

ACF

Administration for Children and Families

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families

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Information Memorandum

TO: Directors, Designated State Agencies
Chairpersons, State Developmental
Disabilities Councils
Executive Directors, State Developmental
Disabilities Councils
Directors, State Protection and Advocacy Systems

SUBJECT: The purpose of this Information Memorandum (IM) is to transmit a draft of the revised planning and reporting requirements for the Developmental Disabilities Councils (DDCs) and the Protection and Advocacy (P&A) agencies, in addition to informing you of the necessary hardware and software grantees will need for the Electronic Data Submission System (EDS).

CONTENT: As stated in the Dear Colleague letter dated November 20, 1996, the Administration on Developmental Disabilities (ADD) made minor revisions to the State DDC Plan Guidelines, the P&A Statement of Objectives and Priorities (SOP), and the DDC and P&A Program Performance Reports (PPRs). For your information and use, we are enclosing a copy of the revised planning and reporting instruments. You will note that none of the outcome-oriented measures have been incorporated yet. Eventually, however, all of these documents will reflect the performance measures that result from the process we are going through to develop them. These measures will be

gradually phased in as the programs agree on appropriate measures. Opportunities for additional revisions will occur on a continuing basis. For a time, it will be necessary to maintain two reporting systems. While programs are attempting to determine the performance measures they will be evaluated on, we will be required to continue the current format of processing State Plans, SOPs, and PPRs.

The following is a list of reporting requirements, reporting period, due dates, and formats to use.

<u>REPORT</u>	<u>REPORT PERIOD</u>	<u>DUE DATE</u>	<u>FORMAT</u>
1-P&A PPRs	10/1/95 - 9/30/96	1/1/97	Current/ Hard Copy
2-SOPs	10/1/96 - 9/30/97	1/1/97	Current/ Hard Copy
3-3 Year State Plan	10/1/97 - 9/30/00	8/15/97	Revised/ EDS
4-State Plan PPRs	10/1/96 - 9/30/97	1/1/98	Revised/ EDS

In addition, we are developing an instruction manual on the automated reporting system which will be sent to DDCs and P&As during the second quarter of Fiscal Year 1997.

The system software for the EDS is anticipated to be available for field testing during January, 1997. Several DDCs and P&As have been asked to pilot test the new software package. These pilot sites will attempt to complete and electronically transmit program data from their respective sites to ADD. System problems will be addressed and appropriate corrective steps taken to debug problems prior to implementation of the EDS. Full implementation is scheduled to begin during the Fall of 1997.

The software being used for the EDS was developed and is marketed by the Jet Forms Corporation under the name "Jet Form Filler". Each network program will be responsible for purchasing a copy for their computer system. The Jet Form Filler is available by contacting:

Mr. Andy Bridge
Government Operations
Jet Form Corporation
7600 Leesburg Pike
Suite 430
Falls Church, Virginia 22042
1(800) 224-4104 or (703)448-9544
Internet Address: abridge@jetform.com.

In addition to the Jet Form Filler software, the following systems requirements are essential:

- . IBM/IBM compatible or Macintosh PC
with a 386/486 or Pentium processor
- . Minimum of 2MB of RAM (4MB is recommended)
- . 5MB of free hard disk space
- . Modem
- . MS DOS 4.01 or later
- . MS Windows 3.1 or later

These are exciting and challenging times for the DD network. These new reporting requirements along with the new Management Information System (MIS) will provide ADD and the DD network with a mechanism for capturing and documenting our success. We will then be able to communicate to Congress, consumers and our constituency the difference that our programs make in the lives of people with disabilities.

INQUIRIES TO: Ray Sanchez, Director, Division of Program
Operations or Lonnie Stewart, Program Specialist
Hubert H. Humphrey Building, Room 337D
Washington, D.C. 20201
Telephone (202)690-5557



Bob Williams
Commissioner, Administration on
Developmental Disabilities

Attachments: DDC State Plan
DDC PPR
P&A SOP
P&A PPR

cc: Regional Administrators, Region I - X
Director, Office of Regional Operations
Vice President for Government Relations, CDDC
Executive Director, NADDC
Executive Director, NAPAS

PROGRAM INSTRUCTION

TO: Chairpersons, State Councils
Executive Directors, State Councils
Directors, Designated State Agencies

SUBJECT: Three-Year State Plan Guidelines for
Fiscal Years 1998-2000

LEGAL AND RELATED

REFERENCES: Public Law 104-183, Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1996 (42 U.S.C. 6000 et seq.);
Public Law 103-230, Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994 (42 U.S.C. 6000 ET SEQ.);
and 45 CFR Parts 1385 and 1386, amended October 30, 1996 (61 Federal Register 51142)

CONTENT: Attached is a copy of the Revised Three-Year State Plan guidelines approved by the Office of Management and Budget (OMB) for the three-year state plan covering Fiscal Years 1998-2000.

These guidelines supersede the Fiscal Year 1992-1994 State Plan guidelines. [Refer to ADD Program Instruction PI-93-1, dated March 1, 1993 and ADD-IM-94-3 dated June 27, 1994]

The attached Guidelines incorporate changes in the State Plan requirements based on the provisions of the Developmental Disabilities Assistance and Bill of Rights Act of 1994. (42 U.S.C. 6022 and 6024). The 1996 Amendments (Public Law 104-183) simply reauthorized the program's authority through Fiscal Year 1999.

The State Plan must comply with the requirements of the Act and the attendant regulations referenced above.

Please contact your Regional Office should you require further assistance in developing your State Plan or State Plan Amendments.

ATTACHMENT: Three-Year State Plan Guidelines

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EFFECTIVE

DATE: Date of Issuance.

INQUIRIES TO: Ray Sanchez
Director
Division of Program Operations
Telephone: (202) 690-5962

Bob Williams, Commissioner
Administration on Developmental
Disabilities

Copy to: Regional Administrators, ACF/DHHS
Regions I-X
Director, Regional Operations Staff
ACF/DHHS
National Association of Developmental
Disabilities Councils (NADDC)
Consortium of Developmental Disabilities
Councils (CDD)

**THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND
BILL OF RIGHTS OF 1994 AND 1996, AS AMENDED**

Part B

**Federal Assistance
for Three-Year State Plan Priority Area Activities
for Individuals with Developmental Disabilities and Families**

**THREE YEAR STATE PLAN GUIDELINES
Fiscal Years 1998-2000**

**Administration on Developmental Disabilities
Administration on Children and Families
U.S. Department of Health and Human Services**

INTRODUCTION

Any state desiring to receive Federal funds to assist in the development of a consumer and family-centered, comprehensive system and a coordinated array of culturally competent services, supports, and other assistance designed to achieve independence, productivity, and integration and inclusion into the community for individuals with developmental disabilities and their families must submit a Three-Year State Plan. The approved State Plan is the primary basis upon which a state will participate in programs and activities under Title I, Part B of the Act. Failure to comply with State Plan requirements may result in loss of Federal funds.

The Three-Year State Plan is an important means for the Developmental Disability Council to develop its goals and objectives with its community. The Three-Year Plan is also a comprehensive review and analysis of the extent to which services and supports are available to, and the need for services and supports for, individuals with developmental disabilities and their families. The Three-Year Plan should reflect the Council's plans for systemic change, capacity building, and advocacy activities to appropriately address, on a statewide and comprehensive basis, the needs of persons with developmental disabilities and their families.

Employment is a Federal priority area that must be addressed in each State Plan. At the State's discretion, any or all of the other Federal priority areas (i.e., community living, child development, system coordination and community education) and one optional State priority area as determined by the Council may also be addressed in the State Plan. The Council may wish to select their priority areas by building on the findings and recommendations incorporated in the state's 1990 Report. The Council must provide the public with the opportunity to comment on their proposed Three-Year Plan, prior to submitting it to the Federal Government.

The Three-Year State Plan will be effective October 1, 1997 for Federal Fiscal Years 1998, 1999 and 2000. The State Plan shall be submitted to the appropriate Regional Office no later than August 15, 1997 to provide Regional Office staff sufficient time to review and negotiate changes, as needed, with the State. Annual amendments to the Three-Year State Plan for Federal Fiscal Years 1999 and 2000 will be required to also be submitted to the appropriate Regional Office.

The Office of Management and Budget (OMB) has approved this document, OMB # _____; expiration date _____.

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PURPOSES

THE GUIDELINES FOR THE THREE-YEAR STATE PLAN WERE DEVELOPED IN ORDER TO:

- Provide assistance to State Developmental Disabilities Councils and other State officials involved in the review and preparation of a State Plan under the requirements of the Developmental Disabilities Assistance and Bill of Rights Act, P.L. 103-230, Part B, Federal Assistance to State Developmental Disabilities Councils.

THE THREE-YEAR STATE PLAN ON DEVELOPMENTAL DISABILITIES IS DEVELOPED IN ORDER TO:

- Advise citizens of each State about the Developmental Disabilities Council and its planned goals, objectives, programs, activities, procedures, and resources by which the State Developmental Disabilities Council will implement its systemic change, capacity building, and advocacy activities in selected priority areas. The Plan will also enable the Developmental Disabilities Council to assist their State in the development of a consumer and family-centered comprehensive system and a coordinated array of culturally competent services, supports, and other assistance designed to achieve independence, productivity, and integration and inclusion into the community for individuals with developmental disabilities and their families.
- Provide the Administration on Developmental Disabilities and the Secretary of Health and Human Services with reliable, useful information upon which to base current and future national policy regarding the State Developmental Disabilities Council and the needs of people with developmental disabilities and their families.

STATE PLAN REQUIREMENTS

Following is a list of information for the 1998-2000 Three-Year State Plan required by the Developmental Disabilities and Bill of Rights Act under Section 122. Legislative references for information required are provided in the left-hand column, and the information required is provided in the right-hand column.

Section 122(c) Required Information

- (1) . . . provide for the establishment and maintenance of a State Developmental Disabilities Council in accordance with section 124 and describe the membership of such Council.
- (2) . . . identify the agency or office within the State designated to support the State Developmental Disabilities Council in accordance with this section and section 124(d).
- (3) . . . contain a comprehensive review and analysis of the extent to which services and support are available to, and the need for services and supports for, individuals with developmental disabilities and their families.
- (3)(A) Describe the services, supports and other assistance being provided to, or to be provided to, individuals with developmental disabilities and their families under other federally assisted State programs, plans and policies that the State conducts and in which individuals with developmental disabilities are or may be eligible to participate, including programs relating to education, job training, vocational rehabilitation, public assistance, medical assistance, social services, child welfare, maternal and child health, aging, programs for children with special health care needs, children's mental health, housing, transportation, technology, comprehensive health and mental health, and such other programs as the Secretary may specify;
- (3)(B) Describe the extent to which agencies operating such other federally assisted State programs pursue interagency initiatives to improve and enhance services, supports and other assistance for individuals with developmental disabilities;
- (3)(C) Examine the provision, and the need for the provision, in the State of the four Federal priority areas and an optional State priority area, including--

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- (3)(c)(i) an analysis of such Federal and State priority areas in relation to the degree of support for individuals with developmental disabilities attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments;
- (3)(c)(ii) an analysis of 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 such services;
- (3)(c)(iii) an analysis of the barriers that impede full participation of members of unserved and underserved groups;
- (3)(c)(iv) consideration of the report conducted pursuant to section 124 (e);
- (3)(c)(v) consideration of the data collected by the State educational agency under section 618 of the Individuals with Disabilities Education Act;
- (3)(c)(vi) an analysis of services, assistive technology, or knowledge that may be unavailable to assist individuals with developmental disabilities;
- (3)(c)(vii) an analysis of existing and projected fiscal resources;
- (3)(c)(viii) an analysis of any other issues identified by the State Developmental Disabilities Council; and
- (3)(c)(ix) the formulation of objectives in systemic change, capacity building, and advocacy to address the issues described in clauses (I) through (vi) for all subpopulations of individuals with developmental disabilities that may be identified by the State Developmental Disabilities Council.
- (4)(A) . . . specify employment, and at the discretion of the State, any or all of the three other Federal priority areas and an optional State priority area that are selected by the State Developmental Disabilities Council for such Council's major systemic change, capacity building, and advocacy activities to be addressed during the plan period and describe the extent and scope of the Federal and State priority areas that will be addressed under the plan in the fiscal year;
- (4)(B) Describe the specific 1-year and 3-year objectives to be achieved and include a listing of the programs, activities, and resources by which the State Developmental Disabilities Council will implement its systemic change, capacity building, and advocacy activities in selected priority areas, and set forth the non Federal share required to carry out each objective.

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- (4)(C) establish a method for the periodic evaluation of the plan's effectiveness in meeting the objectives described in subparagraph (B).
- (5) The State Plan shall contain or be supported by the following assurances:
 - (5)(A) The following assurances shall be provided regarding funds paid to the State under Section 125.
 - (5)(A)(i) . . . funds will be used to make a significant contribution toward enhancing the independence, productivity, and integration and inclusion into the community of individuals with developmental disabilities in various political subdivisions of the State;
 - (5)(A)(ii) . . . funds will be used to supplement and to increase the level of funds that would otherwise be made available for the purposes for which Federal funds are provided and not to supplant non-Federal funds;
 - (5)(A)(iii) . . . 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;
 - (5)(A)(iv) . . . part of such funds will be made available by the State to public or private entities;
 - (5)(A)(v) . . . not more than 25 percent of such funds will be allocated to the agency designated under section 124 (d) for service demonstration by such agency and that such funds and demonstration services have been explicitly authorized by the State Developmental Disabilities Council;
 - (5)(A)(vi) . . . not less than 65 percent of the amount available to the State under section 125 shall be expended for activities in the Federal priority area of employment activities, and, at the discretion of the State, activities in any or all of the three other Federal priority areas and an optional State priority area;
 - (5)(A)(vii) . . . the remainder of the amount available to the State from allotments under section 125 (after making expenditures required by clause (vi)) shall be used for the planning, coordination, administration, and implementation of priority area activities, and other activities relating to systemic change, capacity building, and advocacy to implement the responsibilities of the State Developmental Disabilities Council pursuant to section 124 (c).

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- (5)(B) The plan shall provide assurances that there will be reasonable State financial participation in the cost of carrying out the State plan.
- (5)(C) The plan shall provide assurances that the State Developmental Disabilities Council has approved conflict of interest policies as of October 1, 1994, to ensure that no member of such Council shall 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.
- (5)(D) The plan shall provide assurances that special financial and technical assistance shall be given to organizations that provide services, supports, and other assistance to individuals with developmental disabilities who live in areas designated as urban or rural poverty areas.
- (5)(E) The plan shall provide assurances that programs, projects, and activities assisted under the plan, and the buildings in which such programs, projects, and activities are operated, will meet standards prescribed by the Secretary in regulation and all applicable Federal and State accessibility standards.
- (5)(F) The plan shall provide assurances that any direct services provided to individuals with developmental disabilities and funded under this plan will be provided in an individualized manner, consistent with unique strengths, resources, priorities, concerns, abilities and capabilities of an individual.
- (5)(G) The plan shall provide assurances that the human rights of all individuals with developmental disabilities (especially those individuals without familial protection) who are receiving services under programs assisted under this part will be protected consistent with section 110 (relating to rights of individuals with developmental disabilities).
- (5)(H) The plan shall provide assurances that the State has taken affirmative steps to assure that participation in programs under this part is geographically representative of the State, and reflects the diversity of the State with respect to race and ethnicity.
- (5)(I) The plan shall provide assurances that the State will provide the State Developmental Disabilities Council with a copy of each annual survey report and plan of corrections for cited deficiencies prepared pursuant to section 1902 (a) (31) of the Social Security Act with respect to any intermediate care facility for the mentally retarded in such State not less than 30 days after the completion of each such report or plan.

- (5)(J) The plan shall provide assurances that the maximum utilization of all available community resources including volunteers serving under the Domestic Volunteer Service Act of 1973 and other appropriate voluntary organizations will be provided for, except that such volunteer services shall supplement, and shall not be in lieu of, services of paid employees.
- (5)(K) 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 under the plan to provide community living activities, including arrangements designed to preserve employee rights and benefits and to 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.
- (5)(L) The plan shall provide assurances that the staff and other personnel of the State Developmental Disabilities Council, while working for the Council, are responsible solely for assisting the Council in carrying out its duties under this part and are not assigned duties by the designated State agency or any other agency or office of the State.
- (5)(M) The plan shall provide assurances that the designated State agency or other office of the State will not interfere with systemic change, capacity building, and advocacy activities, budget, personnel, State plan development, or plan implementation of the State Developmental Disabilities Council, except that the designated State agency shall have the authority necessary to carry out the responsibilities described in section 124 (d) (3).

Fiscal Year

(In Consultation with the Designated State Agency)

Council Executive Director

Date Submitted: _____

THREE YEAR STATE PLAN GUIDELINES

Following are the guidelines and optional format for preparing and submitting the Developmental Disabilities Three-Year State Plan. The Guidelines have been developed to assist the Developmental Disabilities Councils in the states and territories in the development and submission of their State Plans. The format is organized by sections and includes instructions and tables to facilitate the Council's reporting.

SECTION I: DEVELOPMENTAL DISABILITIES - DEFINITION AND IMPACT

A. General Statement

Provide an opening section with a general statement summarizing the philosophy of your State Council in addressing the needs of persons with developmental disabilities and the inclusion of all individuals with developmental disabilities, including individuals with the most severe disabilities, in community life.

B. State's Application of the Federal Definition and State Prevalence of Developmental Disabilities

1. Describe the way your State applies and/or implements the Federal definition of Developmental Disabilities for use under Part B of the Act, Federal Assistance to State Developmental Disabilities Councils. You may include sections of your State's developmental disability law or executive order, if applicable; guidelines developed for any contractor or grantee who receives funds under this program; and other relevant descriptive information.
2. Provide the estimated prevalence of developmental disabilities in your State. State level prevalence rates may be extrapolated from national prevalence rates, such as the 1.8% estimate by Gollay and Associate. Should you elect this option, prevalence rates for sub-state areas are not required.

You may decide to provide estimates based on state-generated data, providing you specify the basis for your estimate. If state data are available, figures for state and sub-state regions would be useful and you may wish to use maps or charts to show populations by regions.

SECTION II: DD COUNCIL - ORGANIZATION AND ROLE

A. State Developmental Disabilities Council - Organizational Structure

1. Cite the date and authority by which the Council was established.
2. Provide information on the organizational structure of the Council, including the Council staff and the location of the Council within the Designated State Agency. You may wish to use organizational chart, depicting the necessary information.
3. Give the name, title, current mailing address, and telephone number of (a) the Chairperson and (b) the Executive Director of the State Council.
4. Complete Columns (2), (3), (4), and (5) on Tables IA and IB, "State Council Composition." (See Tables IA and IB attached.) In Column (2), enter the name of each member of the Council under the appropriate Federal Statutory Member categories provided in Column (1). Names may appear more than once if a person represents more than one agency or category. In Column (3), enter the date of appointment, and in Column (4), enter the date the appointment expires. Use Column (5) to explain any circumstances (i.e., staff vacancies, nomination pending, officer of Council, etc.) that may be helpful in certifying full compliance with the State Council composition requirements of the Act. (Section 124(b) of the Act).
5. Describe the role of the Developmental Disabilities Council in your State. This discussion should reflect the substantially strengthened role of the Council, its greater autonomy, and its responsibility for administering the State Plan, including activities and accomplishments that promote systemic changes, policy reforms, capacity building, and advocacy.

B. Role of the DDC in the State's Context

1. Include a description of the Council's role within the state's structure to provide assistance to individuals with developmental disabilities. Where applicable, describe the state's progress toward improving service delivery through the provision of services, supports, and other assistance, including access to special adaptation of generic services or specialized services.
2. Describe how environmental factors (including economic, social, political, taxation/spending, legislation and regulation, litigation) positively or negatively influence the timing, outcomes, trends and progress in the State concerning systemic change issues.
3. Where applicable, describe the State Council's, Protection and Advocacy System's, and University Affiliated Program(s) participation in collaborative

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efforts which address selected issues facing the disabilities community, to bring about broad systems change to benefit individuals with developmental disabilities, and, where appropriate, individuals with other disabilities.

C. Designated State Agency

1. Identify the Designated State Agency and date established.
2. Provide the name, title, current mailing address, and telephone number of the responsible state official of the Designated State Agency. If, through administrative or other arrangement, more than one agency is designated to perform the functions described, briefly delineate the responsibilities of each.
3. Present the organizational structure of the Designated State Agency. You may wish to use an organizational chart, depicting this information.
4. Does the Designated State Agency provide direct services to be supported with Federal funds under the Developmental Disabilities Act? If yes, describe those services.
5. Describe the role and responsibilities of the Designated State Agency as they affect the Council's operations, the approved State Plan, and the Council's administration of priority area activities. Include a description of systems of fiscal control and funds accounting, record keeping, and access to records to assure proper disbursement and accounting of Part B funds. For clarification, elaborate where appropriate and quote from Federal and State empowerment (Section 124 (d)(3) of the Act).
6. Provide a list of Designated State Agency staff assigned to the Council and a description of their Council responsibilities.

SECTION III: STATE PLAN REVIEW PROCESS

A. Comprehensive Review and Analysis

Include in your comprehensive review and analysis the following information:

1. The Need For and the Extent to Which Services and Supports Are Available.
 - a. List and describe other federally assisted State programs, plans, and policies reviewed by the Council and in which individuals with developmental disabilities are or may be eligible to participate, including programs relating to education, job training, vocational rehabilitation, public assistance, medical assistance, social services, child welfare, maternal and child health, aging, programs for children with special health care needs, children's mental health, housing, transportation, technology, comprehensive health and mental health, and such other programs as the Secretary may specify (Section 122(c)(3)(A)).
 - b. Provide a description of the extent to which agencies operating such other federally assisted State programs pursue interagency initiatives to improve and enhance services, supports, and other assistance for individuals with developmental disabilities (Section 122(c)(3)(B)).
 - c. Provide an examination of the provision, and the need for the provision, in the State of the four Federal priority areas and an optional State priority area (Section 122(c)(3)(C) and Section 124(c)(2)).
 - d. Provide an analysis of such Federal and State priority areas in relation to the degree of support for individuals with developmental disabilities attributable to either physical impairment, mental impairment, or a combination of physical and mental impairments (Section 122(c)(3)(C)(I)).
 - e. Provide an analysis of 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 such services (Section 122(c)(3)(C)(ii)).
 - f. Provide a discussion of the 1990 Report conducted pursuant to Section 124(e) (Section 122(c)(3)(C)(iv)).
 - g. Provide a discussion of the data collected by the State educational agency under section 618 of the Individuals with Disabilities Education Act (Section 122(c)(3)(C)(v)).

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2. Efforts to Provide Services to Unserved and Underserved Populations.

- a. Provide an analysis of the barriers that impede full participation of members of unserved and underserved groups (Section 122(c)(3)(C)(iii)) and include a brief description of the State service delivery system as it impacts people with developmental disabilities, including those with severe disabilities, and their families. Provide information about the positive and negative impact on the independence, productivity and inclusion of persons who are unserved and underserved and the role of State Plan in addressing critical barriers and issues. Give specific information about individuals who are members of ethnic and racial minority groups, and individuals in underserved geographic areas.
- b. Provide an analysis of services, assistive technology, or knowledge that may be unavailable to assist individuals with developmental disabilities (Section 122(c)(3)(C)(vi)).

3. Formulation of Objectives

Provide a formulation of objectives in systemic change, capacity building, and advocacy to address the issues described above (in Sections A.1. and A.2.) for all subpopulations of individuals with developmental disabilities that may be identified by the State Developmental Disabilities Council. (Section 122(c)(3)(C)(ix));

4. Other Issues

Provide an analysis of any other issues identified by the State Developmental Disabilities Council (Section 122(c)(3)(C)(viii)).

5. Process for Monitoring, Reviewing, and Evaluating the State Plan

Describe the Council's process for the monitoring, review, and evaluation of the State Plan, not less often than annually, by the State Council. Also describe the Council's method for evaluating the implementation and effectiveness of the State Plan in meeting such plan's objectives (Section 122(c)(4)(C)).

SECTION IV: STATE PLAN

A. Priority Areas

1. List each Priority Area to be addressed in your State Plan.

The term '**Federal priority areas**' means community living activities, employment activities, child development activities, and system coordination and community education activities. (Section 102(12)).

The term '**State priority area**' means priority area activities in an area considered essential by the State Developmental Disabilities Council (Section 102(27)).

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2. Provide the rationale for the selection of Priority Area activities.

The term '**employment activities**' means such priority area activities as will increase the independence, productivity, and integration and inclusion into the community of individuals with developmental disabilities in work settings. (Section 102 (10))

The term '**community living activities**' means such priority area activities as will assist individuals with developmental disabilities to obtain and receive the supports needed to live in their family home or a home of their own with individuals of their choice and to develop supports in the community. (Section 102 (4))

The term '**child development activities**' means such priority area activities as will assist in the prevention, identification, and alleviation of developmental disabilities in children, including early intervention services. (Section 102 (6))

The term '**system coordination and community education activities**' means activities that--

- (A) eliminate barriers to access and eligibility for, supports, and other assistance;
- (B) enhance systems design, redesign, and integration, including the encouragement of the creation of local service coordination and information and referral statewide systems;
- © enhance individual, family, and citizen participation and involvement; and
- (D) develop and support coalitions and individuals through training in self-advocacy, educating policy makers, and citizen leadership skills. (Section 102(29))

B. Goals and Objectives

Using Table II "Goals and Objectives" Table), or similar format, identify your State's Three-Year Plan Goals and Objectives. A table has been provided for each of the Federal goals of Independence, Productivity, and Integration and Inclusion. In addition each State may identify additional goals. The objectives under each of these goals should be derived from the definitions of each of these goals and the appropriate 'activities', and from major issues and trends previously described in the Comprehensive Review and Analysis section. These objectives should be stated in sufficiently broad terms to accommodate the achievement of shorter-term objectives and priority area activities. Where applicable, include objectives developed in collaboration with the Protection and Advocacy Systems and University Affiliated Program(s).

A separate table should be completed for each objective under each goal.

For each objectives, identify the activities, programs, and resources to be used to meet such objectives. These should correspond to the appropriate Federally mandated Priority Area.

C. Projects and Programs

Federal Code (e)(1) ... may provide for funding projects to demonstrate new approaches to direct services which enhance the independence, productivity, and integration and inclusion into the community of individuals with developmental disabilities. Direct service demonstrations must be short-term and include a strategy to locate on-going funding from other sources. For each demonstration funded, the State Plan must included an estimated period of the project's duration and a brief description of how the services will be continued without federal developmental disabilities program funds.

Provide the following information for each project supported with Part B, Section 125 funds (State Allotments) and provide timeframes and strategies for continuing successful demonstration projects through sources of funding other than funds provided under the Act:

- Project Name and Number
 - Purpose/Description
 - Project Period (Start Year/End Year)
 - Current Year Funding - Federal Funds, Matching Funds, Total
1. List all existing projects or programs funded by the State Planning Council, and provide the level of funding to be allocated for each (Section 125: State Allotments).
 2. List all planned model demonstrations and other projects or programs funded by the State Planning Council, and provide the approximate level of funding to be allocated for each.

SECTION V: ASSURANCES

A. Use of Council Funds

1. Provide assurances that funds will be used to make a significant contribution toward enhancing the independence, productivity, and integration and inclusion into the community of individuals with developmental disabilities in various political subdivisions of the State; [Section 122(c)(5)(A)(I)];
2. Provide assurances that funds will be used to supplement and to increase the level of funds that would otherwise be made available for the purposes for which Federal funds are provided and not to supplant non-Federal funds [Section 122(c)(5)(A)(ii)];
3. Provide assurances that 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 [Section 122(c)(5)(A)(iii)];
4. Provide assurance that part of such funds will be made available by the State to public or private entities [Section 122(c)(5)(A)(iv)];
5. Provide assurances that not more than 25 percent of such funds will be allocated to the agency designated under section 124(d) for service demonstration by such agency and that such funds and demonstration services have been explicitly authorized by the State Developmental Disabilities Council [Section 122(c)(5)(A)(v)];
6. Provide assurances that not less than 65 percent of the amount available to the State under section 125 shall be expended for activities in the Federal priority area of employment activities, and, at the discretion of the State, activities in any or all of the three other Federal priority areas and an optional State priority area; and ~~(vii)~~ the remainder of the amount available to the State from allotments under section 125 (after making expenditures required by clause (vi)) shall be used for the planning, coordination, administration, and implementation of priority area activities, and other activities relating to systemic change, capacity building, and advocacy to implement the responsibilities of the State Developmental Disabilities Council pursuant to section 124^o [Section 122(c)(5)(A)(vi)].

B. State Financial Participation

Provide assurances that there will be reasonable State financial participation in the cost of carrying out the State plan [Section 122(c)(5)(B)].

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C. Conflict of Interest

Provide assurances that the State Developmental Disabilities Council has approved conflict of interest policies as of October 1, 1994, to ensure that no member of such Council shall 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 [Section 122(c)(5)(C)].

D. Urban and Rural Poverty Areas

Provide assurances that special financial and technical assistance shall be given to organizations that provide services, supports, and other assistance to individuals with developmental disabilities who live in areas designated as urban or rural poverty areas [Section 122(c)(5)(D)].

E. Program Standards

Provide assurances that programs, projects, and activities assisted under the plan, and the buildings in which such programs, projects, and activities are operated, will meet standards prescribed by the Secretary in regulation and all applicable Federal and State accessibility standards [Section 122(c)(5)(E)].

F. Individualized

Provide assurances that any direct services provided to individuals with developmental disabilities and funded under this plan will be provided in an individualized manner, consistent with unique strengths, resources, priorities, concerns, abilities and capabilities of an individual [Section 122(c)(5)(F)].

G. Human Rights

Provide assurances that the human rights of all individuals with developmental disabilities (especially those individuals without familial protection) who are receiving services under programs assisted under this part will be protected consistent with section 110 (relating to rights of individuals with developmental disabilities) [Section 122(c)(5)(G)].

H. Minority Participation

Provide assurances that the State has taken affirmative steps to assure that participation in programs under this part is geographically representative of the State, and reflects the diversity of the State with respect to race and ethnicity [Section 122(c)(5)(H)].

I. Intermediate Care Facility for the Mentally Retarded Survey Reports

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Provide assurances that the State will provide the State Developmental Disabilities Council with a copy of each annual survey report and plan of corrections for cited deficiencies prepared pursuant to section 1902(a)(31) of the Social Security Act with respect to any intermediate care facility for the mentally retarded in such State not less than 30 days after the completion of each such report or plan [Section 122(c)(5)(I)].

J. Volunteers

Provide assurances that the maximum utilization of all available community resources including volunteers serving under the Domestic Volunteer Service Act of 1973 and other appropriate voluntary organizations will be provided for, except that such volunteer services shall supplement, and shall not be in lieu of, services of paid employees [Section 122(c)(5)(J)]. Please note that the Domestic Volunteer Services Act of 1973 includes the Americorps/VISTA program and three programs collectively referred to as the National Senior Service Corps (Foster Grandparent Program, and the Retired and Senior Volunteer Program known as RSVP).

K. Employee Protection

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 under the plan to provide community living activities, including arrangements designed to preserve employee rights and benefits and to 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 [Section 122(c)(5)(K)].

L. Staff Assignments

Provide assurances that the staff and other personnel of the State Developmental Disabilities Council, while working for the Council, are responsible solely for assisting the Council in carrying out its duties under this part and are not assigned duties by the designated State agency or any other agency or office of the State [Section 122(c)(5)(L)].

M. Noninterference

Provide assurances that the designated State agency or other office of the State will not interfere with systemic change, capacity building, and advocacy activities, budget, personnel, State plan development, or plan implementation of the State Developmental Disabilities Council, except that the designated State agency shall have the authority necessary to carry out the responsibilities described in section 124(d)(3) [Section 122(c)(5)(M)].

SECTION VI: BUDGET DATA

Once each year a projected budget is required as part of the State Plan. The required budget data are shown in Table III ("Priority Area & Mandated (PAM) Activities Projected Funding Plan Break-out") and in Table IV ("Basic State Grant Projected Funding Plan"). These tables are provided for council use in submitting projected budget data. However, a different format may be used as long as all of the required budget data are provided. Councils are asked to provide the best available budget data projections by August 15 of the preceding Plan Year (Federal fiscal year).

A. Analysis of Existing and Projected Fiscal Resources

Provide an analysis of existing and projected fiscal resources (Section 122(c)(3)(C)(vii)).

B. Table III: "Priority Areas Projected Budget"

This table provides a format for budget data projections by Priority Area. Funding must be planned for activities under the Federal priority area of employment.

C. Table IV: "Developmental Disabilities Council Projected Budget"

This table provides a format for the overall budget data projections for the Developmental Disabilities Council. The table provides for budget data by Other Activities of Planning, Coordination and Advocacy and by Priority Area activities conducted in house and those in Poverty and Non-Poverty areas. It also provides for the designated State agency function budget projection. The Federal share of total Priority Area activities must be at least 65% of the Federal allotment as required by Section 122(c)(5)(A)(vi)). Total Recipient Share must equal one-ninth of Federal funding for Priority Area activities in poverty areas; and no match for Federally funded in-house Priority Area activities, and one-third of the Federal funding for all other activities. Note that the necessary match requirement can be calculated using the optional worksheet at the bottom of Table IV. This match is aggregated match and need not represent match contributed by any particular agency or organization. Match may be in-kind.

At the request of any State, a portion of allotments of such State under this part for any fiscal year shall be available to pay up to one-half (or the entire amount if the Council is the designated State agency) of the expenditures found necessary by the Secretary for the proper and efficient exercise of the functions of the State designated agency, except that not more than 5 percent of the total of the allotments of such State for any fiscal year, or \$50,000, whichever is less, shall be made available for the total expenditure for such purpose by the State agency designated under this subsection. (Section 124(d)(4)(A)).

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Amounts shall be provided under subparagraph (A) to a State for a fiscal year only on condition that there shall be expended from State sources for carrying out the responsibilities of the designated State agency under paragraph (3) not less than the total amount expended for carrying out such responsibilities from such sources during the previous fiscal year, except in such year as the Council may become the designated State agency (Section 124(d)(4)(B)).

ATTACHMENTS: Table I-A&B

Table II

Table III

Table IV

Table I-A
State Council Composition
Agency Representation

(i) State Name _____

(ii) Federal Fiscal Year: _____

Federal Statutory Members (1)	Name of Member (2)	Date of Appointment (3)	Expiration Date of Appointment (4)	Remarks (5)
A. Principal State Agencies 1. Rehabilitation Act 2. Individuals with Disabilities Education Act (IDEA) 3. Older Americans Act 4. Title XIX of the Social Security Act				
B. Institution of Higher Education				
C. Each UAP				
D. Protection & Advocacy System				
E. Local Agencies				
F. Non-Governmental Agencies				

G. Private Non-Profit Organizations				
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Table I-B
State Council Composition
Individual Representation

(i) State Name: _____

(ii) Federal Fiscal Year: _____

Federal statutory Members (1)	Name of Member (2)	Date of Appointment (3)	Expiration Date of Appointment (4)	Remarks (5)
A. Individuals with Developmental Disabilities				
B. Parents or Guardians of Children with Developmental Disabilities (if any other than below)				
C. Immediate Relatives or Guardians of Adults with Mentally Impairing Developmental Disabilities				

D. Immediate Relative or Guardian of Individuals with a Developmental Disability who is or was previously institutionalized				Also listed above?:
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**Table II
Goals and Objectives**

(i) State Name: _____

For each Objective, Provide this information:

1. Goal, ID #: _____ (1 = 1st State goal, 2 = 2nd State goal, etc.)

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2. Objective, ID #: _____ (Each Objective number should consist of the goal number followed by a dash and a unique objective number, e.g. the first objective under the first goal will be 1-1.)

--

Fiscal Year Objective to be Completed: _____

3. Objective Resources:

Subgrant/subcontract activities:

DDC In-house Activities:

4. Activities Necessary, by Fiscal Year, to Achieve Objective:

Use back of page if necessary.

FY: _____

FY: _____

FY: _____

Table II

Instructions:

Item 1 For State specific goals, enter the goal number and the state the objective .

Item 2. An objective is a measurable target outcome to be achieved by the end of some stated fiscal year. For each objective, enter the ID number and state the objective. Each Objective number should consist of the goal number followed by a dash and a unique objective number, e.g. the first objective under the first goal will be 1-1.

Enter the fiscal year the objective is expected to be achieved.

Item 3. List the resources that are available to assist in meeting this objective. These resources should be identified as resources available through subgrant/subcontracts, or DDC in-house resources.

Item 4. List the activities that will be conducted to achieve the objective. These activities should be separated by fiscal year.

Table III

**Priority Areas
Projected Budget**

(i) State Name: _____

(ii) Federal Fiscal Year: _____

Priority Area	(A) Federal Share	(B) Recipient's Share	(C) Total Funding Projected
Federal Priority Areas:			
(1) Employment *			
(2) Community Living			
(3) Child Development			
(4) System Coordination /Community Educ. ***			
(5) State Priority Area Name:			
(6) Total Priority Area****	\$ _____	\$ _____	\$ _____

-
- Refer to the requirements section for funding requirements that must be met for approval of the State Plan or Amendments.
 - Total Projected Funding is Federal projected plus matching projected funding.
 - Case Management is included in System Coordination/Community Education.
 - Priority Area in this table [line (6)] will equal Priority Area in Table IV, [line (3)].

Table III

Requirements:

- The Federal priority area of employment is required, and therefore funding must be planned for this priority area and such funding indicated on line (1).
- Total Priority Area in Table III, line (6), must equal projected funding for Total Priority Area in Table IV [line (3)].

Instructions:

- (i) State: provide official name of State or Territory.
 - (ii) Federal Fiscal Year: goes from October 1 of the previous year to September 30. Federal fiscal year 1998 starts on October 1, 1997.
- Column (A) Federal Share: provide the Federal share of total funding projected for each activity.
- Column (B) Recipient's Share: provide a figure for matching funds projected for each activity.
- Column (C) Total Projected Funding: For each line, provide the sum of Column (A) and Column (B).
- Line (1) Employment: provide a projection of funding for projects in the priority area of Employment as defined in Sec. 102(10). This priority area must be funded as required in Sec. 122(c)(5)(A)(vi).
- Line (2) Community Living: provide a projection of funding for projects in the priority area of Community Living as defined in Sec. 102(5).
- Line (3) Child Development: provide a projection of funding for projects in the priority area of Child Development as defined in Sec. 102(4).
- Line (4) System Coordination/Community Education: provide a projection of funding for projects in the priority area of System Coordination/Community Education as defined in Sec. 102(29). This priority area encompasses the former Case Management Priority Area and expands it to include other community .

Table IV

Developmental Disabilities Council Projected Budget

(i) State Name: _____

(ii) Federal Fiscal Year: _____

Activities Funded	(A) Federal Share	(B) Recipient's Share	(C) Total Funding Projected
Priority Area Activities:			
(1) DDC In-house Activities			
(2) In Poverty Areas			
(3) In Non-Poverty Areas			
(4) Total Priority Area Activities			
Other Activities			
(5) Plan'g, Coord. & Advoc.			
(6) Desig. State Ag. Func. **			
(7) Total Projected Funding	\$ _____	\$ _____	\$ _____

(8) Total Fed. Funding for Desig. State Agency	\$ _____
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Optional Worksheet for Minimum Aggregate Match Calculation

Matching Requirement in DD Act, Sec. 125A	Federal Share from above	Match Factor	Match Amount
(9) 25% match	\$ _____ #7A-(#1A+#2A)	1/3	\$ _____
(10) 10% match	\$ _____ #2A	1/9	\$ _____
(11) Calc'd Minimum Match	XXXXXX	XXXXXX	\$ _____ #9C+#10C

- Refer to the instructions for funding requirements that must be met for approval of the State Plan or Amendments.
- ** Costs for the functions of the designated State agency if different from the DDC.

Table IV

Requirements:

- The Federal share of Total Priority Area Activities (block #4A) shall be not less than 65% of the projected Federal allotment (block #7A) as required by Sec. 122(c)(5)(A)(vi).
- Projected funding for Total Priority Area Activities in Table IV [line (4)] must equal Total Priority Area activities in Table III [line (6)].
- Total Recipient's Share (block #7B) shall equal or exceed the Minimum Aggregate Match requirement calculated in the optional worksheet: the sum of 1/3rd of Federal funding for all activities except in-house DDC activities (block #1a) and except for poverty area activities (block #2A) and 1/9th of Federal funding for Priority Area activities in poverty areas (block #2A). Note that the necessary match requirement can be calculated using the worksheet at the bottom of Table IV. This match is aggregated match and need not represent match contributed by any particular agency or organization, except that required for State support for the functions of the designated State agency below. Match may be in-kind.
- Optional Federal funding for designated State agency function (block #6A) shall not exceed the support provided by the designated State agency (block #5B), by Sec. 124(d)(4)(B). Consequently, block #6B must be at least equal to block #6A. This limitation does not apply if the DDC is the designated State Agency.
- Federal funding for the designated State agency function (block #6A) shall be no more than \$50,000, by Sec. 124(d)(4)(A).
- Federal funding for the designated State agency function (block #6A) shall be no more than five percent (5%) of the projected Federal allotment (block #7A) by Sec. 124(d)(4)(A). Consequently, for grant allotments under \$1 million, this limit reduces the \$50,000 limit further.
- The State's expenses of support for the designated State agency function (block #6B) shall not be less than such expenses from the previous year. This limitation does not apply if the DDC is the designated State Agency.
- Total Federal funding for the designated State agency (block #8), less Federal funding for the designated State agency function (block #6A), shall be not more than 25% of the Total Federal Allotment (block #7A), by Sec. 122(c)(5)(A)(v).

Table IV

Instructions:

- (i) State: provide official name of State or Territory.
- (ii) Federal Fiscal Year: goes from October 1 of the previous year to September 30. Federal fiscal year 1998 starts on October 1, 1997.
- Column (A) Federal Share: provide the Federal share of total funding projected for each activity.
- Column (B) Recipient's Share: provide a figure for matching funds projected for each activity.
- Column (C) Total Projected Funding: For each line, provide the sum of Column (A) and Column (B).
- Line (1) DDC In-house Priority Area Activities: provide a projection of funding for Priority Area activities carried out by DDC members or staff.
- Line (2) Priority Area Activities in Poverty Areas: provide a projection of funding, for agencies or entities providing services for persons with Developmental Disabilities who are residents of designated poverty areas.
- Line (3) Priority Area Activities in Non-poverty Areas: provide a projection of funding for Priority Area activities in non-poverty areas carried out by subgrantees/subcontractors.
- Line (4) Total Priority Area Activities: provide the sum of Lines (1) through (3).
- Line (5) Planning, Coordinating, & Advocacy: provide a projection of all direct council funding for non-Priority Area planning, coordination, & advocacy. Include in this category, administrative costs of these activities.
- Line (6) Designated State Agency Function: provide a projection of funding for the designated State agency function.
- Line (7) Total Projected Funding: provide the sum of Line (4), Line (5), and Line (6).
- Line (8) Total Federal Funding for the Designated State Agency: provide the portion of the total Federal allotment allocated to the designated State agency for its function plus planned projects in which it will participate.

Optional Worksheet for Overall Match Calculation

Need not be reported, but will be calculated by Regional staff.

Table IV Instructions continued:

- Line (9) 25% Match: In block #9A, compute block #7A less blocks #1A and #2A, unless the entire State is a designated poverty area, in which case provide zero funding. In block #9C, compute the match amount: #9A divided by three.
- Line (10) 10% Match: In block #10A, provide block #2A, unless the entire State is a designated poverty area, in which case provide block #7A less block #1A. In block #10C, compute the match amount: #10A divided by nine.
- Line (11) Total Calculated Minimum Match Requirement: In block #11C, calculate the sum of block #9C and block #10C.