

# Nebraska Planning Council on Developmental Disabilities

## Council Member Handbook

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# Nebraska Planning Council on Developmental Disabilities

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## Section 1

### Nebraska Planning Council on Developmental Disabilities State DD Councils Information

#### What are State Developmental Disabilities (DD) Councils?

- A Federal-State partnership in every State and Territory that works toward development of better futures for and with people with developmental disabilities.
- Volunteers appointed by Governors. More than 60% of Council members must be people with developmental disabilities or family members.

#### What Do DD Councils Do?

- Councils are charged by Federal law to identify the most pressing needs of people with developmental disabilities in their State or Territory.
  - [Developmental Disabilities and Assistance and Bill of Rights](#)
- Councils develop innovative and cost-effective ways to meet those needs in a manner that upholds the human and civil value of people with developmental disabilities.

#### What Principles Guide DD Council Activities?

- Individuals with developmental disabilities and their families have competencies, capabilities, and personal goals that should be recognized, supported, and encouraged.
- Individuals with developmental disabilities and their families are the primary decision makers and shall have a role in decision making.
- Services should be individualized and culturally competent.

#### What is the Goal of DD Councils?

DD Councils around the nation strive to enable citizens with developmental disabilities:

- to exercise **Self-Determination**, and to
- be **Independent**,
- **Productive**, and
- **Integrated** in all facets of community life.

## What are the Areas of Emphasis?

The DD Council works to improve the lives of persons with developmental disabilities by addressing the following Areas of Emphasis:

- Quality Assurance
- Recreation
- Child-care
- Transportation
- Education and Early Intervention
- Employment
- Health
- Housing
- Other services available and offered to individuals in the community including formal and informal supports that affect quality of life.

## How does the DD Council Impact the System?

The Council promotes a coordinated consumer and family centered and directed comprehensive system of community services, individualized supports, and other forms of assistance through:

- **Advocacy:** Educating public policy makers and public.
- **Capacity Building:** Piloting new and innovative services and supporting projects.
- **Systemic Change:** Engaging in statewide committee memberships, regulation review, and comment.

## What are the Responsibilities of DD Councils?

- Serve as an advocate for individuals with developmental disabilities.
- Conduct or support programs, projects, and activities that improve the quality of life of individuals with disabilities.
- Develop a state plan.
- Implement a state plan.
- Monitor progress of the state plan and adapt it as necessary and appropriate.

## What is the Federal Role in Administering DD Councils?

- [Developmental Disabilities and Assistance and Bill of Rights Act of 2000](#)
- [Administration on Intellectual and Developmental Disabilities](#) (AIDD), a federal agency, administers funding and oversees administration of the Council as well as Disability Rights Nebraska and the Munroe-Meyer Institute University Center for Excellence in Developmental Disabilities (UCEDD).

- Nebraska organizations funded by AIDD that collaborate on statewide developmental disabilities system change:
  - [Nebraska Planning Council on Developmental Disabilities](#)
  - [Munroe-Meyer Institute](#)
  - [Disability Rights Nebraska](#)
- The Council is bound by Federal [Public Law 106-402](#) to carry out specific activities in advocating for persons with developmental disabilities.

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## Administration on Intellectual and Developmental Disabilities

The [Administration on Intellectual and Developmental Disabilities](#) (AIDD) is dedicated to ensuring that individuals with developmental disabilities and their families are able to fully participate in and contribute to all aspects of community life in the United States and its territories.

AIDD's work supports approaches that shape attitudes, raise expectations, change outdated or broken systems and empower individuals with disabilities to pursue the lives they imagine for themselves. To that end, AIDD provides financial and leadership support to specific types of organizations in every state and territory in the United States. These bodies assist people with developmental disabilities and their families in obtaining the support needed to achieve all the aspects of a life envisioned and defined by the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act). The DD Act establishes four grant programs that are overseen by AIDD:

- State Councils on Developmental Disabilities (Councils)
- State Protection and Advocacy Systems (P&As)
- University Centers for Excellence in Developmental Disabilities Education, Research and Service (UCEDDs)
- Projects of National Significance (PNS)

AIDD grantees ensure that individuals with developmental disabilities:

- Have access to opportunities and the necessary supports to be included in community life;
- Have interdependent relationships;
- Live in homes and neighborhoods of their choosing; and
- Make contributions to their families, communities, states and the nation.

Individuals with developmental disabilities drive grantee projects through participation in public forums and other methods. The developmental disabilities population helps determine what areas to invest in and how grantees use AIDD funds. Some grantees, like Councils and UCEDDs, use public forums to assess the needs of individuals with developmental disabilities. P&As, on the other hand, perform work that is client-initiated, meaning someone comes to them with a problem or issue that needs solving on a case-by-case basis.

Through research, education, advocacy and the implementation of diverse projects, AIDD and its grantees help individuals with developmental disabilities receive quality care and education, protect their health, excel in careers of their choice, travel freely, live independently, participate in activities they find fulfilling and make informed choices about the kinds of services and supports they receive.

On April 16, 2012, the U.S. Department of Health and Human Services combined AIDD, the Administration on Aging, and the Office on Disability into a new agency called the Administration for Community Living. In addition, the Administration on Developmental Disabilities changed its name to the Administration on Intellectual and Developmental Disabilities.

# **Developmental Disabilities and Assistance and Bill of Rights Act of 2000**

TITLE I – Programs for Individuals with Developmental Disabilities

Subtitle A – General Provisions

Subtitle B – Federal Assistance to State Councils on Developmental Disabilities

Subtitle C – Protection and Advocacy of Individual Rights

Subtitle D – National Network of University Centers for Excellence in Developmental  
Disabilities Education, Research, and Service

Subtitle E – Projects of National Significance

TITLE II – Families of Children with Disabilities Support Act of 2000

TITLE III – Programs for Direct Support Workers who Assist Individuals with Developmental  
Disabilities

This packet contains a summary of the highlights of the Act and is in no way intended to be an exhaustive analysis. Please refer to the language of the Act itself for specific information within each Title and Subtitle.

## **Title I**

### **Programs for Individuals with Developmental Disabilities**

Title 1 - Subtitle A  
General Provisions

#### Section 101

##### **Protection from Abuse and Neglect**

- Congress includes information on this in the Findings section and in the Goals of the Nation and States that people with developmental disabilities should have the information, skills, opportunities, and supports to live free of abuse, neglect, financial and sexual exploitation, and violations of their legal and human rights.
- The Indicators of Progress developed by the Secretary will examine the work of ADD programs in improving the ability of individuals with developmental disabilities to access services in a manner that ensures freedom from abuse and neglect.
- Provision of care that is free from abuse and neglect is now included in SEC. 109, Rights of Individuals with Developmental Disabilities.

## **Family Supports and Services**

Congress states in the Findings section that it is in the best interest of our Nation to preserve, strengthen, and maintain the family. Family support is written into the Act in the Goals of the Nation and in the Purpose. Through Title II of the Act, grants and technical assistance will be available to develop statewide systems of family supports. A National Evaluation will assess the status and impact of family support programs.

## **Waiting Lists for Services and Supports for Aging Parents**

Congress finds that:

- Many service delivery systems and communities are not prepared to meet the impending needs of the 479,862 adults with developmental disabilities who are living at home with parents who are 60 years old or older, and who serve as the primary caregivers of the adults.
- In almost every State, individuals with developmental disabilities are waiting for appropriate services in their communities in the areas of emphasis.

Councils are not required to include the number of individuals with developmental disabilities on waiting lists for services in their Comprehensive Review and Analysis.

## **Increased Public Awareness**

Congress finds that the public needs to be made more aware of the capabilities and competencies of individuals with developmental disabilities, particularly in cases in which the individuals are provided with necessary services, supports, and other assistance.

Areas of Emphasis replace the federal priority areas and include:

- Quality Assurance
- Education and Early Intervention
- Child Care
- Health
- Employment
- Housing
- Transportation
- Recreation

And other services available or offered to individuals in a community, including formal and informal community supports that affect their quality of life  
(Employment is no longer a federal priority area)

## **Quality Assurance**

Congress finds that as community living options for people with developmental disabilities are expanded, there is a need to evaluate the access to those options by individuals with developmental disabilities and the effects of those options on the individuals with developmental disabilities. Quality assurance activities include monitoring of services, supports and assistance, as well as training in leadership, self-advocacy, and self-determination.

## **Title III: Program for Direct Support Workers**

Congress finds as increasing number of individuals with developmental disabilities are living, learning, working, and participating in all aspects of community life, there is an increased need for a well-trained

workforce that is able to provide the services, supports, and other forms of direct assistance required to enable the individuals to carry out those activities. However, there is a substantial decrease in the number of direct care workers. Title III establishes a Scholarship program and staff development curriculum to help alleviate the problem.

New language in the Act now calls for Centers to provide continuing education to direct service, clinical, or other personnel to strengthen and increase the capacity of States and communities.

### **Self-Determination**

Self-determination is now included within the Purpose of Title I and is listed along with independence, productivity, and integration and inclusion.

- The new Act includes a definition of self-determination and the term self-determination is included throughout.
- There is increased emphasis in the Act on greater control, choice, and full participation in the community by individuals with developmental disabilities.
- The following must now be addressed as goals within the State Plan:
  - Establish or strengthen a program for the direct funding of a State self-advocacy organization led by individuals with developmental disabilities;
  - Leadership training to individuals with developmental disabilities by individuals who are considered leaders;
  - Participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.
- For Councils: Council membership is now required to have a 60% representation of people with developmental disabilities (changed from 50%)
- The Consumer Advisory Committee for University Centers in the State must now be composed of a majority of individuals with developmental disabilities and must include a representative of the self-advocacy organization (Section 124(c)(4)(A)(ii)(1)).
- The governing board of the Protection and Advocacy System must now be composed of a majority of individuals with a disability including developmental disabilities. The board may include a representative of the State Council on Developmental Disabilities, the Centers in the State, and the self-advocacy organization 124(c)(4)(A)(ii)(1).

## Title I – Subtitle A Definitions

### Section 102

#### **Definitions**

**Areas of Emphasis** – the areas related to quality assurance activities, education activities and early intervention activities, child care-related activities, health-related activities, employment-related activities, housing-related activities, transportation-related activities, recreation-related activities, and other services available or offered to individuals in a community, including formal and informal community supports, that affect their quality of life.

**Assistive Technology Device** – any item, piece of equipment, or product system, whether acquired commercially, modified or customized, that is used to increase, maintain, or improve functional capabilities of individuals with developmental disabilities.

**Center** – a University Center for Excellence in Developmental Disabilities Education, Research, and Service established under Subtitle D.

**Child Care-Related Activities** – advocacy, capacity building, and systemic change activities that result in families of children with developmental disabilities having access to and use of child care services, including before-school, after-school, and out-of-school services in their communities.

**Early Intervention Activities** – advocacy, capacity building, and systemic change activities provided to individuals and their families to enhance:

- The development of the individuals to maximize their potential; and
- The capacity of families to meet the special needs of the individuals

**Education Activities** – advocacy, capacity building, and systemic change activities that result in individuals with developmental disabilities being able to access appropriate supports and modifications when necessary, to maximize their educational potential, to benefit from lifelong educational activities, and to be integrated and included in all facets of student life.

**Employment-Related Activities** – advocacy, capacity building, and systemic change activities that result in individuals with developmental disabilities acquiring, retaining, or advancing in paid employment, including supported employment or self-employment, in integrated settings in a community.

**Health-Related Activities** – advocacy, capacity building, and system change activities that result in individuals with developmental disabilities having access to and use of coordinated health, dental, mental health, and other human and social services, including prevention activities, in their communities.

**Housing-Related Activities** – advocacy, capacity building, and system change activities that result in individuals with developmental disabilities having access to and use of housing and housing supports and services in their communities, including assistance related to renting, owning, or modifying an apartment or home.

**Infants and Young Children** (within the new definition of developmental disability) – an individual from birth to age 9 inclusive who has a substantial developmental delay or specific congenital or acquired condition may be considered to have a developmental disability without meeting three or more of the criteria if the individual, without services and support, has a high probability of meeting those criteria later in life.

**Individual Supports** (this term now includes the following list of supports)

- Early intervention services
- Respite care
- Personal assistance services
- Family support services
- Supported employment services
- Support services for families headed by aging caregivers of individuals with developmental disabilities
- Provision of rehabilitation technology and assistive technology, and assistive technology services

**Quality Assurance Activities** – advocacy, capacity building, and systemic change activities that result in improved consumer- and family-centered quality assurance and that result in systems of quality assurance and consumer protection that:

- Include monitoring of services, supports, and assistance provided to an individual with developmental disabilities that ensures that the individual:
  - Will not experience abuse, neglect, sexual or financial exploitation, or violation of legal or human rights; and
  - Will not be subject to the inappropriate use of restraints or seclusion.
- Include training in leadership, self-advocacy, and self-determination for individuals with developmental disabilities, their families, and their guardians to ensure that those individuals:
  - Will not experience abuse, neglect, sexual or financial exploitation, or violation of legal or human rights; and
  - Will not be subject to the inappropriate use of restraints or seclusion.
- Include activities related to interagency coordination and systems integration that result in improved and enhanced services, supports, and other assistance that contribute to and protect the self-determination, independence, productivity, and integration and inclusion in all facets of community life, of individuals with developmental disabilities.

**Recreation-Related Activities** – advocacy, capacity building, and systemic change activities that result in individuals with developmental disabilities having access to and use of recreational, leisure, and social activities in their communities.

**Self-Determination Activities** – activities that result in individuals with developmental disabilities, with appropriate assistance, having:

- The ability and opportunity to communicate and make personal decisions;

- The ability and opportunity to communicate choices and exercise control over the type and intensity of services, supports, and other assistance the individuals receive;
- The authority to control resources to obtain needed services, supports, and other assistance;
- Opportunities to participate in, and contribute to, their communities; and
- Support, including financial support, to advocate for themselves and others, to develop leadership skills through training in self-advocacy, to participate in coalitions, to educate policymakers, and to play a role in the development of public policies that affect individuals with developmental disabilities.

**Transportation-Related Activities** – advocacy, capacity building, and systemic change activities that result in individuals with developmental disabilities having access to and use of transportation.

### **Other Definitional Changes**

**Early Intervention Activities** is changed to reflect the new definition of Infants and Young Children.

**Employment-Related Activities** have replaced Employment Activities.

**Inclusion** is now a definition separate from Integration. The term “inclusion”, used with respect to individuals with developmental disabilities, means the acceptance and encouragement of the presence and participation of individuals with developmental disabilities by individuals without disabilities in social, educational, work, and community activities that enables individuals with developmental disabilities to: (the following are in the previous Act)

- Have friendships and relationships with individuals and families of their own choice;
- Live in homes close to community resources, with regular contact with individuals without disabilities in their communities;
- Enjoy full access to and activate participation in the same community activities and types of employment as individuals without disabilities; and
- Take full advantage of their integration into the same community resources as individuals without disabilities, living, learning, working, and enjoying life in regular contact with individuals without disabilities.

**Individualized Supports** now includes enabling “an individual with a developmental disability to exercise self-determination...”

**Integration** is now defined as “...with respect to individuals with developmental disabilities...exercising the equal right of individuals with developmental disabilities to access and use the same community resources as are used by and available to other individuals.”

**Nonprofit** is now Not-For-Profit.

**Prevention** is now Prevention Activities.

**State Council on Developmental Disabilities** replaces the term State Developmental Disabilities Council.

**Unservd** and **Underserved** now includes the phrase “individuals who require assistive technology in order to participate in and contribute to community life.” The term “including individuals with developmental disabilities attributable to physical impairments, mental impairment, or a combination of physical and mental impairments” is eliminated.

The following definitions are eliminated in the new Act:

Child Development Activities; Community Living Activities; Community Supports; Federal Priority Areas; Independence; Other Organizations; Service Coordination Activities; State Priority Area; System Coordination and Community Education Activities; University Affiliated Program.

## Title I – Subtitle A Responsibilities of the Secretary

### Section 104

#### **Program Accountability**

In order to monitor entities receiving funds under the Act, the Secretary shall develop and implement an accountability process with respect to activities conducted after October 1, 2009.

#### **Areas of Emphasis**

The Secretary shall develop a process for identifying and reporting on progress achieved through advocacy, capacity building, and systemic change activities undertaken by the entities...that resulted in individuals with developmental disabilities and their families participating in the design of and having access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life...in the areas of emphasis.

#### **Indicators of Progress**

The Secretary, in consultation with the Commissioner and the entities, develops indicators for each area of emphasis.

The proposed indicators are to be published in the Federal Register for public comment not later than 180 days after the Act is enacted. By October 1, 2001, the Secretary will revise the indicators to the extent necessary based on public comment and publish them in the Federal Register.

The indicators of progress will be used to describe and measure:

- The satisfaction of individuals with developmental disabilities with the advocacy, capacity building, and systemic change activities;
- The extent to which the advocacy, capacity building, and systemic change activities result in improvement in:

- The ability of individuals with developmental disabilities to make choices and exert control over the type, intensity, and timing of services, supports, and assistance
  - The ability of individuals with developmental disabilities to participate in the full range of community life with persons of the individuals' choice; and
  - The ability of individuals with developmental disabilities to access services, supports, and assistance in a manner that ensures that such an individual is free from abuse, neglect, sexual and financial exploitation, violation of legal and human rights, and the inappropriate use of restraints and seclusion.
- Collaboration of the Councils, P&As and University Centers

## Section 105

### **Reports of the Secretary**

The Secretary will report every two years (to the President, Congress and the National Council on Disability) on the goals and activities of the programs (Council, P&As and University Centers). New items in the report are:

- Meaningful examples of how the programs:
  - Have undertaken coordinated activities with each other.
  - Have enhanced the ability of individuals with developmental disabilities and their families to participate in the design of and have access to needed community services, individualized supports, and other forms of assistance.
- Information on the extent to which programs have addressed:
  - Protecting individuals with developmental disabilities from abuse, neglect, sexual and financial exploitation, and violations of legal and human rights; and
  - Reports of deaths of and serious injuries to individuals with developmental disabilities.
- A summary of any incidents of noncompliance of the programs and corrections made or actions taken to obtain compliance.
- The Secretary will review Federal programs to determine the extent to which such programs facilitate or impede access to, provision of, and funding for family support services.

## Title I – Subtitle B

### Federal Assistance to State Councils on Developmental Disabilities

## Section 125

### **Purpose**

Each State...shall establish and maintain a Council to undertake advocacy, capacity building, and systemic change activities...that contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance.

In the above, the use of the term “undertake” advocacy, capacity building, and systemic change activities...” (previously the language was “promote”) suggests a more active role for Councils.

### **Council Responsibilities**

- Councils must now do a thorough examination of goals and report yearly (see Reports section).
- Under **Outreach** efforts, Council may now support and conduct outreach activities to “identify” individuals with developmental disabilities and their families. This is in addition to “assisting” and “enabling” such individuals and families.
- Technical Assistance is specifically included as follows: The Council may support and conduct technical assistance activities to assist public and private entities to contribute to the achievement of the purpose of this subtitle.
- Supporting Communities has been expanded to Supporting and “Educating” Communities.
- Councils may now “support” and “conduct” activities to promote interagency collaboration. These replace the term “promote”.
- Activities authorized under the Assistive Technology Act of 1998 are now specifically listed for coordination with related councils, committees, and programs.
- The term “Coalition Development and Citizen Participation” replaces Public Education and Coalition Development.
- New language under **Demonstration of New Approaches to Services and Supports** indicates that activities to demonstrate new approaches to serving individuals...”are part of an overall strategy for systemic change. The strategy may involve the education of policymakers and the public about how to deliver effectively...services, supports, and assistance that contribute to the achievement of the purpose of this subtitle.”

### Section 124

#### **State Plan**

A State Plan is now required every five years (previously every three years).

#### **State Plan Requirements**

The Comprehensive Review and Analysis:

- Includes a description of supports and services related to Areas of Emphasis.
- In addition to the items previously listed in the Act, the list now includes: institutional care options, job placement, worksite accommodation, independent living, rehabilitation and assistive technology services.

- Must analyze the “extent to which community services and opportunities related to the areas of emphasis directly benefit individuals with developmental disabilities, especially with regard to their ability to access and use services provided in their communities, to participate in opportunities, activities, and events offered in their communities, and to contribute to community life...” Now included in this are:
  - The numbers of individuals with developmental disabilities on waiting lists for services;
  - A description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are in facilities receive (based in part on each independent review (pursuant to Section 1902(a)(30)(C) of the Social Security Act (42U.S.C.139a(a)(30)(C)) of an ICCF (MR) within the State which the State shall provide to the Council not later than 30 days after availability of the review;
  - A description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities who are served through home and community-based waivers (authorized under Section 1915(c) of the Social Security Act (42 U.S.C 1396n(c ))) receive.

### **Plan Goals**

- Developed through data-driven strategic planning and related to the Areas of Emphasis.
- Derived from the unmet needs of individuals with developmental disabilities and their families.
- Include a goal for each year of the grant to:
  - Establish or strengthen a program for the direct funding of a State self-advocacy organization led by individuals with developmental disabilities;
  - Support opportunities for individuals with developmental disabilities who are considered leaders to provide leadership training to individuals with developmental disabilities who may become leaders;
  - Support and expand participation of individuals with developmental disabilities in cross-disability and culturally diverse leadership coalitions.
- For each year of the grant, describe:
  - Goals to be achieved through the grant, which, beginning in fiscal year 2002, shall be consistent with applicable indicators of progress;
  - Strategies to be used in achieving each goal; and
  - Method to be used to determine if each goal has been achieved.

### **Assurances**

- Use of funds:
  - Not less than 70% of funds will be expended for activities related to the goal (previously 65%);
  - Not more than 20% of funds will be allocated to the designated State agency for service demonstrations by such agency that:

- Contribute to the achievement of the purpose of this subtitle; and
  - Are explicitly authorized by the Council.
- State Quality Assurance – the plan shall provide assurances that the Council will participate in the planning, design or redesign, and monitoring of State quality assurance systems that affect individuals with developmental disabilities.
  - Plan must now be based on public input (previously the plan must be made available for public review and comment).
  - Eliminated from the Act are assurances relative to Intermediate Care Facility for the Mentally Retarded Survey Reports, and to Volunteers.

#### Section 124(b)

- Councils may now take the initiative to coordinate Council and public input to the Governor regarding all recommendations. Previously Councils did this at the request of the Governor.
- Representation of individuals with developmental disabilities now not less than 60% of the membership (previously 50%).

#### Section 125(c)(7)

- Beginning in fiscal year 2002, Councils shall annually prepare and transmit to the Secretary a report...in a form prescribed by the Secretary...
- Each report shall contain information about the progress made by the Council in achieving the goals of the Council, including:
  - A description of the extent to which the goals were achieved;
  - A description of the strategies that contributed to achieving the goals;
  - To the extent to which the goals were not achieved, a description of factors that impeded the achievement;
  - Separate information the self-advocacy goal;
  - An update on the results of the comprehensive review and analysis;
  - Information on consumer satisfaction with Council supported or conducted activities;
  - A description of the adequacy of health care and other services, supports, and assistance that individuals with developmental disabilities in Intermediate Care Facilities (Mental Retardation) receive;
  - A description of the adequacy of the health care and other services, supports, and assistance that individuals with developmental disabilities served through home and community-based waivers.

#### Section 122

##### **State Allotments**

- Minimum allotments are now based on appropriations of greater than or less than \$70,000,000. Previously this was \$75,000,000.

- For any FY in which the appropriation is lower than \$76,000,000, the Secretary shall reserve funds for TA under the PNS subtitle. For any FY in which the appropriation is not less than \$76,000,000, the Secretary shall reserve not less than \$300,000 and not more than 1% of the amount appropriated under this subtitle to provide TA...

## Title I – Subtitle C Protection and Advocacy of Individual Rights

### Section 141

#### **Purpose**

The purpose of this subtitle is to provide for allotments to support a protection and advocacy system in each State to protect the legal and human rights of individuals with developmental disabilities.

### Section 144(a)

#### **Governing Boards**

A majority of the members of the board shall be:

- Individuals with disabilities, including individuals with developmental disabilities, who are eligible for services or have received services through the system; or
- Parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities including developmental disabilities.

The board may include a representative of the State Council on Developmental Disabilities, the Centers in the State, and the self-advocacy organization (funded by the State Council).

### Section 144(e)

#### **Reports**

Beginning in fiscal year 2002, each system...shall annually prepare and transmit to the Secretary a report that describes the activities, accomplishments, and expenditures of the system during the preceding fiscal year, including a description of the system's goals, the extent to which the goals were achieved, barriers to their achievement, the process used to obtain public input, the nature of such input, and how such input was used.

Title I – Subtitle D  
National Network of University Centers for Excellence in  
Developmental Disabilities Education, Research, and Service

Section 151

**Purpose**

In order to provide leadership in, advice Federal, State, and community policymakers about, and promote opportunities for individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life, the Secretary shall award grants to eligible entities designed as Centers in each State.

Section 152

**Grant Awards**

- Centers to be funded up to \$500,000 per Center. This does not include funding for National Training Initiatives on Critical and Emerging Needs, but does not prohibit Congress from appropriating additional dollars for such projects.
  
- Once the Centers receive at least a 2% increase in core funding, up to 2% of the total funding will be used for technical assistance rather than utilizing funds under Part E for such purposes.

Section 153

**Purpose and Scope of Activities**

In the Core Functions of Centers, specific mention is now of:

- Continuing education of...direct service, clinical, or other personnel to strengthen and increase the capacity of States and communities.
  
- Provision of services and supports “through demonstration and model activities.”
  
- Analysis of public policy that affects or could affect...individuals with developmental disabilities and their families.

Section 153(b)

**National Training Initiatives on Critical and Emerging Needs**

To be funded to pay for the federal share of the cost of training initiatives related to the unmet needs of individuals with developmental disabilities and their families.

### Section 153(c)

#### **Technical Assistance**

In order to strengthen or support the national network of Centers, the Secretary may enter into one or more cooperative agreements or contracts to:

- Disseminate information nationally and internationally, including state-of-the-art training, research, and demonstration results policies and practices from multiple Centers;
- Serve as a research-based resource for Federal and State policymakers; and
- Utilize state-of-the-art technology to do so.

### Section 154(e)

#### **Annual Report**

Centers must annually prepare and transmit to the Secretary a report on progress made in achieving goals, including:

- The extent to which the goals were achieved;
- A description of the strategies that contributed to achieving the goals;
- If goals were not achieved, factors impeding achievement;
- Accounting of funds.

As well as proposed revisions and a description of successful efforts to leverage funds from other resources.

### Section 154(a)(3)(E)

#### **Consumer Advisory Committee**

The Consumer Advisory Committee for University Centers must now be composed of a majority of individuals with developmental disabilities and must include a representation of the self-advocacy organization funded by the State Councils.

## Title I – Subtitle E Projects of National Significance

### Section 161

#### **Purpose**

The purpose of this subtitle is to provide grants, contracts, or cooperative agreements for projects of national significance that:

- Create opportunities for individuals with developmental disabilities to directly and fully contribute to, and participate in, all facets of community life; and
- Support the development of national and state policies that reinforce and promote, with the support of families, guardians, advocates and communities, of individuals with developmental disabilities, the self-determination, independence, productivity, and integration and inclusion in all facets of community life through:
  - Family support activities; and
  - Other projects that hold promise to expand or improve opportunities for such individuals, including:
    - Provide technical assistance to self-advocacy organizations of individuals with developmental disabilities;
    - Provide aid to transitioning youth in finding employment and postsecondary education opportunities, and in upgrading and changing any assistive technology devices that may be needed as a youth matures;
    - Address the development of community quality assurance systems and the related training, including training of individuals with developmental disabilities and their families;
    - Address the needs of aging individuals with developmental disabilities and aging caregivers of adults with developmental disabilities in the community;
    - Create greater access to and use of generic services systems, community organizations, and associations, and initiatives that assist in community economic development;
    - Create access to increased living options;
    - Address the challenging behaviors of individuals with developmental disabilities, including initiatives that promote positive alternatives to the use of restraints and seclusion; and
    - Address other areas of emerging need.

## **Title II**

### **Families of Children with Disabilities Support Act of 2000**

Congress states in the Findings that it is in the best interest of our Nation to preserve, strengthen, and maintain the family. Also, families of children with disabilities provide support, care, and training to their children that can save States millions of dollars. Without the efforts of family caregivers, many persons with disabilities would receive care through State-supported out-of-home placements.

The goals of the Nation include the goal of providing to families of children with disabilities the family support services necessary:

- To support the family;
- To enable families of children with disabilities to nurture and enjoy their children at home;

- To enable families of children with disabilities to make informed choices and decisions regarding the nature of supports, resources, services, and other assistance made available to such families; and
- To support family caregivers of adults with disabilities.

### **Purpose**

- Promote and strengthen...comprehensive State systems of family supported services for families with children with disabilities that are family-centered and family-directed, and that provide families with the greatest possible decision-making authority and control regarding the nature and use of services and support;
- Promote leadership by families in planning, policy development, implementation, and evaluation of family support services;
- Promote and develop interagency coordinating and collaboration between agencies;
- Increase the availability of funding for, access to, and provision of family support services.

### **Grants to States**

Allows for three-year subawards (from \$100,000 - \$500,000) to States to support systems change activities designed to assist States to develop and implement, or expand and enhance, a statewide system of family supported services for families of children with disabilities.

### **Technical Assistance**

Allows for contracts or cooperative agreements for technical assistance and information to develop, implement, or expand and enhance a statewide system of family support services.

### **National Evaluation**

The Secretary will conduct a national evaluation of the program of grants to assess the status of family support programs and the impact on families of children with disabilities.

The Secretary will work with the State to develop an information system designed to compile and report on the impact of programs of grants to the States on:

- Families of children with disabilities, including families from unserved and underserved;
- Access to and funding for family support services;
- Interagency coordination and collaboration between agencies;
- The involvement of families of children with disabilities at all levels of the statewide systems.

## **Title III**

### **Program for Direct Support Workers who Assist Individuals with Developmental Disabilities**

Congress finds that there is a substantial decrease in the number of direct care workers due to:

- Small population of individuals aged 18-25
- Rapid expansion of service sector
- Low wages in human service sector
- Lack of quality training and career advancement opportunities

#### **Reaching Up Scholarship Program**

Grants awarded to carry out scholarship programs by providing vouchers for postsecondary education to direct support workers who assist individuals with developmental disabilities residing in diverse settings.

#### **Staff Development Curriculum Authorization**

Funding awarded for a staff development curriculum and related guidelines for computer-assisted, competency-based, multimedia, interactive instruction relating to service as a direct support worker.

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## Section 2

### Nebraska Planning Council on Developmental Disabilities Introduction

#### Nebraska Planning Council on Developmental Disabilities Mission

The Council engages in *Advocacy*, *Capacity Building*, and *Systemic Change* activities that assure that individuals with developmental disabilities and their families participate in the design and have access to needed community services, individualized support, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life.

#### What Resources does the DD Council have to Accomplish Initiatives?

- Nebraska receives approximately \$470,000 in Federal funding.
- Three paid Council staff work exclusively for the Council within the state Department of Health and Human Services.
- The Council engages in contracts and subaward funding to implement innovative projects.

#### What are DD Council Staff Responsibilities?

- Oversee subawards
- Draft Council meeting agendas with Council Chair
- Organize Council and Committee meetings
- Organize Request for Application (RFA) process
- Liaison with the Department of Health and Human Services
- Ensure federal compliance
- Represent the Council on disability-related projects, task forces, advisory committees
- Collaborate with other advocacy agencies
- Oversee fiscal status
- Complete Annual Performance Report
- Arrange Council members' travel
- Public policy advocacy
- Review and testify on state regulations
- Liaison with regional council staff
- Disseminate information

## What is the DD Council State Plan?

- Five-year plan with statewide goals developed by Council members with input from other interested parties (updated annually).
- Based on the pressing needs of Nebraskans with developmental disabilities.
- Designed to bring about system change through the work of Council staff and the development of innovative Council-funded projects in the field.

### [State Plan Goals and Objectives](#)

## What is the DD Council Program Performance Report (PPR)?

- Annual federally mandated report for the federal fiscal year (*October 1 thru September 30*).
- Reports Council progress on activities as designated in the State Plan.
- Completed by Council staff.

### [Program Performance Report](#)

### [Annual Program Performance Report Summary](#)

# Nebraska Planning Council on Developmental Disabilities

## State Plan Goals for 2012-2016

### **Goal #1: Community Inclusion**

To support communication and personal relationships in communities between children and adults with and without developmental disabilities in order to increase inclusion.

- Support activities that result in more opportunities for inclusion of children and adults with developmental disabilities and model inclusive practices that can be replicated.
- Increase recreation options for children and adults with developmental disabilities.
- Maintain a network of regional councils so they can conduct statewide grassroots activities that enhance the inclusion of children and adults with disabilities in their communities.

### **Goal #2: Employment**

To increase the employment of individuals with developmental disabilities working in integrated settings and earning at least minimum wage.

- Improve transition services from school to work resulting in jobs after graduation.
- Increase training and education on employment directed at service providers, individuals, families, employers, service coordinators, and community members.

### **Goal #3: Quality Assurance**

To support quality services across the lifespan based on the needs and decisions made by persons with developmental disabilities and their families.

- Maintain legislative advocacy to insure continued support of people with developmental disabilities and their families.
- Increase education and training opportunities for those who support people with developmental disabilities in the community.
- Increase practices of safety along with reasonable risk for people with developmental disabilities in the community.

### **Goal #4: Quality Assurance – Self-Advocacy**

To increase quality assurance by supporting self-advocacy to become a valuable resource and increasing its visibility to policymakers.

- Support self-advocacy groups to increase their participation at all levels of policy development.

## **Goal #5: Health**

To improve the health of individuals with developmental disabilities by expanding access to healthcare and insuring inclusive public health services.

- Assess the healthcare concerns of people with developmental disabilities and their families.
- Promote healthy lifestyles.
- Promote the use of telehealth to all areas across Nebraska.

For comments or questions, please contact:

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# Nebraska Planning Council on Developmental Disabilities

## Annual Program Performance Report Summary 2015

The Nebraska Planning Council on Developmental Disabilities works to address identified needs by conducting advocacy, systems change, and capacity building efforts that promote self-determination, integration, and inclusion. Key activities include conducting outreach, providing training and technical assistance, removing barriers, developing coalitions, encouraging citizen participation, and keeping policymakers informed about disability issues. In 2015, the Nebraska Planning Council received \$472,622 in federal funding authorized under the Developmental Disabilities Act to support its work and priorities identified in the Council's State Plan. Its 24 members are appointed by the Governor with 60% of these members being individuals with developmental disabilities or family members. Council activities in 2015 included the following:

- Six voluntary Regional Councils comprised of individuals with disabilities, family members, agency representatives, service providers, and advocates conducted local activities across the state in advocacy, capacity building, and systemic change based on the Council's State Plan priorities. As a funding source to help implement the state plan through public education and awareness efforts, Regional Council funds supported 493 individuals across the state to attend conferences, workshops, and training in leadership, self-advocacy, and self-determination.
- The Council supports self-advocacy as a valuable resource to bring system improvements and awareness through People First of Nebraska (PFN), a state-wide nonprofit advocacy organization led by people with disabilities. PFN had a very productive year, demonstrating great progress and positive outcomes marking a turning point for the organization. PFN contracted with three support staff, providing statewide coverage for the first time in the organization's history, resulting in an increase in membership and the establishment of new chapters. Members helped design and create a series of awareness posters promoting respect and self-determination for people with developmental disabilities. Over 1,000 posters were distributed statewide. The PFN annual conference provides training to over 200 self-advocates, with self-advocates taking an active role as conference presenters.
- Fritz & O'Hare Associates was funded to develop the Nebraska Healthcare Practitioner (NHP) Training project to create a curriculum designed to increase the knowledge and understanding of healthcare practitioners when treating or relating to persons with intellectual or developmental disabilities (I/DD). A dynamic presentation was designed utilizing several modes of delivery, including a PowerPoint presentation, panel discussion, and videos which were created specifically for the project in cooperation with Southeast Community College (SCC). The NHP curriculum is also helpful for direct support professionals who accompany individuals to medical appointments, as well as health care providers in all fields. A link to the training materials is on the Council's website to promote this curriculum.
- Council funds were awarded to the Brain Injury Association of Nebraska to provide two brain injury trainings for developmental disabilities providers to increase their capacity to serve individuals with brain injury in their programs. These training were attended by 127 people at the Association of Community Professionals (ACP) 2015 Spring Conference. Service providers serving individuals with both behavioral health needs and developmental disabilities were targeted, and provider staff

throughout the state participated in the trainings and the assessments. Three focus areas were how both developmental disabilities and brain injury can be similar with aggressive or self-harming behaviors, physical abuse, or seizure activity; that treatment teams need to be aware as it can save time, frustration, and money; and, that brain injury affects the individual's daily functioning, impacts their behaviors, and complicates treatment.

- Goodwill Industries of Greater Nebraska, Inc. received Council funding to revise their supported employment approach to ensure that effective customized employment practices are adopted, implemented, and understood. The revised approach will increase the number of job seekers with developmental disabilities who secure and maintain employment in current Goodwill service sites across the state. Griffin-Hammis Associates' Senior Consultant, Doug Crandell, visited Central Nebraska to evaluate Goodwill's current supported employment practices and identify needed improvements. Mr. Crandell continues to facilitate video conferences with Goodwill's leadership team to review progress, measure improvements and make needed adjustments to the plan. By the end of 2015, project activities resulted in 11 more individuals securing employment. 2016 will bring additional positive outcomes through the development of the Active Employer Council engaging local business leaders in the strategic plan.
- To promote the Council's goal of increasing employment of individuals with developmental disabilities working in integrated settings and earning at least minimum wage, the Council funded a variety of projects. The Nebraska Association of Service Providers (NASP) used funds to develop and promote an employer guide. The messaging campaign was to increase the understanding of employers that individuals with developmental disabilities are an asset to businesses. Additionally, the Council funded Nebraska Vocational Rehabilitation (VR) to collaborate with the Autism Spectrum Disorder Network to train staff in vocational evaluation techniques and communication strategies to increase successful employment outcomes for youth with Autism Spectrum Disorders (ASD). Darla Wilkerson with The Consulting Services and Information Network assisted Region V Services to implement an Employment First vision with strategies in a rural community initiative. (As a result, Region V more than doubled the number of people employed from 11 to 28, and a sustainability plan was developed to support the project vision.)
- In an effort to reach minorities, the Council funded the Minority Outreach Resources Education (M.O.R.E.) Community Inclusion Through Minority Outreach subaward in 2015. The program provides support and advocacy for minority families in North and South Omaha with medical, physical, mental, developmental, and behavioral health needs. Their project entails connecting minority families of children and young adults with disabilities to professionals, peers, and mentors without disabilities to provide inclusive community events and activities. In 2015, M.O.R.E. sponsored a variety of activities focused on increasing communication and personal relationships between families who have typically developing children and families with special needs children.

In addition to funding these and other projects, Council staff take an active role in bringing advocacy and awareness in the following ways:

- Council staff advocate, collaborate, and increase awareness for individuals with developmental disabilities by serving on numerous advisory councils and committees: Nebraska Special Education Advisory Council (SEAC), Nebraska Assistive Technology Partnership Advisory Council, Brain Injury Advisory Council, Nebraska Consortium for Citizens with Disabilities (NCCD), Nebraska Association of Service Providers (NASP), Nebraska Oral Health Advisory Panel, the Nebraska Title V Program - Children and Youth with Special Healthcare Needs (CYSHCN) Needs Assessment workgroup, and the

Coordinated Funding Committee. The Designated State Agency for the Council is the Division of Public Health. Council staff serve on various work groups focused on the Division of Public Health's strategic plan, which provides a roadmap to continue to help Nebraskans live healthier lives now and into the future. This collaboration addresses health disparities for persons with disabilities and develops strategies to lay the foundation for greater inclusion of persons with disabilities in generic public health programs.

- Collaborative activities between the federally funded DD Network Partners (Munroe-Meyer Institute/University Center for Excellence in Developmental Disabilities and Disability Rights Nebraska) foster partnerships within the network, including significant information sharing, joint training, and unified advocacy efforts.
- The Council annually publishes *Newsline* during the legislative session to keep citizens informed regarding proposed legislation related to developmental disabilities and providing status updates on legislative bills the Council has selected to follow.
- The Council has been paying close attention to federal legislative changes and policies that will impact individuals with developmental disabilities. This includes engaging in Nebraska's State Plan development to implement the Workforce Innovation and Opportunity Act (WIOA), and supporting state legislation (LB 591) to implement the ABLE (Achieving a Better Life Experience) Act. The Council is also following Nebraska's State Transition Plan to implement CMS' (Center for Medicaid Services) new rule re-defining Home and Community Based Services (HCBS) which will ensure that individuals receiving services and supports through Medicaid's HCBS programs have full access to the benefits of community living and receive services in the most integrated setting.

Please contact us if you have questions or comments about the Council's activities or would like to receive a copy of the complete annual report. Alternate formats for persons with disabilities are available.

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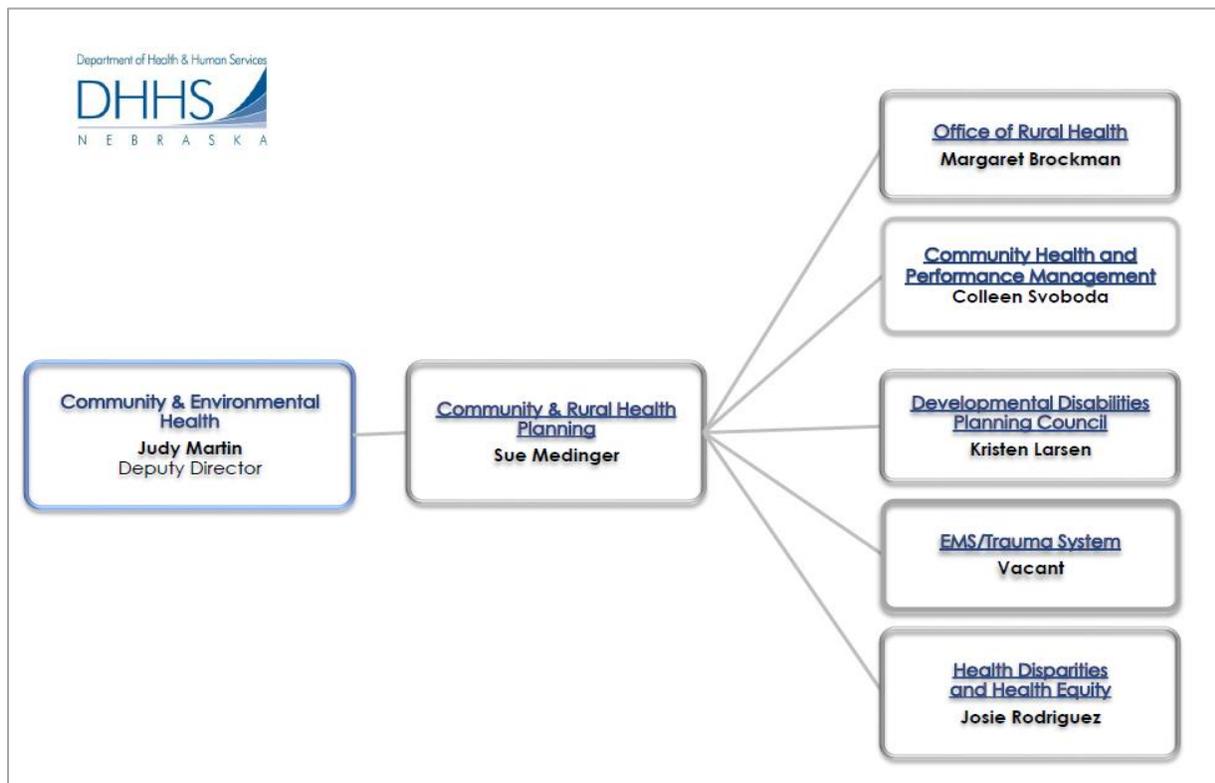
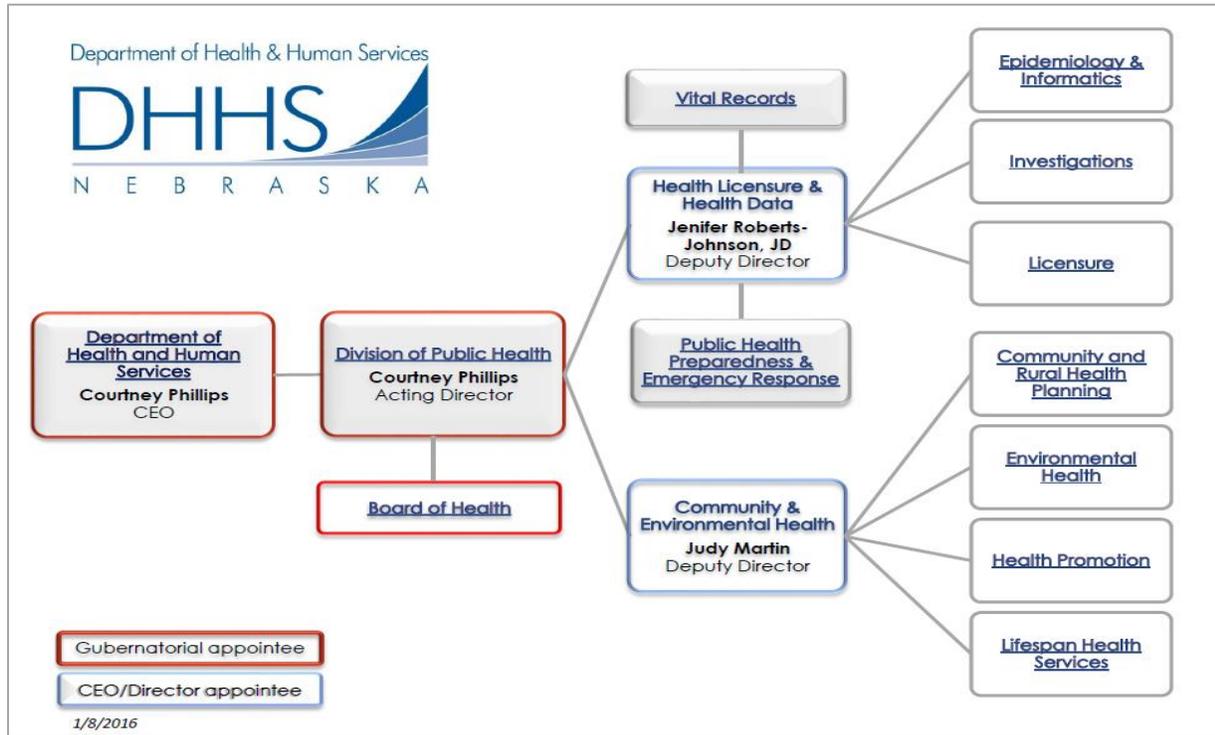
#### Nebraska Planning Council on Developmental Disabilities Members

Kristin Mayleben-Flott, Chair  
Christi Crosby  
Clarice Jackson  
Judy Martin  
Courtney Miller  
Lorie Regier  
Wayne Stuberg  
Haley Waggoner

Sue Adams  
Janet Drudik  
Dale Johannes  
Mary McHale  
Sharon Miller  
Debbie Salomon  
Joni Thomas  
Jill Weatherly

Jessica Barrett  
Linda Walker Gardels  
Seamus Kelly  
Cathy J. Miller  
Donna Montgomery  
Greg (G.R.) Smith  
Dee Valenti  
Medicaid & Aging Representative,  
TBA

Department of Health and Human Services Organizational Chart



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## Section 3

### Nebraska Planning Council on Developmental Disabilities Council Meetings and Membership

#### Who Serves on the DD Council?

By federal law, Councils must include:

- 60% are persons with developmental disabilities or family members, including an individual or an immediate relative or guardian of an individual who resides or previously resided in an institution.
- Representatives from relevant state agencies. In Nebraska this includes: [Aging](#), [Medicaid](#), [Developmental Disabilities Division](#), [Nebraska VR](#), and the [Department of Education](#).
- Representative from [University Center for Excellence on Developmental Disabilities](#).
- Representative from [Protection and Advocacy](#).

#### What do I Need to Know about DD Council Meetings?

- Quarterly meetings occur in February, May, August, November/December in Lincoln.
- Travel and overnight expenses for Council members are paid.
- Council Chair conducts the meeting using Roberts Rules of Order.
- Council members are sent packets to review 10 days before the meeting.

#### What are the Standing Committees of the DD Council?

- **Planning Committee:** Oversee preparation of the State Plan for Developmental Disabilities by reviewing data and needs assessment results, reviewing model projects and research on the quality and extent of existing services, and the development of goals and objectives for the Council. Meets the afternoon prior to the May Council meeting.
- **Legislative & Advocacy Committee:** Research State and Federal legislative and regulatory issues affecting lives of citizens with disabilities; may respond to, initiate, and/or influence legislation and regulations subject to Council review and/or direction. Meets the afternoon prior to the February Council meeting.
- **Grant Review Committee:** Review subaward proposals submitted for funding during the subaward cycle as requested by the Council and make recommendations regarding these applications to the Council for their approval. Meets the afternoon prior to the August Council meeting.
- **Regional Council Coordinating Committee:** Oversee a statewide network of Regional DD Councils which shall articulate local/regional needs and issues, implement priorities of the State Council on a local level, and assist in resolving issues unique to the particular locality/region. Meets for the day in April and October.

# Nebraska Planning Council on Developmental Disabilities

## Planning Council Committees for 2016

### **Legislative & Advocacy Committee**

- Linda Gardels - Chairperson
- Jessica Barrett
- Dale Johannes
- Seamus Kelly
- Mary McHale
- Cathy Miller
- Debbie Salomon
- Joni Thomas
- Jill Weatherly

### **Grant Review Committee**

- Clarice Jackson – Chairperson
- Dale Johannes
- Judy Martin
- Courtney Miller
- Lorie Regier
- G.R. Smith
- Wayne Stuberg
- Jill Weatherly

### **Planning Committee**

- Sharon Miller – Chairperson
- Sue Adams
- Janet Drudik
- Donna Montgomery
- Wayne Stuberg
- Dee Valenti
- Haley Waggoner

### **Regional Council Coordinating Committee**

- Christi Crosby
- Cathy J. Miller

# Nebraska Planning Council on Developmental Disabilities

## Conflict of Interest Policy

Developmental Disabilities Council membership is required by law to be diverse. The Developmental Disabilities Act mandates that there be representatives on the Council of principal state agencies serving people with developmental disabilities, the Protection and Advocacy System, and the University Centers for Excellence in Developmental Disabilities Education, Research and Services (UCEDD). These members (who serve on the Council by virtue of their position) are key providers and players in the state system and may also wish to expand services to more people with developmental disabilities in innovative ways. Councils are mandated to encourage and support these agencies to do so.

The DD Act also mandates that at least 60% of the Council must consist of people with developmental disabilities and their parents, family members or guardians. These citizen members represent the interests of all people with developmental disabilities in the State, the key stakeholders who seek and use the system of services. Many of these individuals also serve as unpaid volunteers on the Boards of non-profit community organizations which serve, support, or otherwise assist people with developmental disabilities.

Depending upon the objectives in the DD State Plan, it is possible that agencies and organizations with which Council members and staff are associated might apply for and receive subawards or contracts from the Council. Thus, there is the possibility that these Council members may appear to have a conflict of interest even where one does not exist because of their associations with these organizations and agencies.

This policy attempts to deal with the problem of conflict of interest in ways fair to Council members and staff which enable the Council to function while protecting the integrity of the DD program.

Conflict of Interest is defined in Section 49-1499, Revised Statutes of Nebraska, as:

- A. A potential conflict of interest exists when you, in the discharge of official duties, would be required to take an action or make any decision that may cause financial benefit or detriment to you, a member of your immediate family, or a business with which you are associated which is distinguishable from the effects of such action on the public generally or a broad segment of the public.
  - B. Immediate family shall mean a child residing in your household, your spouse, or an individual claimed by you or your spouse as a dependent for federal income tax purposes.
  - C. Business with which you are associated shall mean a business: (1) of which you are the sole proprietor; (2) or in which you are a partner, director, officer, or employee; (3) or in which you or a member of your immediate family is a stockholder of closed cooperation stock worth \$1,000 or more at fair market value or which represents more than 5 percent equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than 10 percent equity interest.
1. At the first meeting of each calendar year, members shall disclose any potential conflict of interests of which they are aware. These disclosures shall be duly recorded in the minutes. The "Conflict of Interest" Policy shall be given to each member at this time.
  2. When a member is aware of a conflict of interest, they should notify the chairperson.

3. Council members with a conflict of interest should refrain from participating in the discussion other than to offer information or answer questions. When a vote is taken, the members should leave the room during the vote and until the votes are tabulated. The minutes shall reflect that the member was "not present" for the vote.
4. Any member who is unsure whether there is a conflict or potential conflict should present the question to the full Council or Executive Committee prior to any vote being taken.

# Nebraska Planning Council on Developmental Disabilities

## Provisions for Membership Rotation

The Nebraska Planning Council on Developmental Disabilities reviewed the current appointment process to see if there has been a problem with member rotation. After consideration, the Council decided not to implement term limits for the following reasons:

- The Governors do appoint new members on a periodic schedule so the Council has not had a problem with a majority of members being very long-term members.
- Limiting terms can mean that the Council loses experience and knowledge of past Council decisions that impact current ones.
- The DD Act requires that agency representatives have sufficient authority to engage in policy planning and implementation on behalf of their program. This means that as long as an agency representative holds their job, they would remain on the Council. Consumer members might find that term limits only apply to them.

The Nebraska Planning Council on Developmental Disabilities recommends that the Governor periodically consult with the Council and staff to make appropriate provisions to rotate the membership of the Council.

## Section 4

### Nebraska Planning Council on Developmental Disabilities

#### Council Activities

##### What are the Major Council Activities?

- Committee meetings
- Council meetings
- State Plan and Program Performance activities
- Regional Council activities
- Annual Retreat
- Legislature

[Calendar of Activities](#)

##### What are Regional DD Councils?

- Consumers, family members and professional volunteers
- Meet monthly to work on local initiatives
- Allotted \$5,750 annually from the State Council
- Focus on consumer and family education, DD awareness, community inclusion, professional training
- Plan an Annual Retreat focusing on current statewide issues and initiatives

[Regional Council Map](#)

[Regional Council Chairpersons and Sponsoring Agencies](#)

##### What Type of Projects does the DD Council Fund?

- Outreach
- Training
- Technical assistance
- Supporting and educating communities
- Interagency collaboration and coordination
- Coordination with related Councils, committees and programs
- Barrier elimination, systems design and redesign
- Coalition development and citizen participation
- Informing policymakers
- Demonstration of new approaches to services and supports

## What Subaward and Financial Assistance Opportunities Does the DD Council Offer?

- Formal subawards
- Opportunity subawards
- Regional Council subawards
- Ongoing projects

## Calendar of Activities

### **January**

- Legislature begins. Relevant introduced bills are identified by staff and sent out to Legislative and Advocacy Committee.

### **February**

- Legislative and Advocacy Committee meets.
- Council meeting. Members take positions on legislative bills and review and approve mid-year Opportunity Subawards.

### **March**

- Staff and members continue to track legislation and testify as needed.

### **April**

- Mid-year Opportunity Subawards begin April 1.
- Regional Council Coordinating Committee meets.

### **May**

- Planning Committee meets to identify funding priorities for subawards based on the state plan.
- Council meeting. Members approve funding priorities for the next year and specify desired outcomes for subaward projects to be funded the following October.

### **June**

- Staff begin to review current state plan and draft needed amendments.
- Request for Applications (RFA) released for large subawards for October 1 start date.

### **July**

- Work continues on state plan.

### **August**

- Amended state plan submitted to federal Administration on Intellectual and Developmental Disabilities.
- Grant Review Committee meets.
- Council meeting. Members review and approve Opportunity Subawards and new and continuation large subaward applications. Election of officers is done.

### **September**

- Regional Council Retreat is held.
- Federal fiscal year ends.

### **October**

- Federal fiscal year begins.
- New subawards begin October 1.
- Regional Council Coordinating Committee meets.

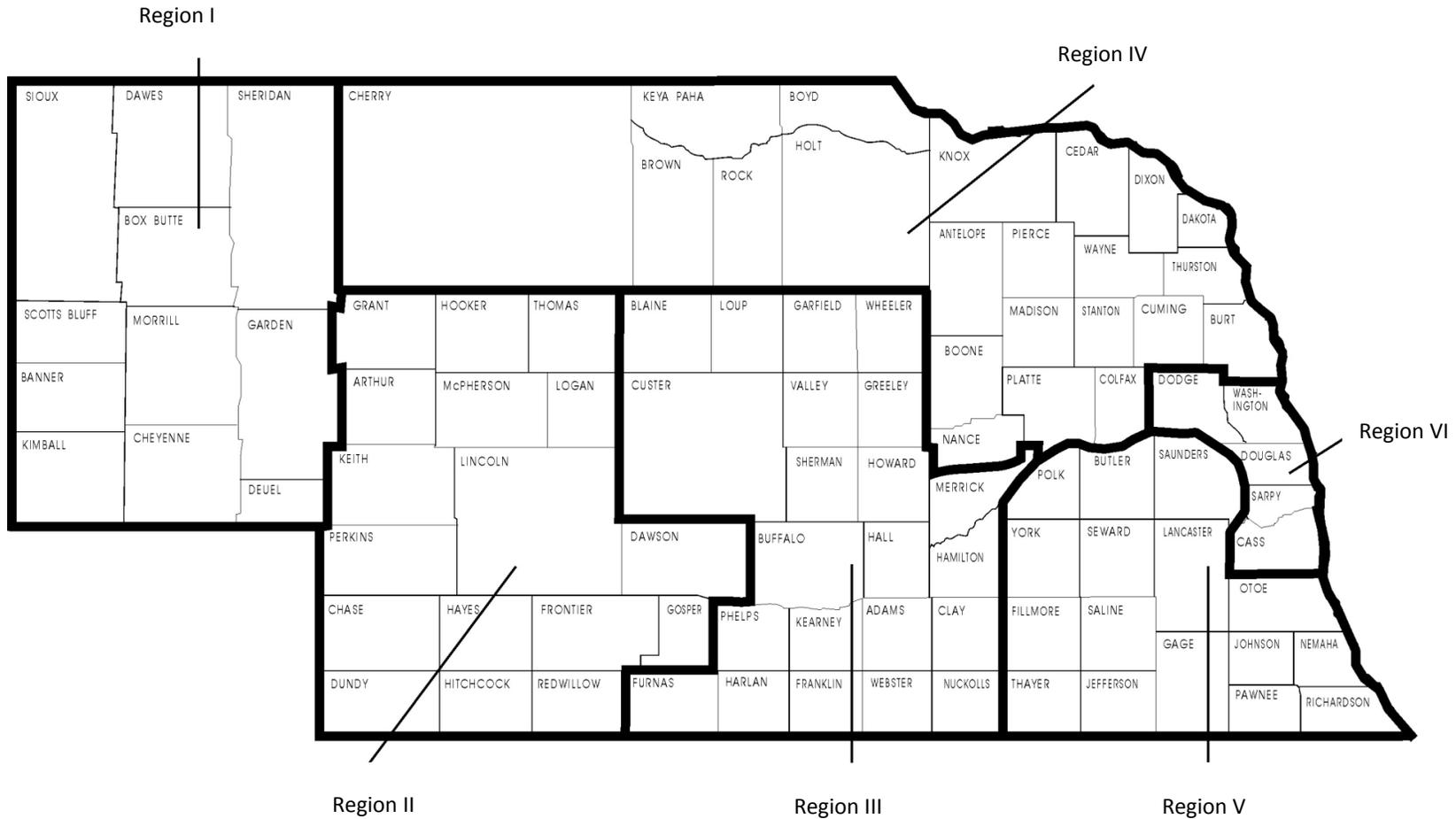
### **November**

- Staff begin to work on Program Performance Report.

### **December**

- Council meeting. Members declare potential conflicts of interest. Committee assignments for new fiscal year are made.
- Program Performance Report submitted to federal Administration on Intellectual and Developmental Disabilities.
- Request for Applications (RFA) released for Opportunity Subawards for April 1 start date.

# Nebraska Planning Council on Developmental Disabilities Regional Councils



# Nebraska Planning Council on Developmental Disabilities

## Regional Council Chairpersons and Sponsoring Agencies

### CHAIRPERSON

### SPONSORING AGENCY

#### REGION I

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#### REGION II

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SPONSORING AGENCY

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# What Is a Regional Developmental Disabilities (DD) Council?

## How You Can Serve On a Council

The Nebraska Planning Council on Developmental Disabilities undertakes advocacy, capacity building, and systemic change activities on behalf of persons with developmental disabilities and their families. These activities contribute to a coordinated consumer and family directed comprehensive system that includes needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all aspects of community life. The Regional Developmental Disabilities Councils are affiliated with the State Council.

The state is divided into six geographical areas called regions, each having a voluntary Regional Council. Membership on the Regional Councils is open to any interested person living in the region, including persons with disabilities, family members, service providers, and advocates. Operating under regionally approved by-laws, the councils elect officers annually. The majority of the councils meet monthly to handle needed business.

Each Regional Council receives funds from the State Council for use in their areas to support local activities similar to those of the State Council. These include public education/awareness efforts; trainings for individuals, families and service providers; and support to attend relevant conferences or workshops.

The Regional Councils also assist the State Council and its committees in carrying out activities such as subaward reviews, hosting public forums, and advocacy efforts.

If you are interested in participating in the Regional Council that serves your region, please contact:

Terri Holman, Council Liaison  
Nebraska Planning Council on Developmental Disabilities  
PO Box 95026  
Lincoln, NE 68509-5026  
Phone: 402.471.2330  
TDD: 402.471.9570  
Email: [terri.holman@nebraska.gov](mailto:terri.holman@nebraska.gov)

# Nebraska Planning Council on Developmental Disabilities

## Subaward Financial Assistance Opportunities

Based on the priorities determined in the five-year state plan, the Council awards subaward financial assistance to agencies. Subaward financial assistance cannot be used for direct service provision or equipment purchases.

- **Opportunity Subawards**, not to exceed \$10,000, are awarded twice a year. The Council sets aside \$40,000 annually for these projects which require less grant experience on the part of the agency and are for one year.
- **Formal Subawards** that are in response to specific Requests for Applications (RFAs) are generally issued by the Council in the spring and awarded in August. These involve larger amounts (\$20,000 to \$50,000) and address a specific concern identified by the Council. These projects can be for one year but cannot exceed three years.
- **Regional Council Subawards** are provided through contractual arrangements with the network of six regional DD Councils in the state. Each council receives \$5,000 annually to address local needs. The regional councils retain the authority to disburse these funds based on general guidelines provided by the State Council.
- **Ongoing Projects** involve a longer term commitment. As encouraged by the federal DD Act, the Council supports People First of Nebraska, the self-advocacy group in the state. They have also supported Nebraska's efforts to implement the Home of Your Own Coalition, which has taken a long-term approach in supporting home ownership for people with disabilities.

[Return to Table of Contents](#)

## Section 5

### Nebraska Planning Council on Developmental Disabilities

#### Council Member Expenses

#### What Expenses\* are Covered for Council Members?

Council members' expenses for participation at Council meetings, committee meetings, and approved conferences and events are eligible for reimbursement. Examples include:

- Mileage
- Meals
- Lodging
- Personal Care Aide
- Childcare for child with disability

\*Subject to DHHS policies on reimbursement

#### How Do Council Members Get Reimbursed?

Reimbursement [Procedures](#) and [Forms](#)

[Council Member Conference Request Form](#)

[Council Member Conference Report Summary](#)

[State Travel Expense Policies](#)

# Nebraska Planning Council on Developmental Disabilities

## Expense Reimbursement Procedures

Expense Reimbursement for Non-State Employees forms are distributed at Council-sponsored events. When members are attending a conference, these forms will be emailed to them. The form is also available on the Council member webpage at [www.dhhs.ne.gov/DDCouncilMembers](http://www.dhhs.ne.gov/DDCouncilMembers).

When you receive the form, complete all sections including the top portion of the form, the Mileage Reimbursement, Meal Reimbursement, Lodging Reimbursement, and Miscellaneous Reimbursement sections. Mark sections that do not apply with an NA. Sign and date the form as the Board or Advisory Committee Member/Volunteer and submit the completed form to Council staff to be processed for payment.

All receipts should be kept by all individuals and turned in with the Expense Reimbursement form to the Council office. Meal reimbursement receipts should indicate the name of the restaurant, amount of the meal, and what was ordered. A credit card receipt is not acceptable. The State uses a direct deposit system for reimbursements. If you have not already been set up in the State's accounting system, you will receive a form to complete and return to Council staff to create an account for payments in addition to the reimbursement form.



Nebraska Department of Health and Human Services  
Expense Reimbursement for Non-State Employees

<b>Name</b>			<b>NIS Number</b>
<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip Code</b>
<b>Daytime Phone Number</b>	<b>Board, Advisory Group, Volunteer Group</b>		
	Nebraska Planning Council on Developmental Disabilities		
<b>Nature of Business</b>			
<b>Location of Meeting (City)</b>			

**Mileage Reimbursement**  
(Personal car) (To be paid at approved State rate)

<b>Travel Start Date/Time/Location</b>	<b>Travel Stop Date/Time/Location</b>	<b>Miles Traveled</b>
<b>Return Travel Start Date/Time/Location</b>	<b>Return Travel Stop Date/Time/Location</b>	<b>Miles Traveled</b>
<b>Auto Owner</b>	<b>Auto License #</b>	<b>Total Miles Traveled</b>

**Mileage Reimbursement**  
(Amounts must be reasonable and only for meals not otherwise provided as part of the meeting.  
If more than one day of meals are claimed, each day must be listed separately.)

**Breakfast** – If travel begins at or before 6:30 am in the morning meal may be reimbursed.  
**Lunch** – If overnight travel begins at or before 11:00 am or return from overnight travel at or before 2:00 pm, the noon meal may be reimbursed. Noon meals for one-day travel are not reimbursable.  
**Dinner** – If returning from one-day travel or beginning overnight travel at or after 7:00 pm the evening meal may be reimbursed.

**Breakfast \$**

---

**Lunch \$**

---

**Dinner \$**

---

**Meal Total \$** **Date**

---

**Lodging Reimbursement**

**Was Lodging paid directly by State of Nebraska?**

Yes     No    If yes, name of Hotel/Motel

---

If reimbursement for lodging is requested, please attach the original receipt to this document. The receipt must show a "zero" balance and dates of travel.

**Lodging Total \$** **Date(s)**

---

**Miscellaneous Reimbursement**  
(i.e., parking, tolls, etc.) Be specific.

Expense	Total \$	Date(s)
Expense	Total \$	Date(s)
Expense	Total \$	Date(s)

**Summary**

Meals Total \$	Total Mileage Reimbursement
Lodging Total \$	Miscellaneous Total \$
Total Expenses \$	

I certify that the above claim for reimbursement from the State of Nebraska is for expenses incurred by me and declare that this is a true account of such expenses for which payment has not previously been made by the State of Nebraska.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Council Member/Volunteer

**INSTRUCTIONS**

This reimbursement form is to be used by individuals who serve on Boards, Advisory Committees or Volunteer Groups who seek reimbursement for costs incurred by them personally while conducting board or advisory committee business. The following procedures will help in expediting the processing of expense reimbursement documents. Submit your own expenses. Do not share receipts or combine individual expenses on one expense reimbursement form. Please attach all original receipts that are required for reimbursement (lodging, car rental, commercial travel, registration fees, as applicable).

**For DHHS Staff Only:**

Obtain a board or committee authorized signature from your administrator/designee with authority to commit or expend funds for the respective division/unit/facility/office/service area. Final processing requires an expense reimbursement document to be completed by the coordinating individual for the board or advisory committee.

- \_\_\_\_\_ Attach original to expense reimbursement document
- \_\_\_\_\_ Photocopy to responsible division/unit/facility/office/service area
- \_\_\_\_\_ Photocopy to individual board or advisory committee member

**To Be Completed by the State of Nebraska**

Signature \_\_\_\_\_ Business Unit Number \_\_\_\_\_

# Nebraska Planning Council on Developmental Disabilities

## Council Member Funding Request Guidelines

As a member of the Nebraska Planning Council on Developmental Disabilities, the Council can provide funding for you to attend conferences or trainings that will help you become a leader on the Council and in the state. This funding is restricted to non-agency representatives.

- You can apply each year to attend up to two in-state and one out-of-state training/ conference, as Council funds allow.
- To request funding, contact the Council office to receive the Council Member Conference Request Form and request time on the next Council meeting agenda to present your request. The completed Request Form must be submitted to the Council office prior to the event for required approval by vote of State Council members. Requests turned in for trainings/conferences between Council meetings will be reviewed and voted on by the Council's Executive Committee.
  - You must submit the following with your request: Conference Request Form, Conference Agenda, and the Conference Registration. Requests must be submitted to Council staff at least **eight weeks in advance** of the conference to allow for all necessary state accounting approvals to be obtained.
- Funding is for Council members only. Expenses for family members attending the training/conference are not covered by the Council. Exceptions can be made for family members who provide personal care to the Council member.
  - Funds allocated to the Regional Councils are intended to be utilized as a resource only to the public and members of the Regional Councils, not State Council members or their immediate families. It creates a potential conflict of interest for Council members or their immediate families to request funding from the Regional Councils since these councils rely on the State Council to approve their funding.
- You must follow the State's travel policies which are included in the Nebraska Planning Council on Developmental Disabilities Handbook.
- Travel expenses will be paid by you and will be reimbursed after receipts are submitted and approved by Council staff.
  - Lodging for trainings/conferences within Nebraska can be direct billed to the state if the arrangements are made by Council staff. Airfare for conferences outside of Nebraska can be paid directly if reservations are made by Council staff.
- When traveling, the most economical method of transportation must be used. "Most economical" means total cost including meals, lodging, and other travel expenses. Transportation can be by car, plane, bus, or train. If transportation used is not by the most economical means, reimbursement will be made based on the cost of the most economical transportation.
- Receipts are required for meal reimbursements and should indicate the name of the restaurant, date, amount of the meal, and detail of what was ordered. A credit card receipt that does not identify what was ordered is not acceptable. Alcoholic beverages are not reimbursable.

- State law requires that all expense reimbursements must be submitted to the DHHS Accounting Division within 60 days from the date of the incurred expense. When requesting reimbursement, send your expenses to our office with enough time to allow our office to review, approve, and prepare the request. **Because this is in state statute, there is no exception to this 60-day rule.**
- Expense reimbursement forms will be emailed to you if are attending a training/conference, or are available on the Council member webpage at [www.dhhs.ne.gov/DDCouncilMembers](http://www.dhhs.ne.gov/DDCouncilMembers). You must complete the Expense Reimbursement Document and attach the original receipts to be reimbursed. If you need assistance with the Reimbursement process, please contact Council staff.
- If you receive conference funding, you will be asked to complete a Conference Report Summary and give an oral report to the Council following your trip. The Conference Report Summary must be turned into Council staff with your expense reimbursement forms and receipts.
- Your reimbursement request, original receipts, and conference report summary will be reviewed for approval by Council staff prior to being submitted for payment.
- The State uses a direct deposit system for reimbursements.

# Nebraska Planning Council on Developmental Disabilities

## Council Member Conference Request Form

Council Member: \_\_\_\_\_  
Conference Title: \_\_\_\_\_  
Conference Location: \_\_\_\_\_  
Date(s): \_\_\_\_\_

The State reimburses for lodging and meal expenses. Conference registration and airfare may be able to be paid up front in many cases. The most cost effective means of transportation is covered.

The Council can only cover the expenses of the Council member and their personal care attendant, if required.

See Funding Request Guidelines for detailed information.

### Estimated Cost

Registration: \_\_\_\_\_  
Transportation: \_\_\_\_\_  
Lodging: \_\_\_\_\_  
Meals: \_\_\_\_\_  
Other expenses: \_\_\_\_\_  
(Please specify) \_\_\_\_\_

Total Funds Requested: \_\_\_\_\_

Please explain why you want to attend this conference and how it will help you as a member of the Nebraska Planning Council on Developmental Disabilities.

\_\_\_\_\_

Are you employed by an agency or do you have support from any agency or group that may be able to assist with the costs of this conference?

\_\_\_\_\_

Please submit the following to Council staff at least eight weeks in advance of the conference to allow for all necessary state accounting approvals to be obtained. Requests turned in between Council meetings will be reviewed and voted on by the Council's Executive Committee.

- Conference Request Form
- Conference Agenda
- Conference Registration

Council members who receive conference funding will be asked to turn in a Conference Report Summary with their expense reimbursement documents and share a brief oral report at the Council meeting following their trip.

# Nebraska Planning Council on Developmental Disabilities

## Council Member Conference Report Summary

Council members who receive funding are required to complete this Conference Report Summary after the training/conference. The Conference Report Summary, expense reimbursement documents, and receipts must be received by Council staff in order to process reimbursement requests. Additionally, a brief oral report will be given by the member at the Council meeting following the trip.

Council Member:

Conference Title:

Conference Location:

Date(s):

What topic(s) were covered at this training/conference?

How will the information from the training/conference help you develop or grow professionally as a member of the Council?

From what you learned at this training/conference, are there any actions or steps you can implement for systems improvement or recommend that the Council consider implementing?

## TRAVEL EXPENSE POLICIES

1. Air Travel - Air travel shall only be authorized when it is more economical than surface transportation. Reimbursement for commercial air travel will be limited to "coach" fare, if such seating is available at the time of ticket purchase. If an agency chooses to calculate productive time saved, the employee's actual salary shall be used. For board members, or others who do not receive a salary, the State average annual salary, as published in the Personnel Almanac, shall be used. Whenever reimbursement of air travel is made separate from the employee expense reimbursement document, a cross reference shall be made from the employee expense reimbursement document to the air travel reimbursement document.

Travel by privately-owned airplane or personally-rented airplane, shall have the prior approval of the agency director. Such approval shall be provided with the payment documents.

- a. Privately-owned – An employee will be reimbursed at the prevailing standard rate as established by the Internal Revenue Service through its Revenue Procedures. As of April 1, 2013 the rate is one dollar and thirty three cents per mile (\$1.33) Statute air mile. (Previously one dollar and twenty nine cents per mile (\$1.29) 1-1-2010. DAS will not differentiate between "travel at the convenience of the agency or employee". This mileage rate is effective for all employees not covered under a collective bargaining agreement, or in which the bargaining agreement does not specify a mileage rate.
  - b. Personally-rented - Employees shall be reimbursed for the actual expense of personally renting an airplane unless the expense is paid directly by the agency involved.
  - c. Charter flight - Agencies should contact the Department of Aeronautics to make arrangements for charter flights.
2. Commuting - The IRS defines commuting as the use of a vehicle for travel in any of the following situations. From the employee's:
    - 1) Regular place of employment to the employee's residence.
    - 2) Residence to regular place of employment.
    - A. Commuting expenses are defined by the Internal Revenue Service as those expenses incurred in traveling from one's residence to one's regular place of employment and one's regular place of employment to one's residence, no matter how often this occurs during a day. These are considered personal expenses and are, therefore, unallowable expenses when using a **non-state vehicle**.
    - B. Expenses incurred in traveling from one's residence to a temporary work location are not considered Commuting expenses and are reimbursable when using a **non-state vehicle**.
    - C. According to regulations issued by the Internal Revenue Service, certain responsibilities are required of employers who have employees that use **State vehicles** for commuting purposes.

The regulation provides that a value of \$1.50 for one way commute (\$3.00 for round trip commute) be added to the employee's income. Social Security taxes must be withheld on this income at least once a year. Federal and State income taxes need not be withheld, although the income will be included on the employee's W-2.

Each Agency is responsible for maintaining the necessary supporting documentation and correctly entering the withholding into the Nebraska Information System (ENTERPRISEONE). State Accounting may ask to review such supporting documentation at any time. Use of a State Vehicle for commuting is recorded in the payroll system by using Pay Type 530. A "one-way" commute would be entered as .50 hours, a round trip commute would be entered as one hour.

Two round trip commutes in one day would be recorded as two hours. Commuting adjustments must be processed during the calendar year payroll and can be entered as they occur or on a quarterly, semi-annual or annual basis. The entry is subject to Social Security and the employee's social security deduction will increase on their payroll when the entry is processed.

A de minimis exception, (which means we do not have to report usage), is allowed when an employee does not use an employer provided vehicle in a commuting capacity more than once a month.

The regulations also provide that where more than one employee commutes in the same employer provided vehicle, each employee is subject to the \$1.50/\$3.00 income value.

IRS regulations provide that an employer may use a cutoff date prior to the calendar year end to ease the processing of current year's W-2's. State Accounting has established a November 30<sup>th</sup> cutoff date which allows sufficient time to collect the necessary data and process the required paperwork in December.

Generally, a state employee whose home is their official office would not incur any commuting income.

3. Conference (Attendance by State Employees)

State employee expenses - Expenses incurred by a State officer, employee, or member of any commission, council, committee or board of the State while attending a non-State agency sponsored conference may be paid. Payment may be made directly to a vendor or as reimbursement to an employee for expenses incurred on behalf of the agency. Original invoices/receipts and a document, or statement, showing the date, purpose and agenda of the conference must be attached to the payment document. Expenses should be coded using "item" orientation. For example, travel expenses should be coded to the appropriate travel expenditure account and the registration fee to Conference Registration Expense.

The payment of meals and nonalcoholic beverages for State employees attending a non-State agency sponsored conference is allowable if the employee is in travel status or the meal is included in the overall conference pricing.

4. Lodging - Employees shall report only actual expenses paid for lodging. Business telephone calls ([Reference 10. Long Distance Telephone Calls](#)) and parking charges incurred at the lodging site may be included on the lodging bill. Lodging expenses may either be directly billed to the agency or claimed on an expense reimbursement. If claimed on an expense reimbursement, detailed receipts for lodging are required to be filed with the claim. Lodging may be reimbursed when an employee is "away from home overnight". The Internal Revenue Service states: "You are away from home overnight if your duties require you to be away from the general area of employment for a period substantially longer than an ordinary day's work and, during released time while away, it is reasonable for you to need and to get sleep or rest to meet the demands of your employment or business. The absence must be of such duration that you cannot reasonably leave and return to that location before and after each day's work."

Sales to the State of Nebraska and its agencies are exempt from Nebraska sales, use and lodging tax. Therefore, if in-state lodging expenses are directly billed to the agency, the agency should present a completed copy of [Form 13](#) (Nebraska Resale or Exempt Sale Certificate) to the lodging establishment.

It is State Accounting policy that a person generally be more than 60 miles from his or her workplace in order to be eligible for lodging. We realize there may be reasons to pay for lodging for distances less than 60 miles. Such reasons include, but are not limited to work requirements, medical conditions or weather; in those instances the reason must be clearly stated on the disbursement document.

5. Substantiation of Expenses - Under our accountable plan, the Internal Revenue Service requires employees to substantiate the cost for travel, lodging, meals, and other expenses. To be reimbursed, the expense must be a necessary expense, incurred in the line of duty, reason/purpose of the expense must be clearly stated, all start/stop dates and times must be recorded, and the amount of the expense must be substantiated.

Adequate accounting generally requires the use of a documentation record such as an account book, expense diary or log, or similar record near the time of incurrence of the expense. Such log should list the date, amount, place (e.g. city) or description, and purpose for **each** expense or meal/food cost. A combination of receipts and detailed itemization is permitted. To satisfy the requirement of our accountable plan, the employee should complete the Expense Reimbursement Document correctly ([see instructions](#)) or utilize a documentation record to transfer cost information to the expense reimbursement form so reimbursement can be made.

A request for reimbursement (on an approved expense reimbursement document) for the incurred expense must be submitted by the employee to the appropriate agency office (business office, accounting office). To document that this requirement is met, the agency office will need to have an effective method of recording when the expense document was received.

Such request must be made not later than sixty days after the final day on which the expenses were incurred for which reimbursement is sought. This means that if travel occurs June 15-June 18 and again on June 22- June 25, the request for reimbursement may include both trips, but the request for reimbursement for the first travel period must be submitted no later than 60 days after June 18.

If an employee typically requests reimbursement for non-travel expenses and accumulates the receipts for which reimbursement is sought, each expense will have its own 60 day limit for reimbursement. (Travel is defined as being away from headquarter city longer than one day.)

When a receipt does not provide the essential character of the expense, such as rate or period of use, the agency may require a copy of the rental contract or other billing as supporting documentation to substantiate the expense. For instance, vehicle rental receipts with only an amount would require additional documentation. Screen prints or other support of online purchases should be provided, if possible, to document purchases being made via the internet.

6. Meals

- a. Overnight Travel - Pursuant to Section 81-1174, employees traveling on State business shall claim only actual amounts paid for food/meals. Employees should not submit claims based on any per diem amount. (The Federal maximum per diem rates are only a guideline and should **NOT** be claimed). When requesting or approving food/meal costs, compare the average cost per day for the entire trip with the appropriate daily GSA rate. Exceeding the GSA daily rate by a small amount fits the State definition of reasonableness. Reasonableness in very limited cases may exceed such rates by larger amounts; however, the reasons must be fully documented. No reimbursement may be made for alcoholic beverages. ([GSA meal guidelines](#))

Agencies are responsible to see that all submitted claims for food/meals are adequately substantiated. Unsubstantiated food/meals should not be reimbursed. Receipts are required unless the cost of the food/meal is under \$5.00. Per diem type claims should always be questioned. [Reference 5 – Substantiation of Expenses](#).

- 1) Breakfast - When an employee leaves for overnight travel at or before 0630, breakfast may be reimbursed.
- 2) Lunch - When an employee leaves for overnight travel at or before 1100 or returns from overnight travel at or after 1400, the noon meal may be reimbursed.

- 3) Supper - When an employee leaves for overnight travel at or before 1700 or returns from overnight travel at or after 1900, the evening meal may be reimbursed.
- b. One-Day Travel - At the agency head's discretion, one-day travel meal expenses (breakfast and supper only) may be reimbursed when it is deemed necessary for the working conditions of the employee. Only actual amounts paid for meals may be claimed. No reimbursement may be made for alcoholic beverages.

NOTE: Meal expenses incurred in the city or town in which the residence or primary work location of such employee is located, are not reimbursable, except as discussed in [General Policy, Section 22](#) and [Travel Expense Policy, Section 3](#).

The IRS has taken the position that reimbursement for meal expenses incurred on one-day travel is taxable income to the employee unless such reimbursements are deemed "occasional". In order to monitor this provision, all such reimbursements for one-day travel shall be coded to account 571900. When reimbursements for meals for one-day travel exceed \$200 per employee in any one year (December 1 through November 30), the entire amount of such reimbursements will be considered taxable income. If reimbursements for an employee are \$200 or more for any one year, the agency will enter a payroll one-time override using DBA 1005 for the total amount coded to object code 571900. This should be processed during the calendar year payroll. The reimbursements will be added to the employee's gross wages and payroll taxes will be withheld accordingly. Reimbursement to one employee for two or more employee's expenses will not be allowed for one-day food/meals because of this provision. ([Reference Travel Expense Policy 9.](#))

- 1) Breakfast - When an employee leaves for one-day travel at or before 0630 or 1 1/2 hours before the employee's shift begins, whichever is earlier, breakfast may be reimbursed.
- 2) Lunch - Noon meals for one-day travel are not reimbursable.
- 3) Supper - When an employee returns from one-day travel at or after 1900 or 2 hours after the employee's shift ends, whichever is later, the evening meal may be reimbursed.

NOTE: The time limitations set forth in this policy do not include the time taken for the meal.

7. Personal Automobiles - An employee will be reimbursed for use of a personal vehicle while on State business (this does not include commuting miles) at the prevailing standard rate as established by the Internal Revenue Service through its Revenue Procedures. As of July 1, 2011 the rate was fifty five and one half cents (\$.555) per mile. As of January 1, 2013 the rate is fifty six and one half cents (\$.565) per mile. This mileage rate is effective for all employees not covered under a collective bargaining agreement, or in which the bargaining agreement does not specify a mileage rate. All contract employees currently use the IRS rate. However, agencies may, at their determination, require employees to utilize state-owned vehicles (as opposed to personal vehicles) if the use of the state-owned vehicle would be more economical from both an auto rental rate and the time involved in renting the state-owned vehicle. If after such agency determination, an employee still wants to drive their personal vehicle, the agency is not required to reimburse the employee any more than it would have cost the agency to rent the state-owned vehicle.

Motorcycles – An employee will be reimbursed for the use of a motorcycle while on State business (this does not include commuting miles) at the prevailing standard rate. As of April 1, 2013 the rate is fifty three and one half cents (\$.535) per mile. (Previously forty seven cents (.47) 1-1-2010)

Rental Cars - Insurance - An employee should decline rental agency insurance coverages. Please refer to your agency's annual letter from Risk Management. There is a section on rental cars. Under Section III B, it states that you should NOT accept the coverages because the car rental is covered by the State's insurance.

## TRAVEL EXPENSE POLICIES

### 8. Receipts

- a. Detailed receipts are required as support for all expenditures except immaterial items identified by the Director of Administrative Services in section b., below. (However, you are required to substantiate meals and immaterial items, including meals under \$5.00, in a log, as described under [Reference 5. Substantiation of Expense](#)). The requirement to provide detailed receipts includes, but is not limited to, food/meals lodging, car rental, commercial travel, and registration fees. The requirement is an internal control feature to guard against duplicate payment of claims.

Detailed receipt is defined as a receipt that shows a listing of each item purchased and the related cost. Detailed receipt does not include the receipt copy that only identifies an amount is being charged to the employee's credit card.

- b. Immaterial items, as referenced above, are vending machine food purchases, parking, tolls, intra-city bus fares, business telephone calls ([Reference 10. Long Distance Telephone Calls](#)), baggage handling, tips and taxi fares. Tips need not be itemized separately.
- c. In the absence of detailed receipts supporting an employee's claim, State Accounting will require a written acknowledgment that after-the-fact documentation will be provided. This documentation may be a copy of:
  - 1) Cancelled check;
  - 2) Charge card slip and signed written explanation; or
  - 3) Subsequently acquired receipt and signed written explanation.
  - 4) If receipts have been lost, or where a receipt was not provided (such as when only one meal receipt is provided per table), the employee should create and present an affidavit.

This policy is for the convenience of the agency and the employee. The absence of after-the-fact documentation may necessitate the discontinuation of this process and the subsequent inability to reimburse employees when receipts are not available.

9. Reimbursement to One Employee for Two or More Employee's Expenses - One employee may be reimbursed for actual expenses incurred on behalf of another State employee, such as when two employees sharing a motel room are billed jointly and one employee pays the bill. The employee to be reimbursed must provide the same detailed information that would have been required of each State employee had they been billed individually. In all cases when one employee is requesting reimbursement for expenses of more than one State employee, detailed receipt policies must be adhered to, employees' names listed and documents cross-referenced, when applicable. If two employees are billed jointly, but each pays half and each requests reimbursement separately, the documents must be cross-referenced, since one employee usually may not have a detailed receipt.

10. Long Distance Telephone Calls - Charges for long distance telephone calls are an allowable state expenditure if:

1. They are related to State business or
2. the employee is in a travel status on State business and the calls are in accordance with an approved agency policy.

To establish an approved agency policy, the State agency shall submit their proposed policy to State Accounting for approval. The policy shall describe the circumstances in which long distance calls will be reimbursed, to include:

- 1) the reason(s) for which calls will be reimbursed,
- 2) the number of calls an employee will be allowed within a certain time period,
- 3) the duration of allowable calls or cost per call,
- 4) the relationship to the employee of the person being called.

State Accounting shall notify the State agency in writing of approval or disapproval.

## 11. Employee Signatures

- a. The employee claiming reimbursement of expenses must provide an original signature on the expense document or submit the document with an electronic signature. Supporting documentation must be maintained by the agency for those documents submitted with an electronic signature.
- b. An employee not able to provide original signatures due to physical disabilities may request a waiver of the original signature requirement. The employee must request such a waiver in writing from the State Accounting Administrator of DAS. The request must be:
  - 1)Approved by the employee's supervisor,
  - 2)Include the reason for the inability to provide the original signature,
  - 3)Include the anticipated length of time of the physical condition, and
  - 4)Include a sample of the intended signature to be used.

The State Accounting Administrator may request the employee to give additional supporting documentation, which could include a description of the physical condition and limitations from the employee's physician.

If the request is approved, the employee and agency will be notified in writing.

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## Section 6

### Nebraska Planning Council on Developmental Disabilities

#### Acronyms and Definitions

AABD	Aid to Aged, Blind and Disabled (state supplement to SSI recipients)
AAMR	American Association on Mental Retardation
ACF	Administration for Children and Families (federal branch of Department of Health and Human Services under which ADD is administered)
ACL	Administration for Community Living
ADA	Americans with Disabilities Act - An Act passed in 1990 that provides comprehensive civil rights protections for people with disabilities similar to those provided to individuals on the basis of race, sex, national origin, age and religion. It guarantees equal opportunities for individuals with disabilities in employment, public accommodations, transportation, telecommunications, and state and local government services. The Act covers private organizations as well as federal, state and local agencies and private organizations operating public accommodations.
ADD	Administration of Developmental Disabilities - the federal agency that is responsible for overseeing activities under the federal Developmental Disabilities Act. ADD is located in the Administration on Children and Families in the U.S. Department of Health and Human Services. ADD also has representatives in the 10 federal regional offices nationwide.
AIDD	Administration on Intellectual and Developmental Disabilities
Arc of the USA	Formerly the national Association for Retarded Citizens
Arc of Nebraska	Formerly the Association for Retarded Citizens of Nebraska
APSE	Association of Persons in Supported Employment
ATP	Assistive Technology Partnership - Administered by the Department of Education
ATS	Assistive Technology and Supports as defined in DDS Community Supports Program
BSDC	Beatrice State Developmental Center
CA	Citizen Advocacy
CAN	Community Alternatives Nebraska (provider of services in Lancaster County)
CDD	Center for the Developmentally Disabled
CHAD	Combined Health Agencies Drive
CHIP	Children's Health Insurance Program
CLDS	Community Living/Day Supports as defined in DDS Community Supports Program
CMI	Chronic Mental Illness
CMS	Centers for Medicare and Medicaid Services

CSP	Community Supports Program: an array of individualized, flexible, consumer-directed, community-based services and supports for people with developmental disabilities designed by DDS
DD	<p>(A) IN GENERAL - The term developmental disability (DD) means a severe, chronic disability of an individual that -</p> <ul style="list-style-type: none"> <li>(i) Is attributable to a mental or physical impairment or combination of mental and physical impairments;</li> <li>(ii) Is manifested before the person reaches age 22 years;</li> <li>(iii) Is likely to continue indefinitely;</li> <li>(iv) Results in substantial functional limitations in 3 or more of the following areas of major life activity: <ul style="list-style-type: none"> <li>(a) Self-care</li> <li>(b) Receptive and expressive language</li> <li>(c) Learning</li> <li>(d) Mobility</li> <li>(e) Self-direction</li> <li>(f) Capacity for independent living</li> <li>(g) Economic self-sufficiency; and</li> </ul> </li> <li>(v) 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.</li> </ul> <p>(B) INFANTS AND YOUNG CHILDREN - an individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described in clauses (i) through (v) of subparagraph (A) if the individual, without services and supports, has a high probability of meeting those criteria later in life.</p>
DD Act	Developmental Disabilities (Assistance and Bill of Rights) Act [federal law]
DD Council	Nebraska Planning Council on Developmental Disabilities - Each state and territory which receives funds under Part B of the Developmental Disabilities Act which requires them to have a Council which serves as an advocate for systems change to support the independence, productivity, integration and inclusion of all people with developmental disabilities. Councils develop and submit a state plan which the Secretary of the U.S. Department of Health and Human Services approves.
DED	Department of Economic Development.
DHHS	Department of Health and Human Services (federal agency)
DHHS/NDHHS	Nebraska Department of Health and Human Services
DDD	Developmental Disability Division: the division within the Nebraska Department of Health and Human Services that is responsible for the development and delivery of developmental disabilities services for the state of Nebraska
DDSA	Developmental Disabilities Services Act (revised Nebraska statute 83-1201 - 83-1227)
DPFSP	Disabled Persons and Family Support Program - Administered by the Nebraska Department of Health and Human Services

DRN	Disability Rights Nebraska (formerly Nebraska Advocacy Services)
DSA	Designated State Agency - The agency at the state or territorial level responsible for receiving, disbursing and accounting for federal Developmental Disabilities Act and other funds received by the Council; providing assurances; and supplying administrative support.
ENCOR	Eastern Nebraska Community Office of Retardation
ESU	Educational Service Unit
FAS/FAE	Fetal Alcohol Syndrome/Fetal Alcohol Effects
HCBS Waiver	Home and Community Based Waiver (funding for services through Medicaid administered by HSS)
HIPPA	Health Information and Privacy and Protection Act: a federal law that protects the privacy of health information
HOYO	Home Of Your Own
HRC	Hastings Regional Center
HRSA	Health Resources Service Administration
HUD	Housing and Urban Development
ICAP	Individual Client Assessment Plan
ICFMR	Intermediate Care Facilities for the Mentally Retarded
IDEA	Individuals with Disabilities Education Act
IEP	Individual Education Plan
IFSP	Individual Family Service Plan
IJP	Individual Justice Plan
ILC	Independent Living Council or Center
IPP	Individual Program Plan
I & R	Information and Referral
JTPA	Job Training Partnership Act
LB	Legislative Bill (state)
LR	Legislative Resolution
LRC	Lincoln Regional Center
MCH	Maternal and Child Health
MHCP	Medically Handicapped Children's Program
MMI	Munroe-Meyer Institute
MRAA	Mental Retardation Association of America
MRAN	Mental Retardation Association – Nebraska
MTARS	Monitoring and Technical Assistance Review System

NACDD	National Association of Councils on Developmental Disabilities
NAMI	Nebraska Alliance for the Mentally Ill
NCCD	Nebraska Consortium for Citizens with Disabilities
NCSL	National Conference of State Legislatures
NDE	Nebraska Department of Education
NDDS	National Down Syndrome Society
NGA	National Governors' Association
NEAT	Nebraska Educational Assistive Technology
NICC	Nebraska Interagency Coordinating Council
NIFA	Nebraska Investment Finance Authority
NRC	Norfolk Regional Center
NRRS	Nebraska Resource Referral System
OAP	Objective Assessment Process
Part C of IDEA	Part of the IDEA federal law that establishes the Early Intervention Program for Infants and Toddlers Program
PASS	Plan for Achieving Self-Support: Social Security's plan that allows working persons with disabilities to set aside money and/or other resources to help reach personalized goals.
PERS	Personal Emergency Response System as defined by DDS Community Support Program
PCA	Personal Care Assistant
PKU	Phenylketonuria
PL	Public Law (federal)
P&A	Protection and Advocacy - An independent system to protect and advocate for the rights of persons with developmental disabilities that carries out functions in conjunction with the federal Developmental Disabilities Act, including pursuit of legal, administrative, and other remedies, provision of information on and referral to programs and services, and investigation of incidents of abuse and neglect.
PPR	Program Performance Report
PSA	Public Service Announcement
RFA	Request for Applications (subawards)
RFP	Request for Proposal (contracts)
Rule 51	Nebraska Department of Education's state regulations for special education programs serving children from birth to age 21
SBAN	Spina Bifida Association of Nebraska
SEAC	Special Education Advisory Council
SNF	Skilled Nursing Facility

SPMI	Severe and Persistent Mental Illness
SSDI	Social Security Disability Income
SSI	Supplemental Security Income
SILC	State Independent Living Council
TANF	Temporary Assistance for Needy Families
TASH	The Association for Persons with Severe Handicaps
TBI	Traumatic Brain Injury
Title XIX	The Medicaid Program covers medical services for all individuals in families who qualify for the Aid to Dependent Children Program; individuals who qualify for the federal SSI program and the state Aged, Blind and Disabled Program also qualify for Medicaid coverage. The mandatory eight categories of Medicaid service are covered in addition to optional services chosen by the state. Administered by HHS.
Title XX	Social Services Block Grant which provides direct and purchased services. Services are available to help clients become or remain economically self supporting; become or remain able to care for themselves; prevent or remedy neglect, abuse, exploitation and remain together as a family; and prevent or reduce inappropriate institutional care. Funded primarily with federal dollars with supplemental funding from the state. Administered by HHS.
TWWIIA	Ticket to Work and Work Incentives Improvement Act
UCEDD	University Center of Excellence in Developmental Disabilities Program - A program operated by a public or nonprofit private entity which is associated with, or is an integral part of, a college or university or carries out functions in conformance with the federal Developmental Disabilities Act including interdisciplinary training, exemplary service demonstration, technical assistance, and dissemination of research and service provision information.
UCP of Nebraska	United Cerebral Palsy of Nebraska
UNK	University of Nebraska-Kearney
UNL	University of Nebraska-Lincoln
UNMC	University of Nebraska Medical Center
UNO	University of Nebraska-Omaha
VocRehab	Vocational Rehabilitation Services (VocRehab) office in the Nebraska Department of Education
VOR	Voice of the Retarded

## Section 7

# **BY-LAWS OF The NEBRASKA PLANNING COUNCIL ON DEVELOPMENTAL DISABILITIES**

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### Article I

#### Name

The name of this organization shall be the Nebraska Planning Council on Developmental Disabilities, hereinafter referred to as Council.

### Article II

#### Authority, Purpose, and Responsibilities

##### **SECTION 1** Authority

The Council exists through the authority of the Developmental Disabilities Assistance and Bill of Rights Act, and Gubernatorial action on September 28, 1971, which was exercised pursuant to authority granted by Neb. Rev. Stat. §84-109 (Reissue, 1975).

##### **SECTION 2** Purpose

The purpose of the Council is to engage in advocacy, capacity building, and systemic change activities that assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life.

##### **SECTION 3** Responsibilities

The responsibilities of the Council shall be in accordance with the State and Federal enabling legislation and regulations specifically as described in the Developmental Disabilities Assistance and Bill of Rights Act.

- A. The Council shall serve as an advocate for individuals with developmental disabilities and conduct programs, projects, and activities to enhance independence, productivity, integration and inclusion for such individuals.

- B. Not less than once every 5 years, the Council shall examine the provision of and need to address the federal areas of emphasis on a statewide and comprehensive basis.
- C. The Council shall develop and submit to the Secretary the State plan required after consultation with the designated State agency under the State plan. Such consultation shall be solely for the purposes of obtaining State assurances and ensuring consistency of the plan with State law.
- D. The Council shall implement the State plan through systemic change, capacity building, and advocacy activities in their selected areas of emphasis.
- E. Not less than once each year, the Council shall monitor, review, and evaluate the implementation and effectiveness of the State plan in meeting such plan's objectives.
- F. The Council shall periodically review the designated State agency activities carried out under the Developmental Disabilities and Bill of Rights Act and make any recommendations for change to the Governor.
- G. The Council shall submit to the Secretary of Health and Human Services, through the Governor, periodic reports on its activities as may be reasonably requested, and keep such records and afford such access as needed to verify such reports.
- H. The Council shall prepare, approve, and implement a budget using amounts paid to the State to fund and implement all programs, projects, and activities.
- I. The Council shall, consistent with State law, recruit and hire a Director of the Council, should the position of Director become vacant, and supervise and annually evaluate the Director.
- J. The staff and other personnel while working for the Council, shall be responsible solely for assisting the Council in carrying out its duties under this part and shall not be assigned duties by the designated State agency or any other agency or office of the State.

### Article III

## Appointment of Council Members, Composition of Council, Vacancies

### **SECTION 1** Appointment of Council Members

- A. Members of the Council shall be appointed by the Governor of the State of Nebraska from among the residents of the State.

- B. The Governor shall make appropriate provisions to rotate the membership of the Council. Such provisions shall allow members to continue to serve on the Council until such members' successors are appointed.

## **SECTION 2 Composition of Council**

- A. The Council shall at all times include in its membership representatives of relevant state agencies including: the state agency that administers funds provided under the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act, the Older Americans Act of 1965, Titles V and XIX of the Social Security Act, University Center of Excellence, and the State Protection and Advocacy System. The representatives described above shall have sufficient authority to engage in policy planning and implementation on behalf of the department, agency, or program such representatives represent. They shall recuse themselves from any discussion of grants or contracts for which such representatives' departments, agencies, or programs are grantees, contractors, or applicants.
- B. At least 60% of the membership of the Council shall consist of individuals with developmental disabilities, parents or guardians of children with developmental disabilities, or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves. They may not be employees of a state agency that receives funds or provides services under this subtitle, and who are not managing employees of any other entity that receives funds or provides services under this subtitle.
- C. Of the members of the Council described in paragraph B – 1/3 shall be individuals with developmental disabilities, 1/3 shall be parents or guardians of children with developmental disabilities or immediate relatives or guardians of adults with developmental disabilities who cannot advocate for themselves, and 1/3 shall be combination of these two groups.

## **SECTION 3 Vacancies**

Resignations by Council members shall be made by notifying in writing the Governor and Chairperson of the Council. Within ten days of the occurrence of a vacancy in Council membership, the Chairperson of the Council will notify the Governor in writing and request that a replacement be appointed within 30 days.

# **Article IV**

## **Council Meetings**

### **SECTION 1 Schedule of Meetings**

At the beginning of the fiscal year, the Chairperson shall establish a calendar of regularly scheduled meetings. The Council shall meet a minimum of four times each fiscal year, with one meeting scheduled during each quarter.

## **SECTION 2** Notice

Notice of regular Council meetings shall be sent in writing to all Council members at least 10 days before the date of the meeting in accordance with the open meetings law. Special meetings may be called at the discretion of the Chairperson with twenty-four (24) hours notice in writing.

## **SECTION 3** Public Participation

Meeting shall be open to the public in accordance with Neb. Rev. Stat. § 84-1408 - 84-1414, the Nebraska Public Meetings Law.

## **SECTION 4** Voting

- A. A quorum for voting shall consist of a simple majority of the total number of members currently serving on the Council.
- B. Each Council member shall have one vote. All decisions shall be made by majority vote of the members present at the Council meeting at which the vote is taken.
- C. Voting by proxy shall not be permitted.

## **SECTION 5** Agendas

- A. Prior to every regular Council meeting, an agenda shall be distributed to each Council member and other interested persons in sufficient time to review.
- B. Requests for items to be included on the agenda shall be submitted to the Council chairperson 14 days prior to the meeting.

## **SECTION 6** Attendance Requirements

- A. Members shall notify the Developmental Disabilities office when they find they are unable to attend any regular or special meeting. Such notification will be considered an excused absence.
- B. A Council member absent for two unexcused consecutive regular meetings shall receive a formal communication from the Council Chairperson concerning the member's desire/ability to remain on the Council.
- C. Council members absent from three consecutive regular Council meetings unless previously excused by the Chairperson shall be deemed to have resigned from the Council. The governor shall be notified by the Council Chairperson as to the member's absence and the Chairperson shall request the Governor to appoint a replacement within 30 days.

## **SECTION 7** Conduct at Meetings

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Council in all cases in which they are applicable and in which they are not inconsistent with these by-laws and any special rules that the Council may adopt.

## **SECTION 8** Minutes

Minutes will be kept of all Council meetings. Each Council member shall receive copies of Council minutes.

# **Article V**

## **Officers**

### **SECTION 1** Eligibility to Hold Office

Any Council member shall be eligible to hold office.

### **SECTION 2** Names of Officers

Officers shall include the Chairperson, Vice-Chairperson and Secretary.

### **SECTION 3** Method of Election

- A. The Council Chairperson shall be appointed by the Governor.
- B. The Vice-Chairperson and Secretary shall be elected by members of the Council at the last scheduled meeting of the federal fiscal year.

### **SECTION 4** Duration of Term of Office

- A. The officers shall be elected to serve a term of office from October 1 through September 30.
- B. Officers may be re-elected for a maximum of an additional two consecutive terms. That limit on terms being only for that office and they may be elected to another office without a break in service.

### **SECTION 5** Vacancies in Office

- A. Vacancies in elected offices shall be filled by a majority vote of members present at any regular or special meeting of the Council.
- B. Officers so elected shall serve for the remainder of the vacated term.

## **SECTION 6** Duties of the Officers

### A. Chairperson

1. The Chairperson shall preside at all meetings of the Council.
2. The Chairperson shall appoint members of all Council ad hoc and standing committees, with the exception of the Executive Committee.
3. The Chairperson shall appoint the Chairperson of all Council standing committees from the members of the Council, except that no agency representative shall serve as the Chairperson of the Legislative and Advocacy Committee.
4. The Chairperson shall serve as Chairperson of the Executive Committee.
5. The Chairperson of the Council shall schedule and call all meetings of the Council and perform all such duties relative to the office.
6. The Chairperson shall provide overall direction for all Council activities.
7. The Chairperson shall be empowered to conduct such official business as may be necessary by mail or telephone.
8. The Chairperson shall be an ex-officio member of all Council standing and ad hoc committees.
9. The Chairperson may appoint a parliamentarian.

### B. Vice-Chairperson

1. The Vice-Chairperson shall aid the Chairperson in the performance of his/her duties.
2. The Vice-Chairperson shall perform all duties of the Chairperson in his/her absence.
3. In the event the Chairperson shall be unable to serve, the Vice-Chairperson shall serve as chairperson until a new Chairperson is appointed by the Governor.

### C. Secretary

1. The Secretary shall issue minutes of all Council and Executive committee meetings.
2. The Secretary shall present the Council minutes for formal approval at the subsequent Council meeting.
3. The Secretary shall perform other duties as may be requested by the Chairperson.

## **Article VI**

### **Council Committees**

#### **SECTION 1 Committees**

- A. The Executive Committee shall be comprised of the Council officers and Standing committee chairpersons. The Executive Committee shall serve as an interim steering body for the Council by acting on matters which occur between council meetings, shall review the progress of committees and staff in meeting their objectives, and shall advise the staff Director regarding administration of the program.
- B. Standing committees shall be those committees which exist on an ongoing basis to perform activities relative to the primary responsibilities assumed by the Council.
- C. Ad hoc committees may be created at the discretion of the Council chairperson to study, address, and/or develop recommendations pertaining to a particular issue of interest to the Council.

#### **SECTION 2 Composition of the Committees**

- A. Each Council member shall be a member of at least one standing committee.
- B. Ad hoc committees shall have at least one or more Council members on the committee's membership.

#### **SECTION 3 Standing Committees**

- A. Standing committees of the Council shall be as follows:
  - 1. Legislation and Advocacy Committee
  - 2. Planning Committee
  - 3. Regional Council Coordinating Committee
  - 4. Grant Review Committee
- B. The responsibilities of standing committees shall be as follows:
  - 1. The Legislation and Advocacy Committee shall be responsible for researching State and Federal legislative and regulatory issues affecting the lives of developmentally disabled citizens and may respond to, initiate and/or influence legislation and regulations subject to the Council's review and direction.
  - 2. The Planning Committee shall oversee the preparations of the State Plan for Developmental Disabilities by reviewing data, and needs assessment results,

reviewing model projects, and research on the quality and extent of existing services, and the development of goals and objectives for the Council.

3. The Regional Council Coordinating committee shall oversee a statewide network of Regional DD Councils which shall articulate local/regional needs and issues, implement the priorities of the State Council on a local level, and assist in resolving issues unique to the particular locality/region.
  4. The Grant Review Advisory committee shall be responsible for reviewing subaward proposals submitted for funding during the subaward cycle as requested by the Council. Recommendations regarding these applications shall be made to the Council for their approval.
- C. Chairpersons and members of standing committees shall serve at least a one year term which coincides with the federal fiscal year. Chairpersons of standing committees may serve an additional two consecutive terms.
- D. Relationship between the Council and the Council's committees:
1. Standing and ad hoc committees shall report to the Council, as requested by the Council, regarding the committee's activities. The committee chairperson or his/her designee shall make the report.
  2. The specific responsibilities and powers of ad hoc committees vis a vis the Council may be set forth in the committee's charge from the Chairperson.
  3. Standing and ad hoc committees shall at all times act in accordance with the Council policies, goals, objectives and mandates.

## **Article VII**

### Amendments

- A. Proposed amendments to these by-laws shall be presented in writing to the Council members at least twenty (20) days prior to a regularly scheduled meeting of the Council. A two-thirds (2/3) vote of members present at a regular meeting of the Council is necessary to pass an amendment to these by-laws.
- B. By-laws shall be reviewed and revised at such times as necessitated by changes in state or federal enabling laws and regulations. Procedures for amendments shall apply to revisions.

Revised 4/04

# Nebraska Planning Council on Developmental Disabilities

## Recommendations of Ad Hoc Committee Meeting on MTARS

- Mission Statement of the Council – **The Committee recommends no changes to the current mission statement of the Council.**
- Council Membership and Rotation of Members – The DD Act states that the “Governor shall make appropriate provisions to rotate the membership of the Council.” Currently, neither Council by-laws nor written policy of the Governor’s office limits the number of terms that a member can have. Committee members discussed several positive points to not have specified term limits: (A) Governors do appoint new members periodically so that new people do come onto the Council; (B) Limiting terms can mean that the Council loses experience and knowledge of past Council decisions that impact current ones; (C) Since the DD Act requires that agency representatives “have sufficient authority to engage in policy planning and implementation on behalf of the department, agency or program such representatives represent,” this means that as long as agency individuals hold their jobs, they remain on the Council since no one else has that authority. As a result, consumer members may never develop the expertise of the agency members if the requirement for change only applies to them.

The Committee also discussed the value of rotation in that it assures new thoughts and new points of view. **Committee does not recommend term limits for Council members at this time but brings the issue to the full Council for discussion.** Terms of officers were also discussed. Current Council by-laws limit officer terms to three years. The Committee felt this was appropriate. Since the Governor appoints the chairperson, the Council does not have limitations on their term. There was some discussion as to whether a term limit for the chairperson should be discussed with the Governor. **The Committee recommended that the Governor’s Office be contacted to discuss the possibility of their soliciting recommendations for chairperson from the Council when that appointment is made.** Otherwise, there is the potential of someone without any knowledge of the Council being appointed as Chairperson.

- Conflict of Interest Policy – **The Committee recommends retaining the current Council policy on Conflict of Interest.** (Each member identifies any potential conflicts at the first meeting of the calendar year and they are recorded in the official minutes.) This policy will need to be implemented again, as it has not been done for several years.
- Memorandum of Understanding with Health and Human Services – The Committee discussed whether there was a need for such a formal agreement. The members felt that the Council might lose more than it gains by trying to formalize its position and authority within HHS. There have not been any problems that were not resolved to the satisfaction of both the Council and Health and Human Services. **The Committee recommends that the Council not pursue a formal memorandum of agreement with Health and Human Services at this time.**
- Evaluation of Council Director – The federal act specifies that the Council should “annually evaluate the Director.” The past practice was for the evaluation to be done by the Chairperson and shared with the supervisor at HHS. This has not been done for a number of years. There was discussion about the need for all Council members to have input into the evaluation. It could be done through a form or in a closed session of the Council with staff not present. **The Committee recommends that the Council develop a written process for the annual evaluation of the Executive Director and insure input of the entire Council.**
- Orientation of New Members – This is an area that needs strengthening for the Council. Several ideas were discussed, including: (A) A one-day or half-day orientation for new members; (B) An annual

retreat activity for the full Council; (C) An orientation of what is expected of new Council members; (D) A mentoring system that connects a new member with one who has more experience. Members suggested that a reference calendar of annual activities be developed for all Council members. **The Committee recommends that the Council consider the various suggestions for new member orientation and select the one or ones that they prefer.**

- By-laws – **The Committee recommended a few changes to the Council’s current by-laws: (A) Clarify in Article V, Section 4-B that the limit on terms for officers are only for that office and they may be elected to another office without a break in service, (B) Modify Article VI, Section 3-C to read that “Chairpersons and members of standing committees shall serve *at least* a one-year term ...”**

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