

JOINT PRIORITIES SUPPORTED BY THE STATE COUNCIL FOR PERSONS WITH DISABILITIES, GOVERNOR'S ADVISORY COUNCIL FOR EXCEPTIONAL CITIZENS AND THE DEVELOPMENTAL DISABILITIES COUNCIL

Accessible Transportation Options

We support accessible transportation of all modes whether independent, private, or public which is vital to the independence and full community participation for people with disabilities. Accessible, affordable, and reliable transportation options allow people with disabilities access to important opportunities in education, employment, health care, housing, and all aspects of community life. Accessible transportation options include all modes of being able to travel from one place to another. The issue is much broader than simply Paratransit- it includes walking, driving, autonomous vehicles, private transportation, public fixed-route buses, rail systems as well as complementary paratransit service.

Of the various transportation modes, walking is the oldest and most efficient, affordable, and environmentally friendly form of transportation. Nearly everyone, for at least some portion of every day, is a pedestrian. That is why it is imperative that private and public pedestrian infrastructure such as sidewalks, curb ramps, and transit stops be readily accessible to and usable by individuals with disabilities.

The ability for individuals with disabilities to enjoy the freedom offered by the open road is made possible by the various adaptive technologies available for vehicles. It is vital that state agencies who administer and manage adaptive vehicle programs, such as the Division of Motor Vehicles do so in a way that is timely, affordable and convenient for users and removes barriers that discourage drivers from doing such modifications- for example, the current laborious process regarding the requirements for being able to utilize hand controls.

State and local authorities need to strictly enforce the laws which penalize people who are illegally parked in accessible parking spaces. Much harsher penalties should be imposed on people who park illegally in accessible parking spaces, as well as for the illegal use of special license plates and accessible parking placards. The availability of the dimensionally correct number of accessible parking spaces is also a huge concern

that exists in Delaware. Other issues in this context are the number of van accessible spaces and illegally parking in access aisles. We support revisiting HB 200 (introduced in 2016) which addresses these issues. In addition, it adds provisions to require county and municipal governments to adopt regulations and ordinances incorporating requirements for accessible parking spaces, including the requirement that property owners have a permit and process to ensure compliance for new or modified accessible parking spaces, in order to increase compliance and uniformity statewide.

DelDOT is piloting an autonomous vehicle program which has the potential to provide unlimited opportunities for individuals with disabilities for enhanced participation in all community activities. SCPD supports these efforts and encourages DelDOT to partner with Councils representing the disability community, individuals with disabilities, advocacy groups, and service providers.

SCPD supports efforts from the General Assembly and State Agencies to provide funding which may address the aforementioned issues that help develop a truly comprehensive transportation system with accessible alternatives for individuals with disabilities. SCPD encourages State agencies to prioritize their resources to administer such opportunities and apply for grant opportunities which support transportation alternatives.

Education

We support funding for basic special education services in grades K-3 and supported HB 48 (sponsored by Rep. Williams) this past legislative session. This bill provides State funding to kindergarten through third grade for basic special education. State funding already occurs for intensive and complex special education during these grades. Currently, the basic special education funding runs from fourth through twelfth grade. This bill is an effort to promote earlier identification and assistance for basic special education needs which should then mitigate costs over the long term. Pursuant to its terms, funding for K-3 special education will be phased in gradually over 4 years with a cost of approximately \$12.7 million in FY 23. Governor Carney appropriated \$2.9 million in 2018 and \$1.6 million for this year but additional funds are needed, as this is a

far cry from the money originally requested in HB 48. In addition, the fiscal note currently states that overall costs are assumed to grow at an annual rate of 2%. We will continue to advocate for basic special education funding in grades K-3.

We support legislation to move statewide low incidence school services under the control of the Department of Education (DOE). At this time, services for students in the Delaware Autism Program (DAP) and the Delaware School for the Deaf (DSD) are housed in the Christina School District. Students who are blind or visually impaired receive services from the Division for the Visually Impaired (DVI), which is a part of the Department of Health and Social Services (DHSS). For many years we have heard that these programs that are named 'statewide programs' are unable to truly live up to that name no matter how hard they try because they are all centered in New Castle County. Another issue we continually hear about is that data from the DOE is not always available so the programs can track all students in all schools who need to access services. Funding issues are narrowly focused even though students from all over the State may be impacted. For example, recently the DAP respite program was shut down due to lack of funds in September. How were funds depleted only a few months into a new fiscal year? Many families in the program were affected until a short-term solution was adopted. Clearly, additional oversight would be helpful to ensure problems like this do not arise. Recently, an issue has been brought to our attention around the alleged practice of falsely creating Individualized Education Plans (IEPs) for students with disabilities without following the federally mandated process. If IEPs are being falsified, are our students receiving the assistance they need in order to succeed in our schools? These programs were implemented over forty years ago and have changed very little, although there have been many changes in student population and service methods to name a few. Our student population in all categories has grown across the State and we have much higher expectations than we did years ago for all of our students.

Personal Attendant Services - Pay Raises for Attendants and Direct Support Professionals

(DSP) & Emergency Backup Attendants

We support a raise in pay for attendants who perform Medicaid or State-funded services consistent with the Community-Based Attendant Services Act. Personal attendants have not received a raise in 7 years. In addition, this group is one of the lowest paid set of workers that provide direct support for people with disabilities. An attendant in Delaware earns approximately \$10.75 per hour compared to a home health aide who typically starts at \$12 to 15.00 per hour (Christiana Care VNA) or \$16.58 to \$17.85/plus benefits (State CNA). However, depending on the needs of the individual with a disability, the attendant may have more responsibility than a home health aide or CNA. An attendant may perform tasks that a home health aide or State CNA is not allowed to perform due to agency or facility rules.

We support salary parity across the board in order to prevent institutional bias. We recommend setting salaries for home and community-based services (HCBS) support attendants that are equivalent to DSP providing services for ODDS. We support focusing on community services for parity in pay for attendants/DSPs across all settings, populations, and providers for agencies, self-directed attendants and private pay, not agency employees.

We support an emergency attendant backup support for people with disabilities who live in the community and use a self-directed Medicaid waiver for personal services. Currently, individuals are required to provide their own backup attendants for those times when the employed attendants are not able to come to work. At those times, when neither the employee nor the backup is available to work, there needs to be a list of alternate attendants to contact for coverage/support.

We support having this as a statewide support service so that all waiver recipients have equal access. In addition, many individuals with disabilities are looking for employment opportunities and we recommend developing a training program that would enable them to perform this vital service.