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NJCDD
NJ Council on Developmental Disabilities

the Council

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U.S. Census Releases Data on the Number of Americans with Disabilities

According to new data released by the U.S. Census Bureau, the number of Americans with a disability has reached 54.4 million—roughly equal to the combined total populations of California and Florida. Nearly one in five U.S. residents—or 19%—reported some level of disability in 2005, according to the report.

Both the number and percentage of people with disabilities were higher than the last time the Census Bureau collected such information in 2002. At that time, 51.2 million, or 18%, reported a disability.

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Governor Announces Funding Cuts

Although the 2010 state budget will not be announced until March, New Jersey Governor Jon Corzine has released a list of planned spending reductions aimed at closing the state's $2.1 billion budget gap for the remainder of the 2009 budget year. State reductions, announced in early January, include a freeze on pay raises for managers and non-union employees, dipping into the surplus, deferral of payments into the pension program, and spending cuts across agencies.

All totaled, there will be cuts of $122 million in education , $56 million in health and senior services, and $93.5 million in human services.

Among the list of $812 million in cuts are several programs that support people with developmental disabilities, including $11 million in funding for Early Intervention Services, and $4.5 million in the Community Services Waiting List. In addition, there are cuts to brain injury research, physicians at state developmental centers, Medicaid funding for special education, and community provider contracts. All totaled, there will be cuts of $122 million in education and $56 million in health and senior services. The Department of Human Services will be reduced by $93.5 million.

According to a Treasury press release, these reductions reflect an unprecedented process in which every department budget was scrutinized on a line-by-line basis. "The state is prepared to continue the process should fiscal conditions warrant further cuts," said State Treasurer David Rousseau.

"With our revenues falling below projections, demand for government services among citizens impacted by the crisis is growing," said Governor Jon Corzine. "These are painful cuts but they are necessary to help fulfill our obligation to maintain a balanced budget."

Bill Broadens Protection of Self-Directed Services

A bill that broadens the number of people with developmental disabilities protected under the state "Developmental Disabilities Rights Act" has passed both houses of the New Jersey Legislature and is now law.

The "Self-Directed Support Services for Persons with Developmental Disabilities Rights Act" concerns services provided to people with developmental disabilities receiving self-directed support services in their own home, the home of a family member or guardian, or some other similar living environment. Generally speaking self-directed services are those in which the person receiving them, or their primary guardian or advocate, has control over the nature of those services and how they are delivered. Those kinds of services are currently provided by the state Division of Developmental Disabilities through its Real Life Choices and Self-Determination programs.

Under the bill, the Commissioner of Human Services must provide similar rights available under the 1977 "Developmentally Disabled Rights Act," to persons receiving self-directed support services.

Specifically, the commissioner must ensure that:

- A written plan is developed and placed in effect no later than the 30th day following the initial receipt of these services.
- The plan is reviewed annually with respect to services designed to maximize the developmental potential of persons with developmental disabilities, with full recognition and respect for their dignity, individuality, and legal rights.
- Self-directed support services are developed and expanded throughout the state while eliminating obstacles to accessing and using these services.
- These services are made available without regard to the severity of a person's disability, except to the extent that the person's disability would prevent safe accommodation with self-directed support services.

The act – applying to all people receiving self-directed support services, even those transferring between community programs and developmental centers – prohibits discrimination, deprivation of certain rights, or a presumption of incompetence because the person with developmental disabilities receives services from the division.

The Council is a publication of the New Jersey Council on Developmental Disabilities (NJCDD).

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The Council is a compilation of news from various sources, organized to inform people with disabilities about policies, programs, laws, trainings, and events. This publication and others published by NJCDD are available in alternate accessible formats. Please call the Council for more information.

Un proyecto de ley amplía la protección de servicios autoguiados

Un proyecto de ley amplía el número de personas con discapacidades de desarrollo protegidas en el estado bajo la "Ley de los derechos de las personas con discapacidades de desarrollo". Aprobado por las dos Cámaras de la asamblea legislativa de Nueva Jersey, este proyecto se hizo ley.

La "Ley de los derechos de las personas con discapacidades de desarrollo para servicios de apoyo autoguiados" se trata de servicios autoguiados proporcionados en las propias casas de personas con discapacidades de desarrollo, en el hogar de un miembro de la familia o de un custodio o en otro medio de vivir semejante. En general los servicios autoguiados son aquellos en que la persona con discapacidades de desarrollo – o su custodio primario – pueda controlar el carácter de los servicios y como se los entregan. En este momento estos tipos de servicios son proporcionados por los programas estatales "Real Life Choices" y "Self-Determination" bajo la División de Discapacidades de Desarrollo.

Bajo la ley, el Comisario de Servicios Humanos tiene que proveer a las personas recibiendo servicios autoguiados derechos semejantes a los que son disponibles bajo la "Ley de los derechos de las personas con discapacidades de desarrollo" de 1977.

Expresamente, el comisario tiene que asegurarse de que:

- Un plan muy desarrollado esté escrito y entregado en vigor no más tarde que el trigésimo día después del entrego inicial de servicios.
- El plan esté examinado anualmente con respecto a servicios diseñados a máximar el potencial de personas con discapacidades de desarrollo, con el reconocimiento y respeto perfecto de la dignidad, individualidad y derechos legales de las mismas.
- Los servicios de apoyo autoguiados sean desarrollados y ampliados por todo el estado mientras eliminando los obstáculos impidiendo el acceso y uso de estos servicios.
- Estos servicios sean disponibles sin consideración a la severidad de la discapacidad de la persona excepto en cierta medida de que esta descapacidad impediría una entrega segura usando servicios de apoyo autoguiados.

La ley – aplicandose a todas las personas recibiendo servicios de apoyo autoguiados, hasta las personas trasferiendo entre programas comunitarios y centros del desarrollo – prohibe la discriminación, la privación de ciertos derechos o la presunción de ineptitud porque la persona con discapacidades de desarrollo reciba servicios de la división.

Interested in Becoming a Council Member?

The Council is in need of more self-advocate members. Persons interested in becoming a Council member should contact the Council at 609-292-3745. Only individuals with a developmental disability, or parents, family members, or guardians may apply.

council Project

Council on Developmental Disabilities Seeking Applicants for 2009 "Partners in Policy Making"

The New Jersey Council on Developmental Disabilities is now accepting applications from people with a developmental disability and family members of individuals with a developmental disability to participate in Partners in Policymaking. The yearlong leadership training program provides state-of-the-art knowledge about developmental disabilities issues and builds the competencies necessary for participants to become advocates who can effectively educate public officials. The goal of the program is to achieve a productive partnership between people needing and using special services and those in a position to make policy and law.

Each session is devoted to specific topics in the field of developmental disabilities, and features state and nationally-known experts as presenters. Participants are expected to attend every session, complete assignments between sessions, and to commit to one major project, such as serving on their local school board, interning with their local legislator, organizing a letter writing campaign, or organizing town meetings for public officials.

Session topics include education; community organizing; supported living; employment; and an overview of state and federal policy and legislative issues.

The goal of the program is to achieve a productive partnership between people needing and using special services and those in a position to make policy and law.

"We are hopeful to recruit a diverse group of participants," said Dennie Todd, program coordinator. "We are especially interested in reaching those who are not actively involved in existing advocacy organizations." She added that the Council works to ensure that each class represents a range of ethnic backgrounds, geographical regions of the state, and disabilities.

The program is offered at no cost. Overnight accommodations, meals, and personal care assistant services are provided, if needed, and expenses for travel and respite care services are reimbursed.

The first in the series of eight consecutive monthly training sessions will begin Saturday, April 25, at 1 p.m. and conclude Sunday at 3:30 p.m. For more information or to get an application, contact Dennie Todd, 609-984-4516. Application deadline is March 20.

Partners in Policy-Making Reunion

There will be a reunion and training session for graduates of the Council's Partners In Policy Making Program on Saturday, February 21, 2009 at the Trenton Marriott from 10 a.m.-5 p.m. Graduates from previous years are encouraged to come to network, build skills, and reconnect with friends and leaders in the field. For more information, please call Dennie Todd, 609-984-4516 before February 15.

Proposed Legislation Calls for Closing New Jersey Institutions

A new bill introduced in the New Jersey Assembly seeks to redirect resources from the State institutions to expand community-based services, supports, and residential options for adults with developmental disabilities.

In early January, Assemblyman Louis Greenwald of Camden introduced legislation that would close five of New Jersey's seven state-operated developmental centers over the next five years. The bill shifts financial and human resources from the State institutions, resulting in consolidations and closures, and will instead expand community-based services, supports, and residential options to address unmet need.

Greenwald says there are compelling moral and economic reasons to "radically restructure" the way the state spends money on people with developmental disabilities. He said the state could no longer afford the $384 million dollars a year needed to support seven institutions, where it costs about $227,000 to serve one person. Community-based supports are roughly half that cost.

Greenwald noted that New Jersey is far behind other states in efforts to downsize. New Jersey has closed only two institutions, the last one, North Princeton Developmental Center, was closed 11 years ago. In the last two years, DDD has placed less than 200 people from developmental centers into community-based services and supports.

Reaction to the bill was largely favorable, with families and advocates from New Jersey's major disability groups supporting the measure. Norman Reim from the Council on Developmental Disabilities praised Greenwald "for taking this on and looking for a long-term strategy," but noted that cost savings may be years off. "When the state closed North Princeton Developmental Center in Montgomery 11 years ago, a lot of the money was plowed back into creating community services. You won't reap the savings until a center is closed, until the last person leaves," he warned.

The bill would establish a bridge fund to help pay for the development of community services.

Labor unions opposed the move, saying it is designed to save money at the peril of people with disabilities. Some parents affiliated with the centers also opposed the measure, saying the institutions are necessary and provide quality care.

The bill would create a 17-member Community Services Planning Council for Persons with Disabilities responsible for drafting the plan within six months to phase out the five centers and move willing and able people into community housing. The council would be comprised of state officials, advocacy group members, housing provider agencies, families, union leaders, and professional experts.

According to Greenwald, there are roughly 2,400 people living at institutions who are willing and able to move to community housing.

New Rules Aimed at More Efficient Use of Public Special Education Services

On December 18, the Department of Education adopted new rules giving county education administrators a larger role in planning, coordinating, and consolidating special education services.

The rules, part of 215-page document adopted by the Department in two phases, outline a role for the Executive County Superintendent (ECS) to make referrals to in-district special education programs and other public regional programs, such as those operated by Special Services School Districts, Educational Services Commissions, and Jointure Commissions. In addition, the ECS may recommend that certain out-of-district students be returned to in-district programs, or grouped in larger classes that are more efficient and cost effective.

Advocates have expressed concern that IEP teams may feel pressured to place students in programs suggested by the ECS, thereby undermining the IEP process. They also fear that the rules could encourage further development of self-contained, segregated public special education programs.

"The New Jersey Department of Education is encouraging less, not more, use of self-contained services," said Peg Kinsell, Director of Public Policy for the Statewide Parents' Advocacy Network (SPAN). "To allow the ECS to recommend new or expanded special services programs, most of which are self-contained, contradicts this effort."

Under the rules, the Executive County Superintendent can:

- Recommend the establishment or expansion of public regional providers such as special services districts, educational services commissions, and county child study teams;
- Recommend the consolidation of school district special education programs and the return of students in out-of-district placements;
- Review placement determinations when the local IEP team is considering an out-of-district placement. In these situations, IEP teams will be required to give the ECS the age of each student and the class type needed. The ECS will then provide the IEP team with information on available in-district programs and, if none is available, information on a public regional program. If a child study team decides on a different placement from those suggested by the ECS, the district must provide a written explanation.

The Department has assured advocates that the rules will not interfere with the IEP decision-making process, and will not delay placement determinations.

The rules, approved by a special adoption process, are part of a larger initiative to encourage consolidation of school districts to reduce costs. The new rules will be published in the New Jersey Register later this winter, and will be subject to three public hearings this spring.

U.S. Census Releases Data on the Number of Americans with Disabilities *continued from cover*

Among those with a disability, 35 million, or 12% of the population, were classified as having a severe disability. A portion of people with disabilities—11 million age 6 and older—needed personal assistance with everyday activities. These activities include such tasks as getting around inside the home, taking a bath or shower, preparing meals, and performing light housework.

Parents reported that 228,000 children under age 3, or 2%, had a disability. Specifically, they either had a developmental delay or difficulty moving their arms or legs. In addition, there were 475,000 children 3 to 5 years, or 4%, with a disability, which meant they had either a developmental delay or difficulty walking, running, or playing. There were 4.7 million children age 6 to 14, or 13%, with a disability.

More than 16 million people had difficulty with cognitive, mental, or emotional functioning, including 8.4 million people with one or more conditions such as depression or anxiety, trouble getting along with others, trouble concentrating, and trouble coping with stress, that interfere with daily activities.

Poverty and earnings data were also reported. Among people age 25 to 64 with a severe disability, 27% were in poverty, compared with 12% for people with a non-severe disability and 9% for those without a disability.

Nearly half (46%) of people age 21 to 64 with a disability reported being employed, compared with 84% of people in this age group without a disability. Among those with disabilities, 31% with severe disabilities and 75% with non-severe disabilities were employed.

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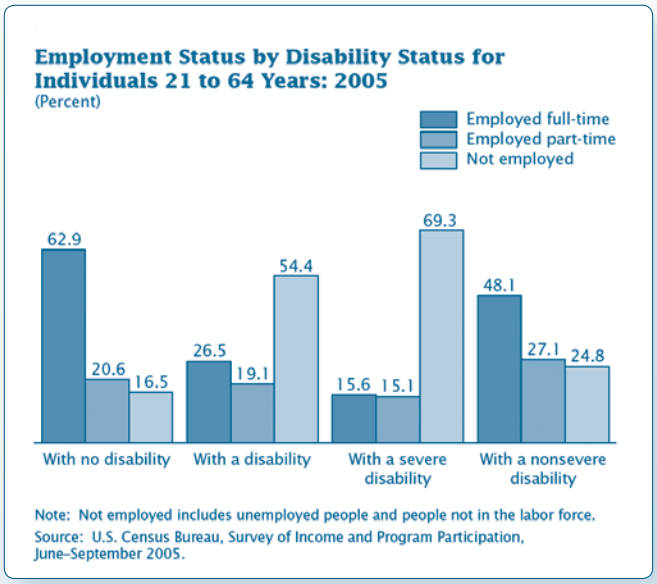
Median monthly earnings were $1,458 for people with a severe disability, $2,250 for people with a non-severe disability and $2,539 for those with no disability.



Community Calendar

February

13	NAMI Basics Class - For parents or primary caregivers of children and adolescents with challenging behavior. Appropriate for developing strategies and responses to behavior in children with a wide range of disabilities. 7:00 p.m. to 9:00 p.m. NAMI Mercer Office, Lawrenceville, NJ. Registration required. Call 609-799-8994.
17	SPAN Inclusion/LRE Workshop, hosted by The Association for Special Children and Families, West Millford; Call Julie Rikon at 973-728-0999 or email ascfamily@hotmail.com.
20, 27	NAMI Basics Class - See above for description, location, and contact.
28	Families Planning Together; Effective methods for gathering and organizing information, planning, and sharing information to communicate your child's wants and needs; Sponsored by the Elizabeth M. Boggs Center on Developmental Disabilities; Lawrenceville Library, Lawrenceville, NJ. Register online at http://rwjms2.umdnj.edu/boggscenter/training/person_centered_thinking.htm, or call Beth Ong at 732-235-9327 or email elizabeth.ong@umdnj.edu.

March

6, 13, 20	NAMI Basics Class - See above for description, location, and contact.

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