

Information Resource:

Practical guidance on Community Classes

November, 2019

Practical guidance on Community Classes

An attempt to explain the nuances of NYS OPWDD's approach to the Self-Direction funding category called "Community Classes", including specific wording that Community Organizations can copy & paste.

Background on Reimbursement rules

In New York State, the Office for People With Developmental Disabilities (OPWDD) will provide reimbursement for a category they call Community Classes. These sort of classes can be provided by just about any organization, without the need for special licensing from NYS. This is a great way to get access to a wide variety of innovative approaches which promote inclusion into the wider community, for people with Developmental Disabilities.

To qualify for this category, the class has to meet several common sense conditions. It can't be held inside an institution. The organization cannot be one of those that are certified to provide OPWDD services. The rates have to be published in some way, on a website or in a published brochure. Community Classes are one of the "allowable expenses" that fall within the broader classification of Individual Directed Goods and Services (IDGS).

Unfortunately, some classes knock themselves out of the Community Class category due to a nuance in their self-description. They write their promotional materials in a way which makes it sound like they are isolating for the individual with a disability.

Is your class a curb cut?

It comes down to the distinction between a "handicapped parking spot" and a "curb cut." Everyone knows that you can only use the specially designated parking spots if you are specially authorized and certified as someone who has a "severe enough" mobility issue.

In contrast, curb cuts were designed for the use of wheel-chair users, but are freely available to be used by anyone at any time. To be eligible for funding by New York State as a Community Class, it has to be made crystal clear that the class is a curb cut that could be used by anyone and not a parking spot that has restricted usage.

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To be reimburse-able, the class must be described accurately.

To be eligible for funding, a Community Class, must make it crystal clear that it is a curb cut-- freely available to everyone. First, what not to do. here is an example of wording which will render a class **non-eligible** for Community Class funding, because it marks the class as handicapped parking spot. There is nothing inherently wrong with these sorts of classes, it is just that they are funded through a different mechanism and subjected to more stringent regulations:

This class is only available to those who have a diagnosis of autism or intellectual disability.

Next, an example of wording which is ambiguous, but will **likely** make a class non-eligible.

This class is designed specifically to meet the needs of individuals with an intellectual or developmental disability.

Why is this no good? The regulators and auditors are looking for evidence of exclusion and isolation. They cast a suspicious eye on every class. They fear being taken in by a Day Habilitation program that is attempting to "game the system" and avoid appropriate oversight, by disguising itself as a Community Class. **There is nothing wrong with a focus on the needs of individuals with developmental disabilities.** But you must also reassure the regulators that this is not an attempt to isolate those individuals. See below for an example of wording which provides that reassurance.

If your program really does not permit neuro-typical individuals to participate, then don't try to get funding as a Community Class. There are other categories of funding from NYS, and your organization will need to meet more stringent requirements in order to get that funding-- requirements which are meant to be for the protection of individuals with disabilities.

If your classes are open to all, then signify that as loudly and forcefully as you can-- even if it is highly unlikely that the neuro-typical will actually show up and enjoy the class. If a neuro-typical person shows up, you will welcome them with open arms, and they will emerge with knowledge of the class material and also with increased empathy for individuals with developmental disabilities. Here's an example of recommended wording which will make a community class reimbursable:

This class is open to everyone. It can accommodate the needs of individuals with an intellectual or developmental disability. And the class is available to anyone who wishes to take advantage of a slow pace and abundant reinforcement.

And here's a longer version (the first three sentences are identical):

This class is open to everyone. It can accommodate the needs of individuals with an intellectual or developmental disability. And the class is open and available to anyone who wishes to take advantage of a slow pace and abundant reinforcement. The class was designed in accordance with the principles of Universal Design for Learning, and we have aimed to create a learning environment that is both accessible to and challenging to all. When we had to make choices between access and challenge, we specifically placed our emphasis on access to knowledge and skills. Consequently, some people will find that the pace and the content is not sufficiently challenging-- but each person can make that decision for themselves. All are welcome.

Future advocacy

Advocacy for classes which are not curb cuts

Specially designated parking spots are a wonderful innovation. Those parking spots are not "available to all", but do not cause isolation. On the contrary, they make the world more accessible to those who have special issues, such as mobility or severe behavior challenges.

It could be that there is an equivalent argument to be made for the benefits of having a class which is not available to all. But the analogy breaks down. What benefit would that exclusivity bring? The parking spot nearest the door is universally convenient and appealing, and if not specially marked will be occupied by the first car that comes along. Therefore the spot has to be protected so that it is available for use by those with disabilities. Classes with a slower pace and a multi-modal approach don't need to be "fenced off" to ensure that slots are available to people with disabilities.

Advocacy for People with high acuity

This is a very difficult issue, which does not yet have a solution. The term "high acuity" is used to refer to people with developmental disabilities who require constant care. They are medically fragile, or they have severe behavioral issues such as self-harm. These individuals would benefit from having greater access to a wider variety of innovative programs. They would benefit from being exposed to, and becoming known by, a wider variety of people in their community. Can these high acuity individuals also be served under the Community Classes category? It is worth exploring.

Another possibility is to instead organize a "membership club". OPWDD rules allow for clubs which provide a variety of more specialized services. For example, a ski club which offers instruction in adaptive skiing. Or a swim club. Could there be a cooking club? A reading club? This needs further research.

Background Material

Background Material on IDGS

Published chart of allowable expenses under Individual Directed Goods and Services.

https://opwdd.ny.gov/opwdd_regulations_guidance/adm_memoranda/documents/IDGS-chart

The 2018 revision of "Self-Direction Guidance for Providers" gives a list on page 23 of attributes which **disqualify** a Community Class, and then provides the vital sentence of guidance that we have expanded on in this document:

Participation in specialized classes that take special needs, such as physical limitations or beginner level learning, into consideration are appropriate as long as those specialized classes are open to the broader public.

https://opwdd.ny.gov/sites/default/files/documents/SD_guidance_030818%20%28002%29_0.pdf

Background Material on Universal Design

Curb cuts are often used as an example of the Universal Design goal:

The design of products and environments to be usable by all people.

https://projects.ncsu.edu/ncsu/design/cud/about_ud/udprinciplestext.htm

<https://teaching.uncc.edu/services-programs/teaching-guides/online-and-blended-courses/universal-design>

Curb cuts make the city sidewalks, and by extension the city itself, easier to use for a wide variety of people, including wheel-chair users, parents with strollers, and FedEx workers with hand-trucks.

Architects and city planners first came up with the goal of Universal Design. It has now spread to education. Researchers have developed a framework called Universal Design for Learning (UDL). In purposely simplified language, UDL calls for

classes designed so that all learners can engage in meaningful learning.

<http://udlguidelines.cast.org>

Perhaps in the future, as people become accustomed to UDL (Universal Design for Learning), we will no longer need to specifically cite UDL for every course-- just as each curb cut does not need a sign stating that it can be used by anyone. But for right now, we need to provide clear signals.

Background on the value of Community Inclusion

A Canadian organization called PLAN, formed by parents of individuals with disabilities, seeks to protect those individuals by building "personal support networks that empower contribution, security and citizenship for people with disabilities." They believe that the best way to protect individuals, even those with very high acuity, is to build a network of true community connection. They have a proven record of success with a wide variety of people-- PLAN been active for three decades. To learn more, visit their site:

<https://plan.ca/what-we-do>