

Minutes of 12/9/19 Meeting Respite Services for the Delaware Autism Program

This was the second of three scheduled meetings and was held at the J.W. Collette Educational Resource Center, 35 Commerce Way, Dover, DE.

The meeting began at 6:00pm. General minutes were taken but were paraphrased in an attempt to capture as many questions and discussions as possible. Those wishing to hear the entire meeting may click [here](#).

I. Purpose: The Department of Education was asked to lead a working group to make recommendations on the future of the respite program operated through Christina School District's Delaware Autism Program. Members will include, but not be limited to, representatives of Autism Delaware, families, respite providers, districts, the Office of Management and Budget, the Controller General's Office, the Department of Health and Social Services, and members of the General Assembly. Meetings are open to the public.

II. Process: Initial meetings will be held in all three counties to begin to gather information. Tonight is the 2nd of three meetings. Minutes and items from the first meeting (12/2/19) are posted on DOE's website and on the public meeting calendar. These meetings will provide an opportunity to share ideas moving forward. Participants are asked to bring suggestions for discussion and future consideration. After the first three meetings, other meetings will likely be held to review ideas and make recommendations. The working group will make recommendations on the future of the respite program including, but not limited to, the services offered for families and payment structures for providers.

III. Introductions: Emily Cunningham (DOE), Bob Silber (CSD), Mike Andrews (CSD), Mary Whitfield (CSD), Amy Osman (CSD), Samantha Kolodi (CSD), Ruth Ann Jones (CGO), Brian Hall (Autism DE), Kim Klein (DOE), Todd Simpson (Capital SD), Sharon DiGirolamo (Seaford SD) and members of the public.

IV: ISSUES and FACTS: Christina School District CFO Bob Silber was asked to share what we know are the facts and issues/concerns facing DAP's respite program currently. He broke them down into categories and, within each one, added detail.

GROWTH

- Significant growth in number of hours provided and related expense.

EQUITABLE ACCESS

- Services provided on a voluntary basis result in those with highest need potentially denied access.
- Services provided to only families with students enrolled in State approved programs excluding access to families with students served elsewhere.

EQUITABLE COMPENSATION

- Currently requires all providers be compensated as employees of Christina School District (CSD).
- Paraprofessionals with full time employment in CSD quickly exceed 40 hours/ week creating overtime rates, while Paraprofessionals from other Districts are paid straight time until they exceed 40 hours of respite service.
- Teachers are compensated at the Respite hourly rate until they exceed 40 hours of respite service.
- Pay practice aligned with Federal Law.
- Inequities subject of Auditor of Accounts Overtime Inspection.

RESPITE ALLOCATION

- “Lacks capacity to assess degree of respite most beneficial for each family” so allocation is 24 hours per month plus 7 days every calendar year, unless exceptional circumstances. (456 hours/yr.)
- For families with children attending the Brennen School, this has potential cost range of \$3 – \$9.5 Million.
- Services provided on a voluntary basis result in those with highest need potentially denied access.

FUNDING

- Respite is not an educationally-related service, and is independent of a student IEP.
- Respite payment by Parent/Guardian 5-25% of “total cost” depending upon income as determined by eligibility of Free and Reduced Lunch. [Payments not consistent, nor based on “total cost”]. This is not disclosable – it is an “honor system.”
- Expectation that Respite Provider collect funds.
- No process to operate within a set budget. We can’t provide unlimited services.

EMPLOYEE AND DISTRICT RISKS

- Transporting children
- Caring for children in personal residence
- Taking children on outings
- District risk profile considered higher by Insurance Industry

Ms. Cunningham asked if there were other areas to consider and none were raised.

V. Public Input/discussion

Brian Hall: how has it been funded? Mr. Silber: volume wasn’t as great. Funded through DAP’s tuition billing program – challenge is that is students register, we can ID which district gets assessed the fee. From an accounting perspective, we have an ability to assess. Questions – when tuition tax is designed to provide educational services, and this is [respite] not that, can tuition tax be charged? When we discovered the problem, the Governor helped provide funding,

Ms. Cunningham: have you been charging tuition tax? Mr. Silber: yes.

Mr. Hall: can you give me an example? Mr. Silber: if a student is in Indian River, CSD doesn't have any record of enrollment of that student; the program never had carved out respite as a standalone – it is a component of the group home. Charge doesn't follow back to the student. If IR hosts a program for students with autism, not all of their students are from IR.

Mr. Andrews: Home district v. service district.

Mr. Silber – is it tuition billable if it is not part of the student's IEP? There are many complexities.

Ms. Cunningham – I'd like to hear from Todd and Sharon about what is happening in your districts.

Mr. Simpson: historically, respite providers are staff that work with students every day. Possible that you'll have a student in your class for a long time because of grouping. People we have, have strong engagement –you are assuming a lot of responsibility. Trusted and valued members of the families here. All predicated upon individual relationships.

Ms. DiGirolamo: we have no respite providers. Limited number of providers. Small district – access is limited. I can't offer something I don't have. I don't think we have ever been billed in Seaford.

Ms. Cunningham: reasons/times for respite were discussed in the New Castle County meeting. Mr. Andrews – breaks, holidays are really busy. Mostly weekends. The connection providers have is very strong. The providers become extended family members.

Mr. Simpson: why would we cap if there is a prevention of overuse because there aren't enough people? Maybe in the future, but don't need it now.

Ms. Kolodi: your district is small. I track all of the numbers. Capital's hours are pretty small. Christina's hours are so much higher. Maybe putting a cap on other hours – Christina will use almost 600 hours in November. It could be there should be a cap for some districts.

Mr. Simpson: people want to transfer here before the services. Ms. Kolodi – some of our providers at Brennen are making a lot of money. Mr. Andrews: providers do transfer throughout the state.

Marcus (no last name provided): parents don't have services/opportunity. Two spectrums that are going to be parallel. If we want to offer the service, we can't be too fixated about the cost. How can we offset that problem?

Mr. Silber: the way the program is structured today, the providers offering the same service are making a different amount. Same job, doing it identically, different pay. Other is access issue: Parent A v. Parent B and what is available. Our providers can't be everywhere, meaning all

parents can't receive the same services. A question is do you take the resources you have and make sure they are available to as many as possible, or let people just fill the schedule as they want? Does this create more opportunities for more individuals? Can we get more people to become providers? We are not fixated on a particular budget amount.

Ms. Kolodi: if you raise the rate, you are diving deeper into a problem.

Mr. Hall: maybe I'm missing something but wherever we end up, not everyone will be happy. Seems to me we should figure out what type of model makes sense. Limited access, staffing line where people work 3pm – 9pm. To think about the budget, I find it challenging. If we look at models, tuition, etc. – work backwards.

Kathy Wilson, respite provider for Brennen: I've done this for a long time. It has become important to provide something to the families. I work with kids from 2-21; they progress when you work consistently with them. I would give up working during the day to provide after school; I would say I provide respite. Period. I am not opposed to that at all. That might ignite interest. I am not getting to know the kid during the day if I work only after school.

Mr. Hall: maybe you're in the school during the day, getting to know the kids. I get that.

Dr. Shelton: I tend to provide to the students I know. You have to be willing to want to do this work. I understand wanting to work with students you know. The other is the inequity with pay. Is this really an educational service in the first place? If this is a program DHSS picks up – like a social service – they can still hire teachers but can now pay them at the appropriate rate. Then it is more equitable. That way we can manage.

Kathy Wilson: the \$1500 is paid to the parent and you have to trust the parent is going to pay you. Some parents will use your name and keep the money. They don't account for the money.

Dr. Shelton: if we revamp that program, we can fix both at the same time.

IDEA: could this be a social service? If a separate entity, we wouldn't have the OT issues. If someone worked for a district during the day, they could be paid by DHSS, as well, for respite services.

Trina Cole-Rosario: I see this as training people that know my son. About having trained people.

Mr. Hall: regarding the training that Autism DE did, we trained providers to offer the service; we didn't offer the service.

Shannon Woudstra: Have you thought about going to colleges/universities? Students might be really interested. Ms. Cunningham: this was a question that was raised in the first meeting.

Mr. Andrews: under current guidelines, you have to be a DAP employee to offer respite services. Mr. Silber: because you must have a skillset of working with students with autism. This is an in-home program. Ms. Cunningham: it might give college students an opportunity.

Mr. Hall: those providing services through DAP – survey them to see if they would go to a third party to offer services? For example, DDDS has a brokerage agency for background checks, self-directed services. Funding flows through them through the provider. Many who could offer services may not be interested in becoming employed through another agency.

Dr. Shelton: you must have a relationship with these kids OR work to establish these relationships. Not talking about strangers providing services.

Ms. Wilson: consider a survey to see what the need of each family is – how many hours, what the disability is, what families are looking for? Necessity to hear from each family – a better idea of that student and that family. Baby steps with new providers – introduce a new provider to families and students.

The meeting ended at 6:58pm.

The meeting ended at