



Area 4 Developmental Disabilities Board

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1.

Area 4 Board Public Meeting

6:00 pm, Wednesday, December 15, 2010

Room 204 (upstairs)

Napa Valley Unified School District (NVUSD)

2425 Jefferson Street, Napa, CA

Presentations will be made on special education and on self advocacy. The public is encouraged to attend!

- Adam Stein, Director of Special Education for NVUSD, will speak on the effect of the State Budget on special education funding; and, give an overview of NVUSD's learning center and co-teach programs.
- Joe Meadours, Executive Director of People First of California Inc., will explain how his organization supports individuals and groups to organize and advocate. *"People First is run BY and is FOR people with developmental disabilities."*

The Agenda is posted at www.scdd.ca.gov.

2.

State Budget Update

A flurry of activity occurred this week in the State Capitol over the State Budget.

The Legislative Analyst's Office (LAO), a nonpartisan office which provides fiscal and policy information and advice to the Legislature, estimates the State Budget deficit for the current fiscal year (2011-12) at \$6.1 billion, and the deficit for the next fiscal year (2011-12) at \$19.3 billion, for a total of almost \$25.4 billion through June, 2012.

Governor Schwarzenegger declared a fiscal emergency, called the new Legislature into special session on December 6th, and presented proposals totaling \$9.9 billion to deal with part of the deficit. The proposals were ones he made earlier in the year that had been rejected previously by the Legislature. The link is to a summary of the Governor's proposals: [Summary of the December 2010 Special Session Proposal](#)

It is uncertain whether the Legislature will act on any of the Governor's proposals. An article in the Sacramento Bee reported that, "*The bulk of Gov. Arnold Schwarzenegger's special session proposals for closing part of the projected budget deficit appear to be dead after just two hours of debate.*" (<http://blogs.sacbee.com/capitolalert/latest/2010/12/budget-hearings.html>). The article stated that both the Senate and Assembly budget committees adjourned without any indication that they would take action on any of the proposals before Gov.-elect Jerry Brown takes office early next month.

Activity occurred in another venue on December 8th as Governor-elect Jerry Brown who doesn't take office until January 3, 2011, held a budget forum with legislators and other state officials. Brown said the budget deficit is worse than previously reported and California stands to lose another \$2.7 billion from potential changes to the federal estate tax, swelling the deficit through June 2012 to \$28.1 billion.

A "CDCAN Alert" from Marty Omoto stated that Governor-elect Brown said repeatedly that "everything" is on the table and that "everyone" will be at the table in terms of considering proposals and ideas to resolve what policymakers at the forum agreed was the worst economic crisis the State has ever faced. Mr. Omoto reported that Governor-elect Brown ended the budget forum with some optimism, saying, "*we are facing some real tough problems*" but that "*we are a rich state, we have a lot of resources...if we all pull together, we can pull it off...*"

It is clear that everyone must stay informed and engaged in discussions and decisions on the State Budget. Listed below are some of many sources of information:

Legislative Analyst's Office: <http://www.lao.ca.gov/laoapp/main.aspx>

California Budget Project: http://www.cbp.org/publications/state_budget_land.html

Disability Rights California: <http://www.disabilityrightsca.org/>

California Disability Community Action Network (CDCAN): <http://www.cdcan.us/>

3.

Lotte Moise

Lotte Moise was a pioneering advocate and author who spoke, wrote, and advocated for application of the principles of normalization. One book she wrote about life with her daughter was, "As up We Grew with Barbara!" She used to come to Area 4 Board's Legislative Forum, and she lived for many years in Fort Bragg. The following is copied from Disability Rights California:

“Lotte Moise, born in Dusseldorf, Germany, died on November 17 at her home in Santa Rosa. After serving in World War II as a U.S. Coast Guard officer, she was married and had children. When a daughter was born with a disability, Moise joined California’s parent movement to change disability laws. She introduced local versions of “normalization” from Scandinavia in the 1960s and helped to find alternatives to institutionalization. Moise wrote books about why she refused to let her daughter “wither in a warehouse.” Executive director Catherine Blakemore said, “Lotte was one of the leading lights of the steering committee of advocates and officials who set up Protection and Advocacy, Inc. (now Disability Rights California) in 1978 in response to federal legislation requiring states to take action against abuse of people with developmental disabilities.” Regarding a memorial service, contact Karen at (415) 505-0648.”

4.

A Life Beyond Reason

Excerpt from a thought-provoking article....

“By Chris Gabbard

My son, August, has a number of quirks that distinguish him from the typically developing 10-year-old. He lives with cerebral palsy, is a spastic quadriplegic, has cortical visual impairment (meaning he is legally blind), is completely nonverbal and cognitively disabled, has a microcephalic head, and must wear a diaper. Moreover, he is immobile—he can't crawl or scoot around or hold himself up or even sit in a chair without being strapped in it. If someone were to put him on the floor and leave him there, he would be in the same location hours later, give or take a foot.

At home, in the eyes of my wife, Ilene; our 7-year-old daughter, Clio; and me, he seems merely a little eccentric, possessor of a few odd quirks, as I said. We don't think of him as being different; he is August, just another member of an already quirky family. Although he cannot play with his sister, she loves him.....” <http://chronicle.com/article/A-Life-Beyond-Reason/125242/>

5.

IDEA - 35 Years Later

On November 29, 2010, the nation celebrated the 35th Anniversary of landmark civil rights legislation that was originally signed into law by President Ford as signed the *Education for All Handicapped Children Act* (Public Law 94-142). Now it is called The Individuals with Disabilities Education Act or IDEA. The law guarantees access to a free, appropriate, public education (FAPE) in the least restrictive environment to every child with a disability. Amendments that have occurred over the years have increased emphasis on access to the general education curriculum, the provision of services for young children from birth to five, transition planning and accountability for the achievement of students with disabilities. <http://www2.ed.gov/about/offices/list/osers/idea35/index.html>

6.

NICHCY

NICHCY stands for the *National Dissemination Center for Children with Disabilities*. NICHY serves the nation as a central source of information on:

- disabilities in infants, toddlers, children, and youth,
- IDEA, which is the law authorizing special education,
- No Child Left Behind (as it relates to children with disabilities), and
- Research based information on effective educational practices.

The Short-and-Sweet IEP Overview is just one of many resources available to parents from NICHCY:

“When a child receives special education services under the Individuals with Disabilities Education Act (IDEA), he or she must have an Individualized Education Program (IEP). This is a written document listing, among other things, the special educational services that the child will receive. The IEP is developed by a team that includes the child's parents and school staff.

The IEP is an extremely important document in the educational lives of students with disabilities receiving special education under IDEA. The resources we've listed below will help you learn more about IEPs—what the law requires, what information a typical IEP contains, how IEPs are developed, and so on.” <http://www.nichcy.org/EducateChildren/IEP/Pages/overview.aspx>

NICHCY has resources in Spanish: <http://www.nichcy.org/spanish/Pages/default.aspx>

Check out NICHCY! <http://www.nichcy.org/Pages/Home.aspx>

7.

Health Care Consumer Website in Spanish

The U.S. Department of Health and Human Services earlier this month unveiled [CuidadodeSalud.gov](http://www.cuidadodesalud.gov) <<http://www.cuidadodesalud.gov/enes/>>, the first website in Spanish of its kind to help consumers take control of their health care by connecting them to new information and resources that will help them access quality, affordable health care coverage. Consistent with the mandate in the Affordable Care Act, [CuidadodeSalud.gov](http://www.cuidadodesalud.gov) is the partner site of [HealthCare.gov](http://www.healthcare.gov), which was launched in July 2010, and is the first website in Spanish to provide consumers with both public and private health coverage options tailored specifically for their needs in a single, easy-to-use tool. Access the website <<http://www.cuidadodesalud.gov/enes/>> to see how it works.

“CuidadoDeSalud.gov like [HealthCare.gov](http://www.healthcare.gov) is an unprecedented website which provides consumers with the power of information at their fingertips. Individuals, families, and small businesses will be able to easily compare both public and private health coverage options tailored specifically for their needs, said HHS Secretary Kathleen

Sebelius. “CuidadoDeSalud.gov will give Latinos across the nation better information about the choices they have, how much they cost, and what they can expect from their doctor--specific to their life situation and local community.”

In addition, the website is a one-stop-shop for information about the implementation of the Affordable Care Act as well as other health care resources. The website connects consumers to quality rankings for local health care providers as well as preventive services

8.

Visions for the Future - California DD Network Partners Testimony, November 17, 2010

California’s DD Network Partners is a collaboration of the five organizations in California authorized by the Developmental Disabilities Assistance and Bill of Rights Act: the State Council on Developmental Disabilities, Disability Rights California, and California’s three University Centers for Excellence in DD Research Education and Service (the USC UCEDD at Children’s Hospital LA, the Tarjan Center at UCLA, and the CEDD at UC Davis MIND Institute). Each entity engages in a diverse set of activities to promote the intent of Congress to assure the full integration, inclusion, independence, and productivity of individuals with developmental disabilities in the community life of their choice.

The testimony on Early Intervention Services is copied below:

“Early Intervention Services must be preserved and expanded (R. Hansen, CEDD, UC Davis; M. Poulsen, USC UCEDD)

A strong consensus supports the need for early intervention to support children with developmental disabilities and their parents [1,2,3]. California’s recent budget crisis has had a major, negative impact on early intervention services. State budget cuts in July 2009 resulted in major changes to the California Early Start (CES) Program, our Part C of the IDEA program. CES eligibility criteria were changed: CES no longer provides early intervention services to children who have bio-medical factors that place them at risk for developmental disabilities, and children twenty-four months of age and older must meet a stricter definition of developmental delay to receive intervention services. In addition, families are required to access any available health insurance to pay for therapies, before the CES program will provide services. Prior to July 2009, 35,000 children received services through CES; October 2010 data reports that 25,359 children received CES services [4]. For the past three years, the Office of Special Programs, US Department of Education, has determined that California is “in need of assistance” in regard to compliance with Part C of the IDEA, particularly with the requirements for 45-day timeline, the IFSP transition content, the LEA notification timely correction, and timely due process hearing adjudication.

California has a complex system of preschool funding, including private funding through parent fees and public funding for families meeting income eligibility. Because of limited public funding, fewer than half of the three- and four-year-olds who are eligible for publicly funded programs are served by those programs [5]. A study of the quality of preschool programs found similar needs across all programs (both private and publicly funded): 1) Only 36% of children have a lead teacher with an Associate degree in Early Childhood Education (ECE), and 27% have a lead teacher with a Bachelors degree or higher in ECE, a national benchmark, and 2) 62% of preschool-age children in center-based settings are in programs scoring an estimated average of 4.1 (3 = acceptable, and 5 = good) on the ECERS-R, a nationally recognized program evaluation tool; 16 percent of children are in

programs that fall below a score of 3, while just 22 percent score at a 5 or higher [6].

Individuals with intellectual disability are two to four times more likely to have psychiatric disorders [7]. In spite of this reality, social-emotional functioning as part of the evaluation of a child with developmental disability is inconsistent. Co-morbid conditions such as anxiety and depression are often not considered or evaluated. Behavior concerns are frequently addressed by the assumption that “the disability is the cause of the behavior”.

The belief and practice of inclusive, welcoming communities must begin at the birth of a child. To achieve this goal we recommend that ADD:

- A. Support and expand ongoing funding for early intervention (Part C of IDEA) programs.*
- B. Support the infusion of infant/ early childhood mental health strategies in training programs. Examples are California’s early childhood special education credential standards and California’s Training Guidelines and Personnel Competencies for Infant-Family and Early Childhood Mental Health.*
- C. Require nationally funded parent support projects to promote community and educational placement inclusion.*
- D. Support research on successful models of service delivery in inclusive programs*
- E. Promote early childhood curriculums that teach child choice and control with positive behavior strategies.*
- F. Require the inclusion of the special education system in national initiatives such as the Affordable Care Act of 2010 Home Visiting Program and the US Department of Education Learning Communities Initiatives.*
- G. Participate in collaboration between agencies and programs at the national level, and require interagency collaboration at the state level.*
- H. Provide guidance on access to medical and dental care for children with disabilities through the Affordable Care Act.”*