

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

1600 NINTH STREET, Room 320, MS 3-9  
SACRAMENTO, CA 95814  
TTY (916) 654-2054 (For the Hearing Impaired)  
(916) 654-1958



July 8, 2016

TO: REGIONAL CENTER EXECUTIVE DIRECTORS AND BOARD  
PRESIDENTS

SUBJECT: CALENDAR YEAR 2017 PERFORMANCE CONTRACT GUIDELINES

**INTRODUCTION**

This document contains the guidelines and specific time lines for submitting calendar year 2017 outcome-based performance plans. Enclosure A is a chart that describes the overall structure and components for performance contracting. These guidelines are consistent with the legal requirements for developing and implementing performance contracts, as specified in Welfare and Institutions Code (WIC) section 4629, and support the quality management system framework.

**GUIDELINES**

The following are instructions and specific requirements to which regional centers must adhere for development of the performance contract.

**Community Involvement:** Outcome-based performance plans must be developed through meaningful participation with each regional center's local community. The regional center shall conduct at least one public meeting, with 10 calendar days advance notice, where participants can provide input on the performance plan, and shall use focus groups or surveys to collect information from the community. See Enclosure B, Statement of Assurances form, for additional required components of the public process. Centers must provide the signed Statement of Assurances form to confirm their adherence to the public process requirements, when submitting their year 2017 outcome-based performance plan to the Department of Developmental Services (Department) for review and approval. Regional centers should engage their local communities in the consideration and development of any local measures (see below).

**Minimum Information Required:** The following information must be submitted for review before the Department's approval of the center's performance plan:

- Activities, developed with input from the local community, for addressing each of the public policy measures identified in Enclosure A.

**"Building Partnerships, Supporting Choices"**

Regional Center Executive Directors and Board Presidents

July 8, 2016  
Page two

- ④ Activities, developed with input from the local community, for addressing at least two measures related to reducing disparities and improving equity in Purchase of Services expenditures identified in Enclosure A.
- Compliance Measures as indicated in the Department's Guidelines identified in Enclosure A. The inclusion of activities is optional.
  - Signed Statement of Assurances, Enclosure B (includes required components of the public process, and confirms the Board of Directors' adoption of the year 2017 outcome-based performance plan).
  - Any locally developed public policy outcomes (optional), accompanying baselines or description of how baseline information will be obtained, and plan for measuring progress in achieving outcomes.

**Data Available for Local Employment Measures:** As noted in the 2016 Performance Contract Guidelines, the Department and regional centers have new data available to us that may be used for implementation of new public policy measures. Regional centers interested in developing specific local measures in collaboration with their communities may do so utilizing data provided by the Department from varying sources. Enclosure C contains a list of potential local measures, the data sources and the frequency with which the data may be produced.

Assembly Bill 1606 (Chapter 26, Statutes of 2016) section 4572, requires the Department to monitor and evaluate competitive integrated employment opportunities for individuals with developmental disabilities. As such, the Department strongly encourages regional centers to include employment measures in their 2017 performance contracts. Twelve regional centers elected to measure employment in 2016 and the Department seeks to increase this number for 2017 performance contracts.

**Time lines:** The time lines for submitting the outcome-based performance plan and the year-end reports are as follows:

- November 1, 2016: Submit the performance contract plan to the Department for calendar year 2017.
- January 31, 2017: Submit the calendar year 2016 Performance Contract Year-End Report to the Department (locally developed public policy outcomes only, if applicable).

Regional Center Executive Directors and Board Presidents

July 8, 2016

Page three

**Year-End Reports:** Regional centers are responsible for providing any locally developed public policy outcomes and associated performance data (except data related to employment outcomes, as noted above) by which progress can be assessed. Please specify the source of the performance data.

The Department will provide performance contract year-end reports to each regional center, displaying baseline and year-end data for public policy measures and the regional center's status on compliance measures not currently under development (Enclosure A). Draft performance contract year-end reports will be provided to regional centers to facilitate input, prior to finalizing. For calendar year 2016, draft year-end reports will be transmitted by February 28, 2017. For calendar year 2017, draft year-end reports will be transmitted by February 28, 2018.

Regional centers need to review draft data and insert applicable regional center information on the draft performance contract year-end reports; then return the reports to the Department for final review and approval. Regional centers should not alter the Department issued year-end reports beyond inserting information where indicated.

Please email all performance contract correspondence to:

Rachel Long  
Department of Developmental Services  
[rachel.long@dds.ca.gov](mailto:rachel.long@dds.ca.gov)

**Revisions:** Revisions to an approved performance plan must be submitted to the Department in writing.

**Data Generation:** Semi-annually, the Department provides Client Master File (CMF) and Client Development Evaluation Report (CDER) data for relevant public policy and compliance measures. Mid-year (June) data will be provided by July 15<sup>th</sup> and year-end (December) data will be provided by January 15<sup>th</sup>. Draft data will be provided one month prior to the dates above, to facilitate regional center input, prior to finalizing. All other data is provided annually with the issuance of the draft year-end report by the end of February.

Regional Center Executive Directors and Board Presidents

July 8, 2016

Page four

**Dispute Resolution:** Within 10 calendar days of receipt of the mid-year and/or year-end draft data, the regional center shall notify the Department of data issues or disagreements with the public policy or compliance measure data provided by the Department. The Department will review the information provided by the regional center, and within 30 days, inform the regional center of the outcome of its review. If the regional center disagrees with the Department's determination, the regional center may take action as referenced in WIC section 4632.

**Evaluation criteria for regional center performance:** The Department will review baseline and year-end performance data for the statewide public policy and compliance measures, by regional center. There are two categories of outcome measures that will be applicable to assessing performance: (1) statewide items applicable to all regional centers, and (2) local items developed by a specific regional center that are unique to that regional center. A regional center would be considered to have successfully achieved an item upon demonstrating the following:

- **Statewide indicator:** When any one of the following three criteria is met for the respective outcome:
  1. The outcome has improved over the prior year's baseline, or
  2. The performance exceeds the statewide average, or
  3. The performance equals a standard that has been defined by the Department.
- **Local Indicator:** When the outcome reflects progress over the prior year's performance (baseline), it must be related to a positive impact on consumers and/or families and not be included in the statewide measures above, e.g., increased presence of natural supports, persons with foster grandparents, etc.

Regional Center Executive Directors and Board Presidents

July 8, 2016

Page five

If you have any questions regarding performance contracts and the performance contract process, please contact Rachel Long, Chief, Regional Center Operations Section, at (916) 654-1976.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian Winfield".

BRIAN WINFIELD  
Acting Deputy Director  
Community Services Division

Enclosures

cc: State Council on Developmental Disabilities  
Association of Regional Center Agencies  
Regional Center Chief Counselors  
Regional Center Administrators

MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

<b>Measure</b>	<b>Measurement Methodology</b>
Number and percent of RC caseload in DC	CMF status code 8
Number and percent of minors residing with families	CMF residence code data for status 1 and 2 minors (< 18 years old) residing: <ul style="list-style-type: none"> <li>• In own home</li> <li>• In foster home, or</li> <li>• With guardian</li> </ul>
Number and percent of adults residing in independent living	CMF residence code data for status 2 adults (18 years old and above) residing in independent living
Number and percent of adults residing in supported living	CMF residence code data for status 2 adults (18 years old and above) residing in supported living
Number and percent of adults residing in Adult Family Home Agency homes	CMF residence code data for status 2 adults (18 years old and above) residing in Adult Family Home Agency homes
Number and percent of adults residing in family homes (home of parent or guardian)	CMF residence code data for status 2 adults (18 years old and above) residing in family homes (home of parent or guardian)
Number and percent of adults residing in home settings	CMF residence code data for status 2 adults (18 years old and above) residing in: <ul style="list-style-type: none"> <li>• Independent living,</li> <li>• Supported living,</li> <li>• Adult Family Home Agency homes, and</li> <li>• Family homes</li> </ul>
Number and percent of minors living in facilities serving > 6	CMF residence code data for status 1 & 2 minors residing in following facilities serving > 6: <ul style="list-style-type: none"> <li>• ICF/DDs</li> <li>• ICF/DD-Hs</li> <li>• ICF/DD-Ns,</li> <li>• SNFs, and</li> <li>• CCFs</li> </ul>
Number and percent of adults living in facilities serving > 6	CMF residence code data for status 2 adults residing in following facilities serving > 6: <ul style="list-style-type: none"> <li>• ICF/DDs</li> <li>• ICF/DD-Hs</li> <li>• ICF/DD-Ns,</li> <li>• SNFs, and</li> <li>• CCFs (RCFE's not included)</li> </ul>



**Measures Related to Reducing Disparities and Improving Equity in Purchase of Services Expenditures (Continued)**

Number and percent of families, by race/ethnicity, who report that services have made a difference in helping keep their family member at home.	NCI data: Adult Family Survey FY 10/11, FY 16/17 and FY 19/20 Child Family Survey FY 15/16, FY 18/19 and 21/22
---	--

\* **Measurement Methodology:** NCI data is specific to the FYs in which the surveys are conducted. It may take up to two years after the survey year for NCI data to become available. All other data is available annually for the prior FY.

**Compliance Measures**

<b>Measure</b>	<b>Measurement Methodology</b>
Unqualified independent audit with no material finding(s).	Yes/No—based on regional center independent audit findings.
Substantial compliance with DDS fiscal audit.	Yes/No—based on DDS internal document criteria.
Accuracy percent of POS fiscal projections (based on February SOAR).	Yes/No—Actual expenditures plus late bills as of 1/03 do not exceed ten percent of the high end of the range or fall below ten percent of the low end of the range reported in 2/02, with stipulations and exceptions noted in July 17, 2001, ARCA Administrators' memo. Year two recommendations contained in July 17, 2001, ACRA Administrators' memo, agreement Number 8.
Operates within OPS budget.	Yes/No—actual expenditures plus late bills do not exceed OPS budget.
Certified to participate in Waiver.	Yes/No—based on most recent waiver monitoring report.
Compliance with Vendor Audit Requirements per contract, Article III, Section 10.	Yes/No—based on documentation regional center forwards to DDS.
CDER/ESR Currency	Status 1 and 2 on CMF with current CDER or ESR.
Intake/assessment and IFSP time lines (0-2).	Early Start Report.
Intake/assessment time lines for consumers ages 3 and above.	CMF—calculated by subtracting the status date from the CMF date.
IPP Development (WIC requirements)	Biennial DDS review per WIC section 4646.5 (c)(3).
IFSP Development (Title 17 requirements)	Early Start Report.

STATEMENT OF ASSURANCES

This is to assure that \_\_\_\_\_ Year 2017 Performance Contract was developed in accordance with the requirements specified in Welfare and Institutions Code section 4629 and the Department of Developmental Services' (Department) Year 2017 Performance Contract Guidelines.

The performance contract was developed through a public process which included:

- Providing information, in an understandable form, to the community about regional center services and supports, including budget information and baseline data on services and supports and the regional center operations [WIC 4629 (c)(B)(i)];
- Holding at least one public meeting to solicit input on performance objectives and using focus groups or surveys to collect information from the community [WIC 4629 (c)(B)(ii)];
- Providing at least 10 calendar days advance public notice of the date(s) of the public meeting (Department Guidelines);
- Circulating a draft to the community of the performance contract plan relative to the public policy and compliance outcomes identified in the Department Performance Contract Guidelines, and any locally developed policy outcomes prior to presenting the contract to the regional center board for action [WIC 4629 (c)(B)(iii)]; and,
- Providing an opportunity for additional public input and consideration of that input at the regional center board meeting prior to board action on the proposed performance contract [WIC 4629 (c)(B)(iii)].

Signature of RC Director: \_\_\_\_\_

Date: \_\_\_\_\_

POTENTIAL LOCAL PERFORMANCE CONTRACT MEASURES

*Employment Development Department (EDD)*

Measure	Measurement Methodology*	Frequency
Number and percentage of consumers, ages 16-64 with earned income.	EDD data--changes in number and percentage of consumers ages 16-64 with earned income as reported to EDD.	Annual
Average annual wages for consumers ages 16-64.	EDD data--average annual wages as reported to EDD for consumers ages 16-64.	Annual
Annual earnings of consumers ages 16-64 compared to people with all disabilities in CA.	EDD data--consumer wage data compared to people with all disabilities as reported to EDD.	Annual

\*EDD data reflects wages reported to EDD for the purpose of unemployment insurance reporting. There is a limitation of the data, as some people have contract earnings that are unreported.

*National Core Indicators (NCI)*

Measure	Measurement Methodology	Frequency
Percentage of adults who reported having a paid job in a community-based setting (e.g., competitive or supported employment, enclave, work crew).	NCI Survey - Yes/No/Don't Know Individual is engaged in community employment during the most recent typical two-week period.	Three year cycle
Percentage of adults who reported having integrated employment as a goal in their IPP.	NCI Survey - Yes/No/Don't Know Individual has community employment as a goal in his/her IPP.	Three year cycle
Percentage of adults without a job in the community who reported wanting one.	NCI Survey - Yes/In-between/No/Don't Know, no response, unclear response Unemployed adults who indicated they would like a job in the community.	Three year cycle

POTENTIAL LOCAL PERFORMANCE CONTRACT MEASURES

*Client Development Evaluation Report (CDER)*

Measure	Measurement Methodology	Frequency
Number and percentage of adults in day services, that interact with people without disabilities: <ul style="list-style-type: none"> <li>• none</li> <li>• a few</li> <li>• most</li> <li>• all</li> </ul>	CDER personal outcomes data.	Annual
Number and percentage of adults who engage in paid work: <ul style="list-style-type: none"> <li>• less than 10 hours/week</li> <li>• 10-25 hours/week</li> <li>• 26-39 hours/week</li> <li>• 40+ hours/week</li> </ul>	CDER personal outcomes data.	Annual
Number and percentage of adults earning: <ul style="list-style-type: none"> <li>• below minimum wage</li> <li>• minimum wage</li> <li>• above minimum wage</li> <li>• salaried</li> </ul>	CDER personal outcomes data.	Annual



## Regional Center Purchase of Service Disparity Data Summary of Regional Centers' Strategic Plan Reports

*Welfare and Institutions Code section 4519.5 requires DDS to collaborate annually with regional centers (RC) to compile data relating to purchase of service authorization, utilization, and expenditure with respect to consumer age, race or ethnicity, primary language, and disability detail. Within three months of compiling the data with DDS, each RC meets with stakeholders in a public meeting regarding the data. Article VII, Section 6(b)(i) of the DDS-RC Contract requires RCs to provide annually to the State a report that includes issues identified by the data, results of the public meeting, and proposed strategies.*

*The following are the predominant issues and examples of strategies/actions identified in the RCs' reports. Statute requires each RC and the Department to post individual RC reports on their respective websites by August 31 annually.*

- **Language and cultural barriers may impact access to services.**
  - Enhance culturally-specific community outreach and communication to diverse families.
  - Provide cultural competency training for RC staff and Boards of Directors.
  - Recruit service coordinators and Board Members whose ethnicities/spoken languages are reflective of consumers and their families.
  - Create incentives for bilingual applicants (i.e., pay differential salaries).
  - Recruitment by service providers of direct support staff whose ethnicities/spoken languages are reflective of consumers and their families.
  - Provide written materials that are translated into the languages of the consumers/families served by the RC.
  - Provide translated documents that are appropriate and understandable.
  - Create focus groups within specified ethnic communities to learn more about individual challenges they face in accessing services.
  - Perform outreach and identify ways to better assist families in completing intake paperwork.
  
- **Low utilization of services by specific minority groups.**
  - Work with community partners to engage participation from underserved communities.
  - Improve communication with the community about available services, and how to obtain them (i.e., a summary of POS options by age group, glossary of terms, quarterly newsletter, media outreach, etc.).
  - Assess unique service needs for specific ethnic groups.
  - Focus on resource development to address the needs of the community.
  - Encourage better community participation in public meetings.
  - Participate in local events of interest to Hispanic communities, such as Fiesta Educativa, Family Resource Center events, Health Fairs, etc.
  - Contact area tribal leadership for Native American communities and request to receive and/or participate in cultural learning opportunities.

- **Difficulties In obtaining services in rural areas.**
  - Improve transportation and/or child care in order to address issues related to accessing services.
  - Increase the number of services in rural areas.
  - Work with service providers to explore the benefits of flexible service hours.
  - Increase outreach and service in targeted areas that are traditionally underserved, including holding more community meetings in outlying areas.
  - Utilization of technology to improve access (website, mobile devices or other ways).

Statement to Nancy Bargmann, Director, California Department of Developmental Disabilities  
Public Meeting on Service Disparities, August 26, 2016

Signed By  
Parents of Latino, African-American, and Asian Regional Center Consumers

As consumers and family members of those served by regional centers, we are pleased that the state legislature and the Department of Developmental Services have prioritized addressing racial, ethnic, and socio-economic disparities within purchase of service expenditures and promoting equity across the board. We applaud the distribution of new funds to support plans by each regional center to reduce these disparities. We believe these efforts are long overdue and much needed and we are hopeful that they will show positive results and bridge the current gap. We know that progress will only come if the funds are spent on effective strategies and if the community is included, engaged and supports these efforts.

As consumers and parents from underserved communities, we appreciate this opportunity to share our thoughts and concerns and embrace this as the beginning of a partnership with strong lines of communication and collaboration. Efforts should go well beyond initial plans to provide cultural competency training and bilingual staff for we believe little movement will be made with these attempts alone. Much more needs to be done to assist the thousands of consumers and families whose needs are currently not being met.

We respectfully submit the following perspectives and ideas that we believe will help make significant progress toward the goal of equity for ourselves and our children.

- **RESPECT AND PARTNERSHIP: Consumers and families from underserved communities need to be treated with respect and dignity and should be included as partners in developing and implementing the plans to reduce disparities.** Many of us face burdens far beyond disability including unemployment and financial stresses, unaffordable and unsafe housing, failing schools, language and cultural barriers, and lack of health insurance, food, transportation, and proper immigration papers. Sometimes it is difficult for many of us to follow through in a timely manner or to fight for services that our children desperately need as we are just trying to survive day-by-day. Instead of being blamed, ignored and passed over, we ask for respect, consideration, sensitivity, and ongoing support for our often-difficult circumstances. In addition, we ask that we be part of the discussion and decision-making process to assure we are not just being told after the fact.
- **COMPLEX NEEDS: Underserved consumers and their families are a complex community with complex needs; the solutions may need to be equally complex. It is not one-size fits all.** We need regional centers to think about each child or adult as a unique individual, particularly those not being served effectively. More diverse choices of providers need to be offered and it must become easier and more intuitive to use providers that are vendored with other regional centers. We must find more service providers who speak our language, understand our culture and complex needs, and are located in our communities with easy access. Our community should also have access to the Self-Determination Program when it becomes available, as these additional community options can solve many complex issues.
- **CONSUMERS WITH NO SERVICES: Consumers who are receiving no services at all need to be given special attention.** Within each regional center there is a certain percentage of consumers who are not accessing any services, with some regional centers with much higher percentages. Some consumers who receive no services through the regional center may not need any. But many others are being overlooked and ignored. These are the individuals who are the most underserved and deserve the most concentration.

- **STAFF RESPONSIVENESS AND ACCOUNTABILITY: Regional Center staff should be held accountable for their responsiveness to families and consumers as well as the progress made in reducing disparities.** Many of us have concerns about not receiving calls back from our service coordinators for many weeks. There should be a system of oversight to ensure that calls and emails are being returned and supervisors who can easily be contacted. Some families have service coordinators who take excessive time off or quit and they are not automatically assigned a new coordinator until they complain. There should be a requirement that consumers are provided new service coordinators within 30 days of a departure and that their new coordinators meet directly with them no later than 60 days of receiving their case. In addition, mechanisms need to be in place that monitors the execution of services and engagement with clients to assure accountability. This oversight should not be internal but through a third party entity that is unbiased, trusted by the community and funded by DDS who receives the reports directly.
- **STAFF TRAINING: Cultural competency trainings are just the first step. Service coordinators and other staff, including senior staff, need to be trained on the entire system of supports for individuals with disabilities.** Staff need to provide families with expertise and advocacy on the range of other government resources and ongoing assistance with accessing those additional services. Staff need to know about and offer direct referrals to other community organizations that provide assistance for our families. Referral paths need to be streamlined and regional center staff should be required to close the loop, ensuring that these referrals have actually been completed.
- **SPECIALISTS AND NAVIGATORS: Each regional center should have a small team of “specialists” and “navigators” with cultural competencies that focus on the most underserved clients.** The “specialists” can assist service coordinators with complex-to-serve consumers and the “navigators” can assist families and consumers with navigating other social services, such as school districts and social service systems. The specialists and navigators should have expertise on various areas such as employment, education, health/medical issues, behavior, housing, other government benefits, and community resources that can be called in when needed. There should be parent leaders from different communities assigned to these teams as partners.
- **STAFF INCENTIVES: Incentives and acknowledgements should focus on service coordinators and other staff who improve the lives of underserved consumers and their families.** While it is critical to have staff who are bilingual and understand our cultures, it is more important to us to have service coordinators who get our children the services they need. Staff should be rewarded for making progress with clients, not just for speaking a second language.
- **COMMUNICATION: Staff should communicate and all materials should be available and written in layman terms, plain language so that all families can understand.** This means using no acronyms and never assuming that we understand the jargon of the developmental disability system. After every conversation, staff should ensure that we understand what was discussed and that we know what follow up will be conducted with a set of timelines until the services are provided. For example, all relevant materials on available services, which service providers offer them, and how to obtain them should be easily available on regional center mobile-friendly websites in plain language and in multiple languages.

- **REALITY CHECKS: Satisfaction surveys conducted by an unbiased third party should be regularly conducted for all clients with a focus on underserved consumers and their families in multiple languages.** These surveys can gauge whether consumers' needs are being met and whether individuals are satisfied with their service coordinators and services. The surveys need to be offered in different formats. The satisfaction survey results should be presented to staff regularly and plans for improvement should be required for underperforming case managers and units/programs.
- **OVERSIGHT: DDS should audit each regional center at least semi-annually to ensure that they are making progress in reducing disparities and promoting equity.** These audits should focus not only on statistics but also on satisfaction surveys and interviews with underserved consumers and families. The results should be made available to the public and should be discussed at the regional centers' board meetings or in public forums.
- **SUSTAINABILITY: The new funding and efforts to reduce disparities should be seen as a starting point in a permanent plan to ensure equity. Assurances need to be in place that these efforts will continue long-term, with additional funding and guidance needed.** As partners, we pledge to work with regional centers, DDS, and the legislature to ensure the long-term sustainability of these efforts. We hope that there is equal commitment from regional centers, DDS, and the legislature.

The undersigned family members and consumers support these recommendations and look forward to working with the Department of Developmental Services on making progress for our community.

Signed,

