# FIELD NOTES, JUNE 2020

## COMPLIANCE CORNER

Now available! TA Brief on [Intellectual Property and Copyright Information](https://itacchelp.org/wp-content/uploads/2020/05/FY-2020-TA-Brief-intellectual-property.pdf)

**Program Income (45 CFR §75.307)**

What is program income?

Gross income earned by the non-Federal entity (Council or sub-recipient) that is directly generated by a supported activity or earned as a result of the Federal award during the period of performance except as provided in 45 CFR §75.307 (f).

*In other words – Funds earned by a Council or a sub-recipient of the Council from activities that were supported by DD Council federal funds.*

What does program income include?

Program income includes, but is not limited to, income from fees for services performed; charges for the use or rental of real property, equipment, or supplies acquired under the grant; the sale of commodities or items fabricated under an award; charges for research resources; and license fees and royalties on patents and copyrights.

Common examples specific to DD Council work – book sales, conference or workshop fees charged to attendees.

How must program income be used?

Program income must be used for current costs uncles ACL authorizes otherwise. Program income must be used to decrease the Council’s federal funds contribution rather than to increase the funds committed to the project.

*In other words – Money earned by a Council or sub-recipient must be used to cover the current costs of the project/activity funded with federal funds. Program income is to be used to reduce the federal share of the cost of the project and should not be used as match for the project/activity.*

Where is program income reported?

Program income is reported on line “l” of the SF-425 (Annual Federal Financial Report).

**TA Recommendations:**   
Educate Council staff and Council sub-recipients about program income and how to treat program income; review Council grant manuals and procedural documents to ensure program income information is included; work with the Designated State Agency (if appropriate) to ensure program income is accounted for and reported on the annual federal financial report (SF-425).

Information on Program Income is also provided on pages 26-27 of the Financial Information Guide.

**The Noninterference clause and State Cost Containment Measures**

Questions from “the field”

My State/Territory is applying “cost containment measures” to all entities (including the Council) – would this be considered interference and what actions do I take?

All state/territories that submit a State plan must also be supported by assurances that are outlined in the DD Act. The assurances can be found in Section 124 (c)(5) of the DD Act. Item (L) addresses Noninterference – The plan shall provide assurances that the designated State agency, and any other agency, office, or entity of the State, will not interfere with the advocacy, capacity building, and systemic change activities, budget, personnel, State plan development, or plan implementation of the Council, except that the designated State agency shall have the authority necessary to carry out the responsibilities described in section 125(d)(3).

Additionally, Section 125 (c)(8)(B) states that the Council is responsible for:

Hiring and maintaining such numbers and types of staff (qualified by training and experience) and obtaining the services of such professional, consulting, technical, and clerical staff (qualified by training and experience) consistent with state law, as the Council determines to be necessary to carry out the functions of the Council under this subtitle, except that such State shall not apply hiring freezes, reductions in force, prohibitions on travel, or other policies to the staff of the Council, to the extent that such policies would impact the staff or functions funded with federal funds , or would prevent the Council from carrying out the functions of the Council under this subtitle.

Frequently asked questions are presented below:

What are the hiring freezes, reductions in force, prohibitions on travel, or other policies referred to in this clause?

Any policy that affects the Council’s ability to hire and maintain enough qualified staff to implement the State Plan is covered under this section. This includes furloughs, denial of travel, layoffs and other policies. If you think your state may be developing or imposing such a policy, contact your ACL/OIDD Program Specialist.

Who determines if there is an impact to the Council’s ability to implement the State Plan?

The Council should assess potential impact and then work with the ACL/OIDD Program Specialist to determine the impact of any cost containment measures on the Council’s ability to implement the state plan.

What should I do if my state/territory legislature has proposed cuts to Council funding this year?

Contact your ACL/OIDD Program Specialist. They will work with the Council staff to determine if the noninterference clause applies and assist in providing documentation necessary for your situation.

**State Plan Amendments**

A frequently asked question is: Can we amend our FY 2020 Annual Work Plan?

The answer is no, there is no way to amend or update the FY 2020 Annual Work plan. If the Council has additional activities, Council staff should provide a narrative report of progress in field #10 of the PPR. Council staff are encouraged to include outputs and outcomes in the narrative as any added work will not pre-populate into the report.

**Amendments**

If your Council is adding, deleting, or significantly changing a 5-year goal, please contact your assigned ACL/OIDD Program Specialist. When contacting the program specialist, please give them the details of your amendment. If they agree an amendment is necessary, they will “unlock” your state plan and let you know when you can access the system to make your amendment. Remember, Council approval, a 45-day public comment period, and the review and consideration of any comments offered must be conducted.

If you have questions or need additional information about the content provided in “Compliance Corner”, please contact [smatney@nacdd.org](mailto:smatney@nacdd.org).

# WEBSITE UPDATES

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FIVE YEAR STATE PLAN PAGE  
  
Five Year Goals  
5 Year State Plan Goals, Objectives & Expected Outcomes Webinar  
[WEBINAR POWERPOINT](https://itacchelp.org/wp-content/uploads/2020/05/PDF_FINAL_ACCESSIBLE_GOALS_OBJ_WEBINAR_PP_2020.pdf) | [WEBINAR RECORDING](http://nacdd.adobeconnect.com/px1guh2ezkqn/)

Public Input & Review  
[Public Input Strategies Resource 2022-2026](https://itacchelp.org/wp-content/uploads/2020/05/ACCESSIBLE_PUBLIC_INPUT_STRATEGIES_2022_2026.docx) – Provides TA guidance on public input strategies, links to resources, strategies used by DD Councils and survey examples for advocates, families and other stakeholders. [PDF version](https://itacchelp.org/wp-content/uploads/2020/05/PDF_ACCESSIBLE_PUBLIC_INPUT_STRATEGIES_2022_2026.pdf)

The Five Year State Plan page is being revamped for the new State Plan cycle. If you are looking for a resource and cannot find it on the page, contact Angela at

[acastillo-epps@nacdd.org](mailto:acastillo-epps@nacdd.org) or call 202-506-5813, ext. 100.

# 2022-2026 State Plan Development Logic models

ITACC has multiple resources for DD Councils on logic models. The information below if a summarized version of guidance and basic information. For even more, be sure to click on the links at the end of this article. If you have state/territory specific questions, please contact [ITACC Staff](https://itacchelp.org/about-us/contact-us/).   
*ACL/AOD/OIDD Five Year State Plan requirement/guidance:*

*Develop a 5 year logic model that presents the logical connections between DD Council activities and desired DD Council outcomes. The logic model should reflect an understanding of the relationships among the resources a DD Council has to operate, the strategies/activities the DD Council plans to implement, and the outputs and outcomes the DD Council expects to achieve.*

As part of the Five Year State Plan process, DD Councils will develop and submit a five year logic model. A description of the logic model should be included in the Council's evaluation plan. The description can include its components, how it will be used to evaluate the plan, how it links to ongoing and project specific evaluation activities, and how the Council will review/update the logic model throughout the five year state plan implementation.

**Logic models make IF and THEN assumptions:**

* If you access the resources (inputs) you need to implement your Five Year State Plan, then you can accomplish your planned activities. (Advocacy, capacity building and systems change).
* If you accomplish your activities, then people with DD, family members/others will benefit.(i.e. Increased advocacy skills, reduced disparities, policies and procedures implemented)
* If these benefits to people with DD, family members/others are achieved, then certain changes in services, supports, communities and organizations will occur. (i.e. Representation on boards and commissions, equitable access to services and supports, systems redesign)

**Inputs/Resources | Activities/strategies | Outputs | Short Term Outcomes | Long-term Outcomes | Impact**

**Basic logic model components --**

**PROCESS:**

**Inputs** = Resources that the Council needs to operate the program. E.g., human, financial organizational and community resources. E.g., funds, staff, technology.

*“What must this program have to operate well?”*

**Activities/strategies** = Methods for providing the program. E.g., training, outreach, advocacy, technology, events, actions. *“What must we do to achieve our intended result?”*

**Outputs** = The direct products of program activities. E.g., people trained, people served, policies improved. *“How many people participated, were trained etc. "How many and over what period of time?”*

**OUTCOMES:**

**Short-term outcomes** = Initial changes in individuals, the community, or organizational conditions that occur as a result of the program over 1 to 3 years. *“What difference is your program making?”* *“What are people with DD and their families learning/experiencing?”*

**Long term outcomes/Intermediate outcomes** = Expected impact on the audience’s behavior and actions as a result of the program over 3 to 5 years. *“Now that knowledge is gained, training was provided or policies improved, what is the outcome?” “What is happening differently because of Council program activities?”*

**Impact** = Includes changes in organizations and systems and reflects the overall 5-year goal. Ensure there is a direct correlation between achieving the Council’s five year goals and the outcomes and ultimate impact on the issues, environment and/or status for people with DD and their families. *“For each of the specific activities you have planned to do, what impact do you expect to achieve in your community?”*

The information above is a summarized version of guidance and basic information on logic model development. For sample logic model templates and even more information, contact

[Angela Castillo-Epps](mailto:acastillo-epps@nacdd.org) for the Logic Model Resource. If you have state/territory specific questions, please contact [ITACC Staff](https://itacchelp.org/about-us/contact-us/).

# DIVERSITY, INCLUSION AND CULTURAL AND LINGUISTIC COMPETENCE (DICLC)

**The Intersect of Latina/Latinx Families and**

**Rural Communities**

***Information and Resources to support Targeted Disparity Initiatives***

Developmental Disabilities Councils work hard to support people from unserved and underserved populations in rural areas. For the Targeted Disparity element of the five year state plan, the majority of Councils chose to support the Latina/Latinx population with regard to access to services and supports. The challenges to access can range from a lack of qualified providers, language barriers, cultural differences, isolation and mistrust to the fear of deportation.

As Councils work in this space, there are cultural considerations to be made and best practices to adopt. It is important to acknowledge the differences in how culturally diverse individuals and families perceive disability, value family care giving and the service system itself. To gain this perspective, directly from family caregivers of youth with disabilities living in rural areas, read the article/interview, [***Latina Family Caregivers in Rural Areas Turn to Their Community to Support Young Adults with Disabilities in Transition***](https://www.naric.com/?q=en/rif/Latina%20Family%20Caregivers%20in%20Rural%20Areas%20Turn%20to%20Their%20Community%20to%20Support%20Young%20Adults%20with%20Disabilities%20in%20Transition) from the National Rehabilitation Information Center Information Center (NARIC). This article focuses on transitioning youth, another common topic for Councils. To conduct the interview, a trusted staff member of a local Parent Training and Information center, served as an interpreter. (A best practice to supporting diverse populations) The article could be used to educate staff, members and grantees on the challenges families face and what they need to support their young adults.

The NARIC website has a wealth of disability related resources. The content is accessible in multiple languages and covers an array of searchable topics. This compendium can be used by Councils to find articles, research and data to support its targeted disparity element and other policy and advocacy work around unserved and underserved populations.

**Additional resources related to the article highlighted:**

* [Parents Taking Action](https://fsrtc.ahslabs.uic.edu/2016/05/19/pta-webinar/) **is an innovative program designed to teach Latino parents of children with autism spectrum disorders (ASD) about ASD and ways to support their children.**
* **The Rehabilitation Research and Training Center on Learning and Working During the Transition to Adulthood (Transitions ACR) has** [factsheets and guides for young people with mental health disabilities and their parents in Spanish.](https://www.umassmed.edu/TransitionsACR/publication/spanish-publications/)

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* **The** [Center for Parent Information and Resources has a Spanish-language guide](https://www.parentcenterhub.org/paraninos/) **for parents of children with disabilities (age 3 to 21), describing the legal, service, and community supports available to them and their children.**

**NCI’s At-A-Glance report**

[The At-A-Glance](https://www.nationalcoreindicators.org/upload/core-indicators/AAG_18-19.pdf) report uses graphics and icons to highlight key findings from the 2018-2019 NCI Family Surveys, the In-Person Survey, and the Staff Stability Survey.

NCI data reports are user-friendly and can be used to inform state efforts to strengthen Long Term Services and Supports (LTSS) policy, inform quality improvement activities, evaluate programs and policies, and compare state system performance with national norms.

If you see stats in this report that could be used for your Council’s advocacy, capacity or systems change efforts, visit the [National Core Indicators website](http://www.nationalcoreindicators.org/) for more information.

*National Core Indicators is a collaborative effort between the National Association of State Directors of Developmental Disabilities and the Human Services Research Institute.*

# **DD COUNCIL HIGHLIGHT – Nebraska DD Council**

*“DD Network collaboration is essential to bringing systems change and   
improvements to Nebraska.”*

**Taking Advantage of Collaborative Opportunities to Impact COVID-19**

By working under its advocacy State Plan Goal and objective, the Nebraska Council has leveraged multiple opportunities to engage in advocacy, education and awareness activities to address the anxieties and systemic challenges of the COVID-19 pandemic. Below is just a few of examples of how inter agency collaboration has strengthened the COVID response in Nebraska for people with I/DD and their families.

**Using a Collective Voice**

The Council and the Nebraska UCEDD signed onto an important letter that Nebraska’s P&A, Disability Rights Nebraska, sent to the Governor. The letter raised the issue on ensuring the rights of people with disabilities are protected when it comes to who receives treatment during the pandemic crisis. This letter was also sent to the top leadership at DHHS.

The collective advocacy voice and letter action resulted in DHHS issuing a written announcement on April 30, 2020 to all Nebraska Healthcare Providers confirming the Office of Civil Rights guidance that the provision of healthcare “must be guided by the fundamental principles of fairness, equality, and compassion that animate our civil rights laws.” [Nebraska Health Care Provider Letter](http://dhhs.ne.gov/Documents/Guidance%20from%20Office%20for%20Civil%20Rights.pdf)

**Policy Changes to reduce the Gap on Essential Supplies**

There is a nation-wide shortage of PPE and service providers need it to support people with developmental disabilities. The Council coordinated pre-approved funding between the Council and Dept. of Health and Human Services (DHHS), to procure 5,000 non-medical cloth facemasks and 5,000 medical disposable surgical masks to 25 Home and Community Based Service (HCBS) providers across the state. The masks were provided to Direct Support Professionals to use. Through this effort, a survey was developed and disseminated through NASP – the Nebraska Association of Service Providers, to identify the need per provider.

There is now an on-line PPE request form that is shared with HCBS providers and others to secure PPE items at local health departments. The gap is beginning to close as more PPE supplies are coming into the State, and the needs of the DD community are being highlighted. [On-line PPE Request Form](https://www.jotform.com/nebraskadhhs/pperequestform)

**Department of Health and Human Services – DSA and DD Network Partners**

The DD Network Partners also collaborate as members of the Governor's Developmental Disabilities Advisory Committee to strengthen external oversight of waiver services provided by the Division of Developmental Disabilities (DDD). The Director of DDD also serves on the Nebraska DD Council, providing another avenue to strengthen collaborative relationships. Through this relationship, the Council’s Executive Director was invited to join the DDD to present on a Department of Health and Human Services Facebook Live event. Vital information was provided by the Executive Director about how COVID-19 is impacting the developmental disability community, resources available that were developed in conjunction with other DD Councils, the dynamic make-up of Councils and their important advocacy role and more. In addition, DD Council COVID-19 activities engaged in by the Council were also reviewed.

The Facebook event provided a unique opportunity to collaborate with the DDD and highlight the Council’s important work. Do not miss this video. [Click here](https://www.facebook.com/NEDHHS/videos/239688643823995/) to access the interview with Kristen Larsen, Executive Director of the Nebraska DD Council.

To reach NACDD/ITACC staff, please feel free to contact:

Sheryl Matney Director of Technical Assistance

202-506-5813 ext. 148, [smatney@nacdd.org](mailto:smatney@nacdd.org)   
  
Angela Castillo-Epps Technical Assistance Specialist

202-506-5813 ext. 100, [acastillo-epps@nacdd.org](mailto:acastillo-epps@nacdd.org)