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Minnesota

**Developmental
Disabilities**

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VOLUME II

P.L. 91-517 DEVELOPMENTAL DISABILITIES SERVICES

AND FACILITIES CONSTRUCTION ACT OF 1970,

AS AMENDED BY

P.L. 94-103 DEVELOPMENTALLY DISABLED ASSISTANCE

AND BILL OF RIGHTS ACT OF 1975

MINNESOTA GOVERNOR'S COUNCIL ON DEVELOPMENTAL DISABILITIES

DEVELOPMENTAL DISABILITIES PLANNING OFFICE OF THE
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PREFACE

Section VI, or Volume II of the 1977 State Plan of the Minnesota DD Council contains copies of documents and materials cited throughout sections I-V, or Volume I of the State Plan. These materials are:

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The Minnesota Governor's Planning Council

On

Developmental Disabilities:

STATEMENT OF PHILOSOPHY AND MISSION

Developmental Disabilities Planning Office
State Planning Agency

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SUMMARY

Created by federal legislation in 1970, the Minnesota Governor's Planning Council on Developmental Disabilities (DD Council) represents a broadly based approach to planning and promoting better coordination of services for persons with developmental disabilities. The DD Council develops an annual, comprehensive, statewide plan of services for persons with developmental disabilities and advises the Governor of Minnesota on matters pertaining to developmental disabilities.

Located in the State Planning Agency, the DD Council promotes joint planning and coordination among the many agencies and organizations that are involved in services for persons with developmental disabilities.

The DD Council is committed to the goal of improving the quality of life and guaranteeing the rights and dignity of persons with developmental disabilities. The Council believes that both the individual and society benefit when persons with disabilities become active participants in society, exercising their rights and assuming the accompanying responsibilities.

The activities of the Council include planning, evaluation, public information and education, legislative and plan review, research and development, as well as promotion of prevention and early intervention services, appropriate residential services, advocacy and protective services and training of developmentally disabled persons and personnel to work with developmentally disabled persons. Developmental disabilities planning efforts are also carried out on a local level throughout the state by eight Regional Developmental Disabilities Planning Councils and Offices.

INTRODUCTION

Historical Background

During the 1960's, American society began to gain increasing awareness of (an) understanding about the capabilities and needs of persons with disabilities. Much state and federal legislation was enacted addressing various facets of the needs of persons with disabilities (e.g., the Maternal and Child Health and Mental Retardation Planning Amendments of 1963 (P.L. 88-156), the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164)). Numerous organizations became involved in providing diverse services needed by persons with disabilities throughout their lives. This phenomenal growth of services and programs created a need for better planning and coordination of efforts.

Parents and professionals soon became increasingly aware of the inadequacies of programs designed for people with mild and moderate disabilities and not tailored to the needs of severely disabled people. These programs generally served only persons with a given disability; a person with multiple handicaps often did not fit into any particular program and therefore frequently went without service.

A Response: The Developmental Disabilities Concept

In 1970, Congress passed the "Developmental Disabilities Services and Facilities Construction Act" (P.L. 91-517) as a response to this problem. The intent of this Act is to create a comprehensive approach to planning and promoting coordination of services for persons with developmental disabilities. The Act recognizes the commonality of service needs among people with long-term, substantial, multi-handicapping conditions that begin early in life.

The 1970 DD Act defined "developmental disability" as a disability which:

- a) Is attributable to mental retardation, cerebral palsy, or epilepsy, or another neurological condition . . . closely related to mental retardation;
- b) Originated before age 18;
- c) Is expected to continue indefinitely, and
- d) Constitutes a substantial handicap to the individual.

In 1975, P.L. 91-517 was amended by the "Developmentally Disabled Assistance and Bill of Rights Act" (P.L. 94-103), which added two more disabilities to the definition -- autism and dyslexia (if the dyslexia results from one of the other four developmental disabilities).

The DD Act of 1970 stipulated that any state wishing to participate in the federal developmental disabilities program and to receive funds, which are disbursed on a formula grant basis, must designate a State Planning Council to be responsible for a wide range of planning and evaluation activities. Pursuant to that Act, the Minnesota Governor's Planning Council on Developmental Disabilities (hereafter referred to as the DD Council) was created in 1971 to plan for the direction, development, implementation, and evaluation of a comprehensive system of services for persons with developmental disabilities in Minnesota and to advise the Governor of Minnesota on matters pertaining to programs, services, and facilities for persons with developmental disabilities. The DD Council annually develops a statewide plan for developmental disabilities services.

Unique features which characterize the DD Council include the full spectrum of human and educational services it promotes, its focus on inter-agency planning and its emphasis on citizen participation. The developmental disabilities service concept emphasizes comprehensive, coordinated, life-long supportive services for developmentally disabled persons and their families. Emphasis is on services for substantially handicapped persons who have similar life-long needs regardless of traditional labels that categorize specific handicaps. The severity and chronic nature of developmental disabilities sets them apart from most other health-related conditions. Every aspect of the developmentally disabled individual's life may be affected by his or her handicap. Service needs, therefore, for each person with developmental disabilities are multiple and continuing.

The DD Council's focus on integrated planning of human services through participation in the planning process by representatives of health, mental health, social work, education, rehabilitation and other fields helps lessen fragmentation, identify important gaps in services, and facilitate plans for augmenting existing services for persons with developmental disabilities. The DD Council has diverse representation and can thus encourage and influence changes in policies, priorities, and methods of operation of service programs and agencies in order to improve services and preserve the dignity, worth, and rights of persons with developmental disabilities. The developmental disabilities concept encompasses the philosophy that the resources from federal, state, and local governmental agencies (including co-mingling of funds) together with private service providers and consumers of services, can be melded into a unified force for change on behalf of persons with developmental disabilities. It provides a context for common effort in which diverse special interest groups and agencies can combine energies for effective planning.

In addition, the involvement of developmentally disabled persons themselves in implementing the developmental disabilities concept is a crucial component of the comprehensive planning process, with the planning under direct influence of those who use and are most directly affected by the services.

The following broad service areas are the focus of planning and development efforts of the DD Council. Many different federal, state, and local agencies are involved in providing these services. These service categories are intended to be comprehensive and inclusive.

Direct Services -- programs designed specifically for developmentally disabled clients

- * Residential
 - domiciliary care
 - special living arrangements
- * Day Activity Programs
 - day care
 - education
 - training
- * Employment
 - sheltered
 - regular

Support Services -- programs aimed at getting developmentally disabled clients into service system

- * Identification
 - diagnosis
 - evaluation
 - information and referral
- * Case Management
 - counseling
 - protective socio/legal
 - follow-along
- * Treatment
 - medical
 - dental
 - special
- * Family/Program
 - transportation
 - personal care
 - recreation

PHILOSOPHY

Fundamental Beliefs of the DD Council

Our nation has proclaimed that all persons have basic rights including those to life, liberty, and the pursuit of happiness. Unfortunately, in this nation, persons who have a substantial physical, mental, or other disability (especially those whose disability began early in life) may not have an opportunity to exercise these rights. The disabling condition itself and/or established customs and laws may prevent achievement of these birthrights.

The DD Council is committed to the goal of improving the quality of life and guaranteeing the rights and dignity of all persons with disabilities in order to assure their participation in the privileges and freedoms available to all citizens of our state and country. The DD Council believes that both the individual and the society benefit when persons with disabilities become active participants in society, exercising their rights and assuming the accompanying responsibilities.

The fundamental beliefs of the Minnesota DD Council, out of which flow its goals and activities, include the following:

1. All persons, regardless of their disability, deserve the respect of others. The dignity, worth, and potential of every individual, disabled or not, must be respected, preserved, and never compromised in the process of providing services.
2. Our Constitution guarantees equal rights to all citizens. Exercising rights must be accompanied by assumption of responsibility. A belief in basic human rights and responsibilities and Constitutional guarantees shall provide a basis for all decisions of the DD Council on behalf of persons with disabilities. These rights imply, but are not limited to, the assurance of:
 - a) Adequate food, clothing, and shelter to assure a decent standard of living.
 - b) Education and training to develop one's potential.
 - c) Health care, including preventive services, diagnosis, treatment, rehabilitation, and periodic evaluation.
 - d) Economic opportunity, and productive work or other meaningful occupation.

e) Participation in one's own community, including access to programs and facilities for recreation, transportation, entertainment, and other public services.

f) Protection from discrimination or abuse in any form.

3. No persons with disabilities should be deprived of any basic rights because of cost.

4. In all matters relating to persons with disabilities, potential performance and methods of effective adaptation should be emphasized rather than the disabilities themselves.

5. All persons have the right to function in a setting which provides for development of independence, is as similar as possible to the norms of society, and provides an opportunity for participation in meaningful activity and assumption of personal responsibility in the life of that community.

6. Human life is not static. Each individual should assume maximum possible responsibility for achievement of his or her own human growth and development potentials. As persons move from one level of development to another, changes in the settings and circumstances of their lives may be appropriate. These changes may include physical environment, assumption of increased responsibility, and increased freedom of movement.

7. All persons should have the maximum possible choice in making decisions in their own lives. Decisions regarding the lives of persons with disabilities should be made by the persons themselves whenever possible and otherwise by those as close as possible to them. The opportunity to make decisions involves risks and has the potential to contribute to the personal development and human dignity of the persons concerned.

8. When persons need assistance in representing themselves, other individuals or groups have a responsibility to act on their behalf in order to help them obtain and maintain their human and civil rights and exercise their responsibilities. Any assistance to persons with disabilities must be offered with great concern for them, with their consent, and only in instances when they cannot function independently.

9. All persons shall be afforded maximum possible security against unwarranted intervention including protection against violations of privacy and the maximum possible confidentiality consistent with preservation of public interests. All persons should maintain themselves by their own resources to the extent that their capacity and circumstances permit.

GOALS

The broad goals of the DD Council include but are not limited to the following:

1. To undertake comprehensive, long-range planning and development efforts to promote effective services for persons with developmental disabilities, including identifying the population, assessing the needs of individuals, determining what services are available, pinpointing service gaps, assisting in the development of new and needed services, and evaluating the quality of services.
2. To foster cooperation and collaborative efforts among the many state agencies, nongovernmental groups, consumers of services, and others concerned with services to persons with developmental disabilities.
3. To insure that developmentally disabled persons themselves and their parents and guardians become active working participants in the planning and delivery of services designed to benefit them.
4. To promote adequate advocacy services for developmentally disabled persons so that they are assured of appropriate protective and legal services.
5. To make an impact on the legislation and political policies of Minnesota and to encourage mutual plan development among agencies related to persons with developmental disabilities.
6. To promote understanding and use of the term "developmental disabilities" and understanding of the capabilities and needs of persons with developmental disabilities.

ACTIVITIES

The DD Council promotes the development of needed human and fiscal resources to support services for persons with developmental disabilities, including support from other public agencies, private organizations, and volunteer groups.

Its activities may include but are not limited to the following:

1. Planning. The DD Council conducts systematic long-range and short-range planning activities, using a structured, orderly process for establishing goals and objectives and for seeking possible methods to achieve them. Consumers, agency personnel, and service providers participate in the planning process. These efforts seek to promote improved services for persons with developmental disabilities by emphasizing coordination and joint efforts of the many human service agencies, consumer groups, and others involved with services for persons with developmental disabilities.
2. Evaluation. The DD Council promotes implementation of varied evaluation systems to measure the quality, effectiveness, and quantity of services, staff, and facilities for persons with developmental disabilities, while protecting the confidentiality of records of, and information describing, persons with developmental disabilities. The DD Council also evaluates its own activities and annually develops a work program describing its current goals, objectives, and tasks.
3. Public Information and Education. The DD Council disseminates findings from activities and work it sponsors in order to inform and educate professionals, consumers, parents, agencies, and the general public regarding issues, research findings, and other matters of significance to persons with developmental disabilities. The DD Council supports the establishment of public awareness and public education programs to assist in the elimination of social, attitudinal, and environmental barriers confronted by persons with developmental disabilities. The DD Council submits periodic reports to the Department of Health, Education and Welfare, summarizing its planning and other related activities.
4. Legislative and Plan Review. In order to facilitate cooperation and eliminate unnecessary duplication, the DD Council provides to the maximum extent feasible, an opportunity for its members and staff to give prior review and comment on all state plans which relate to programs affecting persons with developmental disabilities. The DD Council also reviews new and existing laws and regulations which may have some bearing on the planning, delivery, and evaluation of services for persons with developmental disabilities.

In order to promote quality of and access to services, the DD Council assists in moving its recommendations toward the executive and legislative processes in Minnesota so as to assure their effective funding and implementation. It further supports the introduction and passage of new laws and appropriate changes in existing laws that would improve the service delivery system for persons with developmental disabilities. The DD Council also seeks to insure effective implementation of laws and regulations affecting persons with developmental disabilities.

5. Research and Development. The DD Council undertakes or supports needed research and development efforts to find new or improved techniques for providing services to persons with developmental disabilities. It also supports efforts to implement and use known research and development findings through programs of translation and dissemination of information.

6. Prevention and Early Intervention. The DD Council promotes programs designed to reduce the incidence and minimize the prevalence of developmental disabilities. Such programs involve the early screening, diagnosis, and evaluation (including maternal care, developmental screening, home care, infant and preschool stimulation programs, and parent counseling and training) of developmentally disabled infants and preschool children, particularly those with multiple handicaps.

7. Residential Services. The DD Council supports efforts to improve the quality of care and the state of surroundings of persons for whom institutional care is appropriate and to eliminate inappropriate residential placement of persons with developmental disabilities.

8. Community Programs. The DD Council supports the establishment of community programs and promotes the provision of appropriate and effective services for persons with developmental disabilities. These services should be available to all persons regardless of their place of residence.

9. Advocacy. The DD Council promotes and supports the development of a comprehensive advocacy system for persons with developmental disabilities. This system includes but is not limited to counseling, program coordination, follow-along services, legal services, protective services and personal advocacy.

IMPLEMENTATION OF DD COUNCIL ACTIVITIES
ON A LOCAL LEVEL

Developmental disabilities planning efforts are also carried out on a local level throughout Minnesota by Regional DD Planning Offices and Councils. As on the state level, consumer participation is an important part of Regional DD planning. At least one-third of the membership of each Regional DD Council consists of persons with developmental disabilities or their parents or guardians. The composition of Regional DD Councils parallels that of the State Council: in addition to consumers, Regional DD Councils also include service providers, agency personnel, and representatives of other groups concerned with services for persons with developmental disabilities.

Each Regional DD Council and Office is located within a regional planning agency, such as a Regional Development Commission. The DD Council does not at this time support a free-standing agency on the state or local level. Broad-based regional agencies with comprehensive human service responsibility serve as host agencies for Regional DD Councils and Offices. The host agencies have access to local implementation channels and agree to support and implement the philosophy of the DD Council.

The Regional Planning Offices and Councils are expected to include in their local planning efforts, on behalf of persons with developmental disabilities, the following activities:

- a) Defining and determining the population in need of services;
- b) Identifying local gaps in and needs for services;
- c) Establishing locally appropriate priorities for planning, developing, and evaluating efforts to make available comprehensive services for all persons with developmental disabilities, and
- d) Submitting annual comprehensive plans to the State DD Council and staff.

The Regional Planning Offices and Councils advise the State DD Council, state agencies, and agencies in their region on matters pertaining to local administration of programs, services, and facilities for persons with developmental disabilities. Regional Planning Offices and Councils seek to facilitate and encourage the development of inter-agency planning and coordination of programs, services, and facilities for persons with

developmental disabilities at the local level; they are encouraged to review plans of regional and local agencies or groups which impact on the service program for persons with developmental disabilities.

Regional Planning Offices and Councils seek to assure protection of the human rights of persons with developmental disabilities. They also seek to increase public awareness to assist in the elimination of social, attitudinal, and environmental barriers confronted by persons with developmental disabilities and to involve consumers in their activities to the maximum extent feasible. The Regional DD Planning Offices and Councils receive partial financial sponsorship from local agencies and have responsibility to the local agency as well as to the State DD Council and Office.

COMPOSITION AND PLACEMENT OF DD COUNCIL

The Council members are appointed by the Governor of Minnesota. Citizen participation is an important feature of the DD Council. At least one-third of the membership of the Minnesota DD Council consists of persons with developmental disabilities or their parents or guardians. The Council also includes in its membership representatives of the principal state and federal agencies that provide services to persons with developmental disabilities, local agencies, and non-governmental agencies and groups concerned with services for persons with developmental disabilities.

The 1970 DD Act as amended by P.L. 94-103 required that each state designate a single agency to administer the State DD Plan and the monies which flow to the state under the DD Act. The selection of an appropriate agency was left up to each state.

In Minnesota, the State Planning Agency was named in March, 1972, by the Governor as the designated agency for administering the DD Council and the DD State Plan. A DD Planning Office was established within the State Planning Agency.

Provisions under the statute establishing the State Planning Agency (Minnesota Statute 4.12) emphasize long-range, inter-departmental planning. The statute mandates review of all plans filed with the federal government by Minnesota state departments and agencies, and review of current programming and future planning of all state departments and agencies. The statute further emphasizes that the powers and duties of the State Planning Agency include the preparation of "comprehensive, long-range recommendations for the orderly and coordinated growth of the state." These provisions are similar in mission, intent, and requirement to the 1970 Developmental Disabilities Act, as amended by P.L. 94-103.

While the DD Council itself does not provide direct services, it emphasizes integration of services and policies among the many other agencies and organizations relevant to persons with developmental disabilities, cooperative funding to increase efficiency in the use of public resources, and local planning activities. The DD Council seeks to establish and maintain adequate communication with agencies and groups in the state and regions and to continuously develop liaison activities necessary to acquire and disseminate important information for planning and decision-making.

The DD Council participates with other programs within the State Planning Agency and with other state-level groups in efforts to promote the planning, development, and improvement of needed human services for persons with developmental disabilities.

OPERATIONAL POLICIES
for the
GOVERNOR'S PLANNING AND ADVISORY COUNCIL ON DEVELOPMENTAL DISABILITIES
in the
STATE OF MINNESOTA

APPROVED: January 3, 1973
REVISED: September 11, 1975

DEVELOPMENTAL DISABILITIES PROGRAM OFFICE
STATE PLANNING AGENCY
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

OPERATIONAL POLICIES

GOVERNOR'S PLANNING AND ADVISORY COUNCIL ON DEVELOPMENTAL DISABILITIES

PURPOSE OF THE COUNCIL

The Minnesota Planning and Advisory Council for Developmental Disabilities is established under P.L. 91-517, "Developmental Disabilities Services and Construction Amendments of 1970." The Council serves to plan for the direction, development and implementation of the Developmental Disabilities Program in Minnesota and to advise the Governor of Minnesota on matters pertaining to program, services, and facilities for the developmentally disabled. The administrative agency for the Developmental Disabilities Program is the State Planning Agency.

The Council shall act in behalf of those individuals with developmental disabilities attributable to mental retardation, cerebral palsy, epilepsy, or other neurological disabilities found to be closely related to mental retardation or to require treatment similar to that required by mentally retarded individuals: (1) the disability originates before such individuals attain the age of 18; (2) has continued, or can be expected to continue indefinitely; (3) constitutes a substantial handicap of such individuals.

The Council will function through the combined efforts and participation of related State and local agencies; non-governmental organizations; and consumers of services. The Council will develop and implement a State Plan for Developmental Disabilities to affect the wide range of diversified services in the terms of the life-time human needs of persons with developmental disabilities.

DUTIES

1. To undertake such planning activities as are assigned to the Council by the Federal Regulations and Guidelines pertaining to the Program. The planning activities will include, but are not necessarily limited to:
 - a. Surveillance and understanding of all planning efforts related to the developmentally disabled at each level: local, regional, and state.
 - b. Identifying planning and service gaps or needs.
 - c. Establishing an appropriate criteria for evaluating comprehensive planning efforts on behalf of the developmentally disabled.
 - d. Establishing priorities among the wide range of diversified services related to the life-time human needs of the developmentally disabled.

- e. Determining the annual budget, making best use of available funds in order to accomplish the objectives and methods identified in the State Plan. Adequate consideration must be given to: professional and supportive staff; planning, evaluation, monitoring and technical assistance; the needs around specific delivery systems.
2. To define and determine the target population for the program.
3. To encourage the development of joint inter-cabinet and inter-departmental planning, communication and coordination for programs, services, and facilities for the developmentally disabled in cooperation with the public and private agencies of the State.
4. To encourage the development of coordinated, inter-departmental goals and objectives pertaining to the provision of programs, services, and facilities for the developmentally disabled.
5. To develop criteria for the development, review, and approval of the State Plan for the distribution and administration of federal resources under the Program.
 - a. To make such revisions and amendments to the State Plan as are required to conform to federal requirements or meet the needs of the developmentally disabled.
 - b. To submit revisions of the State Plan to the Social and Rehabilitation Services regional office and transmit such other reports provided that the Governor has had at least 30 days to review such documents.
6. To evaluate the effectiveness of the State Plan and programs sponsored under that plan.
7. To advise the Governor on matters pertaining to the administration of programs, services and facilities for the developmentally disabled by state agencies.
8. To assure distribution of information and technical assistance impartially across the state, and to assure special efforts to areas of urban and rural poverty.
9. To advise the State Planning Agency and the Civil Service Administration concerning the appointment of staff for the Council.
10. Increase public awareness and participation in comprehensive planning and service delivery for the developmentally disabled.

MEMBERSHIP

1. Appointment

Members will be appointed by the Governor of Minnesota. Suggestions for new members where vacancies and membership term expiration occur may be submitted by current members, citizens, and organizations.

2. Diversity of Representation

The membership of the Council is to include representation from each of the related state, federally-aided agencies, non-governmental organizations and individuals concerned with provision of services for the developmentally disabled and consumer of services. At least one-third of the membership of the Council must represent consumers.

3. Presiding Officer

The chairman is appointed by the Governor of Minnesota. The term of the chairman shall be for two years and may serve for no more than two consecutive terms. The chairman may designate a vice-chairman who will assume all the duties of chairman in the absence of the chairman.

4. Attendance

Members who cannot attend a meeting of the Council or its committees may send a representative to meetings, but the substituting representative will be a non-voting member of the Council and/or committee.

In the event that a Council member does not attend three consecutive meetings of the Council, a recommendation will go to the Governor suggesting a replacement be designated.

5. Terms of Office

Council terms will be on a rotating three-year basis for the consumer and provider representatives on the Council. One-third of the total number of consumer and provider members will rotate on a three-year staggered basis. No member in the consumer or provider classification may serve for more than two consecutive three-year terms. State agency representation will remain continuous, the representatives being those individuals in charge of the related federally funded programs as specified in federal regulations.

REPRESENTATIVES TO THE ADVISORY COUNCIL

Participation in the Council activities may be extended to public and private organizations and individuals who have an on-going interest in the developmentally disabled, through the designation of an official representative to the Council. These persons may serve on Council committees and participate in Council deliberations, but are non-voting members of the Council.

MEETINGS

The Governor's Planning and Advisory Council on Developmental Disabilities will meet monthly on a regular day of the month as established at the first meeting of the fiscal year. Exceptions to this regular meeting date may be made by a majority of a quorum of the members. A quorum shall consist of one-half of the members.

COMMITTEES

Committees shall be designated annually by majority vote of a quorum of the Council to serve functions adopted in the Council's annual state plan and work program. Committees will function for periods of time as are deemed necessary. Committee chairpersons shall be appointed by the Council chairperson from the membership and shall constitute the Council's Executive Committee. Council members should constitute at least one-half the membership of any committee and non-council members are voting members of the committee. Council members representing government or voluntary agencies may recommend designees for appointment as official council representatives on committees. Only Council members may constitute the Grant Review and Regulations Committee. All committee members are appointed annually by the chairperson of the Council in consultation with the committee chairperson.

The committees of the Council for the 1975-76 year will be:

- Executive Committee
- Grant Review and Regulations Committee
- Advocacy Committee
- Governmental Affairs Committee
- Public Information and Communications Committee
- Community Alternatives and Institutional Reform Committee

The duties and responsibilities of the committees are as defined in the annual State Plan for Developmental Disabilities.

RELATIONSHIP OF STANDING COMMITTEES TO THE DEVELOPMENTAL DISABILITIES COUNCIL

Being comprised of representatives of the Council, committees should be delegated responsibility to act for the Council to meet Council functions. However, committee recommendations and operating procedures should be submitted to the Council for review and action, subject to the following conditions:

1. The Council will review, modify and approve procedures (operational policies) for which committee actions will be completed.
2. Where the approved operational policies are followed, the Council will discuss, approve or disapprove committee actions and/or recommendations without repeating the committee procedures and functions.

3. Where a specific instance of failure to follow the established operational procedures is brought to the Council, the Council may by majority vote review the case in question.

CHANGE IN OPERATIONAL POLICIES

Any or all of these policies may be altered, amended, or appealed by an affirmative vote of a majority of the members present at any special or regular meeting of the Council. Providing that written notice of the proposed action is given seven days in advance of the meeting. Any changes in these policies shall be submitted to the State Planning Agency and to the Governor for consideration.

OPERATIONAL POLICIES
for the
PROPOSAL, PROCEDURE, AND REVIEW COMMITTEE
of the
GOVERNOR'S PLANNING AND ADVISORY COUNCIL ON DEVELOPMENTAL DISABILITIES

APPROVED: March 5, 1975

DEVELOPMENTAL DISABILITIES PROGRAM OFFICE
STATE PLANNING AGENCY
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

OPERATIONAL POLICIES

PROPOSAL, PROCEDURE AND REVIEW COMMITTEE

STANDARDS FOR PROPOSAL REVIEW

Each project should be objectively reviewed.

1. Members of the PPR Committee or the Developmental Disabilities Program Staff who are or will be directly involved in a proposed project, i.e., staff of the applicant agency or project consultant to the agency or project or board members of the agency or project, shall withdraw from the review of the proposal and abstain from voting on it.
2. Members of the PPR Committee shall not discuss proposed projects with applicants, committee members, or other individuals outside the context of the proposal review process.
3. Members of the PPR Committee, staff, and third party reviewers should not make commitments to support applicants or proposals.
4. Members of the PPR Committee and staff will rate all proposals independently and anonymously.
5. Proposals will be evaluated on material presented in written form to the PPR Committee.

GENERAL CRITERIA FOR PROPOSAL CONSIDERATION

A proposal should deal with a need or problem common to many individuals or groups in the state.

1. A proposal will include documentation of local, regional, and/or state-wide needs.
2. The results of the proposal project will be applicable to the needs of other groups, programs or developmentally disabled individuals in the state.
3. Each proposal will include concrete plans and commitments for dissemination of results and/or products.

funded proposals should represent the needs of all developmentally disabled individuals.

1. Viewed as a composite set, projects will be given higher priority when they serve the needs of a cross-section of developmentally disabled individuals including those having seizures, those who are mentally retarded, and those who are cerebral palsied.
2. Viewed as a composite set, projects serving the severely handicapped will be given priority over projects which would meet the needs of less disabled individuals.

PROCEDURES FOR PROPOSAL REVIEW

Proposals should be efficiently but fairly reviewed.

1. Each proposal will be independently reviewed by two members of the Developmental Disabilities Program staff, a regional representative, third-party reviewers, appropriate agencies, and at least one member of the Proposal, Procedure and Review Committee.
2. The reviews will be summarized by the Developmental Disabilities Program staff. The synopsis will include a statement of the project objectives, methods, evaluation strategies, anticipated outcomes, an estimate of significance, and a statement of general strengths and weaknesses.
3. The synopsis will initially be presented in written and/or oral form to the total PPR Committee. The presentation will be limited to a "set" time limit and will be drawn exclusively from the summary statement.
4. Discussion of each proposal will be held only after an overview has been completed. All documents related to the proposal will be available for review at that time. A time limit will be set for discussion.
5. All proposals will be independently rated by each member of the committee, the ratings summarized, and the composite score and range presented prior to final voting on support or non-support.
6. The changes required on all proposals "accepted with modification" will be discussed and voted on by the PPR Committee. The specific modification shall be recorded in the committee minutes.
7. The recommendations of the PPR Committee will be forwarded to the Council for action.

GUIDELINES FOR CONTINUED FUNDING OF PROJECTS

Funding is generally provided for one year. Funding for more than one year should be the exception rather than the rule.

Renewal projects should be required to demonstrate the quality of the project, its significance, and the need for continued funding.

1. Applicants for continued funding or renewal will have met initial year commitments:
 - a. Schedules met
 - b. Products produced
 - c. Objectives met
 - d. Dissemination of results completed
 - e. Agreements or qualifications adhered to
 - f. Project reporting
 - g. Document that alternate funds have been sought
2. Applicants for continued funding or renewal will produce evidence of the effectiveness and/or value of the project; e.g.:
 - a. Numbers and types of clients served
 - b. Types of needs met
 - c. Significance of project outcomes to other individuals or groups
 - d. Formal evaluations of the effectiveness of services, etc. on clients and/or other target groups
3. Applicants for continued funding or renewal will produce evidence that they can provide the developed services, etc. on clients and/or other target groups.

When a project satisfactorily meets these review criteria, it should be considered on an equal basis with new proposals--not given priority.

REVIEW OF PROPOSAL RECOMMENDATIONS BY COUNCIL MEMBERS

Recommendations of proposals for funding should be objectively reviewed.

1. Members of the Governor's Planning and Advisory Council on Developmental Disabilities who are or will be directly involved in a proposed project, i.e., staff of the applicant agency or project consultant to the agency or project or board members of the agency or project, shall withdraw from the review of the recommendations of the Proposal, Procedure and Review Committee and abstain from acting on them.
2. Members of the Council shall not discuss proposed projects with applicants, committee members, or other individuals outside the context of the proposal review process.
3. Members of the Council should not make commitments to support applicants or proposals prior to formal review of the recommendations of the PPR Committee.
4. Members of the Council will review the recommendations of the PPR Committee and act on them.
5. Proposals will be evaluated only on material presented in written form to the Council.

ESTABLISHMENT OF COUNCIL PRIORITIES

Grant priorities will be developed and reassessed by the Council on an annual basis, generally before the beginning of the fiscal year, based upon information obtained from regional agencies, representatives, Council members and committees; through an analysis of federal reports and guidelines, special studies and projects of the Council, and through a review of current plans submitted by state agencies and consumer groups.

PRELIMINARY PROJECT PROPOSAL

Submitted Under

The Developmental Disabilities Service Grant Program

Developmental Disabilities Program Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

CONTENTS

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GENERAL GUIDELINES

Background Information

The Developmental Disabilities Services and Facilities Construction Act was passed in October, 1970. This act calls for activity directed toward the alleviation of developmental disabilities; toward the social, personal, physical, or economic habilitation of disabled individuals; or toward rehabilitation of individuals who have a developmental disability. "Developmental Disability" means a disability attributable to mental retardation, cerebral palsy, or epilepsy (or is found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals) that originates before the individual attains age 18, has continued or can be expected to continue indefinitely, and constitutes a substantial handicap to the individual.

Grants under the Developmental Disabilities Services and Facilities Construction Act are awarded by the Governor's Advisory Council on Developmental Disabilities and administered by the Developmental Disabilities Program Office of the State Planning Agency.

Questions about preliminary proposals and the completed preliminary proposal form should be directed to:

Developmental Disabilities Program Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
Attn: Service Grants Proposals

PRELIMINARY PROPOSAL SUBMISSION
AND REVIEW SCHEDULE

The completed preliminary proposal form must be postmarked or delivered personally to the Developmental Disabilities Program Office before 5:00 P.M. on October 31, 1975. The status of the preliminary review will be forwarded to you on December 1, 1975. For planning purposes, you should be aware of the following dates:

| <u>EVENT</u> | <u>DATE</u> |
|---|-----------------------------|
| Deadline for submitting the preliminary proposals | 5:00 P.M., October 31, 1975 |
| Indication of results of preliminary review | December 1, 1975 |
| Deadline for submitting final proposals | January 21, 1976 |
| Indication of results of final review | March 15, 1976 |

GENERAL CRITERIA FOR EVALUATING
SERVICE GRANTS PROPOSALS

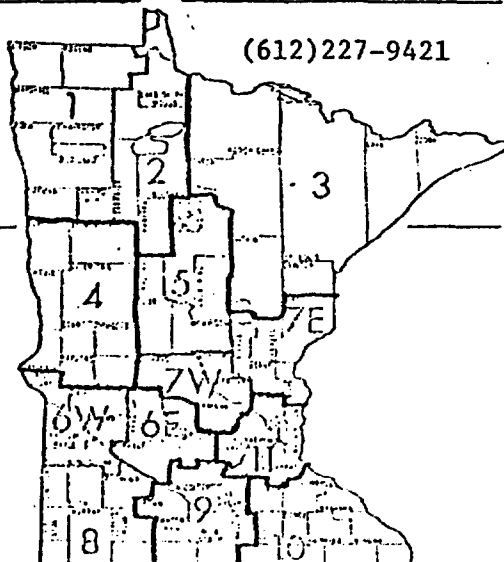
Your preliminary proposal will be evaluated by representatives of the Governor's Council on Developmental Disabilities and members of the Developmental Disabilities Program Office staff. Some of the major criteria for this review are summarized below:

- A. Projects which coordinate the activities of several agencies within a given community or region will be given high priority.
- B. Projects must deal with a problem or need which is common to many developmentally disabled individuals or groups in the state.
- C. Projects must identify and address statewide and regional needs. Your regional developmental disabilities council has established specific regional priorities. You should contact your Regional Planner (see page 4) for information about these priorities.
- D. Project must not be fundable under other agencies or programs (e.g., Department of Public Welfare, Division of Vocational Rehabilitation).
- E. Grant funds may be used to support only activities which are not normally conducted by the grantee or others prior to receipt of the grant award. Developmental Disabilities grants must be used to augment and complement, not to duplicate existing programs or funding.

It has been the policy of the Governor's Planning and Advisory Council on Developmental Disabilities to provide "seed money" for the development of programs to meet regional needs. Under this policy, funding is generally provided for only one year, and no further assistance is assured. While the Council has established that multi-year proposals may be considered, the Governor's Planning and Advisory Council can guarantee support only for one year.

REGIONAL PLANNERS

| Region | Regional Planner | Telephone Number |
|------------------------|--|------------------|
| 1 & 2 (Northwest) | Mr. Allan Erickson DD Project Director 123 DeMers East Grand Forks, Minnesota 56721 | (218)773-2471 |
| 3 | Mr. Peter Booth ARCH - 424 West Superior Ordean Building, Suite 202 Duluth, Minnesota 55802 | (218)726-8371 |
| 4 | Mr. Jerry Nelson Box 915 Moorhead, Minnesota 56560 | (218)236-2746 |
| 5 & 7 (Central Mn.) | Mr. George Gottfried Regional Development Commission 1139 Franklin Avenue Sauk Rapids, Minnesota 56379 | (612)253-7870 |
| 6 & 8 (Southwest) | Mr. Joe Modec Developmental Disabilities 1317 East Bridge Redwood Falls, Minnesota 56283 | (507)637-3575 |
| 9 | Ms. Carole Boese Region 9 Development Commission 709 North Front Street Mankato, Minnesota 56001 | (507)387-5643 |
| 10 | Mr. Doug Butler 741 Marquette Bank Building 2nd Street Southeast and South Broadway Rochester, Minnesota 55901 | (507)289-8443 |
| 11 | Ms. Toni Lippert Metro Health Board 300 Metro Square Building 7th and Robert Streets St. Paul, Minnesota 55101 | (612)227-9421 |



COUNCIL SERVICE GRANT PRIORITIES
FOR FISCAL YEAR 1977

Priority consideration will be given to proposals that facilitate the development of community alternatives, particularly those submitted by and/or promoting the interests of poor and minority persons with developmental disabilities which emphasize creating and maintaining least restrictive living environments, and promoting the human rights of such individuals. For the upcoming awards (unranked) priorities are for proposals that provide or develop:

- Procedures for providing direct support to children, e.g., instruction, infant stimulation at home, medical care, reimbursement, locating needed services for the purpose of maintaining developmentally disabled children in community settings.
- Programs for providing direct and indirect support to families (including foster families), e.g., respite care, homemaker and home-aid services, training, crisis intervention, transportation, housing, and other family support services which enable developmentally disabled persons to reside at home.
- Development of community-based residential programs in the areas of planning and program development.
- Community education and/or training programs for professionals, paraprofessionals and service providers relative to the needs and rights of developmentally disabled persons.
- Improved procedures for providing effective case management-- access to, coordination of, and follow-along services for developmentally disabled persons.
- Development and demonstration projects for implementing and evaluating alternative systems of advocacy. Projects in this area might address and evaluate issues such as: a comprehensive advocacy system, advocating for residents in public and private facilities, paid vs. volunteer advocates, legal vs. nonlegal advocates, relationships to other systems of monitoring, licensing, protective services (e.g., financial assistance, wills, etc.,).
- Specialized programs at state-operated institutions for developmentally disabled persons who have not been or cannot be transferred, or need to be specially trained prior to transfer to alternative residential programs in the community.

INSTRUCTIONS FOR COMPLETING
THE PRELIMINARY PROPOSAL FORM

The preliminary proposal form is designed to provide adequate information for a fair review of your project. Because it calls for specific types of information, instructions for completing each item are provided. As you complete the materials which follow, read each instruction presented on the left page and complete the corresponding item on the right page. For example, the instructions provided on page 8 tell you precisely how to complete the questions on page 9. It is not necessary to provide great detail - be brief and to the point.

After you have completed the preliminary proposal form, Xerox four copies of pages 7, 9, 11, 13, 15 and 17 and forward them to the Developmental Disabilities Program Office.

Complete the preliminary proposal cover sheet on page 7.

PRELIMINARY PROPOSAL FORM

Project Title _____

Project Director _____

Agency _____

Address _____

Telephone _____

INSTRUCTIONS

- A. Specify the purpose of your project. Summarize your goals and objectives. Be as specific as possible.

EXAMPLE: The purpose of the project is to improve the recreational opportunities of the 150 developmentally disabled in Counties X,Y, and Z by developing a comprehensive recreation and continuing education program for developmentally disabled individuals.

- B. Write the number which accompanies the Council priority toward which your project is directed (see page 5). If you are addressing more than one, list them in terms of their importance in your project.

- C. Check the blank to which your project applies. If the project could fit into more than one category, check the one considered the most appropriate.

A research project is a study to determine the relationship between two or more variables. Example: to determine how changes in zoning ordinances affect the development of residential programs.

A development project is one which is concerned with organizing and originating a new program. Example: to develop a model community residential program; to develop a curriculum for parents on behavior modification.

A demonstration project is one which puts a previously developed program or funding into practice. Example: to implement the _____ Curriculum for preschool children with Down's Syndrome.

PRELIMINARY PROPOSAL SUMMARY

A. Statement of Purpose (about 150 words). The purpose of this project is to

B. Priority Area. The Developmental Disabilities Council priority to which this project responds is (are):

C. The objective of your project is:

_____ research

_____ demonstration

_____ development

- D. The target population is the group that will be incorporated in your project. Include the following information: approximate number of people, their characteristics (or needs), geographic area served, and potential sources of referral.

EXAMPLE: 250 teachers in School District 625 who will be recommended by their supervisor will be instructed in techniques for developing infant stimulation materials.

- E. Briefly describe the need or problem you're addressing, how extensive it is, what has been done about it, and what needs to be done. Also comment on how the anticipated results will be useful to other agencies and/or areas of the state. If there are unusual local circumstances or events, they should be described.

- EXAMPLES:
1. Over 150 developmentally disabled adults in this region have no recreational programs.
 2. Other regions have recreational programs connected with residential facilities, but this is not feasible in this region.
 3. Churches, schools, and local community organizations make no provision for recreational programs for developmentally disabled individuals.
 4. The only attempt to provide recreation programs was made three years ago by the YMCA. The program failed due to lack of facilities.
 5. Recreational programs need to be organized and provided to developmentally disabled individuals in this region.

D. Describe the target population you plan to serve.

E. Problem Statement

1. Describe the problem as you see it.

2. Is this problem common to other developmentally disabled individuals or groups of the state?

Yes _____ No _____ Comment:

3. Summarize what attempts, if any, have already been made to resolve this problem.

F. Objectives

1. List the actions which you will take to address the problem.
For any one problem, you will have a series of general objectives.
This will be your actual plan of action.

EXAMPLE: a. Establish an advisory committee.
b. Assess the needs of the disabled population.
c. Evaluate all existing recreational programs.
d. Develop new recreational programs where deficits exist.
e. Design model for coordinating programs.
f. Publicize programs.
g. Evaluate the effects of the program in terms of clients served.

2. State how your program will contribute to resolving the problem.
Refer to exactly what you said in the Problem Statement (page 11, item E.).

EXAMPLE: The recreation program will provide social activities and opportunities to learn social skills for about one-third of the developmentally disabled population.

G. Procedures

List the major steps you will follow to meet each of your objectives. You should have at least one procedure for each objective. Be explicit in showing the objective to which the procedure refers.

EXAMPLE: In order to evaluate existing recreational programs (objective c.), we will survey local agencies asking whether they have recreational programs, age limits, frequency of activities, and types of activities of the programs. We will then list the types of recreational programs which are unavailable.

F. Objectives of your proposed project

1. List what you intend to do.

2. Indicate the contributions your project will make to resolve the problems stated in Section E (page 11).

G. List the procedures you will follow to meet each of your stated objectives.

H. Evaluation

How will you know if you have been successful? How will you define success? List the procedures you will use to measure change in your consumers or other changes that may occur as a result of your project. You should list at least one evaluative procedure for each objective. Be explicit in showing the objective to which the evaluation refers.

EXAMPLE: The success of the new programs (objective g.) will be evaluated by noting change in participants' social skills. This will be done by having the staff administer a checklist before entrance to the program and administering the same checklist at three-month intervals.

I. Coordination of agencies

List agencies which will be involved in the project. This might include agencies who will refer consumers to you, agencies whose resources you will use. If you are coordinating a project between agencies, what agencies are involved? Explain if cooperation has already been obtained. If not, do you foresee problems in obtaining cooperation?

EXAMPLE: Cooperation with the school district #65 has been assured by the director of recreational programs (see letter of support).

H. Explain how you plan to evaluate your accomplishments.

I. List all other groups or agencies you intend to be involved in this project.

Has cooperation already been established? ____ Yes ____ No

If not, do you foresee any difficulties in establishing cooperation?

J. Agency information

Describe major projects which your group has recently undertaken (in the last five years) or in which your group is currently involved. Do not list all projects. Also provide a brief summary of the results of the projects.

EXAMPLE: Agency X completed a project teaching school-aged TMR children outdoor camping. Social skills were improved and children demonstrated competence in ten basic outdoor skill activities.

K. Contact person

Name the person to whom further communication regarding your proposed project should be addressed (include zipcode and area code).

Be sure to complete the checklist which follows before returning the preliminary proposal form to the Developmental Disabilities Program Office (see address on page 1) by 5:00 P.M. October 31, 1975.

J. Agency/group information

Please list and briefly describe:

1. Any previous projects dealing with disabled individuals which your agency has completed.

2. Any major current projects dealing with disabled individuals in which your agency or group is involved.

K. Contact Person

- A. Name _____
- B. Group/Agency Name _____
- C. Address _____
- D. City _____ (zip) _____
- E. Phone _____

CHECKLIST

This checklist is provided for your review of your proposal. Check (✓) each item as you review it in answer to the questions which follow.

- _____ A. Have you specified the purpose of your proposed project concretely in terms of goals and objectives?
- _____ B. Have you indicated all the specified priorities your project would address? If you are addressing more than one priority, have you ranked them according to importance?
- _____ C. Have you indicated whether your project is for the purpose of research, development or demonstration?
- _____ D. Have you indicated the classification of individuals to be served? Have you indicated the anticipated number of individuals to be served, the geographic area you intend to serve, potential sources of referral for your choice of the target population?
- _____ E. Have you described the problem briefly and completely? Have you indicated whether this problem is significant to other disabled individuals or groups in the state? Have you described previous attempts at resolution of this problem? Have you addressed your summary of needs to the entire problem as stated in E. 1, on pg. 11?
- _____ F. Have you listed your objectives? Are they stated in terms of specific actions? Have you addressed yourself specifically to the issues you indicated in the Problem Statement?
- _____ G. Have you listed all major procedures to be followed in meeting your objectives? Does each stated procedure address itself to a specific objective? Have you indicated a procedure for each objective listed in Section F above?
- _____ H. Have you listed the specific procedures you plan to follow in evaluating the success of your project? Have you listed at least one evaluative measure for each objective stated in Section F?
- _____ I. Have you indicated all cooperating groups and/or agencies?
- _____ J. Have you described any previous or current projects in which your applicant group has been involved? Have you described the results of those projects? Did you Xerox four copies of pgs. 7, 9, 11, 13, 15, and 17 for the Developmental Disabilities Program Office?

NOTE: If you were unable to check off any of the above questions, revise the preliminary proposal form so they can be answered "yes".

GUIDELINES FOR SERVICE GRANT PROPOSALS

SUBMITTED UNDER
THE DEVELOPMENTAL DISABILITIES PROGRAM

December, 1975

Developmental Disabilities Program Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

CONTENTS:

- I. General Guidelines
- II. Proposal Application Forms

CONTENTS

Sections I and II provide materials for your information. Please retain this portion of the guidelines for further reference (pages 1 - 10). Also retain a copy of your proposal for your own records.

I. General Guidelines for Service Grant Applications

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| A. Proposal Submission and Review Procedures | 4 |
| B. Criteria for Evaluating Service Grant Proposals | 5 |
| C. Regional Planners | 6 |
| D. Non-profit Status | 7 |
| E. Conditions of the Grant | 7 |
| F. Considerations of Areas of Urban and Rural Poverty | 7 |
| G. Rights of Human Subjects | 9 |

II. Proposal Application Forms

GENERAL GUIDELINES
FOR SERVICE GRANT APPLICATIONS

Background Information

The Developmental Disabilities Services and Facilities Construction Act was passed by Congress in October, 1970. This act calls for activity directed towards the alleviation of developmental disabilities; toward the social, personal, physical, or economic habilitation of disabled individuals; or toward rehabilitation of individuals who have a developmental disability. "Developmental disability" means a disability attributable to mental retardation (or conditions closely related to its intellectual impairment), cerebral palsy, or epilepsy. Autism and dyslexia (if the dyslexia is related to one of the other disabilities) have been included in the program under 1975 federal legislation. These disabilities must have originated before the individual becomes 18 years old, continue or be expected to continue indefinitely, and constitute a substantial handicap to the individual.

The enclosed guidelines are designed to provide direction to state, area, and local organizations in developing the final grant proposals for planning, coordinating, and providing services to developmentally disabled individuals in Minnesota.

In addition to review by state Council committee members and staff of the state Office, regional Developmental Disabilities Councils rate all applications submitted from their region, using regional priorities as guidelines. Further information on your region's priorities, and any technical assistance in preparing your proposal may be obtained from the Developmental Disabilities planner in your region (as listed on page 6).

Grants under the Developmental Disabilities Services and Facilities Construction Act are awarded by the Governor's Planning and Advisory Council on Developmental Disabilities, and are administered by the Developmental Disabilities Program Office of the State Planning Agency. Grants are awarded essentially on a one year basis, although support for more than a single year is infrequently given.

A. PROPOSAL SUBMISSION AND REVIEW SCHEDULE

Applicants for the Developmental Disabilities Service Grants program must return their completed proposal to the Developmental Disabilities Program Office not later than January 14, 1976 (postmark). Applicants submit an original and three (3) copies of the application to:

Developmental Disabilities Program Office
State Planning Agency
550 Cedar Street, Room #110
St. Paul, Minnesota 55101
Attn: Service Grants

In addition, one (1) copy should be sent to your regional Developmental Disabilities Planner (as listed on page 6), also by January 14, 1976.

The following steps will be followed in the review procedure:

- | | |
|-------------------|--|
| Jan. 14, 1976 | Deadline for receipt of proposal applications in the State Developmental Disabilities Program Office (three copies and the original) and the appropriate regional office (one copy). |
| By Feb. 17, 1976 | Technical review of proposal by Developmental Disabilities Regional Councils, state agencies, professional readers, members of the Grants Review Committee of the Governor's Planning and Advisory Council on Developmental Disabilities, and staff of the Program Office. |
| Feb. 13, 1976 | Regional reports due at State Developmental Disabilities Program Office. Regional Developmental Disabilities groups review and rate proposals, based on regional priorities. |
| Feb. 17, 1976 | Grants Review Committee evaluates reviews and recommends funding based on the established State Council priorities and review criteria. |
| March 3, 1976 | The recommendations of the Grants Review Committee are acted upon by the Governor's Planning and Advisory Council on Developmental Disabilities. |
| By March 15, 1976 | Project applicants are notified of decision, and details of contracts are arranged with project directors of approved proposals. |

B. GENERAL CRITERIA FOR EVALUATING
SERVICE GRANT PROPOSALS

Your proposed project will be evaluated by representatives of the Governor's Planning and Advisory Council on Developmental Disabilities, regional representatives, professional reviewers, and members of the Developmental Disabilities Program Office staff. Some of the major criteria for this review are summarized below:

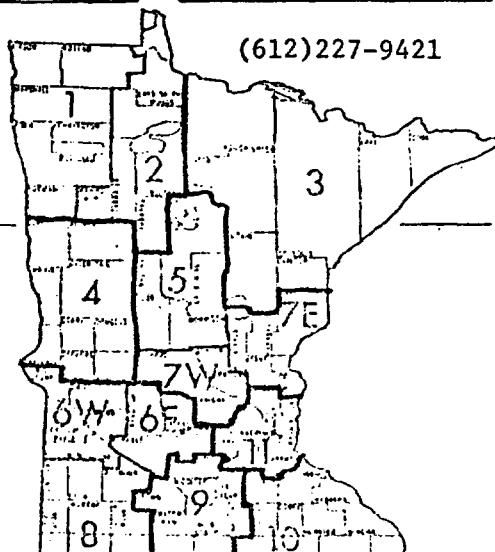
- A. Projects must identify and address a priority federal, statewide, or regional need. Regional planners should be contacted for information about these priorities.
- B. Projects must deal with a problem or need which is common to developmentally disabled individuals or group in the state.
- C. Projects which coordinate the activities of several agencies within a given community or region will be given high priority.
- D. Projects must not be initially fundable under other agencies or programs (e.g., Department of Public Welfare, Education, etc.).
- E. Grant funds may be used to support only activities which are not normally conducted by the grantee or others prior to receipt of the grant award. Developmental Disabilities grants must be used to augment and complement, not duplicate existing programs or funding.

Other criteria considered:

- A. The proposal will include documentation of local, regional and/or statewide needs.
- B. The results of the proposed project may be applicable to the needs of other groups, programs, or developmentally disabled individuals in the state, or elsewhere in the country.
- C. The proposal will include concrete plans for dissemination of results and/or any products.
- D. Proposals will be given higher priority if they serve the needs of a cross-section of developmentally disabled individuals.
- E. Proposals serving the severely handicapped will be given priority over projects which would meet the needs of less disabled individuals.
- F. Projects requiring cooperation from other agencies and groups will have such commitments firmly established at the time of submittal.

REGIONAL PLANNERS

| Region | Regional Planner | Telephone Number |
|------------------------|--|------------------|
| 1 & 2 (Northwest) | Mr. Allan Erickson DD Project Director 123 DeMers East Grand Forks, Minnesota 56721 | (218)773-2471 |
| 3 | Mr. Peter Booth ARCH - 424 West Superior Ordean Building, Suite 202 Duluth, Minnesota 55802 | (218)726-8371 |
| 4 | Mr. Jerry Nelson Box 915 Moorhead, Minnesota 56560 | (218)236-2746 |
| 5 & 7 (Central Mn.) | Mr. George Gottfried Regional Development Commission 1139 Franklin Avenue Sauk Rapids, Minnesota 56379 | (612)253-7870 |
| 6 & 8 (Southwest) | Mr. Joe Modec Developmental Disabilities 1317 East Bridge Redwood Falls, Minnesota 56283 | (507)637-3575 |
| 9 | Ms. Carole Boese Region 9 Development Commission 709 North Front Street Mankato, Minnesota 56001 | (507)387-5643 |
| 10 | Mr. Doug Butler 741 Marquette Bank Building 2nd Street Southeast and South Broadway Rochester, Minnesota 55901 | (507)289-8443 |
| 11 | Ms. Toni Lippert Metro Health Board 300 Metro Square Building 7th and Robert Streets St. Paul, Minnesota 55101 | (612)227-9421 |



D. NON-PROFIT STATUS

Under the provisions of the Developmental Disabilities Act funds are made available to public or non-profit, private agencies, institutions, and organizations.

Proof of voluntary, non-profit status must be submitted in support of the proposal. A copy of the letter from the Internal Revenue Service exempting the institution from taxation under the appropriate provisions of the Internal Revenue Code is acceptable as demonstration of non-profit status.

E. CONDITIONS OF THE GRANTS

Facilities providing services must meet state standards, appropriate licensing and certification requirements, and local zoning laws.

Services must be provided by or supervised by personnel qualified to perform such services in accord with state and local licensing laws and specialty board requirements for paraprofessionals.

Services must meet or exceed the minimum federal standards accepted by the Department of Health, Education and Welfare, Special Rehabilitation Services, and Rehabilitation Services. Administration services must meet or exceed the minimum federal standards accepted by the Department of Labor.

All materials produced as a result of the project become public domain. Further assurances are listed in the Proposal Form.

It has been the policy of the Governor's Planning and Advisory Council on Developmental Disabilities to provide "seed money" for the development of programs. Under this policy, funding is essentially provided for only one year. The Council has established that multiple year proposals infrequently may be considered.

F. CONSIDERATION OF AREAS OF URBAN AND RURAL POVERTY

Programs for the developmentally disabled in rural or urban provery areas, according to poverty level incomes, are encouraged.

This poverty level, as determined by the Social Security Administration, is the minimum level of income defined as necessary for individuals and families to maintain an adequate subsistence level of living. Recent figures set an annual income of \$ 1,834 or more as considered minimally adequate for a single person, while \$ 3,721 was set as minimally adequate for a family of four. The 1970 Census of Population estimated that 397,662 persons, representing 10.5% of the state's population, were living on incomes below this level.

G. RIGHTS OF HUMAN SUBJECTS

1. Measurement

Evaluation of results and assessment of individuals may involve psychometric tools as a component of the project. Attitude or behavioral measures to be used must be explicitly identified in the evaluation or procedure section of the proposal. If you are using a standardized test, a discussion of the rationale for selecting that test, its adequacy, and the applicability to the task and the target population should be included. Under federal law and regulations regarding research on human subjects, final approval of the use of standardized and unstandardized measures must be obtained from the Developmental Disabilities Program Office prior to their use.

2. Individual Protection

Under federal law and regulations, the rights of human subjects will be insured in all projects funded by Developmental Disabilities. A subject is defined as any individual about whom information is gathered as a result of research, development, or demonstration activities. Research includes information-gathering activities conducted in classrooms, individual or group therapy sessions, public places and the home, as well as in laboratories and other controlled settings.

Three basic premises related to individual rights must be observed:

- (a) All data collected, as well as the data source, will be held confidential.
- (b) The privacy of the subject will be insured.
- (c) Human subjects will be protected from experimental manipulation without informed consent of either the subject or their representative having been given.

Projects should consider the following dimensions:

- (a) Risk to which the subject is exposed and, when such exposure takes place, how long it lasts, and what after-effects it may have. It is possible that the researcher may be able to "take advantage" of a situation in which the subject is voluntarily participating in a non-research activity (e.g., therapy diagnoses, special training, education). In this situation, the problem of

- (a) Continued
risk in quite different from instances in which the subject volunteers for research only.
- (b) Consent - who, when and under what conditions informed consent is obtained. The consent form should indicate what the subject is consenting to, when the form was signed relative to the project (e.g., before data are collected or after), and the date the form is signed.
- (c) Subject Contacts - Every effort should be made to avoid the use of deception; in cases in which deception is necessary, deception must be minimized and manipulations must later be explained to the subjects and/or their representatives.
- (d) Deception - Specify the nature of the deception which is employed. The researcher will make specific, written plans concerning how he plans to explain the deception to the subject and make amends for any negative consequences that may arise.
- (e) The issues of confidentiality and right to privacy will also be considered. All information regarding personal facts and circumstances including lists of names and addresses as well as records of clients obtained will be held confidential. The use of such information and records will be limited to purposes connected with the Developmental Disabilities program and should not be disclosed unless consent of the individual to whom the information applies or his representative has been obtained. Purely descriptive data, which cannot be related to an individual, e.g., data on ethnicity, severity of handicap, success of specific program, may be used for research or planning purposes. Confidentiality implies that the identity of individuals involved not be released without their consent. The individual's right to privacy implies that his identity is protected and that reasonable limits be placed on the data collected about him.

II. GRANT APPLICATION FORMS

The following grant application forms are designed to provide a comprehensive description of the project you are proposing. Because detailed information is called for, instructions are provided for completing most items--your preliminary proposal summary should provide an invaluable basis for the expanded description of your project.

After completing your application, fill in the page numbers on the bottom of all pages, e.g., Page ____ of ____ pages etc. Then Xerox four copies of each page and forward three copies plus the original to the Developmental Disabilities Program Office, and one copy to your Regional Planner.

A. FACE SHEET

Use the face sheet (Attachemnt A) as the first page of all proposal copies to be submitted.

DEVELOPMENTAL DISABILITIES PROJECT APPLICATION
A. FACE SHEET

1. PROJECT TITLE: _____ PROJECT # (State Agency use only)
No. _____

PROJECT PERIOD: From _____ to _____

BUDGET PERIOD: From _____ to _____

2. APPLICANT ORGANIZATION: _____

3. TYPE OF CONTROL (check one):

PUBLIC _____

PRIVATE NON-PROFIT _____

ADDRESS: _____

4. SERVICE AREA (specify both):

PHONE: _____

LOCAL _____

REGION _____

5. TYPE OF APPLICATION (check one):

6. BUDGET:

NEW _____

AMOUNT REQUESTED FROM DEVELOPMENTAL DISABILITIES: _____
(70% of total)

RENEWAL _____

REQUIRED GRANTEE PARTICIPATION: _____
(30% of total)

TOTAL PROJECT FUNDING: _____
(100% of total)

7. PROJECT DIRECTOR: (Signature) _____

FINANCIAL MANAGER
OFFICER

NAME _____

TITLE _____

DATE _____

8. LOCATION OF PROJECT:

a. ADDRESS _____

b. PLANNING REGION _____

B. SUMMARY

Concisely summarize the proposed project. Include information about goals, objectives and individuals to be served. The project summary submitted with the preliminary proposal may provide a good basis upon which to further expand and outline the proposed project.

B. SUMMARY (use additional sheets if necessary)

C. EXISTENCE AND COORDINATION OF SERVICES (if applicable)

1. In the first column, please check those services which are available at present in your locality. In the second column, please check those services which will be provided by your project.
2. If your project will be providing a service which is already available in your area, explain how your project differs from the existing service.
3. Briefly explain how your project will relate to other services presently available in your area. If a formal relationship (e.g., mutual provision of services, use of another agency's facility) is to be established, documentation of such agreements in a letter from the cooperating agency must be provided.

NOTE: It is assumed that this section will not be applicable to research projects.

C. EXISTENCE AND COORDINATION OF SERVICES

| 1. | 1 | 2 | | 1 | 2 |
|---------------------------------|---|---|--|---|---|
| a. Residential | | | i. Evaluation | | |
| b. Transportation | | | j. Treatment | | |
| c. Sheltered workshop | | | k. Counseling | | |
| d. Developmental day care | | | l. Personal care | | |
| e. Client training/education | | | m. Advocacy, protective and related services | | |
| f. Personnel training/education | | | n. Information and referral | | |
| g. Recreation | | | o. Case management/follow-along | | |
| h. Diagnosis | | | | | |

Column 1: Now available
Column 2: To be available

2. Briefly explain how your project differs from existing services in the same category (if applicable).

3. Briefly explain, if applicable, how your project will coordinate activities with other agencies.

D. THE PROBLEM

State the specific problem toward which the project is directed. If appropriate, give the philosophic basis of the project, and general reasons for the approach being taken.

1. Provide a specific statement(s) of need for this project, with supporting data. Documenting evidence of need may be difficult if the actual need is not fully known. In such cases, existing information can be used as a basis for projecting actual need, if sufficient justification is provided. (The proposal should then outline a process of gathering evidence to document the actual need as the project develops.)
2. Include supporting information which defines the problem area. You should include a review of literature on available information related to the project, taken from published and unpublished sources.
3. If there are unusual local circumstances, interactions, or events, they should be made explicit in this section. Local or specialized knowledge may be taken for granted, but the absence of its explanation may cause rejection of a good idea.
4. Outline any obstacles or limitations anticipated to affect the project's operations.
5. Indicate how your project is consistent with federal, state, and regional priorities.

- D. PROBLEM (State the specific problem, including a detailed identification of need).

(The problem statement should include sufficient detail to allow an unknowledgeable reader to evaluate the problem--attach additional sheets as required.)

E. GOALS, OBJECTIVES, STRATEGIES, AND EVALUATION PROCEDURES

The goals, objectives, strategies and evaluation procedures will be listed on lines across pages 21 and 23 (attachments E.1, E.2). This section may be completed by stating one overall goal at a time, listing the objectives of your project which addresses that goal, the strategies to be used to meet each objective as listed, and procedures to be used to evaluate each objective.

Please read all the following instructions before beginning to complete this section.

1. Goals (E.1, point #1)

Briefly state the overall goals of the project;

Example: In a preschool training project a goal might be:
"To improve a child's language development through
a structured home intervention program."

2. Objectives (E.1, point #2)

State the specific objectives of the project in terms of what is to be accomplished. Use numbers when possible. The objectives should be realistic and stated in terms of measurable outcomes useful for evaluation purposes.

These should be very specific and measurable. They should not be stated in general terms.

There should be at least one objective stated for each goal.

For example, if the goal is "to improve language development in preschool children", an objective could be "to increase by 30 percent the receptive vocabulary and complexity of the expression in retarded children in our center by January 1, 1976."

The following table defines the differences between goals and objectives:

| <u>GOALS</u> | <u>OBJECTIVES</u> |
|---|---|
| Show general intent and direction. | Some specific intentions with measurable indicies and time limits. |
| <u>Examples</u> | <u>Examples</u> |
| The project's parent program will lead to increased parental interaction with children. | To increase non-hostile parental verbal interaction with their child to the mean level for parents of non-handicapped children by June 1, 1974. |

E.1. PROJECT GOALS, OBJECTIVES (attach additional sheets as necessary)

1. Project goals

2. Project objectives (at least one for each goal)

3. Strategies and/or Methods (E.2. point #3)

Describe the methods you will use to achieve each of the objectives proposed on Attachment E.1. This section should answer the questions - Who? What? How? Where? When?

Each objective should be treated separately.

The following table provides a comparison of objectives and strategies and/or methods. The strategy statement should give the action planned/needed to achieve the objective. The two examples should help clarify this relationship):

| <u>OBJECTIVES</u> | <u>STRATEGIES OR METHODS</u> |
|--|---|
| Represent statements of expected project benefits. | Useful for program management and progress reports. |
| <u>Examples</u> | <u>Examples</u> |
| To increase parents' personal, non-hostile interactions with their children by 25 percent by June 1, 1974. | Establish a parents counseling group that meets once a month during 1974. |
| To increase the vocabulary of students by 30 percent (as determined for each child, based on his development profile). | Implement the X,Y,Z language program by May 1, 1974. |

Also, the dates for completing major project activities go in the column marked "Schedule".

4. Evaluation (E.2. point #4)

- A. This section should describe what criteria you will use to measure whether the method used has successfully met each objective.
- B. In order to insure consistency between the problem, goals, objectives, methods and/or strategies, and evaluation, applicants are required to use the format where each objective is immediately followed by the method and/or strategy to be used in realizing the objective, and the criteria which will be used to evaluate the success in reaching the objective. A final section on evaluation could then address the criteria which will be used to determine whether the objectives and activities have solved the original problem statement, if some were more successful than others, and reasons for the success or failure of all or some of the objectives.

E.2. PROJECT TIMETABLE, STRATEGIES, EVALUATION (attach additional sheets if necessary)

Schedule

3. Strategies/methods (at least one for each objective)

4. Evaluation data to be collected (at least one for each objective)

F. CONTINUATION FUNDING (new applicants only)

Prospects for continued support of a project following reduction or discontinuation of Developmental Disabilities funding is a main issue in the final review process. While it is a policy of the Governor's Planning and Advisory Council to essentially support projects on a single year basis, multi-year projects are infrequently considered. Please respond briefly to the following questions:

1. Describe and document sources of financial support (other than Developmental Disabilities) available to the project following its initial year of operations.
2. Is it anticipated that second- or possibly even third-year funding would be sought from Developmental Disabilities? If so, please explain and justify.
3. Briefly summarize anticipated goals and objectives following the initial year of operations, if second- or third-year funding would be sought from Developmental Disabilities. Describe how these activities would differ from first-year activities.
4. If continued funding might be sought, estimate the total amount to be requested (if possible).

F. CONTINUATION FUNDING (use additional sheets if necessary)

G. PERSONNEL

1. Complete attachment G.1. for each professional staff member or proposed staff member, beginning with the project director. Use a separate sheet for each staff member. If personnel positions are proposed, please describe how you will insure the recruitment of individuals who are capable of conducting the project (use attachment G.2.).
2. The role of all professional personnel involved in the project should be clearly stated.
3. The director or principal investigator should have a history of professional experience in the project area and/or a clearly demonstrated competence for conducting the project.

G.1. PROFESSIONAL STAFF NOW EMPLOYED

Give the following information for each professional staff member, beginning with the Project Director.

Name:

Title:

Relationship to Proposed Program:

Educational Background:

Previous Professional Experience:

Comments:

(Attach additional sheets as necessary)

F.2 JOB DESCRIPTION OF PROFESSIONAL STAFF TO BE ACQUIRED

Title:

Salary Range:

Educational Experience Required:

Professional Experience Required:

Role to be Performed:

Required Skills:

(Attach additional sheets as necessary)

H. INTER-AGENCY COOPERATION

Describe and document with letters of agreement any intended cooperative relationships with other agencies on the project. If the project requires cooperation from other agencies or organizations, concrete assurance of cooperation must be supplied, rather than simple letters of endorsement. (Label them G.1., G.2., etc.,.)

Example: If another agency will be responsible for implementing the product of a development project, written assurance should be secured in advance.

I. BUDGET FORM

Applicants must indicate what other financial support has been applied for and/or received on behalf of this activity. The use of Developmental Disabilities funds may not result in a decrease in the level of effort at state and local levels. To the extent feasible, this program should stimulate an increase in effort. Other sources of support should be documented on the Budget Justification form (J) on page 33.

AMENDED BUDGET FORM

| | | |
|--|--|----|
| DEVELOPMENTAL DISABILITIES PROGRAM CAPITOL SQUARE BLDG., ST. PAUL | Proposed Budget | |
| | PERIOD FROM | TO |
| TITLE OF PROJECT | | |
| Applicant (NAME, ADDRESS, PHONE) | | |
| | SIGNATURE OF AUTHORIZED OFFICIAL | |
| LOCAL MATCH IS: CASH FOR THE AMOUNT OF \$ _____ IN-KIND FOR THE AMOUNT OF \$ _____ | SOURCE OF MATCHING CASH IS FROM: <input type="checkbox"/> CONTRIBUTIONS, FOUNDATIONS, <input type="checkbox"/> STATE MONIES, <input type="checkbox"/> LOCAL TAX MONEY, <input type="checkbox"/> FEDERAL (SPECIFY) | |

| LINE ITEM (1) | D.D. REQUEST (2) | LOCAL MATCH (3) | | TOTAL (4) |
|-----------------------------------|------------------|-----------------|---------|-----------|
| | | CASH | IN-KIND | |
| Personnel | | | | |
| | | | | |
| | | | | |
| ent | | | | |
| | | | | |
| Travel | | | | |
| | | | | |
| Supplies and Materials | | | | |
| | | | | |
| Equipment | | | | |
| | | | | |
| Communications | | | | |
| | | | | |
| Purchase of Professional Services | | | | |
| | | | | |
| Other | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| TOTAL | | | | |

J. BUDGET JUSTIFICATION

Please furnish a narrative statement containing any clarifying information pertaining to budgetary entries on the Budget Form (I), including:

1. Such information as is required to support entries in various expenditure categories, as noted in the instructions.
2. An explanation of any entries which are not clearly justified in the information contained in the overall project design.
3. Other sources of financial support.
4. Justification for funding requests from Developmental Disabilities exceeding \$ 25,000 (Developmental Disabilities grants have historically averaged around this figure).

J. BUDGET JUSTIFICATION

(Attach additional sheets as necessary)

K. READ AND SIGN ASSURANCES ON PAGES 35-37.

K. ASSURANCES

Each grant shall be subject to the condition that the applicant will comply with the following assurances. These assurances are given in consideration of and for the purpose of obtaining a grant, under P.L. 91-517 extended after the date hereof to the applicant. The applicant recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in these assurances. The assurances are binding on the applicant, its successors, transferees and assignees.

- A. The program will be planned to serve the need of the particular community or communities in or near which program activities are being carried on, and that consideration will be given to the involvement of residents of the community in the management and operation of such activities.
- B. With respect to facilities for the developmentally disabled which do not provide service principally for persons residing in a particular community in or near which the facility is situated, consideration shall only be given to those projects which have as their objectives (a) decreasing institutional populations by moving the developmentally disabled into community living situations, (b) extending institutional services to the community as needed, or, (c) supporting additional services within the institution without increasing the capacity of the institution beyond its designed capacity.
- C. That the services of the facility will not be denied to any person within the community served solely on the ground that such person does not meet a minimum period of residence in such community.
- D. That the facility will furnish a reasonable volume of services to persons unable to pay for them.
- E. That in the selection, compensation or other employment practices of the facility with respect to its technical or professional personnel, there shall be no discrimination because of race, creed, color, sex or national origin.
- F. That all portions and services of the entire facility of which, or in connection with which, aid is sought, will be made available without discrimination or account of race, creed, color, sex, or national origin.
- G. That it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulations of the Department of Health,

Education and Welfare issued pursuant to the title, to the end that, in accordance with Title VI of that Act and the regulations, no person in the United States shall, on the ground of race, creed, color, sex or national origin, be excluded from participation in, or denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received financial assistance under P.L. 91-517, known as the Developmental Disabilities Act, and thereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

- H. Applicant agrees to safeguard the rights and welfare of individuals served, including right to receive proper professional care, to enjoy privacy and confidentiality in use of information, and be free from undue embarrassment, discomfort and harassment. The provision of services will be in compliance with the Department of Health, Education and Welfare policy concerning Human Subjects.
- I. Standards for services provided under this State Plan shall not be lower than standards prescribed by regulations, including standards as to the extent, scope and quality of such services. Standards for services will meet the standards prescribed by the administrator and set forth in "Minimum Standards for Services and Programs for Developmentally Disabled Persons," SRS, RSA Publication No. 180.
- J. That it will maintain adequate and separate accounting and fiscal records and accounts for all funds provided through this grant application and permit audit of such records and accounts at any reasonable time by authorized representatives of Health, Education and Welfare.
- K. Any products developed under funds provided under a Developmental Disabilities service grant will be public domain.

AS THE PROJECT DIRECTOR OF _____
_____, THE APPLICANT AGENCY, I, THE
UNDERSIGNED, HAVE READ AND AGREE TO THE ASSURANCES STATED ABOVE AND
AGREE TO COMPLY FULLY WITH THESE REQUIREMENTS.

Signature: _____

Title: _____

Date: _____

L. PROPOSAL ABSTRACT

After the proposal is written, complete the attached Proposal Abstract form. This form will be distributed to reviewers as a synopsis of your project, so please be concise.

L. PROPOSAL ABSTRACT

Part I. General Summary

1. Applicant Agency:
2. Primary Contact Person:
Telephone:
3. Title of Project
4. Summary (Brief Narrative) (Review of Problem, Goals and Overall
Project Design and Procedures)
5. Budget: a. Local Match _____
 b. DD Request _____
 c. Total _____
6. Attempts at Securing Other Funding Sources:

M. LETTERS OF SUPPORT

1. Applications should include supporting documents from collaborating agencies which indicate the preliminary ideas and commitments of these agencies in a support role to the project. (Other than fiscal.)

Letters of Support may only be included if the proposal summary and objectives have been reviewed by the signatory of the letter. Endorsement of a project after hearing or reading a general description of the project will not be accepted as letters of support, and could invalidate the application.

2. Applications must also indicate that any immediate supervisory department or agency (e.g., State Department of Education, etc.) is knowledgeable about and is in support of this grant application.
3. Letters of Support should be labelled "M - Page ___ of ___", in the legal style used in the rest of the proposal.

GENERAL INSTRUCTIONS

Numbering Pages: Each page must be numbered in legal style, e.g., Page 1 of X, Page 2 of X, etc. (with "X" being the total number of pages). This proposal, if approved, will become part of the official contract between the State Planning Agency and the applicant agency.

Number of Copies: Please send three (3) copies of the proposal and the original to the address below, plus one additional copy to the regional planner in your area (See Guidelines).

Developmental Disabilities Program Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
Attn.: Service grants
Phone: (612) 296-4018

Clarification of In-Kind Contribution

Developmental Disabilities

Minnesota

Matching Formula:

When planning a budget for a project, keep in mind the following information:

- The federal amount must be not more than 70% of the total budget.
- The local share must not be less than 30% of the total budget.
- When the federal amount is known, but the local share is not known, use the following formula:

$$\frac{3}{7} = \frac{X}{\text{Federal amount}} \quad (\text{"X" equals the local share})$$

For example:

$$\begin{aligned} \frac{3}{7} &= \frac{X}{\$7,000} \\ 7X &= 3 (\$7,000) \\ 7X &= \$21,000 \\ X &= \$3,000 \end{aligned}$$

Local Match:

An agency that receives Federal Developmental Disabilities grants may provide cash or in-kind as local share for the project budget. Cash is preferable over in-kind because it is the most tangible and is more accountable.

In-Kind Contribution:

An in-kind contribution is defined by HEW as, ".... The value of non-cash contributions provided by the grantee or third parties. In-kind contributions may consist of charges for real property and non-expendable personal property, and the value of goods and services directly benefiting and specifically identifiable to the grant supported activity."

What Does This Mean?

Not all types of in-kind contributions can be used to match Developmental Disabilities funds, according to guidelines established by the Federal Office of Management and Budget. Essentially, this means that there are two types of in-kind contributions: 1) Allowable (or, the "good type" of in-kind); and 2) The non-allowable (or, the "bad type" of in-kind).

The "Good Type" of In-Kind Matching Contribution:

The in-kind contribution which is allowed may be described as an "indirect" cost. It is an expenditure of the project for which no direct compensation has been given, but the expenditure was paid by the host agency of the project. In other words, it is an expenditure of goods and services (or dollars) which is a direct cost to your agency and can eventually be tracked down (or "trailed") by an accountant or auditor, documenting the "payor," the amounts paid, and the proportion expended on the Developmental Disabilities project.

Indirect costs are those incurred:

- a. for a common purpose or joint purpose benefiting more than one program or project within the agency, and
- b. not readily assignable to the cost of the Developmental Disabilities project, but benefit the project as being a part of the host agency. For example, if a maintenance person is hired to maintain the entire building and he or she spends one-tenth of his/her time in the area funded by the Developmental Disabilities grant, then one-tenth of his/her salary would be allowable for matching.

Other items commonly used as indirect costs are:

- Supervisor's time
- Secretarial and reception services
- Photo copying
- Rent and maintenance
- Postage
- Supplies and materials
- Telephone
- Conference rooms

The "Bad Type" of In-Kind Contribution:

The in-kind contribution which is not allowed is where the value of the goods or services is not a cost to your agency. It is a non-cash contribution. For example, if a program obtains the services of a volunteer as an aide in a day care program, the value of the aide's time is not allowable for matching. An accountant or auditor could not track down any payments in such a situation.- that is why such a contribution is not allowable.

GUIDELINES FOR COMPLETING AND SUBMITTING ANNUAL
REGIONAL PLANNING GRANT PROPOSALS
UNDER THE DEVELOPMENTAL DISABILITIES PLANNING PROGRAM

Developmental Disabilities Planning Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

CONTENTS: PART I -- GENERAL GUIDELINES
PART II -- PROPOSAL INSTRUCTIONS
PART III -- APPLICATION

(Submit six copies with original
signatures)

Regional Plan Transmittal Form
DDPA/SPA 7/76

DEVELOPMENTAL DISABILITIES
ANNUAL REGIONAL PLAN
(Title I, Part C, P.L. 91-517
as amended by P.L. 94-103)

REGION: _____

STATE: MINNESOTA

FISCAL YEAR ENDING _____

The Annual Regional Plan is being submitted on behalf of the Regional Planning Council on Developmental Disabilities. The Regional Planning Council on Developmental Disabilities has reviewed and evaluated the attached Regional Plan. Accordingly, this Plan incorporates the latest Revisions as recommended by the Regional Council.

Council Chairperson's Name _____

Official Title _____

Address: _____ (Zip) _____

Telephone: _____
(Area Code)

Signature _____ Date: _____

SECTION I: GENERAL GUIDELINES
FOR REGIONAL PLANNING GRANT APPLICATIONS

BACKGROUND INFORMATION

The Developmentally Disabled Assistance and Bill of Rights Act was passed by Congress in October, 1975 (amending 1970 legislation.) This Act calls for activity directed toward the alleviation of developmental disabilities; toward the social, personal, physical, and economic habilitation of disabled individuals; and toward rehabilitation of individuals who have a developmental disability.

Developmental disability means a disability attributable to mental retardation, cerebral palsy, epilepsy, or autism; or which is found to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals; or which is attributable to dyslexia resulting from one of the above-named disabilities. A developmental disability is further defined as having originated before the individual attains age 18, having continued or being expected to continue indefinitely, and constituting a substantial handicap to the individual.

Broad Federal priorities relating to deinstitutionalization and development of community-based services guide the program's basic character throughout the nation. Participating states must develop annual comprehensive plans to carry out these broad policy directives. The Federal government outlines the particular issues states must address in such plans, and areas specified in the 1975 Act include:

- Providing a design for implementation of a statewide plan including methodology of implementation, priorities for spending of funds, objectives, programs, resources, and evaluation.
- Providing for review and comment of all state plans which relate to programs affecting persons with developmental disabilities.
- Providing for the implementation of a system evaluating the impact of the state program.
- Providing assurances that the human rights of all persons with developmental disabilities (especially those without familial protection) who are receiving treatment, services, or habilitation through such programs will be protected.
- Supporting the establishment of community programs as alternatives to institutionalization; providing for maximum utilization of all available community resources including volunteers (bearing in mind that volunteer services shall supplement but not substitute for services of paid employees).
- Eliminating inappropriate placement in institutions; improving the quality of care and surroundings of persons for whom institutional care is appropriate; providing for fair and equitable arrangements to protect the interests of employees affected by actions to carry out the deinstitutionalization efforts.

- Providing for counseling, program coordination, follow-along services, protective services, and personal advocacy on behalf of developmentally disabled adults.
- Providing for early screening, diagnosis, and evaluation of developmentally disabled infants and preschoolers, particularly those with multiple handicaps.

GENERAL INFORMATION AND CONTENTS OF REGIONAL GRANT PROPOSALS

The purpose of the Developmental Disabilities Regional Planning Grant Program is to produce an annual comprehensive plan of services for persons having developmental disabilities. The Plan describes the existing pattern of services and facilities for these individuals and presents a coordinated, comprehensive program for the orderly development of high quality services to meet the needs and recognize the potentials of persons with developmental disabilities within the region. By describing unmet needs of the region, it serves to guide the development of new services and improvement of existing ones to maximize efficient use of resources.

Appropriate roles and functions of a Regional Planning Program include:

- To facilitate and encourage the development of interagency planning and coordination of programs, services, and facilities for persons with developmental disabilities at the local level.
- To advise the Governors Planning and Advisory Council on Developmental Disabilities and state agencies on matters pertaining to financing and local administration of programs, services, and facilities for persons with developmental disabilities.
- To identify the needs and recognize the potentials of persons with developmental disabilities in the region.
- To establish locally appropriate priorities in programming to meet the needs and potentials.
- To identify programming strategies with regional and local agencies and groups which impact on the services for persons with developmental disabilities. To review plans and activities, and to work with those agencies and groups to insure that the programming strategies are carried out.
- To review or comment on, as well as solicit and assist in developing service projects that will meet the identified needs and potentials of persons with developmental disabilities in the region.
- To assure protection of human rights and to serve as an advocate on behalf of persons with developmental disabilities.
- To increase public awareness to assist in the elimination of social, attitudinal and environmental barriers confronted by persons with developmental disabilities.
- To involve consumers in their activities to the maximum extent feasible.

CRITERIA FOR REVIEW

Proposed plans will be evaluated by representatives of the Governor's Planning and Advisory Council on Developmental Disabilities and members of the Developmental Disabilities Planning Office staff. Some of the major criteria for this review are summarized below:

1. The Regional proposal must include objective documentation of local and regional needs.
2. Regional planning projects must facilitate coordination of planning activities of other agencies within the region, and seek to avoid duplications in the provision of services.
3. Regional planning projects must deal with problems or needs which are common to many individuals with developmental disabilities in the region.
4. Regional planning projects must identify priorities in addressing regional needs.
5. Planning projects must be directed toward the federal and state priorities and services as indicated in the State Plan.
6. The proposal must include concrete plans and commitments for dissemination of results and/or products.

At its inception in 1971, the Governor's Planning and Advisory Council made the policy decision to support planning programs at the regional as well as state level. In the past, as well as present, the philosophy and policy of the Governor's Planning and Advisory Council on Developmental Disabilities have been to allow for maximum flexibility in establishing regional goals and objectives. It is anticipated that regional plans will influence the formulation of state goals as well as reflect the State Plan and national goals, but that the regional plans will generally have goals which are unique to the requirements of a particular region.

CONFIDENTIALITY AND RIGHT TO PRIVACY

The issues of confidentiality and right to privacy must be observed under regional planning grant activities. All information regarding personal facts and circumstances including lists of names and addresses as well as records of clients obtained will be held confidential. The use of such information and records will be limited to purposes connected with the Developmental Disabilities Planning efforts and should not be disclosed unless consent of the individual to whom the information applies or his representative has been obtained. Purely descriptive data, which cannot be related to an individual (e.g., data on severity of handicap, success of specific program) may be used for research or planning purposes. Confidentiality implies that the identity of individuals involved not be released without their consent. The individual's right to privacy implies that his identity is protected and that reasonable limits be placed on the data collected from or about him.

ANNUAL DEVELOPMENTAL DISABILITIES REGIONAL PLAN
APPLICATION FORM

Annual grants under the Developmentally Disabled Assistance and Bill of Rights Act are awarded by the Governor's Planning and Advisory Council on Developmental Disabilities and administered by the Developmental Disabilities Planning Office of the State Planning Agency. Approved planning proposals will be attached to a contract, which will indicate the mutual agreements between the State Planning Agency and the Regional Planning Agency. At the present time, only Comprehensive Health Planning Agencies or Regional Development Commissions are eligible to receive grants under this program.

The following forms are designed to provide a comprehensive description of regional plans. Because detailed information is requested, instructions are provided for completing most items. Please read through the instructions before completing the application.

Once completed, fill in the page numbers on the bottom of the sheets, e.g., Page ____ of ____ pages, etc. Then Xerox five copies of each page and forward these copies plus the original to the Developmental Disabilities Planning Office.

Original Signatures: The following pages must have original signatures (on all five copies):

1. Title Page
2. Budget Sheet
3. Assurances

Submission and Review Schedule: Applicants for the Developmental Disabilities Planning Grants must complete and return the enclosed forms to the Developmental Disabilities Planning Office by March 12, 1976. Applicants will be notified of awards by May 1, 1976. Applicants must submit an original and five (5) copies of the application to:

Robert H. Bruininks, Director
Developmental Disabilities Planning Office
State Planning Agency
110 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101

II. INSTRUCTIONS FOR COMPLETING
THE DEVELOPMENTAL DISABILITIES
ANNUAL REGIONAL PLAN APPLICATION

TABLE OF CONTENTS

- A. Face Sheet
- B. Proposal Abstract
- C. Background and History
- D. Characteristics of the Population Having Developmental Disabilities
- E. The Planning Process - Elements of the Annual Plan
- F. Planning Accomplishments from Previous Work Programs
- G. Regional Efforts Related to National and State Goals
- H. Consideration of Urban and Rural Poverty
- I. Regional Review Activities
- J. Plan for Technical Assistance
- K. Dissemination Activities
- L. Personnel
- M. Inter-Agency Cooperation
- N. Budget Form
- O. Budget Justification
- P. Assurances
- Q. Regional Council Attachments

APPENDIX

- Appendix A: Using Prevalence Rates to Estimate the Number of Persons with Developmental Disabilities by Region
- Appendix B: The Planning Process - Elements of the Annual Plan
- Appendix C: A Compilation of the Developmental Disabilities Legislation, 1975
- Appendix D: 1976 Developmental Disabilities State Plan Goals
- Appendix E: Clarification of In-Kind Contributions

III. ANNUAL REGIONAL PLAN APPLICATION FORM

II. INSTRUCTIONS FOR COMPLETING
THE DEVELOPMENTAL DISABILITIES
ANNUAL REGIONAL PLAN APPLICATION

A. FACE SHEET

Provide the information requested for the face sheet as indicated.

B. PROPOSAL ABSTRACT

Complete the Abstract as indicated. For the summary narrative (B.4.), briefly highlight the program's long-range goals. Then, review short-range goals and quantified objectives for the proposed annual plan -- list each short-range goal with its corresponding objectives in outline form. Use additional sheets as necessary, and write this section after the body of the plan has been completed.

C. REGIONAL PLAN BACKGROUND AND HISTORY

This section of the plan should provide specific information on pertinent characteristics of the region. The growth of the regional Developmental Disabilities planning efforts, and their general relationship to other areawide planning and service programs should be described. This section of the plan should provide a broad historical summary of the regional Developmental Disabilities planning program, from its inception to the present.

1. Summary of Council Organization -- role of planner, committee structure, selection of Council members, composition of Council, meetings held, membership. Identify any changes in organizational structure.
2. Procedures used by the Council and its committees to identify long-range goals, short-range goals, work tasks and evaluation criteria. Document any changes that have occurred in the process used to arrive at these program elements.
3. Outline the long-range goals, short-range goals and accomplishments of previous years.
4. Describe the formal relationship of the Regional Planning Council to the host agency. Discuss how planning efforts have been coordinated with the host agency. Describe any changes in host agency placement.
5. Describe the relationship of the regional planning program to agencies other than the host agency. In this section, describe efforts the regional program has taken to improve coordination and communication among other agencies in the region. This description should summarize specific actions taken by the program as well as general relationships. Special attention should be given to the relationship of the program to the Regional Development Commission(s) in the region.

6. Provide demographic and economic data for the Region as well as location of the Region in the State.

- A. Introduction of Regional Characteristics. Provide a map of the region identifying the counties which compose it. Include square mileage per county, the location of major population concentrations in each county, and a mileage scale.
- B. Demographic and Economic Data for Each County. This section of the plan should include demographic and economic data for each county, as outlined below.

1. Using 1970 Census data, provide a population breakdown by age and sex. Suggested population age groups:

| | |
|-------------|-------------------|
| Preschool: | 0 - 4 |
| School Age: | 5 - 9 years |
| | 10 - 14 years |
| | 15 - 19 years |
| Adults: | 20 - 44 years |
| | 45 - 64 years |
| | 65 years and over |

Total Population

Rate of Population Growth or Decline - Compare 1970 Census data with 1960 Census data using the previous age and sex divisions to show population change. Identify any major trends.

- C. Urban/Rural Population. Use 1970 Census figures to indicate total population residing in urban and rural areas.
- D. Number of Families. Using 1970 Census data, indicate the number of families residing in each county.
- E. Median Family Income. Use 1970 Census data to identify the median family income. Identify the number of families in each county above and below the median figure.
- F. Poverty Level. Using 1970 Census data, cite the poverty level for individuals and families. Identify the number of individuals and families with incomes above and below this level.
7. Special Regional Characteristics Affecting Provision of Services for Individuals with Developmental Disabilities -- With reference to the preceding demographic and economic information, outline characteristics of the region affecting provision of services for individuals with developmental disabilities. Identify any particular geographic/political characteristics affecting service delivery, such as political boundaries affecting eligibility, unavailability of services due to size/number/location of population concentrations, local transit/transportation services, health care providers (hospitals, clinics, availability of sufficient personnel).

D. CHARACTERISTICS OF THE POPULATION HAVING DEVELOPMENTAL DISABILITIES

Effective planning requires systematic collection and interpretation of information on the needs and potentials of persons with developmental disabilities. Please provide information on the procedures followed in assembling the information requested below, and its source. Indicate the estimated reliability and validity of information utilized (for reference on the utilization of prevalence rates, refer to Appendix A).

1. Estimated number of persons with developmental disabilities having legal residence in the region (use Table D.1.)
2. Estimated number of persons with developmental disabilities who have legal residence in the region and are currently placed in state institutions (use Table D.2.)
3. Organization and structure of service network for persons with developmental disabilities - public and private agencies, facilities, programs (use Table D.3.).
4. Estimated number of persons with developmental disabilities having legal residence in the region, receiving services outside state institutions (use table D.4.).
5. Estimated number of persons with developmental disabilities having legal residence in the region, not receiving services.

E. THE PLANNING PROCESS - ELEMENTS OF THE ANNUAL PLAN

Planning efforts are directed towards problem or issue resolution. A number of steps are involved, and four primary elements are often listed as the phases in this activity. These elements are needs assessment, goal identification, objective setting, and evaluation. These elements should be connected to each other in such a fashion that the planning effort is really an integrated and organized process. Each of these elements is described briefly in Appendix B. Please read through this Appendix section, before proceeding to complete Part E in the application.

INSTRUCTIONS: A prioritized listing of long-range regional goals should be provided on form E.1. The rationale for selection and level of need identified (both resulting from initial needs assessment efforts) should be documented. The rationale for the priorities set among long-range goals should be described on form E.2.

Using the long-range goals provided in E.1., short-range goals should be identified and documented on form E.3. (use duplicate forms as required). These listings will constitute the annual regional work plan. Next, place the information for each short-range goal in abbreviated form on chart E.4. (use duplicate charts as required). An example of how the narrative and chart might appear for one particular short-range goal follows Appendix B.

F. PLANNING ACCOMPLISHMENTS FROM PREVIOUS WORK PROGRAMS

The relationship of the proposed short-range goals and objectives to the short-range goals and objectives from the previous planning cycle should be provided. If a short-range goal was fully met, indicate "completed." If a short-range goal is being continued on into the present plan, indicate progress to date. If one was not accomplished as anticipated, indicate the extent of work completed, and the circumstances surrounding the level of accomplishment. If one was deleted, indicate the circumstances surrounding the deletion.

G. REGIONAL EFFORTS RELATED TO NATIONAL AND STATE GOALS

In this section, describe the relationship of long-range and proposed short-range goals to the goals of the Federal Developmental Disabilities program. A Compilation of the Developmental Disabilities Legislation, 1975, produced by the Developmental Disabilities Technical Assistance System, has been provided in Appendix C for reference. Similarly, describe the relationship of proposed regional short-range goals to the goals of the State Council (as referenced in Appendix D).

H. CONSIDERATION OF URBAN AND RURAL POVERTY

Planning efforts for persons with developmental disabilities residing in urban or rural poverty areas or having incomes below the poverty level are encouraged. The poverty level, as determined by the Social Security Administration (and cited in Part C of this annual plan) defines a minimum level of income necessary for individuals and families to maintain an adequate, subsistence level of living. In this section, state the economic characteristics of persons with developmental disabilities which have been considered in the regional plan. Indicate any actions taken, or to be undertaken on behalf of those persons with developmental disabilities whose incomes are below the poverty level, or who reside in urban or rural poverty areas. Document the source and procedures used to obtain such information.

I. REGIONAL REVIEW ACTIVITIES

Summarize regional and state plans, legislation and/or regulations reviewed by the program during the past year. For each item reviewed, provide information in the following format:

1. Item reviewed: list and cite the specific document, making the description as explicit as possible
2. Process: document who performed the review, what methods were employed
3. Actions taken, results: describe actions taken, based on the review, and results of the actions

J. PLAN FOR TECHNICAL ASSISTANCE

Provide a summary of technical assistance needed to achieve objectives set forth in the regional plan. Technical assistance is defined as resources - personnel, financial, information - outside of the program budget, personnel, agency or Council resources. Describe the needed assistance, and rank the needs in order of priority. Explain the process used to identify technical assistance required, and outline the plan for securing assistance.

K. DISSEMINATION ACTIVITIES

Describe all anticipated reports, conferences or other products that will be produced or sponsored in the coming year. Discuss plans for disseminating the results of such efforts to others throughout the region and state. Include a summary of previous dissemination activities and, where possible, include available products with this application.

L. PERSONNEL

Complete attachments L.1. and L.2. for each professional staff member or proposed staff member, beginning with the program director. Use a separate sheet for each staff member. If personnel positions are proposed, describe how the recruitment of persons who are capable of conducting the project will be assured. The role of all professional personnel involved in the program should be clearly stated (including the qualifications of the planner, who should have a background of professional experience in the program area and/or a clearly demonstrated competence for conducting work in a given area).

M. INTER-AGENCY COOPERATION

Describe and document with letters of agreement any intended cooperative relationships with other agencies. If implementation of some of the regional plan requires cooperation from other agencies, concrete assurance of cooperation, rather than general letters of endorsement, should be supplied with this application. For example, if another agency will be responsible for carrying out certain activities, written assurances should be secured in advance and attached to the proposal.

N. BUDGET FORM

Fill out Budget form N. for the projected budget. Clearly indicate the source of the 30% local match funds, with particular reference to the "clarification of in-kind contributions" referenced in Appendix E. Indicate any other grant support that has been requested and/or received in behalf of the program.

O. BUDGET JUSTIFICATION

Furnish a narrative statement containing information pertaining to budgetary entries. In comparison with previous budgets, explain any new line items, and any unusual increases or decreases in existing line item elements. Indicate the formulas which were used to arrive at budget projections. For example, regarding Communications:

Telephone: \$ 15.00/month for 12 months = \$ 180.00

Postage: \$ 30.00/month for 12 months = \$ 360.00, plus
special mailing in December for brochures
at \$ 100.00, totals \$ 460.00

P. ASSURANCES

Read and sign the Assurances form.

Q. COUNCIL ATTACHMENTS

Provide the following materials regarding the regional Council organization:

1. List of regional planning Council members - use Council Membership form Q.
2. Operational policies or by-laws of the Council.
3. Letter of agreement(s) between the sponsoring agency and the regional Developmental Disabilities Council.

APPENDIX A

Using Prevalence Rates to Estimate Number of Developmentally Disabled Persons by Region

In order to plan for adequate provision of services to persons with developmental disabilities, it is necessary to have a reasonable estimate of the number of potential clients. One of the most common and least costly methods for estimating a baseline population is to use available national prevalence rates for developmentally disabled persons.

Although these estimates are based on national data, they may be used until such time as data are available which will allow you to derive estimates for the state and/or your region.

TABLE 1
D.D. Prevalence Rates

| DISABILITY | PREVALENCE RATE |
|--------------------|--------------------|
| Mental Retardation | 3% 1 |
| Cerebral Palsy | .4% 2 |
| Epilepsy | 2% 3 |
| Autism | .035% ⁴ |
| Dyslexia | 1% 5 |

Sources:

- ¹ President's Panel on Mental Retardation estimated in 1962 that 3% of the population is mentally retarded. This figure is high for children below age 10 years and adults over 18 years. A 1% figure is more accurate for these age brackets.
- ² A UCP publication, 1971 Campaign Publicity Manual, estimated that .4% of the population is cerebral palsied.
- ³ The Epilepsy Foundation of America estimated that 2% of the population are epileptic.
- ⁴ Rimlin, Bernard. Infantile Autism, N.Y.: Appleton/Century Craft; and Wing, Dr. Lorna, DPM, MD. Child Apart - Autistic Children and Their Families, Slough Bucks, England: Denile Ltd., 1973.
- ⁵ Bureau of Education for the Handicapped, Office of Education, estimates that 2.5% of school-aged children are learning disabled. Only a portion of this 2.5% is included in the developmental disabilities population -- only those who have dyslexia resulting from mental retardation, cerebral palsy, epilepsy, or autism. Please note: The 1% prevalence rate given above is an estimate to be used until a more definitive prevalence rate is available.

TABLE 2
Incidence of Mental Retardation by Degree of Retardation*

| DEGREE | % OF MENTAL RETARDATION |
|----------|-------------------------|
| Mild | 86.7 |
| Moderate | 10.0 |
| Severe | 3.3 |

*Source: Report of the President's Panel on Mental Retardation, 1972.

Because these prevalence rates are based on national data, you should realize that the larger the population base to which they are applied the more accurate your baseline estimates are likely to be. For example, using these prevalence rates you may estimate the number of developmentally disabled persons in your region. You may also want to make estimates for each county. While, for instance 3% of the region's population may be mentally retarded, it is doubtful that these persons are distributed uniformly throughout the region, i.e., that 3% of the population in each county is considered mentally retarded. For this reason, you should for all practical purposes expect that the estimate of the number of developmentally disabled in the region is more accurate than such estimates for each county.

APPENDIX B

THE PLANNING PROCESS - ELEMENTS OF THE ANNUAL PLAN

Needs Assessment

Needs assessment or needs analysis activities identify and record issues that are judged to require attention and resources. The approaches for conducting a needs assessment vary greatly in terms of the questions to be answered, the validity and precision of the information obtained, and the costs for such efforts. Some alternative procedures for conducting needs analysis are listed below, according to the "source" identifying the "need." Each approach has advantaged and disadvantages, as summarized.

| <u>APPROACH</u> | <u>SOURCE OF INFORMATION</u> | <u>GENERAL ADVANTAGES</u> | <u>GENERAL DISADVANTAGES</u> |
|-----------------------|---|--|---|
| Key Informant | Secured from persons with knowledge of community's needs and prevailing patterns of service (can be service personnel) | a) Low cost b) Broad participation c) Improvement of communication | a) Potential bias: Personal & agency b) May inaccurately estimate needs |
| Community Forum | Secured from individuals at a public meeting | a) Easy to arrange b) Low costs c) May increase community support and participation | a) Logistics b) Potential bias: personal and agency c) May inaccurately estimate needs |
| Rates-under-treatment | Description of persons using services in a community--location, SES characteristics, age, etc. | a) Low cost b) Increases awareness of service impact | a) May inaccurately estimate needs b) Assuring confidentiality |
| Social Indicators | Analysis of factors found to be associated with persons in need through statistics in public records and reports (Example: Indices of poverty related to proportion of children in special classes by social status levels) | a) Useful predictors of need b) Useful in combination with other approaches c) Identify factors associated with service need and utilization | a) Provide an incomplete picture or assessment of need b) Lead to incorrect and premature conclusions regarding causes of need |
| Direct Survey | Persons in need of service are assessed directly, using informal or standardized methods | a) Most accurate--possible to assess extent of error in survey b) Assessment is direct, not indirect c) Likely to produce more reliable and valid information than other methods | a) Costs can be very high b) Requires more sophisticated approaches than other methods c) Logistics |

In social planning, analysis commonly takes the form of "need for service." In many cases, a special group or "target population" is identified, and those currently receiving "needed" services are contrasted against those persons in the target group not receiving the service. Programs currently available that can address these needs are then identified and additional resources required to address the unmet present and future "needs" can then be outlined. The appropriateness of the additional resources and the quality of existing services may or may not figure into the assessment.

In other cases, the perspective of the analysis may focus on the "needs" of particular persons, and may involve designing an "individualized" program to address these needs. In still other cases, the focus of the analysis may be from the perspective of the service provider. Questions of "availability," "accessibility," "barriers to service" may be addressed from this perspective.

Needs assessment is perhaps the most critical step in the planning process, because the nature of what is judged to be a "need," the type of response that will address this "need," and the appropriateness and effectiveness of this response all follow from the initial identification. Assigning priorities among various "needs" competing for scarce resources must be justified on the basis of valid identification of needs, as well as prevalence of need, extent of need, and other factors. Because needs analysis is often standardly included in legislation and planning guidelines, there is the danger that it may be viewed as a routine activity. Such analysis may also be viewed as a "one-shot" effort, used only at the initial stage of program planning. Needs analysis has the potential to greatly affect both the character of social service programming and the short- and long-term commitment of resources. It should be a continuous process, yielding objective information for planning, evaluating and revising programs. Consequently, the outcomes sought from such an undertaking and their implications for service provision must be carefully reviewed at the activity's outset.

Goal Identification

Goals are responses to identified needs, and they state the outcomes desired from a program. There are two levels of goals, and their focus is based on the time involved. Long-range goals address the purpose or mission of a program, broadly outlining direction and scope of efforts. Long-range goals are frequently projected on approximately a three-to five-year basis, because of the difficulty of realistically projecting beyond that point. A major long-range goal for a Developmental Disabilities regional program might be "to assure that the basic rights of all individuals with developmental disabilities are secured and maintained." Short-range goals are the activities (usually on an annual or bi-annual basis) that will be specifically directed toward the total range of effort needed to fulfill a long-range goal. For example, a short-range goal for the previous long-range goal might be, "to outline and implement a one-on-one advocacy program for County X during the next year."

Formulation of long-range and short-range goals for a program should be based on needs assessment efforts, such as the survey and polling activities mentioned in the previous section.

Objectives

After a short-range goal, or an annual "work plan" for the longer-term goal, is identified, specific tasks required to accomplish the work plan must be detailed. These tasks or objectives are action-oriented, occurring in a given time period, dealing with definite issues, and include a clear indication of resources required in the process. They should be realistic and

APPENDIX B

THE PLANNING PROCESS - ELEMENTS OF THE ANNUAL PLAN

Needs Assessment

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| PROACH | SOURCE OF INFORMATION | GENERAL ADVANTAGES | GENERAL DISADVANTAGES |
|-----------------------|---|--|---|
| Key Informant | Secured from persons with knowledge of community's needs and prevailing patterns of service (can be service personnel) | a) Low cost b) Broad participation c) Improvement of communication | a) Potential bias: Personal & agency b) May inaccurately estimate needs |
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| Rates-under-treatment | Description of persons using services in a community--location, SES characteristics, age, etc. | a) Low cost b) Increases awareness of service impact | a) May inaccurately estimate needs b) Assuring confidentiality |
| Social Indicators | Analysis of factors found to be associated with persons in need through statistics in public records and reports (Example: Indices of poverty related to proportion of children in special classes by social status levels) | a) Useful predictors of need b) Useful in combination with other approaches c) Identify factors associated with service need and utilization | a) Provide an incomplete picture or assessment of need b) Lead to incorrect and premature conclusions regarding causes of need |

EXAMPLE OF A FORMATTED SHORT-RANGE GOAL

SHORT-RANGE GOAL: The State DD Council will develop a statewide citizen advocacy plan which will serve as a guide for community development throughout Minnesota.

RELATIONSHIP TO LONG-RANGE GOAL: This goal relates to the Council long-term goal of designing interim and final plans for a citizen advocacy system, for the implementation and monitoring of the Protective Services Act, and for the ongoing programming of legal advocacy services in Minnesota within the next two to three years.

COMMENTS: "Advocacy" means actively promoting and helping another person achieve his/her goals. In its broadest sense, advocacy implies a number of roles, ranging from those which resemble natural friendship relationships (e.g., Citizen Advocacy) to those which are legally sanctioned (e.g., protective services). The essential element is to provide help where it is needed.

"Protective Services" includes safeguarding the rights of developmentally disabled individuals by insuring that they receive appropriate services and by preventing personal abuse. In the past, the concept of protection has taken the form of guardianships, conservatorships, trusteeships, etc., all centered largely on the protection of property and person. Today, however, there is increased emphasis on the need for relationships which protect the person's rights to citizenship, meaningful habilitation, and an equitable standard of living. The protector, in contrast to the citizen advocate, has more leeway as a decision-maker and more clients with whom to work. In practice, citizen advocates and protective service workers may perform many of the same functions, but the critical element that often determines the nature of the client-advocate relationship is the fact that the citizen advocate is not a paid professional while the protective service worker is an employee subject to agency constraints.

Objective 1: Assemble and distribute an informational notebook on Citizen Advocacy to the Advocacy Committee and regional representatives, which is to be used for basic reference material. (Staff)

Objective 2: Monitor and evaluate the ongoing progress of the SPARC Pilot Citizen Advocacy Project:

- review and make recommendations regarding the initial work plan,
- review and evaluate training program,
- evaluate cost effectiveness,
- document problem areas and recommend possible solutions.
(Committee and Staff)

Objective 3: Update, publish and disseminate the following materials that are currently in rough draft:

- Advocacy Resource and Service Directory,
- Annotated Bibliography, on Advocacy,
- Slide/tape presentation,
- Developmental Disabilities Alphabet Soup,
- Ideas for effective training techniques and procedures for Citizen Advocacy Programs.

- Objective 4: Compile, analyze and compare other state Citizen Advocacy programs. (Committee, Staff and Outside Services)
- Objective 5: Recommend preferred models of Citizen Advocacy to be tested during the next two years in Minnesota. These recommendations could serve as criteria for the PPR Committee when selecting projects. (Committee, Staff and Grants)
- Objective 6: Develop and disseminate a "request for proposal" in order to establish a state level coordination service on Citizen Advocacy. The role of such an agency would be:

- to provide leadership and expertise to communities,
- to encourage the development of local citizen advocacy programs,
- to coordinate activities among voluntary service organizations, e.g., Lyons, Mrs. J.C.'s and others,
- to develop training and public relations materials,
- to instruct the trainers,
- to test and evaluate a variety of community models on Citizen Advocacy. (Committee, Staff and Grants)

- Objective 7: Develop, approve and disseminate throughout Minnesota a conceptual model and plan on Citizen Advocacy by way of the following:

- (a) Decide on the scope and content of the plan, for example, possible areas would be:

- Philosophy
- Basic human needs
- Training
- State, regional, local coordination
- Criteria for effective citizen advocacy programs
- Evaluation procedures
- Recommendations

- (b) Incorporate ideas from throughout the state and solicit review and comment from experts in the field. (Committee, Staff and Outside Services)

RESOURCES REQUIRED: For personnel resources, the services of the Advocacy Committee, one primary staff member and a half-time student intern, and possibly two review consultants will be required. For supply costs, there will be a printing/Xeroxing and mailing costs, plus costs for Committee meeting sessions.

TIME SCHEDULE: See schedule indicated on chart.

EVALUATION MEASURES: Individual tasks will be evaluated according to their completion within the time and budget allocations allotted to them. The short-range goal will be evaluated according to the completion of the citizen advocacy plan within the time and budget allocations allotted, according to the outside reviews performed by responsible agencies, and by the final adoption by the State Council.

- Advocacy Resource and Service Directory,
- Annotated Bibliography, on Advocacy,
- Slide/tape presentation,
- Developmental Disabilities Alphabet Soup,
- Ideas for effective training techniques and procedures for Citizen Advocacy Programs.

- Objective 4: Compile, analyze and compare other state Citizen Advocacy programs. (Committee, Staff and Outside Services)
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 - to develop training and public relations materials,
 - to instruct the trainers,
 - to test and evaluate a variety of community models on Citizen Advocacy. (Committee, Staff and Grants)
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- (a) Decide on the scope and content of the plan, for example, possible areas would be:
 - Philosophy
 - Basic human needs
 - Training
 - State, regional, local coordination
 - Criteria for effective citizen advocacy programs
 - Evaluation procedures
 - Recommendations
 - (b) Incorporate ideas from throughout the state and solicit review and comment from experts in the field. (Committee, Staff and Outside Services)

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TIME SCHEDULE: See schedule indicated on chart.

EVALUATION MEASURES: Individual tasks will be evaluated according to their completion within the time and budget allocations allotted to them. The short-range goal will be evaluated according to the completion of the citizen advocacy plan within the time and budget allocations allotted, according to the outside reviews performed by responsible agencies, and by the final adoption by the State Council.

F.4. SHORT-RANGE GOAL: DEVELOP STATEWIDE PLAN FOR CITIZEN ADVOCACY

[illegible]

MEASURES, METHOD OF EVALUATING GOAL OUTPUT, OUTCOME: Once prepared, the plan draft will citizen advocacy, and by the public and consumer groups involved in programming. ished within the time and resource allocations budgeted them , if the outside rev support, and if the Council endorses the final product. An implementation follow

APPENDIX C

A COMPILATION OF THE DEVELOPMENTAL

DISABILITIES LEGISLATION, 1975

PL 91-517 as amended by PL 94-103

Edited by

Paula Hammer

Gary Richman

Published and Distributed by the
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University of North Carolina at Chapel Hill
December 1975

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INDEX TO THE DEVELOPMENTAL DISABILITIES LAW

AS AMENDED BY PL 94-103

This is a listing of the provisions of the Developmental Disabilities Law as reorganized, renumbered, and amended by PL 94-103. The section numbers below refer to PL 91-517 as amended.

Title I Developmental Disabilities Services and Facilities Construction Act Part A General Provisions

| | |
|-------------|--|
| Section 101 | Short Title |
| Section 102 | Definitions |
| Section 103 | Federal Share |
| Section 104 | State Control of Operations |
| Section 105 | Records and Audit |
| Section 106 | Employment of Handicapped Individuals (Affirmative Action) |
| Section 107 | Recovery |
| Section 108 | National Advisory Council on Services and Facilities for the Developmentally Disabled |
| Section 109 | Regulations |
| Section 110 | Evaluation System |
| Section 111 | Rights of the Developmentally Disabled |
| Section 112 | Habilitation Plans |
| Section 113 | Protection and Advocacy of Individual Rights |

Part B University Affiliated Facilities

| | |
|-------------|-----------------------------------|
| Subpart 1: | Demonstration and Training Grants |
| Section 121 | Grant Authority |
| Section 122 | Applications |
| Section 123 | Authorization of Appropriations |
| Subpart 2: | Construction |
| Section 125 | Projects Authorized |
| Section 126 | Applications |
| Section 127 | Authorization of Appropriations |

Part C Grants for Planning, Provision of Services, and Construction and Operation of Facilities for Persons with Developmental Disabilities

| | |
|-------------|--|
| Section 131 | Authorization of Appropriations |
| Section 132 | State Allotments |
| Section 133 | State Plans |
| Section 134 | Payments to States for Planning, Construction, Administration and Services |
| Section 135 | Withholding of Payments for Planning, Construction, Administra- tion and Services |
| Section 136 | Nonduplication |
| Section 137 | State Planning Councils |
| Section 138 | Judicial Review |

Part D Special Project Grants

| | |
|-------------|-----------------|
| Section 145 | Grant Authority |
|-------------|-----------------|

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PL 94-103 contains four additional provisions which are not amendments or additions to PL 91-517. The section numbers below refer to PL 94-103.

| | |
|-------------|---|
| Section 204 | Studies and Recommendations (Quality Standards) |
| Section 301 | Report and Study (The Definition of Developmental Disabilities) |
| Section 302 | Conforming Amendments |
| Section 303 | Effective Date |

[Editor's note: Public Law 91-517 has been amended by Public Law 94-103. The following is a compilation of PL 91-517 as amended and added to by PL 91-103. Portions which have been repealed are omitted from this compilation.]

DEVELOPMENTAL DISABILITIES SERVICES AND
FACILITIES CONSTRUCTION ACT
PUBLIC LAW 91-517

AS REVISED AND AMENDED BY THE
DEVELOPMENTALLY DISABLED ASSISTANCE

AND BILL OF RIGHTS ACT.

PUBLIC LAW 94-103

94TH CONGRESS H.R. 4005

OCTOBER 4, 1975

PART A -- GENERAL PROVISIONS

SHORT TITLE

SEC. 101. This title may be cited as the 'Developmental Disabilities Services and Facilities Construction Act'.

42 USC
6001
note.

DEFINITIONS

SEC. 102. For purposes of this title:

42 USC
6001.

(1) The term 'State' includes Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the District of Columbia.

(2) The term 'facility for persons with developmental disabilities' means a facility, or a specified portion of a facility, designed primarily for the delivery of one or more services to persons with one or more developmental disabilities.

(3) The terms 'nonprofit facility for persons with developmental disabilities' and 'nonprofit private institution of higher learning' mean, respectively, a facility for persons with developmental disabilities and an institution of higher learning which are owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any

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private shareholder, or individual; and the term 'nonprofit private agency or organization' means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

(4) The term 'construction' includes construction of new buildings, acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings (including medical transportation facilities); including architect's fees, but excluding the cost of offsite improvements and the cost of the acquisition of land.

(5) The term 'cost of construction' means the amount found by the Secretary to be necessary for the construction of a project.

(6) The term 'title', when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Secretary finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

(7) The term 'developmental disability' means a disability of a person which --

(A) (i) is attributable to mental retardation, cerebral palsy, epilepsy, or autism;

(ii) is attributable to any other condition of a person found to be closely related to mental retardation because such condition results in similar impairment of general intellectual functioning or adaptive behavior to that of mentally retarded persons or requires treatment and services similar to those required for such persons; or

(iii) is attributable to dyslexia resulting from a disability described in clause (i) or (ii) of this subparagraph;

(B) originates before such person attains age eighteen;

(C) has continued or can be expected to continue indefinitely; and

(D) constitutes a substantial handicap to such person's ability to function normally in society.

(8) The term 'services for persons with developmental disabilities' means specialized services or special adaptations of generic services directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with such a disability; and such term includes diagnosis, evaluation, treatment, personal care, day care, domiciliary care, special living arrangements, training, education, sheltered employment, recreation, counseling of the individual with such disability and of his family, protective

and other social and socio-legal services, information and referral services, follow-along services, and transportation services necessary to assure delivery of services to persons with developmental disabilities.

(9) The term 'satellite center' means an entity which is associated with one or more university affiliated facilities and which functions as a community or regional extension of such university affiliated facilities in the delivery of training, services, and programs to the developmentally disabled and their families, to personnel of State agencies concerned with developmental disabilities, and to others responsible for the care of persons with developmental disabilities.

(10) The term 'university affiliated facility' means a public or nonprofit facility which is associated with, or is an integral part of, a college or university and which aids in demonstrating the provision of specialized services for the diagnosis and treatment of persons with developmental disabilities and which provides education and training (including interdisciplinary training) of personnel needed to render services to persons with developmental disabilities.

(11) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

FEDERAL SHARE

42 USC 6002.

Ante, pp.
486, 489.

SEC. 103.(a) The Federal share of any project to be provided through grants under part B and allotments under part C may not exceed 75 per centum of the necessary cost thereof as determined by the Secretary, except that if the project is located in an urban or rural poverty area, the Federal share may not exceed 90 per centum of the project's necessary costs as so determined.

(b) The non-Federal share of the cost of any project assisted by a grant or allotment under this title may be provided in kind.

(c) For the purpose of determining the Federal share with respect to any project, expenditures on that project by a political subdivision of a State or by a nonprofit private entity shall, subject to such limitations and conditions the Secretary may by regulation prescribe, be deemed to be expenditures by such State in the case of a project under part C or by a university-affiliated facility or a satellite center, as the case may be, in the case of a project assisted under Part B.

STATE CONTROL OF OPERATIONS

42 USC
6003.

SEC. 104. Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, mainte-

nance, or operation of any facility for persons with developmental disabilities with respect to which any funds have been or may be expended under this title.

RECORDS AND AUDIT

42 USC
6004.

SEC. 105. (a) Each recipient of assistance under this title shall keep such records as the Secretary shall prescribe, including (1) records which fully disclose (A) the amount and disposition by such recipient of the proceeds of such assistance, (B) the total cost of the project or undertaking in connection with which such assistance is given or used, and (C) the amount of that portion of the cost of the project or undertaking supplied by other sources, and (2) such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of assistance under this title that are pertinent to such assistance.

EMPLOYMENT OF HANDICAPPED INDIVIDUALS

42 USC
6005.

SEC. 106. As a condition of providing assistance under this title, the Secretary shall require that each recipient of such assistance take affirmative action to employ and advance in employment qualified handicapped individuals on the same terms and conditions required with respect to the employment of such individuals by the provisions of the Rehabilitation Act of 1973 which govern employment (1) by State rehabilitation agencies and rehabilitation facilities, and (2) under Federal contracts and subcontracts.

29 USC 701
note.

RECOVERY

42 USC 6006.

Ante, pp. 486,
489.

SEC. 107. If any facility with respect to which funds have been paid under part B or C shall, at any time within twenty years after the completion of construction --

(1) be sold or transferred to any person, agency, or organization which is not a public or nonprofit private entity, or

(2) cease to be a public or other nonprofit facility for persons with developmental disabilities,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has ceased to be a public or other nonprofit facility for persons with developmental disabilities, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the

district in which the facility is situated) of so much of such facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects. Such right of recovery shall not constitute a lien upon such facility prior to judgment. The Secretary, in accordance with regulations prescribed by him, may, upon finding good cause therefor, release the applicant or other owner from the obligation to continue such facility as a public or other nonprofit facility for persons with developmental disabilities.

NATIONAL ADVISORY COUNCIL ON SERVICES AND FACILITIES FOR THE DEVELOPMENTALLY DISABLED

SEC. 108. (a) (1) There is established a National Advisory Council on Services and Facilities for the Developmentally Disabled (hereinafter in this section referred to as the 'Council') which shall consist of nine ex officio members and sixteen members appointed by the Secretary. The ex officio members of the Council are the Deputy Commissioner of the Bureau of Education for the Handicapped, the Commissioner of Rehabilitation Services Administration, the Administrator of the Social and Rehabilitation Service, the Director of the National Institute of Child Health and Human Development, the Director of the National Institute of Neurological Disease and Stroke, the Director of the National Institute of Mental Health, and three other representatives of the Department of Health, Education, and Welfare selected by the Secretary. The appointed members of the Council shall be selected from persons who are not full-time employees of the United States and shall be selected without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. The appointed members shall be selected from advocates in the field of services to persons with developmental disabilities, including leaders in State or local government, in institutions of higher education, and in organizations which have demonstrated advocacy on behalf of such persons. At least five such members shall be representatives of State or local public or nonprofit private agencies responsible for services to persons with developmental disabilities, and at least five other such members shall be persons with developmental disabilities or the parents or guardians of such persons.

(2) The Secretary shall from time to time designate one of the appointed members to serve as Chairman of the Council.

(3) The Council shall meet at least twice a year.

(4) The Federal Advisory Committee Act shall not apply with respect to the duration of the Council.

(b) Each appointed member of the Council shall hold for a term of four years. An individual who has served as a member

5 USC 101
et. seq.

5 USC app. I.

of the Council may not be reappointed to the Council before two years has expired since the expiration of his last term of office as a member.

(c) It shall be the duty and function of the Council to --

(1) advise the Secretary with respect to any regulations promulgated or proposed to be promulgated by the Secretary in the implementation of the provisions of this title;

(2) study and evaluate programs authorized by this title to determine their effectiveness in carrying out the purposes for which they were established;

(3) monitor the development and execution of this title and report directly to the Secretary any delay in the rapid execution of this title;

(4) review grants made under this title and advise the Secretary with respect thereto; and

(5) submit to the Congress annually an evaluation of the efficiency of the administration of the provisions of this title.

(d) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such statistical and other pertinent data prepared by or available to the Department of Health, Education, and Welfare as it may require to carry out such functions.

(e) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on the business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but at rates not exceeding the daily equivalent of the rate provided for GS-18 of the General Schedule for each day of such service (including travel time), and, while so serving away from their homes or regular places of business, all of the members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

35 F.R. 6247
5 USC 5332
note.

83 Stat. 190

42 USC 6007
note.

[Editor's note: PL 94-103 further states, "The amendments made by subsection (a) do not affect the term of office of persons who on the date of the enactment of this Act (PL 94-103) are members of the National Advisory Council on Services and Facilities for the Developmentally Disabled. The Secretary of Health, Education, and Welfare shall make appointments to such Council in accordance with section 108 of the Act as vacancies occur in the membership of such Council on and after the date of the enactment of this Act. The ex officio members prescribed by section 108 of the Act shall take office as of the date of the enactment of this Act."]

REGULATIONS

SEC. 109. The Secretary, as soon as practicable, by general regulations applicable uniformly to all the States, shall prescribe --

(1) the kinds of services which are needed to provide adequate programs for persons with developmental disabilities, the kinds of services which may be provided under a State plan approved under part C, and the categories of persons for whom such services may be provided;

(2) standards as to the scope and quality of services provided for persons with developmental disabilities under a State plan approved under part C;

(3) the general manner in which a State, in carrying out its State plan approved under part C, shall determine priorities for services and facilities based on type of service, categories of persons to be served, and type of disability, with special consideration being given to the needs for such services and facilities in areas of urban and rural poverty; and

(4) general standards of construction and equipment for facilities of different classes and in different types of location.

Regulations of the Secretary shall provide for approval of an application submitted by a State for a project to be completed by two or more political subdivisions, by two or more public or nonprofit private entities, or by any combination of such subdivisions and entities. Within one hundred and eighty days of the date of the enactment of any amendments to this title, the Secretary shall promulgate such regulations as may be required for implementation of such amendments.

EVALUATION SYSTEM

42 USC
6009.

SEC. 110. (a) The Secretary, in consultation with the National Advisory Council on Services and Facilities for the Developmentally Disabled, shall within two years of the date of the enactment of the Developmentally Disabled Assistance and Bill of Rights Act develop a comprehensive system for the evaluation of services provided to persons with developmental disabilities through programs (including residential and non-residential programs) assisted under this title. Within six months after the development of such a system, the Secretary shall require, as a condition to the receipt of assistance under this title, that each State submit to the Secretary, in such form and manner as he shall prescribe, a time-phased plan for the implementation of such a system. Within two years after the date of the development of such a system, the Secretary shall require, as a condition to the receipt of assistance under this title, that each State provide assurances satisfactory to the Secretary that the State is using such a system.

(A) does not provide treatment, services, and habilitation which is appropriate to the needs of such persons; or

(B) does not meet the following minimum standards:

(i) Provision of a nourishing, well-balanced daily diet to the persons with developmental disabilities being served by the program.

(ii) Provision to such persons of appropriate and sufficient medical and dental services.

(iii) Prohibition of the use of physical restraint on such persons unless absolutely necessary and prohibition of the use of such restraint as a punishment or as a substitute for a habilitation program.

(iv) Prohibition on the excessive use of chemical restraints on such persons and the use of such restraints as punishment or as a substitute for a habilitation program or in quantities that interfere with services, treatment, or habilitation for such persons.

(v) Permission for close relatives of such persons to visit them at reasonable hours without prior notice.

(vi) Compliance with adequate fire and safety standards as may be promulgated by the Secretary.

(4) All programs for persons with developmental disabilities should meet standards which are designed to assure the most favorable possible outcome for those served, and --

(A) in the case of residential programs serving persons in need of comprehensive health-related, habilitative, or rehabilitative services, which are at least equivalent to those standards applicable to intermediate care facilities for the mentally retarded promulgated in regulations of the Secretary on January 17, 1974 (39 Fed. Reg. pt. II), as appropriate when taking into account the size of the institutions and the service delivery arrangements of the facilities of the programs;

(B) in the case of other residential programs for persons with developmental disabilities, which assure that care is appropriate to the needs of the persons being served by such programs, assure that the persons admitted to facilities of such programs are persons whose needs can be met through services provided by such facilities, and assure that the facilities under such programs provide for the humane care of the residents of the facilities, are sanitary, and protect their rights; and

(C) in the case of nonresidential programs, which assure the care provided by such programs is appropriate to the persons served by the programs.

HABILITATION PLANS

42 USC
6011.

Ante, p. 489.

SEC. 112. (a) The Secretary shall require as a condition to a State's receiving an allotment under part C after September 30, 1976, that the State provide the Secretary satisfactory assurances that each program (including programs of any agency, facility, or project) which receives funds from the State's allotment under such part (1) has in effect for each developmentally disabled person who receives services from or under the program a habilitation plan meeting the requirements of subsection (b), and (2) provides for an annual review, in accordance with subsection (c), of each such plan.

(b) A habilitation plan for a person with developmental disabilities shall meet the following requirements:

(1) The plan shall be in writing.

(2) The plan shall be developed jointly by (A) a representative or representatives of the program primarily responsible for delivering or coordinating the delivery of services to the person for whom the plan is established, (B) such person, and (C) where appropriate, such person's parents or guardian or other representative.

(3) Such plan shall contain a statement of the long-term habilitation goals for the person and the intermediate habilitation objectives relating to the attainments of such goals. Such objectives shall be stated specifically and in sequence and shall be expressed in behavioral or other terms that provide measurable indices of progress. The plan shall (A) describe how the objectives will be achieved and the barriers that might interfere with the achievement of them, (B) state an objective criteria and an evaluation procedure and schedule for determining whether such objectives and goals are being achieved, and (C) provide for a program coordinator who will be responsible for the implementation of the plan.

(4) The plan shall contain a statement (in readily understandable form) of specific habilitation services to be provided, shall identify each agency which will deliver such services, shall describe the personnel (and their qualifications) necessary for the provision of such services, and shall specify the date of the initiation of each service to be provided and the anticipated duration of each such service.

(5) The plan shall specify the role and objectives of all parties to the implementation of the plan.

(c) Each habilitation plan shall be reviewed at least annually by the agency primarily responsible for the delivery of

services to the person for whom the plan was established or responsible for the coordination of the delivery of services to such person. In the course of the review, such person and the person's parents or guardian or other representative shall be given an opportunity to review such plan and to participate in its revision.

PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS

42 USC
6012.
Ante, p. 489.

SEC. 113. (a) The Secretary shall require as a condition to a State receiving an allotment under part C for a fiscal year ending before October 1, 1977, that the State provide the Secretary satisfactory assurances that not later than such date (1) the State will have in effect a system to protect and advocate the rights of persons with developmental disabilities, and (2) such system will (A) have the authority to pursue legal, administrative, and other appropriate remedies to insure the protection of the rights of such persons who are receiving treatment, services, or habilitation within the State, and (B) be independent of any State agency which provides treatment, services, or habilitation to persons with developmental disabilities. The Secretary may not make an allotment under part C to a State for a fiscal year beginning after September 30, 1977, unless the State has in effect a system described in the preceding sentence.

42 USC
6062.

(b) (1) To assist States in meeting the requirements of subsection (a), the Secretary shall allot to the States the sums appropriated under paragraph (2). Such allotments shall be made in accordance with subsections (a) (1) (A) and (d) of section 132.

(2) For allotments under paragraph (1), there are authorized to be appropriated \$3,000,000 for fiscal year 1976, \$3,000,000 for fiscal year 1977, and \$3,000,000 for fiscal year 1978.

PART B -- UNIVERSITY AFFILIATED FACILITIES

SUBPART 1 -- DEMONSTRATION AND TRAINING GRANTS

GRANT AUTHORITY

42 USC
6031.

SEC. 121. (a) (1) From appropriations under section 123, the Secretary shall make grants to university affiliated facilities to assist them in meeting the cost of administering and operating --

(A) demonstration facilities for the provision of services for persons with developmental disabilities, and

(B) interdisciplinary training programs for personnel needed to render specialized services for persons with

developmental disabilities.

(2) A university affiliated facility which has received a grant under paragraph (1) may apply to the Secretary for an increase in the amount of its grant under such paragraph to assist it in meeting the cost of conducting a feasibility study of the ways in which it, singly or jointly with other university affiliated facilities which have received a grant under paragraph (1), can establish and operate one or more satellite centers which would be located in areas not served by a university affiliated facility and which would provide, in coordination with demonstration facilities and training programs for which a grant was made under paragraph (1), services for persons with developmental disabilities. If the Secretary approves an application of a university affiliated facility under this paragraph for such a study, the Secretary may for such study increase the amount of the facility's grant under paragraph (1) by an amount not to exceed \$25,000. Such a study shall be carried out in consultation with the State Planning Council for the State in which the facility is located and where the satellite center would be established.

(b) The Secretary may make grants to pay part of the costs of establishing satellite centers and may make grants to satellite centers to pay part of their administration and operation costs. The Secretary may approve an application for a grant under this subsection only if the feasibility of establishing or operating the satellite center for which the grant is applied for has been established by a study assisted under subsection (a) (2).

APPLICATIONS

42 USC
6032.

SEC. 122. (a) No grant may be made under section 121 unless an application therefor is submitted to and approved by the Secretary. Such an application shall be submitted in such form and manner, and contain such information, as the Secretary may require. Such an application may be approved by the Secretary only if the application contains or is supported by reasonable assurances that the making of the grant applied for will not result in any decrease in the level of State, local, and other non-Federal funds for services for persons with developmental disabilities and training of persons to provide such services which funds would (except for such grant) be available to the applicant, but that such grant will be used to supplement, and, to the extent practicable, to increase the level of such funds.

(b) The Secretary shall give special consideration to applications for grants under section 121(a) for programs which demonstrate an ability and commitment to provide within a community rather than in an institution services for persons with developmental disabilities.

AUTHORIZATION OF APPROPRIATIONS

42 USC
6033.

SEC. 123. (a) For the purpose of making grants under section 121 there are authorized to be appropriated \$15,000,000 for fiscal year 1976, \$18,000,000 for fiscal year 1977, and \$21,000,000 for fiscal year 1978.

(b) (1) Of the sums appropriated under subsection (a) for fiscal years 1976 and 1977, not less than \$5,000,000 shall be made available for grants in each such fiscal year under section 121(a)(1). The remainder of the sums appropriated for such fiscal years shall be made available as follows:

(A) First, \$750,000 shall be made available in each such fiscal year for studies described in section 121(a)(2). The portion of such \$750,000 not required for such studies shall be made available for grants under section 121(a)(1).

(B) Second, any remaining sums shall be made available as the Secretary determines except that at least 40 per centum of such sums shall be made available for grants under section 121(b).

(2) Of the sums appropriated under subsection (a) for fiscal year 1978, not less than \$5,500,000 shall be made available for grants in such fiscal year under section 121(a)(1). The remainder of the sums appropriated for such fiscal year shall be made available as the Secretary determines except that at least 40 per centum of the remainder shall be made available for grants under section 121(b).

SUBPART 2 -- CONSTRUCTION

PROJECTS AUTHORIZED

42 USC
6041.

SEC. 125. The Secretary may make grants --

(1) to university affiliated facilities to assist them in meeting the costs of the renovation or modernization of buildings which are being used in connection with an activity assisted by a grant under section 121(a); and

(2) to university affiliated facilities for the construction, renovation, or modernization of buildings to be used as satellite centers.

APPLICATIONS

42 USC
6042.

SEC. 126. No grant may be made under section 125 unless an application therefor is submitted to and approved by the Secretary. Such an application shall be submitted in such form and manner, and contain such information, as the Secretary may require. Such an application may be approved by the Secretary only if it contains or is supported by reasonable assurances that --

Post, p. 500.

(1) the plans and specifications for the project to be assisted by the grant applied for are in accord with regulations prescribed by the Secretary under section 109;

(2) title to the site for such project is or will be vested in the applicant or in the case of a grant for a satellite center, in a public or other nonprofit entity which is to operate the center;

(3) adequate financial support will be available for completion of the construction, renovation, or modernization of the project and for its maintenance and operation when completed;

(4) all laborers and mechanics employed by contractors or subcontractors in the performance of work on the project will be paid at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a--276a-5, known as the Davis-Bacon Act); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 267c); and

(5) the building which will be constructed, renovated, or modernized with the grant applied for will meet standards adopted pursuant to the Act of August 12, 1968 (42 U.S.C. 4151-4156) (known as the Architectural Barriers Act of 1968).

40 USC 276a
note.

AUTHORIZATION OF APPROPRIATIONS

42 USC 6043.

SEC. 127. For the purpose of making payments under grants under section 125, there are authorized to be appropriated \$3,000,000 for fiscal year 1976, \$3,000,000 for fiscal year 1977, and \$3,000,000 for fiscal year 1978.

PART C — GRANTS FOR PLANNING, PROVISION OF SERVICES, AND CONSTRUCTION AND OPERATION OF FACILITIES FOR PERSONS WITH DEVELOPMENTAL DISABILITIES

AUTHORIZATION OF APPROPRIATIONS FOR ALLOTMENTS

42 USC 6061.

SEC. 131. For allotments under section 132, there are authorized to be appropriated \$40,000,000 for fiscal year 1976, \$50,000,000 for fiscal year 1977, and \$60,000,000 for fiscal year 1978.

STATE ALLOTMENTS

SEC. 132. (a) (1) (A) In each fiscal year, the Secretary shall, in accordance with regulations and this paragraph, allot the sums appropriated for such year under section 131 among the States on the basis of --

Infra.

(i) the population,

(ii) the extent of need for services and facilities for persons with developmental disabilities, and

(iii) the financial need,

of the respective States. Sums allotted to the States under this section shall be used in accordance with approved State plans under section 134 for the provision under such plans of services and facilities for persons with developmental disabilities.

42 USC
6063.

(B) (i) Except as provided by clause (ii) --

(I) the allotment of the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands under subparagraph (A) of this paragraph in any fiscal year shall not be less than \$50,000; and

(II) the allotment of each other State in any fiscal year shall not be less than the greater of \$150,000, or the amount of the allotment (determined without regard to subsection (d)) received by the State for the fiscal year ending June 30, 1974.

(ii) If the amount appropriated under section 131 for any fiscal year exceeds \$50,000,000, the minimum allotment of a State for such fiscal year shall be increased by an amount which bears the same ratio to the amount determined for such State under clause (i) as the difference between the amount so appropriated and the amount authorized to be appropriated for such fiscal year bears to \$50,000,000.

(2) In determining, for purposes of paragraph (1) (A) (ii), the extent of need in any State for services and facilities for persons with developmental disabilities, the Secretary shall take into account the scope and extent of the services specified, pursuant to section 133 (b) (5), in the State plan of such State approved under section 133.

Post, p. 490.

(3) Sums allotted to a State in a fiscal year and designated by it for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose in the next fiscal year (and in such year only), in addition to the sums allotted to such State in such next fiscal year; except that if the maximum amount which may be specified for construction (pursuant to section 133 (b) (15)) for a year plus any part of the amount so specified pursuant to such section for the preceding fiscal year and remaining unobligated at the end of such fiscal year is not sufficient to pay the Federal share of the cost of construction of a specific facility included in the construction program of the State developed pursuant to section 133 (b) (13), the amount specified pursuant to section 133 (b) (15)

Post, p. 490.

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for such preceding year shall remain available for a second additional year for the purpose of paying the Federal share of the cost of construction of such facility.

(4) Of the amount allotted to any State under paragraph (1) for fiscal year 1976, not less than 10 per centum of that allotment shall be used by such State, in accordance with the plan submitted pursuant to section 133 (b) (20), for the purpose of assisting it in developing and implementing plans designed to eliminate inappropriate placement in institutions of persons with developmental disabilities; and of the amount allotted to any State under paragraph (1) for each succeeding fiscal year, not less than 30 per centum of that allotment shall be used by such State for such purpose.

Post, p. 491.

(b) Whenever the State plan approved in accordance with section 133 provides for participation of more than one State agency in administering or supervising the administration of designated portions of the State plan, the State may apportion its allotment among such agencies in a manner which, to the satisfaction of the Secretary, is reasonably related to the responsibilities assigned to such agencies in carrying out the purposes of the State plan. Funds so apportioned to State agencies may be combined with other State or Federal funds authorized to be spent for other purposes, provided the purposes of the State plan will receive proportionate benefit from the combination.

(c) Whenever the State plan approved in accordance with section 133 provides for cooperative or joint effort between States or between or among agencies, public or private, in more than one State, portions of funds allotted to one or more such cooperating States may be combined in accordance with the agreements between the agencies involved.

(d) The amount of an allotment to a State for a fiscal year which the Secretary determines will not be required by the State during the period for which it is available for the purpose for which allotted shall be available for reallocation by the Secretary from time to time, on such date or dates as he may fix (but not earlier than thirty days after he has published notice of his intention to make such reallocation in the Federal Register), to other States with respect to which such a determination has not been made, in proportion to the original allotments of such States for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount so reallocated to a State for a fiscal year shall be deemed to be a part of its allotment under subsection (a) for such fiscal year.

STATE PLANS

SEC. 133. (a) Any State desiring to take advantage of this part must have a State plan submitted to and approved by the Secretary under this section.

(b) In order to be approved by the Secretary under this section, a State plan for the provision of services and facilities for persons with developmental disabilities must --

(1) designate (A) a State Planning Council as prescribed by section 137, to be responsible for submitting revisions of the State plan and transmitting such reports as may be required by the Secretary; (B) except as provided in clause (C), the State agency or agencies which shall administer or supervise the administration of the State plan and, if there is more than one such agency, the portion of such plan which each will administer (or the portion the administration of which each will supervise); and (C) a single State agency as the sole agency for administering or supervising the administration of grants for construction under the State plan, except that during fiscal year 1971, the Secretary may waive, in whole or in part, the requirements of this paragraph;

(2) describe (A) the quality, extent, and scope of services being provided, or to be provided, to persons with developmental disabilities under such other State plans for Federally assisted State programs as may be specified by the Secretary, but in any case including education for the handicapped, vocational rehabilitation, public assistance, medical assistance, social services, maternal and child health, crippled children's services, and comprehensive health and mental health plans, and (B) how funds allotted to the State in accordance with section 132 will be used to complement and augment rather than duplicate or replace services and facilities for persons with developmental disabilities which are eligible for Federal assistance under such other State programs;

(3) set forth priorities, policies, and procedures for the expenditure of funds under the plan, which, in the judgment of the Secretary, are designed to assure effective continuing State planning, evaluation, and delivery of services (both public and private) for persons with developmental disabilities;

(4) contain or be supported by assurances satisfactory to the Secretary that (A) the funds paid to the State under section 132 will be used to make a significant contribution toward strengthening services for persons with developmental disabilities in the various political subdivisions of the State in order to improve the quality, scope, and extent of such services; (B) part of such funds will be made available to other public or nonprofit private agencies, institutions, and organizations;

(C) such funds will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds; and (D) there will be reasonable State financial participation in the cost of carrying out the State plan;

(5) describe the quality, extent, and scope of treatment, services, and habilitation being provided or to be provided in implementing the State plan to persons with developmental disabilities;

(6) provide that services and facilities furnished under the plan for persons with developmental disabilities will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services and the maintenance and operation of such facilities, except that during fiscal year 1971, the Secretary may waive, in whole or in part, the requirements of this paragraph;

(7) include provisions, meeting such requirements as the United States Civil Service Commission may prescribe, relating to the establishment and maintenance of personnel standards on a merit basis;

(8) provide that the State Planning Council be adequately staffed and identify the staff assigned to the Council;

(9) provide that the State Planning Council will from time to time, but not less often than annually, review and evaluate its State plan approved under this section and submit appropriate modifications to the Secretary;

(10) provide that the State agencies designated pursuant to paragraph (1) will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary finds necessary to assure the correctness and verification of such reports;

(11) provide that special financial and technical assistance shall be given to areas of urban or rural poverty in providing services and facilities for persons with developmental disabilities who are residents of such areas;

(12) describe the methods to be used to assess the effectiveness and accomplishments of the State in meeting the needs of persons with developmental disabilities in the State;

(13) provide for the development of a program of construction of facilities for the provision of services for persons with developmental disabilities which (A) is based on a statewide inventory of existing facilities and

survey of need; and (B) meets the requirements prescribed by the Secretary for furnishing needed services to persons unable to pay therefor;

(14) set forth the relative need, determined in accordance with regulations prescribed by the Secretary, for the several projects included in the construction program referred to in paragraph (13), assign priority to the construction of projects, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need, and require that construction of projects be done in accordance with standards prescribed by the Secretary pursuant to the Act of August 12, 1968 (42 U.S.C. 4151-4156) (known as the Architectural Barriers Act of 1968);

(15) specify the per centum of the State's allotment (under section 132) for any year which is to be devoted to construction of facilities, which per centum shall be not more than 10 per centum of the State's allotment or such lesser per centum as the Secretary may from time to time prescribe;

(16) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

(17) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this part;

(18) provide reasonable assurance that adequate financial support will be available to complete the construction of, and to maintain and operate when such construction is completed, any facility, the construction of which is assisted with sums allotted under section 132;

(19) provide reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on any construction project assisted with sums allotted under section 132 will be paid at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Act of March 3, 1931 (40 U.S.C. 276a--276a-5, known as the Davis-Bacon Act); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. Appendix) and section 2 of the Act of June 13, 1934 (40 U.S.C. 275c);

(20) contain a plan designed (A) to eliminate inappropriate placement in institutions of persons with developmental disabilities, and (B) to improve the quality of care and the state of surroundings of persons for whom institutional care is appropriate;

42 USC
6062.

(21) provide for the early screening, diagnosis, and evaluation (including maternal care, developmental screening, home care, infant and preschool stimulation programs, and parent counseling and training) of developmentally disabled infants and preschool children, particularly those with multiple handicaps;

(22) provide for counseling, program coordination, follow-along services, protective services, and personal advocacy on behalf of developmentally disabled adults;

(23) support the establishment of community programs as alternatives to institutionalization and support such programs which are designed to provide services for the care and habilitation of persons with developmental disabilities, and which utilize, to the maximum extent feasible, the resources and personnel in related community programs to assure full coordination with such programs and to assure the provision of appropriate supplemental health, educational, or social services for persons with developmental disabilities;

(24) contain or be supported by assurances satisfactory to the Secretary that the human rights of all persons with developmental disabilities (especially those without familial protection) who are receiving treatment, services, or habilitation under programs assisted under this title will be protected;

(25) provide for a design for implementation which shall include details on the methodology of implementation of the State plan, priorities for spending of funds provided under this part, a detailed plan for the use of such funds, specific objectives to be achieved under the State plan, a listing of the programs and resources to be used to meet such objectives, and a method for periodic evaluation of the design's effectiveness in meeting such objectives;

(26) provide for the maximum utilization of all available community resources including volunteers serving under the Domestic Volunteer Service Act of 1973 (Public Law 93-113) and other appropriate voluntary organizations except that volunteer services shall supplement, but shall not be in lieu of, services of paid employees;

(27) provide for the implementation of an evaluation system in accordance with the system developed under section 110;

(28) provide, to the maximum extent feasible, an opportunity for prior review and comment by the State Planning Council of all State plans of the State which relate to programs affecting persons with developmental disabilities;

(29) provide for fair and equitable arrangements (as determined by the Secretary after consultation with the

42 USC 4951
note.

Secretary of Labor) to protect the interests of employees affected by actions to carry out the plan described in paragraph (20) (A), 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; and

(30) contain such additional information and assurances as the Secretary may find necessary to carry out the provisions and purposes of this part.

(c) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (b). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

(d) (1) At the request of any State, a portion of any allotment or allotments of such State under this part for any fiscal year shall be available to pay one-half (or such smaller share as the State may request) of the expenditures found necessary by the Secretary for the proper and efficient administration of the State plan approved under this section; except that not more than 5 per centum of the total allotments of such State for any fiscal year, or \$50,000, whichever is less, shall be available for such purpose. Payments under this paragraph may be made in advance or by way of reimbursement, and in such installments, as the Secretary may determine.

(2) Any amount paid under paragraph (1) to any State for any fiscal year shall be paid on condition that there shall be expended from the State sources for such year for administration of the State plan approved under this section not less than the total amount expended for such purposes from such sources during the fiscal year ending June 30, 1975.

PAYMENTS TO THE STATES FOR PLANNING, CONSTRUCTION, ADMINISTRATION AND SERVICES

SEC. 134. (a) From each State's allotments for a fiscal year under section 132, the State shall be paid the Federal share of the expenditures, other than expenditures for construction, incurred during such year under its State plan approved under this part. Such payments shall be made from time to time in advance on the basis of estimates by the Secretary of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this section.

Ante, p. 490. (b) (1) Upon certification to the Secretary by the State agency, designated pursuant to section 133 (b) (1), based upon inspection by it, that work has been performed upon a con-

Ante, p. 492.

struction project, or purchases have been made for such project, in accordance with the approved plans and specifications and that payment of an installment is due to the applicant, such installment shall be paid to the State with respect to such project, from the applicable allotment of such State, except that (A) if the State is not authorized by law to make payments to the applicant, the payment shall be made directly to the applicant, (B) if the Secretary, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 135, payment may, after he has given the State agency so designated notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (C) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

(2) In case the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such revision is approved.

WITHHOLDING OF PAYMENTS FOR PLANNING, CONSTRUCTION, ADMINISTRATION, AND SERVICES.

SEC. 135. (a) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State Planning Council and the appropriate State agency, designated pursuant to section 133 (b) (1) finds that --

(1) there is a failure to comply substantially with any of the provisions required by section 133 to be included in the State plan; or

(2) there is a failure to comply substantially with any regulations of the Secretary which are applicable to this part,

the Secretary shall notify such State Council and agency or agencies that further payments will not be made to the State under section 132 (or, in his discretion, that further payments will not be made to the State under section 132 for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Secretary shall make no further payment to the State under section 132, or shall limit further payment under section 132 to such State to activities in which there is no such failure.

(b) The State Planning Council of a State shall review the State's plan (including the design for implementation of such plan) under section 133 and the actions of the State under such plan for the purpose of determining if the State is complying with the requirements of the plan (and its design

42 USC
6063.

for implementation). For the purpose of assisting the Secretary in the implementation of this section, a State Planning Council may notify the Secretary of the results of any review carried out under this subsection.

NONDUPLICATION

- 42 USC 6066. SEC. 136. In determining the amount of any State's Federal share of the expenditures incurred by it under a State plan approved under section 133, there shall be disregarded (1) any portion of such expenditures which are financed by Federal funds provided under any provision of law other than section 132, and (2) the amount of any non-Federal funds required to be expended as a condition of receipt of such Federal funds.
- 42 USC 6063.
- 42 USC 6062.

STATE PLANNING COUNCILS

- 42 USC 6067. SEC. 137. (a) Each State which receives assistance under this part shall establish a State Planning Council which will serve as an advocate for persons with developmental disabilities. The members of a State's State Planning Council shall be appointed by the Governor of such State. Each State Planning Council shall at all times include in its membership representatives of the principal State agencies, local agencies, and nongovernmental agencies, and groups concerned with services to persons with developmental disabilities. At least one-third of the membership of such a Council shall consist of persons with developmental disabilities, or their parents or guardians, who are not officers of any entity, or employees of any State agency or of any other entity, which receives funds or provides services under this part.
- (b) The State Planning Council shall --
- (1) supervise the development of and approve the State plan required by this part;
 - (2) monitor and evaluate the implementation of such State plan;
 - (3) to the maximum extent feasible, review and comment on all State plans in the State which relate to programs affecting persons with developmental disabilities, and
 - (4) submit to the Secretary, through the Governor, such periodic reports on its activities as the Secretary may reasonably request.
- (c) Each State receiving assistance under this part shall provide for the assignment to its State Planning Council of personnel adequate to insure that the Council has the capacity to fulfill its responsibilities under subsection (b).

JUDICIAL REVIEW

42 USC 6068.
42 USC 6063;
ante, p. 492.

SEC. 138. If any State is dissatisfied with the Secretary's action under section 133 (c) or section 135, such State may appeal to the United States court of appeals for the circuit in which such State is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of the fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

PART D — SPECIAL PROJECT GRANTS

GRANT AUTHORITY

42 USC
6081.

SEC. 145. (a) The Secretary, after consultation with the National Advisory Council on Services and Facilities to the Developmentally Disabled, may make project grants to public or nonprofit private entities for --

(1) demonstrations (and research and evaluation in connection therewith) for establishing programs which hold promise of expanding or otherwise improving services to persons with developmental disabilities (especially those who are disadvantaged or multihandicapped), including programs for parent counseling and training, early screening and intervention, infant and preschool children, seizure control systems, legal advocacy, and community

based counseling, care, housing, and other services or systems necessary to maintain a person with developmental disabilities in the community;

(2) public awareness and public education programs to assist in the elimination of social, attitudinal, and environmental barriers confronted by persons with developmental disabilities;

(3) coordinating and using all available community resources in meeting the needs of persons with developmental disabilities (especially those from disadvantaged backgrounds);

(4) demonstrations of the provision of services to persons with developmental disabilities who are also disadvantaged because of their economic status;

(5) technical assistance relating to services and facilities for persons with developmental disabilities, including assistance in State and local planning or administration respecting such services and facilities;

(6) training of specialized personnel needed for the provision of services for persons with developmental disabilities or for research directly related to such training;

(7) developing or demonstrating new or improved techniques for the provision of services to persons with developmental disabilities (including model integrated service projects);

(8) gathering and disseminating information relating to developmental disabilities; and

(9) improving the quality of services provided in and the administration of programs for such persons.

Application.

(b) No grant may be made under subsection (a) unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information, as the Secretary shall by regulation prescribe. The Secretary may not approve such an application unless the State in which the applicant's project will be conducted has a State plan approved under part C. The Secretary shall provide to the State Planning Council for the State in which an applicant's project will be conducted an opportunity to review the application for such project and to submit its comments thereon.

Ante, p. 489.

(c) Payments under grants under subsection (a) may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Secretary finds necessary. The amount of any grant under subsection (a) shall be determined by the Secretary. In determining the amount of any grant under subsection (a) for the costs of any project, there shall be excluded from such costs an amount equal to the sum of (1) the amount of any other Federal grant which

the applicant has obtained, or is assured of obtaining, with respect to such project, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

(d) For the purpose of making payments under grants under subsection (a), there are authorized to be appropriated \$18,000,000 for fiscal year 1976, \$22,000,000 for fiscal year 1977, and \$25,000,000 for fiscal year 1978.

(e) Of the funds appropriated under subsection (d) for any fiscal year, not less than 25 per centum of such funds shall be used for projects which the Secretary determines (after consultation with the National Advisory Council on Services and Facilities for the Developmentally Disabled) are of national significance.

29 USC 774.

(f) No funds appropriated under the Public Health Service Act, under this Act (other than under subsection (d) of this section), or under section 304 of the Rehabilitation Act of 1973 may be used to make grants under subsection (a).

[Editor's note: Section 204 of PL 94-103 added provisions concerning studies and recommendations. Those provisions are set out below.]

STUDIES AND RECOMMENDATIONS

42 USC 6010
note.

SEC. 204. (a) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") shall conduct or arrange for the conduct of the following:

29 USC 701
note.

20 USC 331
note, 871.

42 USC 1395,
1396, 1397.

Ante, p. 502.

(1) A review and evaluation of the standards and quality assurance mechanisms applicable to residential facilities and community agencies under the Rehabilitation Act of 1973, titles I and VI of the Elementary and Secondary Education Act of 1965, titles XVIII, XIX, and XX of the Social Security Act, and any other Federal law administered by the Secretary. Such standards and mechanisms shall be reviewed and evaluated (A) for their effectiveness in assuring the rights, described in section 111 of the Act, of persons with developmental disabilities, (B) for their effectiveness in insuring that services rendered by such facilities and agencies to persons with developmental disabilities are consistent with current concepts of quality care concerning treatment, services, and habilitation of such persons, (C) for conflicting requirements, and (D) for the relative effectiveness of their enforcement and the degree and extent of their effectiveness.

(2) The development of recommendations for standards and quality assurance mechanisms (including enforcement mechanisms) for residential facilities and community

Ante, p. 502.

agencies providing treatment, services, or habilitation for persons with developmental disabilities which standards and mechanisms will assure the rights stated in section 111 of the Act. Such recommendations shall be based upon performance criteria for measuring and evaluating the developmental progress of persons with developmental disabilities which criteria are consistent with criteria used in the evaluation system developed under section 110 of the Act.

Ante, p. 501.

(3) The development of recommendations for changes in Federal law and regulations administered by the Secretary after taking into account the review and evaluation under paragraph (1) and the recommended standards or mechanisms developed under paragraph (2).

(b) (1) The Secretary may in consultation with the National Advisory Council on Services and Facilities for the Developmentally Disabled, obtain (through grants or contracts) the assistance of public and private entities in carrying out subsection (a).

(2) In carrying out subsection (a), the Secretary shall consult with appropriate public and private entities and individuals for the purpose of receiving their expert assistance, advice, and recommendations. Such agencies and individuals shall include persons with developmental disabilities, representative of such individuals, the appropriate councils of the Joint Commission on Accreditation of Hospitals, providers of health care, and State agencies. Persons to be consulted shall include the following officers of the Department of Health, Education, and Welfare: the Commissioner of the Medical Services Administration, the Commissioner of the Rehabilitation Services Administration, the Deputy Commissioner of the Bureau of Education for the Handicapped, the Assistant Secretary for Human Development, the Commissioner of the Community Services Administration, and the Commissioner of the Social Security Administration.

(c) The Secretary shall within eighteen months after the date of enactment of this Act complete the review and evaluation and development of recommendations prescribed by subsection (a) and shall make a report to the Committee on Labor and Public Welfare of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives on such review and evaluation and recommendations.

[Editor's note: Section 301 of PL 94-103 added provisions concerning report and study. Those provisions are set out below. "Title I of this Act" refers to Title I of PL 94-103 which extended and amended PL 91-517.]

REPORT AND STUDY

42 USC
6001
note.

Ante, p. 496.

Ante, p. 496.

SEC. 301. (a) The Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the "Secretary") shall, in accordance with section 101(7) of the Act (defining the term "developmental disability") (as amended by title I of this Act), determine the conditions of persons which should be included as developmental disabilities for purposes of the programs authorized by title I of the Act. Within six months of the date of enactment of this Act the Secretary shall make such determination and shall make a report thereon to the Congress specifying the conditions which he determined should be so included, the conditions which he determined should not be so included, and the reasons for each such determination. After making such report, the Secretary shall periodically, but not less often than annually, review the conditions not so included as developmental disabilities to determine if they should be so included. The Secretary shall report to the Congress the results of each such review.

(b) (1) The Secretary shall contract for the conduct of an independent objective study to determine (A) if the basis of the definition of the developmental disabilities (as amended by title I of this Act) with respect to which assistance is authorized under such title is appropriate and, to the extent that it is not, to determine an appropriate basis for determining which disabilities should be included and which disabilities should be excluded from the definition, and (B) the nature and adequacy of services provided under other Federal programs for persons with disabilities not included in such definition.

(2) A final report giving the results of the study required by paragraph (1) and providing specifications for the definition of developmental disabilities for purposes of title I of the Act shall be submitted by the organization conducting the study to the Committee on Interstate and Foreign Commerce of the House of Representatives and the Committee on Labor and Public Welfare of the Senate not later than eighteen months after the date of enactment of this Act.

[Editor's note: Section 303 added provisions concerning effective date. Those provisions are set out below.]

EFFECTIVE DATE

SEC. 303. The amendments made by this Act shall take effect with respect to appropriations under the Act for fiscal years beginning after June 30, 1975.

APPENDIX D1976 DEVELOPMENTAL DISABILITIES STATE PLAN GOALSCOMMUNITY ALTERNATIVES AND INSTITUTIONAL REFORM (CAIR)

To develop strategies and guidelines for implementing a statewide continuum of community-based residential and supportive services based on the CAIR Report produced by the Minnesota Governor's Planning and Advisory Council (hereafter referred to as the State Council) and the Developmental Disabilities Planning Office of the State Planning Agency in Fiscal Year 1975.

To encourage legislation and agency planning which will improve the quality, extent and scope of services provided in state and private residential facilities.

To improve statewide programs by funding development of model programs in areas where deficiencies have been identified.

REGIONAL PLANNING

To develop and strengthen comprehensive planning efforts on behalf of all developmentally disabled at the regional level by means of:
(a) integrating and coordinating efforts with existing authorities (Comprehensive Health Planning, Human Service Boards, and the Regional Development Commissions), and (b) by assisting in coordination of regional Developmental Disabilities Council planning based on the Regional Study.

REGIONAL ADMINISTRATION AND SERVICE DELIVERY

To improve the delivery of services at the local level by participating in regional program planning.

PUBLIC INFORMATION/EDUCATION AND ADVOCACY

To promote community acceptance and adjustment of developmentally disabled persons through a statewide program of public information and education.

To encourage development of a statewide advocacy program to meet the emotional, social or service needs of developmentally disabled individuals.

PROGRAM MONITORING AND EVALUATION

To monitor and evaluate planning and services provided at state and regional levels to developmentally disabled persons.

To support a statewide incidence and prevalence study of developmental disabilities.

APPENDIX E

Clarification of In-Kind Contribution

Developmental Disabilities

Minnesota

Matching Formula:

When planning a budget for a project, keep in mind the following information:

- The federal amount must be not more than 70% of the total budget.
- The local share must not be less than 30% of the total budget.
- When the federal amount is known, but the local share is not known, use the following formula:

$$\frac{3}{7} = \frac{X}{\text{Federal amount}} \quad ("X" \text{ equals the local share})$$

For example:

$$\begin{aligned} \frac{3}{7} &= \frac{X}{\$7,000} \\ 7X &= 3 (\$7,000) \\ 7X &= \$21,000 \\ X &= \$3,000 \end{aligned}$$

Local Match:

An agency that receives Federal Developmental Disabilities grants may provide cash or in-kind as local share for the project budget. Cash is preferable over in-kind because it is the most tangible and is more accountable.

In-Kind Contribution:

An in-kind contribution is defined by HEW as, ".... The value of non-cash contributions provided by the grantee or third parties. In-kind contributions may consist of charges for real property and non-expendable personal property, and the value of goods and services directly benefiting and specifically identifiable to the grant supported activity."

What Does This Mean?

Not all types of in-kind contributions can be used to match Developmental Disabilities funds, according to guidelines established by the Federal Office of Management and Budget. Essentially, this means that there are two types of in-kind contributions: 1) Allowable (or, the "good type" of in-kind); and 2) The non-allowable (or, the "bad type" of in-kind).

The "Good Type" of In-Kind Matching Contribution:

The in-kind contribution which is allowed may be described as an "indirect" cost. It is an expenditure of the project for which no direct compensation has been given, but the expenditure was paid by the host agency of the project. In other words, it is an expenditure of goods and services (or dollars) which is a direct cost to your agency and can eventually be tracked down (or "trailed") by an accountant or auditor, documenting the "payor," the amounts paid, and the proportion expended on the Developmental Disabilities project.

Indirect costs are those incurred:

- a. for a common purpose or joint purpose benefiting more than one program or project within the agency, and
- b. not readily assignable to the cost of the Developmental Disabilities project, but benefits the project as being a part of the host agency. For example, if a maintenance person is hired to maintain the entire building and he or she spends one-tenth of his/her time in the area funded by the Developmental Disabilities grant, then one-tenth of his/her salary would be allowable for matching.

Other items commonly used as indirect costs are:

- Supervisor's time
- Secretarial and reception services
- Photo copying
- Rent and maintenance
- Postage
- Supplies and materials
- Telephone
- Conference rooms

The "Bad Type" of In-Kind Contribution:

The in-kind contribution which is not allowed is where the value of the goods or services is not a cost to your agency. It is a non-cash contribution. For example, if a program obtains the services of a volunteer as an aide in a day care program, the value of the aide's time is not allowable for matching. An accountant or auditor could not track down any payments in such a situation. That's why this is not allowable.

A. DEVELOPMENTAL DISABILITIES PROJECT APPLICATION - ANNUAL REGIONAL PLAN FACE SHEET

PROJECT # (State Agency use only) _____

PROJECT PERIOD: From _____ to _____ BUDGET PERIOD: From _____ to _____

D.D. REGION(S): _____

APPLICANT ORGANIZATION (HOST AGENCY): _____

ADDRESS: _____

TELEPHONE: _____

BUDGET:

AMOUNT REQUESTED FROM D.D. (70% of total): _____

REQUIRED GRANTEE PARTICIPATION (30% of total): _____

TOTAL PROJECT FUNDING (100% of total): _____

PROJECT DIRECTOR:

(signature): _____ DATE: _____

NAME: _____

TITLE: _____

FINANCIAL MANAGEMENT OFFICER:

(signature): _____ DATE: _____

NAME: _____

TITLE: _____

REGIONAL PLANNER: _____

REGIONAL COUNCIL CHAIRPERSON:

NAME: _____

ADDRESS: _____

TELEPHONE: _____

B. PROPOSAL ABSTRACT

1. APPLICANT AGENCY (identify):

2. REGIONAL DEVELOPMENTAL DISABILITIES PLANNER:

ADDRESS:

TELEPHONE:

3. ECONOMIC DEVELOPMENT REGION(S): #

4. SUMMARY (NARRATIVE):

5. BUDGET:

A. LOCAL MATCH (NON-FEDERAL): \$ _____

B. D.D. REQUEST (FEDERAL): \$ _____

C. TOTAL: \$ _____

6. NON-FEDERAL FUNDING SOURCES:

A. CASH \$ _____ SOURCE _____

B. IN-KIND \$ _____ SOURCE _____

C. BACKGROUND AND HISTORY - NARRATIVE

1. Program History:

2. Council Organization:

C. BACKGROUND AND HISTORY - NARRATIVE (con't)

3. Historical Long-and Short-Range Goals:

4. Relationship of Regional Council with Host Agency:

C. BACKGROUND AND HISTORY - NARRATIVE (con't)

5. Regional DD Program Interaction with Local Planning, Service Efforts:

C. BACKGROUND AND HISTORY - DEMOGRAPHIC/ECONOMIC DATA

(use additional sheets as necessary)

Page of

C. BACKGROUND AND HISTORY - SPECIAL REGIONAL CHARACTERISTICS

D. CHARACTERISTICS OF THE POPULATION HAVING DEVELOPMENTAL DISABILITIES

Procedures, Reliability/Validity of Information:

D.1. Estimated Number of Persons with Developmental Disabilities Having Legal Residence in the Region*

Region _____ Region population _____

| Disability | 0 - 4 | 5 - 9 | 10 - 14 | 15 - 19 | 20 - 64 | 65+ | Total | % Reg. Pop. |
|--|-------|-------|---------|---------|---------|-----|-------|-------------|
| Mental Retardation | | | | | | | | |
| Mild (50-67) | | | | | | | | |
| Moderate (35-49) | | | | | | | | |
| Severe (20-34) | | | | | | | | |
| Profound (below 20) | | | | | | | | |
| Sub-total - Mental Retardation | | | | | | | | |
| Cerebral Palsy | | | | | | | | |
| Epilepsy | | | | | | | | |
| Autism | | | | | | | | |
| Dyslexia | | | | | | | | |
| Other Conditions Closely Related to Mental Retardation | | | | | | | | |
| Multiply Handicapped | | | | | | | | |

Total Population

* Those persons who have a single disability of M.R., C.P., Ep., Dyslexia, Autism, or other conditions closely related to mental retardation should be counted in the appropriate categories. If possible, those persons with more than one of the above handicaps, or one of the above handicaps and an unlisted handicap, should be counted only as multiply handicapped.

Residing in State Institutions*

Region _____

Region population _____

| Disability | 0 - 4 | 5 - 9 | 10 - 14 | 15 - 19 | 20 - 64 | 65+ | Total | % Reg. Pop. |
|--|-------|-------|---------|---------|---------|-----|-------|-------------|
| Mental Retardation | | | | | | | | |
| Mild (50-67) | | | | | | | | |
| Moderate (35-49) | | | | | | | | |
| Severe (20-34) | | | | | | | | |
| Profound (below 20) | | | | | | | | |
| Sub-total - Mental Retardation | | | | | | | | |
| Cerebral Palsy | | | | | | | | |
| Epilepsy | | | | | | | | |
| Autism | | | | | | | | |
| Dyslexia | | | | | | | | |
| Other Conditions Closely Related to Mental Retardation | | | | | | | | |
| Multiply Handicapped | | | | | | | | |

Total Population

* Those persons who have a single disability of M.R., C.P., Ep., Dyslexia, Autism, or other conditions closely related to mental retardation should be counted in the appropriate categories. If possible, those persons with more than one of the above handicaps, or one of the above handicaps and an unlisted handicap, should be counted only as multiply handicapped.

Facilities, Agencies, Programs*

Region _____

| Name | Location (city/county) | Geographic Area Served | Services Provided ¹ | Capacity ² | Utili- zation ³ | Quality of Services | Manpower | Financial Resources |
|------|---------------------------|---------------------------|-----------------------------------|-----------------------|-------------------------------|------------------------|----------|------------------------|
| | | | | | | | | |

* Types of facilities may include mental health centers, day activity centers, diagnostic/evaluation/treatment centers, consumer offices, similar facilities and programs.

1 - use categorization of services in D.4. 2 - number of persons with d.d.'s the facility could serve

3 - number of persons with d.d.'s the facility now serves

3.4. Estimated Number of Persons with Developmental Disabilities Having Legal Residence in the Region, Receiving Services Outside State Institutions*

Region _____

Region population _____

| Disability | Residential | Day Activity | Employment | Identification ¹ | Case Management ² | Treatment ³ | Family/ Program Support ⁴ | Education, Training ⁵ | Other |
|--|-------------|--------------|------------|-----------------------------|------------------------------|------------------------|---|-------------------------------------|-------|
| Mental Retardation | | | | | | | | | |
| Mild (50-67) | | | | | | | | | |
| Moderate (35-49) | | | | | | | | | |
| Severe (20-34) | | | | | | | | | |
| Profound (below 20) | | | | | | | | | |
| Sub-Total - Mental Retardation | | | | | | | | | |
| Cerebral Palsy | | | | | | | | | |
| Epilepsy | | | | | | | | | |
| Autism | | | | | | | | | |
| Dyslexia | | | | | | | | | |
| Other Conditions Closely Related to Mental Retardation | | | | | | | | | |
| Multiply Handicapped | | | | | | | | | |

Total

* Those persons who have a single disability of M.R., C.P., Ep., Dyslexia, Autism, or other conditions closely related to mental retardation should be counted in the appropriate categories. If possible, those persons with more than one handicap listed above, or one of the above handicaps and an unlisted handicap, should be counted only as multiply handicapped.
 1 - individualized plans, diagnosis, evaluation, information and referral 2 - counseling, protective services, follow-along, financial support 3 - medical, dental, speech and hearing, therapy 4 - transportation, recreation, personal care
 5 - of parent _____

Estimated Number of Persons with Developmental Disabilities Having Legal Residence in the Region, Not Receiving Services*

| Region _____ | Region population _____ | | | | | | | | |
|--|-------------------------|--------------|------------|-----------------------------|------------------------------|------------------------|---|-------------------------------------|-------|
| Disability | Residential | Day Activity | Employment | Identification ¹ | Case Management ² | Treatment ³ | Family/ Program Support ⁴ | Education, Training ⁵ | Other |
| Mental Retardation | | | | | | | | | |
| (50-67) | | | | | | | | | |
| rate (35-49) | | | | | | | | | |
| re (20-34) | | | | | | | | | |
| ound (below 20) | | | | | | | | | |
| Total - Mental rdation | | | | | | | | | |
| Cerebral Palsy | | | | | | | | | |
| Epilepsy | | | | | | | | | |
| Autism | | | | | | | | | |
| Dyslexia | | | | | | | | | |
| Other Conditions ely Related to al Retardation | | | | | | | | | |
| Multiply Handicapped | | | | | | | | | |

1

Those persons who have a single disability of M.R., C.P., Ep., Dyslexia, Autism, or other conditions closely related to mental retardation should be counted in the appropriate categories. If possible, those persons with more than one handicap listed above, or one of the above handicaps and an unlisted handicap, should be counted only as multiply handicapped.

- individualized plans, diagnosis, evaluation, information and referral 2 - counseling, protective services, follow-along, financial support 3 - medical, dental, speech and hearing, therapy 4 - transportation, recreation, personal care

E.1. ELEMENTS OF THE ANNUAL PLAN-- REGIONAL LONG-RANGE GOALS (rank-ordered)

Goal:

Rationale:

Level of Need:

Goal:

Rationale:

Level of Need:

Goal:

Rationale:

Level of Need:

(Use duplicate sheets as necessary)

E. 2. REGIONAL LONG-RANGE GOALS - RATIONALE FOR RANK-ORDERING AMONG GOALS

E.3. ELEMENTS OF THE ANNUAL PLAN -- SHORT-RANGE GOALS

Short-Range Goal:

Relationship to Long-Range Goal:

Objectives/Tasks:

Resources Required:

Time Schedule

Evaluation Measures:

(Use duplicate sheets as necessary)

F. PLANNING ACCOMPLISHMENTS -- PREVIOUS WORK PROGRAM

Previous Short-Range Goal:

Status at Completion of Previous Planning Cycle:

Previous Short-Range Goal:

Status at Completion of Previous Planning Cycle:

Previous Short-Range Goal:

Status at Completion of Previous Planning Cycle:

(Use duplicate sheets as necessary)

G. REGIONAL EFFORTS RELATED TO NATIONAL AND STATE GOALS

Relationship of Regional Short-Range Goals to National Goals (See Appendix C):

Relationship of Regional Short-Range Goals to Goals in State Plan (See Appendix D):

H. CONSIDERATIONS OF URBAN AND RURAL POVERTY

Incidence of Developmental Disabilities Among Persons and Families Having
Incomes Below the Poverty Level:

Sources of Information:

Regional Planning Efforts Assisting Persons with Developmental Disabilities
Having Incomes Below the Poverty Level:

I. REGIONAL REVIEW ACTIVITIES FOR FISCAL YEAR _____

| Item Reviewed | Process | Actions Taken |
|---------------|---------|---------------|
| | | |

J. PLAN FOR TECHNICAL ASSISTANCE

Technical Assistance Required (prioritized):

Identification Process:

Strategy:

K. DISSEMINATION ACTIVITIES (describe and attach products)

L. PERSONNEL

Role of Professional Personnel (including role, background of planner):

L.1. PROFESSIONAL STAFF NOW EMPLOYED

Provide the following information for each professional staff member. Begin with the Project Director.

Name:

Title:

Relationship to Proposed Program:

Education:

Previous Professional Employment:

Role(s) to be Performed:

Required Skills:

Comments:

(Use duplicate sheets as necessary)

L.2. JOB DESCRIPTION OF PROFESSIONAL STAFF TO BE ACQUIRED

Title:

Salary Range:

Educational Experience Required:

Professional Experience Required:

Role to be Performed:

Required Skills:

Recruitment Procedures:

(Use duplicate sheets as necessary)

M. INTER-AGENCY COOPERATION (describe and attach supporting documents)

N. BUDGET FORM

| | |
|--|---|
| DEVELOPMENTAL DISABILITIES PROGRAM CAPITOL SQUARE BLDG., ST. PAUL TITLE OF PROJECT Applicant (NAME, ADDRESS, PHONE) LOCAL MATCH IS: CASH FOR THE AMOUNT OF \$ _____ IN-KIND FOR THE AMOUNT OF \$ _____ | Proposed Budget PERIOD FROM _____ TO _____ SIGNATURE OF AUTHORIZED OFFICIAL SOURCE OF MATCHING CASH IS FROM: <input type="checkbox"/> CONTRIBUTIONS, FOUNDATIONS, <input type="checkbox"/> STATE MONIES, <input type="checkbox"/> LOCAL TAX MONEY, <input type="checkbox"/> FEDERAL (SPECIFY) |
|--|---|

| LINE ITEM (1) | D.D. REQUEST (2) | LOCAL MATCH (3) | | TOTAL (4) |
|-----------------------------------|------------------|-----------------|---------|-----------|
| | | CASH | IN-KIND | |
| Personnel | | | | |
| | | | | |
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| | | | | |
| ent | | | | |
| | | | | |
| Travel | | | | |
| | | | | |
| Supplies and Materials | | | | |
| | | | | |
| Equipment | | | | |
| | | | | |
| Communications | | | | |
| | | | | |
| Purchase of Professional Services | | | | |
| | | | | |
| her | | | | |
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| | | | | |
| | | | | |

O. BUDGET JUSTIFICATION

P. ASSURANCES

Each grant shall be subject to the condition that the applicant will comply with the following assurances. These assurances are given in consideration of and for the purpose of obtaining a grant, under P.L. 94-103. The applicant recognizes and agrees that such financial assistance will be extended in reliance on the representations and agreements made in these assurances. The assurances are binding on the applicant, its successors, transferees and assignees.

- A. The program will be planned to serve the need of the particular community or communities in or near which program activities are being carried on, and that consideration will be given to the involvement of residents of the community in the management and operation of such activities.
- B. With respect to facilities for the developmentally disabled which do not provide service principally for persons residing in a particular community in or near which the facility is situated, consideration shall only be given to those projects which have as their objectives (a) decreasing institutional populations by moving the developmentally disabled into community living situations, (b) extending institutional services to the community as needed, or, (c) supporting additional services within the institution without increasing the capacity of the institution beyond its design capacity.
- C. That the services of the facility will not be denied to any person within the community served solely on the ground that such person does not meet a minimum period of residence in such community.
- D. That the facility will furnish a reasonable volume of services to persons unable to pay for them.
- E. That in the selection, compensation or other employment practices of the facility with respect to its technical or professional personnel there shall be no discrimination because of race, creed, color, sex or national origin.
- F. That all portions and services of the entire facility of which, or in connection with which, aid is sought, will be made available without discrimination or account of race, creed, color, sex, or national origin.
- G. That it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Regulations of the Department of Health, Education and Welfare issued pursuant to the title, to the end that, in accordance with Title VI of that Act and the regulations, no person in the United States shall, on the ground of race, creed, color, sex or national origin, be excluded from participation in, or denied the benefits of, or be otherwise subjected to discrimination under any program of activity for which the applicant received financial assistance under P.L. 94-103, known as the Developmental Disabilities Act and thereby gives assurance that it will immediately take any measures necessary to effectuate this agreement.

- H. Applicant agrees to safeguard the rights and welfare of individuals served, including right to receive proper professional care, to enjoy privacy and confidentiality in use of information, and be free from undue embarrassment, discomfort and harassment. The provision of services will be in compliance with the Department of Health, Education and Welfare policy concerning Human Subjects.
- I. Under federal law and regulations, the rights of human subjects must be insured in all projects funded by Developmental Disabilities. A subject is defined as any individual about whom information is gathered as a result of research, development, or demonstration activities. Research includes information gathering activities conducted in classrooms, individual or group therapy sessions, public places and the home as well as in laboratories and other controlled settings.
- J. Standards for services provided under this State Plan shall not be lower than standards prescribed by regulations, including standards as to the extent, scope and quality of such services. Standards for services will meet the standards prescribed by the administrator and set forth in "Minimum Standards for Services and Programs for Developmentally Disabled Persons," SRS, RSA Publication No. 180.
- K. That it will maintain adequate and separate accounting and fiscal records and accounts for all funds provided through this grant application and permit audit of such records and accounts at any reasonable time by authorized representatives of Health, Education and Welfare.
- L. Any products developed under funds provided under a developmental disabilities service grant will be public domain.
- M. The grantee agrees to submit an audited financial statement by a Certified Public Accountant within three months of the completion of the project.
- N. The grantee agrees to submit quarterly financial and narrative reports according to State Planning Agency guidelines.

AS THE PROJECT DIRECTOR OF _____

_____, THE APPLICANT AGENCY, I, THE

UNDERSIGNED, HAVE READ AND AGREE TO THE ASSURANCES STATED ABOVE AND AGREE TO COMPLY FULLY WITH THESE REQUIREMENTS.

Signature: _____

Title: _____

Date: _____

| NAME | REP. OF STATE AGENCY (SPECIFY AGENCY) | SERVICE PROVIDER | PERSON WITH DEV. DIS. | PARENT/ GUARDIAN | CONSUMER EMPLOYEE OF ANY STATE AGENCY WHICH RECEIVES DD FUNDS OR PROVIDES DD SERVICES (IF YES, NAME PERSON'S POSITION AND THE AGENCY) | OFFICER OR EMPLOYEE OF ANY OTHER ENTITY WHICH RECEIVES DD FUNDS OR PROVIDES SERVICES (IF YES, NAME PERSON'S POSI- TION AND THE ENTITY) |
|------|---|---------------------|-----------------------------|---------------------|---|--|
| | | | | | | |

For each Council member, indicate whether he or she is a state agency rep, a service provider, or a consumer. If he or she is a consumer, answer all 4 questions under "Consumer" above.

THE ROLE AND RESPONSIBILITIES OF
REGIONAL DEVELOPMENTAL DISABILITIES PROGRAMS

A POLICY STATEMENT OF
MINNESOTA GOVERNOR'S PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES
Approved June 9, 1976

MINNESOTA'S
DEVELOPMENTAL DISABILITIES PLANNING PROGRAM
STATE PLANNING AGENCY
110 CAPITOL SQUARE
ST. PAUL, MN 55101

**POLICY STATEMENT
ROLE AND RESPONSIBILITIES OF REGIONAL DD PLANNING PROGRAMS
IN MINNESOTA**

PURPOSE

The purpose of this policy statement is to provide guidance to existing regional Developmental Disabilities programs in Minnesota in order to strengthen and improve planning efforts at the regional level. This Policy Statement, the Guidelines for Regional Grant Proposals, and the draft Memo of Agreement (for regional councils and their regional administering agencies) constitute the criteria and standards by which regional Developmental Disabilities programs, activities and accomplishments will be evaluated.

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I. INTRODUCTION

A. The DD Act

Minnesota's Developmental Disabilities Program was established in 1971 under the "Developmental Disabilities Facilities and Construction Act" (P.L. 91-517). As a result of that federal legislation, the State Planning Agency was designated to administer the Developmental Disabilities Program in Minnesota and the Minnesota Governor's Planning Council on Developmental Disabilities was formed. The Developmental Disabilities Program has the responsibility to foster comprehensive, coordinated planning efforts of public officials, service program directors and/or their parents or guardians in order to improve and expand services for persons with severe handicapping conditions. A prime concept concerning the organization of the Developmental Disabilities program is the belief that the effectiveness of the agencies or individuals working together on the Developmental Disabilities Council can and will exceed any individual citizen or agency efforts.

The 1975 "Developmentally Disabled Assistance and Bill of Rights Act" (P.L. 94-103), an amendment to P.L. 91-517, broadened the definition of developmental disabilities and emphasized strategies for strengthening the provision of services and safeguarding individual rights of persons with developmental disabilities. Section III of this Policy Statement outlines specific provisions in Developmental Disabilities legislation which affect state and regional developmental disabilities planning programs.

B. The Term "Developmental Disabilities"

Disabilities are often categorized by traditional labels and the recent amendments (P.L. 94-103) to the DD Act includes five specific disability classifications. Included are mental retardation, cerebral palsy, epilepsy, autism, dyslexia, as defined in Section III, Part A of this Policy Statement. The "Developmental Disabilities" concept, however, is an attempt to go beyond those classifications and focus on expanding and integrating services for those individuals with expected life-long substantial handicaps. The severity and chronic nature of developmental disabilities sets the service needs of developmentally disabled individuals apart from most individuals with other health-related conditions. Since most aspects of the developmentally disabled individual's life are affected, service needs for such persons are multiple and continuing.

C. The Planning Process

Sections IV of this Policy Statement describes one way of looking at various components in the planning process. The concept of a Developmental Disabilities Planning Council encompasses the philosophy that resources (including co-mingling of funds) from federal, state and local government agencies together with

service providers and consumers of services, can be melded into a unified force for change on behalf of individuals with developmental disabilities.

Section III, Part H, stresses the broad representation of Developmental Disabilities Planning Councils. Councils typically include, in addition to consumers, representatives from welfare, mental retardation or mental health/mental retardation area boards, special education, health services, public health nursing, state institution staffs, vocational rehabilitation, day activity centers, sheltered workshops, private residential facilities, crippled children services, social services, and other agencies or organizations likely to have impact on establishing policies or providing services that affect individuals with developmental disabilities. Planning Councils with diverse representation have greater potential to assess numbers of developmentally disabled individuals and their needs, identify gaps in services, diminish fragmentation and facilitate plans for expanding and augmenting existing programs. In addition, with various key policy makers as members, Councils may encourage and influence changes in agency and service program policies, priorities, and methods of operation in order to improve services and assure that the dignity, rights, and potentials of individuals with developmental disabilities will be respected.

D. Regional DD Planning

In January, 1972, Minnesota's State Council decided that the establishment of regional planning programs would be a priority goal of the State Plan. Since that time, eight regional planning programs have been established through support of the State Council and local resources. The rationale for support of regional planning programs include a desire to conduct, stimulate, and coordinate planning at the local level in order to achieve a continuum of programs and services in each region of the State. Support of local planning which involves key local parties from the human service system acknowledges that the nature of problems and their solutions will vary in different regions of the State. Each region has the flexibility to document and establish its own needs and priorities, and within the framework of its available resources, to implement appropriate plans that address priority service needs of persons with developmental disabilities. In order to assure that regional developmental disabilities planning programs would not exist in isolation of other local planning efforts, the State Council stressed that Regional Developmental Disabilities Planning Councils be linked to regional administrative agencies with broad based planning responsibility and the potential to influence local services.

On a local level, regional Developmental Disabilities Planning Councils assume various roles including:

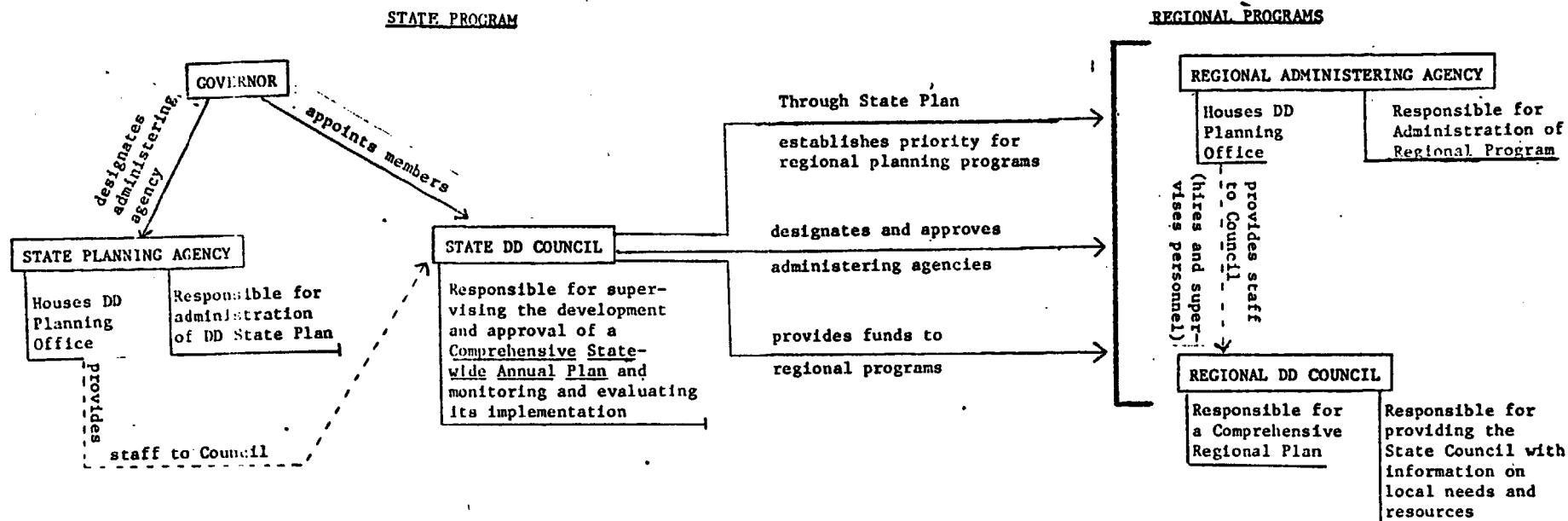
- 1) Serving as public forums where service providers, consumers, and their representatives, and other citizens communicate, plan, and work together;
- 2) Serving as information clearinghouses on available resources in the region for persons with developmental disabilities;
- 3) Serving as community resources to document and provide accurate information on the needs and potentials of individuals with developmental disabilities;
- 4) Serving as advocates for individuals with developmental disabilities, by speaking and acting on their behalf.

On a broader level, regional Developmental Disabilities Planning Councils provide a mechanism for the State Council to secure information about local needs and resources for comprehensive statewide planning. Regional Developmental Disabilities Planning Councils ultimately have the potential to work toward influencing legislation, appropriations, policies, and programs on regional, state, and national levels that affect services for developmentally disabled individuals within the region. Section II of this Policy Statement is a chart showing the organization and functional relationships in the Developmental Disabilities Program in Minnesota. Section V describes various aspects of the relationship between the State and Regional Developmental Disabilities Planning Programs.

II. ORGANIZATION OF MINNESOTA'S DEVELOPMENTAL DISABILITIES PROGRAM

DD Program established through Federal Legislation:

P.L. 91-517 "Developmental Disabilities Services and Facilities Construction Act" (1971)
P.L. 94-103 "Developmentally Disabled Assistance and Bill of Rights Act" (1975 Amendments)



III. PROVISIONS IN THE LAW AFFECTING STATE AND REGIONAL DD PROGRAMS

Developmental Disabilities Legislation (P.L. 91-517, P.L. 94-103) and the Regional Development Act of 1969 contain elements that guide the planning process and the development and implementation of comprehensive service plans.

The D D Legislation

Key aspects of the Developmental Disabilities Legislation provide focus for state and regional developmental disabilities planning efforts. Regional Developmental Disabilities Planning Programs should be familiar with the legislative guidelines found in P.L. 91-517 and P.L. 94-103 included in Chapter XIII of the Code of Federal Regulations, (Parts 1385, 1386, and 1387) and be responsive to them in the development and implementation of comprehensive regional service plans. In many areas of the DD Legislation outlined below, the primary responsibility rests with the State DD planning program. Regions lacking the capacity to fully implement specific program plans should seek appropriate technical assistance from the State DD Program.

A. The D.D. Population

State and Regional DD planning programs must work toward developing comprehensive plans aimed at expanding services to new groups of individuals with developmental disabilities. DD planning programs should direct their planning efforts toward the life-long needs of individuals with substantial handicaps that originate in the developmental years (prior to age 18), that are expected to continue indefinitely and that seriously impair their functioning in society. Disabilities may be attributable to:

- (1) Mental Retardation, or conditions closely related to mental retardation which result in similar impairment of general intellectual functioning or which require treatment and services similar to those required by persons with mental retardation; (2) Cerebral Palsy; (3) Epilepsy; (4) Autism, or Dyslexia that can be

clearly shown to be attributable to mental retardation, cerebral palsy, epilepsy or autism in recognition of the fact that serious reading difficulties may accompany those conditions and constitute a substantial handicap.

B. Deinstitutionalization and Community Alternatives

The State and Regional DD Planning Programs are responsible for supporting the national DD priority goal of deinstitutionalization through the development of alternative community residences and other necessary support services.

State and Regional DD planning programs may accomplish this through:

- (1) Promoting elimination of inappropriate institutional placements of persons with developmental disabilities;
- (2) Supporting the establishment of community-based residential services as well as necessary support services within the community; and
- (3) Promoting an improved environment and higher standard of care for developmentally disabled persons appropriately placed under institutional care.

C. Coordination of Services

The State DD program has a major role in promoting coordination and integration of state and local agency resources and in designing programs to fill gaps in the range of existing services. Regional DD programs concentrate on promoting coordination of local resources.

Services for individuals with developmental disabilities are viewed in terms of a lifetime continuum of services that are directed toward the alleviation, improvement, or control of the disability and/or toward the prevention or remediation of social, personal, physical, or economic problems of the disabled individual. For State and Regional Councils' planning purposes, services include programs that directly serve individuals with developmental disabilities and those that indirectly support and assist individuals with developmental disabilities to fully benefit from the existing service system.

Direct Services:

1. Residential - special living arrangements, domiciliary care (out-of-home supervised living on 24-hour basis).
2. Day Activity Programs - day care, training.

3. Employment - sheltered, regular.
4. Education - special education, vocational education.

Support Services:

1. Identification - diagnosis, evaluation, information and referral, with special efforts directed toward multiply handicapped infants and preschoolers.
2. Case Management - protective and other socio-legal services, follow-along services.
3. Counseling
4. Treatment - medical, dental, special.
5. Other - recreation, transportation, personal care.
6. Indirect services on behalf of developmentally disabled individuals - public education and awareness, consultation and assistance to local communities, training of personnel or parents of developmentally disabled individuals, research, program planning and evaluation, class-type advocacy (i.e., through established program standards).

D. Protection of Human Rights

The DD Program of the State has responsibility for assuring protection of the human rights of all persons with developmental disabilities who receive services funded under the "DD Act." The State and Regional planning programs promote settings that are least restrictive of personal liberties for individuals with developmental disabilities as they receive any direct or support services.

E. Advocacy

Regional DD Planning Programs that focus on the key issue of advocacy for individuals with developmental disabilities within their regions, provide support for the state DD Advocacy Program. The State DD Program is responsible for supporting the development of a statewide advocacy system with legal and administrative authority to insure the protection of individuals with developmental disabilities receiving services and to advocate for their rights. Regional DD efforts should include assistance to advocate groups to make them effective in addressing local and regional needs.

F. Quality, Extent, and Scope of Services

While the State DD Planning Program is responsible for developing a comprehensive statewide plan, regional DD planning programs are responsible for determining priority issues to be addressed under comprehensive regional plans. Both state and regional plans should describe the service needs of persons with developmental disabilities as well as attempt to document the quality, extent, and scope of treatment, services, and habilitation programs that

are provided by existing programs or will be provided in implementing the comprehensive plans. Activities supported by Developmental Disabilities programs must complement and augment rather than duplicate or replace existing programs or services.

G. Councils as Public Forums

In the same manner in which the State DD Council functions, regional DD Councils serve as public forums committed to fostering cooperative planning efforts and coordinated services for persons with developmental disabilities. The Councils should effectively serve to promote coordination and mutual cooperation among agencies concerned with planning and/or implementing services for developmentally disabled persons.

H. Council Membership

Membership of regional DD Councils should parallel that of the State Council to the extent that developmentally disabled consumers, citizens, and key policy makers concerned with services to individuals with developmental disabilities are identified and represented. One third of the Council members must be consumers, i.e., developmentally disabled persons, parents of developmentally disabled persons or their legal guardians. Emphasis should be given to the appointment of developmentally disabled persons whenever possible. Council membership must also include representatives who have power to implement plans and who come from a broad spectrum of service agencies including: vocational rehabilitation, residential services for mentally retarded persons, special education, social services for persons with disabilities and for families and children, diagnostic and treatment services for crippled and/or retarded children, health services or long-term care programs for adults with epilepsy or cerebral palsy, mental retardation programs, maternal and child health services/genetics, public health/child development, day activity centers, and work activity/sheltered workshops.

I. Poverty Areas

The State DD program is responsible for assuring that special assistance is provided for developmentally disabled individuals in poverty areas. The responsibilities of regional DD programs include identifying poverty areas within regions and promoting programs that facilitate access of developmentally disabled individuals to necessary services and facilities.

J. Public Information

The State and Regional DD planning programs share the responsibility for promoting public information, educational materials,

and programs that represent the interests of individuals with developmental disabilities. Regional DD planning programs should include plans to increase public awareness and acceptance of developmentally disabled individuals and to involve developmentally disabled individuals in community activities (e.g. recreation).

I. Early Intervention

The State and Regional DD planning programs share the responsibility for promoting early screening, diagnosis and evaluation (including maternal care, developmental screening, home care, infant and pre-school stimulation programs, and parent counseling and training) of developmentally disabled infants and preschoolers, particularly those with multiple handicaps. As identification and treatment begin earlier, the probability increases that necessary services will be developed and some disabling conditions alleviated.

THE REGIONAL DEVELOPMENT ACT

Regional Development Commissions (RDCs) were created under the Regional Development Act of 1969 to coordinate federal, state, and local planning programs within the framework of broad regional growth and development policies. Regional developmental disabilities planning programs, since their inception, have been linked to regional administering agencies that have broad based planning responsibilities and the potential to influence local service development and delivery. Effective July 1, 1977, Regional Development Commissions will be the only acceptable administering host agencies for Regional DD programs.* Administering host agencies must provide adequate personnel to fulfill the Developmental Disabilities Council's responsibilities and administer the regional portion of the DD State Plan. Some elements of the Regional Development Act of 1969 provide guidance for Regional DD Planning Programs. Numbers in parentheses below refer to sections of the Regional Development Act.

A. RDC Comprehensive Plan

The comprehensive plan developed by the RDC must encompass physical, social, and economic needs of the region. Regional Developmental Disabilities Planning Programs should ensure that the needs of developmentally disabled individuals in the region are reflected in that Plan.

*See "Proposal on Regional Planning," June 9, 1976, DD Planning Office, for the advantages cited by the State Council for Affiliation with RDCs.

B. Review Powers (462.391)

The review powers of Regional Development Commissions give them specific responsibility for reviewing a wide range of state and federal programs such as the Developmental Disabilities Program - particularly in terms of their consistency with overall regional goals of the Regional Development Commissions. Sharing of the regional DD Council's Comprehensive Plan with the Regional Development Commissions and other agencies is encouraged. Regional DD Councils should take the initiative for dissemination of their plans.

C. Special Studies (462.392)

Special studies by Regional Development Commissions are authorized in such areas as:

- 1) Identification of human or social problems and opportunities;
- 2) Assignment of priorities for the development of human, economic, and natural resources of the region;
- 3) Identification of housing problems and planning work programs for housing;
- 4) Low income and minority problems and opportunities; and
- 5) Identification of all facets and elements of law enforcement activity, including police, court, and correctional programs and systems.

Regional Developmental Disabilities Planning Programs should assure that the needs of developmentally disabled individuals in areas such as housing or problems with the correctional system are reflected in Regional Development Commissions' priorities for resource development.

D. State and Federal Grants (462.39)

RDCs are specifically authorized to receive a wide range of state and federal grants for social planning programs. These include, to the extent feasible, any state or federal programs that provide funds for multi-county planning.

This section of the Regional Development Act indicates some advantages for Regional Developmental Disabilities Planning Programs within the RDCs' broad comprehensive regional planning network. Because of the number of programs under the umbrella of RDCs, developmental disabilities monies could potentially influence the allocation of other monies beyond the DD grant program.

E. Composition of RDCs (462.38)

The key figures in human resource programs at the local level are county commissioners. The composition of RDC's includes county commissioners from each county in Minnesota. In order to influence human resource programming, developmental disabilities planning personnel should maximize opportunities to educate and inform local elected officials of the needs of persons with developmental disabilities. Participation in the RDC forum by persons in a position to advocate for the rights of developmentally disabled individuals is an expansion of the concept of having key policy makers serve on the Developmental Disabilities Council.

F. Data and Information (462.391 subd. 9)

RDCs may develop centers for collection and use of information and ensure the compatibility of state and local information systems. Needs assessments done for various target populations can also be made consistent with one another. In areas where RDCs have developed the capacity for data collection and information systems, regional DD Planning Councils should seek their technical assistance and support the development of uniform systems.

IV. COMPONENTS OF THE DD PLANNING PROCESS

Planning for persons with developmental disabilities occurs at various levels through participation of citizens, elected policy makers at the federal, state, and local levels, key agency representatives in a position to influence programs, developmentally disabled individuals or their representatives, and representatives of service programs. Regional DD Councils should be aware of and familiar with planning processes that are occurring at various levels that affect developmentally disabled individuals. Regional Councils do not do all of the planning but work toward eliminating duplication of efforts and establishing effective interactive planning processes. As an illustration for regional developmental disabilities planning programs, three levels of DD planning are described here ranging from very broad long-range perspectives, to strategy and policy planning, to planning for implementation of specific activities. Each section includes a description and example of a type of planning, followed by what can be viewed as an appropriate role for the Regional DD Councils in that level of planning. Additional possible illustrations related to DD legislation are included in Table 1.

LEVELS OF DD PLANNING

A. Long-Range Comprehensive Planning

Long-range comprehensive planning refers to very broad value-level planning that specifies what ought to be happening in the region with respect to individuals with developmental disabilities. Guidance for long-range planning involves input primarily from elected or appointed policy makers on federal, state and regional levels through sources that include:

- DD Federal Legislation and HEW Guidelines
- State Planning Agency and State Council Guidelines and Priorities,
- State Dept. of Public Welfare plans for individuals with mental retardation,
- Regional Development Commissions overall regional development plans,
- Health Systems Agencies plans.

Planning at this level does not necessarily take into account available resources; rather, it projects ideal situations that should exist based on the best available information and analysis of issues.

An example of a long-range comprehensive plan would be to assure every individual the opportunity to live in environments that are least restrictive of personal liberties. For most individuals with developmental disabilities, this would mean that homes and services would be available in community settings.

Long-Range Comprehensive Planning continued

-- Role of Regional DD Councils --

Regional DD Planning Programs can influence the direction of long-range comprehensive planning by:

- 1) Having representation in a broad based regional planning agency -- i.e., Regional Development Commissions, Health Systems Agencies.
- 2) Establishing credibility of regional DD policies, goals and priorities with the State Planning Agency and other state departments through a comprehensive regional DD plan which provides a rationale for regional priorities. The plan should include a well-documented overview of the region's unique needs and resources.
- 3) Serving as a forum for decision-makers, service providers, consumers and citizens; providing regular reports of Council activities to the agencies, individuals, and groups represented by Council members.
- 4) Working toward the greatest possible degree of interaction with state level DD planning programs in the preparation of both the regional and the state comprehensive plans.
- 5) Developing and reviewing appropriate standards for services.

B. Short-Range Comprehensive Planning

Short-range comprehensive planning refers to short-range objective strategies and policies that detail what can be done in the region with respect to individuals with developmental disabilities. Guidance for short-range strategies comes primarily from the identification and description of existing problems and resources and analysis of the causes of problems and their potential solutions. The Regional DD Council assumes a direct role in developing specific objectives and policies that potentially affect the lives of individuals with developmental disabilities. In doing so, the Council also recognizes and utilizes information from other planning resources.

An example of a short-range strategy would be to develop and approve a plan that recommends specific numbers, types and locations of community-based residences for developmentally disabled individuals.

-- Role of Regional DD Councils --

In assuming a direct role in developing specific objectives and regional policies in the area of developmental disabilities, the Regional DD Council obtains or relies on available needs assessment data or undertakes special surveys to translate identified gaps or service duplications into the concrete, measurable, specific tasks that are required to initiate service development or improvement.

C. Operational Planning

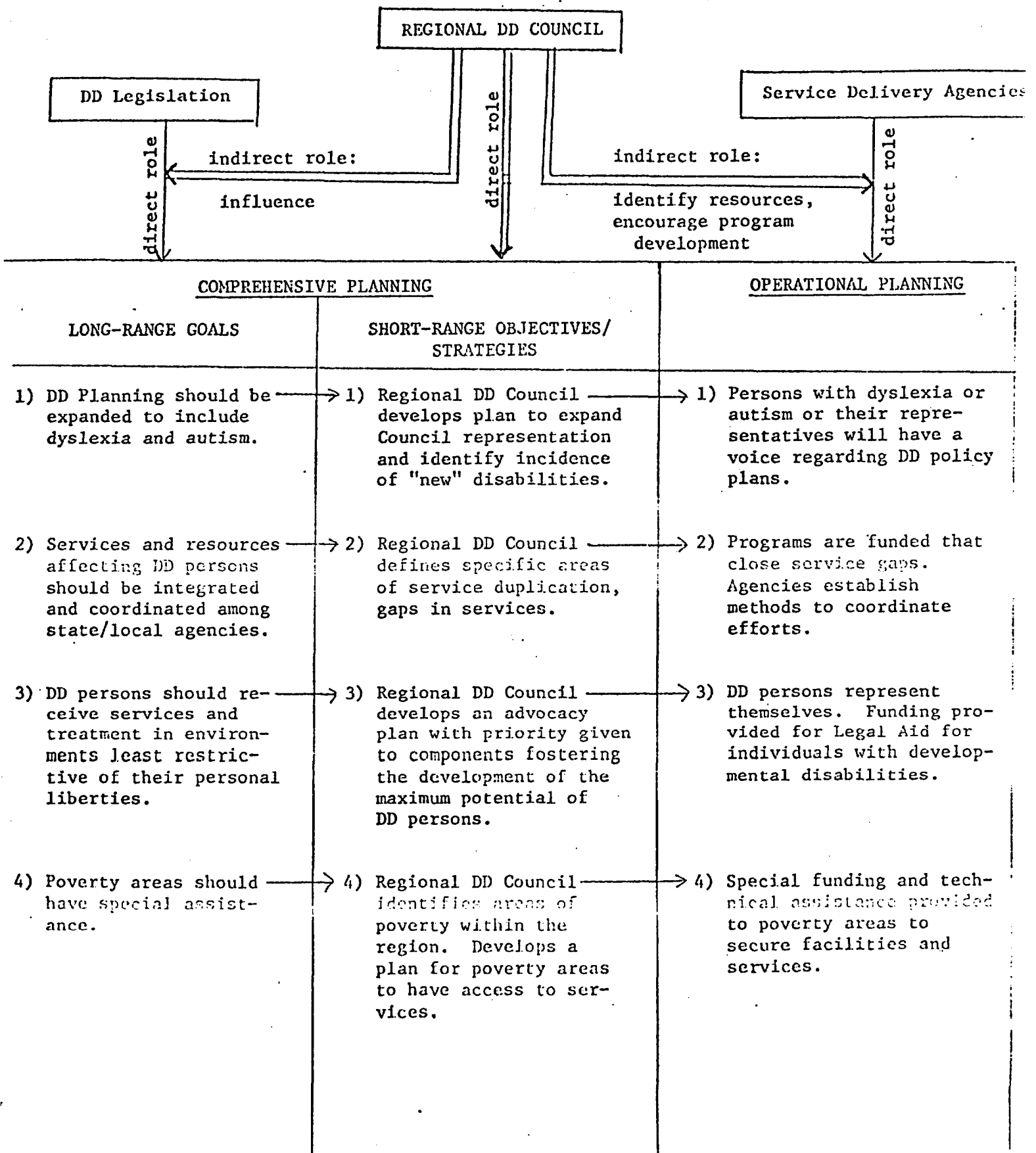
Operational planning refers to specific action plans that will be carried out by agencies providing services within the region. Operational level planning is influenced by the goals and objectives arrived at in the other levels of the planning process. The responsibility for designing specific programs rests with the agencies responsible for providing services.

An example of operational planning would be to approve, fund and construct a certain number of group home residences for individuals with developmental disabilities within the region.

-- Role of Regional DD Councils --

Regional DD Councils may develop the potential to influence local service program development and the allocation of resources. Regional Councils may help identify personnel, program or budgetary resources necessary to achieve regional DD policies and objectives and encourage service providers to be responsive to those objectives in developing programs and services. Regional DD efforts, for example, should include assistance to the MR service delivery system through the mental health/mental retardation area boards. The Regional Councils can encourage, as advocates, the implementation of a variety of specific activities and program developments of benefit to developmentally disabled persons even though Councils themselves do not provide direct services.

TABLE 1: LEVELS OF DD PLANNING
POSSIBLE EXAMPLES BASED ON DD LEGISLATION



EVALUATION AND MONITORING

Developmental Disabilities Legislation stresses effective and continuous planning and continuous assessment of program outcomes. Goals, objectives and program plans do not exist in isolation. The products from each of the planning levels constantly influence planning at other levels.

The planning process at all levels is strengthened when results from efforts in service monitoring or program evaluation are effectively utilized to influence and refine subsequent goals, objectives and program plans. As the planning process is strengthened, Regional DD Councils' Comprehensive Plans will continue to improve in several areas.

Regional DD Councils, serving as effective forums, are in a position to monitor progress toward long-range goals by obtaining appropriate feedback from participating citizens, consumers, and service providers. Regional DD Councils' Comprehensive Plans and work programs include specific regional objectives with well-defined tasks that must be formally evaluated. Regional DD Comprehensive Plans in their entirety must be adequately evaluated no less than annually through systematic review by the Regional Council, the host agency, the State Council, and the State Planning Agency.

V. REGIONAL AND STATE COUNCIL RELATIONSHIPS

A. Accountability

Regional Councils must accomplish the following:

- 1) Provide the State Council with objective information on regional characteristics, needs, and resources.
- 2) Serve as forums where local consumers of developmental disabilities services can potentially influence the direction of programs and policies that directly affect them. Consumers plan and work together with the local agency representatives who are in a position to influence agency policies.
- 3) Supervise development of, approve, monitor and evaluate the implementation of a Comprehensive Regional DD Plan that addresses local service needs as well as issues of significance identified at the national and state levels (outlined in Federal Legislation and the Minnesota State Plan).
- 4) Develop a process that provides a rationale for establishing rank-ordered regional needs and priorities for service development and coordination.

The State DD Planning Program, through its support of regional planning activities, assumes that those elements outlined above can best be done at a regional rather than statewide level. The State Council has continued to seek approaches to strengthen and improve planning efforts at the regional level. In FY 1975, Minnesota contracted with the Developmental Disabilities Technical Assistance System in North Carolina for an evaluation study that described Minnesota's regional council structures and development. The information obtained through that study highlights some common needs in regional planning which the State Council continues to address. In a further effort to strengthen and improve regional planning, the State DD Planning Program has set basic standards through its Guidelines for Regional Planning Grants that are designed to improve the quality of regional planning processes and assure the State DD Program of increasingly accurate information for comprehensive statewide planning. Regional DD planning programs, Comprehensive Plans and work program activities are evaluated according to the basic standards described below.

-- Basic Standards for Regional DD Planning --

I. Comprehensive Plan Process

The Regional Councils' role and involvement in the development, approval, implementation and evaluation of the Comprehensive Regional Plan may differ among regions, but the process must be clearly specified.

2. Work Program Priorities

The Regional Councils must develop work programs with specific, concrete and manageable tasks that address priority service needs in the region. Priority service needs are supported by information the regional DD planning program prepares, including:

- a. a broad perspective of the region in terms of its unique physical, social and service characteristics,
- b. documentation of current number of developmentally disabled persons in the region and objective projections of the future population of developmentally disabled individuals,
- c. objective assessment of the potentials of persons with developmental disabilities within the region and an analysis of their anticipated needs,
- d. documentation of the capacity of existing regional resources for developmentally disabled individuals and a projection of resources that must be developed, and
- e. an assessment of other resources within the region such as money, manpower, public information and education channels, on-going research, program evaluation, volunteer programs, etc.

3. Relationship to State/Federal DD Programs

While Regional Council Comprehensive Plans must be developed primarily in response to regional issues, regional DD planning programs do not exist in isolation of the DD programs at the federal and state level. The relationship between regional goals, objectives, and activities and federal and state priorities for developmental disabilities programs must be clearly stated.

4. Evaluation

Since planning is a continuous process and feedback is essential, the progress of regional implementation plans should be monitored by both regional and state DD planning programs through appropriate and objective evaluation methods.

5. Relationship with other agencies

- a. Host Agencies. The relationship between Regional Councils and their administering host agencies must be formally documented in a memorandum of agreement or be clearly stated within host agency policy statements. The host agencies must assume responsibility for implementing the regional components of the DD Comprehensive State Plan and provide staff support to the Council including the hiring and supervising of regional DD staff.

- b. Other Agencies affecting DD individuals. Regional Councils must recognize and document the involvement of various regional agencies or local groups in the overall planning framework for developmentally disabled individuals. Regional DD planning programs would not duplicate existing efforts but clearly document them in the Regional DD Plan.
- c. DD Council/Agency Interaction. The kinds of interactions that are occurring between the Regional DD Council and local service providers, agencies or groups that reflect cooperative efforts in interagency coordination should be specified.
- d. Interagency Service Coordination. The Council as an effective forum may reduce duplication and facilitate coordination of planning and service delivery activities of other agencies. Specific Council efforts in this area should be documented.
- e. Plan/Program Analysis. Systematic plan and program analysis could potentially foster Council insight as to the best approaches or channels for effective cross-agency coordination within the region. Analysis may also provide information to the Council on potential resources for serving developmentally disabled individuals.
- f. Active Cooperation. Regional Councils must actively cooperate with any department, agency, or institution on local, state and federal levels that has service delivery or planning responsibilities for any portion of the DD population. DD Councils in an advocate role can encourage and assist various components of the service delivery system to improve the continuum of care for developmentally disabled individuals and fill gaps in service.

B. Communication

Regional Councils can increase communication within each of the regions by regular reports through their members to the agencies they represent and to interested groups and individuals in the region. Identifying, appointing and eliciting the active participation of key agency and service representatives on the Regional Council can potentially result in the widest possible consensus for regional action. The Councils should maintain a continuing effort to identify and recruit participation of individuals and groups not yet involved in the Regional DD planning process. Regional Councils can increase communication with the State Planning Agency and state departments through two-way exchanges of information and requested participation of state agencies in Regional Council planning activities. These activities may take the form of technical assistance, provision of information, and comment, review, and response to the Comprehensive Regional Plans. Regional Councils should foster the greatest possible degree of interaction with state departments and agencies in the preparation of both regional and state comprehensive plans. Some of the specific channels for communication that have developed in Minnesota are outlined below:

1. Plan Review and Reporting

The State Planning Agency annually processes, reviews, and approves or disapproves comprehensive regional DD plans. Recommendations regarding necessary revisions of regional plans are communicated from the State Planning Agency to regional host agencies. In addition to annual comprehensive regional plans, regional programs submit three quarterly reports and one final report to the State Planning Agency. These reports restate regional objectives, describe accomplishments and problems, identify needs for technical assistance and specify objectives for the following quarter.

2. Joint Planning Sessions

Several meetings of the State Council and its committees foster joint planning between State and Regional Councils. Regional Council staff and chairpersons are invited to participate in the State Council's planning sessions where the annual comprehensive state plan is reviewed, and state goals and priorities established. Regional Council members and staff may also communicate with State Council members and staff on a regularly scheduled basis at the State Council's monthly meetings.

3. Training Sessions for Regional Council Members and Staff

In their comprehensive plans and quarterly reports, Regional Councils specify assistance they anticipate needing that is outside regional resources currently available to them. The State Planning Agency and the State Council can elect to provide some of the necessary assistance through training sessions.

4. Inter and Intra Regional Communication

The State Council and the State Planning Agency facilitate communication and interaction among the various Regional Councils and their host agencies through (a) regular meetings involving representatives from all regions, (b) conference phone calls and (c) mailed materials and documents. The State Council supports and encourages inter-regional communication for purposes of solving problems and the sharing and exchange of information and ideas.

5. Inter-Agency Coordination

In keeping with the Developmental Disabilities Legislation requiring that the DD program not duplicate existing services, the DD Councils have a responsibility to coordinate efforts with other agencies such as DPW and its area boards. Regional DD Councils should continually foster effective working relationships that clarify responsibilities for planning, coordination, provision of services, training, consultation and determination of need. Regional DD Council resources should be allocated so that regional DD plans and efforts complement and augment the planning and service responsibilities assigned to other agencies.

- ACKNOWLEDGMENTS -

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