

NJCDD

NJ Council on Developmental Disabilities

the Council

A publication of the New Jersey Council on Developmental Disabilities

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Federal Housing Bill Seeks "Fairness" and "Common Sense" for People with Mobility Impairments



People with mobility impairments have limited access to most homes constructed with federal assistance because there are currently no federal standards for accessibility features that these homes must include. New legislation introduced in mid-March by Rep. Jan Schakowsky, D-IL, would greatly increase the number of homes that are accessible for people with disabilities.

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Governor Corzine Outlines FY 2010 State Budget

New Jersey Governor Jon Corzine delivered the final budget address of his first term before the State Legislature on March 10. The Governor's priorities include health care (specifically children), education, safety nets for the most vulnerable, and protecting against property tax increases.

While reductions were noted in all departments, the Governor underscored the need to preserve funding for people with developmental disabilities and community providers.

The proposed \$29.8 billion state budget for fiscal year 2010, which begins on July 1, 2009, contains over \$2.5 billion in cuts to the base budget, including \$85.5 million in Medicaid and PAAD reductions, \$20.8 million in hospital cuts and \$156 million in furlough and other state employee actions. It also includes \$1.1 billion in elimination or cuts related to projected growth, including \$306.6 million in School Aid and \$50 million projected for nursing homes.

According to the 102-page Budget in Brief released in conjunction with the Governor's address, \$20.7 million is earmarked for the Olmstead initiatives to move both people with developmental disabilities and those with mental illness out of state institutions. There is limited funding for the Division of Developmental Disabilities (DDD) Residential Waiting List, which includes funds for emergency placements, annualization of earlier initiatives and minimal funds to move people off the urgent waiting list.

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School Facility Design for Inclusion: The Role of the Building Environment in Making Schools More Inclusive

Under a grant from the New Jersey Council on Developmental Disabilities, researchers from the New Jersey Institute of Technology's Center for Architecture and Building Science are studying effective strategies to plan and modify school facilities for universal design to support the inclusion of students with a wide range of disabilities.

They are identifying building features that support or might undermine goals of inclusion, and are looking at the relationship of the physical environment of neighborhood schools to the least restrictive environment for students with intellectual, physical, learning, mobility and behavioral disabilities.

Their work is based, in part, on advice gathered from in-depth interviews and focus groups with more than 150 people, including school administrators, child study team members, inclusion specialists, therapists, parents and students.

Diseño de instalación escolar para inclusión: El rol del entorno de la edificación para hacer que las escuelas sean más inclusivas

Bajo un subsidio del Consejo de Discapacidades del Desarrollo de New Jersey, investigadores del Centro de Arquitectura y Construcción del Instituto Tecnológico de New Jersey están estudiando estrategias efectivas a fin de planificar y modificar las instalaciones escolares, para que el diseño universal apoye la inclusión de estudiantes con una amplia gama de discapacidades.

Estos investigadores están identificando las características de edificación que apoyan o quizás debilitan las metas de inclusión y observando la relación del entorno físico de las escuelas del vecindario en cuanto al entorno menos restrictivo para estudiantes con discapacidades intelectuales, físicas, de aprendizaje, movilidad y de comportamiento.

Su trabajo se basa, en parte, en el asesoramiento recopilado proveniente de entrevistas en profundidad y grupos de enfoque con más de 150 personas, incluyendo administradores escolares, miembros del equipo de estudio infantil, especialistas en inclusión, terapeutas, padres y estudiantes.

College Scholarship Funds Now Available



The National Down Syndrome Society (NDSS) has announced the availability of financial assistance to young adults with Down syndrome, 18 years old or older, who wish to participate in postsecondary education programs or enrichment courses. Through the Joshua O'Neill and Zeshan Tabani Enrichment Fund, five grants of up to \$1,000 each are being offered. The majority of the grant funds must be for tuition, but a portion can be used to help pay for books, transportation and other related supplies. The grant is limited to those with Down syndrome. The deadline for application is July 17, 2009, but applicants are encouraged to apply as soon as possible. Award winners will be notified by August 21, 2009. A copy of the grant application can be found at <http://www.ndss.org/>. For more information, call 800-221-4602, or contact Erin Geller at egeller@ndss.org.

New Report Calls for Immediate End to the Use of Seclusion and Restraint in U.S. Schools

The National Disability Rights Network (NDRN) released a national report on seclusion and restraint in U.S. schools. The report, "School is Not Supposed to Hurt: An Investigative Report on Abusive Restraint and Seclusion in Schools," documents cases of students being locked in rooms or boxes for hours. In some cases, the use of these strategies resulted in physical and emotional injuries or deaths. According to NDRN, seclusion and 'prone restraint' in schools is a widespread problem that the public and even parents know little about.

At a news conference in Washington D.C., NDRN said inconsistent state laws and a lack of government oversight and investigation contributes to the practice. They called on the Obama administration and Congress to ban the use of prone restraint and seclusion under federal law. They also called for a national summit to encourage the use of evidence-based positive behavioral supports.

U.S. Senator Chris Dodd (D-CT) vowed to continue his work to ban "the inappropriate use of seclusion and restraint in our schools," and to ensure that the public knows and learns more about these practices. He said the report raised serious questions about the treatment of children, and the qualifications and training of staff.

U.S. Rep. George Miller (D-CA), the Chairman of the House Education and Labor Committee promised to call a hearing.

NDRN's report includes specific recommendations for state legislatures, boards of education and local school districts.

The report is a compilation of cases outlined by a 57-member network of protection and advocacy (P&A) systems nationwide. The group works to ensure that people with disabilities are afforded equality of opportunity and are able to fully participate by exercising choice and self-determination. To view the report in its entirety, please visit www.NDRN.org.

What is the National Disability Rights Network (NDRN)?



The National Disability Rights Network (NDRN) is the nonprofit membership organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP) for individuals with disabilities. Collectively, the P&A/CAP network is the largest provider of legally based advocacy services to people with disabilities in the United States.

Through training and technical assistance, legal support, and legislative advocacy, the National Disability Rights Network works to create a society in which people with disabilities are afforded equality of opportunity and are able to fully participate by exercising choice and self-determination. The National Disability Rights Network serves a wide range of individuals with disabilities—including, but not limited to, those with cognitive, mental, sensory, and physical disabilities—by guarding against abuse; advocating for basic rights; and ensuring accountability in health care, education, employment, housing, transportation, and within the juvenile and criminal justice systems.

Budget for 2010 *continued from cover*

While there are no funds to pay for day programs for June '09 graduates from special education, the commissioner and assistant commissioner of the Department of Human Services have stated publicly that they will find funds within the department's allocations to pay for those day programs.

The budget does not include money targeted towards the closure of any of the state's seven developmental centers. However, there likely will be downsizing, including the closures of some cottages, overtime reductions, and a reduction in the number of developmental center physicians.

The biggest cuts come to Medicaid, and will be offset with increases in co-pays, most likely for prescription

drugs. Consumers will be charged \$2 for drugs with a cap of \$10 a month, for a total savings to the state of \$4.6 million.

Although advocates have been assured that there will be no further cuts to Early Intervention services to infants and toddlers with disabilities and their families, mid-year cuts in the current fiscal year will likely carry over into future budgets.

The budget contains an increase of \$78 million in Extraordinary Special Education Aid (\$130 million in FY '10 versus \$52 million in FY'09). This likely is due to a one-time influx of funding from the federal economic stimulus package, or American Recovery and Reinvestment Act.

Common Sense Housing Bill for People with Mobility Impairments

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Currently, 95% of new single-family homes and townhouses built with federal assistance fail to include any features that make it possible for people with mobility impairments to live in or visit these homes.

The Inclusive Home Design Act (HR 1408) aims to increase the residence and accessibility options available to mobility-impaired individuals by employing "visitability" standards, to create homes that are affordable, sustainable, and utilize a design approach that integrates accessibility features into newly built homes.

Specifically, the act would require that all newly built single-family homes and townhouses receiving federal funds meet four specific standards:

- Include at least one accessible ("zero step") entrance into the home;

- Ensure all doorways on the main floor have a minimum of 32 inches of clear passage space;
- Build at least one wheelchair accessible bathroom on the main floor; and,
- Place electrical and climate controls at heights reachable from a wheelchair.

The legislation applies to new construction, not renovations of existing homes. The average added cost per new home for the required features will be between \$98 (for homes built on a concrete slab) and \$573 (for homes with a basement or crawl space). In multi-story homes, the requirements apply only to the main floor.

The legislation is supported by nearly 25 national advocacy organizations.



The New Jersey Coalition for Inclusive Education Announces Summer Conference

The New Jersey Coalition for Inclusive Education has announced its seventh annual Summer Inclusion Conference, titled Reflection—Instruction—Inclusion: Hands-on Solutions for Teachers, Administrators, Professionals and Families. The two-day event will take place July 8 and 9, 2009, at The College of New Jersey's Brower Student Center, and will feature 21 workshops focused on including students with disabilities in general education settings—three times the number of sessions provided in previous years. Register before June 1, and become a NJCIE member for \$190 for both Conference days (\$205 for nonmembers). For more information <http://njcie.net>, or contact NJCIE at 732-613-0400.



20th Annual Conference on Medical Care for People with Developmental Disabilities

The Arc of New Jersey's Mainstreaming Medical Care Program 20th Annual Conference on Medical Care will be held on Friday, May 29, 2009 at the Westin Princeton in Forrestal Village. The program will focus on promoting healthy aging among persons with developmental disabilities.

The event has received approval from the Developmental Disabilities Nurses Association (DDNA) and Commission for Case Manager Certification (CCMC). Applications for continuing education (CE) units have also been filed with the American Academy of Family Physicians (AAFP) and the American Academy of Nurse Practitioners (AANP) and are pending.

Keynote speakers include Ann Clemency Kohler, Executive Director of the National Association of State Medicaid Directors (NASMD), and former Deputy Commissioner of the New Jersey Department of Human Services, presenting on "Medicaid Reform: A View from Washington, DC;" and Fred Feibusch, Director of Residential

Services at YAI: National Institute for People with Disabilities, who will present "Keeping the Promise."

New Jersey Department of Human Services' Commissioner Jennifer Velez will open the plenary session, and Kenneth Ritchey, Assistant Commissioner of the Department of Human Services, Division of Developmental Disabilities, and John Guhl, Director of the Division of Medical Assistance and Health Services, will also present during the day-long event.

The conference is designed for health and mental health professionals; administrative and direct care staff at provider agencies; social workers; family members; HMO representatives; and employees of the departments of Human Services and Health and Senior Services. Registration deadline is May 15, and early registration is advised. For additional information, or to have a brochure mailed to you, please call 732-246-2525, ext. 28, or email dflynn@arcnj.org.



Community Calendar

April

17 The Dance of Change in a Perfect Storm, Renee Pietrangelo, Ph.D. presenting. Sponsored by the Elizabeth M. Boggs Center on Developmental Disabilities. Woodbridge Hilton, Iselin, NJ. Call Carole Ramirez, 732-235-9307, or email carole.ramirez@umdnj.edu.

May

1 A Delicate Balance: Supporting Choice While Minimizing Risk, Sharon Krevor-Weisbaum, Esq. presenting; sponsored by the Elizabeth M. Boggs Center on Developmental Disabilities. DoubleTree Guest Suites, Mt. Laurel, NJ. Call Carole Ramirez, 732-235-9307, or email carole.ramirez@umdnj.edu.

8 Lessons, Issues, and Next Steps in Healthcare Decision Making: Care of the End of Life, Leigh Ann Kingsbury, M.P.A. presenting; sponsored by the Elizabeth M. Boggs Center on Developmental Disabilities. DoubleTree Guest Suites, Mt. Laurel, NJ. Call Carole Ramirez, 732-235-9307, or email carole.ramirez@umdnj.edu.

28 NJCDD Public Meeting - Lafayette Yard Marriott Conference Center, 1 West Lafayette Street, Trenton, NJ; meeting time: 10:00 a.m. - 3:00 p.m.; for additional information, contact the Council, 609-292-3745, or 800-792-8858, TDD 609-777-3238, or email njcdd@njcdd.org.

29 Arc of New Jersey's Mainstreaming Medical Care Program presents its 20th Annual Conference on Medical Care; Westin Princeton in Forrestal Village. Registration deadline, May 15; for more information, or to receive a brochure, email dflynn@arcnj.org, or call 732-246-2525, ext. 28.

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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.

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