

ASKING THE RIGHT QUESTIONS:

**A Guide to the
DC Council 2009 Oversight and 2010 Budget Hearings
for DC Residents with Developmental Disabilities
and their Families**



The Arc of the District of Columbia
At the McCormick Pavilion
415 Michigan Avenue N.E.
Suite 400
Washington, DC 20017

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February 2009

The Arc of the District of Columbia
At the McCormick Pavilion
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Introduction

The Arc of the District of Columbia, Inc. (“The Arc of DC”) is a nonprofit organization which since 1950 has provided supports and advocacy to improve the quality of life of District of Columbia residents with intellectual and developmental disabilities and their families.*

Although The Arc of DC has seen many changes and improvements in the District’s services for residents with developmental disabilities over the last 59 years, the twenty-first century has brought unique challenges which highlight the need for the voices of individuals with disabilities, their families and supporters to be heard.

In 1991, the District became the second jurisdiction in the nation to close its large public institution for individuals with developmental disabilities (Forest Haven). While the District led the country in deinstitutionalization, 18 years later the District continues to face much work before it will be able to offer a full array of community supports so that people with disabilities can live in their own homes or with family.

People with disabilities overwhelmingly want to live independently in the community and direct their own lives. The federal *Americans with Disabilities Act of 1990* (ADA), the District’s *Human Rights Act of 1977* and the Supreme Court’s *Olmstead v. L.C.* decision affirm this right. Federal Medicaid dollars under Home- and Community-Based Services (HCBS) waivers provide funding to make this vision a reality by allowing states to deliver a wide range of services and supports to people in their own homes. By failing to provide comprehensive supports to help people to live and work in the community, the District has for too many years limited the ability of individuals with developmental disabilities to realize their full human potential and has lost the opportunity to access federal funds to pay for services.

In 2008, the District saw several significant developments affecting residents with developmental disabilities and their families:

- ✓ The District’s cabinet-level disability services agency, the Department on Disability Services (DDS), continued to reorganize, bringing in new leadership to head up its rehabilitation services division.
- ✓ For the first time, DDS made significant progress in helping people with developmental disabilities move into community settings. From 2007 to 2008, the number of people living in Intermediate Care Facilities decreased by 18% while the number of people living in supervised apartments rose by 35%.¹
- ✓ Community stakeholders, in partnership with DDS and the DC Council, continued to develop new, comprehensive legislation to modernize the District’s laws governing services and supports for residents with developmental disabilities and their families;
- ✓ The District and the plaintiffs in the *Evans* lawsuit (a thirty-year-old lawsuit against the District on behalf of residents with developmental disabilities who once lived at Forest

Haven) went to trial on a motion by plaintiffs in the *Evans* lawsuit asking the court to create a Special Administrator. The Special Administrator would report to the court and control most supports and services provided to *Evans* class members at the DDS as well as at other DC government agencies.

- ✓ In August, the DC Council approved permanent legislation to increase supports for individuals with developmental disabilities who are unable to make a health-care decision on their own behalf;
- ✓ The DC Office of Disability Rights initiated a process to create a District-wide Olmstead Plan for the District to systematically end and prevent unnecessary institutionalization of people with disabilities. A complement to this work was the District's approval for implementation of a federal Medicaid grant (called "Money Follows the Person") to help 400 people leave Medicaid-funded group homes (known as "ICFs/MR") and move to community living during FY 2008 to FY 2011.
- ✓ The District's school system continued its reorganization and took several important steps toward greater inclusion of students with disabilities, including two pilot programs for inclusive education, the Full Service School model in eight middle schools and the Schoolwide Application Model (SAM) in eight elementary schools.

In addition to the challenges that are unique to residents with developmental disabilities, the nationwide economic downturn means that the District, like other jurisdictions, is currently facing large drops in revenues. Already, the fiscal year 2009 budget has been adjusted downward once, in November of 2008. More District-wide budget reductions are certain, and include a projected shortfall of at least \$800 million for FY 2010.

At this critical juncture, it is imperative that the voices of people with disabilities, their families and supporters be heard. The Arc of DC's fourth annual ***Guide to the DC Council Oversight and Budget Hearings*** is a tool to help people participate in upcoming DC Council hearings, which provide a key opportunity to directly educate and persuade policy makers and the public.

Each year, the Council of the District of Columbia holds annual oversight and budget hearings which subject all government agencies to public scrutiny to identify strengths, weaknesses, and areas of need. Through these hearings, the Council establishes budget priorities for the coming year. Hearings are watched closely by DC Councilmembers as well as the Mayor, public officials, the media and the general public (all hearings are televised). The ***Guide to the DC Council 2009 Oversight and 2010 Budget Hearings*** provides information on a broad range of key District agencies that must work together if people with developmental disabilities are to live and thrive in the community.

The Arc of DC urges people with disabilities, their family members and supporters to be part of the upcoming DC Council hearings at every step. Persistent, thoughtful and vocal participation is needed to educate policy makers and the public and to call for a comprehensive, quality service

system that promotes full community participation for all District residents with developmental disabilities.

* ***A note on language:*** Across the United States, people with disabilities are calling on policy makers and the public to use respectful language when referring to individuals with disabilities. While the term “mental retardation” is still used for diagnostic purposes, it is now widely viewed as offensive. Over the last decade, most national advocacy and professional organizations in the field have begun using alternate terms. In November 2006, one of the premier national professional organizations, the former American Association on Mental Retardation (AAMR), became the American Association on Intellectual and Developmental Disabilities (AAIDD). AAIDD reports that the diagnostic term used by the American Psychological Association will formally change to “intellectual disability” within the year.

Locally, in July of 2006, the DC Council approved a law requiring the use of “people first” language when referring to individuals with disabilities in all DC government laws, regulations, policies and official publications including web sites (*People First Respectful Language Modernization Act of 2006*; DC Law 16-169). As requested in the law, the DC Developmental Disabilities Council completed a study on the use of “mental retardation” and the preferences of residents with developmental disabilities. The DD Council report recommends that the District government eliminate all use of the term and instead use “intellectual and developmental disabilities” or, where greater specificity is required, use “intellectual disability.”

For all of these reasons, The Arc of DC uses the terms “intellectual disability” and “developmental disabilities” throughout this report, as follows:

- ◆ ***“Intellectual disability”:*** a disability characterized by significant limitations both in intellectual functioning and in adaptive behavior as expressed in conceptual, social, and practical adaptive skills. This disability originates before the age of 18. (AAIDD)

- ◆ ***“Developmental disability”:*** a severe, chronic disability of an individual that is attributable to a mental or physical impairment or combination of mental and physical impairments; is manifested before the individual attains age 22; is likely to continue indefinitely; and results in substantial functional limitations in 3 or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, economic self-sufficiency; and reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated. (*Developmental Disabilities Assistance and Bill of Rights Act of 2000*, P.L. 106-402, 114 STAT. 1677, effective October 30, 2000)

Overarching Issues

Many District of Columbia services for residents with developmental disabilities address overlapping needs and often face similar challenges. Key issues that reach across DC government, and recommendations by The Arc of DC, are as follows:

Individual and Family Involvement. The District government has in the past often set policy without participation by people with disabilities and their families. As a result, current policies and programs do not meet the full range of needs and are not family-friendly.

Recommendation: People with disabilities and their families must be actively involved in making decisions about services and the policies, laws, regulations and budgets that determine access to services and supports. District agencies that serve people with disabilities, including boards and commissions, should have formal guidelines for including individuals and their families in work groups and for actively seeking input on program and policy changes.

New Laws, New Choices. The District’s law governing supports and services for residents with developmental disabilities was written thirty years ago (DC Law 2-137, the *Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978*). At the time, the law was on the forefront of new thinking regarding the rights and abilities of people with disabilities. However, the last three decades have produced many changes and created new kinds of services and opportunities.

For these reasons, over the summer of 2007, The Arc of DC and other community stakeholders, working with the Department on Disability Services and the DC Council, initiated an inclusive process for redesigning this key legislation. The process included a series of town hall meetings and focus groups – held between May and December of 2007 and attended by hundreds – to gather resident and stakeholder ideas for a revised law.

Based on the community’s input, in December 2007, the DC Council approved a resolution stating the values and principles that should guide the new legislation. A year later, the drafting group provided to the community a first draft of the *Developmental Disabilities Reform Act (DDRA)*. The new draft bill focuses on improving the quality of life and outcomes for residents with developmental disabilities and their families and on bringing the District’s services into alignment with current best practices in the field. Over the coming months, community members will work together to review, improve and prepare the draft DDRA for introduction at the DC Council.

“There is a clear need for new legislation to reorganize and modernize District of Columbia law governing services and support for individuals with intellectual and developmental disabilities and for their families...the values and principles set forth in this resolution shall be reflected in new legislation introduced during the current Council session...”

-- Resolution 17-457, ***Sense of the Council Regarding Rights and Services for Residents with Intellectual and Developmental Disabilities and Their Families Resolution of 2007.***

Recommendation: The District should support efforts to re-write the District’s laws governing services and supports for residents with developmental disabilities and their

families, with the full involvement of individuals with disabilities, families and community advocates.

Recommendation: The Department on Disability Services should move forward with a comprehensive needs assessment to create a profile of District residents with developmental disabilities and their families. Needs assessment data will help inform legislative reform and guide the District's efforts to more fully support the needs of this population.

Civil Rights. The District's laws, regulations, policies and programs should actively promote the civil rights of individuals with disabilities and must fully comply with relevant laws including the federal *Americans with Disabilities Act of 1990* (ADA), the Supreme Court's *Olmstead v. L.C.* decision (119 S.Ct. 2176; 1999) and the District's *Human Rights Act of 1977*.

The ADA is designed to integrate people with disabilities fully into the mainstream of American life. Title II of the ADA prohibits discrimination in state and local programs and requires all public entities with 50 or more employees to have staff and procedures in place to ensure access for people with disabilities.

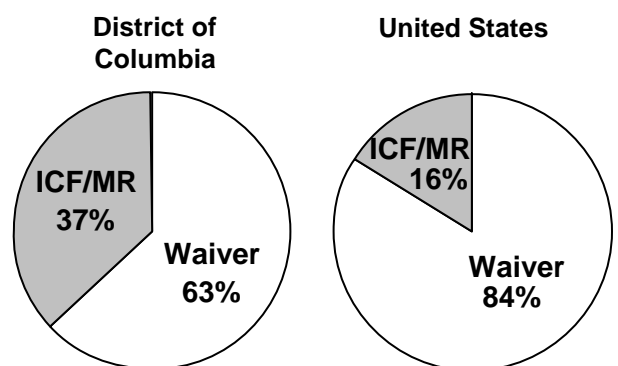
Based on the ADA, the Supreme Court's *Olmstead v. L.C.* decision (119 S.Ct. 2176; 1999) directs states to ensure that people with disabilities receive services in the most inclusive setting.³ The *Olmstead* decision establishes unjustified institutionalization of people with disabilities as a form of discrimination under the ADA. The District is one of the few jurisdictions that has failed to develop and implement a plan to comply with the *Olmstead* decision as recommended by the Supreme Court and the federal Centers for Medicare and Medicaid Services (CMS). The District also has one of the highest rates of individuals with developmental disabilities living in small institutions known as Intermediate Care Facilities for persons with mental retardation (ICFs/MR).

Fortunately, in December 2006, the DC Council unanimously approved the *Disability Rights Protection Act of 2006*. The law creates a cabinet-level Office of Disability Rights to provide training, technical assistance, monitoring and information and referral to support the District government's compliance with the ADA and related disability rights laws. The law also requires the District to create an annual *Olmstead* Compliance Plan, coordinated by the Office of Disability Rights. With strong backing from the Mayor and DC Council, the Office of Disability Rights opened for operations in November 2007.

Recommendation: The Mayor should lend his fullest support to the work of the Office of Disability Rights, ensuring that the Office has the authority needed to work with agencies across the DC government in support of greater access for people with disabilities.

Recommendation: The FY 2010 budget should continue full funding for the Office of Disability Rights.

Persons with DD Receiving Medicaid-funded Residential Services, 2007²



Recommendation: The District should develop policies to promote hiring people with disabilities across the government. For the FY 2010 budget larger agencies should be required to identify in their budgets funds set aside for employee accommodations.

Medicaid Waiver. Medicaid Home- and Community-Based Services waivers help people with developmental disabilities live and thrive in the community and are congruent with the ADA and *Olmstead*. Waivers are cost-efficient because states can draw down a federal match for every local dollar spent (for the District, a 70% match). Waivers are central to most state efforts to help people with disabilities live in the community. The District took major steps during 2008 to implement a fully-functioning developmental disabilities waiver, yet much work remains. As a result, the District has a high rate of residents living in Medicaid-funded group homes (ICFs/MR) and in FY 2009 the District has budgeted approximately \$67 million in local funds for services for individuals with developmental disabilities through the Department of Disability Services (DDS).

Fortunately, in the fall of 2007 the District received federal approval for a redesigned version of the District's waiver for residents with developmental disabilities. As a result, DDS will be able to more fully use Medicaid dollars to help individuals live in the community. The District has also been approved for a federal Money Follows the Person grant which provides an enhanced Medicaid match to help people leave ICFs/MR and transition to HCBS waiver services.

Recommendation: The District should make implementing the new developmental disabilities waiver a top priority. Mayoral leadership is needed to ensure that DDS and the Medical Assistance Administration (MAA) work together on implementation, along with people with disabilities and community stakeholders.

Recommendation: The District should make implementing the District's federal Money Follows the Person grant – a 5-year project to help residents with disabilities move from Medicaid-funded institutions to the community – a top priority for 2009.

Coordination. Many District agencies which could be working together to assist individuals with developmental disabilities and their families instead operate separately and provide disjointed services. Individuals with developmental disabilities and their families repeatedly report that confusing, divided service structures and multiple points of entry often prevent access to services.

Effective interagency partnerships can help ensure that people with developmental disabilities experience smooth transitions between service systems throughout their lives. This will be a particular challenge in 2009 as major organizational changes across the District government continue to unfold, including the establishment of the new Department of Health Care Finance and ongoing restructuring at many key agencies including the school system, the Department on Employment Services, and the Department the Department on Disability Services.

“...we cannot stress enough that universal agreement on the need for interagency collaboration reflects the District's failure to develop and implement programming that effectively marshals multiple agency resources to achieve better outcomes for District residents.”

-- **Final Report and Recommendations,**
Fenty e-Transition, Human Services
Transition Team, Dec. 2006

Recommendation: The District should establish a unified information and referral service for individuals with developmental disabilities and their families, housed within the DDS.

Recommendation: The District should clearly define roles and responsibilities and strengthen communication between DDS and the new Department of Health Care Finance.

Recommendation: The District's school reform plans must include a strong focus on increasing the schools' capacity to teach students with disabilities in inclusive classrooms. Both programmatic capacity as well as facility upgrades to make schools physically accessible will be key to this effort.

Recommendation: The District should continue to support the work of the Rehabilitation Services Administration's Transition Unit, which helps youth with disabilities plan for work after high school. The DC Public Schools should make transition services for youth with disabilities a high priority and should emphasize transition planning for youth with disabilities starting at least 4 years prior to graduation.

Workforce Development. Front-line staff that assists people with developmental disabilities must be equipped with both the skills and pay to deliver effective, quality services. Staff at all levels need ongoing, appropriate training and supports. Low wages in the direct care field are a national issue that needs to be addressed locally. The District's *Way to Work Amendment Act of 2006* (DC Law 16-118; effective June 8, 2006) requires DC government contractors to pay staff at least \$11.75 per hour and specifically includes Medicaid-funded services for individuals with developmental disabilities. If implemented, this wage will provide much-needed support to staff and consumers.

Recommendation: The District should include funds for full implementation of the living wage provisions of the *Way to Work Amendment Act* in the FY 2010 budgets for Medicaid and DDS. An estimated \$3 million to \$4 million in local funds will pay to implement the living wage in Medicaid-funded services. More information about costs of the living wage should be gathered as part of a currently-planned Medicaid rate study.

Person-Centered Services. As the District increasingly serves people with disabilities in the community, the city will need to provide supports which address the unique needs of each person. Plans and services must be individualized throughout the lifespan, and service systems must prioritize choice and self-determination. Individualized, person-centered services are consistent with national practices and with funding through a Medicaid waiver to maximize access to federal dollars.

Recommendation: The District should continue to strengthen its implementation of the Medicaid waiver for individuals with developmental disabilities.

Recommendation: The District should collaborate with individuals with disabilities and community stakeholders to establish standards and monitoring for person-centered planning across agencies.

Recommendation: The District should re-establish a citizen advocacy program to provide volunteer advocates to help ensure that the rights and desires of individuals with DD are respected.

Cultural Competence and Language Access. At least 654 Latinos with developmental disabilities are estimated to live in the District, yet only one day program – Life Skills – has bilingual staff serving the needs of the Latino community.⁴ Similarly, individuals who are deaf have reported communication barriers to accessing DDS services. Culturally competent services for other groups with limited English proficiency appear to be missing entirely, despite requirements under the District’s Language Access Act that government agencies address this need.

Recommendation: DDS should ensure full compliance with the *Language Access Act of 2004* at the agency and in contract services for individuals with limited English proficiency and should also take immediate steps to increase access for the deaf.

Community Education. While U.S. Census data and national estimates suggest that between 5,505 and 16,516 DC residents are persons with intellectual disabilities,⁵ the District’s DDS only serves approximately 2,000 individuals each year.

Recommendation: DDS should engage in active outreach to increase awareness of services needed so that all District residents with DD and their families can access supports to help them reach their full potential.

Recommendation: DDS should implement an orientation program for all individuals entering the agency’s service system.

Budget Transparency. Currently, District agency budgets do not clearly show how much money is set aside each year to assist people with disabilities and how those funds are spent. This lack of budget transparency makes it extremely difficult for individuals, family members, officials and the public to evaluate spending and performance.

Recommendation: Agencies should be able to describe their budgets and funding streams as they relate to services for people with disabilities and should be required to share this information with the public. The Mayor should require large agencies to include an activity line item in their budget showing funds earmarked for ADA coordination and accommodations.

Recommendation: Agencies should establish outcome-oriented performance measures which track services to residents with disabilities.

Getting Involved with the Budget

The Budget Process, At a Glance

The 2009 oversight and 2010 budget hearings are part of an annual process by which the District of Columbia develops its budget. The budget is a blueprint for the District's spending on services for residents and is foremost a statement of the District's priorities for the coming year.

All District budgets cover a *fiscal year* (or "FY") which runs from October 1 to September 31. To prepare the budget, the District's Chief Financial Officer begins by working with the Mayor and District agencies in the fall to determine how much it will cost to run the government for the following year and to compare costs with projected revenues. The Mayor also develops ideas about how to spend any extra money or how to cut the budget if money is insufficient.

The DC Council will hold *oversight hearings* in February and March of 2009 to review agency performance during FY 2008 and in FY 2009 to date. The DC Council has ten standing committees. Each Committee will hold hearings on the agencies it oversees. At these hearings, Councilmembers will hear from the public and from DC government officials about each agency's performance in both the previous and current fiscal years.

The Mayor will present his proposed 2010 budget to the DC Council on March 20, 2009.

After the Mayor presents his proposed 2010 budget, the DC Council Committees will hold *budget hearings* in April. The Committees use these hearings to gather public input on spending priorities and to ask DC government officials about the Mayor's proposed budget.

Each DC Council Committee will make changes to the Mayor's budget for the agencies it oversees during the first week of May. This is known as the *mark up* period.

The full DC Council will meet and approve a final 2010 budget that combines (and makes changes to) all of the Committees' work in mid-May. The Mayor can sign the budget and send it to the U.S. Congress for approval or can veto the budget and return it to the DC Council.

A complete discussion of the budget process can be found at:

<http://www.dckids.org/documents/downloads/BudgetMap-1106.pdf>

FY 2009 Oversight & FY 2010 Budget Calendar

**February 18 –
March 16**
Agency performance
oversight hearings for
FY 2008 / FY 2009 budgets

**Friday,
March 20**
Introduction of the Mayor's
proposed
FY 2009 Budget

**Monday,
March 23**
Public Briefing on the
Mayor's proposed
FY 2009 Budget

**March 24 –
April 9**
Public hearings on the
Mayor's proposed
FY 2009 Budget

**April 28 –
April 30**
Committee mark-ups of
agency budgets

**Tuesday,
May 12**
Council vote on the
FY 2010 Budget
Request Act

Getting Involved with the Budget

How to Get Involved

The DC Council encourages public participation in every step of the budget process. Residents can voice their opinions by mail, fax, e-mail, telephone, or in person. Contact information for relevant committees can be found throughout this guide, and the contact information for individual Councilmembers can be found at the end in Appendix A.

At *oversight hearings*, witnesses can testify about any aspect of the agency's performance, including both positive services and areas for improvement. At *budget hearings*, witnesses are asked to testify in response to the Mayor's proposed budget.

Getting Information about the Budget

To obtain a copy of the Mayor's budget proposal after March 20, 2009, call (202) 727-6343 or visit <http://cfo.dc.gov>. The DC Fiscal Policy Institute also publishes a budget tracking tool on its website at <http://www.dcfpi.org>. DC Council hearings are televised on DC Cable Channel 13 and can be viewed over the internet at <http://octt.dc.gov>.

Testifying at Hearings

Hearing dates, times and locations are subject to change. It's always best to check with the appropriate Committee clerk before attending or signing up to testify. Witnesses must sign up to testify in advance with the relevant Committee clerk as noted in this guide. Signing up as soon as possible is recommended. Each witness is required to submit written testimony and is usually asked to bring 20 copies to hand in at the hearing. Individual witnesses typically have 3 minutes. Time limits for panels vary and should be verified with the Committee clerk. After witnesses testify, the Councilmembers may ask questions of the witnesses.

Helpful Hints for Effective Testimony

- ❖ **Tell your story!** Your personal experiences are the most compelling reason for Councilmembers to change policies, programs and budgets. Explain how problems in policies or programs affect your ability to access needed services.

When testifying:

- ❖ Bring a pen to write down questions or note any information you are asked to provide after the hearing.
- ❖ Speak clearly and close to the microphone.
- ❖ If your organization or issue has buttons, wear one.
- ❖ Respect the time limits. Speakers often use their time to summarize longer written testimony.

Getting Involved with the Budget

A Guide to the Guide

Each section of this guide identifies a District government agency that offers services that may be of use to individuals with developmental disabilities and their families and then discusses relevant programs within each agency.

For each agency, the guide identifies the following information:

Purpose: The agency's mission, as stated in its FY 2009 Performance Plan.

Contact Information: The agency's address and main phone number.

Website: The agency's internet address.

Director: The name of the agency's Director or head.

FY2009 Agency Budget: The Mayor and Council took steps to reduce the District's 2009 budget during the first quarter of the fiscal year, due to a District-wide budget shortfall. Therefore, two numbers are provided:

- ♦ The total budget for the agency in FY 2009, as submitted by the District to the U.S. Congress, and;
- ♦ The total budget for the agency in FY 2009, as adjusted during the District's gap-closing measures in November of 2008.

DC Council Information: The name and contact information for the DC Council Committee which oversees the agency.

Oversight Hearing Information: Hearing date, time, and room number, as well as the person to contact to sign up to testify.

Budget Hearing Information: Hearing date, time, and room number, as well as the person to contact to sign up to testify.

Importance: The agency's relevance to people with DD and their families.

Each agency section is followed by information on programs or offices within the agency that provide services that may be of interest to individuals with DD and their families. For each program, the guide provides information on the program's purpose, relevant services, and the FY 2009 budget. When applicable, the guide also provides information on the appropriate oversight or budget hearings and/or provides a brief discussion of the program's importance to DC residents with DD.

Finally, for each agency and/or program, the guide suggests relevant questions and issues that DC residents, family members, advocates, public officials and any other interested individuals may wish to track during the hearing process.

Office on Aging

GENERAL INFORMATION

Purpose: To promote longevity, independence, dignity, and choice for District of Columbia residents who are age 60 and older.

Contact Information: 441 4th Street, NW, Suite 900S / Washington, DC 20001

Phone: (202) 724-5622

Website: <http://dcoa.dc.gov>

Executive Director: Clarence Brown, PhD

Budget (FY2009): \$24,460,758 (Congressional) / \$24,401,378 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Aging and Community Affairs

Committee Chair: Yvette Alexander

Committee Members: Jim Graham, Mary M. Cheh, Harry Thomas, Jr., Michael A. Brown

Committee Contact: Victor A. Bonett, Committee Clerk
John A. Wilson Building, Suite 17
(202) 724-2110 / ybonett@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Monday, March 16, 2009	Monday March 30, 2009
Time:	10:00 a.m. - 12:00 p.m.	10:00 a.m. - 12:00 p.m.
Location:	Room 412	Room 412
Contact for Testimony:	Ed Fisher, (202) 724-2110, efisher@dccouncil.us	

IMPORTANCE

People with DD who are aging should be able to access the same services as all senior citizens. Assisting people with DD in programs that also serve older adults without DD is a desirable policy goal that is consistent with the federal *Americans with Disabilities Act*. The Office on Aging's new Aging and Disability Resource Center, which opened in 2008, is an important step toward greater coordination and integration of aging and disability services. However, many community programs remain unequipped to meet the needs of older adults with DD. As a result, many older individuals with DD primarily participate in specialized day programs operated by the Department on Disability Services, Developmental Disabilities Administration.

QUESTIONS & ISSUES

- ✓ How many individuals with DD does the Office on Aging programs currently serve?
- ✓ How does the Office on Aging coordinate its services with the Department on Disability Services, Developmental Disabilities Administration?
- ✓ What additional resources – such as enhanced interagency collaborations, new revenues, education and training – might allow the Office on Aging to expand its services for this population?

Child and Family Services Agency

GENERAL INFORMATION

Purpose: To improve the safety, permanence and well-being of abused and neglected children and to strengthen troubled families in the District of Columbia.

Contact Information: 400 6th Street, SW / Washington, DC 20024
Phone: (202) 442-6000

Website: <http://cfsa.dc.gov>

Interim Director: Roque R. Gerald

Budget (FY2009): \$292,026,866 (Congressional) / \$290,556,805 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Human Services

Committee Chair: Tommy Wells

Committee Members: Muriel Bowser, Phil Mendelson, Marion Barry, Michael Brown.

Committee Contact: Adam Maier, Committee Clerk
John A. Wilson Building, Suite 117
(202) 724-8191 / amaier@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Wednesday, February 25, 2009	Friday, April 3, 2009
Time:	10:00 a.m. - End	10:00 a.m. - End
Location:	Room 412	Room 412
Contact for Testimony:	Vivian McCarter, (202) 724-8191, vmccarter@dccouncil.us	

IMPORTANCE

CFSA provides adoption, child protective services, foster care and community services to meet the developmental needs of children, prevent abuse, provide family-life experiences through temporary or permanent placement, and preserve families. Although CFSA already serves many children with disabilities, the need for expanded capacity is widely recognized. During 2007, CFSA solicited proposals to create 40 placements for children and youth with disabilities. Despite this, in CFSA's 2008 year-end Annual Public Report, the Mayor's Advisory Committee on Child Abuse and Neglect (MACCAN) recommended that "CFSA should continue to enhance the response of the system to abused and neglected children living in families that are under-served including ... children with disabilities." Enhanced capacity to serve children and youth with disabilities is needed both within the CFSA system and in the area of transition for individuals who are exiting or aging out of the system.

QUESTIONS & ISSUES

- ✓ How does CFSA identify and assess children and youth with disabilities?
- ✓ How many children and youth with disabilities did CFSA assist in 2008?
- ✓ How does CFSA support foster and adoptive families of children with disabilities?
- ✓ How does CFSA work with parents with DD who come into the CFSA system?

QUESTIONS & ISSUES (continued)

- ✓ How does CFSA collaborate with early intervention and special education?
- ✓ How does CFSA coordinate with the Department on Disability Services to assist youth with disabilities who are aging out of the foster care system?
- ✓ What is the capacity of the CFSA Independent Living Program (for current and former foster youth age 16 to 21) to assist youth with disabilities?
- ✓ What barriers do children and youth with disabilities face in accessing the DC KIDS health care program?
- ✓ What additional resources and collaborations could assist CFSA in serving children and youth with disabilities?

Office of Disability Rights

GENERAL INFORMATION

Purpose: To ensure that every program, service, benefit, and activity operated or funded by the District of Columbia is fully accessible to, and usable by, people with disabilities.

Contact Information: 441 4th Street, NW, Suite 729 North / Washington, DC 20001

Phone: (202) 724-5055

Website: <http://odr.dc.gov>

Interim Director: Derek Orr

Program Budget (FY2009): \$1,567,861 (Congressional) / \$1,469,966 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee Government Operations and the Environment

Committee Chair: Mary M. Cheh

Committee Members: David A. Catania, Kwame R. Brown, Harry Thomas, Jr., Tommy Wells

Committee Contact: Jeremy Faust, Committee Clerk
John A. Wilson Building, Suite 108
(202) 724-4902 / jfaust@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Monday, February 23, 2009	Tuesday, March 31, 2009
Time:	3:00 - 4:00 p.m.	10:00 - 11:00 a.m.
Location:	Room 412	Room 500
Contact for Testimony:	Jeremy Faust, (202) 724-4902, jfaust@dccouncil.us	

IMPORTANCE

The Office of Disability Rights (ODR) was established in November 2007 in accordance with the *Disability Rights Protection Act of 2006* (DC Law 16-239; effective March 8, 2007). The ODR provides training, technical assistance, monitoring and information and referral to support the District government's compliance with the federal *Americans with Disabilities Act of 1990* (ADA) and related disability rights laws. The *Disability Rights Protection Act* also requires the District to create an annual Olmstead Compliance Plan to describe how the District will serve people with disabilities in the most inclusive community setting as required under the ADA. The ODR is responsible for coordinating the development of the Olmstead Plan. The ODR also houses the District of Columbia Commission on Persons with Disabilities.

Highlights from the ODR's first year of operations include:

- ◆ Improvements to the DC government's ability to communicate with residents with disabilities – including enhanced accessibility features on DC.GOV, a new District-wide policy on auxiliary aids, and a pilot project to centralize dispatch and payment of sign language interpreters.
- ◆ Development of a District-wide Olmstead Plan for the District to help people with disabilities live in the community as opposed to institutions.

- ◆ Collaboration with the DC Taxicab Commission to bring wheelchair accessible taxicabs to the District.
- ◆ New policies and support for accommodations for District government employees with disabilities.

QUESTIONS & ISSUES

- ✓ Will the FY 2010 budget support full staffing for the ODR? Are current staffing levels (a Director and 10 full-time staff) sufficient for the ODR's work load?
- ✓ What kinds of individual complaints did the ODR receive during its first year of operations, and how did the ODR resolve different categories of complaints?
- ✓ What kinds of requests for technical assistance did the ODR receive from DC government agencies during its first year of operations, and how did the ODR resolve those requests?
- ✓ What initiatives does the ODR see as its top priorities for 2010?
- ✓ As the ODR helps DC government agencies assess their current levels of accessibility and plans for greater accessibility, how should the ODR and agencies best address key needs including:
 - Facilities accessibility prioritization and funding?
 - Sign language interpretation?
 - Employee accommodations?
- ✓ What commitments are agencies making in support of the Olmstead Plan, and will these commitments be tracked using CapSTAT?
- ✓ In what ways is ODR involving people with disabilities in its work?
- ✓ What mechanisms are currently and potentially available to the ODR to help ensure change if ODR identifies accessibility problems during the course of its monitoring and related activities?
- ✓ What is the status of the development of interagency agreements between ODR and other key District government agencies, including the Office of Human Rights?
- ✓ What is the status of the development of the various reports (e.g., ADA assessments, annual reports etc.) required under the *Disability Rights Protection Act*?
- ✓ What new policies would the ODR recommend to encourage the DC government to hire people with disabilities?

Department on Disability Services

GENERAL INFORMATION

Purpose: To provide innovative high quality services that enable people with disabilities to lead meaningful and productive lives as vital members of their families, schools, workplaces and communities in every neighborhood in the District of Columbia.

Contact Information: 1125 15th Street, NW / Washington, DC 20005
 Phone: (202) 730-1700
 Website: <http://dds.dc.gov>
 Director: Judith E. Heumann
 Program Budget (FY2009): \$122,358,509 (Congressional) / \$120,954,826 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Human Services
 Committee Chair: Tommy Wells
 Committee Members: Muriel Bowser, Phil Mendelson, Carol Schwartz, Harry Thomas, Jr.
 Committee Contact: Adam Maier, Committee Clerk
 John A. Wilson Building, Suite 117
 (202) 724-8191 / amaier@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, February 19, 2009	Wednesday, March 25, 2009
Time:	10:00 a.m. - 1:00 p.m.	10:00 a.m. - 1:00 p.m.
Location:	Room 412	Room 412
Contact for Testimony:	Vivian McCarter, (202) 724-8191, vmccarter@dccouncil.us	

IMPORTANCE

DDS is the lead District agency assisting residents with disabilities, including people with DD and their families. DDS was created in early 2007 by DC Law 16-264, the *Developmental Disabilities Services Management Reform Amendment Act of 2006*. Under the law, DDS is charged with “Leading the reform of the District’s mental retardation and developmental disabilities system by coordinating the collaborative efforts of government agencies...”⁶

DDS includes the Developmental Disabilities Administration (DDA) and the Rehabilitation Services Administration (RSA). Mayor Fenty has recruited nationally-recognized disability experts to serve in top DDS management positions. After spending much of 2007 finalizing and implementing a new organizational structure and management system, in 2008 DDS leadership continued to work on key reforms. Organizational goals for FY 2009 include:

- ♦ Moving 150 people from institutionalized settings to self-directed community-based services through the federal Money Follows the Person Medicaid grant;
- ♦ Recruiting and retaining 10 new DDA service providers that have a demonstrated history of excellence;

- ♦ Strengthening DDA quality assurance and improvement requirements and review methods;
- ♦ Reducing to no more than 90 days the time between identification of a person in need of a health care guardian and the appointment of that guardian;
- ♦ Implementing the Health Care Initiative to improve the health and wellness of people served by the DDA;
- ♦ Increasing the number of persons with disabilities who receive the supports necessary to obtain and maintain living wage jobs in integrated settings for 90 days from 576 (40%) in FY 2008 to 625 (42%) in FY 2009;
- ♦ Increasing referrals to RSA by 5 percent;
- ♦ Expanding opportunities for youth with disabilities by assigning, at a minimum, 250 high school students to a RSA vocational rehabilitation counselor to establish eligibility for RSA services; and
- ♦ Increasing the number of persons with disabilities who receive supported employment services from 225 in FY 2008 to 425 in FY 2009, and expanding the number of providers from 11 to 25.

Department on Disability Services

Developmental Disabilities Administration (DDA)

GENERAL INFORMATION

Purpose: To ensure that residents with developmental disabilities receive the services and supports they need to lead self-determined and valued lives in the community.

Relevant Services: DDA Service Planning and Coordination, Quality Assurance, DDA Consumer Resource OPNS, DDA Incident Management & Enforcement

Deputy Director: Laura Nuss

Program Budget (FY2009): \$76,685,000 (Congressional) / \$76,292,035 (adjusted, Nov. 2008)

IMPORTANCE

DDA is the District's lead agency charged with providing and coordinating services and supports for residents with DD and their families. DDA serves approximately 2,000 individuals per year. Yet, national data suggest that there may be between 5,505 and 16,516 DC residents with intellectual disabilities, and an even larger population with related developmental disabilities. It is clear that many individuals who might benefit from community services are currently unserved or underserved. Similar needs exist in the area of family supports. Ultimately, DDA must strive to assist *all* District residents with DD and to offer meaningful choices in both services and living arrangements.

As noted earlier, DDA currently faces significant challenges including involvement with 31-year-old class action litigation brought against the District on behalf of residents at Forest Haven, the District's former institution for people with intellectual disabilities. In March of 2007, the U.S. District Court found the District to be non-compliant with the 2001 Compliance Plan in the *Evans* case. A trial to identify a potential remedy was completed at the end of January of 2009. The Special Masters in the case are likely to issue a decision on remedy within the next several months. However, it is highly likely that any decision will be subject to further appeal.

Positive developments for DDA include federal approval in the fall of 2007 of an overhaul of the District's Medicaid Home and Community Based Services (HCBS) waiver for people with DD. For years, the lack of a fully functioning waiver prevented community integration and forced DDA to spend significant local dollars on services that could otherwise be funded with a federal match. The revised waiver now includes new, more flexible services such as host home (where an individual lives in a "host home" which provides basic supports) and companion care (where a "companion" lives with an individual and provides basic supports).

QUESTIONS & ISSUES

- ✓ What key issues does DDA face in promoting quality of life and community inclusion for individuals with DD and their families?
- ✓ While U.S. Census data and national estimates suggest that between 5,505 and 16,516 DC residents are persons with intellectual disabilities,² DDA only served approximately 2,000 individuals in 2008. What barriers prevent DDA from serving all District residents with DD?

QUESTIONS & ISSUES (continued)

- ✓ How does DDA offer people choices in services and living arrangements? How does DDA balance responsiveness to individual and family needs with regulatory and court order compliance?
- ✓ The Medicaid Home- and Community-Based Services Waiver is a federal funding stream to help individuals with DD live in the community:
 - What barriers prevent implementation of the waiver and transitioning individuals from group homes into the community?
 - How is DDA working with the Department of Health Care Finance on implementation of the revised waiver? Is DDA, as required under D.C. Official Code § 7-761.07 (a), directing “policy development and design of services and supports?”
 - Under the waiver, people with DD will increasingly need affordable, accessible housing in the community. What resources and interagency collaborations could help facilitate access to housing?
- ✓ How does DDA coordinate with other human service agencies that have primary responsibility for supporting families, children and youth, as well as the Department of Employment Services and the DC Public Schools?
- ✓ What barriers do individuals with DD face in receiving timely, appropriate health care?
- ✓ With regard to family supports:
 - How do DDA’S family services compare with those of other jurisdictions?
 - How do families learn about DDA services?
- ✓ How does DDA involve individuals and families in policymaking?
- ✓ How does DDA reach out to and serve individuals and families with limited English proficiency and individuals who are deaf?
- ✓ How do people who are new to DDA learn about how the DDA service system works, their rights within the service system, and how to resolve problems?
- ✓ With regard to individuals who are dually diagnosed with DD and mental illness:
 - How does DDA coordinate its services with the Department of Mental Health? Is there adequate staff training and education to aid service delivery?
 - What coordination activities are underway with the Department of Mental Health to expand federal grant funding opportunities?
- ✓ What is the status of the DDA basic assurances initiative to promote quality services?
- ✓ What is the status of DDA internal restructuring and efforts to ensure quality case management and program operations?
- ✓ How does DDA plan to help residents with DD who have been sent to out-of-state programs return to the District?
- ✓ How does DDA plan to offer people a way to pursue grievances and resolve problems with services and challenges to their rights?

Department on Disability Services

Rehabilitation Services Administration (RSA)

GENERAL INFORMATION

Purpose:	The Rehabilitation Services Administration (RSA) provides comprehensive vocational and independent living services to persons with disabilities to promote their opportunities for employment, economic self-sufficiency and independence. RSA works with communities, businesses and organizations in an effort to ensure that individuals attain integrated employment in the mainstream of society.
Relevant Services:	Health, Medical and Rehabilitation Services, Disability Services, Employment Readiness and Placement Services, Case Management, Eligibility Determination Services, Quality Assurance
Deputy Director:	Roy Albert
Program Budget (FY2009):	\$26,269,000 (Congressional) / \$26,268,948 (adjusted, Nov. 2008)

IMPORTANCE

People with DD face many barriers to work, including lack of training and experience while in high school, lack of post-secondary educational opportunities, lack of supports, and employers' lack of knowledge and stereotypes about DD. Nationally, only 7 to 23 percent of adults with intellectual disabilities work full-time, and an additional 9 to 20 percent work part-time.⁷ Training and employment services can help people with DD find work and succeed in rewarding jobs.

RSA vocational rehabilitation services are federally-funded supports to help people with disabilities, including individuals with DD, find and retain jobs. RSA services are intended to work in coordination with the Department of Employment Services' One Stop Career Centers. RSA must also coordinate its employment activities with the Developmental Disabilities Administration (DDA): individuals who wish to receive employment services under the DDA Home- and Community-Based Services waiver must in effect be referred through RSA.

Federally-mandated RSA transition services can play a key role in helping youth with disabilities prepare to graduate from or exit the public schools, but youth and families report that transition services have not been a priority for the schools. Often, students with disabilities graduate with little or no preparation for adult life and little information about options such as work and job training. Many students with intellectual disabilities graduate with a certificate rather than a diploma, which makes finding a job more difficult. In FY 2007, the DC Council's Committee on Human Services provided RSA with \$250,000 to hire staff to provide transition services in the public schools. This was the first time that a local appropriation had been directed to RSA to facilitate this work. Fortunately, local funding for transition services has continued for the past two fiscal years.

QUESTION & ISSUES

- ✓ How many individuals with DD used RSA services in 2008? Which RSA services were accessed?
- ✓ For RSA participants with DD:
 - What is the average employment rate?
 - What is the average employment retention rate?
 - What is the average wage?

QUESTION & ISSUES (continued)

- ✓ With regard to transition from school to work or post-secondary education:
 - How many referrals did RSA receive in 2008 from the DC Public Schools (DCPS) and Public Charter Schools (PCS)? How does this compare with the number of youth receiving special education services?
 - How does RSA coordinate with DCPS and PCS to ensure transition planning to prepare all youth with disabilities for post-secondary opportunities including vocational rehabilitation services? What barriers prevent effective collaboration with DCPS and PCS?
 - How is RSA using the \$250,000 in local funds to enhance its transition services?
 - Does RSA have sufficient resources to address the transition needs of DCPS and PCS youth in future years?
 - How can RSA partner with employers to understand the value of a certificate?
 - How can RSA work with students to provide vocational opportunities to youth while they are still in school?
 - How is RSA working with students in nonpublic placements to ensure they have post-secondary opportunities when they come back into the District?
- ✓ With regard to systems coordination:
 - What formal structures has RSA put in place for coordination of service delivery between Vocational Rehabilitation and the Department of Employment Services' One Stop system?
 - How fast does an RSA consumer usually receive information on eligibility determination? How does this affect referral to employment services provided through the Developmental Disabilities Administration (DDA)?
 - Beyond eligibility determination, how else does RSA coordinate its services and funding streams with those of DDA?
 - For individuals who are diagnosed with both DD and mental illness, how does RSA coordinate its services with those of DDA and the Department of Mental Health?
 - How does RSA collaborate with the Income Maintenance Administration, the District's child care programs, Medicaid, and community agencies to identify appropriate and/or alternative benefits for individuals?
- ✓ What is the status of RSA's federally-mandate to conduct a District-wide assessment on disability needs and services? What interagency collaborations are being formed in support of this initiative?
- ✓ How much additional federal revenue will RSA get from the federal stimulus bill, and how will RSA direct those dollars to help residents with DD find jobs during the economic downturn?

Department of Employment Services

GENERAL INFORMATION

Purpose: To foster and promote the welfare of job seekers and wage earners by improving their working conditions, advancing opportunities for employment, helping employers find workers, and tracking changes in employment and other national economic measurements impacting the District of Columbia.

Contact Information: 609 H Street, NE / Washington, DC 20002
 Phone: (202) 724-7000
 Website: <http://does.dc.gov>
 Acting Director: Joseph Walsh
 Budget (FY2009): \$133,217,548 (Congressional) / \$129,029,318 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Housing and Workforce Development
 Committee Chair: Marion Barry
 Committee Members: Phil Mendelson, Jim Graham, Harry Thomas, Jr., Michael A. Brown
 Committee Contact: Drew Hubbard
 John A. Wilson Building, Suite 112
 (202) 724-8198 / dhubbard@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Monday, March 2, 2009	Monday, April 20, 2009
Time:	10:00 a.m. - End	10:00 a.m. - 2:00 p.m.
Location:	Room 500	Room 500
Contact for Testimony:	Drew Hubbard, (202) 727-8230 or dhubbard@dccouncil.us	

IMPORTANCE

DOES is the District's lead agency providing work-related services. DOES is primarily funded under the federal *Workforce Investment Act*, with modest local funding. DOES programs include employer services, job seeker services, senior services, job training and education, unemployment services, worker protections including workers' compensation, and youth services.

DOES also administers the District's laws for wages and hours. In this capacity, DOES has been tasked with issuing regulations to implement the District's *Way to Work Amendment Act of 2006* (DC Law 16-118; effective June 8, 2006). The law requires all DC government contractors which receive more than \$100,000 annually to pay a minimum of \$11.75 per hour. Both nationally and locally, direct care workers often earn wages at or near the federal minimum wage. The ability to pay a living wage is an essential step in reducing direct care staff turnover and raising the quality of services. Fortunately, the revised Medicaid waiver for persons with DD supports the living wage – and was the first Medicaid program in DC to do so. However, many other services of interest to residents with DD and their families are still awaiting implementation of the living wage.

QUESTIONS & ISSUES

- ✓ When will DOES issue final regulations for the *Way to Work Amendment Act*?
- ✓ When will the DC budget fund the living wage across all government agencies?

Department of Employment Services

Workforce Development

GENERAL INFORMATION

Purpose: To provide employment related services for unemployed or under-employed persons so they can achieve economic security.

Relevant Services: Senior Services, Transitional Employment, One-Stop Operations (recruitment, referral, and placement assistance), Youth Programs

Program Budget (FY2009): \$67,498,000 (Congressional) / \$63,898,725 (adjusted, Nov. 2008)

IMPORTANCE

DOES operates two full-service and 7 satellite One Stop Centers across the District to provide residents with services and skills to enhance their employment opportunities. According to DOES, the full-service centers are fully accessible to people with physical disabilities and all centers offer TTY, closed-captioning, and enhanced computer screens for people with low vision.⁸ An on-site representative from the Department on Disability Services (DDS), Rehabilitation Services Administration serves as a Disability Resource Specialist at both full-service centers.

A 2005 survey of DOES One Stop Centers by the Inclusion Research Institute, found that 66% of One Stop customers with disabilities were unemployed and 42% were looking for work.⁹ These figures exist despite the ability and eagerness of individuals with disabilities to engage in meaningful work in the community. Nationally, approximately 32% of people with an intellectual disability are employed.¹⁰ As a result, relatively few individuals with DD have had the opportunity to earn a livable wage, acquire benefits, advance their careers, or plan for retirement.

The DOES One Stop Centers have the potential to be a key stepping stone to the kinds of career development, job training, and supportive services that can help individuals with DD work. One Stop services could complement, in a cost-efficient manner, the more intensive and targeted job training and placement services offered through DDS. However, currently the capacity of the One Stop Centers to serve people with DD is limited. For example, the One Stops generally gear their training services for individuals with at least a 6th to 8th grade reading level. This precludes many individuals with intellectual disabilities (and other residents with low literacy) from services.

QUESTIONS & ISSUES

- ✓ How many customers with DD does DOES assist annually, with what outcomes?
- ✓ How does DOES coordinate with the public schools to help exiting youth?
- ✓ What measures is DOES taking to overcome barriers to One Stop services that face people with disabilities?
- ✓ What measures is DOES taking to incorporate training providers who can assist individuals who do not read above an 8th grade level into the One Stop System?
- ✓ How is the disability community represented on the Workforce Investment Council, which oversees the One Stop Centers?
- ✓ How does DOES coordinate One Stop services with Medicaid waiver employment services operated by the Developmental Disabilities Administration?
- ✓ How does DOES publicize its One Stop services among people with disabilities?
- ✓ How does DOES educate employers about the benefits of hiring people with disabilities and the rights of employees with disabilities?
- ✓ How does DOES work with RSA to help individuals with disabilities find work?

Department of Health

GENERAL INFORMATION

Purpose: To promote healthy lifestyles, prevent illness, protect the public from threats to their health, and provide equal access to quality healthcare services for all in the District of Columbia.

Contact Information: 825 North Capitol Street, NE / Washington, DC 20002

Phone: (202) 671-5000

Website: <http://doh.dc.gov>

Director: Pierre Vigilance

Budget (FY2009): \$274,344,430 (Congressional) / \$268,059,288 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Health

Committee Chair: David A. Catania

Committee Members: Yvette Alexander, Mary Cheh, Marion Barry, Tommy Wells

Committee Contact: Jordan Hutchinson, Committee Clerk
John A. Wilson Building, Suite 115
(202) 724-8170 / jhutchinson@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Friday, February 27, 2009	Thursday, April 9, 2009
Time:	10:00 a.m. - END	10:00 a.m. - END
Location:	Room 500	Room 412
Contact for Testimony:	Jennifer Barry, (202) 724-8170, jbarry@dccouncil.us	

IMPORTANCE

People with DD need dependable, high quality health care in the community as well as affordable, comprehensive health insurance. Unfortunately, people with intellectual disabilities in particular have a higher risk of obesity, cardiovascular disease, osteoporosis, seizures, mental illness and behavior disorders, hearing and vision problems, and poor coordination and fitness.¹¹ Despite this, people with DD often face numerous barriers to accessing timely, quality health care.

DOH programs address many of the major needs and challenges confronting people with DD. Core services include community health services; addiction and recovery services; health regulation and licensing, HIV/AIDS services, immunization, nutrition, and professional licensing.

Department of Health

Community Health Administration (CHA)

GENERAL INFORMATION

Purpose:	To improve health outcomes for all residents of the District of Columbia with an emphasis on women, infants, children (including children with special health care needs) and other vulnerable groups such as those with a disproportionate burden of chronic disease and disability.
Relevant Services:	Perinatal and Infant Care Services; Child, Adolescent and School Health Services; Primary Care Bureau
Contact Information:	825 North Capitol Street, NE / Washington DC 20002
Phone:	(202) 442-5925
Senior Deputy Director:	Carlos Cano
Program Budget (FY2009):	\$82,168,000 (Congressional) / \$79,748,512 (adjusted, Nov. 2008)

QUESTIONS & ISSUES

- ✓ What is the status of the District's efforts to ensure that all children receive the full array of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) services?
- ✓ How does the Community Health Administration track and use newborn screening data to identify prevention strategies and service needs of children with disabilities?
- ✓ In completing the Child Health Certificate, what, if any, measures are taken to identify potential developmental disabilities?
- ✓ What formal structures has the Community Health Administration put in place for coordination with the early intervention services?
- ✓ With regard to school-based health clinics:
 - How many children were served in school-based health clinics in 2008?
 - What role do the clinics serve in screening and providing supports for children with disabilities?
 - Do school-based health clinics have sufficient resources to meet the need?
 - What partnerships exist with the public schools to increase capacity?

Department of Health Care Finance

GENERAL INFORMATION

Purpose: To ensure that comprehensive, cost-effective, quality healthcare services are provided for all residents of the District of Columbia that qualify for Medicaid or the Alliance (uninsured program for the District of Columbia residents).

Contact Information: 825 North Capitol Street, NE / Washington, DC 20002

Phone: (202) 442-5988

Website: <http://doh.dc.gov>

Director: Julie Hudman

Budget (FY2009): \$1,851,244,296 (Congressional) / \$1,834,134,462 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Health

Committee Chair: David A. Catania

Committee Members: Yvette Alexander, Mary Cheh, Marion Barry, Tommy Wells

Committee Contact: Jordan Hutchinson, Committee Clerk
John A. Wilson Building, Suite 115
(202) 724-8170 / jhutchinson@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Monday, March 9, 2009	Friday, April 3, 2009
Time:	10:00 a.m. - END	10:00 a.m. - END
Location:	Room 412	Room 500
Contact for Testimony:	Jennifer Barry, (202) 724-8170, jbarry@dccouncil.us	

IMPORTANCE

Medicaid is the District's primary funding source for services and supports for residents with DD and their families. As of October 1, 2008 responsibility for the District's Medicaid program was transferred from the Department of Health to the newly-formed Department of Health Care Finance (DHCF). During the first quarter of FY 2009, the DHCF initiated major reorganization and hiring to direct staffing and resources to priority areas.

The new DHCF must work closely with the Department on Disability Services, Developmental Disabilities Administration (DDA) to coordinate services for residents with DD. Under local law, DDA is charged with directing "policy development and design of services and supports" for Medicaid-funded services to residents with DD (D.C. Official Code § 7-761.07 (a)). Past gaps in communication between the two agencies often lead to serious problems for people served by DDA. For example, implementation of a new Medicaid transportation broker during FY 2008 failed to account for the unique needs of many people with intellectual and developmental disabilities. As a result, many people were terminated from needed transportation with little or no notice or due process opportunities. The recent settlement of a class action law suit filed against the District on this matter will allow a number of individuals the opportunity to ask for reinstatement of

their transportation. However, this comes after months of problems for people who missed essential medical appointments, work, and other activities.

During 2008, the District's Medicaid program worked closely with DDA on a variety of initiatives, including:

- ♦ Implementation of the District's Medicaid Home- and Community-Based Services waiver for residents with DD; and
- ♦ Implementing a five-year federal Money Follows the Person grant which will provide enhanced federal matching funds to help District residents move from Medicaid-funded institutions to the community. The grant includes helping 400 individuals with DD move out of Medicaid-funded Intermediate Care Facilities (ICFs/MR).

QUESTIONS & ISSUES

- ✓ With regard to the HCBS Medicaid waiver for residents with DD:
 - How is DHCF working with the Department on Disability Services (DDS) to fully implement the HCBS waiver?
 - For each waiver service, how many individuals are currently:
 - a) approved for the service; and
 - b) receiving the service?
 - For each waiver service, how many providers:
 - a) are currently providing the service;
 - b) were providing the service during FY 2008?
 - What is the status of the MOU between DHCF and DDS? Has the MOU been fully implemented?
- ✓ What is the status of efforts to create a new Medicaid waiver to provide services for children and adults with autism?
- ✓ What is the status of the District's Medicaid Money Follows the Person grant?
- ✓ What is the status of the new Medicaid transportation broker system, and what steps is DHCF taking to correct significant problems facing residents with DD in accessing transportation under the broker system?
- ✓ What performance measures will DHCF track for FY 2010 related to the MR/DD HCBS Waiver?
- ✓ Did DHCF apply for all relevant federal grant opportunities that could improve services for residents with DD during FY 2008?
- ✓ How does DHCF's current staffing support its workload related to managing and monitoring multiple Medicaid waivers? Is additional staff required?
- ✓ How will the federal stimulus package affect Medicaid revenues for FY 2009 and FY 2010?

Department of Housing and Community Development

GENERAL INFORMATION

Purpose: To create and preserve opportunities for affordable housing, promote economic development, and revitalize underserved communities in the District of Columbia.

Contact Information: 1800 Martin Luther King, Jr. Avenue, SE / Washington, DC 20020

Phone: (202) 442-7200

Website: <http://dhcd.dc.gov>

Director: Leila Finucane Edmonds

Budget (FY2009): \$101,400,796 (Congressional) / \$79,727,299 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Housing and Workforce Development

Committee Chair: Marion Barry

Committee Members: Harry Thomas Jr., Phil Mendelson, Jim Graham, Michael A. Brown

Committee Contact: Drew Hubbard, Committee Clerk
John A. Wilson Building, Suite 112
(202) 724-8198 / dhubbard@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, March 12, 2009	Wednesday, April 8, 2009
Time:	10:00 a.m. - END	10:00 a.m. - 2:00 p.m.
Location:	Room 412	Room 412
Contact for Testimony:	Drew Hubbard, (202) 727-8230, dhubbard@dccouncil.us	

IMPORTANCE

The District is currently working to help people with DD live in the community. If successful, this effort will increase the need for affordable, accessible housing for individuals with DD. The District's ongoing affordable housing crisis will make finding housing for persons receiving services under the Medicaid Waiver for individuals with DD particularly challenging. For example, the District's 2008 Fair Market Rent for a one-bedroom apartment was \$1,168 per month, as established by the U.S. Department of Housing and Urban Development; yet according to the Social Security Administration, the average Supplemental Security Income (SSI) payment in the District in 2007 was only \$467 per month.

Furthermore, much of the District's housing stock is inaccessible to people with physical disabilities. Recognizing this, both the District's Comprehensive Plan (Policy H-4.2.4) and the District's Comprehensive Housing Strategy Taskforce (Recommendation 4.8) establish a goal that 8% of the District's housing will be accessible to persons with physical disabilities.

QUESTIONS & ISSUES

- ✓ How is DHCD working with DDA to promote affordable, accessible housing for people with DD?
- ✓ What steps is DHCD taking to help realize the goal of 8% accessible housing?

Office of Human Rights

GENERAL INFORMATION

Purpose: To eradicate discrimination, increase equal opportunity, and protect human rights in the city.

Contact Information: 441 4th Street, NW, Suite 570 North/ Washington, DC 20001

Phone: (202) 727-4559

Website: <http://ohr.dc.gov>

Director: Gustavo F. Velasquez

Budget (FY2009): \$3,217,585 (Congressional) / \$3,211,386 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Aging and Community Affairs

Committee Chair: Yvette M. Alexander

Committee Members: Jim Graham; Mary M. Cheh; Harry Thomas, Jr.; Michael A. Brown

Committee Contact: Victor A. Bonett, Committee Clerk
John A. Wilson Building, Suite 17
(202) 724-2110 / ybonett@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Monday, March 16, 2009	Monday, March 30, 2009
Time:	12:30 p.m. - 1:30 p.m.	12:00 p.m. - 12:30 p.m.
Location:	Room 412	Room 412
Contact for Testimony:	Victor Bonett, (202) 741-2112, vbonett@dccouncil.us	

IMPORTANCE

The Office of Human Rights (OHR) is the District's lead agency charged with investigating complaints of unlawful discrimination in employment, housing, public accommodations (such as restaurants, banks, hospitals etc.), and educational institutions. Under the District's *Human Rights Act*, OHR is able to investigate many kinds of discrimination, including discrimination against people with disabilities. OHR's services include a mandatory mediation program for all complaints. OHR can also refer complaints for legal action to the DC Office of the Attorney General.

Under the *Disability Rights Protection Act of 2006*, OHR can receive cases from the new DC Office of Disability Rights. Because of their complementary mandates, the two agencies will need to work closely together under an interagency agreement.

QUESTIONS & ISSUES

- ✓ How many disability rights cases did District residents file with OHR in 2008?
- ✓ What are the most frequent types of disability rights cases filed with OHR?
- ✓ How are disability rights cases where OHR finds probable cause of discrimination by the District government enforced?
- ✓ How does OHR work with the new Office of Disability Rights?

Department of Human Services

GENERAL INFORMATION

Purpose: To coordinate and provide a range of services that collectively create the enabling conditions for economically and socially challenged residents of the District of Columbia to enhance their quality of life and achieve greater degrees of self-sufficiency.

Contact Information: 64 New York Avenue, 6th Floor / Washington, DC 20002

Phone: (202) 671-4200

Website: <http://dhs.dc.gov>

Director: Clarence H. Carter

Budget (FY2009): \$350,285,459 (Congressional) / \$339,844,759 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Human Services

Committee Chair: Tommy Wells

Committee Members: Muriel Bowser, Phil Mendelson, Marion Barry, Michael A. Brown

Committee Contact: Adam Maier, Committee Clerk
John A. Wilson Building, Suite 117
(202) 724-8191 / amaier@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, February 19, 2009	Wednesday, March 25, 2009
Time:	1:00 p.m. - End	1:00 p.m. - End
Location:	Room 412	Room 412
Contact for Testimony:	Vivian McCarter, (202) 724-8191, vmccarter@dccouncil.us	

IMPORTANCE

During 2007 both the Rehabilitation Services Administration and the Developmental Disabilities Administration moved from the Department on Human Services (DHS) to the Department on Disability Services (DDS).

Despite this shift, DHS remains a key agency for residents with DD. As one of the District's lead social service agencies, virtually all DHS services affect people with DD and their families in one way or another. DHS also continues to house the Developmental Disabilities Council, a federally-mandated council charged with advocating with and on behalf of residents with DD.

Ensuring that the various DHS programs operate in a comprehensive, accessible, effective, and inclusive manner is essential so that people with disabilities can receive the services and supports needed to live, work and prosper in the community. Coordination with DDS, the District's Medicaid program, and other agencies which serve residents with DD will also be increasingly important in 2010 as government agencies continue to restructure their programs.

Department of Human Services

Family Services Administration

GENERAL INFORMATION

Purpose: To help homeless individuals and families, low-income people, adults at-risk for abuse or neglect, teenage parents, troubled families, and refugees to gradually become stable and fully self-sufficient through an array of social services, assessments, and case-management and crisis-intervention services.

Relevant Services: Homeless Services, Adult Protective Services

Program Administrator: Fred Swan

Program Budget (FY2008): \$21,705,000 (Congressional) / \$21,590,254 (adjusted, Nov. 2008)

IMPORTANCE

FSA operates the District's shelter and transitional housing programs for individuals and families who are homeless. Estimates by groups such as The National Healthcare for the Homeless Council suggest that at least 30% of the homeless population has a disability. Although the exact numbers of people with DD who are homeless are unknown, shelter providers report periodically encountering individuals who appear to have intellectual disabilities.

Often, shelter staffs report that they lack the knowledge and skills to work with adults with DD. Similarly, many homeless families have children with disabilities and need specific services to support them in finding and maintaining permanent housing.

Additionally, access to the District's shelters for people with physical disabilities is woefully inadequate. Access problems are so widespread that in 2007, the U.S. Department of Justice launched a first-in-the-nation investigation of accessibility in DC homeless shelters. Of the District's 36 shelters, DOJ found 10 to be inaccessible to people with disabilities; not a single shelter was found to be fully accessible. Fortunately, in December, DOJ and the District reached a settlement in this case which sets clear guidelines for steps the District will take to make shelters physically accessible and to provide the training and technical assistance needed by shelter staff to assist people with disabilities.

QUESTIONS & ISSUES

- ✓ How often do shelters encounter children and adults with disabilities, and what kinds of disabilities – including DD – are most common?
- ✓ What trainings do shelter staff and street outreach staff receive on working with individuals with DD and on information and referral options?
- ✓ What additional interagency partnerships and resources might enhance FSA's ability to serve children and adults with DD who are homeless?
- ✓ What capital spending does FSA anticipate to make shelters ADA compliant in accordance with the DOJ settlement?
- ✓ What steps is FSA taking to make all shelters accessible for people with disabilities?

Department of Human Services

Income Maintenance Administration (IMA)

GENERAL INFORMATION

Purpose: To determine the eligibility of recipients for Federal and District-funded assisted programs and to help head of household receiving TANF benefits to become employed and financially independent.

Relevant Services: Income Assistance, Temporary Assistance to Needy Families (TANF), Case Management Services

Interim Administrator: Deborah Carroll

Program Budget (FY2009): \$242,070,000 (Congressional) / \$212,605,294 (adjusted, Nov. 2008)

IMPORTANCE

Parents of children with DD who are eligible for Temporary Aid to Needy Families (TANF) need access to appropriate childcare and should have requirements that are realistic and reflect their responsibilities as parents of children with disabilities. Parents with disabilities who apply for TANF should receive appropriate screening and referral services.

QUESTIONS & ISSUES

- ✓ How does IMA screen TANF applicants for potential disabilities, including DD?
- ✓ How does IMA ensure that the employment and healthcare provisions of TANF provide flexibility to support working parents of children with disabilities?
- ✓ How will federal TANF reauthorization affect the District's ability to assist parents of children with disabilities?

Department of Mental Health

GENERAL INFORMATION

Purpose: To support prevention, resiliency and recovery for District residents in need of public mental health services.

Contact Information: 64 New York Avenue, NE, 4th Floor / Washington, DC 20002

Phone: (202) 673-7440 or 1-888-7-WE HELP

Website: <http://dmh.dc.gov>

Director: Stephen T. Baron

Budget (FY2009): \$231,834,879 (Congressional) / \$228,485,704 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Health

Committee Chair: David A. Catania

Committee Members: Marion Barry, Tommy Wells, Mary M. Cheh, Yvette Alexander

Committee Contact: Jordan Hutchinson, Committee Clerk
John A. Wilson Building, Suite 115
(202) 724-8170 / jhutchinson@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, February 19, 2009	Monday, March 30, 2009
Time:	10:00 a.m. - END	10:00 a.m. - END
Location:	Room 500	Room 500
Contact for Testimony:	Jennifer Barry, (202) 724-8170, jbarry@dccouncil.us	

IMPORTANCE

Estimates of the prevalence of mental illness among adult U.S. residents with intellectual disabilities vary from 10% to 39%.¹² In general, adults with intellectual disabilities appear more likely to have certain types of mental disorders, including anxiety and psychotic disorders.¹³ As residents with DD increasingly live in the community, they will need to be able to access DMH community-based programs. In particular, DMH's Assertive Community Treatment teams, which provide intensive mobile clinical services including crisis assessment and intervention, could play a major support role when needed, and/or serve as a model for the interagency development of additional services and supports.

QUESTIONS & ISSUES

- ✓ How many residents does DMH estimate have a dual diagnosis of mental illness and DD? How does DMH track the numbers of individuals with DD served each year?
- ✓ What formal structures are in place for coordination with the Department on Disability Services, regardless of which agency a person first seeks services from?
- ✓ What DMH programs currently serve residents with DD? Are more programs and resources needed to be able to effectively serve this population?
- ✓ How can DMH partner with DDS to recruit and support existing and new mental health professionals who want to work with people with DD?

Office of the State Superintendent of Education

GENERAL INFORMATION

Purpose: To ensure educational excellence to all District residents through exceptional leadership and service.

Contact Information: 441 4th Street, NW, Suite 350 North, Washington, DC 20001

Phone: (202) 727-6436

Website: <http://www.osse.dc.gov>

Director: Deborah Gist

Budget (FY2009): \$389,049,275 (Congressional) / \$379,608,039 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee of the Whole (all Councilmembers)

Committee Chair: Vincent C. Gray

Committee Contact: Christopher Murray, Committee Clerk
John A. Wilson Building, Suite 410
(202) 724-8032 / cmurray@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, March 12, 2009	Thursday, April 2, 2009
Time:	12:00 p.m. - 3:00 p.m.	12:00 p.m. - 4:00 p.m.
Location:	Room 500	Room 500
Contact for Testimony:	Aretha Latta, (202) 724-8196, alata@dccouncil.us	

IMPORTANCE

The Office of the State Superintendent of Education (OSSE) serves as the state education agency (SEA) overseeing all public education in the District, including: Public Charter Schools, District of Columbia Public Schools, and nonpublic placements as well as early care and education, early intervention, adult and family education, higher education financial services, and education licensing and accreditation. The DC State Board of Education is responsible for advising the State Superintendent of Education on educational matters. OSSE and the State Board of Education was created by the *Public Education Reform Act of 2007* (DC Law 17-9, effective June 12, 2007).

As a new agency, OSSE can and should take the lead in making sure that students with disabilities are receiving the highest quality education in the least restrict setting. OSSE has the responsibility to ensure compliance of local education agencies (LEA) to the federal special education law, *Individuals with Disabilities Education Act* (IDEA). OSSE also maintains a data and monitoring system, which is currently being piloted and will be rolled out for the beginning of SY 2009/2010. The ability to manage and share data is paramount in making sure policies and procedure best support the needs of students, and monitoring systems will help OSSE in benchmarking its current levels and planning for the future. Because of noncompliance with federal regulations and reporting requirements in the past, OSSE is currently considered a “high risk grantee” for some of its federal grants by the US Department of Education. Additionally, OSSE has faced staffing shortages, particularly in the areas of special education. Ultimately, OSSE has

oversight power to be able to set state level policies and regulations that LEAs must follow when educating all students, especially students with disabilities.

The following chart provides budget information relating to special education. The funds come from a variety of different programs and activities, so it is difficult to determine the exact budget of the Office of Special Education Programs, which houses early intervention services for infants and toddlers with disabilities birth to three as well as school and transition supports.

Programs and Activities Relating to Special Education	2009 Budget
Special Ed Reform-Blackman Jones (Superintendent Office)	\$13,472,000
Early Care & Education Administration (Teaching & Learning)	\$85,943,000
Special Education (Teaching & Learning)	\$22,319,000
Special Education Compliance & Monitoring (Teaching & Learning)	\$11,000
Special Education State Complaints (Teaching & Learning)	\$154,000
Special Education Training & Technical Assistance (Teaching & Learning)	\$296,000
Special Education Attorney Fees (Teaching & Learning)	\$8,091,000
Student Hearing Office (Compliance)	\$3,095,000
TOTAL	\$133,381,000

QUESTIONS & ISSUES

- ✓ How does OSSE ensure compliance by LEAs to the federal *Individuals with Disabilities Education Act* (IDEA)?
- ✓ How is OSSE working toward more compliant federal monitoring and reporting requirements?
- ✓ What are the ramifications of LEAs not following OSSE’s policies?
- ✓ How is OSSE working to keep students with disabilities in the least restrictive environment?
- ✓ Does OSSE have the resources to support a full staff within the agency?
- ✓ How does OSSE support DCPS and PCS in serving students with disabilities?
- ✓ What training, technical assistance, and professional development opportunities are available for teachers, principals, administrators, and related service providers for how to teach and support students with disabilities?
- ✓ What authority does OSSE have over Public Charter Schools?
- ✓ What authority does OSSE have over nonpublic placement schools?
- ✓ With regard to early intervention services:
 - How many infants and toddlers with disabilities did the early intervention program serve in 2008?
 - Does the early intervention program have the capacity to meet current needs?
 - Why is there no state/local funding for early intervention services?
 - How does the definition of “developmental delay” affect eligibility for early intervention? How would a broader definition improve Infants and Toddlers with Disabilities Division’s (ITDD) ability to serve children with disabilities?
 - How does ITDD ensure smooth transitions from early intervention to school?
 - How does ITDD coordinate early intervention services with Head Start?
 - How does ITDD track the developmental gains of infants and toddlers with disabilities while receiving early intervention services and beyond?

QUESTIONS & ISSUES (continued)

- ✓ With regard to the Early Care and Education Administration:
 - How many inclusive childcare and after-school programs are in the District, and what is the capacity of each center and/or family child care?
 - How are childcare providers trained on working with children with disabilities?
 - How does the current reimbursement rate prohibit centers and family childcare providers from providing services to children and youth with disabilities?
 - How do parents of children with disabilities learn about childcare vouchers?
 - What screening measures and/or trainings are in place to help child care providers identify the presence of disabilities?

Department of Parks & Recreation

GENERAL INFORMATION

Purpose: To plan, preserve, and enhance the District's open space and recreational amenities, to leverage these resources to provide a diverse array of recreational programs, and to promote participation by bridging cultural, physical, and economic gaps.

Contact Information: 3149 16th Street NW / Washington, DC 20010

Phone: (202) 673-7647

Website: <http://dpr.dc.gov>

Director: Clark E. Ray

Budget (FY2009): \$59,567,734 (Congressional) / \$57,638,166 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Libraries, Parks and Recreation

Committee Chair: Harry Thomas, Jr.

Committee Members: Yvette Alexander, David A. Catania, Phil Mendelson, Kwame Brown

Committee Contact: Neil Rodgers
John A. Wilson Building, Suite 113
(202) 724-8204 / nrogers@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Wednesday, February 18, 2009	Wednesday, March 25, 2009
Time:	10:00 a.m. - End	10:00 a.m. - End
Location:	Room 412	Room 500
Contact for Testimony:	Susan Nix, (202) 724-8107, snix@dccouncil.us	

IMPORTANCE

All people deserve the opportunity for a full life in the community where they can live, learn, work, and enjoy recreational opportunities through all stages of life. People of all ages with disabilities should be able to enjoy recreational and leisure activities which promote social interaction and friendships. For people with DD, recreation and physical fitness can also play an important role in maintaining health. Several studies have shown that people with DD have significantly lower fitness levels than the general population, and some experts consider physical inactivity a major health risk among people with developmental disabilities.¹⁴

Department of Parks & Recreation

Recreational Programs

GENERAL INFORMATION

Purpose: To provide specialized recreation, outreach, education, and cultural arts programs to District residents and visitors, from early childhood to senior citizen so that they have access to new learning opportunities, enhanced physical and mental well-being, and participation with the community.

Relevant Services: Senior Services, Therapeutic Recreation, Childcare Program, SCORE Program

Program Budget (FY2009): \$33,039,000 (Congressional) / \$31,793,288 (adjusted, Nov. 2008)

QUESTIONS & ISSUES

- ✓ On average, how many individuals with DD (children, youth and adults) does DPR estimate serving annually in each of its recreation services?
- ✓ How does DPR accommodate the individual needs of children and adults with DD who wish to participate in its programs?
 - Are DPR's before- and after-school programs accessible to children with DD?
 - What training does DPR staff receive on working with individuals with DD?
 - What resources are currently available to DPR to assist people with DD?
 - Are current resources sufficient?
- ✓ Are there opportunities for interagency or community collaborations to ensure access to DPR services for individuals with DD? For example:
 - How does DPR coordinate with public schools to provide a range of recreation and sports activities for children with DD?
 - Is there collaboration with the Special Olympics for the purposes of planning and expansion?
- ✓ How is DPR's transition to a fee-for-service model affecting the ability of individuals with disabilities, particularly individuals with fixed incomes, to access DPR programs?
- ✓ What measures is DPR taking to enhance and maintain accessibility features at recreation centers?
- ✓ What measures is DPR taking to inform the community, including individuals with DD and their families, about programs and activities?
- ✓ How does DPR seek feedback from families and individuals with DD on its programs?

DC Public Libraries

Adaptive Services Division

GENERAL INFORMATION

Purpose: The Adaptive Services Division (ASD) helps make the District of Columbia Public Library a leading resource for people with disabilities, for the deaf community and for DC's multifaceted society of older adults, veterans, and injured servicemen and servicewomen of the United States Armed Forces.

Contact Information: 901 G Street, NW / Washington, DC 20001

Phone: (202) 727-2142

Website: <http://dcpl.dc.gov>

Adaptive Services Chief: Venetia Demson

Budget (FY2009): \$1,282,145 (Congressional) / \$1,282,145 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Libraries, Parks and Recreation

Committee Chair: Harry Thomas, Jr.

Committee Members: Yvette Alexander, David A. Catania, Phil Mendelson, Kwame Brown

Committee Contact: Neil Rodgers
John A. Wilson Building, Suite 113
(202) 724-8204 / nrogers@dccouncil.us

HEARING INFORMATION (for DC PUBLIC LIBRARY)

	OVERSIGHT	BUDGET
Date:	Monday, March 16, 2009	Friday, April 24, 2009
Time:	10:00 a.m. - End	10:00 a.m. - End
Location:	Room 500	Room 412
Contact for Testimony:	Susan Nix, (202) 724-8107, snix@dccouncil.us	

IMPORTANCE

The DC Public Library, Adaptive Services Division (ASD) operates several key programs for residents with disabilities. The Adaptive Technology Program helps people with disabilities use library materials and resources. The DC Regional Library for the Blind and Physically Handicapped provides books, magazines, newspapers and other materials in accessible formats. Library Service to the Deaf Community offers free American Sign Language classes and deaf culture programs, as well as resources by and about the deaf community. Homebound Services helps DC residents who are homebound on a temporary or permanent basis because of age or physical disability or illness access library materials. Older Adult Services reaches residents of DC's retirement homes, nursing homes, and senior wellness and recreation centers with special library programs and services.

QUESTIONS & ISSUES

- ✓ What, if any, additional resources would help the ASD enhance its outreach and services to residents with disabilities?

DC Public Charter Schools

GENERAL INFORMATION

Purpose: To provide an alternative free education for students who reside in the District of Columbia.

Contact Information: 3333 14th Street, NW, Suite 210 / Washington, DC 20010

Phone: (202) 328-2660

Website: <http://www.dcpubliccharter.com>

Director: Josephine Baker

Budget (FY2009): \$366,052,576 (Congressional) / \$366,052,576 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee of the Whole (all Councilmembers)

Committee Chair: Vincent C. Gray

Committee Contact: Christopher Murray, Committee Clerk
John A. Wilson Building, Suite 410
(202) 724-8032 / cmurray@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Thursday, March 5, 2009	Thursday, April 2, 2009
Time:	4:00 p.m. - END	4:00 p.m. - END
Location:	Room 500	Room 500
Contact for Testimony:	Aretha Latta, (202) 724-8196, alaTta@dccouncil.us	

IMPORTANCE

Charter schools are independently-operated public schools and serve as their own local education agency (LEA), unless a charter school chooses DCPS to be its LEA. District Public Charter Schools are overseen by the Public Charter School Board.

Like their counterparts in other public schools, students with DD in public charter schools must be educated in accordance with the federal *Individuals with Disabilities Education Act* (IDEA), which states that students with disabilities should receive a free and appropriate education in the least restrictive environment. Students with disabilities should learn in inclusive settings with peers of the same age and should receive individualized supports and services to promote quality education and post-graduation opportunities. Students with DD should be taught by trained educators and support personnel with an appropriate staff-to-student ratio.

QUESTIONS & ISSUES

- ✓ Do students with disabilities have full access to public charter schools?
- ✓ What supports do public charter schools need to have to be able to support the needs of students with disabilities?
- ✓ Where do public charter schools send students serving long-term suspensions?
- ✓ If charter schools close, what plans are in place to ensure a seamless transition for students to another school?
- ✓ How can funding streams for special education services for charter schools be strengthened to better support students with disabilities?

DC Public Schools

GENERAL INFORMATION

Purpose: To educate all children in the District of Columbia, providing the knowledge and skills they need to achieve academic success and choose a rewarding professional path.

Contact Information: 825 North Capitol Street, NE / Washington, DC, 20002

Phone: (202) 442-5635

Website: www.k12.dc.us

Chancellor: Michelle Rhee

Budget (FY2009): \$762,573,263 (Congressional) / \$737,573,263 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee of the Whole (all Councilmembers)

Committee Chair: Vincent C. Gray

Committee Contact: Christopher Murray, Committee Clerk
John A. Wilson Building, Suite 410
(202) 724-8032 / cmurray@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Wednesday, March 11, 2009	Thursday, April 9, 2009
Time:	10:00 a.m. - END	10:00 a.m. - END
Location:	Room 500	Room 500
Contact for Testimony:	Aretha Latta, (202) 724-8196, alatta@dccouncil.us	

IMPORTANCE

The federal *Individuals with Disabilities Education Act* (IDEA) requires states to protect the rights of, meet the individual needs of, and improve the educational results of infants, toddlers, children and youth with disabilities and their families. As envisioned in IDEA, public schools should educate students with disabilities in the least restrictive environment with peers of the same age and should provide the necessary supplementary supports and aids to promote quality education and post-graduation opportunities. Students with disabilities should be included in general education classrooms and taught by trained educators and support personnel with an appropriate staff-to-student ratio.

Unfortunately, DCPS has a demonstrated, ongoing inability to assist children with disabilities within the public school system. For School Year (SY) 2008/2009, DCPS is currently serving 13,606 students with Individualized Education Programs (IEPs). This represents 25 percent of the total DCPS enrollment. Of students with disabilities, approximately 43 percent have learning disabilities, 17 percent have emotional disabilities and 10 percent have an intellectual disability. Also during SY 2008/2009, 18 percent of DCPS' special education students – more than 2,400 – were placed in nonpublic schools because public schools were unable to meet their needs.¹⁵

Whether youth exit the schools with a diploma or a certificate, all youth with disabilities can benefit from transition planning as required under IDEA. Unfortunately, transition services for

students with disabilities have not been a high priority. As a result, many students graduate without a plan for work or post-graduation training, services, or educational opportunities. Furthermore, many students with disabilities do not graduate.

During 2007, Mayor Fenty and the DC Council placed a high priority on school reform, enacting landmark legislation to transfer control of the schools from the DC School Board to the Mayor (*Public Education Reform Amendment Act of 2007*; DC Law 17-9; effective June 12, 2007). In November, Mayor Fenty announced a comprehensive school consolidation and reorganization plan. According to the Mayor's press release, inclusion and integration of special education is a major component of this proposal and will be achieved through "the development of lab schools that model instructional excellence and serve as professional development centers to improve teacher practice."¹⁶ For SY 2008/2009, DCPS has piloted a Schoolwide Application Model (SAM) program to foster inclusion through differentiated instruction in 8 elementary schools. DCPS also is using full-service school models in 8 of its middle schools to help provide students with wraparound services and support their socio-emotional needs. DCPS hopes that these reforms will help decrease the need for students to attend non-public schools.

Achieving meaningful, quality inclusion of students with disabilities will not be easy. It will require both significant programmatic changes as well as steps to make school buildings fully accessible for students with disabilities. Currently many schools lack accessible entrances, classrooms, restrooms and other areas. Facilities need to be modernized to be able to accommodate all students, especially students with disabilities, and should also incorporate facilities design to support inclusion such as larger classroom space to allow for co-teaching and breakout space. School modernizations, specifically the Masters Facilities Plan, must include provisions for making schools accessible and supportive of inclusion.

DC Public Schools

Office of Special Education

GENERAL INFORMATION

Purpose: To provide special education and related services in accordance with local and federal law for students with disabilities so that they will be able to benefit from their education and maximize their ability to be full and active members of society.

Deputy Chancellor: Richard Nyankori, PhD

Program Budget (FY2009): \$90,959,000 (Congressional) / \$90,958,543 (adjusted, Nov. 2008)

QUESTIONS & ISSUES

- ✓ What is the status of current efforts to provide inclusive education opportunities for students with disabilities to be educated with their peers without disabilities?
 - What are the key principles for inclusion from the DCPS' perspective, and what does inclusion mean?
 - What is the timeframe for inclusion?
 - Are any separate special education centers going to exist?
 - Is there going to be additional training and credentialing in place for general education teachers to be able to best teach students with disabilities?
 - Will there be training for teachers, administrators, principals, and related service providers around effective inclusion and what it means?
 - How will DCPS get buy in from parents and students who do not support inclusion because of unsafe conditions in general education environments?
 - How are facilities and facilities modernizations taking into account inclusion?
 - What barriers exist to increasing the schools' capacity for inclusive education?
- ✓ With regard to transition services:
 - What services are available for children transitioning from early intervention (birth to three years) to the public schools?
 - What services are available for students with disabilities transitioning between elementary and middle school?
 - What transition services are available for high school students with disabilities? How do the schools coordinate with the Rehabilitation Services Administration to ensure transition planning for post-secondary educational and vocational rehabilitation services?
 - What training/opportunities are in place while students are in school to help them prepare for post-secondary educational or vocational opportunities?
 - How many students receiving special education services receive diplomas as opposed to certificates upon graduation? How do certificates affect students' work and other postsecondary opportunities?

QUESTIONS & ISSUES (continued)

- ✓ How do parents of children with disabilities learn about available services, the Individualized Education Program (IEP) process, and their rights?
- ✓ What measures are taken to individualize plans, including transition plans?
- ✓ How do the schools train staff to accurately identify possible DD? Is there staff training to ensure that the appropriate school personnel is familiar with the *Individuals with Disabilities Education Act*?
- ✓ How do the public schools help students with disabilities access physical therapy, speech and language therapy, and other supports? What competency standards do the public schools apply to these related service providers?

Office of the Tenant Advocate

GENERAL INFORMATION

Purpose: To advocate for the rights and interests of the tenants of the District, and to educate and inform tenants, tenant organizations and the people of the District about tenant-related laws, rules and policy matters.

Contact Information: 941 North Capitol Street, NE Suite 9500 / Washington, DC 20002
Phone: (202) 442-8359

Website: <http://ota.dc.gov>

Director: Johanna Shreve

Program Budget (FY2009): \$2,652,316 (Congressional) / \$2,530,339 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Public Services and Consumer Affairs

Committee Chair: Muriel Bowser

Committee Members: Mary M. Cheh; Jim Graham; Harry Thomas, Jr.; Michael A. Brown

Committee Contact: Spencer A. Maguire, Committee Clerk
John A. Wilson Building, Suite 108
(202) 724-4902 / smaguire@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Wednesday, March 11, 2009	Wednesday, April 1, 2009
Time:	10:00 a.m. - 12:00 p.m.	10:00 a.m. - 12:00 p.m.
Location:	Room 412	Room 500
Contact for Testimony:	Spencer Maguire, (202) 724-8052, smaguire@dccouncil.us	

IMPORTANCE

For people with DD to live in the most inclusive community setting as required under the federal *Americans with Disabilities Act* and the Supreme Court's Olmstead decision, they must be afforded the same rights and protections as all DC residents. As people with DD live independently in apartments in greater numbers, safeguarding their rights as tenants will become increasingly important.

QUESTIONS & ISSUES

- ✓ What steps is OTA taking to support the rights of tenants with DD and other disabilities?
- ✓ How does OTA work with the Department on Disability Services (DDS) and the Office of Disability Rights (ODR)?
- ✓ Are there opportunities for OTA to collaborate with DDS, ODR, and community partners to educate people with disabilities and landlords about the rights of tenants with disabilities?
- ✓ How are tenants with disabilities represented on the Tenant Advisory Council?
- ✓ How will OTA ensure access for people with disabilities to the planned Tenant Center, which will include a comprehensive library on landlord/tenant legal matters?

Department of Youth Rehabilitation Services

GENERAL INFORMATION

Purpose: To improve public safety and give court-involved youth the opportunity to become more productive citizens by building on the strengths of youth and their families in the least restrictive, most homelike environment consistent with public safety.

Contact Information: 1000 Mt. Olivet Road NE / Washington, DC 20002

Phone: (202) 576-8175

Website: <http://dyrs.dc.gov>

Director: Vincent N. Schiraldi

Budget (FY2009): \$82,243,068 (Congressional) / \$81,565,582 (adjusted, Nov. 2008)

DC COUNCIL INFORMATION

Committee of Jurisdiction: Committee on Human Services

Committee Chair: Tommy Wells

Committee Members: Muriel Bowser, Phil Mendelson, Marion Barry, Michael A. Brown

Committee Contact: Adam Maier, Committee Clerk
John A. Wilson Building, Suite 117
(202) 724-8191 / amaier@dccouncil.us

HEARING INFORMATION

	OVERSIGHT	BUDGET
Date:	Wednesday, March 11, 2009	Monday, April 6, 2009
Time:	10:00 a.m. - End	10:00 a.m. - 2:00 p.m.
Location:	Room 123	Room 500
Contact for Testimony:	Vivian McCarter, (202) 724-8191, vmccarter@dccouncil.us	

IMPORTANCE

DYRS provides community services – including mentoring, substance abuse treatment, after-school enrichment, home-based counseling, and individual counseling – for youth committed to the community’s care and/or custody. The DYRS Intensive Supervision Services Program provides a concentrated level of home detention supervision for youth permitted to remain at home while pending trial or disposition. DYRS also operates two secure facilities for committed youth (Oak Hill and the Youth Services Center) and the Trudie Wallace Pre-Release House.

QUESTIONS & ISSUES

- ✓ How many youth with disabilities did DYRS serve in FY 2008?
- ✓ How does DYRS screen and accommodate youth with disabilities?
- ✓ What supports does DYRS provide to youth with disabilities to assist with transition planning?
- ✓ How does DYRS collaborate with the Department on Disability Services, the Department of Employment Services, the Department of Mental Health, and the DC Public Schools and Public Charter Schools to ensure that youth with disabilities leaving the DYRS system will have training and supports?

APPENDIX A: DC Council Contact Information

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APPENDIX B:
Executive Branch Key Contact Information

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Dan Tangherlini

City Administrator

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Neil Albert

Deputy Mayor for Planning and Economic Development

John A. Wilson Building
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Victor Reinoso

Deputy Mayor for Education

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<http://dme.dc.gov>

APPENDIX C: Online Resources

Americans with Disabilities Act

www.usdoj.gov/crt/ada/adahom1.htm and <http://www.adawatch.org/>

The Arc of the District of Columbia

www.arcdc.net

The Arc of the United States

www.thearc.org

Centers for Medicare and Medicaid Services

Home and Community Based Services Waivers

www.cms.hhs.gov/MedicaidStWaivProgDemoPGI/

Council of the District of Columbia

www.dccouncil.us

Government of the District of Columbia

www.dc.gov

Budget Information for the Public <http://budget.dc.gov>

Office of the Chief Financial Officer (proposed and approved budgets) <http://cfo.dc.gov>

CapStat (agency performance accountability system) <http://capstat.oca.dc.gov>

Agency Performance Plans <http://capstat.oca.dc.gov/PerformanceIndicators.aspx>

DC Fiscal Policy Institute

www.dcfpi.org

A Guide to Disability Rights Law, U.S. Department of Justice

<http://www.usdoj.gov/crt/ada/cguide.htm>

Olmstead v. L.C.

<http://supct.law.cornell.edu/supct/html/98-536.ZS.html>

REFERENCES

District of Columbia Agency Performance Plans

Available at <http://capstat.oca.dc.gov>.

Endnotes

¹ *Issues in the Spotlight: Reform efforts at the Department on Disability Services*. District of Columbia government CapSTAT web site, <http://capstat.oca.dc.gov/IssuesintheSpotlight2.aspx>, accessed on February 2, 2009.

² Research and Training Center on Community Living, Institute on Community Integration/UCEDD, College of Education and Human Development (2008). *Residential Services for Persons with Developmental Disabilities: Status and Trends Through 2007*. Minneapolis, MN: University of Minnesota.

³ Defined in 28 C.F.R. 35 Pt. 35 App. A 35.130.

⁴ “Latinos with Mental Retardation in the District of Columbia” (October 25, 2005). Statement of Virginia Schofield before the DC Council Committee on Human Services.

⁵ U.S. Census Bureau, Current Population Estimates Program, and “Introduction to Mental Retardation” (2004). The Arc of the U.S., <http://www.thearc.org/faqs/intromr.pdf>.

⁶ *Developmental Disabilities Services Management Reform Amendment Act of 2006*, DC Law 16-264, effective March 14, 2007.

⁷ “Employment of People with Mental Retardation.” Fact Sheet, The Arc of the United States.

⁸ DC Workforce Investment Council. (2007). *The District of Columbia’s Strategic Two-Year Workforce Investment Plan for Title I of the Workforce Investment Act of 1998 and the Wagner-Peyser Act for the Period of July 1, 2007 to June 30, 2009*. <http://does.dc.gov/does/cwp/view.a.1233.q.638382.asp>.

⁹ Inclusion Research Institute (2005). *District of Columbia One Stop Career Centers: An Analysis of Knowledge and Utilization by People with Disabilities*. Washington, DC.

¹⁰ Kaye, H.S. (2001), *Disability Watch, Volume 2: The status of people with disabilities in the United States*. Oakland: Disability Rights Advocates.

¹¹ Statement of David Satcher, M.D., Ph.D., Surgeon General, U.S. Public Health Service, Department of Health and Human Services, on the Special Hearing on Promoting Health for People with Mental Retardation before the U.S. Senate Committee on Appropriations, Anchorage, AK, March 5, 2001.

¹² Kerker, B.D.; Owens, P.L.; Zigler, E. and Horwitz, S.M. (2004). Mental health disorders among individuals with mental retardation: Challenges to accurate prevalence estimates. *Public Health Reports*, Vol. 119, pp. 409 – 417.

¹³ Ibid.

¹⁴ Rimmer, J.H. (1996). *Physical Fitness in People with Mental Retardation*. Chicago, IL: Northern Illinois University & The University of Illinois at Chicago. <http://www.thearc.org/faqs/fitness.html>.

¹⁵ Testimony of Richard Nyankori, Deputy Chancellor for Special Education, DC Council, Committee of the Whole Public Oversight Roundtable on the State of Special Education and the Strategy for Inclusion, 12/12/08.

¹⁶ District of Columbia Public Schools (2007). “Fenty, Rhee, Reinoso Introduce New School Initiatives to Renew, Revitalize and Reorganize DCPS.”

<http://www.k12.dc.us/media/PressReleases/DCPSNewProgramsAndConsolidations.pdf>.

About The Arc of the District of Columbia

The Arc of the District of Columbia, Inc., (“The Arc of DC”) is a private, non-profit 501(c)(3) membership organization serving persons with mental retardation and related developmental disabilities and their families in the District of Columbia. The Arc of DC has been in the forefront of advocacy and service delivery in Washington, DC since its founding in 1950. The Arc of DC is a state chapter of The Arc of the United States.

OUR MISSION

Our mission is to improve the quality of life of all persons with mental retardation and their families through supports and advocacy.

OUR VISION

We envision a society in which individuals with mental retardation exercise their rights and are afforded a full set of opportunities and choices that enable them to contribute and have impact in the community.

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