

Report on the Recommendations of the Virginia Autism Advisory Council 2017

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BACKGROUND

The Virginia Autism Advisory Council (Council) is the legislative body charged with promoting coordination of services and resources among agencies involved in the delivery of services to Virginians with autism spectrum disorder (ASD) and increasing public awareness of such services and resources. The following is a year-end summary of the Council's 2017 progress updates and recommendations.

MEETINGS

August 29, 2017

The Council held its first meeting of the 2017 interim on Tuesday, August 29, 2017, at 1:00 p.m. in Senate Room 3 in the Capitol. After staff gave a brief review of the Council's history and purpose, the Council received four presentations and began to discuss its work plan for the remainder of the interim period.

Presentation: Overview of the Virginia Autism Council.

Jill Hamlin (chairwoman) and Rachel Payne (co-chairwoman) provided an overview of the Virginia Autism Council (VAC). The VAC is a voluntary group of individuals who provide services to individuals with ASD of all ages across the Commonwealth and who meet approximately six times per year to collaborate on emerging issues in and articulate a strategic action plan for the provision of such services. The VAC recently developed sets of competencies for ASD service providers, some of which have since been adopted by the Department of Behavioral Health and Developmental Services and the Department of Education. The VAC now focuses on outreach: disseminating such competencies and partnering with organizations such as the VCU Partnership for People with Disabilities (which is also the administrative home for VAC) to provide professional development and training using the competencies for entities such as employers in order to promote and support the hiring and retention of individuals with ASD.

Presentation: Autism Spectrum Disorder Screening and Diagnosis: Early Systematic Training in Effective Practices.

On behalf of the VCU Partnership for People with Disabilities (Partnership), Deana Buck and Donna Gilles provided a detailed overview of the ASD Early STEP (Systematic Training in Effective Practices) pilot grant program that recently concluded. The Partnership implemented this program of early screening and diagnosis training in three localities that already had champions and/or infrastructure for such a program in place: Norfolk, Roanoke, and Danville/Pittsylvania. The Partnership tailored each program to the unique needs of the locality and focused on building capacity to continue screening and diagnosis on a long-term basis. Ms. Buck and Ms. Gilles concluded by sharing some data and information that demonstrates the effectiveness of such capacity building and the need to do more of it across the Commonwealth.

Presentation: "Learn the Signs. Act Early." Campaign.

Ms. Buck, Virginia's ambassador for the national Centers for Disease Control and Prevention's "Learn the Signs. Act Early." campaign to provide parents with free, research-based resources on child development, explained the contents and effectiveness of some of these resources and distributed in particular the "Milestone Moments" pamphlet, which lists child developmental

milestones across four areas of development from age two months to five years. Ms. Buck coordinates the promotion and distribution of these resources in collaboration with agencies and various other entities.

Presentation: Assessment of Virginia's Disability Services System: Education and Employment Services.

John Paul Cimino, Director of Public Policy for the Virginia Board for People with Disabilities, delivered a thorough overview of the Board's recent assessment of Virginia's disability services system in the areas of education and employment. Of particular note to the members of the Council were the discrepancy in rates of discipline for students with disabilities as compared with students without disabilities and the lack of good data on employment outcomes for individuals with disabilities who secure employment in integrated settings.

Discussion: interim work plan.

The Council concluded by discussing its work plan for the remainder of the 2017 interim and identified the flagged the following issues and recommendations for further consideration:

- Considering Children's Services Act (§ 2.2-5200 et seq. of the Code of Virginia) funding for private placement of students with ASD versus public regional alternatives, including gathering data on students with ASD and length of stay in private placement with funding through the Children's Services Act;
- Creating a "one stop shop" of resources for families with children on the spectrum, especially at critical transition points, that are written from the perspective of the consumer;
- Distributing the "Milestone Moments" pamphlet in hospitals;
- Examining the disparate impact of seclusion and restraint and out-of-school discipline on students with disabilities (and especially ASD);
- Determining the advantages and disadvantages of sheltered versus integrated employment for individuals with ASD;
- Replacing outdated terminology used for placement in regional special education programs, such as "low incidence"; and
- Expanding HB 325 (2012) to provide training to general education teachers in addition to paraprofessionals.

October 16, 2017

The Council held its second meeting of the 2017 interim on Monday, October 16, 2017, at the Pocahontas Building in Richmond.

Department for Aging and Rehabilitative Services: Update on Services for Individuals with Autism and Information about the No Wrong Door Initiative

Jim Rothrock, Commissioner, Department for Aging and Rehabilitative Services (Department), described the increase in demand for services from the Department for individuals with autism. Since 2010, the number of applications increased 340 percent, from 261 applications in 2010 to 1,172 in 2017. At the same time, the amount spent on serving clients on the autism spectrum increased from just under \$1 million in 2011 to nearly \$5 million in 2017. However, the rehabilitation rate for clients on the autism spectrum (60 percent in 2017) was higher than the rehabilitation rate for the overall population (55 percent in 2017) served by the Department. Since 2007, the Department has placed 157 clients on the autism spectrum in high-demand occupations, including management occupations. One program leading to successful job placement of individuals on the autism spectrum is Project Search, a program that provides high school students on the autism spectrum with job training and job placement in health care settings during their final year of high school. Mr. Rothrock reported that many students who graduate from high school after participating in Project Search are offered permanent employment with the facility at which they trained. A copy of Mr. Rothrock's presentation materials regarding Department statistics about autism services can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5043&s=26.

Mr. Rothrock also described the No Wrong Door Initiative. The No Wrong Door Initiative was established in response to a need for a tool to link individual services with service providers. The website includes information about and links to more than 26,000 programs and services for individuals with disabilities and helps people in need of services identify and connect with service providers in their communities. The program also allows service providers, with patients' permission, to collect and share basic demographic and other patient information with other providers. This ability to share information across providers increases efficiency and reduces paperwork and other demands on patients and providers. The program is funded by service providers, who pay a fee to participate. The fee also covers training and support for providers seeking to connect with and assist individuals with disabilities. A copy of Mr. Rothrock's presentation materials on the No Wrong Door Initiative can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5044&s=26.

Rick Sizemore, Director of the Wilson Workforce and Rehabilitation Center (WWRC), provided an overview of the Manufacturing and Technology Training program at the WWRC. The program is industry driven and supported, providing stackable credentials and measurable skills that result in career pathways for individuals with disabilities who complete the program. Of the 22 graduates who have completed the program, 13 have been hired by companies like Hershey, the Vitamin Shoppe, Eastman, Federal Mogul, and CDA USA; one has continued on to a four-year college for higher education; and eight have continued with the job placement process through the Department. Mr. Sizemore noted that those who have been placed are outperforming their nondisabled peers. A copy of Mr. Sizemore's presentation can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5046&s=26.

DisAbility Navigator: Services for Individuals with Disabilities

Ms. Adrienne Johnson, Executive Director, Virginia Navigator, provided information about the DisAbility Navigator. The DisAbility Navigator is a public-private partnership that links individuals with disabilities with services. The DisAbility Navigator website allows individuals with disabilities to search for housing, in-home care, rehabilitation, respite, assistive technology,

home modification, concierge, recreation, support, and life care planning services in their communities. Services may be provided by for-profit, not-for-profit, or faith-based groups and includes services for family members and caregivers as well as individuals with disabilities. Listings include information about eligibility, fees, accessibility, and other background information to help consumers determine whether a service is right for them. The website also provides articles, links to professionals and experts who answer questions, and a community calendar of events that individuals may be interested in attending. Virginia Navigator also works with community organizations to provide Navigator Centers throughout the Commonwealth to assist individuals with disabilities and others with using the DisAbility Navigator system.

In response to questions from members of the Council, Ms. Johnson noted that providers offering services through the website are responsible for adding information to and maintaining information on the website. To be eligible to post information on the website, providers must demonstrate that they maintain all required licenses, accreditations, or qualifications. Services that do not meet those requirements may be removed from the website. Ms. Johnson also noted that the number of people who access the system is the main indicator of success for the DisAbility Navigator, as well as the amount of time people spend on the site once they access it. During 2016, the website received more than 1.6 million visits, with visits averaging more than five minutes in duration. The DisAbility Navigator's telephone help line provided assistance to an additional 5,000 individuals seeking information about services.

A copy of Ms. Johnson's presentation can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5048&s=26.

Department of Education: Services for Youth with Autism

Daniel Irwin, Autism Specialist, Virginia Department of Education, provided information about services for youth with autism in the Commonwealth's public schools. Mr. Irwin reported that the number of children with autism served by the public school system is increasing rapidly, growing from 18,256 children in 2015 to 19,566 children in 2016. At the same time, the number of children from birth to age five with autism for whom individual education plans (IEPs) have been developed increased by 100 from 2015 to 2016, to a total of 1,766 in 2016. Most students with autism are served in public day programs, with a significantly smaller but growing number served in public separate day schools or private day schools. While many students with autism graduated with special diplomas, a significant number earned standard diplomas and a smaller but substantial portion earned advanced diplomas.

Mr. Irwin also described a number of special education and student services initiatives that have been implemented by the Department of Education. These include (i) activities around inclusion plans; (ii) a content teaching academy that provides training and support around best practices in inclusion; (iii) support in developing and implementing IEPs, including progress monitoring, development of measurable and achievable goals and objectives, and secondary transition and discipline reform; (iv) development of guidance documents and training academies for teachers of twice exceptional students; (v) activities to increase awareness and utilization of behavioral analysis in schools; and (vi) a number of cooperative activities with the Virginia Commonwealth University Autism Center for Excellence, including development of online training courses and seminars, embedded technical assistance, and autism services improvement plans; utilization of evidence-based practices; and training for transportation providers.

A copy of Mr. Irwin's presentation can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5045&s=26.

November 15, 2017

The Council held its third meeting of the 2017 interim on Wednesday, November 15, 2017, at 10:00 a.m. in Senate Subcommittee Room 1 in the Pocahontas Building.

Presentation: Public Regional Special Education Programs.

John Eisenberg, Assistant Superintendent for the Division of Special Education and Student Services at the Department of Education, presented to the Council an overview of the results of a three-year study of public regional special education programs in the Commonwealth coordinated by the Commission on Youth. He stated that public regional special education programs have been in existence since 1977 and were originally intended to assist school divisions with low populations of students with low-incidence disabilities to pool resources to serve such students and meet their educational needs. Funding for public regional special education programs is based on a rate package submitted by program staff. Currently, per pupil funding is approximately \$17,500, as compared with the average per pupil funding of \$5,000 for all students statewide.

Mr. Eisenberg noted several concerns identified during the course of the study, including:

- Programs have drifted from their intended purpose, resulting in some programs that are not regional in nature;
- Previously low-incidence disabilities such as autism have become high-incidence disabilities;
- Current funding structures create incentive for participating school divisions to send students to regional programs rather than educate the students in their neighborhood schools;
- Current rules governing establishment and funding of public regional special education programs have resulted in a lack of equity in the appropriation process;
- Claims for funding have increased to the point of exceeding the amount appropriated for such programs;
- Disparities in amounts spent on administrative and program costs exist across programs;
- Current rules governing public regional special education programs have resulted in a lack of state oversight of existing programs; and
- Regional special education programs in other states such as Georgia have come under legal scrutiny.

Mr. Eisenberg reported that the Department of Education is in the preliminary stages of adopting recommendations for ways to address the concerns noted above.

Presentation: Private Special Education Placements Under the Children's Services Act.

Scott Reiner, Executive Director of the Office of Children's Services, presented to the Council an overview of the process of private special education placements of students with disabilities

pursuant to the Children's Services Act (§ 2.2-5200 et seq. of the Code of Virginia). He noted that the Children's Services Act was created approximately 25 years ago, when the General Assembly combined seven state general fund streams to create a single pool of funds to be used to provide services to certain children in the Commonwealth. Among the populations of children mandated to receive services through the Children's Services Act are children placed in approved private educational programs for the purpose of special education. State law mandates that sufficient funding be provided for such placements. The funding is a shared state and local responsibility. The split in funding works out to be approximately two-thirds state funding and one-third local funding.

Mr. Reiner identified several concerns related to the special education placements of children with disabilities funded through the Children's Services Act, including:

- The increase in the number of children with autism requiring services. Currently, approximately 1,160 students with autism have been placed in private educational placements through the Children's Services Act;
- The growing cost of private educational placements for children funded through the Children's Services Act. During 2016, special education placements cost approximately \$157 million; and
- Difficulties in tracking how those funds are used in private educational settings.

A copy of Mr. Reiner's presentation can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5073&s=26.

Presentation: Department of Behavioral Health and Developmental Services - Early Intervention Services and Other Services for Individuals with Autism.

Catherine Hancock, Early Intervention Administrator, and Heather Norton, of the Community Support Systems in the Office of Developmental Services at the Department of Behavioral Health and Developmental Services (DBHDS), presented to the Council an overview of early intervention services and other services for individuals with autism. Ms. Hancock and Ms. Norton highlighted several DBHDS initiatives in this area, including a partnership with the Department of Criminal Justice Services, the Virginia Board for People with Disabilities, and Niagara University to establish a pilot program to provide disability awareness training for law-enforcement officials and to train additional trainers.

A copy of the presentation of Ms. Hancock and Ms. Norton can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5070&s=26.

Presentation: Services for Individuals with Autism Provided by Commonwealth Autism

Jessica Philips, Executive Vice President and Chief Operating Officer of Commonwealth Autism, presented to the Council an overview and update of the work of Commonwealth Autism since she last presented to the Council in 2013. Ms. Philips highlighted the organization's continuing efforts to build the capacity of the system in the Commonwealth to serve individuals with autism across all stages of life by focusing on autism awareness and knowledge and developing the skill sets of those with autism.

A copy of Ms. Philips's presentation can be found on the Council's website at http://leg5.state.va.us/User_db/frmView.aspx?ViewId=5071&s=26.

Adoption of legislative recommendations:

The Council concluded by adopting the following legislative recommendations:

- Require the Board of Education to establish a training program for school board employees who assist in the transportation of students on school buses, including individuals employed to operate school buses and school bus aides, on autism spectrum disorders, including the characteristics of autism spectrum disorders, strategies for interacting with students with autism spectrum disorders, the use of positive behavior supports, the use of restraint and seclusion, appropriate responses to bullying and unexpected changes, and collaboration with other employees who assist in the transportation of students on school buses. Require each school board employee who assists in the transportation of students on school buses, including each individual employed to operate school buses and school bus aides, to participate in such training program;
- Require health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals of any age. Currently, such coverage is required to be provided for individuals from age two through age 10;
- Commend the DisAbility Navigator and Virginia Navigator for services provided to individuals with disabilities in the Commonwealth and their families; and
- Extend the sunset provision of the Council from July 1, 2018, to July 1, 2020.