



Department Develops Budget Recommendations

The Ohio Department of Education and the State Board of Education are in the process of developing budget recommendations for the 2010-11 biennial state operating budget. ODE staff submitted budget and legislative recommendations to the State Board of Education at their June meeting for initial discussion purposes.

The State Board of Education is to approve its final budget recommendations at the September 2008 meeting with the goal of submitting those recommendations to the Administration by the September 15 deadline outlined by Governor Strickland in his budget guidance document.

ODE staff recommendations include the following special education priorities:

- * funding the cost-based special education funding methodology's weights at 90% of the 2006 updated weights,
- * an additional 500 preschool special education units each year (1,000 total) at the current salary schedule, and
- * General Revenue Fund (GRF) funding to support the 10 parent-mentors funded through Temporary Assistance for Needy Families funds in the current biennium.

Additional staff recommendations also include the following:

- * **GRF Spending:** total recommendations

for the General Revenue Fund and the Lottery Profits Education Fund are \$8.4-billion in FY 2010 and \$8.9-billion in FY 2011. The proposed budget reflects a \$529.3-million (6.7%) increase in FY 2010 over FY2009 appropriation levels and a \$518.3-million (6.2%) increase in FY 2011 over FY 2010. These figures do not include the rollback and homestead reimbursement, which will be determined by Office of Budget and Management.

* **Basic Aid:** Base Cost Funding (including lottery) will increase 1.0% in FY 2010 and 5.3% in FY 2011. Base Cost excluding lottery will increase 1.25% and 6.5% respectively.

* **Special Education:** Funding the 10 new parent-mentors in the current biennium with GRF funds in 2010-11; 70.4% increase in catastrophic special education funding the FY 2010 and 2.9% increase in 2011.

* **School Improvement:** Flat Funding GRF School Improvement funding levels from two line items for a total of \$13.7-million each year of the biennium.

* **Educational Service Centers:** Retaining ESC funding at FY 2007 levels of \$52.5-million per year (back from FY 2009 cut level of \$47-million).

Special Ed Vouchers Proposed Again

The legislation which would allow students with disabilities to receive special education vouchers to pay for tuition at private schools is making a comeback in the Ohio legislature. Senate Bill 57, sponsored by Senator Kevin Coughlin, R-Cuyahoga Falls would create a five-year pilot program beginning in 2010 for up to 7,500 students or about 3% of the state's 250,000 special education enrollment. The Senate passed the bill in May of this year. Recently, the House Education Committee passed the bill out of committee after making a few changes. According to some observers, the House will not vote on the bill before the fall and if it passes, the bill would have to return to the Senate for additional consideration since changes have been made by the House.

Governor Strickland vetoed a similar provision contained in the state budget bill last year and has promised to do so again. The Governor has stated that he opposes any expansion of the voucher program because he believes that funding private schools with tax dollars deprives the state and taxpayers of proper oversight. The state and federal government have required that students with disabilities receive a free, appropriate public education in the least restrictive environment based on their identified needs and as required by their individualized education program. Ohio receives about \$400-million from the federal government and also spends about an equal amount in state taxes to support these students in local school districts.

Parents who have spoken out about their children's needs have stated that public schools cannot always find the required staff for the classrooms and therapists are not available for direct services at the same ratios as in private programs. Some children have medical and mental health

needs which some parents say are not available in the public schools. Still others have testified that schools say they do not have the money to provide the needed services.

Special education voucher programs exist in four states: Arizona, Georgia, Florida and Utah.

Grants Available for Child Health Expenses

The UnitedHealthcare Children's Foundation (UHCCF) has announced that new grants are available to help children who need critical health care treatment, services, or equipment not covered or not fully covered by their parents' health benefit plans.

UHCCF provides grants to families to help pay for child health care services such as speech therapy, physical therapy, occupational therapy sessions, prescriptions, and medical equipment such as wheelchairs, and eyeglasses.

Parents and legal guardians may apply for grants of up to \$5,000 each for child medical services and equipment by completing an online application at the UHCCF Web site.

To be eligible for a grant, children must be 16 years of age or younger. Families must meet economic guidelines, reside in the United States, and be covered by a commercial health benefit plan. (Not available to Medicaid/SCHIP recipients).

Go to <http://uhccf.org/> for more details.

Medicaid Buy-In May Reduce Premiums

Ohio's Medicaid Buy-In for Workers with Disabilities (MBIWD) began April 1, 2008. MBIWD allows individuals with disabilities who are working to qualify for Medicaid with higher income and resource limits, and buy-in to Medicaid by paying a premium based on income.

As of May 7, 2008 a total of 163 people have been enrolled in MBIWD program, about 25% of whom are paying a premium. Another 101 cases are pending a decision on their eligibility. Thirty-two people have been denied eligibility because they are over the age limit, not employed, or in a few instances, have too many resources.

The first person enrolled in MBIWD had been paying a \$469 spend-down and now pays a \$20 a month premium. Another person had been paying patient liability for her home and community based waiver services of more than \$900 a month. She now pays a monthly premium under MBIWD of approximately \$100.

People with disabilities can qualify for MBIWD with resources up to \$10,000 and incomes that under some circumstances exceed \$60,000 a year.

Information about the MBIWD program, application forms and instructions can be found on the Ohio Department of Job and Family Services web site:
<http://jfs.ohio.gov/OHP/mbiwd.stm>
 Please read all application instructions carefully to ensure that you provide all of the information requested.

There are three forms you may be asked to complete. They are:
 ** Form JFS 07200 – Application for all Job and Family Services programs, including

Cash Assistance, Food Stamps and Medicaid

** Form JFS 07211 - Application for Medicaid Buy-In for Workers with Disabilities
 ** Form JFS 07236 - Rights and Responsibilities

Forms may also be obtained from:

** The Medicaid Consumer Hotline at 1-800-324-8680/Voice or 1-800-292-3572/TTY, or

** Your local County Department of Job and Family Services. To locate your local CDJFS office go to
<http://jfs.ohio.gov/county/cntydir.stm>

Individuals who are new to Medicaid should complete forms JFS 07200 and JFS 07211. If you do not have a disability determination from the Social Security Administration, Ohio Medicaid will make a determination. You will be asked to provide medical evidence of your disability.

Existing Medicaid consumers interested in MBIWD should contact their caseworker or the Medicaid Consumer Hotline: 1-800-324-8680. No face-to-face interview is required for this program.

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* **Early Childhood:** Increase of 28% in FY 2010 and 11.3% in FY 2011 in public preschool.

* **Additional Focus on the Following:**
 All-day kindergarten; Ohio Core Support;
 21st Century Learning Skills Curriculum.

ADAPT Ranks States on Community Services

In the plaza of the Hall of the States, ADAPT announced the 2008 Ten Best and Ten Worst States in the delivery of home and community services to people with disabilities and older Americans. The Hall of States building is home to the National Governors Association, an organization that has been very vocal in recent years about the preference of community services over nursing homes and other institutions, yet has not been able to inspire its own members to improve their provision of those services.

Speakers representing states in both the best and worst categories spoke at the press conference about the horrors of nursing home life and the joys of living in the community in those states that provide good community services. Randy Alexander from Tennessee ADAPT and LaTonya Reeves from Colorado ADAPT also spoke of the disability-underground-railroad that assists people in states without community services to move to states where they can live quality lives in their own homes with the supports and services they need.

The grouping of states into the top and bottom ten was based on publicly available data from highly respected researchers, supplemented by the results of an informal survey widely distributed across the country by ADAPT. As has so often been the case over the years, there were few surprises. Many of the ten states doing the poorest job of providing services that allow citizens to receive long term care in their own homes in the community have been on the 'worst' list over and over.

The states are listed alphabetically, not ranked numerically;

TEN BEST STATES

Alaska	Minnesota
Colorado	New Hampshire
Maine	Oregon
Massachusetts	Rhode Island
Michigan	Vermont

HONORABLE MENTION

Kansas	Wisconsin
New York	Wyoming
Washington	

TEN WORST STATES

Arkansas	Louisiana
Georgia	Mississippi
Florida	North Dakota
Illinois	Tennessee
Indiana	Texas

DISHONORABLE MENTION

Alabama	Ohio
New Jersey	Pennsylvania
District of Columbia	

"No state is ideal, and no state is all bad in how it provides home and community services," said Bob Kafka, ADAPT National Organizer. "This, as always, is simply a snapshot based on current information from the Kaiser Commission, the Research and Training Center on Community Living at the University of Minnesota, Thomson Healthcare, and our survey."

For information contact: Bob Kafka 512-431-4085; or Marsha Katz 406-544-9504; <http://www.adapt.org>

OLRS Sues to Protect Autism Services

The Ohio Legal Rights Service (OLRS) filed a motion and complaint on May 2, 2008 in the U.S. District Court, Southern District of Ohio, seeking a temporary restraining order and declaratory and permanent injunctive relief prohibiting the Ohio Department of Job and Family Services (the agency responsible for the administration of the Medicaid program in Ohio) and the Ohio Department of Mental Health, from enforcing proposed rules that would eliminate Medicaid reimbursement for medically necessary services currently delivered to children with autism.

The suit stems from complaints OLRS received from families of children with autism. The motion and complaint were filed on behalf of Parents' League for Effective Autism Services (PLEAS), an association of parents and families who receive Medicaid services. Membership of PLEAS includes the named Plaintiffs and other parents, families and children not individually named in OLRS' complaint. Three children were also named as plaintiffs.

OLRS alleges that Defendants have proposed rules that would violate the right of children with disabilities to maintain, without interruption, needed medical services. The suit alleges that without the needed services, the Plaintiff children risk suffering loss of skills, increase in unwanted, often dangerous behaviors, and placement in a segregated special education classroom or institutional care. PLEAS parents and families face loss of funding for these medically necessary services and will not be able to afford these services for their children. OLRS argues that the proposed rules restrict services by defining covered services more narrowly than the federal Medicaid law.

OLRS asks for immediate intervention by the court, in the form of a temporary restraining order, to prevent irreparable harm to the children.

OLRS has asked the Court to:

- ** Order Defendants to continue to provide and/or arrange for medically necessary services, including 35-40 hours per week of applied behavior analysis, for Plaintiffs as determined by their physicians or other licensed practitioners;
- ** Immediately prohibit Defendants from enforcing their proposed rules that fail to comply with the requirements of federal Medicaid law;
- ** Declare that Defendants' rules violate Plaintiffs' rights under the federal Medicaid law by requiring that community mental health services be rehabilitative and limiting the types of services and definition of rehabilitation to reducing symptoms of mental illness;
- ** Declare the Defendants' rules violate Plaintiffs' rights under federal Medicaid law because the rules do not allow medically necessary services to be provided that correct or ameliorate defects and physical and mental illnesses and conditions; and,
- ** Require Defendants to develop rules that comply with federal Medicaid law.

For more information, visit www.olrs.ohio.gov.

Activities for Families 'On The Go'

"On The Go" is a set of free parent-child early literacy materials, recently created by Washington Learning System. These materials include 14 activities designed to be used outside the home, in the car, while walking, during bus rides, etc. The activities encourage early language and literacy development from birth through preschool. They are appropriate for children with disabilities as well as children who are developing typically.

To download materials go to www.walearning.com and click on the purple button that says "Free Parent Education Handouts" on the home page. Look for the "On the Go" file to download the materials in PDF format.

The new materials are designed to encourage parents to interact with their children while they are "On the Go" to facilitate language, early literacy, and positive parent-child interactions. The materials include 14 activities as well as accompanying hints for each of the activities about how to modify the activities to meet the specific developmental needs of the child.

If you have additional questions, contact: Mary Maddox, Washington Learning Systems, 2212 Queen Anne Ave. N., Ste. 726, Seattle, WA 98109; (206) 310-7401 mmaddox@walearning.com

Fellowship Announced

The Joseph P. Kennedy, Jr. Foundation is seeking parents or family members of people with intellectual and developmental disabilities and who are working towards the enhancement of inclusive services and supports for people with intellectual and developmental disabilities for an intensive one-year Public Policy Fellowship in Washington D.C.

During this one-year Fellowship, the successful applicant will learn how legislation is initiated, developed, and passed by the Congress, or how programs are administered and regulations promulgated by federal agencies. The purpose of the Fellowship is to prepare emerging leaders or experienced family advocates to assume leadership in the public policy arena, in their home state or nationally.

The coming year promises to be an exceptional opportunity to participate in the policy development progress as we go through both the Presidential and congressional election processes. There will be opportunity to be involved in policy and legislative development in key areas such as The Developmental Disabilities Act, special education, health and mental health care for persons with disabilities, disability civil rights, child care, housing, justice, child welfare and other areas related to improving the quality of life for individuals with intellectual disabilities and developmental disabilities.

The application deadline for the 2009 Fellowship is **August 15, 2008**. To learn more about the specific application requirements, go to www.jpkf.org.

6th Annual Partnering for Progress: Accountability Improves Results for ALL Children Conference

Sponsored by the Ohio Coalition for the Education of Children with Disabilities,
In collaboration with the Ohio Department of Education

Wednesday, October 21, 2008 9:00 a.m. to 3:30 p.m.
(registration begins at 8:00 a.m.)

Crowne Plaza Columbus North, 6500 Doubletree Avenue, Columbus, Ohio

Free Conference, Lunch provided at no charge, No parking fees, No registration fee

Participants: Educators, Parents, School Administrators, and others interested
in educational accountability for *ALL* students.

Register NOW online at www.ocecd.org

Due to limited space, registration will be limited to the first 500. You will receive a
registration confirmation in the same form as you registered (by email or fax).
There will be no walk in registrations.

Deadline for registration: October 3, 2008

Certificates of 4.5 contact hours will be available (No CEUs)

Sessions will include:

- Policy to Practice: A New Era Meeting the Needs of All Students
Ohio Department of Education
- Q & A with Parents – ODE, Office for Exceptional Children Staff
- Evaluation and Parent Leadership -- Cincinnati Public Schools
- Medicaid in Schools - Ohio Legal Rights Service
- Keeping Your Child with Disabilities Out of Juvenile Detention
- Juvenile Justice – Department of Youth Services Panel
- Q & A with Educators, ODE, Office for Exceptional Children Staff
- COBIDA - Dyslexia
- Traumatic Brain Injury Initiatives in Ohio
- Ohio Improvement Process – Olmsted Falls School District

Questions? Contact Connie Hudson, Conference Coordinator,
oecdcs@embarqmail.com or 937-842-2150

Register Online Now for 6th Annual OCECD Conference

The Ohio Coalition for the Education of Children with Disabilities is pleased to announce the upcoming *"Partnering for Progress: Accountability Improves Results for ALL Children"* conference on October 21 in Columbus, Ohio. Turn to page 7 for additional details about the conference.

For the sixth year, OCECD is partnering with the Ohio Department of Education and other state level organizations to host this **free** conference. This one-day event offers informative sessions that are uniquely designed to help parents and educators work together in the areas of standards, evaluation, disability awareness and juvenile justice to improve outcomes and results for

students with disabilities and other at-risk youngsters.

We have received positive feed-back from Ohio's professionals as well as parents of children with disabilities. If you have not done so, please visit our website at www.ocecd.org to register. Due to limited space, registration will be limited to the first 500. There will be no walk in registrations. If you do not receive confirmation in two weeks, contact Connie Hudson at ocecdcsh@embarqmail.com.

Certificates of Attendance for 4.5 contact hours will be given at the door after handing in evaluations at the end of the conference.

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