic Government Services

Some Committee members raised concerns about the Council website. They felt the Council home page should clearly say who we are and what the Council does, and asked that the home page be redesigned.

VI CHAIR'S REPORT

Reed said that Partnership Resources is doing another film project. They are calling on all Minnesotans with all abilities and asking them what do disability issues look like to them today. There will be two categories based on film length, a five minute and a 20 minute category; backstories will also be done.

These films will be presented at the RealAbilities film festival in the fall and then will run all next year in celebration of the ADA.

VII. PUBLIC POLICY COMMITTEE

Reed reported that Sean Burke, Minnesota Disability Law Center, discussed the final CMS rule that defines home and community based settings.

Quilleash added that the ultimate goal is to give people with disabilities more choices about where they live and how they live that are not restricted or limited.

VIII. EXECUTIVE DIRECTOR'S REPORT

Wieck provided the following updates and highlights from monthly reports:

1. Dawn Bly's daughter, Robin, sent a thank you note in appreciation for her being able to attend some Council meetings.
2. We are in the midst of the Governor's appointment process and working with Elizabeth Nordlund, the appointment secretary.

Successor Council members include Pamela Hoopes, Minnesota Disability Law Center, who will be serving for Jennifer Giesen; Shawn Holmes, the Department of Health representative, resigned and Barb Lundeen will be replacing Shawn; Eric Kloos, Department of Education, will be serving for Loraine Jensen. Peg Booth's appointment status is pending since she just assumed a director position at the Department of Human Services for the Jensen Implementation Office.

Outgoing members include Tom Holtgrewe, Matt Kramer, Louis Lenzmeier, Stevie K. Nelson, and Bryan Schmidt.

3. The survey for the education study that is being conducted by MarketResponse International has been finalized and field tested.
4. Olmstead Plan updates:
 - a. A Subcabinet Status Report was filed with the Court on February 18, 2014;
 - b. Amendments to the Plan were published on March 17, 2014;
 - c. Bonnie Jean Smith served on a hiring committee for new staff for the Olmstead Implementation Office. Darlene Zangara has been named Executive Director and she will assume her position on May 5, 2014;
 - d. Additional listening sessions have been scheduled;

- e. Peg Booth assumed a director position at the Department of Human Services for the Jensen Implementation Office (as noted above);
 - f. A Comprehensive Plan of Action was approved by Judge Frank on March 11, 2014; the first report to the Court is due on April 11, 2014;
5. Bengt Nirje is feature in the March "Moment in Disability History;" Wolf Wolfensberger's teachings are featured in this month's episode.
 6. The thank you note from Robin Bly was mentioned above.
 7. Work has been completed for the Magistrate Judge selection panel.
 8. The "Telling Your Story" app is being promoted at Tuesdays at the Capitol.
 9. Continuing Legal Education (CLE) sessions on disability justice are scheduled for May (Judge's retreat in Duluth), the Attorney General's Office in June, and the CLE Center in July.
 10. A thank you was extended to Professor Elizabeth Schiltz, University of St. Thomas School of Law, for her work on the Disability Justice website.
 11. The TPT premier of "Independence to Inclusion" will be held on April 24, 2014; Council members could help serve on a welcoming committee. A total of 75 RSVPs have been received as of today. Judge Frank will serve as Master of Ceremonies.

Jonah Weinberg, Autism Society of Minnesota, announced that Temple Grandin will be presenting a workshop at the Minneapolis Convention Center on May 22, 2014.

He also provided information about a Bush Foundation grant that focuses on the transition process for young adults with disabilities. Conversations are being held around the state to learn about what is and isn't working in the area of transition.

Weinberg also noted that Garrison Keillor will be opening this year's Annual Conference, beginning on Wednesday, April 29, 2014, and sharing a father's

perspective about having a child with disabilities. The conference will feature separate tracks on education, mental health, and legal issues. Employment will be the focus on Friday, May 2, 2014.

IX ADJOURNMENT

Reed asked that the meeting be adjourned.

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

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

Respectfully submitted,

Colleen Wieck
Executive Director