



REVISED

COUNCIL MEETING NOTICE/AGENDA

Posted on www.scdd.ca.gov

DATE: Thursday, March 20, 2014

TIME: 10 a.m. – 5 p.m.

LOCATION: **Doubletree by Hilton**
2001 Point West Way
Sacramento, CA 95815
(916) 924-4900

TELECONFERENCE SITES:

**Resources for Independence
Central Valley**
220 N. Santa Fe Ave
Visalia, CA 93292

Hilton Crystal City
Old Dominion Boardroom
2399 Jefferson Davis Hwy
Arlington, VA 22202

Pursuant to Government code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Robin Maitino at (916) 322-8481 or email robin.maitino@scdd.ca.gov. Requests must be received by 5:00 pm, March 14, 2014.

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|----|--|-------------|
| 1. | CALL TO ORDER | J. Aguilar |
| 2. | ESTABLISHMENT OF QUORUM | J. Aguilar |
| 3. | WELCOME/INTRODUCTIONS | J. Aguilar |
| 4. | PUBLIC COMMENTS
<i>This item is for members of the public only to provide comments and/or present information to the Council on matters not on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first. The Council will provide a public comment period, not to exceed a total of three minutes, for public comment prior to action on each agenda item.</i> | |

For additional information regarding this agenda, please contact Robin Maitino,
1507 21st Street, Suite 210, Sacramento, CA 95811, (916) 322-8481

5.	APPROVAL OF JANUARY 2014 MEETING MINUTES	J. Aguilar	4
6.	CLOSED SESSION – PERSONNEL <i>Pursuant to Government Code 11126 (a)(1) the Council will have a closed session to consider the appointment and/or employment of a public employee.</i>		
7.	RECONVENE OPEN SESSION <i>Pursuant to Government Code Section 11126.3 (f) there will be an announcement of any action(s) taken during closed session.</i>		
8.	COMMITTEE REPORTS		
	A. Executive Committee	M. Kennedy	10
	i. Summary of February 11, 2014 Meeting		
	ii. Bylaws Revisions		14
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	i. Summary of February 27, 2014 Meeting		
	ii. Recommendation Regarding Cycle 37 Grants		
	C. Legislative and Public Policy	J. Lewis	41
	i. Summary of February 5, 2014 and March 5, 2014 LPPC meetings		
	D. MTARS Ad-Hoc Committee	J. Aguilar	64
	i. Current Status of MTARS Response		
	ii. Legislative Concepts		
	iii. Outreach and Next Steps		
	E. Program Development Committee		70
	i. Summary of March 6, 2014 Meeting		
	ii. Recommendation Regarding Cycle 37 Grants		
	F. Self-Advocates Advisory Committee	N. Yang	
	G. Employment First Committee	K. Weller	

i. Summary of March 11, 2014 Meeting

9.	REGIONAL CENTER CONFLICT OF INTEREST WAIVER REQUESTS		91
	A. NLACRC		
	B. SG/PRC		
	C. FNRC		
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	A. Youth Leadership Forum		
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	A. Interim Executive Director	R. Newton	
	B. Deputy Directors	M. Polit	
	C. Area Board Executive Directors	All	151
12.	COUNCIL MEMBER REPORTS AND COMMENTS	All	
13.	NEXT MEETING DATE & ADJOURNMENT	J. Aguilar	

JANUARY COUNCIL MINUTES



DRAFT

**Council Meeting Minutes
January 15, 2014**

Members Present

April Lopez
Bill Moore
Catherine Blakemore
Carmela Garnica
Dan Boomer
David Forderer
Eric Gelber
Feda Almaliti
Janelle Lewis
Jonathan Clarkson
Jorge Aguilar
Kecia Weller
Kerstin Williams
Kris Kent
Max Duley
Molly Kennedy
Nancy Clyde
Nicole Smith
Ning Yang
Olivia Raynor
Ray Ceragioli
Rebecca Donabed

Members Absent

Brian Gutierrez
Patty O'Brien-Peterson
Robert Jacobs
Robin Hansen

Others Attending

Anastasia Bacigalupo
Angela Lewis
Chris Arroyo
Barbara Wheeler
Bob Phillips
David Grady
Dawn Morley

Others Attending (continued)

Delroi Hill
Dena Hernandez
Gabriel Rogin
Gina Gualneri
Holly Bins
Jennifer Allen
Joe Bowling
Lisa Davidson
Mark Polit
Mary Agnes Nolan
Mary Ellen Stives
Maureen Fitzgerald
Melissa Corral
Roberta Newton
Robin Maitino
Ruby Villanueva
Sarah Greenseid
Sarah May
Sherry Beamer
Sonja Bingaman
Vicki Smith
Wayne Glusker

1. CALL TO ORDER/ESTABLISHMENT OF QUORUM

Jorge Aguilar, Chairperson called the meeting to order at 10:05 a.m. and a quorum was established.

2. WELCOME AND INTRODUCTIONS

Members and others attending introduced themselves.

3. PUBLIC COMMENT

There were no public comments.

4. APROVAL OF NOVEMBER 2013 MEETING MINUTES

It was moved/seconded (Kennedy/William) and carried to approve the November 14, 2013, Council meeting minutes as amended.

(7 abstentions)

Amendments

- Mark Olivia Raynor as absent
- Mark Ray Ceragioli as present
- Page 3, Number 10, first paragraph, remove apostrophe after “s” on focus
- Page 3, Number 10, second paragraph, change “committee’s” to “committees”
- Page 3, Number 11, Developmental is misspelled in the title
- Page 5, fourth paragraph under Motion 4, change “LLPC” to “LPPC”
- Page 5, fourth paragraph under Motion 4, add the word “provider” before rates to compensate...

5. MTARS REPORT

Mr. Aaron Bishop, Ms. Jennifer Johnson, and Ms. Rita Stevens from AIDD were present via telephone to address the Council. AIDD staff informed the Council that the purpose of their call was not to take questions nor to provide answers but rather a venue to go through the four (4) areas identified in the November 2013 MTARS Report. AIDD then went through each of the highlighted areas (budget, hiring authority, membership, and State Council leadership and activities) that had been previously sent out via e-mail. Once completed, AIDD thanked the Council for their time and terminated the call.

Councilmembers and Council staff continued with an in depth discussion on plans to address the compliance issues including establishment of a MTARS Committee and transparency by making all information available online at www.sccd.ca.gov.

6. **CLOSED SESSION – PERSONNEL**

The Council went into closed session.

7. **RECONVENE OPEN SESSION**

The following actions were reported in open session:

Action 1

The Council moved to postpone interviews due to the lack of time provided to review interview packet materials.

Action 2

The Council directed the Executive Committee to revisit the two individuals previously interviewed in September and the two individuals that were scheduled for today for possible interviews with the full Council at a future Council meeting.

8. **FUTURE OF THE DEVELOPMENTAL CENTERS TASK FORCE REPORT**

Kecia Weller reported that the Task Force met on December 13th to discuss and provide comments on the draft report to the Legislature. The draft report is now available online at <http://www.chhs.ca.gov> for anyone who is interested in seeing it.

9. **COMMITTEE REPORTS**

- a. Nominating Committee – the Committee put forward Ning Yang, April Lopez, Molly Kennedy, and Carmela Garnica for consideration as the Vice-Chairperson. Following speeches and a vote, Molly Kennedy was elected Vice-Chairperson.
- b. Executive Committee – Janelle Lewis provided a brief summary of the December 10, 2013 meeting and directed members to pages 36-157 of the packet for informational copies of the FISMA and PPR reports.

- c. Administrative Committee – Molly Kennedy provided a summary of the November 20th and January 8th Committee meetings. The November meeting was the regularly scheduled meeting while the January 8th meeting was focused solely on the MTARS report.

Molly directed members to the “draft” Contracting Policies and Procedures manual handout. Discussion ensued and several suggestions were made by Council members including having AIDD involved in the development of the manual.

- d. Legislative and Public Policy Committee – Janelle Lewis provided an update on the January 14th meeting. The following legislation was acted upon:

It was moved/seconded (Clyde/Forderer) and carried to support Senate Bill 663 – Victim of Sexual Abuse. (5 abstentions)

It was moved/seconded (Ceragioli/Weller) and carried to support, if amended, Senate Bill 579 – Oversight of Regional Center Services. (5 abstentions)

It was moved/seconded (Ceragioli/Clyde) and carried to support full restoration of the state’s SSP contribution. (5 abstentions)

It was moved/seconded (Blakemore/Ceragioli) and carried to support that IHSS overtime be allowed and funded. (5 abstentions) Check with Mark – I don’t think this is right

It was moved/seconded (Forderer/Kennedy) and carried to support the Governor’s budget proposal for full funding of the developmental services system for growth and the appropriation of \$110 million and \$7.5 million to compensate for the Department of Labor’s new overtime requirements for domestic workers. (5 abstentions)

It was moved/seconded (Clyde/Forderer) and carried to amend the above motion to add the words “or as required” for the amounts of increases for minimum wage and Department of Labor rule increases. (5 abstentions)

- e. MTARS Ad-Hoc Committee – Jorge Aguilar and Roberta Newton provided members with an update on the progress in addressing the MTARS findings. In addition to forming a committee to address findings, there has also been a webpage dedicated solely to MTARS updates at www.scdd.ca.gov, as well as an email address to direct questions to.
- f. Program Development Committee – The committee is scheduled to meet on January 30th from 1-3 PM to discuss the next grant cycle.
- g. Self-Advocates Advisory Committee (SAAC) – Ning Yang provided a brief summary of the January 14th SAAC meeting.
- h. Employment First Committee (EFC) – Kecia Weller provided a brief summary of the December 17th EFC meeting.

10. **STATEWIDE SELF-ADVOCACY NETWORK (SSAN)**

In the absence of Brian Gutierrez, Roberta Newton directed members to pages 162-163 of the packet for the SSAN report.

11. **STAFF REPORTS**

Roberta Newton and Mark Polit provided reports of their activities since the last Council meeting. Area Board Executive Directors that were present also provided reports on their activities.

12. **COUNCIL MEMBER REPORTS AND COMMENTS**

Council member reports were given.

13. **NEXT MEETING AND ADJOURNMENT**

Meeting was adjourned at 4:30 p.m.

EXECUTIVE COMMITTEE REPORT

DRAFT

**Executive Committee Meeting Minutes
February 11, 2014**

Attending Members

Janelle Lewis
Jorge Aguilar
Kecia Weller
Molly Kennedy
Ning Yang
Ray Ceragioli

Members Absent

Others Attending

Eric Gelber
Kris Kent
Melissa Corral
Nancy Dow
Robin Maitino
Roberta Newton
Mark Polit

1. **Call to Order**

Molly Kennedy called the meeting to order at 10:10 a.m. and established a quorum present.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Approval of December 10, 2013 Minutes**

It was moved/seconded (Aguilar/Lewis) and carried to approved the December 10, 2013 Executive Committee minutes as amended.
(1 abstention)

Amendment

Show Ray Ceragioli as present not absent.

4. **Public Comments**

There were no public comments.

5. **MTARS Response**

- a. Cover Letter – It was moved/seconded (Lewis/Ceragioli) and carried to approve the content of the MTARS response cover letter.
- b. Corrective Action Plan – It was moved/seconded (Lewis/Yang) and carried to approve the corrective plan matrix pending changes as discussed.
- c. Legislative Outline – It was moved/seconded (Yang/Weller) and carried to approve the proposed legislation content knowing that further minor edits will be made.
- d. Fact Sheet – An informational copy of the MTARS Fact Sheet was provided to the Committee. Members requested that fact sheet be amended to include a statement that Lanterman Act changes would not affect entitlement or services.

6. **Revisions to Bylaws**

It was moved/seconded (Ceragioli/Yang) and carried to approve changes to the Bylaws in order to bring them in compliance with the Federal DD Act.

7. **Update on Executive Director Search Process**

Jorge reported that he has reached out to Pam Derby regarding an update on applicants and has yet to receive a response.

8. **Closed Session – Personnel**

The Committee went into closed session.

9. **Reconvene Open Session**

No action was reported.

10. **Conflict of Interest Policy, Regional Center Waiver Procedure, Contract and Purchasing Manual**

It was moved/seconded (Kennedy/Aguilar) and carried to postpone agenda items 11, 12, and 13.

11. **Adjournment**

Molly Kennedy adjourned the meeting at 4 pm.

BYLAW REVISIONS

State Council on Developmental Disabilities

2014 DRAFT REVISIONS



BY-LAWS

REVISED ON: April 9, 2013
CERTIFIED BY SCDD ON: May 15, 2013

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CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
BY-LAWS

ARTICLE I. NAME & DEFINITIONS

The name of this organization shall be the State Council on Developmental Disabilities.

ARTICLE II. RESPONSIBILITIES

The responsibilities of the State Council on Developmental Disabilities are set forth in 42 United States Code Section 51001 et. seq. and Sections 4433.5 and 4520 et. seq. of the California Welfare and Institutions Code.

ARTICLE III. PRINCIPAL OFFICE

The principal office of the Council shall be located in the County of Sacramento, California. The Council may change the principal office from one location to another within the county.

ARTICLE IV. AREA OF SERVICE

The area of service shall be the State of California.

ARTICLE V. MEMBERSHIP

Appointment to the Council requires each member to fully discharge his/her duties consistent with the responsibilities of representing persons with developmental disabilities. The membership of the Council shall consist of the categories of people in accordance with state and federal law.

SECTION 1. Appointments:

Pursuant to Division 4.5, Chapter 2, Article 1, Section 4521 (b)(1), (2), and (3) of the Welfare and Institutions Code, there shall be thirty-one (31) voting members on the Council appointed by the Governor, as follows:

- (a) Twenty (20) members of the Council shall be persons with a developmental disability (self-advocates) or parents, siblings, guardians or conservators (family-advocate) of these persons. In these By-laws these persons are referred to as self-advocates and family-advocates. Of the 20 members, thirteen (13) shall each be current members of the 13 Area Boards, one member from each board and representing consumers and families in their local catchment area; and, seven (7) shall be members at large that are comprised as follow: three (3) persons with developmental disabilities; one (1) person who is a parent, immediate relative, guardian, or conservator of a resident in a developmental center; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a

developmental disability living in the community; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community nominated by the Speaker of the Assembly; and, one (1) person with a developmental disabilities nominated by the Senate Committee on Rules.

- (b) Eleven (11) members of the Council shall include: directors or members, as appropriate, of State departments or agencies or of local agencies as prescribed in state and federal laws. These persons are referred to as agency representatives in these By-laws and shall include three (3) members appointed to represent the University Centers for Excellence (UCE) programs funded by the Administration on Developmental Disabilities as the three California UCEs.
- (c) Prior to appointing the thirty-one (31) members, the Governor shall request and consider recommendations from organizations representing or providing services, or both, to persons with developmental disabilities and shall take into account socioeconomic, ethnic, and geographic considerations of the state. The Council may, at the request of the Governor, coordinate Council and public input to the extent feasible to the Governor regarding recommendations for membership.

SECTION 2. Term of Office:

The term of office on the State Council shall be in accordance with state law. The term of each self or family advocate member shall be for three years. In no event shall any self or family advocate member serve for more than a total of six years.

SECTION 3. Conflict of Interest:

Pursuant to California Welfare and Institution Code Section 4525 the Council's approved Conflict of Interest Policy, is incorporated by reference into these By-laws.

SECTION 4. Vacancies:

A vacancy on the Council exists if any of the following events occur before the expiration of the term:

- (a) The death of the member.
- (b) An adjudication pursuant to a legal proceeding declaring that the member is physically or mentally incapacitated due to disease, illness, accident, or other condition and there is reasonable cause to believe that the member will not be able to perform the duties of office for the remainder of his/her term.
- (c) The member's resignation.
- (d) The member's removal from office.
- (e) The member's ceasing to be a legal resident of the state or the area the member was appointed to represent.
- (f) The member's absence from the state without the permission required by law beyond the period allowed by law.

- (g) The member's ceasing to discharge the duties of his/her office for the period of three consecutive meetings, except when prevented by sickness, or when absent from the state with the permission required by law. After three (3) consecutive unexcused absences, a member shall be considered as having ceased to discharge the duties of Council membership. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Council Chair or Committee Chair and to the Executive Director by telephone, email, or mail.
- (h) The member's conviction of a felony or any offense involving a violation of his/her official duties. A member shall be deemed to have been convicted under this section when trial court judgment is entered.
- (i) The member's refusal or neglect to file his/her required oath, or declaration of conflict of interests within the time prescribed after being provided notice of non-compliance and a reasonable time to comply.
- (j) The decision of a competent tribunal declaring void the member's election or appointment.
- (k) The making of a vacating order or declaration of vacancy.
- (l) The member assumes a position or responsibility that violates the Council's conflict of interest policy.

The Governor shall be notified when a vacancy occurs and shall appoint a person to serve the unexpired term of the member being replaced.

SECTION 5. Resignations:

Members shall serve a designated term unless they resign, or are otherwise disqualified to serve, or until successors have been appointed, up to the maximum years allowed by State law. Any member may resign at any time by giving written notice to the Chairperson and to the Executive Director. Such resignation shall take effect on the date of receipt of such notice or any later time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 6. Compensation and Expenses:

Self-advocate and family advocate members of the State Council shall receive honoraria pursuant to Government Code 11564.5, and Welfare and Institution Code Section 4550 not to exceed fifty (50) days in any fiscal year. All members shall be reimbursed for authorized actual and necessary expenses incurred in connection with the performance of their duties as Council members, in accordance with state regulations in the State Administrative Manual.

ARTICLE VI. MEETINGS

SECTION 1. Parliamentary Authority:

- (a) All meetings of the Council and its committees are public meetings governed by the Bagley-Keene Open Meeting Act (Government Code Section 11120, et. seq.).

- (b) Robert's Rules of Order shall be utilized as the rules for all Council and committee meetings except in instances of conflict with these By-laws, or provisions of State or federal law or regulations. The Vice-Chairperson shall serve as Parliamentarian.
- (c) The Council may adopt, from time-to-time, such policies and rules for the conduct of its meetings and affairs as may be required.

SECTION 2. Meetings:

- (a) There shall be no less than six (6) and no more than twelve (12) meetings of the Council per year.
- (b) Special meetings of the Council may be called by the Chairperson or, in case of absence or inability to act by the Chairperson, by the Vice-Chairperson. In case of a refusal to act by the Chairperson, a special meeting may be called by written request of nine (9) members of the Council. Only matters specified in the written notice of the meeting shall be considered at such a meeting.
- (c) Regular or special meetings of the Council shall be held at a place, date, and time designated by the Council or selected by the Chairperson.

SECTION 3. Quorum:

- (a) A quorum for the Council shall be a simple majority of the statutory required membership.
- (b) A quorum for each Council committee and sub-committee shall be a simple majority of the appointed members of that committee.

SECTION 4. Voting Rights of Members:

- (a) Each member shall be entitled to one vote, to be exercised in person. Proxy voting shall not be permitted.
- (b) Except as otherwise specifically provided in State law or these By-laws, all matters submitted for determination shall be decided by a majority vote.

SECTION 5. Chairperson Pro Tem:

If neither the Chairperson nor Vice-Chairperson is present to preside at a Council meeting, a chairperson pro tem shall be elected by the majority vote of the Council members present.

ARTICLE VII. OFFICERS

SECTION 1. Officers:

The officers of the Council shall be a Chairperson and a Vice - Chairperson elected from among the self and family advocate members. These officers shall perform the duties described in

these By-laws.

SECTION 2. Election of Member Officers:

Election of officers shall occur once every two years. The election shall be held during the last meeting of the appropriate calendar year. Only self and family advocate members shall be eligible to hold office.

SECTION 3. Voting Procedure:

Council officers shall be elected by a majority vote. Recommendations for officers shall be in the form of nominations from the Nominating Committee. Nominations may also be received from the floor prior to the election, but subsequent to the report of the Nominating Committee.

SECTION 4. Term of Office:

The Chairperson and Vice-Chairperson shall be elected for a term of two years. Individuals may be elected to these positions for no more than two consecutive terms. Their term of office shall begin the first day of the new calendar year.

SECTION 5. Vacancies:

If the Chairperson resigns or is permanently unable to serve during the term of office pursuant to Article V Section 4, the Vice-Chairperson shall become the Chairperson for the remainder of such term. Upon the vacancy of the Vice-Chairperson's term of office or if the Vice-Chairperson resigns or is permanently unable to serve during the term of office, the Chairperson shall appoint an interim Vice-Chairperson to serve until an election is conducted. The Chairperson shall also appoint a nominating committee of at least three (3) but not more than five (5) Council members that will provide a slate of nominations for the election of Vice-Chairperson during the next appropriate Council meeting.

The voting procedure established in Article VII, Section 3 shall be used for the election process of the permanent Vice-Chairperson.

SECTION 6. Duties of the Officers:

- (a) Chairperson - The responsibilities of the Chairperson are: to preside at all meetings of the Council; to appoint chairpersons and members to all Council committees, except the Nominating Committees, to appoint Council representatives in relation to other agencies and consumer groups; and to represent the Council as needed. The Chairperson shall have full voting rights on all Council actions.
- (b) Vice-Chairperson - The responsibilities of the Vice-Chairperson are to perform all the duties of the Chairperson if the Chairperson is absent or if the Chairperson requests the Vice-Chairperson to do so. When acting in the capacity of the Chairperson, the Vice-Chairperson has the same authority as the Chairperson. The Vice-Chairperson also serves as Chair of the Executive Committee and as Parliamentarian.

SECTION 7. Removal from Office:

Action to remove an officer shall be in accordance with the following procedure:

- (a) Written notification must be submitted by registered mail to the Executive Director from Council member(s) describing the specific cause for which removal is sought.
- (b) The Executive Director shall notify the officer charged by registered mail within two (2) working days of receiving the charges. Any member so notified shall have ten (10) days to respond to the group or individual responsible for notification. Following this ten (10) day period, the responsible parties shall notify the Executive Director within ten (10) days as to whether or not they wish to request removal of the officer. If the responsible parties are satisfied by the officer's response that no sufficient cause exists, the matter will be closed with written notice to the Executive Director and to the officer.
- (c) If the group or individual requesting removal is not satisfied by the response of the officer or if the officer fails to respond in ten (10) days, the Executive Director shall put the issue on the agenda at the beginning of the next Council meeting and inform the Council members as to the purpose of the agenda item.
- (d) Written charges shall be distributed and reviewed at the specified meeting of the Council.
- (e) A majority vote shall be required to remove a chairperson or vice-chairperson from office. If removal of the Chairperson is under consideration, the vice-chairperson shall preside.

ARTICLE VIII. EXECUTIVE DIRECTOR

SECTION 1. Appointment:

- (a) The Executive Director of the Council shall be appointed by and serve at the will of the Council in a position exempt from all civil service requirements pursuant to the California Constitution, Article 7, section 4(b) and Welfare and Institutions Code Section 4551(a)(2). The appointment of the Executive Director shall occur during a regular or special meeting of the Council.
- (b) A performance review of the Council Executive Director shall be coordinated by the Executive Committee and conducted annually by the full Council.

SECTION 2. Responsibilities and Duties:

- (a) The Executive Director shall be the chief administrative officer of the Council and shall have all the authority and responsibility assigned to the director of a state agency including budget, personnel, and contractual transactions. These include

authority for entering into and execution of agreements on behalf of the Council in order to implement the policies of the Council.

- (b) The Executive Director shall be under the direction and control of the Council and shall do and perform such other duties as may be assigned by the Council.
- (c) The Executive Director shall serve as clerk to the Council.

SECTION 3. Removal:

- (a) Action to remove the Executive Director of the Council shall be conducted in accordance with Government Code Section 11120, et. seq.
- (b) The Executive Committee of the Council may recommend removal of the Executive Director during a regular or special meeting. This recommendation shall be taken to the Council during a regular or special meeting for discussion and action.
- (c) A majority vote, during a regular or special Council meeting, shall be required to remove the Executive Director from his or her exempt appointment.

ARTICLE IX. COMMITTEES

SECTION 1. Authority:

- (a) Subject to the provision of these By-laws, all committees, with the exception of the Executive Committee, shall be advisory and shall not have the power to bind the Council except when specifically authorized by the Council to do so. Recommendations made by advisory committees shall be presented to the Council for adoption in the form of a motion.
- (b) Subject to provision of these By-laws, a vacancy in the membership of a committee, except the Nominating Committee, may be filled by the Council Chairperson.
- (c) A committee may meet upon call of the chairperson of the committee or the Council Chairperson.
- (d) Unless otherwise specified in these By-laws, the Chairperson and the Executive Director of the Council shall serve ex officio, without vote, on all committees, except the Nominating Committee.
- (e) A committee member may be removed from the committee by the Council Chair after three (3) consecutive unexcused absences. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Committee Chair or Executive Director or appropriate Deputy Director by telephone, e-mail or mail.

SECTION 2. Standing Committees:

- (a) There shall be ~~six (6)~~eight (8) standing committees of the State Council:
 - (1) Executive
 - (2) Administrative
 - (3) Legislative and Public Policy
 - (4) Program Development
 - (5) Self-Advocates Advisory
 - (6) Employment First
 - (7) Membership
 - (8) State Plan Committee

- (b) The Chairperson and members of each of the standing committees shall be appointed by the Council Chairperson. In the event of a vacancy for any reason in membership or the Chairperson, a successor may be appointed by the Council Chairperson. The Chairpersons and Vice-Chairpersons of the State Council and of its standing committees shall be individuals with a developmental disability, or the parent, sibling, guardian, or conservator of an individual with a developmental disability (WIC 4535(b)). The All committee chairperson appointments shall be announced to the Council at the next available Council meeting.

- (c) The membership of all standing committees, except the Executive Committee, shall be open to non-members of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.

- (d) All members of the Council shall be expected to serve on at least one standing committee of the Council.

- (e) The charge of each of these committees shall be as follows:
 - (1) Executive Committee
The Executive Committee shall serve as the coordinating body to the Council. The Committee shall:
 - [a] Consist of the Council Chairperson, Vice-Chairperson, chairperson of the Legislative and Public Policy Committee, chairperson of the Program Development Committee, ~~chairperson of the Strategic Planning Subcommittee~~, chairperson of the Self-Advocates Advisory Committee, chairperson of the Employment First Committee, Chairperson of the State Plan Committee and the Chairperson of the Membership Committee, Chairperson of the Administrative Committee and two (2) other Council members.

- [b] Be chaired by the Council Vice-Chairperson.
- [c] ~~Have delegated authority to Act~~ act on behalf of the Council between meetings, but shall not modify any action taken by the Council unless authorized by the Council to do so. The full Council at the next regular or special meeting shall receive a report of all Executive Committee actions taken between Council meetings.
- [d] Administrative matters shall be a standing agenda item at every meeting and shall include but not be limited to, budget reports, expenditure reports and other major administrative issues.
- [e] Make recommendations to the Council regarding approval of Community Program Development Grants (CPDG) projects to be funded, and allocations.
- [f] Appoint members of CPDG Grant Review team as needed.
- [g] Provide direction to the Executive Director regarding all matters pertaining to Council responsibilities.
- [h] Make recommendations to the Council regarding amendments to the By-laws, changes in committee structure or responsibilities.
- [i] Make recommendations to the Council regarding Council member training.
- [j] Make recommendations to the Council regarding the presentation of awards on behalf of the Council.
- [k] Make recommendations to the Council regarding matters assigned by the Council or the Council Chairperson.
- [l] Make recommendations to the Council regarding the appointment, evaluation, or removal of the Executive Director.
- [m] Monitor and evaluate California State Strategic Plan on Developmental Disabilities implementation and submit findings to the Council.
- [n] Review and make recommendations to the Council regarding area boards' requests to initiate litigation per Welfare and Institution Code Section 4548(g)(4) and (6).
- [o] Coordinate the Council's litigation activities, as needed, and make

recommendations to the full Council.

- ~~[p] Make appointments to and receive recommendations from the Strategic Planning Sub-Committee.~~
- [q] Present a slate of nominees to be elected to the Nominating Committee. Election to the Nominating Committee shall occur at the September Council meeting during election years.
- ~~[r] Form and provide oversight for a State Plan Sub-Committee. This Sub-Committee will be formed periodically to review the existing State Plan and make progress toward an update.~~

This Sub-Committee shall:

- ~~(1) Advise the Executive Committee on the collection and reporting of information on needs, including unmet needs, priorities and emerging issues~~
- ~~(2) Make recommendations to the Executive Committee regarding policy priorities, goals and objectives for the California State Plan on Developmental Disabilities~~
- ~~(3) Advise the Executive Committee and full Council in the planning of the implementation and reporting of the goals and objectives of the Council's California State Plan on Developmental Disabilities.~~

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(2) Administrative Committee

The Administrative Committee shall assist with monitoring the administrative and budgetary activities of the Council. The Committee shall:

- [a] Be composed of at least three (3) Council Members
- [b] Make recommendations to the Council regarding allocation of discretionary fiscal resources and other budgetary issues.
- [c] Make recommendations to the Council regarding budgeting for anticipated fiscal resources among Council operations and specific service priorities for inclusion in the California State Strategic Plan and the Governor's budget.
- [d] Make recommendations to the Council regarding monitoring and

evaluating administrative contracts and agreements.

- [e] Make recommendations to Council regarding all contracts and agreements.
- [f] Monitor and evaluate administrative contracts and agreements; and take actions authorized in all Council contracts and agreements.
- [g] Make recommendations to the Council regarding administrative matters and policies including organizational charts and structure.

(3) Legislative and Public Policy Committee

The Legislative and Public Policy Committee shall implement the California State Strategic Plan on Developmental Disabilities objectives as assigned by the Council. The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Review, comment and recommend positions on significant proposed legislation and/or proposed regulations.
- [c] Recommend legislation consistent with Council's responsibilities and objectives.
- [d] Recommend initiatives and policies consistent with Council responsibilities and objectives.
- [e] Provide testimony and recommendations to the Legislature with regard to matters pertaining to people with developmental disabilities.
- [f] Respond to other responsibilities as assigned by the Council or Council Chairperson.

(4) Program Development Committee

The Program Development Committee shall advise the Council in the development of services and projects designed to improve the quality of life for individuals with developmental disabilities and their families

The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Make recommendations to the Council regarding the Community

Program Development Grant (CPDG) application process and suggested priorities/criteria for proposals.

- [c] Develop methods to market and implement successful CPDG projects throughout the State.
- [d] Carry out other responsibilities as assigned by the Council or the Council Chairperson.

(5) Self-Advocates Advisory Committee

The Self-Advocates Advisory Committee shall advise the Council as a voice for all Californians with disabilities, by promoting State Council participation and peer advocacy that advances independence and inclusion. The Committee shall:

- [a] Be composed of self-advocate members of the Council.
- [b] Advise the Council regarding self-advocate needs related to serving the Council including manners in which to ensure participation and inclusion in all meetings.
- [c] Advise the Council regarding policies, programs and any other area affecting self advocates in California.
- [d] Review materials and other Council produced information to evaluate and make recommendations regarding plain language approaches.
- [e] To have a standing representative to the Statewide Self-Advocacy Network (SSAN.)

(6) Employment First Committee

The Employment First Committee is responsible for ensuring the development of an Employment First Policy which has the intended outcome of significantly increasing the number of individuals with developmental disabilities who engage in integrated, competitive employment. The Committee shall:

- [a] Be composed of a representative from each of the following:
 - (1) The Department of Developmental Services
 - (2) The Department of Rehabilitation
 - (3) The California Department of Education
 - (4) One from each of the three University Centers of Excellence in California
 - (5) Disability Rights California

- (6) Employment Development Department
- (7) Family Resource Center Network
- (8) Association of Regional Center Agencies
- (9) Service Employees International Union
- (10) The ARC
- (11) Four self-advocates
- (12) Four family advocates
- (13) Such others as deemed needed to implement the responsibilities of the Council.

- [b] Identify the respective roles and responsibilities of state and local agencies in enhancing integrated, competitive employment for people with developmental disabilities.
- [c] Identify strategies, best practices, and incentives for increasing integrated, competitive employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transitional planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.
- [d] Identify existing sources of employment data and recommend goals for, and approaches to measuring progress in, increasing integrated, competitive employment for persons with developmental disabilities.
- [e] Recommend legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated, competitive employment, self-employment, and microenterprises and who earn wages at or above minimum wage.
- [f] Provide an annual report to the Governor and Legislature by July 1 of each year that describes the work and recommendations of the Committee.

(7) Membership Committee

The Membership Committee shall recruit, solicit and advise the Governor on appointments to and vacancies on the Council. The Chairperson of the Committee is charged with submitting the Council's recommendations to the Governor. The Committee shall:

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[a] be comprised of at least three (3) members, two (2) of which shall be Council members.

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[b] be comprised of self advocates and family advocates

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[c] meet at least quarterly

[d] coordinate Council and public input regarding appointments to the Governor.

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[e] at least quarterly solicit recommendation for candidates via social media, email/web alerts, from among self-advocacy groups, family support groups, Federal Partners and service providers.

[f] submit all recommendations for appointments to the Governor's Officer for consideration.

[g] make a report of submissions to the Governor's Office to the Council during the next regular meeting.

(8) State Plan Committee

The State Plan Committee shall be responsible for reviewing the current State Plan and monitor its implementation and completion of goals and objectives as well as develop subsequent plans. The Committee shall:

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[a] Be comprised of at least three (3) members

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[b] Meet at least quarterly.

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[c] Advise the Executive Committee on the collection and reporting of information on needs, including unmet needs, priorities and emerging issues

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[d] Make recommendations to the Council regarding policy priorities, goals and objectives for the California State Plan on Developmental Disabilities

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[e] Advise the Council in the planning of the implementation and reporting of the goals and objectives of the Council's California State Plan on Developmental Disabilities

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SECTION 3. Nominating Committee:

The Nominating Committee shall provide advice to the Council relative to the bi-annual election of Council officers. The Committee shall:

(a) Be composed of at least three (3) and not more than five (5) Council members.

- (b) Be elected by the Council at the September Council meeting from a slate of nominations presented by the Executive Committee.
- (c) Serve for one year. Be elected at least forty-five (45) days prior to the annual election.

SECTION 4. Committees, Sub-Committees and Ad-Hoc Committees and Task Forces:

- (a) Committees, Sub-committees, Ad-Hoc committees and Task Forces may be established by the Council to carry out specified California State Strategic Plan on Developmental Disabilities objectives and purposes of the Council.
- (b) The term of office and, qualifications of these groups' chairpersons and members shall be established by the Council. The membership of Sub-Committees and Ad-Hoc committees shall be open to non-members of the Council and shall be appointed by the Chairperson of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.

ARTICLE X. COUNCIL GENERAL PROVISIONS

SECTION 1. Certification and Inspection:

The original or a copy of the By-laws, as amended or otherwise altered to date, certified by the Council shall be recorded and kept in a book that shall be kept in a location in the principal office of the Council, and such book shall be open to public inspection at all times during office hours.

SECTION 2. Records, Reports and Inspection:

- (a) The Council shall maintain adequate and correct accounts, books and records of all its business and properties.
- (b) Such records shall be kept at its principal place of business. All books and records shall be open to inspection by the Council and the general public, except those records or data regarding an employee, if such disclosure would constitute an unwarranted invasion of personal privacy, or records of the Council relating to its participation in a judicial proceeding.
- (c) An annual financial report and budgets shall be available for inspection at the Council's principal place of business.

ARTICLE XI. AMENDMENTS OF BY-LAWS

Subject to the limitations of federal and state law, these By-laws shall be reviewed at least annually. The Executive Committee shall be responsible for the annual review of the By-laws, submitting recommendations for adoption of new By-laws and amendments or repeal of existing

By-laws to the Council. These By-laws may be amended, repealed or adopted by a two – thirds majority during any regular or special meeting of the Council so long as a draft of the proposed action was submitted in writing to the Council at least ten (10) days prior to the meeting.

ARTICLE XII. INDEMNIFICATION

SECTION 1. Definitions:

For the purposes of this Article XII, "agent" means any person who is or was a director or member as appropriate, officer, employee, or other agent of the Council. Proceeding means any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative; and expenses include without limitation attorney's fees and any expenses of establishing a right to indemnification under Section 4 or 5(b) of this Article XII.

SECTION 2. Indemnification in Actions by Third Parties:

The Council shall have power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the Council to procure a judgment in its favor, by reason of the fact that such person is or was an agent of the Council, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Council and, in the case of a criminal proceeding, has no reasonable cause to believe the conduct of such person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of the Council or that the person had reasonable cause to believe that the person's conduct was unlawful.

SECTION 3. Indemnification in Actions by or in the Right of the Council:

The Council shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action by or in the right of the Council, to procure a judgment in its favor by reason of the fact that such person is or was an agent of the Council, against expenses actually and reasonably incurred by such person in connection with the defense or settlement of such action if such person acted in good faith, in a manner such person believed to be in the best interests of the Council, and with such care, including reasonable inquiry as an ordinarily prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 3:

- (a) In respect of any claim, issue, or matter as to which such person shall have been adjudged to be liable to the Council in the performance of such person's duty to the Council, unless and only to the extent that the court in which such proceeding is or was pending shall determine upon application that, in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for the expenses which such court shall determine;

- (b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or
- (c) Of expenses incurred in defending a threatened or pending action, which is settled or otherwise disposed of without court approval, unless it is settled with the approval of the Attorney General.

SECTION 4. Indemnification Against Expenses:

To the extent that an agent of the Council has been successful on the merits in defense of any proceeding referred to in Section 2 or 3 of this Article XII or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

SECTION 5. Required Determinations:

Except as provided in Section 4 of this Article XII any indemnification under this Article XII shall be made by the Council only if authorized in the specific case, upon a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Section 2 or 3 of this Article XII, by:

- (a) A majority vote of a quorum consisting of directors or members as appropriate, who are not parties to such proceeding; or
- (b) The court in which such proceeding is or was pending upon application made by the Council or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Council.

SECTION 6. Advance of Expenses:

Expenses incurred in defending any proceeding may be advanced by the Council prior to the final disposition of such proceeding upon receipt of an undertaking by or on behalf of the agent to repay such amount unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article XII.

SECTION 7. Other Indemnification:

No provision made by the Council to indemnify its or its subsidiary's directors or members as appropriate, or officers for the defense of any proceeding, whether contained in the Articles, Bylaws, a resolution directors or members as appropriate, or an agreement, or otherwise, shall be valid unless consistent with this Article XII. Nothing contained in this Article XII shall affect any right to indemnification to which persons other than such directors or members as appropriate, and officers may be entitled by contract or otherwise.

SECTION 8. Forms of Indemnification Not Permitted:

No indemnification or advance shall be made under this Article XII, except as provided in Section 4 or 5(b), in any circumstances where it appears:

REVISION DATE: April 9, 2013

21 of 19

- (a) That it would be inconsistent with a provision of the Articles, these By-laws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) That it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

**ADMINISTRATIVE
COMMITTEE
REPORT**

DRAFT

**Administrative Committee Meeting Minutes
February 27, 2014**

Attending Members

Brian Gutierrez
David Forderer
Kris Kent
Molly Kennedy
Ning Yang
Ray Ceragioli

Members Absent

Others Attending

Lynn Cach
Melissa Corral
Nancy Dow
Roberta Newton
Robin Maitino
Wayne Glusker
Mark Polit
Ed Steele
Sandra Smith

1. **Call to Order**
Molly Kennedy called the meeting to order at 1:06 p.m.
2. **Welcome and Introductions**
Members and others introduced themselves. Molly Kennedy thanked Melissa for her years of service and wished her luck at her new position.
3. **Approval of the January 22, 2014 Minutes**
It was moved/seconded (Ceragioli/Forderer) and carried to approve the January 24, 2014 minutes as presented.
4. **Public Comments**
There were no public comments.
5. **Mid-Year Expenditure Reports**
Roberta Newton went over the handouts provided and explained in detail what each column represented and what the budget gap would look like if vacancies were filled. Molly requested that staff add an additional column to the Headquarters Budget Analysis spreadsheet entitled "Percentage Expended".

Roberta also provided an update on the October billing that was submitted almost a month ago to AIDD. She met via teleconference with AIDD earlier in the day and the feedback provided from fiscal staff was overall positive.

6. **Draft 2014-15 Budget**

Roberta went over the handouts provided to the Committee again pointing out that we need to close the gap in the budget. The Committee discussed ways that could be accomplished. One possibility would be to reduce grant funding slightly or perhaps alternate years for statewide and local grants.

Molly requested that we have the 2014-15 proposed budget go to the Council for review/approval by the May meeting. She also requested that a column be added to the budget document that showed last year's budget along with a column that showed the proposed budget. Kris Kent suggested possibly presenting a "premise budget" in narrative form to the Council for approval rather than a spreadsheet. The "premise budget" would propose possible deficit resolutions and would be easier for the layman to understand.

7. **Recommendations for Grant Funding Level for Cycle 37**

It was moved/seconded (Yang/Forderer) and carried to recommend allocating \$350,000 for Cycle 37 Grants. (2 abstentions)

8. **Review of 2014 Work Plan**

This item was deferred.

9. **Review of Sample DSA MOU's**

This item was deferred.

10. **Review of Contract Manual**

It was moved/seconded (Forderer/Yang) and carried to present the Contracting and Purchasing Policies and Procedures manual to the Executive Committee for their input.

11. **Other Policies and Procedures**

This item was deferred.

12. **Schedule 2014 Meetings and Future Agenda Items**

Future meetings will be held the 4th Wednesday of the month from 1-3 PM.

13. **Adjournment**

Molly Kennedy adjourned the meeting at 3:05p.m.

2013-14 EXPENDITURE REPORT

4100 State Council on Developmental Disabilities
 July 1, 2013 --- December 31, 2013

	Personal Services			Operating Expenses & Equipment			Total Expenditures		
	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended
Council Operations & Administration (BSG)	\$1,109,876	\$538,642	49%	\$469,831	\$322,635	69%	\$1,579,707	\$861,277	55%
Community Program Development Grant	\$0			\$625,491		0%	\$625,491	\$0	0%
Area Board 1									
* BSG	\$194,257	\$77,065	40%	\$57,230	\$19,959	35%	\$251,487	\$97,024	39%
* QA	\$140,120	\$69,093	49%	\$52,520	\$15,969	30%	\$192,640	\$85,062	44%
Area Board 2									
* BSG	\$243,378	\$127,577	52%	\$53,997	\$22,222	41%	\$297,375	\$149,799	50%
Area Board 3									
* BSG	\$211,156	\$105,579	50%	\$81,983	\$27,091	33%	\$293,139	\$132,670	45%
* QA	\$143,378	\$71,689	50%	\$59,800	\$19,111	32%	\$203,178	\$90,800	45%
Area Board 4									
* BSG	\$285,905	\$142,213	50%	\$63,281	\$18,123	29%	\$349,186	\$160,336	46%
* CRA	\$242,634	\$118,688	49%	\$50,595	\$19,972	39%	\$293,229	\$138,660	47%
Area Board 5									
* BSG	\$294,729	\$128,623	44%	\$88,469	\$32,187	36%	\$383,198	\$160,810	42%
* QA	\$141,491	\$65,777	46%	\$77,329	\$12,285	16%	\$218,820	\$78,062	36%
Area Board 6									
* BSG	\$213,606	\$112,694	53%	\$69,491	\$25,192	36%	\$283,097	\$137,886	49%
* QA	\$141,791	\$78,244	55%	\$52,652	\$13,399	25%	\$194,443	\$91,643	47%
Area Board 7									
* BSG	\$272,172	\$151,045	55%	\$91,286	\$40,292	44%	\$363,458	\$191,337	53%
* QA	\$0	\$0		\$0			\$0	\$0	
Area Board 8									
* BSG	\$294,153	\$115,363	39%	\$69,368	\$17,543	25%	\$363,521	\$132,906	37%
* CRA	\$361,594	\$143,567	40%	\$80,000	\$27,651	35%	\$441,594	\$171,218	39%
Area Board 9									
* BSG	\$262,811	\$112,001	43%	\$90,000	\$43,776	49%	\$352,811	\$155,777	44%

Personal Services			Operating Expenses & Equipment			Total Expenditures			
	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended
Area Board 10									
* BSG	\$335,639	\$125,355	37%	\$80,037	\$33,467	42%	\$415,676	\$158,822	38%
* QA	\$358,837	\$185,144	52%	\$231,675	\$57,333	25%	\$590,512	\$242,477	41%
* CRA	\$234,895	\$141,757	60%	\$27,913	\$6,029	22%	\$262,808	\$147,786	56%
Area Board 11									
* BSG	\$276,528	\$151,364	55%	\$88,011	\$29,848	34%	\$364,539	\$181,212	50%
* CRA	\$211,434	\$103,338	49%	\$22,838	\$7,806	34%	\$234,272	\$111,144	47%
Area Board 12									
* BSG	\$155,324	\$78,770	51%	\$69,000	\$20,604	30%	\$224,324	\$99,374	44%
* QA	\$135,143	\$63,086	47%	\$56,800	\$25,475	45%	\$191,943	\$88,561	46%
* CRA	\$170,520	\$54,138	32%	\$20,300	\$2,141	11%	\$190,820	\$56,279	29%
Area Board 13									
* BSG	\$259,668	\$131,078	50%	\$99,481	\$36,596	37%	\$359,149	\$167,674	47%
* QA	\$141,791	\$77,346	55%	\$65,685	\$31,243	48%	\$207,476	\$108,589	52%
All Area Boards									
* BSG	\$3,299,326	\$1,558,727	47%	\$1,001,634	\$366,900	37%	\$4,300,960	\$1,925,627	45%
* QA	\$1,202,551	\$610,379	51%	\$566,461	\$174,815	29%	\$1,799,012	\$785,194	44%
* CRA	\$1,221,077	\$301,474	25%	\$201,646	\$35,261	17%	\$1,422,723	\$336,735	24%

LPPC

COMMITTEE

DETAIL SHEET

AB 2299 (Nazarian) Requiring RC Payment of Co-Pays and Deductibles

ISSUE: AB 2299 (Nazarian) would require regional centers to reimburse families and consumers for the costs of copays, co-insurance, and deductibles for therapies determined necessary by their IPP.

SUMMARY: The Council co-sponsored similar legislation last year with Autism Speaks. They are asking us to co-sponsor again with them this year.

COUNCIL STRATEGIC PLAN Goal: Public policy in California promotes the independence, productivity, inclusion, and self-determination, of individuals with developmental disabilities and their families.

PRIOR COUNCIL ACTIVITY: In 2013, the Council co-sponsored SB 163 (Hueso) which would have required that regional centers reimburse families for the costs of insurance copays, coinsurance and deductibles when the therapy is required by the IPP. The bill failed. The Council vigorously opposed budget trailer bill language (that passed) that limited the ability of regional centers to pay copays and co-insurance and forbid reimbursements of deductible costs associated with those therapies.

At the January 2014 meeting, the Council voted to prioritize reimbursements of copays, coinsurance, and deductibles as one of six budget reductions to be restored.

BACKGROUND: In 2010, SB 946 (Steinberg) was signed into law, mandating that private insurance companies cover autism related behavioral health treatments as a medical expense. The autism community and other disability advocates worked hard in support of this legislation, so that families would have access to autism interventions through their private insurance. This requirement also leads to cost savings for the DDS and regional center budget, since it effectively transfers costs of certain autism interventions from the regional centers to private insurance, when parents have that coverage.

As a cost saving measure, the Budget Act of 2013 forbid regional centers to reimburse families for deductibles associated with IPP related therapies, and placed limits on the RC's ability to reimburse for copays and co-insurance costs. This places a huge financial burden on families, causing many to drop their child from their family insurance plan, so that regional centers would then have to pay the full cost of the therapy. Other families simply reduce the intensity of services or drop the needed therapies for their child.

ANALYSIS/DISCUSSION: AB 2299 is still just an intent bill. However, the sponsor's intent is to have the bill accomplish the same thing as SB 163 tried to accomplish. Staff has reviewed the draft language of the bill (which is not yet public), and it very clearly would accomplish the same thing: Requiring regional centers to reimburse families for copay, coinsurance, and deductible costs associated with therapies deemed necessary by the IPP.

LPPC RECOMMENDATION(S): Co-Sponsor AB 2299 (Nazarian).

ATTACHMENT(S): AB 2299 intent bill; AB 2299 fact sheet; Council support letter of SB 163 (Hueso); Council support letter of SB 126 (Steinberg), extending the sunset for SB 946.

PREPARED: Mark Polit, March 6, 2014

ASSEMBLY BILL

No. 2299

Introduced by Assembly Member Nazarian

February 21, 2014

An act relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 2299, as introduced, Nazarian. Developmental services: individual program plans and individualized family service plans.

The Lanterman Developmental Disabilities Services Act authorizes the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities. Under existing law, the regional centers purchase needed services for individuals with developmental disabilities through approved service providers or arrange for their provision through other publicly funded agencies. The services and supports to be provided to a regional center consumer are contained in an individual program plan or individualized family service plan, developed in accordance with prescribed requirements.

This bill would declare the intent of the Legislature to enact legislation that would remove barriers that restrict access for regional center consumers to medically necessary services identified in an individual program plan or individualized family service plan.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to enact
2 legislation that would remove barriers that restrict access for
3 regional center consumers to medically necessary services
4 identified in an individual program plan or individualized family
5 service plan.

O

AB 2299 – Regional Center Responsibility & Autism Insurance Coverage

Summary

Assembly Bill 2299 would require a Regional Center to pay for co-payments, coinsurance, and deductible payment on service or support provided pursuant to a consumer's individual program plan.

Background

Under the Lanterman Act, California's regional centers are required to implement an individual program plan (IPP) for qualifying individuals with developmental disabilities.

In 2011, Governor Brown signed SB 946 (Steinberg) to require all health insurance plans to provide coverage for behavior health treatment for pervasive developmental disorder or autism. Prior to this, regional centers were required to pay the entire cost of service for eligible consumers. After SB 946, many regional center consumers were able to obtain private insurance, shifting the financial burden to the insurance carrier.

This resulted in significant savings for regional centers whose financial obligation was then limited to the consumers co-payment, co-insurance or deductible payments. Families were also protected from any additional financial liability at regional centers under the entitlement of the Lanterman Act, which prohibited cost sharing or collection of copayments on services included in the IPP.

The 2013 budget trailer bill on developmental services (AB 89) broke the entitlement of the Lanterman Act by included language to authorize a regional center to collect co-payments if a family has private insurance and an annual gross income that exceeds 400 percent of the federal poverty level (FPL). This legislation also prohibited a regional center from making deductibles payments.

Why this bill is needed

Since the passage of the AB 89, families who have been able to secure insurance have to pay for services that are free to those without insurance, creating an arbitrary and capricious division among those served by the regional center and forcing some families to discontinue care for financial reasons.

A recent survey conducted by the Autism Society of California found that almost 20% of families receiving autism therapy treatment at regional centers have cancelled the health insurance policies of their children, in large part because they can't afford the co-pays and deductibles. Because regional centers are still required to provide services, the entire cost of treatment is then shifted back to the state.

There have been several challenges to AB 89 at the Office of Administrative Hearing (OAH) by families who cannot afford their co-pay or deductible. In those cases, judges have consistently sided with families and have required the regional center to either pay the cost of the co-payment or the full cost of treatment if the family cannot afford the deductible.

AB 2299

Requiring co-payments and prohibiting payments towards deductibles is hurting families and potentially will cost the state more money if families continue to challenge at OAH or drop coverage.

AB 2299 reverses this policy and reinstates the entitlement of the Lanterman Act by expressly requiring regional centers to pay for co-payments coinsurance and deductibles.

Regional center families will no longer be discouraged from obtaining insurance or incentivized to drop their existing plan. This will allow regional centers to continue to access private insurance dollars, minimizing their fiscal obligation, while still ensuring access for families.

Sponsor

Autism Speaks

Support

For More Information Call



State Council on Developmental Disabilities



STATE OF CALIFORNIA

Edmund G. Brown Jr.
Governor

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April 26, 2013

The Honorable Kevin De Leon, Chair
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814
Fax: 916-327-8817

**Subject: SUPPORT - SB 163 (Hueso)
Regional Center Financial Responsibility for Co-Pays, Co-Insurance, and Deductibles**

Dear Senator De Leon,

The California State Council on Developmental Disabilities is established pursuant to federal and state law to advocate for the rights of people with intellectual and developmental disabilities, and to assist the state in planning to better support their independence and productivity.

The Council is co-sponsoring SB 163 (Hueso) with Autism Speaks and the Alliance of California Autism Organizations. This legislation is critical to implementing the vision of SB 946 (Steinberg) which established insurance company responsibility for certain autism therapies, thereby shifting the responsibility of payment for these therapies from the state to insurance companies.

Families and advocates led the effort for many years to establish insurance company responsibility for these necessary medical services. This victory led to a decrease in the state's financial responsibility for these services by about \$80M per year. Families should not have to bear additional financial burdens, because of this change, from insurance co-pays, co-insurance, or deductibles. These costs can be substantial. The Council receives reports from families who are forced to forgo treatment for their child, because of an unacceptably high financial cost. Appropriate therapy administered early is critical to mitigating the effects of autism, opening up developmental possibilities for a child, and reducing the long-term reliance of individuals on state support. Therefore, the Council supports SB 163 (Hueso) so that regional centers would be required to pay insurance co-pays, co-insurance, and deductibles without means testing for services that are required by the IPP or IFSP.

If you have any questions, please feel free to contact Mark Polit, Deputy Director of Policy and Planning at 916-208-3823. Thank you for your consideration.

Sincerely,

Roberta Newton
Executive Director

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."



July 18, 2013

The Honorable Mike Gatto, Chair
Assembly Appropriations Committee
State Capitol
Sacramento, CA 95814
Fax: 916-319-2143

**Subject: SUPPORT - SB 126 (Steinberg)
Autism - Health Care Coverage**

Dear Chairman Gatto,

The California State Council on Developmental Disabilities is established pursuant to federal and state law to advocate for the rights of people with intellectual and developmental disabilities, and to assist the state in planning to better support their independence and productivity.

The Council supports SB 126 (Steinberg), which would extend the provisions of SB 946, Statutes of 2011, until July 1, 2019, thus requiring healthcare plans and insurers to continue to provide coverage of behavioral health treatments as outlined in SB 946.

SB 946 was an achievement supporting the rights of individuals with autism to receive the treatments they need through their insurance coverage. This legislation has also led to substantial cost savings to the state, estimated at \$80 million per year.

Unfortunately, budget language recently signed into law has undermined the intent of both SB 946 and SB 126. As a result, many of the very families that worked hard to pass SB 946 are now penalized for having a family insurance plan that covers their child.

For regional center clients, behavioral health therapies had been paid for by the regional centers, at no cost to the families. SB 946 effectively shifted the costs of these therapies from regional centers to insurance companies, saving the state General Fund roughly \$80 million annually. However, due to the nature of insurance policies, families were now faced with paying co-pays or co-insurance and deductibles.

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."

There was initial confusion by regional centers on how to treat the co-pay issue. So they sought a legal opinion which found that, under the Lanterman Act, they were required to reimburse families for co-pays, co-insurance and deductibles when those services were in the child's Individual Program Plan or Individual Family Service Plan. The net result of SB 946 and those protections of the Lanterman Act meant that the state would save roughly 90% on the cost of those therapies now covered by insurance, while reimbursing families for the roughly 10% of the costs they would be paying in co-pays or co-insurance and deductibles.

Unfortunately, the trailer bill amended the Lanterman Act to make it optional for regional centers to reimburse families for co-pays and co-insurance, forbid any reimbursements to families earning over 400% of the federal poverty limit (\$94,000 for a family of 4), and forbid regional centers from reimbursing deductibles. Thus the state effectively transferred roughly 10% of the costs of these therapies from the regional centers to the families.

These changes will cause many families to pay thousands of dollars out of pocket for therapies critical to their child's development, force many families to stop treatment because they can't afford it, and prompt many families to consider removing their child from their insurance plan – so their regional center could then pay for the entire cost of the treatment.

SB 946 and SB 126 are significant in requiring insurance companies to cover behavioral health therapy for what is clearly a medical condition. Families fought for these bills as a matter of justice and gaining greater access to necessary services. These bills were intended to benefit both the State General Fund and children with autism. However, the action of the Legislature and Administration through the budget process has undermined the intent of this legislation and harmed the families who fought hard to achieve it. We eagerly desire to work with the Administration and the Legislature over the next several months to restore the rights of these families under the Lanterman Act.

If you have any questions, please call Mark Polit, Deputy Director of Policy and Planning at 916-208-3823. Thank you for considering the Council's position.

Sincerely,



Jorge Aguilar
Chairperson

DETAIL SHEET

AB 1626 (Maienschein) Supported Employment Rate Restoration

ISSUE: AB 1626 (Maienschein), 10% Supported Employment Program (SEP) job coach rate increase.

SUMMARY: AB 1626 (Maienschein) would increase the hourly job coaching rate paid to providers of individualized and group supported employment services to \$34.24. This would restore the 10% supported employment rate cut of 2008.

BACKGROUND: In 2007, the state increased the SEP job coaching rate by 26% to \$34.24/hour. This was the first increase in over twenty years. Those historically low rates cause SEP to decline over time, as providers complained they would lose money on those low rates. Providers argued that a 26% increase would incentivize employment, so that more people would get jobs, pay taxes, and not attend more expensive day programs. Those gains did not materialize, in part because of the onset of the great recession and in part because the state, seeing no immediate gain in employment, reduced the rate 10% to \$30.82 per hour the next year.

The 4.25% rate reductions suffered by other services during the great recession have now been restored. SEP providers are now asking for their 10% reduction to be restored.

DISCUSSION/ANALYSIS: Individual Placement Supported Employment (IP SEP) is a major method to support individuals with significant disabilities in integrated competitive employment. This bill would raise the job coaching rate for both IP and Group SEP. Increased rates would encourage more providers to support people with developmental disabilities in both IP and group settings. Increasing rates was not set as a priority restoration by the Council. However, we may still support to our allies in the stakeholder community on rate restorations.

LPPC RECOMMENDATION: Support AB 1626 (Maienschein), 10% Supported Employment job coach rate increase.

ATTACHEMNTS: AB 1626

PREPARED: Mark Polit, March 6, 2014

ASSEMBLY BILL

No. 1626

**Introduced by Assembly Member Maienschein
(Principal coauthor: Assembly Member Atkins)
(Coauthors: Assembly Members Chesbro, Salas, and Weber)**

February 10, 2014

An act to amend Section 4860 of the Welfare and Institutions Code, relating to developmental services.

LEGISLATIVE COUNSEL'S DIGEST

AB 1626, as introduced, Maienschein. Developmental services: habilitation.

Existing law, the Lanterman Developmental Disabilities Services Act, authorizes the State Department of Developmental Services to contract with regional centers to provide services and support to individuals with developmental disabilities. Existing law requires habilitation services to be provided to an adult who receives services for the developmentally disabled when he or she satisfies specified eligibility requirements. If a consumer is referred for vocational rehabilitation services and placed on a waiting list for certain reasons, the regional center is required to authorize appropriate services for the consumer until services can be provided by the vocational rehabilitation program. Existing law requires providers of individualized or group-supported employment services to be paid at an hourly rate of \$30.82, and requires an interim program provider to be paid a fee of \$360 or \$720, as specified.

This bill would increase the hourly rate paid to providers of individualized and group-supported employment services to \$34.24,

and increase the fees paid to interim program providers to \$400 and \$800, respectively.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4860 of the Welfare and Institutions Code
2 is amended to read:

3 4860. (a) (1) The hourly rate for supported employment
4 services provided to consumers receiving individualized services
5 shall be ~~thirty dollars and eighty-two cents (\$30.82)~~; *thirty-four*
6 *dollars and twenty-four cents (\$34.24)*.

7 (2) Job coach hours spent in travel to consumer worksites may
8 be reimbursable for individualized services only when the job
9 coach travels from the vendor’s headquarters to the consumer’s
10 worksite or from one consumer’s worksite to another, and only
11 when the travel is one way.

12 (b) The hourly rate for group services shall be ~~thirty dollars and~~
13 ~~eighty-two cents (\$30.82)~~; *thirty-four dollars and twenty-four cents*
14 *(\$34.24)*, regardless of the number of consumers served in the
15 group. Consumers in a group shall be scheduled to start and end
16 work at the same time, unless an exception that takes into
17 consideration the consumer’s compensated work schedule is
18 approved in advance by the regional center. The department, in
19 consultation with stakeholders, shall adopt regulations to define
20 the appropriate grounds for granting these exceptions. When the
21 number of consumers in a supported employment placement group
22 drops to fewer than the minimum required in subdivision (r) of
23 Section 4851, the regional center may terminate funding for the
24 group services in that group, unless, within 90 days, the program
25 provider adds one or more regional centers, or Department of
26 Rehabilitation-funded supported employment consumers to the
27 group.

28 (c) Job coaching hours for group services shall be allocated on
29 a prorated basis between a regional center and the Department of
30 Rehabilitation when regional center and Department of
31 Rehabilitation consumers are served in the same group.

32 (d) When Section 4855 applies, fees shall be authorized for the
33 following:

1 (1) A ~~three-hundred-sixty-dollar (\$360)~~ *four-hundred-dollar*
2 *(\$400)* fee shall be paid to the program provider upon intake of a
3 consumer into a supported employment program. No fee shall be
4 paid if that consumer completed a supported employment intake
5 process with that same supported employment program within the
6 previous 12 months.

7 (2) A ~~seven-hundred-twenty-dollar (\$720)~~ *An*
8 *eight-hundred-dollar (\$800)* fee shall be paid upon placement of
9 a consumer in an integrated job, except that no fee shall be paid
10 if that consumer is placed with another consumer or consumers
11 assigned to the same job coach during the same hours of
12 employment.

13 (3) A ~~seven-hundred-twenty-dollar (\$720)~~ *An*
14 *eight-hundred-dollar (\$800)* fee shall be paid after a 90-day
15 retention of a consumer in a job, except that no fee shall be paid
16 if that consumer has been placed with another consumer or
17 consumers, assigned to the same job coach during the same hours
18 of employment.

19 (e) Notwithstanding paragraph (4) of subdivision (a) of Section
20 4648, the regional center shall pay the supported employment
21 program rates established by this section.

DETAIL SHEET

State Council Legislative and Public Policy Platform

ISSUE: Review of the draft Council Legislative and Public Policy Platform

SUMMARY: The Legislative and Public Policy Committee (LPPC) presents for Council review and approval a draft of the Council's Legislative and Public Policy Platform. This platform would not be limited to a specific time period, but can be amended overtime by the Council, as necessary.

PRIOR COUNCIL ACTIVITY: Adopted Legislative and Policy Platform for 2011-12.

BACKGROUND: N/A

ANALYSIS/DISCUSSION: Adoption of the platform will serve as a short summary of the Council's position on important public policy issues concerning people with developmental disabilities. This will be an important tool to communicate our beliefs to the legislature and the public. A platform will also allow us to advocate or express positions on these issues as they arise during the legislative process, during public discussions, and at coalition meetings. This would also allow us to sign onto coalition letters, with the consent of the Council Chair, when those letters are clearly in alignment with the Council's platform.

COUNCIL STATE PLAN GOAL: Public policy in California promotes the independence, productivity, inclusion and self-determination of individuals with developmental disabilities and their families

RECOMMENDATION(S): The LPPC recommends review and adoption of the legislative platform.

ATTACHMENT(S): Draft Council Legislative and Public Policy Platform; 2011-2012 SCDD Legislative and Policy Platform.

PREPARED: Mark Polit, March 6, 2014

State Council on Developmental Disabilities
Legislative and Public Policy Platform

DRAFT TO COUNCIL

March 20, 2014

The State Council on Developmental Disabilities (Council) is established by state and federal law, the Lanterman Act and the federal Developmental Disabilities and Bill of Rights Act.

The Council advocates for the development and implementation of policies and practices that achieve self-determination, independence, productivity, and inclusion in all aspects of community life for Californians with intellectual and developmental disabilities (IDD) and their families. To that end, the Council develops and implements goals, objectives, and strategies designed to improve and enhance the availability and quality of services and supports.

The Council is comprised of 31 members appointed by the Governor, including individuals with disabilities and their families, and representatives from Disability Rights California, the University Centers for Excellence in Developmental Disabilities, and state agencies.

In addition to the Council's Sacramento headquarters, 13 regional offices provide services to individuals with IDD and their families including, but not limited to, advocacy assistance, training, monitoring, and public information. The Council strives to ensure that appropriate laws, regulations, and policies pertaining to the rights of individuals are observed and protected.

This document conveys the Council's position on major policy issues that affect individuals with IDD and their families.

PROMISE OF THE LANTERMAN ACT

The Lanterman Act promises to honor the needs and choices of individuals with IDD by establishing an array of quality services throughout the state. Services shall support people to live integrated, productive lives in their home communities, in the least restrictive environment. Access to needed services and supports must not be undermined through categorical service elimination, service caps, means testing, or family cost participation fees and other financial barriers. California must not

impose artificial limitations or reductions in community-based services and supports that would compromise the health and safety of persons with IDD.

SELF-DETERMINATION

Individuals with IDD and their families must be given the option to control their service dollars and their services through Self-Determination. With the support of those they choose and trust, people with IDD and their families are best suited to understand their own unique needs, develop their own life goals, and construct those services and supports most appropriate to reach their full potential. Self-Determination gives individuals the tools and the basic human right to pursue life, liberty, and happiness in the ways that they choose.

EMPLOYMENT

A regular job with competitive pay gives people an opportunity to contribute and be valued at a work site; it gives them a chance to build relationships with co-workers, be a part of their communities, and contribute to their local economies. It reduces poverty and reliance on state support, and it provides a life of greater dignity.

Integrated competitive employment is the priority outcome for working age individuals with IDD, regardless of the severity of their disability. Policies and practices must set expectations for employment, promote collaboration between state agencies, and remove barriers to integrated competitive employment through access to information, benefits counseling, job training, postsecondary education, and appropriate provider rates that incentivize quality employment outcomes.

EQUITY

Regional center services and supports must be distributed equitably so that individuals receive culturally and linguistically competent services and supports that meet their needs, regardless of their race, ethnicity, or income. Disparities in services can result in severe health, economic, and quality of life consequences.

EDUCATION

Schools must implement the goals of the Individuals with Disabilities Education Act (IDEA) to provide children with disabilities with free appropriate public education and prepare them for post-secondary education, employment, and independent living. To the maximum extent possible, students with disabilities should be

educated alongside their non-disabled peers in the least restrictive environment. School districts and other educational authorities need to be held accountable for implementing the letter and the intent of IDEA, in all aspects, including measurable post-secondary goals.

TRANSITION TO ADULT LIFE

Education, rehabilitation, and regional center services must support students to transition to integrated competitive employment or post-secondary educational opportunities that will lead to employment. Successful strategies include starting career exploration at age 14, coordination among systems, youth empowerment in their education and service planning, integrated work experiences, family engagement, and a seamless transition to post-secondary work or education.

HEALTH CARE

Individuals must be reimbursed for insurance co-pays, co-insurance, and deductibles, when their health insurance covers therapies that are on their IPPs.

California has an obligation to assure that individuals with disabilities have continuity of care, a full continuum of health care services and equipment, and access to plain language information and supports to make informed decisions about their health care options.

California has an obligation to support the health care of individuals with IDD. This includes people with multiple health care needs, those who require routine preventative care, mental health treatment, dental care, durable medical equipment, and those with gender specific health issues.

HOUSING

Community integrated living options for individuals with IDD must be increased and enhanced through access to housing subsidy programs and neighborhood education to reduce discrimination. Permanent, affordable, accessible, and sustained housing options must be continually developed to meet both current and future needs.

SELF-ADVOCACY

Individuals with IDD must be provided the opportunity and support to assume their rightful leadership in the service system and society, including voting and other civic

responsibilities. Self-advocates must have access to enhanced training, plain language materials, and policy making opportunities.

COMMUNITY PARTICIPATION

Individuals with IDD must have access to and be supported to participate in their communities, with their non-disabled peers, through opportunities such as education, employment, recreation, organizational affiliations, spiritual development, and civic responsibilities.

TRANSPORTATION

Access to transportation is essential to the education, employment, and inclusion of individuals with disabilities. Individuals with IDD must be a part of transportation planning and policymaking to assure their needs and perspectives are heard and addressed. Mobility training must be a standard program among public transportation providers to increase the use of public transportation and reduce reliance on more costly segregated systems.

VICTIMS OF CRIME

All people have a right to be safe; however, individuals with IDD experience a much greater rate of victimization, and a far lower rate of prosecution for crimes against them, than does the general public. The same level of due process protections must be provided to all people. Individuals with IDD need to be trained in personal safety, how to protect themselves against becoming victims of crime, and how their participation in identification and prosecution can make a difference. Law enforcement personnel must be trained in how to work with people with IDD who they interact with during the course of their duties, including those who are victims of crimes.

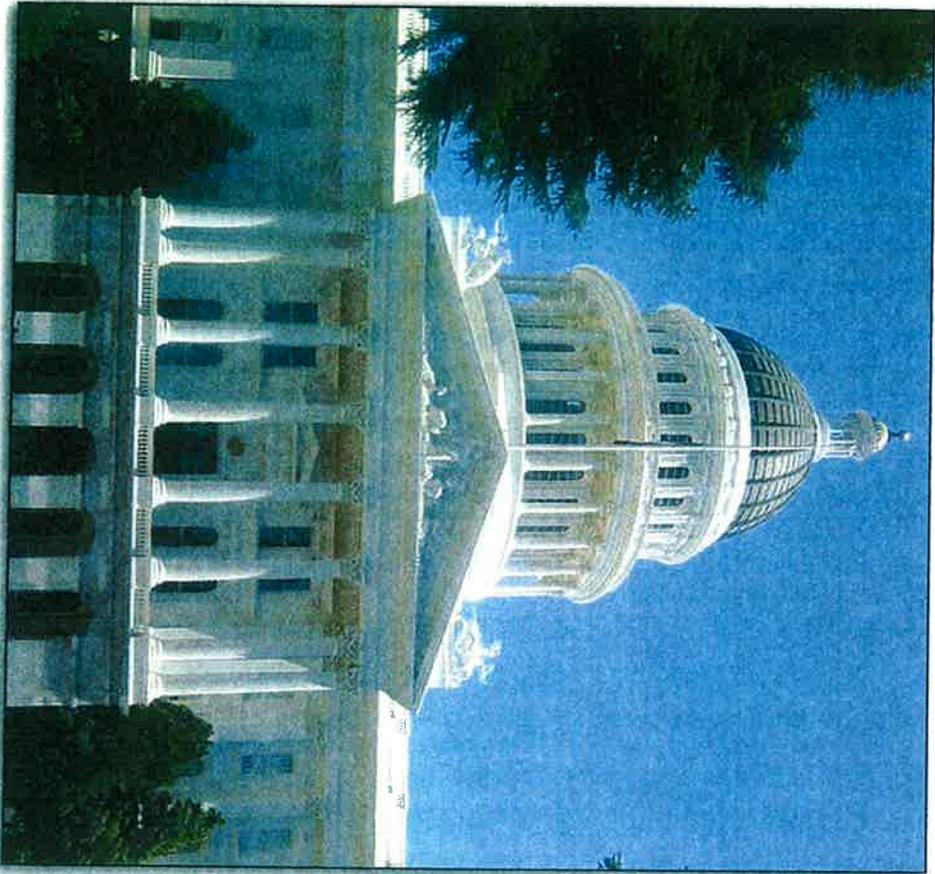
RATES FOR SERVICES

The state must restore rates to adequately support the availability of quality services for people with all disabilities in all the systems that serve them. A planned and systematic approach to rate adjustments must prioritize and incentivize services and supports that best promotes self-determination, independence, employment, and inclusion in all aspects of community life.

QUALITY OF SERVICES AND SUPPORTS

The State of California must ensure that funding is used to achieve positive outcomes for individuals with IDD and their families. The state must streamline burdensome and duplicative regulations and processes that do not lead to positive outcomes for people with IDD and their families. Quality assessment and oversight must be provided by the state; it must measure what matters, be administered in a culturally competent manner, and the results made public and used to improve the system of services and supports.

**2011-12
LEGISLATIVE and
POLICY PLATFORM**



The State Council on Developmental Disabilities (Council) is established by state (Lanterman Act at Welfare and Institutions Code, sections 4520) and federal law (Developmental Disabilities and Bill of Rights Act) to ensure that individuals with developmental disabilities and their families participate in the planning, design and receipt of the services and supports they need which allow increased independence, productivity, inclusion and self-determination. To that end, the Council develops and implements goals, objectives, strategies designed to improve and enhance the availability and quality of services and supports to individuals with developmental disabilities and their families.

The Council is comprised of 31 members appointed by the Governor, including individuals with disabilities, their families, federally funded partners and state agencies.

In addition to headquarters in Sacramento, the Council supports 13 area boards that provide services to individuals with developmental disabilities and their families including, but not limited to, advocacy assistance, training, monitoring and public information. By providing these services, area boards ensure that appropriate laws, regulations and policies pertaining to the rights of individuals are observed and protected. Each board participates in the development and implementation of the Council's goals and objectives.

The Council is active in promoting and responding to policy developments and changes that affect people with developmental

disabilities. This document conveys the Council's position on major policy issues that impact individuals with developmental disabilities and their families.

CONSUMER/FAMILY DIRECTED OPTIONS

Individuals with developmental disabilities and their families are best suited to identify and understand their unique needs and how best to address those needs. Options for self-determination/individual choice budgeting that provide resources for consumers and families to use in securing the services and supports that best meet their needs and reduce reliance on public social services must be developed and supported.

EMPLOYMENT

Integrated, competitive employment is the priority outcome for working age individuals with developmental disabilities. Strategies must be identified and pursued to assist individuals to achieve this goal.

HOUSING

Increase and enhance community integrated living options for individuals with developmental disabilities through access to housing subsidy programs and neighborhood education to reduced discrimination. Affordable, accessible, and sustained housing options must be continually developed.

HEALTH CARE

California has an obligation to assure that individuals with disabilities being transitioned into Medical managed care have access to

plain language information and supports to make informed decisions about their health care options.

California must support individuals with developmental disabilities with co-existing health conditions that require routine preventative care, as well as mental health treatment and attention to women's health issues.

EDUCATION

The federal Individuals with Disabilities Education Act (IDEA) requires children with disabilities be provided with free appropriate public education to prepare them for advanced education, employment, and independent living. IDEA states to the "maximum extent possible" students with disabilities should be educated alongside their non-disabled peers. School districts/educational authorities need to be held accountable for implementing the letter and the intent of IDEA.

SELF-ADVOCACY

Individuals with developmental disabilities must be provided the opportunity and support to assume their rightful leadership in the system and society. Enhanced training, the use of plain language materials and inclusion in public-policy making activities must be developed and supported.

INCLUSION

Individuals with developmental disabilities must have access to community opportunities such as recreation, education, and socialization with their peers without disabilities.

TRANSPORTATION

Access to transportation is essential to the education, employment and inclusion of individuals with disabilities. Individuals with developmental disabilities must be a part of transportation planning and policymaking to assure their needs and perspectives are heard and addressed. Mobility training must be a standard program among public transportation providers to increase the use of public transportation and reduce reliance on more costly segregated systems.

VICTIMS OF CRIME

Individuals with developmental disabilities experience a greater rate of victimization and lower rates of prosecution for crimes against them than does the general public. The same level of due process protections must to be provided to all people. Individuals with disabilities need to be trained and supported in how to avoid becoming victims of crime and to understand how their participation in identification and prosecution can impact outcomes.

QUALITY OF SERVICES AND SUPPORTS

The financial commitment from the State of California must come with assurances that public monies are used to achieve desired outcomes for individuals with developmental disabilities and their families. Outcomes and satisfaction must be measured, and that information used to pursue individual and systemic change.

CONTACT INFORMATION

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Mendocino Counties
505 S. State Street
Ukiah, CA 95482
(707)463-4700

Area Board 2

Butte, Shasta, Glenn, Siskiyou,
Lassen, Tehama, Plumas, Modoc,
Trinity Counties
1367 E. Lassen Ave. #B3
Chico, CA 95973
(530) 895-4027

Area Board 3

Alpine, Sacramento, Colusa,
El Dorado, Sutter, Nevada, Yolo,
Placer, Yuba, Sierra Counties
2033 Howe Avenue, Suite 160
Sacramento, CA 95825
(916) 263-3085

Area Board 4

Napa, Solano, Sonoma Counties
236 Georgia St., Suite 201
Vallejo, CA 94590
(707) 648-4073

Area Board 5

Alameda, Contra Costa, Marin,
San Francisco, San Mateo Counties
1515 Clay Street, Suite 300
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Area Board 6

Amador, Calaveras, Tuolumne,
San Joaquin, Stanislaus Counties
2529 March Lane, Suite 105
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(209) 473-6930

Area Board 7

Monterey, San Benito, Santa Cruz,
Santa Clara Counties
2580 North First Street, Suite 240
San Jose, CA 95131
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Area Board 8

Mariposa, Madera, Merced, Fresno,
Kings, Tulare, Kern Counties
770 East Shaw Ave., Suite 123
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(559) 222-2496

Area Board 9

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Ventura Counties
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Area Board 10

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411 North Central Ave., Suite 620
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Area Board 11

Orange County
2000 E. Fourth Street, Suite 115
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(714) 558-4404

Area Board 12

Mono, Riverside,
San Bernardino Counties
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San Bernardino, CA 92408-3584
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Area Board 13

San Diego, Imperial Counties
8880 Rio San Diego Dr., Suite 250
San Diego, CA 92108-1634
(619) 688-3323

**MTARS
COMMITTEE
REPORT**

PROPOSED LEGISLATIVE CONCEPTS For AB 1595 (Chesbro)

INTRODUCTION & BACKGROUND

The California State Council on Developmental Disabilities (the Council) is established pursuant to federal and state law to advocate for the rights of people with intellectual and developmental disabilities and promote policies and practices that help people achieve self-determination, independence, productivity and inclusion in all aspects of community life.

This document summarizes the major concepts for changes to state law that are needed to ensure continued funding of the Council and its regional offices (the Area Boards) by bringing state law into compliance with the federal law that funds the Council.

The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) provides the federal authority for and funds the State Councils on Developmental Disabilities, Protection & Advocacy Systems (Disability Rights California in this state), and University Centers for Excellence in Developmental Disabilities Education (UCEDDs). The federal Administration on Intellectual and Developmental Disabilities (AIDD) is responsible for administering the DD Act.

The AIDD in a recent Monitoring and Technical Assistance Review System (MTARS) report identified several provisions of state law that AIDD concluded conflicted with the federal DD Act. These findings were central to the AIDD to freeze the SCDD's access to its federal grant and put the Council on a cost-reimbursement basis, which will not be lifted until California demonstrates that it will come into compliance with the federal law that funds the Council. This document summarizes the major concepts for changes to state law that are needed to ensure compliance with the federal DD Act.

This legislation will focus only on those parts of state law that describe the responsibilities and functioning of the State Council and the Area Boards: California Welfare and Institutions Code (WIC), Division 4.5, Chapter 2. This will not affect people's rights and services under the Lanterman Act, nor the IPP or the Regional Center system.

For a state as large and diverse as California, the Council is unwavering in its commitment to work through its regional offices to address the geographic, racial and ethnic diversity of the state. The Council will also continue to receive input from consumers, families and other stakeholders from the various regions of California through the regional advisory committees.

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."

PROPOSED STATUTORY CHANGES
(PENDING STATE COUNCIL APPROVAL)

Council Structure and Functions

The federal DD Act funds operations of the Council including those of its staff in regional offices, currently referred to as Area Boards. The proposed legislation seeks to ensure, as required by federal law, that there is one State Council unified in purpose, direction and responsibility to define and carry out the California State Plan. These changes will maintain the regional advisory committees that are currently known as the Boards of the Area Boards but clarify their role as advisory, to conform to the need for clarity of Council authority in federal law.

The regional offices of the Council are vital to its structure in order to address the geographic, ethnic and language diversity of the state. The Council will continue to carry out its work across this large and diverse state through its headquarters and regional offices.

1. Clarify that the Council shall have the authority to establish the Council organizational structure and remove the provisions in current statute that mandate to the Council the establishment of deputy director positions within Council staff.
2. Clarify that the Area Boards are State Council Regional Offices
3. Add language that the Council shall establish State Council Regional Offices that are accessible to and responsive to the diverse geographic, ethnic and language needs of consumers and families throughout the state. As required by federal law, provide that the Council has the full authority on how it uses its funds in establishing, maintaining and operating the regional offices. This will require removing provisions currently in state law that infringe upon that authority.
4. Add language to ensure that the State Plan is responsive to the needs of California's diverse geographic, racial, ethnic and language communities, the Council and its regional offices, as appropriate, shall obtain input from consumers, families and other stakeholders throughout the various regions of California.
5. Ensure involvement of consumers and families and others at the regional level by transforming the appointed Area Boards to State Council Regional Advisory Committees.
 - a. Add provisions that State Council Regional Offices shall have State Council Regional Advisory Committees which reflect the geographic, disability, and racial, ethnic and language diversity of the local region.
 - b. Add provisions which ensure that the responsibilities of the State Council Regional Advisory Committees advise the Council on local issues, providing input for the Council to consider in the formulation of the State Plan, and provide a source of data for the Council's Regional Office reporting on the State Plan implementation.

6. Adjust language throughout state statute to change current references to “the area boards” to refer to “the Council”, “State Council Regional Offices”, or “State Council Regional Advisory Committees,” as appropriate.
7. The Council, including its regional offices, shall continue to perform its functions as delineated in the DD Act and state law, insofar as state law is compliant with federal law. Add the following functions from the federal DD Act to ensure that state law reflects the responsibilities of councils enumerated in federal law:
 - a. Serve as an advocate for individuals with developmental disabilities and through council members, staff, consultants, contractors or grantees, shall conduct advocacy, capacity building and systemic change activities. (Federal DD Act Section 125(c))
 - b. Support and conduct geographically based outreach activities to identify individuals with developmental disabilities and their families who otherwise might not come to the attention of the council and assist and enable the individuals and families to obtain services, individualized supports, and other forms of assistance, including access to special adaptation of generic community services or specialized services. (Section 125(c)(5)(B))
 - c. Coordinate with related councils, committees, and programs to enhance coordination of services. (Section 125(c)(5)(G))
 - d. Support and conduct activities to provide information to policymakers by supporting and conducting studies and analyses, gathering information, and developing and disseminating model policies and procedures, information, approaches, strategies, findings conclusions and recommendations. The council may provide the information directly to federal, state and local policymakers, including Congress, the Federal executive branch, the Governors, State legislatures, and state agencies in order to increase the abilities of such policymakers to offer opportunities and enhance or adapt generic services to meet the needs of, or provide specialized services to, individuals with developmental disabilities and their families. (Section 125(c)(5)(J))

Council Membership

The following changes to state law seek to ensure compliance with federal law by eliminating a perception of a conflict of interest of the Council and the Area Board members appointed to the Council, reducing the complexity of the appointments process, reducing vacancies in Council membership, and giving the Governor full appointment authority for Council members by eliminating the requirement that candidates be chosen only from a pre-selected nomination by the Area Board.

1. Provide that the Governor shall have the sole authority to appoint Council members.
2. Make the following changes to the membership requirements to reduce unnecessary vacancies and allow for a more efficient appointment process:
 - a. Specify that a member’s term begins on the date of their appointment;

- b. Ensure that while there are membership terms, a member may serve until a replacement is named as required by federal law.
 - c. Require that the Council notifies the Governor in writing six months in advance of the expiration of a Council member's term or immediately if a vacancy is experienced for other reasons.
 - d. Ensure better coordination between the Council and the Governor regarding appointments by ensuring that members of the Council, including non-agency members of the Council and State Council Regional Advisory Committees have the opportunity to provide the Governor with information about potential Council members. The Council is proceeding to establish a membership committee in bylaws that will coordinate with the Governor's Office and make recommendations on appointments to Council.
3. Current statute requires one "at large" member to be an immediate relative/conservator of a current DC resident. As required by the DD Act, change the language to read: "At least one is an immediate relative or conservator of an individual with developmental disabilities who resides or previously resided in an institution or an individual with developmental disabilities who currently/previously resided in an institution."
4. Ensure that the SCDD is free from potential conflicts of interest by changing the requirement that 13 Council members be appointed by the Governor from the Area Boards, at the recommendation of the Area Boards. Instead the Governor will appoint 20 "non-agency" members, as currently defined, who reflect the geographic, disability and racial, ethnic and language diversity of the state. Of these 20 non-agency members, at least one shall be from the geographic area of each of the Council's regional offices. Each non-agency member of the Council shall be a liaison of the State Council to the local region constituency and to a State Council Regional Advisory Committee.

Authority of Executive Director to Hire Staff

This section brings state statute into compliance with the federal DD Act provision that the Council Executive Director shall have the authority to hire Council staff.

1. Provide that the Executive Director of the Council shall have the authority to hire all Council staff by removing conflicting provisions in state law:
 - a. Remove the requirement that the Governor appoints any Council staff positions.
 - b. Remove the requirement that the executive directors of the Council's regional offices are hired or removed after obtaining the approval of the Area Board or Council.



AREA BOARD TELECONFERENCE

Federal AIDD Review of the State Council on Developmental Disabilities

The Administration on Intellectual and Developmental Disabilities (AIDD) is the federal agency that provides the funding for the work of the Council and its regional offices, the Area Boards. As many of you know, the AIDD reviewed the work of the Council in January 2013 and issued the report of their review, known as the Monitoring and Technical Assistance Review (MTARS), in November 2013. The MTARS cited several specific areas in which California's Council is found to be out of compliance with the federal DD Act. The Council was given until February 14, 2014 to submit a proposed Plan of Correction (POC) to address these areas of noncompliance

Purpose of this Call: The Council has submitted the Plan of Correction and has begun to take steps to implement it. One of the most sensitive issues that we need to address is that California's Lanterman Act contains several provisions regarding state council structure and functions, area boards' structure and functions, governance and role of the Governor that are incompatible with the federal DD Act. We are holding this teleconference in order to provide information to area board members and staff about the steps the Council is proposing to take and to hear your thoughts on our future.

DATE and TIME

DATE: Wednesday, March 12, 2014

Time: 3:00 pm – 5:00pm

HOW TO PARTICIPATE

On the telephone, call in at 800-839-9416. When prompted, enter 2982825#

In writing, submit written comments via email to: MTARS@scdd.ca.gov

MORE INFORMATION: Access related documents and fact sheets at

<http://www.scdd.ca.gov/mtarsadhoc.htm>

QUESTIONS? Please contact Roberta Newton, Executive Director or Mark Polit, Deputy Director at (916) 322-8481.

**PROGRAM
DEVELOPMENT
COMMITTEE**

DETAIL SHEET

Funding and RFP for Area Board Mini-Grants

ISSUE: Program Development Committee (PDC) recommendation for funding area board mini-grants. RFP for area board mini grants.

SUMMARY: The Administrative Committee informed the PDC that they will recommend to the Council that \$350,000 be budgeted for Cycle 37 grants (fiscal year 2014/15).

The Program Development Committee recommends that each area board be allocated \$20,000 for mini-grants in their regions, for a total of \$260,000 for the 13 areas. The remainder of the \$350,000 would be available for self-advocacy support grants, for determination at a later Council meeting. The RFP for area board mini-grants is presented for approval.

COUNCIL STRATEGIC PLAN GOALS/OBJECTIVES: N/A

PRIOR COUNCIL ACTIVITY: The Council has allocated \$650,000 for Cycle 36 grants (current fiscal year): A \$360,000 grant to JNCS on employment for transition age youth, a \$160,000 grant to CAPC for self-advocacy support, and \$130,000 for area board mini-grants. Area Board mini-grants have ranged in size from \$10,000 each to \$35,000. The current year grants are \$10,000. The November 2013 Council meeting decided to allow each area board to determine which State Plan goals would be the focus of the mini-grant for their area.

ANALYSIS/DISCUSSION: The Administration Committee has determined that the Council has an on-going structural deficit. This structural deficit will increase in the next fiscal year, due to salary increases for state employees. A reduction in grants from \$650,000 to \$350,000 would help close the deficit. The Council has had unexpended funds available from previous years. However, these have been used to cover expenses due to the current cost-reimbursement procedures instituted by AIDD against the Council. Due to delays in AIDD approval of expenses and the tremendous financial uncertainty around the cost-reimbursement procedure, these roll-over funds cannot be counted on to increase funds available for grants in Cycle 37. Therefore, the Administrative Committee

informed the PDC that they are recommending \$350,000 be available for Cycle 37 grants, including self-advocacy support grant(s).

The PDC could therefore choose to recommend funding either a statewide grant process for less than \$300,000 or the area board mini-grants at the level the PDC was recommending. The PDC is recommending funding the mini-grants in part because the area boards have already gone through their procedure to determine which State Plan goals they will focus their grants on. Also, the PDC was not able to work with the State Plan Committee, as it has not yet been re-constituted, to identify how to focus a statewide grant.

Staff discussed with several Area Board directors and confirmed that the size of the grant for this year (\$10,000) limited the variety and quality of the proposals received by the Area Boards. The costs of putting together a proposal must be weighed by applicants against the limited size of the award. The small size of the grant also tends to draw smaller organizations with little grant experience. Therefore, the PDC recommends that the area board grant size be increased to 20,000 per area board.

PDC RECOMMENDATIONS: (1) Cycle 37 Area Board mini-grants be funded at the level of \$20,000 per year. (2) \$90,000 be set aside for possible self-advocacy grants. (3) Approval of the Cycle 37 Request for Proposal for Cycle 37 area board mini-grants.

ATTACHMENT(S): Cycle 37 RFP for Area Board Mini-Grants

PREPARED: Mark Polit, March 6, 2014



**Program Development Grant
Request for Proposal
Application and Instructions
Federal Fiscal Year
2014-15**

Cycle 37

Deadline:

MAY 5, 2014

No faxes or emails will be accepted

**The application packet is available at:
www.scdd.ca.gov**

**If you would like to have a hard copy mailed to you or if you have any
questions regarding the grant process:**

Please call (INSERT AREA BOARD OFFICE #)

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INTRODUCTION

The California State Council on Developmental Disabilities (SCDD), administers grants to community-based organizations to fund new and innovative projects. All projects are required to address one or more of the goals and objectives in the California State Plan on Developmental Disabilities (State Plan) and improve and enhance services for Californians with developmental disabilities and their families. Program Development Grants (PDG) provide funding for new approaches to addressing the needs of Californians with developmental disabilities that are part of an overall strategy for systemic change. Each area board selects one or more specific goals and/or objectives from the State Plan and seeks proposals that contribute to the implementation of the Plan.

Pursuant to the Developmental Disabilities Assistance and Bill of Rights Act (Public Law 106-402), SCDD has allocated **\$20,000** per area board for local projects to be awarded in Cycle 37.

Federal and State Law

The SCDD is a California state agency established by federal and state law. Pursuant to the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (Public Law 106-402), SCDD is to develop and implement a State Plan to support advocacy, capacity building, and systemic change activities that are consistent with promoting a consumer and family-based system of services and supports. The goal of the federal law is to enable individuals with developmental disabilities to achieve self-determination, independence, productivity, and community integration and inclusion.

The Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code, section 4540 et.seq) directs SCDD to conduct activities related to meeting the objectives of the Plan, including activities to demonstrate new approaches to serving individuals with developmental disabilities and their families that are part of an overall strategy for systemic change.

Program Development Grant (PDG)

The PDG is one vehicle used by the Council to meet both the federal and state mandates. PDG projects are the primary method of providing resources to initiate new and innovative services and supports for Californians with developmental disabilities and their families.

Grants are awarded on a federal fiscal year cycle, consistent with the goals and objectives outlined in the SCDD State Plan. While the grants provide for immediate funding leading to the creation or expansion of services, applicants are expected to secure ongoing funding for sustainability of the work proposed.

Grants awarded through this Request for Proposal (RFP) will be administered through the Council's local area board offices. During the PDG process, the area board is to: (1) ensure that all proposals are fairly and consistently reviewed and evaluated; (2) comply with State and Federal laws and policies; (3) provide assistance to applicants; and (4) recommend awarding grants to the highest ranked proposal(s) based on available funding.

THE SCDD STATE PLAN (STATE PLAN)

The State Plan defines critical, current, and emerging issues facing Californians with developmental disabilities and their families. The State Plan is developed with extensive community input from stakeholders throughout California. The State Plan also provides information to the Federal Administration on Developmental Disabilities on how the Council will invest its resources. The State Plan can be accessed on the SCDD web site:
<http://www.scdd.ca.gov/stateplan.htm>

PDG APPLICATION REQUIREMENTS AND TIMELINE

1. Proposals must include measurable identifiable outcomes.
2. The application must be complete and meet all of the requirements set forth in this Request for Proposal.
3. Applicants are responsible for providing accurate, current, and complete information about their organization and proposed project.
4. The final decision regarding selection of proposals to be funded is the responsibility of the State Council on Developmental Disabilities.

5. Timelines

Application Deadline	MAY 5, 2014
Public Notice of Selection of Awardee	July 17, 2014
Protest Period	July 17- 26, 2014
*Award Notification	July 27, 2014
Anticipated Funding of Approved Proposals	October 1, 2014
Completion of Project	September 30, 2015

**Pending successful completion of the protest period*

6. Any proposals received after **May 5, 2014** regardless of the postmarked date will be returned to the applicant.
7. The area board will not accept faxed or e-mailed documents pertaining to the application process.
8. A complete application, including all the required documentation must be received by 5:00 p.m. on **May 5, 2014** at:

Area Board ##
Address
Address

9. Prior to posting the "Notice of Intent to Award Contracts" and during the protest period all proposals will be designated confidential. After the protest period ends, all proposals received are a matter public record.

FUNDING OF PROJECTS

Funding of projects is contingent on receipt of federal funds. After the announcement of a grant award, changes in the level of federal allocation to California could result in the reduction of funds or withdrawal of some or all funded proposals.

The Council assumes no responsibility for costs incurred by the applicant for the development or submission of a proposal.

The Council may reduce the level of funding requested in a proposal. If the requested amount is proposed to be reduced, the applicant will be asked if they want to proceed with the process. If the applicant wishes to proceed, a revised budget will be required to be submitted with the revised funding request.

Successful applicants will submit all invoices in arrears. Applicants must be financially capable of supporting the project until such time as invoices are submitted and reimbursement is received.

Successful applicants must complete quarterly reporting and invoice packets which must contain receipts for each expense/line item claimed this includes but is not limited to: records of salaries paid, travel, conference fees and hotel accommodations as well as proof of overhead costs and indirect expenses. Reimbursement of expenses will only be made for expenses associated with a line item of the approved budget and has the proper supporting documentation.

CONTENTS OF APPLICATION PACKAGE

Proposals for AB ##

Must address the following Goals and/or Objectives of the State Plan

- **Goal # State the goal or objective here)**
- **Goal #**
- **Goal #**

Proposals must be submitted in accordance with these instructions, using the application forms available on your area board's webpage located at www.scdd.ca.gov or utilize the hard copies attached to these instructions. Documents submitted with this application may be posted on the Council's website.

Completed applications must include the following elements:

1. Cover Letter – The cover letter to the proposal must include:

- A one paragraph description of the project

- Assurance that the applicant is financially capable of supporting the project until such time as the invoices are submitted and reimbursement is received.
- The applicant must indicate the following: "We have carefully read and understand all the provisions in this RFP and agree to be bound by them. We fully read and reviewed the terms and conditions as stated in the State Contracting Requirements, attached to the RFP, and, that by submitting a response understands that this document represents the agreement that we will be expected to execute if we are successfully awarded a Cycle 37 CPDG from the SCDD." No deviations or exceptions to this statement shall be accepted or permitted.

2. Project Data Sheet (Form available online and attached to this RFP)

Applicant Information

- **Project Number** -Leave blank (assigned by area board)
- **Project Name**- Provide a short descriptive name for the proposed project (55 character limit)
- **Organization Name**- Applicant's legal name
- **Organization Website** - If applicable, provide the applicant's website address
- **Organization Address** - Street and floor or suite number
- **Organization City/State** - City and State
- **Organization Zip Code** - five or nine digit zip code
- **Taxpayer ID Number**- Provide taxpayer identification number (TIN)
- **Project Period**- Month/Day/Year. Use numbers. (i.e., XX/XX/XXXX)

Project Information

- **Type of Applicant**-Select the type of applicant from the pull down menu (i.e., Non-profit, School District, County, etc.) Select only one. Partnerships/collaborations must choose one organization as the primary applicant.
- **State Plan Goal(s)/Objective(s)**-Enter which State Plan goals or Objectives the project would address.

Project Funding

- **Total project costs** - must equal the total of "SCDD grant funds" plus "applicant matching funds." The federal government is requiring matching funds on all grants awarded by the Council/area board. A match of 25% is required for Non-Poverty Areas and a 10% match is required for services that will be provided in Poverty Areas. The match may be in-kind funding.
- **Indirect costs** cannot exceed 15% (see definition under "Allowable and Non-Allowable PDG Grant Costs."
- **Grant Type**- Select Poverty or Non-Poverty from the pull down menu. The U.S. Census Bureau provides information on the percent of persons in poverty by state and county. Go to www.census.gov/. In the "People" section, click on "Poverty". Click on "Small Area Income and Poverty Estimates" to access the state and county data.

Contact Information- List the appropriate individuals with whom the area board will communicate for the indicated purposes. Use the check box to auto-fill repetitive

information for a contact. The auto-fill information can be over written if necessary (i.e. email addresses).

Signatory Authority- Identify the organization Director (CEO or equivalent) who can legally enter into a contractual agreement on behalf of the applicant.

3. Project Narrative (Form available online and attached to this RFP)

The proposal must include a project narrative that includes the following sections and contents as described below. Do not exceed eight (8) pages.

Abstract- Provide a one paragraph abstract that clearly states the project goal, the major activities of the project and the impact it will have on people with developmental disabilities.

Qualifications• Describe your organization's qualifications to implement the proposed project, including your experience working with people with developmental disabilities.

Collaboration- Identify any organizations that will be collaborating on the project, and provide a brief description of their respective roles.

Methodology-

- Provide a detailed narrative about the project, including information on the methodology to be used and an overview of project activities.
- Explain how the proposed project is consistent with the Council's mission.
- State who the target population is and why it is being targeted.
- If applicable, describe how the project benefits individuals from underserved communities and addresses cultural diversity.
- Specify if the project targets individuals in a federally identified poverty area(s).
- Describe the role of people with developmental disabilities in the project.
- Provide a brief description of project functions for each staff and any subcontractors identified for the project.

Outcomes & Evaluation-

- Describe the major expected outcomes of the project, and how successful completion of the project will impact people with developmental disabilities.
- Describe how you will evaluate the outcomes of the project
- Specify the expected number of people to be served by this project by the following categories:
 - Number of individuals with a developmental disability
 - Number of family members
 - Number of other individuals
 - Describe how activities will continue after the grant is completed.

Additional Grant Applications - Has this proposal been submitted to any other Area Board for potential funding for this grant cycle? If yes, please list the additional area board(s).

4. **Budget Detail Worksheet (Form available online and attached to this RFP)**

Develop a line item budget for the project, using the Budget Detail Worksheet included in this RFP. Include the names or position titles for each staff person to be paid from the project budget, as identified on the Organization Chart (see Item 5.b. below). Specify the total project costs for each line item, description of expenses, and the expense charged to SCDD/area board funds. Identify your organization's matching expenses under the Matching Funds column and identify the source of those funds.

5. **The Following Attachments Are Required:**

- **Continuation of funding letter(s)** or verification. When possible, include a letter documenting the availability of funding for continuation of the project after the period of the grant.
- **Organizational Chart** - Provide an organizational chart for the proposed project only, including sub-contractors where applicable. The organization chart must include a list of the names and position titles of the personnel staff and sub-contractors listed on the Budget Worksheet. The organizational chart does not need to include the entire agency or institution.
- **Personnel Information** - For each staff person employed by the project, including those identified on the Budget Detail Worksheet, provide Curricula Vitae/Resume, Duty Statement, and any applicable current Licenses and Credentials. If staff has not been hired, provide position descriptions.
- **Previous Grants/Awards** – List all grants/awards received from any entity during the last two years that benefit individuals with developmental disabilities. Include the name of the project, the funding source, contact person, telephone number, and the amount of the grant/award.
- **Payee Data Record** (Form available online and attached to this RFP)
- **Three (3) Letters of Support** - A minimum of three letters of support from three different entities is required. Applicants are urged to obtain letters of support from any collaborators that will be working on the project. Each letter must include the company/individual's name, address and contact person with the telephone number. At least one letter of support must be from an entity with recognized expertise in the area identified in the proposal. The letters should address (1) familiarity with the applicant and (2) the need for services outlined in the proposal. Letters of support received from entities and/or individuals that will financially benefit from the funding of this project will not be counted toward the required three letters of support. Council members, including state department appointees and employees of the Council or area board are ineligible to write letters of support.

- **Proposal Checklist** (Form available online and attached to this RFP)

Applicants must complete the attached Proposal Checklist to help ensure that all required items are included.

ESSENTIAL CRITERIA FOR ALL PROPOSALS

- a. Proposals submitted must meet one or more of the State Plan goals and/or objectives identified by the area board in this RFP (See page 5).
- b. Proposals submitted must serve individuals who meet the federal and state definition of developmental disabilities.
- c. Proposals submitted must be consistent with all applicable federal, state, and local government laws and regulations.
- d. Proposals must be complete, including all required attachments.

PROGRAM EVALUATION AND SELECTION PROCESS

1. Overall Proposal Evaluation

Each eligible proposal will be scored as follows. A maximum of 100 points may be awarded by each member of the Area Board Grant Committee.

2. Criteria for Proposal Evaluation

25 pts. – The extent to which the proposal advances the state plan’s goals and/or objectives. Measurable outcomes are identified and clearly defined.

25 pts. - The proposal describes the types of services/supports to be provided, using sound methodology that can achieve the outcomes identified in the proposal.

10 pts. - The applicant demonstrates the experience, knowledge, and ability to accomplish what is being proposed.

15 pts. – The proposed budget contains all elements required by this RFP and is reasonable and appropriate for accomplishing the identified program objectives and for reaching target audience(s).

15 pts. - The proposal includes an appropriate method to determine if the project achieves the outcomes identified in the proposal..

10 pts. - The proposal outlines how it will address/impact underserved communities and cultural diversity. The target audience(s) is clearly delineated and is appropriate to the proposal.

ALLOWABLE AND NON-ALLOWABLE PDG GRANT COSTS

The purpose of the PDG program is to provide resources necessary to initiate new services/supports that are creative, needed and innovative for people with developmental disabilities and their families. These funds may not be used to purchase goods or services for

which another funding source is available, or to supplant existing funding. Proposal budgets should include all necessary expenses for the applicant to complete their project.

Each line item in the budget will be reviewed to determine whether it is allowable and reasonable. The Council reserves the right to request a revised budget. The following list contains examples of allowable and non-allowable PDG contract expenditures.

1. Funds cannot be used to purchase real property.
2. Funds cannot be used to purchase childcare vouchers.
3. Funds may be used to modify facilities to meet fire and life safety requirements of the fire marshal and/or the licensing agency. The applicant will be required to submit three bids for any facility
4. Rent for an office and/or facility is a reimbursable expense, as long as staff funded through the grant is working at or from the office/facility. The rent should not exceed the rental rates for an equivalent size facility in the geographical area.
5. Equipment may be leased; however, it may not be leased with an option to purchase. The contractor shall provide area board with copies of agreements for equipment leased during the contract period.
6. Examples of equipment that may not be purchased or purchased only with prior approval include:
 - a. Motor vehicles may not be purchased.
 - b. Computers may only be purchased with prior approval from the area board.
 - c. Copy machines may not be purchased. However, they may be leased during the contract period.
 - d. Any equipment item that is attached to a facility or vehicle, which cannot be removed in usable condition from the facility or vehicle.
7. Funds cannot be used for modifications that are solely aesthetic in nature or are not necessary to meet fire and life safety requirements.
8. Any reimbursement for necessary travel expenses and per diem shall be at rates set in accordance with allowable state guidelines and per diem and mileage rates. Travel outside the State of California shall not be reimbursed.
9. Funds shall not be used to purchase food for participants at PDG sponsored conferences, trainings, seminars or workshops.
10. Costs related to disseminating information about project outcomes can only be included in the funding request if this expense is to be incurred during the term of the contract period.
11. No staff person can be committed to more than 100% of that person's time. The area board reserves the right to verify and determine reasonableness of staff time committed to other jobs/projects.
12. Funds may be used to secure insurance coverage that to assure that prior to the contract approval, Contractor, other than a self-insured public entity, can furnish to the area board Certificate(s) of Insurance stating that there is liability insurance presently in effect covering all of Contract's activities under this contract as appropriate of not less than \$500,000 per occurrence.

As a general rule, it can be assumed that equipment with a value under \$500 will be amortized and no longer property of the State after three years. For purposes of PDG, equipment item

costs must be considered in terms of the end usable product, e.g., a bed is considered the sum of the cost of the mattress, box springs and frame. Applicants should contact the area board concerning items over \$500. All equipment will be inventoried and be issued a state identification tag identifying each as the property of the State until such time as it is released by the State.

PDG grants may not include indirect costs that exceed 15% of the grant total, as defined below:

Direct costs are those that are specifically spent to carry out the grant, such as compensation of employees for the time devoted and identified specifically to the performance of the grant; cost of materials acquired, consumed, or expended specifically for the purpose of the grant; and travel expenses incurred specifically to carry out the grant award.

Indirect costs are items associated with general infrastructure support, such as general administration, facilities, equipment, operations, office supplies, and maintenance.

NOTICE of INTENT TO AWARD CONTRACTS AND PROTESTS

Each Area Board's recommendations for grant awards will be presented to the Program Development Committee (PDC) for consideration at its July meeting. A final decision to award contracts will be made by the State Council on Developmental Disabilities (SCDD) at its July 16, 2014 meeting.

A written protest may be filed with the Chairperson of the SCDD during the period July 17-26, 2014. The protest letter must be received at the SCDD office before 5:00 p.m. on July 26, 2014.

The written protest must outline specifically what the applicant is protesting and why the protest is being filed. Protests are limited to those instances where the area board did not follow the guidelines for accepting and evaluating the proposal. The decision of the SCDD Chairperson shall be final.

Pending successful completing of the protest period, a "Notice of Intent to Award Contract" will be posted July 27, 2014 at www.scdd.ca.gov and at the local area board office.

OTHER TERMS AND CONDITIONS

Patents and Copyrights:

The contractor agrees that any and all products or any other object or deliverable produced under this contract are the property of SCDD. Reproduction of these products, objects, or deliverables cannot be made without the express written approval of SCDD. Credit for these deliverables will be acknowledged as follows: "This Product was made possible by funding from the California State Council on Developmental Disabilities awarded to (insert provider's name) Copyright California State Council on Developmental Disabilities. All Rights Reserved." Anything produced pursuant to this contract that may be patented or copyrighted is the sole property of

SCDD whether or not a patent or copyright is applied for or received by any other party or person.

Termination of Contract

The contract may be terminated with or/without cause by SCDD or the contractor, upon providing a 30-day written notice to the other party. If the contract is terminated prior to completion any/all equipment purchased through this contract will be returned to SCDD.

Subcontractors

If contractor proposes to subcontract, any services required under this contract, the contractor shall submit any such proposal/MOU/contracts to the Contract Manager for review and written approval prior to initiation of the work by the subcontractor. Notwithstanding any subcontracting permitted by SCDD, the contractor shall be solely liable for any failure of performance required by this contract. All subcontractors shall be required by contractor to meet or exceed any and all provisions of this contract.

Insurance Requirements

Prior to the contract approval, the contractor, other than a self-insured public entity, shall furnish to SCDD, Certificate(s) of Insurance stating that there is liability insurance presently in effect covering all of contract's activities under this contract as appropriate of not less than \$1,000,000 per occurrence. The Certificate of Insurance will provide that:

The insurer will not cancel the insured's coverage without thirty-day (30) prior written notice to SCDD. SCDD, the Federal Administration on Developmental Disabilities, its officers, employees, and agents are included as additional named insurers, but only insofar as the operations under this contract are concerned.

Contractor agrees that the liability insurance herein provided for shall be in effect at all times during the term of this contract. In the event said insurance coverage expires at any time or times during the term of this contract, the contractor agrees to provide at least thirty (30) days prior to said expiration date a new Certificate of Insurance evidencing insurance coverage as provided herein for not less than one (1) year. In the event the contractor fails to keep in effect at all times insurance coverage as herein provided, SCDD may, in addition to any other remedies it may have, terminate this contract upon the occurrence of such event. The contractor expressly agrees that it shall carry all other forms of insurance as appropriate to its operations or as required by law, such as but not limited to Workers' Compensation Insurance.

Reporting Requirements

Contractor shall agree to the following reporting requirements:

- Submission of written monthly or quarterly progress reports. These reports shall include, but not be limited to: whether the project is on schedule, address issues related to project operations and supervision, and afford opportunities for airing difficulties or special

problems encountered so that remedies can be developed quickly. SCDD reserves the right to withhold payment on invoices submitted until an acceptable report is received.

- Invoices submitted for payment must be accompanied by the quarterly or final report. Supporting documents for all expenses claimed must be included with each billing. These shall include but are not limited to receipts for any purchase made, travel claims, and payroll reports.
- Submission of a written final report in a format and manner prescribed by SCDD, within 45 days after contract completion or termination. This final report shall include but not be limited to an electronic copy and a camera- ready or master copy of any materials developed in the performance of this contract. and the final report shall be comprehensive and include problems and solutions encountered during the contract term; and submission of other reports as may be required by SCDD.

Project Change

Contractor shall immediately notify SCDD when any part of the contract becomes inoperative or requires change(s). Contractor may submit a written request to SCDD for a change(s) in the project, but shall not implement any changes prior to written SCDD approval in accordance with this contract, state laws, federal laws, policies, and procedures including the approval of the Department of General Services if required. Such request shall include, but not be limited to, a complete justification and description of how the change(s) will affect the program as outlined in the contract and the intended outcomes. SCDD reserves the right to deny any such request for change(s). Under no circumstances can the budget changes exceed the total amount of the contract authorized by SCDD.

Project Evaluation

Evaluation of the project shall be in accordance with procedures established by SCDD.

Software Certification

If applicable, Contractor certifies that it has appropriate systems and controls in place to ensure that state funds will not be used in the performance of this contract for the acquisition, operation, or maintenance of computer software in violation of copyright laws.

RESTRICTIONS ON OUTSIDE EMPLOYMENT OF STATE EMPLOYEES

Current State Employees

No officer or employee in the state civil service or other appointed state official shall engage in any employment, activity, or enterprise from which the officer or employee receives compensation or in which the officer or employee has a financial interest and which is sponsored and/or funded by any state agency or department through or by a state contract unless the employment, activity, or enterprise is required as a condition of other officer's or

employee's regular state employment. No officer or employee in the state civil service shall contract on his or her own individual behalf as an independent contractor with any state agency to provide services or goods. (Public Contract Code 10411)

Former State Employees

No retired, dismissed, separated, or formerly employed person of any state agency or department employed under the state civil service or otherwise appointed to serve in state government may enter into a contract in which he or she is engaged in any of the negotiations, transactions, planning, arrangements, or any part of decision-making relevant to the contract while employed in any capacity by any state agency or department. The prohibition of this subdivision shall apply to a person only during the two-year period beginning on the date the person left state employment.

For a period of 12 months following the date of his or her retirement, dismissal, or separation from state service, no person employed under state civil service or otherwise appointed to serve in state government may enter into a contract with any state agency, if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12- month period prior to his or her retirement, dismissal, or separation. The prohibition of this subdivision shall not apply to a contract requiring the person's services as an expert witness in a civil case or to a contract for the continuation of an attorney's services on a matter he or she was involved with prior to leaving state service. (Public Contract Code 10411)

Conflict with Present State Employees

A state officer or employee shall not engage in any employment, activity, or enterprise which is clearly inconsistent, incompatible, in conflict with, or inimical to his or her duties as a state officer or employee. (Government Code 19990)

Proposal Checklist

Program Development Grant
Request for Proposal
Federal Fiscal Year 2014/15 - Cycle 37

In completing this form, the proposer acknowledges that the following items are included in the proposal, in accordance with the instructions provided in the RFP. This checklist should be included with the proposal package.

Check box below to indicate inclusion in proposal

- Cover Letter
- Project Data Sheet
- Project Narrative (not to exceed 8 pages)
- Budget Detail Worksheet (including description of identified expenses)
- Continuation of Funding Letter, if applicable.
- Organization Chart
- Curricula Vitae/Resumes and position descriptions, as applicable
- List of Previous Grants/Awards
- Payee Data Record Form
- (3) Letters of Support
- Proposal Checklist

PROJECT DATA SHEET

1. Applicant Information

Application Number: <i>(Assigned by Council)</i>		
Project Name <i>(55 characters)</i> :		
Organization Name:		
Organization Website:		
Organization Address:		
Organization City/State:		
Organization Zip Code:		
Taxpayer ID Number:		
Project Period: <i>(Month /Day/Year)</i>	Start Date	End Date

2. Project Information

(Choices are: Non-profit, School District, County, Government Corporation, Tribal Government, For-profit, City / Town, State, Special or Regional Authority, State P & A Agency, University Center, or Other)

Type of Applicant:	
State Plan Goal(s)/Objective(s)	

3. Project Funding Formula

TOTAL PROJECT COSTS	COUNCIL FUNDS	APPLICANT MATCHING FUNDS
	Amount: \$0.00 Percentage:	Amount: \$0.00 Percentage:
Grant Type (Poverty or Non-Poverty)	<input type="checkbox"/>	

4. Contact Information:

Name of Project Director :	
Title:	
Telephone:	
Fax:	
Email:	

Check if Same as Project Director

Name of Financial Officer :	
Title:	
Telephone:	
Fax:	
Email:	

5. Signatory Authority:

Check if same as Project Director

Name of Organization Director :	
Title:	
Telephone:	
Fax:	
Email:	
Date:	

4100 - State Council on Developmental Disabilities

Grant Budget Detail Sheet

Grant Period -- October 1, 2014 through September 30, 2015

CATEGORY OF EXPENSE	SCDD GRANT FUNDS	MATCHING FUNDS	TOTAL PROJECT COSTS
DIRECT COSTS			
Salaries and Wages			
1)	\$0	\$0	\$0
2)	\$0	\$0	\$0
3)	\$0	\$0	\$0
4)	\$0	\$0	\$0
Subtotal Salaries and Wages	\$0	\$0	\$0
Employee Benefits	\$0	\$0	\$0
Consultant / Subcontracted Services			
1)	\$0	\$0	\$0
2)	\$0	\$0	\$0
3)	\$0	\$0	\$0
Subtotal Consultant / Subcontracted Services	\$0	\$0	\$0
Other Expenses Directly Related to the Grant			
Travel	\$0	\$0	\$0
Office Supplies	\$0	\$0	\$0
Printing	\$0	\$0	\$0
Space Occupancy / Rent	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Other Costs (Specify)	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Subtotal Other Expenses	\$0	\$0	\$0
TOTAL DIRECT COSTS	\$0	\$0	\$0
INDIRECT COSTS (Maximum 15% of grant)	\$0	\$0	\$0
TOTAL	\$0	\$0	\$0

**REGIONAL
CENTER
CONFLICT OF
INTEREST
WAIVER
REQUESTS**

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Regional Center Conflict of Interest (COI)

SUMMARY: Statutory language in Welfare & Institutions Code and state regulations require both the Council and appropriate local area board to review and approve or disapprove a waiver of conflict of interest (COI) for regional center board members and regional center executive directors.

BACKGROUND/ISSUES/ANALYSIS: Three requests for a waiver of conflict of interest have been presented to the Council since the last meeting. They are:

1. **NLACRC Board member** – Sharoll Jackson. Ms. Jackson submitted a conflict of interest plan and stated that she had a conflict due to her employment with a local NLACRC-vendored service provider. Area Board 10 acted at its February 10, 2014 Board of Directors meeting to deny approval of the waiver request (see attached). Since approval from both the Council and area board is required in order for DDS to consider approving a waiver, no action is required of the Council other than review.
2. **SG/PRC Board member** – Penne Fode. Ms. Fode submitted a conflict of interest plan and stated that she had a conflict due to occasional employment with a regional center vendor. Area Board 10 has not yet acted on this request for a waiver. The Council may choose to approve or disapprove this request or it may withhold action pending action from Area Board 10. Since the request for a waiver was received by the Council on February 20, 2014 and both the Council and area board are afforded 90 days to respond to the request, the Council could postpone a decision until the May meeting should it so choose.
3. **FNRC Board member** – Susan Hess. Ms. Hess submitted a conflict of interest plan and stated that she had a conflict due to part-time employment with three FNRC-vendored service providers. Her husband is also employed by one of the providers. FNRC opined that no conflict existed with respect to two of the employers because they interpreted the WIC 4626(c) exception to apply in this instance. 4626(c) states that:

“A person with a developmental disability who receives employment services through a regional center provider shall not be precluded from serving on the

governing board of a regional center based solely on receipt of these employment services.”

Although two of Ms. Hess’ employers are providers of employment services, Ms. Hess is not receiving employment services from them; she is a competitively employed staff person of these agencies.

FNRC did concur that a COI existed with respect to Ms. Hess’ employment with one of the providers. It should be noted that SCDD and Area Board 2 approved a waiver of COI for Ms. Hess in 2013. Area Board 2 has not yet acted on this 2014 request. The Council may act to approve or disapprove or may postpone decision until the May council meeting.

COUNCIL STRATEGIC PLAN OBJECTIVE: None

ATTACHMENTS: COI statements for Ms. Jackson, Ms. Fode and Ms. Hesse; Memorandum from Area Board 10; SCDD Policy on Conflict of Interest Waivers

PREPARED: Roberta Newton, March 3, 2014



NORTH LOS ANGELES COUNTY REGIONAL CENTER

15400 Sherman Way, Suite 170 • Van Nuys, CA 91406-4211
Main Number (818) 778-1900 • Fax (818) 756-6440

December 2, 2013

Melissa Corral
State Council Department on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811

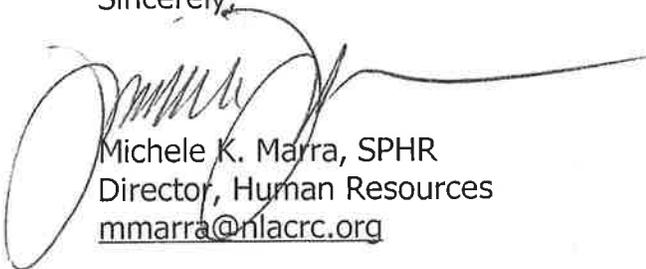
RE: Proposed Board Member Conflict of Interest Resolution Plan – Sharoll Jackson

Dear Ms. Corral,

North Los Angeles County Regional Center is submitting and seeking approval on the attached Conflict of Interest Resolution Plan on behalf of our board member, Ms. Sharoll Jackson. This Conflict of Interest Resolution Plan has been completed in accordance with Title 17, §54533, Present or Potential Conflict of Interest Identified, Proposed Conflict of Interest Resolution Plan Content, Timelines for Submission of Proposed Conflict of Interest Resolution Plan. Additionally, a copy of the plan will be forwarded to DDS and Area Board 10 as required by §54534, Conflict Resolution Plan Review, Procedures.

If you have any questions regarding the attached correspondence, please contact me at (818) 756-6125.

Sincerely,



Michele K. Marra, SPHR
Director, Human Resources
mmarra@nlacrc.org

Enc:

Sharoll Jackson - Proposed Conflict of Interest Resolution Plan

North Los Angeles County Regional Center
Board of Trustees Policy

Board Member Responsibilities

The role of the Board of Trustees of the North Los Angeles County Regional Center (NLACRC) is to make policy for the operation of the regional center. Policy is developed through recommendations from board committees and the executive director; direct operation is delegated to the executive director who is hired by the board. Staff recommendations for policy initiation or modification go to the executive director who, in turn, refers them to the board and/or an appropriate board committee.

Your responsibility as a member of the Board of Trustees of the NLACRC would include, but not be limited to:

- Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Van Nuys at 6:30 p.m.
- Membership and attendance on at least one (1) board committee.
- Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code, Sections 4626 and 4627.
- As part of a board member's responsibility to be an informed and active advocate member of the Board of Trustees, it is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.
- Visitation to NLACRC supported programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).

**NOTIFICATION OF POTENTIAL CONFLICT OF INTEREST,
AND
CONFLICT RESOLUTION PLAN**

SHAROLL JACKSON – NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member
- (2) a board committee member
- (3) a director
- (4) an officer
- (5) an owner
- (6) a partner
- (7) a shareholder
- (8) a trustee
- (9) an agent
- (10) an employee
- (11) a contractor
- (12) a consultant
- (13) a person who holds any position of management
- (14) a person who has decision or policy making authority.
(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

- (a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict

shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Ms. Jackson

Sharoll Jackson is a Board Member at North Los Angeles County Regional Center (hereinafter "NLACRC" or "the Regional Center"), currently serving on the Nominating, Housing, Administrative Affairs and Executive Committees. NLACRC Executive Director George Stevens confirms that Ms. Jackson is a productive and valued member of the Board of Directors. Attached as **Exhibit A** is Ms. Jackson's completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Directors.

Ms. Jackson, however, is also the Human Resources Coordinator for a "New Horizons," a vendor of North Los Angeles County Regional Center. This creates a direct conflict for Ms. Jackson. This document constitutes a disclosure of this conflict, a Conflict Resolution Plan to eliminate any adverse consequences from this relationship, and a request for approval of the Conflict Resolution Plan by DDS.

In short, Conflict Resolution Plan will have Ms. Jackson to remain in her position on the NLACRC Board of Directors, but limit her actions as a Board member so that she in no way participate in any role whatsoever with regard to New Horizons.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Ms. Jackson's duties and responsibilities as a Board member and her work as Human Resources Coordinator with New Horizons.

A. Ms. Jackson's Duties as Board Member

As a Board Member, Ms. Jackson regularly meets with other board members of NLACRC to create policy for the operation of the regional center. Policy is developed through recommendations from board committees and the Executive Director. Direct operation is delegated to the executive director who is hired by the board. Staff recommendations for policy initiation or modification go the Executive Director, who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as **Exhibit B**.

Ms. Jackson's primary duties are as follows:

1. Attendance at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at the main NLACRC office in Van Nuys at 6:30 p.m.

2. Membership and attendance on at least one (1) board committee.
3. Because the regional center is funded under contract with the State of California, Department of Developmental Services, each member of the Board of Trustees is required to identify any potential conflict of interest as identified in Welfare and Institutions Code Sections 4626 and 4627.
4. As a part of a board member's responsibility to be an informed and active advocate member of the Board of Trustees, she is expected to attend a board orientation and/or board training scheduled during the first year on the board and attend one annual board retreat.
5. Visitation to NLACRC supported programs is expected in order that Board Members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).
6. Serving on the Nominating, Housing, Administrative Affairs and Executive Committees.

Under the suggested Plan of Action, Ms. Jackson will remain in her Board position, but will be strictly regulated so that she has no role or involvement whatsoever with any matter that might conceivably impact New Horizons, or that type of vendor.

B. Ms. Jackson's Duties at New Horizons

New Horizons is a service provider to NLACRC that is a nonprofit organization providing a wide range of residential, employment, and social opportunities for adults with developmental disabilities. Originally it was named the San Fernando Valley Association for Retarded Children, Inc. (later doing business as New Horizons), founded in 1954 as a non-profit by parents of children with Down Syndrome.

As Human Resources Coordinator for New Horizons, Ms. Jackson handles all the traditional human resources functions such as hiring, discipline, payroll, and administration of employee relations and related matters.

IV. Conflict Resolution Plan

The Regional Center and its Executive Director, George Stevens, have concluded that Ms. Jackson provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Ms. Jackson to remain in her position on the Board of Directors and to continue to not participate in any activity or action that might in any way impact New Horizons. This will eliminate any instance in which

Ms. Jackson would have to vote, give her opinion, analyze, assess the performance of, or take action for or against New Horizons, and would eliminate any possible action by Ms. Jackson to recommend New Horizons or other similar available services.

The second part of the plan is to insulate Ms. Jackson from any involvement whatsoever with the generic type of provider like New Horizons. She would continue to recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact New Horizons and all similar vendors. Any duties that potentially relate to New Horizons or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other Board members, Ms. Jackson develops policy through recommendations from the executive director and thus works with numerous vendors on a variety of services.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to New Horizons or similar vendors, she will continue to agree to not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will continue to require Ms. Jackson to abstain from discussion with, or involvement in the matter, and require the other Board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center's and Ms. Jackson's suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Jackson will have no interaction as a Board member with any matter that might impact New Horizons, and specifically she will recuse herself from any vote on any matter that could impact New Horizons.
2. Ms. Jackson will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact New Horizons.
3. Ms. Jackson will not participate in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding New Horizons or any actions creating policy or approaches that would impact New Horizons and similar vendors.
4. Ms. Jackson will not participate in referrals or placement to this vendor. For any consumer served by New Horizons, she will not participate in any internal review of such consumer's Individual Program Plan under Welfare and Institutions Code, Section 4646.4, but rather, such tasks will be delegated to either another Board Member or another Regional Center employee.
5. Ms. Jackson will not review or participate in any discussions, recommendations, or decisions about Purchase of Service authorizations for New Horizons.

6. Ms. Jackson will not review or in any way participate in the preparation, consideration, or any follow-up related to Special Incident Reports from or about New Horizons.

7. Ms. Jackson will not create, review, or in any way participate in, any corrective action plans for New Horizons.

8. Ms. Jackson will not participate in any discussions, recommendations, action, or resolution of any complaints pertaining to New Horizons.

9. Ms. Jackson will take no part in decisions regarding vendor appeals, or fair hearings involving New Horizons.

10. Ms. Jackson will not access vendor files or other information the regional center maintains about New Horizon, either in electronic or hard copy form.

11. Ms. Jackson shall not participate in developing, creating, or recommending any POS policies, or other policies, that might apply to New Horizons. Instead, these tasks will become the responsibility of the other Board Members.

12. Ms. Jackson will not be involved in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving New Horizons.

13. The NLACRC Board of Directors have approved this Plan of Action, and they will be informed of the need to ensure that Ms. Jackson has no involvement whatsoever in any action or business whatsoever involving or affecting New Horizons.

14. NLACRC will communicate to Ms. Jackson's coworkers, as needed at New Horizons to inform them of the details of this Conflict Resolution Plan and the need to ensure that Ms. Jackson plays no role whatsoever in any Board action involving or affecting New Horizons.

15. These restrictions only apply to New Horizons and policies impacting vendors like New Horizons. The bulk of Ms. Jackson's duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact New Horizons. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Jackson provides to the NLACRC Board.

16. Finally, NLACRC will also ensure that New Horizons is informed of this Plan to ensure that there is no expectation that Ms. Jackson, in her role as Board member, can take part in actions that impact New Horizons.

V. Request Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS approve the Conflict Resolution Plan in this matter.

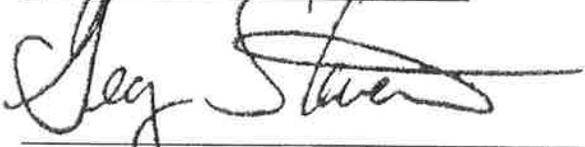
Respectfully submitted,

By: 
Sharoll Jackson, NLACRC Board Member

Date: 11-26-2013

By: 
Eric Leh, NLACRC Board President

Date: November 26, 2013

By: 
George Stevens, Executive Director, NLACRC

Date: 11-27-13

CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Sharoll Jackson Regional Center: NLACRC

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): _____
 Change of Status¹

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Board of Trustees
Nominating Committee member
Housing Committee member
Executive Committee member
Administrative Committee member

¹ Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

New Horizons - Human Resources Coordinator

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

see #2

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I, Sharoll Jackson (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Sharoll Jackson Date 8-28-13

INTERNAL USE ONLY	
Date this Statement was received by Reviewer:	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input checked="" type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>Dee Steen</u>	Date Review Completed AUG 29 2013



DEVELOPMENTAL DISABILITIES AREA BOARD 10

*Protecting and Advocating for Persons with
Developmental Disabilities in Los Angeles County*

MEMO

DATE: February 18, 2014

To: Roberta Newton
Interim Executive Director, SCDD

FROM: Christofer Arroyo *Chris*
Acting Executive Director, Area Board 10

RE: NLACRC CONFLICT OF INTEREST WAIVER REQUEST

Our office received a request to waive the conflict of interest criteria from North Los Angeles County Regional Center (NLACRC) in early December for their board member, Sharoll Jackson. The Area Board 10 Board of Directors considered this request at the first scheduled meeting that had a quorum which was held on February 10, 2014.

In accordance with our Procedure, we are notifying you that it was decided to deny the waiver request. Essentially, the Board came to this decision because it was determined that given NLACRC's small geographic region and that they serve over 20,000 individuals, outreach efforts were insufficient to support the request.

Please don't hesitate to contact me if you are in need of any additional information.

CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: PENELOPE "PENNE" FODE Regional Center: SAN GABRIEL/POMONA

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): 7-1-13
 Change of Status¹

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

BOARD DIRECTOR
CHAIRPERSON, STRATEGIC DEVELOPMENT COMMITTEE

¹ Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

AUTISM CONFERENCES OF AMERICA - PRODUCES CONFERENCES (2x a year in CA) w/ EMPHASIS ON AUTISM FOR PARENTS, PROFESSIONALS, & INDIVIDUALS IN THE SPECTRUM. CURRENTLY ASSISTS AT CONFERENCES WITH REGISTRATION, SPEAKERS, PANELS (MODERATOR), SET UP & TAKE DOWN.

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

SEE #2

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

- | |
|---|
| <input type="checkbox"/> Governing Board Member |
| <input type="checkbox"/> Vendor Advisory on Board |
| <input type="checkbox"/> Executive Director |
| <input type="checkbox"/> Employee/Other |

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

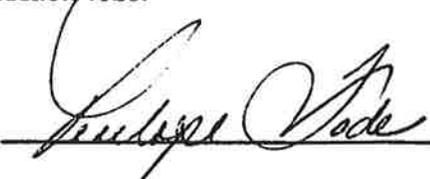
- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I PENELOPE FODE (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 8-28-13

INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual does does not have a present potential conflict of interest

Signature of Designated Reviewer

Date Review Completed



Conflict Resolution Plan

For: Penelope "Penne" Fode

Regional Center: San Gabriel/Pomona

Position/Title: Governing Board Member Chair for Strategic Development Committee

Appointment Date: July 1, 2013

1) Nature of potential conflict of interest:

Twice a year, I work for Autism Conferences of America which is a vendor of the regional center system. Our clients, families and staff have access to attending these conferences.

My role at these conferences is to assist with the registration and the speakers, serve as panel moderator, and assist with the set up and the take down of the event. Sometimes, I serve as a speaker, as well. I do not refer, recommend, or approve client, families, or staffs' participation in the conferences.

2) Actions to eliminate or mitigate and manage the potential conflict:

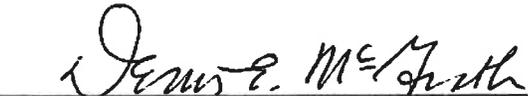
As stated above, I do not refer or approve any clients, families, or staff to attend these conferences. Therefore, I will continue to remain neutral to this service. During the registration period I will not promote the conference or make announcements about the events.

The Executive/Finance Committee of the Board of Directors will ensure that I do not advertise or promote the conferences to our clients, families, or staff when the conferences are available.

Submitted by: Penelope "Penne" Fode, Governing Board Member

Signature:  **Date:** 1-22-14

Monitored by: Executive/Finance Committee of the Board of Directors

Signature:  **Date:** 2-12-14



Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson
Executive Director

February²¹, 2014

Allan Smith
Regional Center Operations Section
Department of Developmental Services
1600 Ninth Street, Room 320 (MS 3-9)
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –
FNCC Board Member Susan Hess

Dear Mr. Smith:

FNCC Board member **Susan Hess** (who is also a FNRC consumer) has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500. *et seq.* She is requesting a conflict waiver.

Specifically, Mrs. Hess is employed as a receptionist for the Rowell Family Empowerment Center in Butte County (“Rowell”). Rowell is a designated California Family Resource Center that provides support, education and advocacy for families of children with disabilities. Mrs. Hess works only 10 hours per week for Rowell. Her duties are entirely clerical.

In addition, Mrs. Hess works for ARC of Butte County and for AMJaMB, again doing clerical/telephone work. Both of these employers are providers of employment services to consumers, and fall within the conflict exception provided under Welfare & Institutions Code section 4626(c).

Mrs. Hess further disclosed that her husband, Ted Hess, who is also a FNRC consumer, is employed by ARC of Butte County and by AMJaMB. Again, ARC and AMJaMB are both FNRC vendors that are providers of employment services to consumers (*see* Welfare & Institutions Code section 4626(c)). Ted Hess works at ARC and AMJaMB as part of his day program.

Mrs. Hess disclosed similar conflict information in 2013, and a conflict waiver was requested at that time. The waiver was approved by the Area Board 2 on April 17, 2013, and by the State Council on May 20, 2013. (See attached.) FNRC has no record of action taken by the Department of Developmental Services.

www.farnorthernrc.org

Allan Smith
February 21, 2014
Page 2

Mrs. Hess has proposed a plan to mitigate any conflict that might be presented, and has renewed her request for a conflict waiver. (See Proposed Conflict of Interest Resolution Plan, attached.)

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

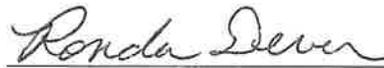
Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,



LAURA L. LARSON
Executive Director



RONDA DEVER
Chairperson, FNCC Board of Directors

Encls: Conflict of Interest Reporting Statement – Susan Hess
Proposed Conflict of Interest Resolution Plan
Area Board 2 letter approving waiver dated April 17, 2013
State Council letter approving waiver dated May 20, 2013

cc: Area II Board
State Council
FNCC Executive Committee
Susan Hess

CONFLICT OF INTEREST REPORTING STATEMENT

DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Susan Hess Regional Center: FURC

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): _____
 Change of Status¹

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Member of Board of Directors

¹ Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

① Rowell Family Center - 10 hr/week

② ARC - 2 hr/week

③ ~~Call~~ Connection - 1 hr/week

Husband: ① ~~Call~~ Connection - janitor

② ARC

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

See #2

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

N/A

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f):

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

Voting member of Board

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I, SUSAN HESS (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Susan Hess Date 1-24-14

INTERNAL USE ONLY

Date this Statement was received by Reviewer:

The reporting individual does does not have a present potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

Laura Lars Executive Director

1/29/2014

February 7, 2014

Board of Directors and
Laura Larson, Executive Director
Far Northern Regional Center
P.O. Box 492418
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –
Board of Directors Member **Susan Hess**

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I have been a member of Far Northern Regional Center's Board of Directors since January 2013. I am a Far Northern Regional Center ("FNRC") consumer and a representative of Butte County.

On January 24, 2014, I completed my annual Conflict of Interest Reporting Statement that disclosed a potential conflict of interest I may have as a member of the Board of Directors. The purpose of this letter is to propose a plan to resolve the potential conflict, and to ask for approval of a conflict waiver.

I work ten hours per week as a receptionist for the Rowell Family Empowerment Center in Butte County ("Rowell"). Rowell is a designated California Family Resource Center that provides support, education and advocacy for families of children with disabilities. My job at Rowell is entirely clerical.

In addition, I work two hours per week for ARC of Butte County, a FNRC vendor and provider of employment services for persons with developmental disabilities. Finally, I work one hour per week for AMJaMB, another provider of employment services, in the "call connection" where I talk on the telephone with other regional center consumers.

It is my understanding that Welfare & Institutions Code section 4626(c) provides an exception to conflict of interest rules when a board member who is a consumer works for a provider of consumer employment services.

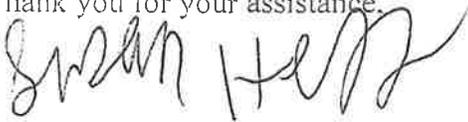
My husband, Ted Hess, is also a FNRC consumer, and works for ARC of Butte County in its thrift store and for AMJaMB/call connection as part of his day program.

Under the circumstances, there may be situations when a conflict of interest could come up. As a result, I have worked on a plan to avoid any actual conflict:

1. As a member of FNRC's Board of Directors I will not make any recommendation, participate in any discussion or vote on any contract regarding Rowell, ARC, or AMJaMB;
2. Should these issues arise during the course of a FNRC Board of Directors' meeting, I will excuse myself from the room;
3. I will not access any files kept by FNRC relating to Rowell, ARC or AMJaMB;
4. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of plans, policies, analyses, or recommendations pertaining to Rowell, ARC or AMJaMB.

I believe that this plan will resolve or mitigate any potential conflict of interest.

Thank you for your assistance.

A handwritten signature in black ink, appearing to read "Susan Hess". The signature is written in a cursive, flowing style.

SUSAN HESS
Member, FNRC Board of Directors



Area Board 2

State Council on
Developmental
Disabilities

April 17, 2013

BUTTE

GLENN

Jorge A. Aguilar, Chair
State Council on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811

LASSEN

Dear Mr. Aguilar:

MODOC

This is in regards to the request from Far Northern Regional Center to the Department of Developmental Disabilities to grant a waiver regarding the Conflict of Interest for Susan Hess.

PLUMAS

At the April 11, 2013 Area Board 2 meeting, the board discussed the conflict of waiver request for Ms. Hess and took into consideration, Welfare and Institutions Code Sections 4655 *et seq.* and Title 17 Section 54520, the following constitute conflicts of interest for regional center board members:

SISKIYOU

“When a member of the board or their family member is: a) a director, officer, owner, partner, shareholder, trustee or employee of any business entity or provider, b) holds any position of management in any business entity or provider or, 3) has decision or policymaking authority in such an entity or provider.”

SHASTA

Far Northern Regional Center has devised a plan to avoid any conflict of interest regarding the regional center vendors, “Rowell Family Empowerment of Northern California” and “Arc of Butte County” by having Ms. Hess abstain from any voting or other processes involved with these particular vendors. Therefore, the board voted unanimously to approve the Conflict of Interest Waiver for Ms. Hess.

TEHAMA

Sincerely,

Sarah M. May, Executive Director
Area Board 2

TRINITY



Cc: Roberta Newton, SCDD Interim Executive Director
Laura Larson, FNRC Executive Director

Attachments



State Council on Developmental Disabilities



STATE OF CALIFORNIA
Edmund G. Brown Jr.
Governor

• website • www.scdd.ca.gov • email • council@scdd.ca.gov

1507 21st Street, Suite 210
Sacramento, CA 95811

(916) 322-8481
(916) 443-4957 fax
(916) 324-8420 TTY

May 20, 2013

Allan Smith
Community Services Division
Department of Developmental Services
1600 9th Street, Rm. 320, MS 3-9
Sacramento, CA 95814

Dear Mr. Smith:

On April 9 2013, after receiving delegation authority from the State Council on Developmental Disabilities (SCDD), the Executive Committee of SCDD considered the waiver request submitted by Far Northern Regional Center on behalf of Ms. Susan Hess.

The Executive Committee reviewed Ms. Hess's conflict of interest plan. After careful consideration of the relevant materials, the Executive Committee took action to approve this waiver request. This waiver is approved for a one year period and we urge the regional center to expand their recruitment for additional self-advocates that do not have a conflict of interest.

If you have any questions or concerns, please feel free to contact Melissa C. Corral, Staff Counsel at 916-322-8481.

Sincerely,

JORGE AGUILAR
Chairperson

Cc: Laura Larsen, Executive Director, Far Northern Regional Center
Stephen Bell, Chairperson, Far Northern Regional Center
Sarah May, Executive Director, Area Board 2

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."



Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson
Executive Director

February 21, 2014

Allan Smith
Regional Center Operations Section
Department of Developmental Services
1600 Ninth Street, Room 320 (MS 3-9)
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –
FNCC Board Member Michelle Phillips

Dear Mr. Smith:

FNCC Board member **Michelle Phillips** (Sedillos), in her annual Conflict of Interest Reporting Statement, has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500, *et seq.* She is requesting a renewed conflict waiver.

This conflict information was previously disclosed by Ms. Phillips in 2012 and 2013, and conflict waivers were requested. A copy of a letter from Brian Winfield of your office dated February 22, 2013 approving a waiver (under specified conditions) is attached.

Ms. Phillips' sister is the Parent and Infant Program (PIP) Director in Chico, California. PIP is a service provider for Far Northern Regional Center.

Ms. Phillips' sister is an independent adult who does not reside with her. Ms. Phillips does not receive any financial benefit as a result of her sister's employment.

Nevertheless, as a result of a perceived or actual conflict, Ms. Phillips has proposed a plan to avoid and/or mitigate any conflict. (*See Proposed Conflict of Interest Resolution Plan, attached.*)

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

www.farnorthernrc.org

Allan Smith
February 21, 2014
Page 2

Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,



LAURA L. LARSON
Executive Director



RONDA DEVER
Chairperson, FNCC Board of Directors

Encls: Conflict of Interest Reporting Statement – Michelle Phillips
Proposed Conflict of Interest Resolution Plan – Michelle Phillips
(w/attachment – Winfield letter February 22, 2013)

cc: Area II Board
✓ State Council
FNCC Executive Committee
Michelle Phillips

CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Michelle Phillips (Sedillo) Regional Center: Far Northern

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): _____
 Change of Status¹

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

I am a life size I am a board member

¹ Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

My sister is the program manager at ~~the~~ the Parent Incent Program and I work at her care a lot. This Board Member is a consumer who is employed by a provider of employment services and falls within the exception provided in Welfare & Institutions Code section 4626(c).

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest. mom is on the Pfen Board

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I Michelle Phillips (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 1-23-14

INTERNAL USE ONLY	
Date this Statement was received by Reviewer:	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input checked="" type="checkbox"/> present <input checked="" type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer	Date Review Completed
<u> ED</u>	<u>1/29/14</u>

February 11, 2014

Board of Directors and
Laura Larson, Executive Director
Far Northern Regional Center
P.O. Box 492418
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –
Board of Directors Member **Michelle Phillips**

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I am a member of Far Northern Regional Center's Board of Directors and am also a FNRC consumer.

For the past two years I have completed conflict of interest disclosure statements and requested conflict waivers because my sister is the Parent Infant Program Director in Chico. The Parent Infant Program (PIP) is a service provider for Far Northern Regional Center.

My sister does not live with me. She does not provide me any financial support.

Most recently I received a waiver from the Department of Developmental Services dated February 22 2013. The waiver was for a 12-month period, and was based on meeting a number of conditions. A copy of the letter granting the waiver is attached.

The purpose of this letter is to ask for renewal of the conflict waiver, and to propose a continued plan to avoid any potential conflict. My plan is:

1. As a member of FNRC's Board of Directors I will not make any recommendation, participate in any discussion or vote on any matter or contract concerning PIP;
2. If an issue relating to PIP comes up during a Board of Directors' meeting, I will excuse myself from the room;
3. I will not access any files kept by FNRC relating PIP;
4. I will not in any attempt to use my position as a board member to influence decision-making with regard to PIP;

Proposed Conflict of Interest Resolution Plan – **Michelle Phillips**

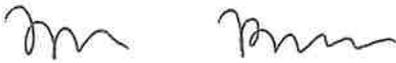
February 20, 2014

Page 2

5. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of plans, policies, analyses, or recommendations relating to PIP or my conflict of interest;

I believe that this plan will resolve any potential conflict of interest.

Thank you for your assistance,



MICHELLE PHILLIPS
Member, FNRC Board of Directors

Attachment

DEPARTMENT OF DEVELOPMENTAL SERVICES

1600 NINTH STREET, Room 320 MS 3-9
SACRAMENTO, CA 95814
TDD 654-2054 (For the Hearing Impaired)
(916) 654-1954



February 22, 2013

Ms. Laura Larson
Executive Director
Far Northern Regional Center
P. O. Box 492418
Redding, CA 96049-2418

Dear Ms. Larson:

Thank you for your correspondence dated February 24, 2012, to the Department of Developmental Services (Department), requesting a conflict of interest waiver for Michelle Phillips, a Far Northern Regional Center (FNRC) Board member. The noted conflict is that Ms. Phillips' sister, Julie Daniels, is employed as a Program Director by the Parent Infant Program (PIP), a FNRC vendor. The Department received conflict of interest waiver approval letters from the State Council on Developmental Disabilities on June 19, 2012, and Area Board II on July 27, 2012, as required by Welfare and Institutions Code, section 4626 and Title 17, California Code of Regulations, section 54533(d).

Based on the information provided, a waiver of the conflict of interest is granted for Ms. Phillips, effective for twelve months from the date of this letter. If, at any point in time, there is a change of status that creates a present or potential conflict of interest, FNRC must ensure that Ms. Phillips prepares and files a new Conflict of Interest Reporting Statement and FNRC submits a new Conflict Resolution Plan, if appropriate, pursuant to Title 17 Regional Center Conflict of Interest Standards and Procedures.

This approval is based on the implementation of the safeguards identified in the February 24, 2012, correspondence and the FNRC governing board's assurance the following conditions are met and comply with Title 17, California Code of Regulations, section 54523:

1. Ms. Phillips shall fully disclose the existence and nature of the conflicting financial interest to the FNRC board and have it noted in the official board records;

"Building Partnerships, Supporting Choices"

Laura Larson
February 22, 2013
Page two

2. Ms. Phillips shall abstain from voting on any matter or contract concerning PIP or any matter which could impact PIP services or be counted for purposes of a quorum;
3. Ms. Phillips shall recuse herself from making, participating in making, or in any way attempting to use her position as a board member to influence decision-making regarding PIP;
4. Ms. Phillips shall leave the room during any discussion or deliberations regarding PIP and shall not return until disposition of the matter is concluded;
5. Ms. Phillips shall not participate in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations regarding her conflict of interest when the exercise of judgment is required and the purpose is to influence the decision;
6. Ms. Phillips shall not be involved in the negotiation, obligation, or commitment of FNRC to a course of action involving her conflict of interest;
7. The FNRC Board President and members will be responsible for ensuring that the plan and its safeguards are applied and monitored.

If you have any questions regarding this correspondence, please contact Armando Parra, Regional Center Operations Section, at (916) 654-2297.

Sincerely,



BRIAN WINFIELD
Acting Deputy Director
Community Operations Division

cc: ✓ Dorothy Lindauer, Board President
Far Northern Coordinating Council on Developmental Disabilities

Roberta Newton, Acting Executive Director
California State Council on Developmental Disabilities

Sarah May, Executive Director
Area Board II



Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson
Executive Director

February 21, 2014

Allan Smith
Regional Center Operations Section
Department of Developmental Services
1600 Ninth Street, Room 320 (MS 3-9)
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –
FNCC Board Member Colleen Ryberg

Dear Mr. Smith:

FNCC Board member **Colleen Ryberg**, in her annual Conflict of Interest Reporting Statement, has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500. *et seq.* She is requesting a conflict waiver.

The same conflict information was disclosed by Ms. Ryberg in 2013, and a conflict waiver was requested at that time. The waiver was approved by the Area Board 2 on April 17, 2013, and by the State Council on May 20, 2013. (See attached.) FNRC has no record of action taken by the Department of Developmental Services.

Ms. Ryberg's daughter-in-law, Stacey Neill-Wiseman, is an occupational therapist who is also a vendor with Far Northern Regional Center. Ms. Neill-Wiseman provides occupational therapy services to consumers in Trinity County ages 0-3, averaging fewer than five consumers per month.

Ms. Neill-Wiseman is an independent adult who does not reside with Ms. Ryberg. Ms. Ryberg does not receive any financial benefit as a result of her daughter-in-law's employment as an occupational therapist.

As a FNCC Board member, Ms. Ryberg does not have opportunity or authority to approve any contract with her daughter or with any other provider of occupational therapy services. Nevertheless, there may be circumstances under which a perceived or actual conflict could arise. As a result, Ms. Ryberg has proposed a plan to avoid and/or mitigate any conflict. (See Proposed Conflict of Interest Resolution Plan, attached.)

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REDDING MAIN OFFICE: P. O. Box 492418 Redding, CA 96049-2418 1900 Churn Creek Rd. Suite 319 Redding, CA 96002-0277 (530) 222-4791 Fax (530) 222-8908

CHICO OFFICE: 1377 East Lassen Ave. Chico, CA 95973-7824 (530) 895-8633 FAX (530) 332-1497

REGIONAL OFFICES in: Lake Almanor and Mount Shasta

Allan Smith
February 21, 2014
Page 2

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,



LAURA L. LARSON
Executive Director



RONDA DEVER
Chairperson, FNCC Board of Directors

Encls: Conflict of Interest Reporting Statement – Colleen S. Ryberg
Proposed Conflict of Interest Resolution Plan – Colleen S. Ryberg
Area Board 2 approval letter dated April 17, 2013
State Council approval letter dated May 20, 2013

cc: Area II Board
✓ State Council
FNCC Executive Committee
Colleen Ryberg

CONFLICT OF INTEREST REPORTING STATEMENT
DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

A. INFORMATION OF REPORTING INDIVIDUAL

Name: Colleen Ryberg Regional Center: FNRC

Regional Center Position/Title: Governing Board Member Executive Director
 Vendor Advisory Committee sitting on Board Employee
 Contractor Agent Consultant

Reporting Status: Annual New Appointment (date): 01-24-2013
 Change of Status¹

If a change in status, date and circumstance of change in status:

no change

1. Please list your job title and describe your job duties at the regional center.

Member of Board of Directors

NA

¹ Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

2. Do you or a family member² work for any entity or organization that is a regional center provider or contractor?
 yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

Daughter-in-law is a provider of Occupational Therapy services to FRC consumers - is a FRC vendor

3. Do you or a family member own or hold a position³ in an entity or organization that is a regional center provider or contractor? yes no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member? yes no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers? yes no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest? yes no -- If yes, please explain.

N/A

² Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

³ For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member⁴? yes no -- If yes, please explain.

7. Are you responsible for negotiating, making,⁵ executing or approving contracts on behalf of the regional center? yes no -- If yes, please explain.

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract⁶ with the regional center? yes no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center? yes no
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? yes no
 If yes, please explain.

⁴ Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

⁵ California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

⁶ For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?
 yes no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers? yes no -- If yes, please explain.

B. ATTESTATION

I Colleen Ryberg (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Colleen A. Ryberg Date 1-24-14

INTERNAL USE ONLY	
Date this Statement was received by Reviewer: _____	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input checked="" type="checkbox"/> present <input checked="" type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>Samuel Lars</u>	Date Review Completed <u>1/29/14</u>

February 7, 2014

Board of Directors and
Laura Larson, Executive Director
Far Northern Regional Center
P.O. Box 492418
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –
Board of Directors Member Colleen S. Ryberg

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I was appointed to Far Northern Regional Center's Board of Directors in January 2013, as a representative from Trinity County.

At that time, I completed a Conflict of Interest Reporting Statement that disclosed a potential conflict of interest. My daughter-in-law, Stacy Neill-Wiseman, is an occupational therapist who is a long-time vendor with Far Northern Regional Center ("FNRC"). At that time, I presented a plan to avoid or mitigate the conflict and requested assistance in obtaining a waiver.

My daughter-in-law is an independent adult. She does not live with me, and I do not receive any financial benefit as a result of her employment as an occupational therapist.

In my capacity as a FNRC Board Member, I do not have opportunity or authority to approve any contract with my daughter, or with any other provider of occupational therapy services.

The purpose of this letter is to ask for renewal of the conflict waiver, and to propose a continued plan to avoid any potential conflict. My plan is:

1. I do not currently, nor will I in the future, make any recommendation, participate in any discussion or vote on any vendor contract with FNRC regarding occupational therapy services provided to consumers;
2. Should the issue of occupational therapy services arise during the course of a FNRC Board of Directors' meeting, I will excuse myself from the room;
3. I will not promote my daughter-in-law to FNRC staff or consumers;
4. I will not discuss FNRC business, activities, or consumers with my daughter-in-law;
5. I will not access any files kept by FNRC relating to my daughter-in-law's vendorization, nor will I access any files relating to other providers of occupational therapy services.

Proposed Conflict of Interest Resolution Plan – **Colleen S. Ryberg**

February 7, 2014

Page 2

6. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations pertaining to my daughter-in-law, or to any other FNRC vendor of occupational therapy services..

Executive Director Laura Larson and the Chairperson of FNRC's Board of Directors have agreed to oversee the plan and ensure that its safeguards are applied.

Thank you for your assistance.

Very truly yours,


COLLEEN S. RYBERG
Member, FNRC Board of Directors



Area Board 2

State Council on
Developmental
Disabilities

April 17, 2013

BUTTE

GLENN

Jorge A. Aguilar, Chair
State Council on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811

LASSEN

Dear Mr. Aguilar:

MODOC

This is in regards to the request from Far Northern Regional Center to the Department of Developmental Disabilities to grant a waiver regarding the Conflict of Interest for Colleen Ryberg.

PLUMAS

At the April 11, 2013 Area Board 2 meeting, the board discussed the conflict of waiver request for Ms. Ryberg and took into consideration, Welfare and Institutions Code Sections 4655 *et seq.* and Title 17 Section 54520, the following constitute conflicts of interest for regional center board members:

SISKIYOU

“When a member of the board or their family member is: a) a director, officer, owner, partner, shareholder, trustee or employee of any business entity or provider, b) holds any position of management in any business entity or provider or, 3) has decision or policymaking authority in such an entity or provider.”

SHASTA

Far Northern Regional Center has devised a plan to avoid any conflict of interest regarding the regional center vendor, “Stacey Neill-Wiseman, Occupational Therapist” by having Ms. Ryberg abstain from any voting or other processes involved with this particular vendor. Therefore, the board voted unanimously to approve the Conflict of Interest Waiver for Ms. Ryberg.

TEHAMA

Sincerely,

Sarah M. May, Executive Director
Area Board 2

TRINITY



Cc: Roberta Newton, SCDD Interim Executive Director
Laura Larson, FNRC Executive Director

Attachments



State Council on Developmental Disabilities



STATE OF CALIFORNIA

Edmund G. Brown Jr.
Governor

• website • www.sccd.ca.gov • email • council@sccd.ca.gov

1507 21st Street, Suite 210
Sacramento, CA 95811

(916) 322-8481
(916) 443-4957 fax
(916) 324-8420 TTY

May 20, 2013

Allan Smith
Community Services Division
Department of Developmental Services
1600 9th Street, Rm. 320, MS 3-9
Sacramento, CA 95814

Dear Mr. Smith:

On April 9, 2013, after receiving delegation authority from the State Council on Developmental Disabilities (SCDD), the Executive Committee of SCDD considered the waiver request submitted by Far Northern Regional Center on behalf of Ms. Colleen Ryburg.

The Executive Committee reviewed Ms. Ryburg's conflict of interest plan. After careful consideration of the relevant materials, the Executive Committee took action to approve this waiver request.

If you have any questions or concerns, please feel free to contact Melissa C. Corral, Staff Counsel at 916-322-8481.

Sincerely,

JORGE AGUILAR
Chairperson

Cc: Laura Larsen, Executive Director, Far Northern Regional Center
Stephen Bell, Chairperson, Far Northern Regional Center
Sarah May, Executive Director, Area Board 2

"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."

DATE: SEPTEMBER 2011
Modified on December 10, 2013 by Executive Committee

TO: SCDD STAFF, COUNCIL AND LOCAL AREA MEMBERS

FROM: STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

RE: REGIONAL CENTER REQUESTS FOR WAIVER OF CONFLICT OF INTEREST CRITERIA PROCEDURE

The purpose of these procedures is to establish consistent evaluation criteria and process of requests for waivers in accordance with Welfare and Institutions Code Sections 4622 *et seq.* and Title 17 Section 54520. These procedures shall be used by the California State Council on Developmental Disabilities (Council) and local area boards.

*These procedures may be revised in accordance with regulatory changes.

WAIVER OF CONFLICT OF INTEREST EVALUATION PROCESS

If there is good reason that a RC is unable to meet all of the criteria for their board, the director of DDS may waive the criteria for a period of time, not to exceed one year, with the approval of the appropriate area board and the Council in accordance with WIC 4628.

The Council/area board procedure for evaluating requests for waiver shall be:

1. When area board receives a request for a waiver, it shall be scheduled for discussion and action during the next available area board meeting.
2. When evaluating a request for waiver for a regional center board member, the area board shall discuss and analyze the following:
 - a. Does the RC have and utilize a public board member recruitment process? If not, what recruitment efforts were implemented with respect to the board member in question?
 - b. What specific criteria are involved in the request? Is the individual prohibited from serving based on the statute (C. 1-4 above) or regulation (C. 5-7 above) or both?

- c. Does the proposed mitigation plan effectively address avoidance of the identified conflict of interest?
 - d. What impact will the approval/denial of the waiver have on the RC board?
 - e. Has the RC requested a waiver on behalf of the same individual before? If so, how long ago?
3. When evaluating a request for waiver for a regional center employee, the area board shall discuss and analyze the following:
- a. Does the proposed mitigation plan effectively address avoidance of the identified conflict of interest? If not, can the area board suggest alternatives?

AND

- b. Before any action is taken on a waiver request by a regional center employee is made, the area board **must** contact staff counsel at SCDD HQ.
4. Upon evaluating the request, the area board shall take action to approve/deny the waiver request unless additional information is requested from RC.
5. Within 5 business days of taking action, the area board shall forward their analyses and action to the Council.
6. The Council shall schedule a discussion and action for the next available regular Council meeting. During the discussion, the Council shall review the area board analyses. The Council shall take action to approve/deny the waiver unless further information is requested from the area board.
7. The Council shall submit their action to DDS within 5 business days.

REFERENCE STATUTORY AND REGULATORY BACKGROUND

A. Regional Center Conflict of Interest Policy

The establishment and implementation of a conflict of interest policy and reporting process for regional centers (RC) is intended to minimize, if not eliminate, the occurrence of conflicts of interest in certain settings. This seeks to ensure that the RC board members act in the course of their duties solely in the best interest of the consumers and their families without regard to the interest of any other organization with which they are associated.

Each RC shall submit a conflict-of-interest policy to the Department of Developmental Services (DDS) by July 1, 2011, and shall post the policy on its Internet Web site by August 1, 2011. The policy shall do, or comply with, all of the following:

1. Be consistent with applicable law.
2. Define conflicts of interest.
3. Identify positions within the regional center required to complete and file a conflict-of-interest statement.
4. Facilitate disclosure of information to identify conflicts of interest.
5. Require candidates for nomination, election, or appointment to a RC board, and applicants for RC director to disclose any potential or present conflicts of interest prior to being appointed, elected, or confirmed for hire by the RC or RC governing board.
6. Require the RC and its governing board to regularly and consistently monitor and enforce compliance with its conflict-of-interest policy.

B. Conflict of Interest Reporting

Welfare and Institutions Code Section 4626(e-l) sets the process for reporting conflicts of interest. The reporting process is:

1. DDS is responsible for developing a Conflict of Interest Reporting Statement (Statement.)
2. The Statement shall be completed by each RC governing board member and executive director within 30 days of

selection, appointment or election and annually thereafter. A Statement must also be completed upon any change in the status of the board member or executive director that creates a potential or present conflict of interest.

3. DDS and the appropriate RC governing board shall review the Statements of each board member and the executive director to ensure that no conflicts of interest exist; however, if a present or potential conflict of interest is identified for a board member or executive director that cannot be eliminated, the RC governing board shall submit to DDS and the Council, a copy of the Statement and a plan that proposes mitigation measures within 30 days (including timeframes and actions that the governing board or individual will take to mitigate the conflict of interest.)

The submission of this Statement and mitigation plan is not considered a request for waiver.

C. Conflict of Interest Criteria

California law outlines the criteria by which DDS evaluates conflicts arising among RC board members.

Additionally, it is expected that board members will be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the RC, its consumers or its mission.

Pursuant to Welfare and Institutions Code section 4626(b), no member of the governing board or member of the program policy committee of a RC shall be any of the following:

2. An employee of DDS or any State or local agency that provides service to a RC consumer, if employed in a capacity which includes administrative or policymaking responsibility, or responsibility for the regulation of the RC.
3. An employee or member of the Council or area board,
4. With the exception of a consumer advisory committee member, an employee or member of the governing board of any entity from which the RC purchases consumer services.
5. Any person who has a financial interest in RC operations, except as a consumer of RC services.

Title 17 provides additional conflict of interest criteria which may or may not encompass the criteria set forth in statute. In accordance with 17 CCR 54520, the following constitute conflicts of interest for RC board members:

6. When a member of the board or their family member is: a) a director, officer, owner, partner, shareholder, trustee or employee of any business entity or provider, b) holds any position of management in any business entity or provider or, 3) has decision or policymaking authority in such an entity or provider.
7. When the advisory committee board member is an employee or member of the governing board of a provider from which the RC purchases client services and engages in the fiscal matters. If so, this member is prohibited from serving as an officer of the RC governing board and from voting on fiscal matters or issues.
8. When a governing board member is any individual described in WIC 4626.

SPONSORSHIP REQUEST

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: California Youth Leadership Forum (YLF) request for sponsorship.

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: This is an exclusive invitation for California high school juniors and seniors who have all different types of disabilities to apply to the California Youth Leadership Forum for Students with Disabilities (YLF).

This program is provided to accepted students with disabilities at no cost to them.

YLF is an annual five day leadership program that provides information and resources about employment, education, independence and assistive technology. YLF is held in Sacramento, and students will stay in the dorms on campus at California State University, Sacramento.

Students will have the opportunity to live on a college campus and join more than 1,200 alumni from across the state that have been a part of this unique program created specifically for young leaders with disabilities. Students who attend YLF make new, life-long friendships and resource connections to help them reach their personal, academic, and career goals.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: Individuals with developmental disabilities, their families and their support and/or professional staff will increase their knowledge and skills so as to effectively access needed educational and/or community-based services through at least 225 trainings, conferences, workshops, webinars, and/or resource materials developed by the Council on topics such as rights under IDEA, rights under California's Lanterman Act etc. on an annual basis.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2013-14, the Council has awarded \$9,946.00 for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2013. In past years, the Council awarded \$10,000 to the YLF.

STAFF RECOMMENDATION: Award funding to California Youth Leadership Forum (YLF).

ATTACHMENTS(S): California Youth Leadership Forum for Students with Disabilities (YLF) request for sponsorship request for sponsorship.

PREPARED: Kristie Allensworth March 4, 2014

Youth Leadership Forum for Students with Disabilities (YLF)

This is an exclusive invitation for California high school juniors and seniors who have all different types of disabilities to apply to the California Youth Leadership Forum for Students with Disabilities (YLF).

Student delegate applications are now available for the 2014 YLF, to be held July 21-25, 2014 in Sacramento, CA. **This program is provided to accepted students with disabilities at no cost to them.**

YLF is an annual five day leadership program that provides information and resources about employment, education, independence and assistive technology. YLF is held in Sacramento, and students will stay in the dorms on campus at California State University, Sacramento.

Students will have the opportunity to live on a college campus and join more than 1,200 alumni from across the state that have been a part of this unique program created specifically for young leaders with disabilities. Students who attend YLF make new, life-long friendships and resource connections to help them reach their personal, academic, and career goals.

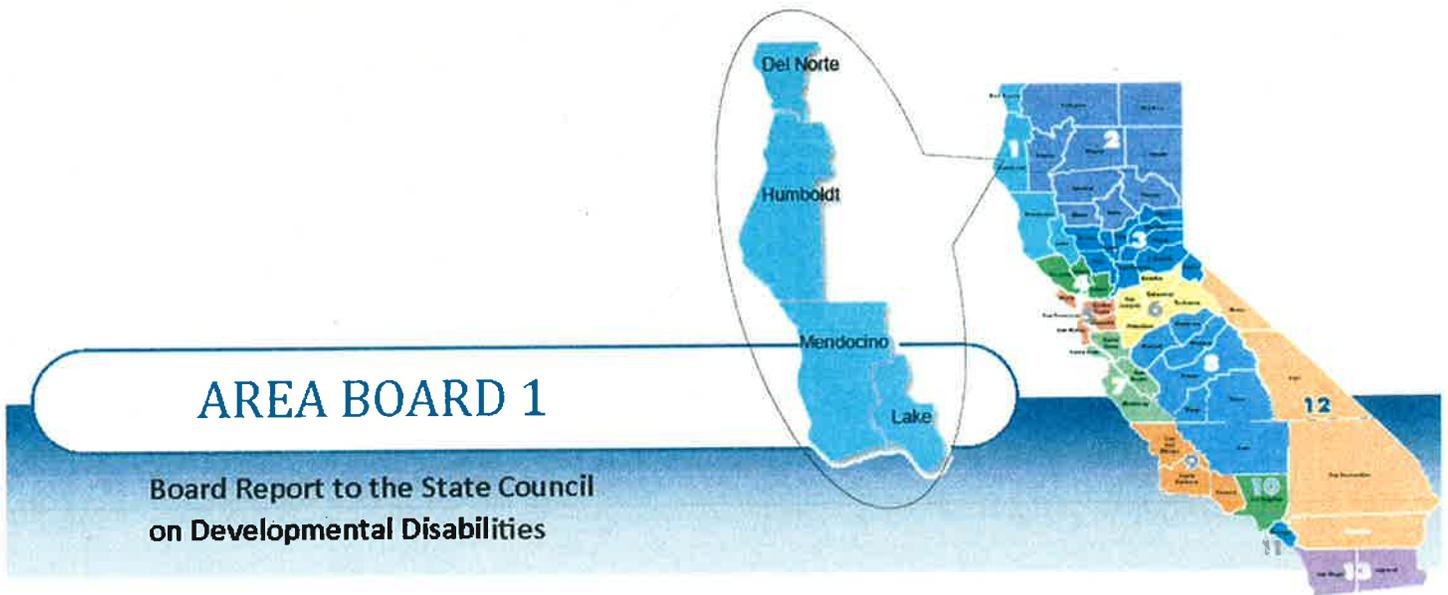
Alumni of the California Youth Leadership Forum say it has forever changed their lives for the better.

You can go to www.dor.ca.gov/YLF to download the application (in PDF and accessible Word versions), as well as further information on the program and instructions on how to apply.

Deadline to submit applications: February 28th, 2014.

*Please remember to read the instructions carefully, there are key points for applying to this year's YLF. Example, applications must be submitted electronically or may not be accepted. Also, incomplete applications may not be accepted. If you experience any difficulty in filling out this application, we can help you. Please contact us by email at YLF@dor.ca.gov, by phone at (855) 894-3436, or by relay using 711.

AREA BOARD REPORTS



AREA BOARD 1

Board Report to the State Council
on Developmental Disabilities

Reporting Period: January and February

Date: 3-3-2014

Staff contact: Dawn Morley 707-463-4700

Highlights

At the Mendocino County Women's History Gala, California State Senator Noreen Evans, an advocate for women and children, was the featured speaker at the event which honored Mendocino County women who embody the 2014 theme: "Women of Character, Courage, and Commitment." Denise Gorny, Community Program Specialist II staff, was honored at the event for her lifelong commitment and work with disabled and foster children.

-Cycle 37 Local Mini Grants-At the February board meeting there was an engaging discussion regarding our recommendations. By consensus, the members present identified the following State Plan Goals for the upcoming grant Request for Proposals:

- Advocacy (including Self-Advocacy/Advocacy Training),
- Public Safety Outreach
- Health (Specific emphasis on: Fetal Alcohol Spectrum Disorders/Prevention and Dental Services)
- Housing

The Board thanks the Council for their continued support of the local projects.

-David A. Isom-Excellence in Service Award 2014-Each year, the David A. Isom Excellence in Service Award is presented to individuals who provide exceptional services to persons with intellectual and developmental disabilities in Del Norte, Humboldt, Lake and Mendocino counties. Nominations are made by Redwood Coast Regional Center clients and families. Mr. Isom dedicated many years of his life to enhancing the educational and treatment opportunities for person with intellectual and developmental

disabilities and their families in Oregon and as the Executive Director of Redwood Coast Regional Center in Northern California. He honored each individual as unique, important and always kept a focus on each person's dignity and quality of life. The Area 1 Developmental Disabilities Board, Redwood Coast Developmental Services Corporation (the board of directors for the Redwood Coast Regional Center), local chapters of People First, and parent groups come together to select the award recipients.

State Plan Activities Implemented During this Reporting Period

Goal 1 - Area 1 has faced challenges in the recruitment of a new representative to the Statewide Self Advocacy Network. We are looking forward to working with the Statewide Self Advocacy Network to pilot a new application that is being developed by the Network.

Goal 1 and Goal 2-Staff is working with local school districts to implement Student-Led Individualized Education Program (IEP) plan meetings at multiple sites. What better way to develop/train self-advocates than to provide the opportunity for the individual to start, at a very early age, discussing their strengths, desires, abilities, concerns, and what they need in order to be successful? The schools that currently conduct IEPs in this manner, report that students take ownership of *their plan* versus a plan that is developed for them or about them. Younger, grade school, students may feel comfortable participating for just a portion of the meeting but, often their brief presentation at the beginning of the meeting sets a positive tone and focus for the meeting. Some students, as they progress through school, have developed power point presentations and run their entire meeting.

Goal 2 – In collaboration with Tri-Counties Independent Living and Disability Rights California, the Area Board is co-sponsoring workshops to address the topics of 1) Service Animals and 2) Medi-Cal Managed Care.

Goal 3 - Quality Assurance

Redwood Coast Regional Center

- Adult Family Surveys returned completed and entered into ODESA (Goal Complete)-12
- Spanish Adult Family Surveys were returned completed.
- Family Guardian Surveys (Surveys have been received/in process of ODESA entry)
- Face-to-face interviews will be conducted in April to meet contract goal.

North Bay Regional Center

- Adult Family Surveys returned completed and entered into ODESA (Goal Complete)-14
- Spanish Adult Family Surveys were returned completed.
- Family Guardian Surveys (Surveys have been received/in process of ODESA entry)
- Face-to-face interviews will be conducted in April to meet contract goal.

Goal 5 - Enriching Lives – Cycle 36 Grantee - is preparing for the first in the series of trainings which will be held in each Area 1 County about Emergency Planning for

Families, Clients and Service Providers. Topics include: What You Need to Know to Create Site-Specific & Individualized Emergency Engagement and Service Continuity Plans for Clients, Families and Service Providers, Reducing Risk On-Site and when in the Community, Step-by-Step Planning Basics, Communication Tools in Emergencies, How to Properly Conduct Drills, Promoting Business and Service Continuity, Networking to Help One Another During a Disaster, Fostering Resiliency in Emergency Response and Recovery, Tailoring Plans to Address Client-Specific Needs, and Feeling Safe – Being Safe, Personal Planning & Communication Card workshops for individuals and families.

Goal 7 and Goal 14 – The Child Care Planning Council Public Policy and Executive Committee met at the Area office to discuss current legislation, Council budget, Council management, and legislation; including a proposal for a Strong Start Program for 0-3 and reinstatement of sequestration funding for child development programs Early Start for infants and toddlers, Head Start, and subsidized Child Care Block Grant Funding.

Goal 9 – Staff facilitated the Northwest Committee for Employment of People with Disabilities meeting. We will have a table at the April 4th job fair in which to educate vendors (local businesses) about the benefits of employing people with disabilities and solicit award nominations. Last year there were over 400 participants, 35 service providers and 60 employers.

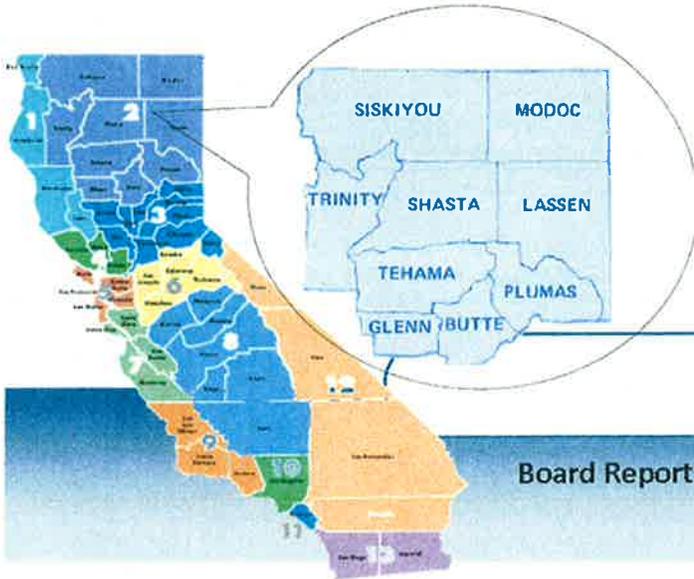
Staff is working with the Disabled Student Services Committee-College of the Redwoods on multiple activities. The community living skills classes seem to be going well, but enrollment is lower than expected. It was suggested that maybe offering some classes after 3 p.m. might increase enrollment because many individuals with disabilities are in day programs until that time. The committee discussed involvement of other groups, agencies to facilitate getting the word out to the disabled community, so the classes would not be cancelled due to lack of interest.

Goal 13 - Staff participated in the local community center event which raised \$12,500 to support opening the recreation center Sundays that will provide more opportunities for inclusion of disabled individuals in healthy activities that are currently not available or easily accessible or available at all times of the year.

Issues or Concerns for State Council Consideration

1-In Home Supportive Services (IHSS) and Overtime/Fair Labor Standards Act (FLSA). IHSS providers and their family members, for whom they provide service, often live at or near the poverty level; they will be severely impacted by these cuts. Family units would be devastated and many individuals would be forced into more restrictive settings. Client choice, which is the cornerstone of the IHSS program, will be impacted as well.

2-Impact of minimum wage changes.



AREA BOARD 2

Board Report to the State Council on Developmental Disabilities

Sarah May – AB2 Executive Director

Reporting Period: January/February 2014 Date: 3/4/2014

Highlights

*State Council on Developmental Disabilities – Area Board 2 (SCDD-AB2) members and staff celebrated Steven Sharpe’s years of service as his term ended on 12/31/14. Steven has been the Butte County Board representative from 11/27/07-12/31/13.

*On January 28, 2014, Teresa Moshier was appointed by the Butte County Board of Supervisor to serve as the Butte County Representative to SCDD-AB2. Teresa is a strong self-advocate who is involved in Region 2 People First activities and currently serves as Treasurer of People First of Paradise.

*AB2 selected Charles Horne-Nutt to be the new AB2 representative to the State-Wide Self-Advocacy Network (SSAN)! Charles will be attending the March 25-25, 2014 SSAN meeting in Sacramento.

*AB2 Co-hosted with Far Northern Regional Center a public meeting on February 14, 2014 about cultural diversity and disparity in utilizing regional center services.

*AB2 Co-hosted with We Care A Lot Foundation and Far Northern Regional Center “Benefits and Employment in 2014 – Medi-Cal, Medicare, Social Security and SSI” with Presenter Michael Walling, M. Ed. on February 18, 2014.

State Plan Activities Implemented During this Reporting Period

GOAL 1 Objective 5 – SELF ADVOCACY LEADERSHIP TRAINING

AB2 implemented the recruitment and selection process for a new State-Wide Self-Advocacy Network member to represent Area 2 region. The announcement of the SSAN Volunteer Member description

and SSAN Volunteer Member application was distributed to the community on January 2, 2014 with submission of application, support letters, due February 21, 2014. 5 applications were submitted and 4 were complete applications. Candidates were interviewed by AB2 Chairperson and staff with a rating and evaluation system. Unanimously the new member was selected on February 26, 2014. Training and orientation is being provided to prepare for the March 24-24, 2014 SSAN meeting in Sacramento.

GOAL 2 Objective 1 – INDIVIDUAL EDUCATION ADVOCACY

AB2 provided individual education advocacy for a total of 3 individuals. AB2 received and returned an average of 3 phone calls per each advocacy case. AB2 received and responded to an average of 5 e-mail correspondences per each advocacy case. AB2 attended 1 meeting per advocacy case. Systemic themes include agency collaboration, access to generic and Regional Center services, educational placement, accommodations and modifications to curriculum, least restrictive environment, and eligibility.

GOAL 2 Objective 1.2 – INDIVIDUAL COMMUNITY SUPPORTS ADVOCACY

AB2 co-hosted and organized with Far Northern Regional Center (FNRC) a public meeting about cultural diversity in regional center services on February 14, 2014. The purpose of meeting is recent statistics show that in FNRC served area, people from diverse cultures tend to use fewer regional center services than people who are classified as Caucasian. Last year FNRC began to discuss why these differences exist and what FNRC could do as a regional center to ensure that every person receives the services they need. Laura Larson, Executive Director of FNRC shared the most recent information available and listened and gathered comments and recommendations from the community regarding cultural disparity in regional center services. Discussion also included SB 468 - Self Determination, which may offer, in several years, a way to better meet the needs of children and adults from diverse cultures. 25 community members participated in the public meeting (5 consumers; 10 parents; 10 professionals)

GOAL 6 Objective 1 – TRAINING AND ADVOCACY DURING TRANSITION TO ADULTHOOD

AB2 participates in 2 Transition Partnerships in Shasta County and in Butte County. The Transition Partnerships bring together collaboration and communication among local transition partners (organizations, agencies, employers, and educational systems) who work with and support transition age youth and their families. The goals of the Transition Partnerships is to:

- *Inform
- *Promote Self-Advocacy
- *Enhance Communication
- *Network with community resources
- *Monitor Legislation and Policy Review
- *Access/Leverage Resources
- *Empower Youth and their Families
- *Host forums on key issues

As a result of the work that AB2 does in collaboration with these 2 Transition Partnerships, AB2 is in the process of planning and coordinating a Region 2 Special Education Local Plan Area (SELPA) Summit for 2014. The SELPA Summit will focus on strengthening transition throughout our region. Topics for

the summit will include Self Determination, Employment First, Self- Advocacy, Postsecondary options and Independent Living Skills. It is expected that the SELPA Summit will reach approximately 100 people.

GOAL 9 Objective 3 – TRAINING ON BENEFITS AND OPPORTUNITIES FOR EMPLOYMENT

AB2 co-hosted and organized with We Care A lot Foundation (WCALF) and Far Northern Regional Center (FNRC) a training "Benefits & Employment in 2014 - Medi-Cal, Medicare, Social Security and SSI" on February 18, 2014 in Red Bluff. Presenter Michael Walling, M.Ed. is nationally recognized for his knowledge of the Social Security benefits programs and associated medical benefits. He is highly regarded for his ability to explain this subject on "plain language." Mr. Walling is committed to the belief that people will work and pursue greater self-sufficiency when they understand how income affects their benefits programs. He believes informed choice is one of the first steps to improving self-sufficiency and personal independence. The training covered areas including: Can I work and still receive benefits? How does employment affect my benefits? How much can I earn? Is it possible to earn more than \$1, 070 per month and still receive benefits? Do I have the correct information about benefit planning and working? What is a work incentive?

94 people trained (30 consumers; 14 parents; 50 professionals)

GOAL 10 Objective 2 – MONITOR AND ADVOCATE TO ENSURE ACCESS TO NEEDED HEALTH SERVICES

AB2 provided technical assistance to 10 individuals and/or families during this reporting period regarding health care issues related to Medi-Cal Managed Care. The issues relate to appeal processes around formulary - name brand medications verses generic formula. This is one of the most concerning issues that have surfaced with this health care change.

GOAL 10 Objective 2 – MONITOR AND ADVOCATE TO ENSURE ACCESS TO NEEDED HEALTH SERVICES

The impact of the Rural Expansion of Medi-Cal Managed Care has uniquely challenged Region 2. With 5 of our counties (Shasta, Trinity, Siskiyou, Modoc, and Lassen) served under a County Operated Children Health System (COHS) and the other 4 counties in Region 2 (Butte, Plumas, Glenn and Tehama) served under a 2-plan model, children and adults who are Medi-Cal recipients are experiencing issues related to accessing health care and crucial benefits including formulary. Under managed Medi-Cal, not all doctors, hospitals, or other providers are members of the health plans. If the consumer is joining a managed care plan for the first time, or switching plans, the consumer may have to change doctors or other providers. Another concern in our region is that there may not be enough providers in the network to provide consumers with all of the needed services. For our consumers served in the COHS counties, all Medi-Cal recipients, including seniors and persons with disabilities, were mandatory enrolled into managed care. For consumers living in the counties served under the 2-plan contract, seniors and persons with disabilities remain in a voluntary enrollment status for managed care until sometime in 2014. The major concern for our consumers who remain in the voluntary population relates to inadequate networks for providers upon the expiration of their voluntary status. AB2 actively participates and provides training and information to multiple agencies including the Diversability Advocacy Network, the Rural Children's Special Health Coalition, the Butte

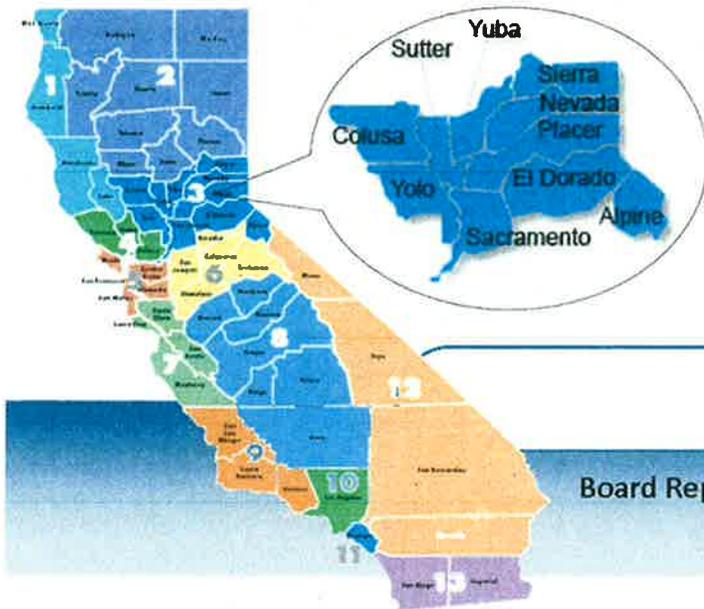
County Adult Services Advisory Committee, the Consumer Advisory Committee for Partnership HealthPlan, the Shasta County Office of Education Program Advisory Committee reaching a total of 65 people.

Issues or Concerns for State Council Consideration

AB2 is very concerned about the Administration's proposal to limit overtime for IHSS providers to 40 hours per week. The concern is related to the impact on recipients and providers.

Background:

In September 17, 2013, the US Department of Labor released final regulations requiring minimum wage and overtime pay for domestic workers. The Final Rule extends the protections of the Fair Labor Standards Act (FLSA) to these workers by removing the ability of "third party" agencies to claim an exemption for personal care workers from minimum wage and overtime pay as providers of "companionship services" or as live-in providers. Consequently, the federal regulations for minimum wage and overtime apply to IHSS providers. Additionally, FLSA rules that require compensation for commuting between multiple recipients and for "wait time" associated with medical accompaniment also apply to IHSS providers.



AREA BOARD 3

Board Report to the State Council on Developmental Disabilities

Reporting Period: January-February 2014

Date: 3/4/14

Highlights

Sandra Smith, Sacramento, was appointed by Governor Brown to represent Area Board 3 on the SCDD Council. She has served on Area Board 3's Board since 2012.

Far Northern Regional Center has carefully reviewed the 2012 NCI data and is addressing the deficiencies highlighted in the report. It has developed a Wellness Initiative to address improving the overall health of consumers (including Health Fairs and training of regional center staff, service providers, and line staff). It has developed a project to develop and distribute emergency preparedness bags to individuals residing in supported and independent living. It is undertaking activities to increase the employment of people with disabilities. It is continuing efforts to increase Peer Education, and to increase access to available services in rural areas.

State Plan Activities Implemented During this Reporting Period

State Goal #1: Individuals with developmental disabilities have the information, skills, opportunities, and support to advocate for their rights and services, and to achieve self-determination, independence, productivity, integration and inclusion in all facets of community life.

Activity: Jennifer Allen, Area Board 3's Statewide Self-Advocacy Network (SSAN) representative, was invited to speak at the January 28th Board Meeting. She shared her background with the Board, and provided some perspective and insight into a number of issues, including, but not limited to: current restructuring of the SSAN, and Area Board 3's representation of individuals with I/DD in the 10-county catchment area.

State Goal #2: Individuals with Developmental Disabilities and their families become aware of their rights and receive the supports and services they are entitled to by law across the lifespan, including early intervention, transition into school, education, transition to adult life, adult services and supports, and senior services and supports.

Activity -- **Objective 2A:** Direct Advocacy

During this reporting period, AB3 staff participated in a total of 65 meetings where they provided direct advocacy to families and/or consumers. Please see below for a detailed list of meetings and counties serviced:

Alta California Regional Center

2 Informal Meetings, 1 Planning Team Meeting, 1 IPP

IEPs (34 total)

El Dorado County School Districts: 2
Nevada County School Districts: 1
Placer County School Districts: 8
Sacramento County School Districts: 16
Sutter County School Districts: 1
Yolo County School Districts: 4
Yuba County School Districts: 2

Intakes (25 total)

Colusa County Families: 1
El Dorado County Families: 1
Nevada County Families: 1
Placer County Families: 8
Sacramento County Families: 12
Yolo County Families: 2

504 Plan Reviews (2 total)

Placer County School Districts: 2

Activity – **Objectives 2B & 2C:** Trainings, Conferences, Workshops, Cross-Training, Outreach, etc.

A 2-hour Parent Training on 504 Plans was held on Jan. 7, 2014 at the Natomas Unified School District Office. 15 people attended. A 45-page training manual was provided to each attendee. An email invitation for this training was sent to 667 parents on Dec. 11, 2013. Approximately 159 individuals viewed the email.

A 4-hour training for foster parents and professionals was held on Jan. 22, 2014 at Turning Point Community Programs. The focus of this training was Special Education Advocacy. 35 people attended. 5 Lanterman Act Booklets, 10 "Consumers' Guide to the Lanterman Act" booklets, and 20 "So You're Turning 18" Pamphlets were distributed. A 421-page training manual was also provided to each attendee. Advertising for this training was handled by Turning Point.

A 2-hour Parent Training on Behavior, Discipline, & Mental Health was held on Feb. 4, 2014 at the Natomas Unified School District Office. 16 people attended. A 77-page training manual was provided to each attendee. An email invitation for this training was sent to 570 parents on Jan. 23, 2014. Approximately 155 people viewed the email.

State Goal #3: Individuals with developmental disabilities and their families express the degree to which they are satisfied with their services and the extent to which they feel their needs are being met.

Activity – **Objective 3a:** To date, a total of 1,544 English and Spanish NCI Quality Assessment Surveys (Adult Family and Family Guardian Survey) were mailed out to the ACRC catchment area. 1,362 English and Spanish surveys were mailed to the FNRC catchment area.

The following surveys have been completed and returned:

ACRC AFS 222 (goal of 165 is met)

ACRC FGS 164 (goal is 165)

FNRC AFS 171 (goal of 153 is met)

FNRC FGS 181 (goal of 159 is met)

Data entry for these surveys 42% complete.

Activity: AB3 distributed the California Autism Survey 2014 (sponsored by Autism Society of California) to their email list of 334 subscribers on Jan. 16, 2014. Approximately 172 people opened and viewed the email, while 29 clicked the link to take the survey.

State Goal #11: Individuals with developmental disabilities have access to affordable and accessible housing that provides control, choice and flexibility regarding where and with whom they live.

Activity: The Cycle 36 Project/Accessible Housing Web Portal is in process. Final contracts have been signed and a work plan has been approved. Johnson Media is developing an infrastructure to operate an online database of affordable/accessible housing in Area Board 3's 10- county area.

State Goal #12: Affordable and accessible housing units are developed in local communities to expand housing options for individuals with developmental disabilities.

Activity: David Kelly, who represents El Dorado and Alpine Counties in addition to overseeing an AB3 satellite committee in South Lake Tahoe, reported at the December 10, 2013 Board meeting that a new 6-unit housing project would be opening in early-January in South Lake Tahoe for individuals with mental health needs and/or developmental disabilities. He's been involved with this project for some time and was able to get the city to invest \$1,000,000.

State Goal #13: Individuals with developmental disabilities and their families have access to community based services and supports available to the general population (such as recreation, transportation, childcare, etc.) that enable them to live productive and inclusive lives.

Activity: David Kelly, who represents El Dorado and Alpine Counties, fought for and won safe and accessible trails, sidewalks, and curb-cuts around the South Lake Tahoe area. This has been a multi-year and ongoing effort collaborating with local groups and county government representatives. These changes have increased the access of people with developmental disabilities to their local community.

- Through TACCD, Mr. Kelly works with DOR, NAMI, ACRC, Lake Tahoe Police Dept., El Dorado County Sheriff's Department, TRAILS at the Lake, and Tahoe Transportation District among others to keep them informed as to the rights and needs of persons with intellectual disabilities.

State Goal #14c: The Council will use media, internet, arts and entertainment and social networking to educate the general public about individuals with developmental disabilities.

Activity: Area Board 3 uses social media, email blasts, and website postings to educate the public. The following topics were addressed during this period.

Topic/Number of posts:

Assistive Technology: 9

Conferences/Trainings: 10
Developmental Disabilities: 56
Employment: 6
Health: 9
Housing: 11
Legislation/Budget: 7
Self-Advocacy: 24
Special Education: 11
Transition/Post-Secondary Education: 7

Issues or Concerns for State Council Consideration

Area Board 3 is concerned about the high cost of CARF reviews on small programs and service providers especially in rural areas where no other services are available.

Submitted by Sonya Bingaman, Acting Executive Director 916-263-3085



AREA BOARD 4

Board Report to the State Council on Developmental Disabilities

Reporting Period: Jan & Feb 2014

Date: 03/02/14

Highlights

Area Board 4 staff have been working on the implementation of Employment First. We developed a power point presentation on EF and presented it at the Sonoma County Transition Fair attended by over 250 people. We are trying to engage NBRC in regional EF efforts: we met with management of North Bay Regional Center regarding the development of an EF Task Force, assisted with coordinating NBRC management participation in an existing adult transition/adult services network meeting.

Area Board 4 started working with Spanish-speaking families who have had Vallejo CAC – recognition for staff & board, invitation to participate in district planning

State Plan Activities Implemented During this Reporting Period

Goal 1 – We began planning the next regional self advocacy meeting, scheduled for April 24, 2014. The planning team is working on the agenda and publicity.

Staff developed and distributed the information on the following page about taxes.

Why Pay Taxes?



Some self advocates asked why they should care about doing their taxes. Taxes are how government pays for services we receive. By filing and paying your taxes, you are contributing to the community. Several self advocates have said they want jobs so they can become taxpayers!

What happens if you don't pay taxes? If you are required to file taxes and you don't, or if you owe taxes and you don't pay, you could face fines and imprisonment. Filing your taxes and paying your taxes is not voluntary! For more information, go to <http://www.irs.gov/uac/Overview-Nonfiler-Enforcement>

What Happens with Your Tax Money?

How taxes are used depends on which level of government is collecting them:

- Federal taxes are used for national defense, Social Security and health care, and interest on the national debt.
- State and local taxes are used for education, transportation, and law enforcement.

(http://www.ehow.com/facts_5615525_taxes-used-for_.html)

Free Help to Prepare Your Taxes

- MyFreeTaxes: <http://www.disabled-world.com/disability/legal/tax/filing.php>
- The IRS Volunteer Income Tax Assistance (VITA) Program: free tax help to people who make \$52,000 or less and need assistance in preparing their own tax returns. VITA sites are generally located at community and neighborhood centers, libraries, schools, shopping malls, and other convenient locations. <http://www.irs.gov/Individuals/Free-Tax-Return-Preparation-for-You-by-Volunteers>

Prepared by Area Board 4, 2/2014

Goal 2 – AB4 coordinated two parent trainings on inclusion and bullying at Vallejo Community Advisory Committee on Special Education meetings.

We have worked intensively with a family who removed their child from the school district several years ago. The family felt only one nonpublic school could meet the child's needs. AB4 worked closely with the NPS and district administrators to obtain the only placement that was acceptable to the family.

AB4 is working with a young adult who was in the foster care system. He has been a client of North Bay Regional Center but he has not been receiving any services. He has not had SSI, medical, employment support, or support for his living arrangement. We will assist this individual and find out why he fell through the cracks at NBRC.

Goal 6 – AB4 gave a presentation at the Napa Transition Fair about the role of parents in preparing their sons and daughters for success. We facilitated three self advocates to present on their careers, and to assist with the presentation on the role of parents. As a result of this fair, we are working with two families on transition issues and securing quality adult services.

- AB4 participated on the planning team for the Sonoma Transition Fair. Additionally, AB4 gave a presentation at the Transition Fair on EF as mentioned, and AB4 had a table and distributed information on transition, employment, self-determination, and rights to 22 people.

Goal 9 – AB4 developed and presented a power point on Employment First. We also developed an informational flyer for individuals to use when interviewing supported employment agencies (attached).

We are supporting 7 adults who want integrated, competitive employment. We supported individuals to request Individual Program Plan meetings, assisted them to prepare for their IPP meetings, attended IPP meetings, assisted with selecting a supported employment agency, attended intakes meetings. AB4 is monitoring the process to obtain individual, competitive employment to identify barriers.

We are working with an individual who would like support to engage in additional wage employment, start a business, volunteer, and go to college. Currently, there is no provider in his area that can support his goals. We have been advocating to obtain Participant-Directed Community-Based Training Service for Adults (Service Code 475). NBRC says they do not know how to provide this service. We have been getting information on other regional centers who are using 475 services so NBRC can consult with them and implement the request service.

We are supporting individuals around micro enterprise/self employment supporting. We assisted one individual at her IPP meeting and are providing information to the NBRC service coordinator about micro enterprise and how to support it. We are also supporting three individuals who are operating a recycling business to expand their business. We are helping them to coordinate a support team to generate ideas for advertising and obtaining new accounts.

Selecting a Supported Employment Agency

If there is more than one supported employment agency in your area, you can interview the agencies to see which one you want to work with to find a job.



You can have a friend help you interview agencies. You can call agencies over the phone or set up face-to-face meetings; whatever works best for you.

Below are some questions you can ask. You can ask other questions too!

Name of agency _____

1. Do you develop jobs based on my interest?

2. If I'm not sure what kind of job I'd like, how would you help me figure out what kind of jobs would be a good fit for me?

3. Can you help me find an individual job, not a group job?

4. How often would I meet with you to look for a job?

5. What will I be doing until I get a job?

6. Can you help me find volunteer work or an internship while we look for a job?

7. Are there certain industries where you have contacts?

8. Do you have a waiting list?

9. Can you tell me about some of the jobs other people from your agency have gotten?

Good luck in your job search!

For more information about employment,
please contact Area Board 4,
707-648-4073 or AB4@scdd.ca.gov

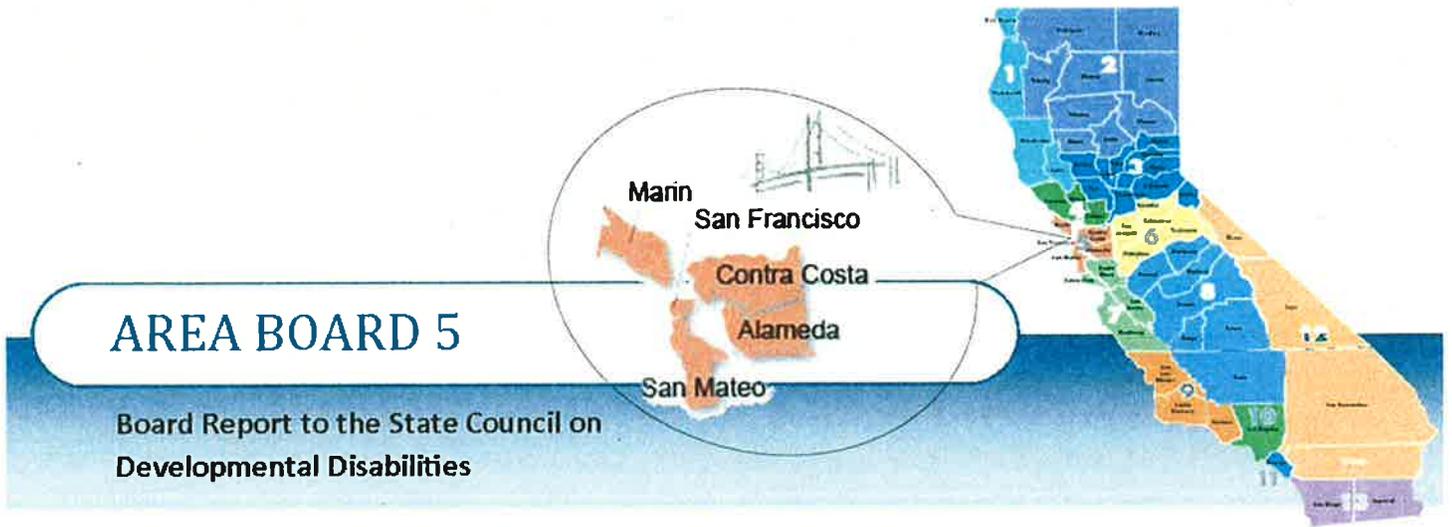
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Goal 15

AB4 was contacted by several Spanish speaking families who have ongoing concerns with their childrens' education and regional center services. We are working with school administrators to resolve problems with services and we are advocating with them to receive services from NBRC. We translated rights information into Spanish and provided multiple copies to the families for themselves and to distribute to other families. We are coordinating a training for the families presented by Disability Rights CA/Office of Clients' Rights Advocacy.

Issues or Concerns for State Council Consideration

1. Spanish speaking families face difficulty getting timely, accurate information translated from teachers and other school staff. Families do not feel translators at IEP meetings consistently translated all information in an unbiased manner. Obtaining translated copies of IEPs and assessment reports can take weeks.
2. There is a tremendous need for training on integrated, competitive employment (ICE) for individuals, families, service coordinators, service providers. We continually encounter people who do not understand that individuals who have significant disabilities can be supported to have ICE without showing progress through a continuum of services. NBRC purchase of service practices makes it difficult for individuals who need more support to obtain ICE; there is no mechanism for individuals to be supported in internships or volunteer work that could lead to employment. There is a lack of capacity among providers to serve individuals. Supported employment agencies report waiting lists of several months before they can begin to serve an individual. There is a lack of support for individuals who want to start their own businesses.



AREA BOARD 5

Board Report to the State Council on
Developmental Disabilities

Reporting Period: January-February 2014

Date: 3/05/14

Executive Director: Gabriel Rogin

Highlights

Presentations on SB 468: Self-Determination
Finalized Communication to Alameda County Hiring Managers
Hosted Discussion on Sub-Minimum Wage
Hosted East Bay Legislative Forum on Employment

State Plan Activities Implemented During this Reporting Period

Area Board 5 gave two presentations on SB 468: Self-Determination during this period. The first was to the Contra Costa County Developmental Disabilities Council and the second to the Case Management Supervisors at Regional Center of the East Bay. Both presentations included an overview of the recent legislation and a discussion on the potential impact to people we support, families and service providers. As a next step, Area Board 5 will be giving a presentation on Self-Determination at the upcoming Cal-TASH Conference in Burlingame.

Area Board 5 continued to prioritize increasing employment opportunities during this period. For example:

- In coordination with the Alameda County Developmental Disabilities Council, Area Board 5 reviewed and revised a memo to Alameda County hiring managers from the County Director of Human Resources. The purpose of the memo was to educate County hiring managers and staff on changes to the County's alternate hiring process, the Step-Up Program, and to generally increase employment opportunities for persons with significant disabilities within the County.
- Area Board 5 hosted a discussion on the topic of sub-minimum wage. Approximately 40 members of the public participated, including local service providers, regional center staff, family members, and self-advocates. As a next step, Area Board 5 plans to arrange a Town Hall event on sub-minimum wage to engage a broader segment of our community and

include local legislators. The goal is to identify and remove barriers to integrated, competitive employment.

- As part of the East Bay Legislative Coalition, Area Board 5 planned, organized, and hosted a legislative forum on employment. Approximately 200 community members were in attendance, including self-advocates, family members, regional center staff and service providers. The forum included a panel of approximately 15 legislators and legislative staff members. Topics discussed included Employment-First and SB 577.
- Area Board 5 staff continued to take a lead role in Golden Gate Regional Center's Employment Task Force, which is planning our next Employment Summit. Also, Area Board 5 has partnered with East Bay Innovations, Regional Center of the East Bay, and other community partners in Alameda County to plan a "Community Conversation" on employment for transition-age youth, which will take place in May and include employers and other community leaders.

Area Board 5 continued to support self-advocates through Bay Area People First, including 5 local chapters, and the Statewide Self-Advocacy Network (SSAN). For example, we gave presentations on the role of Area Boards and the State Council to People First chapters in Marin and San Mateo Counties and supported the Marin chapter to open their own bank account. We also worked closely with our representative to the SSAN, in order to help her prepare for an upcoming presentation.

We continued to participate in, and support, local committees (Alameda Transition Fair Planning Committee, East Bay Diversity and Equity Committee, Golden Gate Self-Advocacy Conference Planning Committee, etc.), and input surveys for the NCI project. Area Board 5 also provided individual advocacy to 12 individuals/families within this period (2 respite, 1 rights, 4 living options, 1 day program, 3 services through IPP, 1 social/recreation).

As part of our 2013 Mini-Grant, Area Board 5 supported Housing Consortium of the East Bay to communicate with local jurisdictions regarding SB 812, in order to influence their Housing Elements. We also met with Assemblyperson Joan Buchanan to discuss potential options that would increase local service capacity.

Finally, during this reporting period, Area Board 5 staff had the opportunity to participate with Golden Gate Regional Center in a "bootcamp" and month long course in Design Thinking through Stanford University. The process was designed to identify innovative solutions that can help Golden Gate Regional Center improve relationships with underserved populations within our community.

Issues or Concerns for State Council Consideration

Area Board 5 has begun communicating with local stakeholders regarding the MTARS process and its potential impact. So far, feedback has primarily focused on the desire for Area Board 5 to remain a strong local voice. That is, several local stakeholders have expressed concern regarding the possibility that Area Board 5's local presence could be weakened. Further local outreach is necessary.



AREA BOARD 6

Board Report to the State Council on Developmental Disabilities

Reporting Period: January/February

Date: March 3, 2014

Highlights

- Governor Brown appointed Virginia Sanchez, 62, of Stockton, to the California State Council on Developmental Disabilities, Area Board XI. Her first meeting was January 28, 2014 in Stanislaus County. Sanchez was a noon supervisor at Morada Middle School from 2009 to 2010 and an in-home supportive service provider at the San Joaquin County Human Services Agency's In-Home Supportive Services Program from 1989 to 2011. She was an ESL teacher at California Human Development from 1990 to 1996, and an ESL placement director for the Hayward Unified School District from 1984 to 1987. Sanchez is a member of the American Cancer Society. This position does not require Senate confirmation and there is no compensation. Sanchez is a Democrat.
- The Stockton Mayors Taskforce on Persons with Disabilities has been started up again. AB6 staff met with the Mayor Anthony Silva and other community stakeholders to discuss the next steps of the Taskforce.
- State Council on Developmental Disabilities – Area Board 6 in collaboration with Family Resource Network, Justice for Jeremy Foundation and, San Joaquin SELPA, Invite you to attend (Project Safety)-**Project Safety** will address the topic of children and adults with special needs and their interaction with First Responders. The forum will look at ways that parents of children and young adults with mental health issues or developmental disabilities such as autism, Down syndrome or other forms of intellectual disability can work with community partners to address areas of concern.
- Local Self Advocates area meeting. Over 600 self-advocates from Tuolumne, Calaveras, Amador, Stanislaus and San Joaquin attended.

State Plan Activities Implemented During this Reporting Period

Goal CR.14.1) Disseminated legislation information on Self Determination bills and Employment First to self-advocates, regional center vendors, regional center staff and board, and community members. Hard copies were disseminated to approximately 800 people.

Goal CS.02.1)

- Provided advocacy to 15 parents and 10 individuals regarding day program issue, supported living services issue, and regional center issues.

Goal ED.02.1) Provided individual education advocacy to 18 families on IEP issues and special education rights.

Goal ED.02.2) Provided Special Educational rights and IEP workshop to 19 families in collaboration with Family Resource Network.

Goal ED.02.3)

- Participated and disseminated SCDD/AB6 information at the In Home Supported Services Advisory Committee meeting (IHSS) 15 people were present.

Goal ED.06.1)

- Facilitated the SELIT (Supported Employment/Living Interagency Team) in Stanislaus County. Assist teachers to discuss options for their students after they exit the school system and emerge into adult services.

Goal EM.09.1) Facilitated the Employment Network meeting and shared Employment First information. Met with Administrator of a grant program designed to provide benefits counseling in regards to social security and employment, for youth in San Joaquin and Stanislaus counties. Determined where the Area board will be able to provide assistance to the project and how it relates to Employment First. The project is slated to affect 130 youths and their families. Facilitated the Supported living Network meeting for San Joaquin and Stanislaus County- shared Employment First and Self Determination information with 10 vendors.

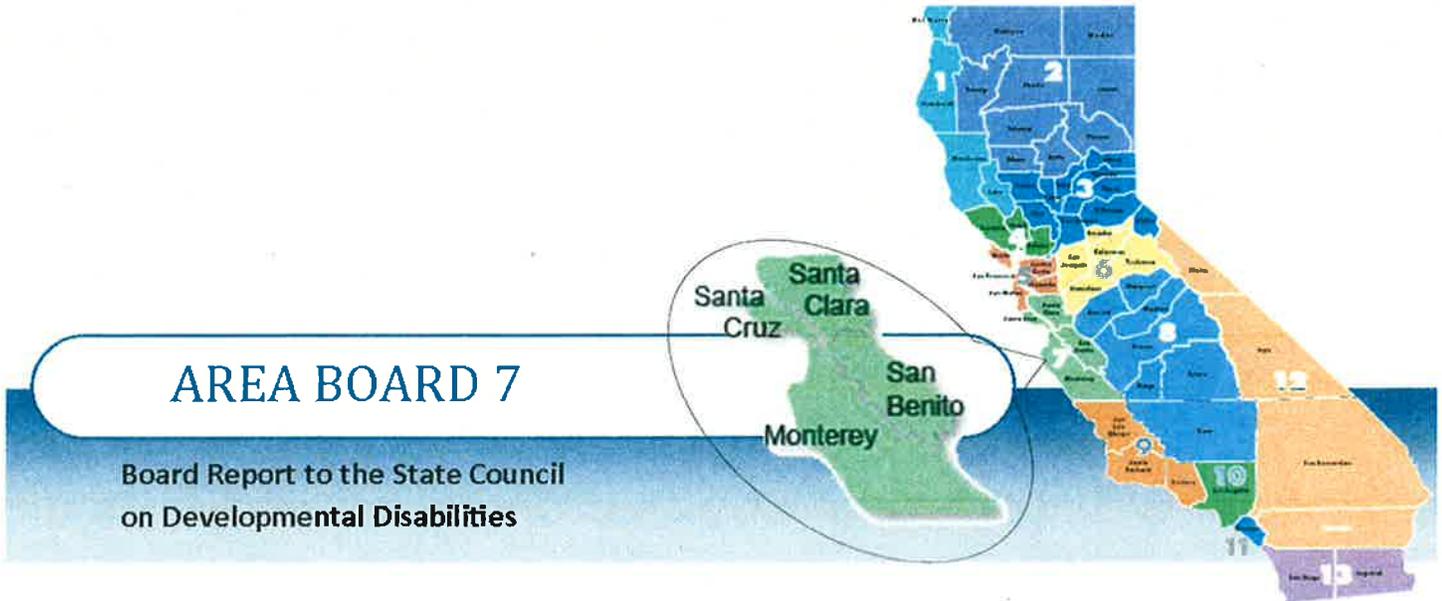
Goal HO.11.2) Provided facilitation for the collaborative Residential Task Force meeting. The Task Force consists of parents, VMRC staff, Family Resource Network, Disability Rights CA and area board.

QA.01.1) Provided assistance to representative to attend and participate as a speaker at the local self-Advocates area meeting.

QA.03.1) Participated at a collaborative meeting of regional center, vendors and community stakeholders. The intent of the meeting was to improve services and supports provided to consumers and their families. Disseminated-SCDD/AB6- brochures and information on Self Determination to 14 participants.

Issues or Concerns for State Council Consideration

- The lack of affordable housing opportunities continues to be huge problem in all five counties Area board 6 serves.
- Area Board 6 being contacted regarding the DDS Parental Fee issues. Can DDS give a current update on these issues?
- Recent changes in health care law have led to some families no longer receiving ABA services that were previously deemed medically necessary. A case in point is one San Joaquin County family who's autistic son was receiving ABA therapy in the home through Healthy Families/Kaiser. After Healthy Families services ended, MediCal/Kaiser became the child's insure. MediCal through Kaiser is denying the ABA therapy. The parents are unable to pay for the services. The family has requested that VMRC fund the services but has been denied pending appeal as the regional center contends this service is an educational responsibility. Our concern is that these children receive services that are considered necessary. The delay in providing the service appears to be harmful for the child as he is showing regression in the same areas where he had been making progress. We are also concerned that there are other families and children out there who are feeling the impact of this change in service delivery. Can we find out if other Area Board are experiences these issues and if so what they are doing.



Reporting Period: January to February 2014

Date: 2/25/14

Highlights

- Outreach
 - Continued work on Transition Coalition Meeting, compile survey results, preparing for Transitions Summit in March
 - Met with Executive Director of Easter Seal Society, Central California.
 - Met with Tom Anderson, Special Education Director of Berryessa School District in response to complaints from family and in follow up on the direction of AB7 Board
 - Provided 3 staff training at services provider Employment and Community Options, with focus on Lanterman Act, advocacy, and self-determination.
 - Met with Board President of SF Bay Area Autism Society to discuss housing, futures planning, and attending to behavioral issues. Attended to Future of Housing Panel Discussion
 - Met with Associate Director of Abilities United
 - Met with 5 agency employment and job developers and one parent organization for Employment First planning. Group to pursue building of a parental networking partnership that can promote job placement.
 - Met with Vice President and Executive of Business Operations to tour FCSN and discuss strategies for using the organizations family partnership model throughout service community.
 - Attended Service Provider Advocacy Committee Meeting
 - Attended Monterey Bay Provider Network Meeting
 - Met with SARC managers to discuss AB and SARC issues
 - Attended a Legislative Breakfast planning meeting
 - Attended SARC QA Committee
 - Attended SARC Board Meeting
 - Attended SCDD Council Meeting
 - Attended AB ED Meeting
 - Discussed with SARC Board President and Human Resource Manager the need for transparency, as well as community, and consumer input in the hiring process of new Executive Director

- SSAN
 - Self-advocate and aide volunteers at AB7 weekly to work with SSAN rep on self-determination
 - Self-determination brochure, power point presentation, completed. Marketing plan being developed by SSAN representative.
 - Promoted the building of SSAN at the SPAC and MBPN meetings

- Quality Management
 - Web based Service Directory / Navigating the System models presented to the SARC QA Committee. Committee supportive of model's use in upcoming redesign of SARC webpage.
- Board & Board Development
 - Continued recruiting for open board seats.
 - Education and Advocacy Committee met and agreed to proceed with First Responder Training utilizing the resources of "Get Safe." Also, committee proceeding with best practices statement regarding disability access at theme parks and other public venues.
 - Actions of the Board at February Meeting
 - Mini-grant Committee Appointed
 - AB staff to present to SARC staff and board AB's interest in being informed of the process of hiring executive director with the request to include input from community particularly those individuals and families who receive services.
Staff to assist family with complaint to school district regarding quality of educational services within the special education department. Staff also to make request to district's SELPA to improve its non-adversarial policy.
- Advocacy
 - 46 Individual/ Families received Advocacy
 - Support requested includes:
 - Assistance with complaints
 - 1 Special Education
 - 2 Regional Center
 - Housing
 - Supported Living
 - IEP & Assessment
 - Appropriate classroom
 - Health care planning
 - Transportation
 - Eligibility
 - Dental
 - Attended 13 IEP Meetings
 - Attended 3 IPP Meeting resulting from successful mediation from two months ago.

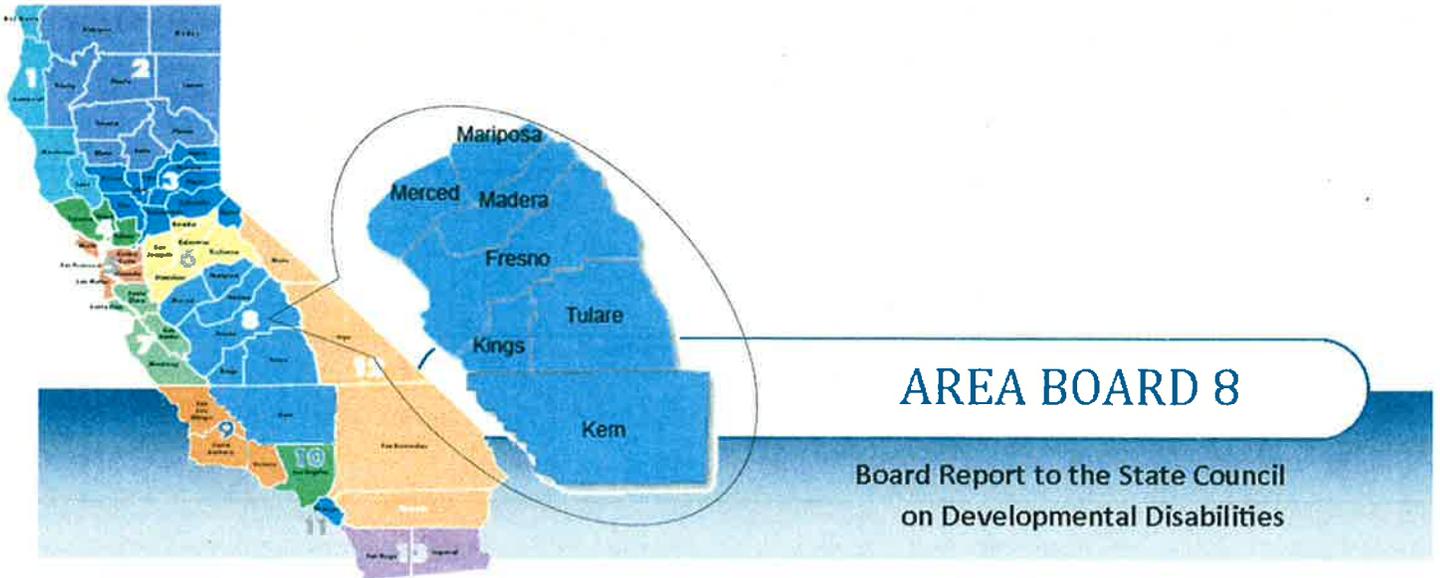
State Plan Activities Implemented During this Reporting Period

- Goal 1
 - Added self-advocates
 - Focus on training on Self Determination
 - Promoting self-advocate participation on various groups and committees
- Goal 2
 - Advocacy: Provided direct advocacy for 12 individuals and families.
- Goal 3
 - Assisted 3 families with complaint process
- Goal 4
 - Identified as priority of the Education and Advocacy Committee
 - Identified Get Safe as resource to coordinate first responder training.
- Goal 5
 - Focus of Cycle 36 grant
- Goal 6:

- Transition Consortium: Attended 3 planning meeting.
- Goal 8 & 9
 - Working with employment providers to build parent partnerships to promote employment researching best practices and establishing protocols.
- Goal 11
 - Aligning with San Francisco Bay Area Autism Society for futures planning for housing
 - Attended futures planning seminar.
- Goal 14
 - Legislative Outreach pack approved by Legislation Community
 - Assisted community member to report to LPPC and Legislative Committee on Parental Fee Program

Issues or Concerns for State Council Consideration

- Education and Advocacy Committee has prioritized the need to begin training to first responders and disability access policies at local theme parks.
- Board is continuing efforts to improve atmosphere of IEP meetings within one particular school district.
- AB staff is working with Regional Center to better inform individuals and families of services in the area through development of a service directory.
- Legislative Committee reviewing needs presented in Lanterman Coalition Letter to Governor, Assault on Lanterman, and Family Program Fee / Family Participation Fee
- In collaboration job developers investigate methods to develop parent networks for employing of people with developmental disabilities.
- Through SSAN promote self-determination law.
- Consistent methodology by regional center for intake and assessment.



Reporting Period: January/February 2014 Date: 3/4/2014

Highlights

Successful outcome for parent of child who has been fighting local large school district regarding FAPE issues. Parent has won three appeals in the last 3 years. Case has made local news many times, with executive director of Area VIII Board being interviewed. The school district, unbelievably is appealing in Federal Court to place cost of the Attorneys fees on the parent. The school district has so far spent over \$340,000 in attorney fees on this one case, not including hiring a private investigator to follow the mother around town.

Recruited 2 new board members.

Conducted Monthly IEP Clinic with Family Resource Center in Kern County, 2 people in attendance.

Individual Advocacy:

52 Individual/Families received Advocacy Support

Of the 52 approximately 49 were for Special Education support including:

- Least Restrictive Environment – Placement
- Behavioral Supports
- Assistive Technology
- Communication
- IEP Compliance Issues
- Transition
- Manifestation/Expulsion
- Assessment Issues

Of the 52 approximately 3 were Regional Center Individual/Family's needs including:

- Eligibility
- Appeal Process/Fair Hearing
- ABA Services
- In Home Respite Hours.

Attended 34 IEP/504 meetings to support individual/families.

State Plan Activities Implemented During this Reporting Period

Goal 1:

Continued Support of our local SSAN Advocate

Goal 2:

84 Individual/Family Advocacy

Rights Training – 1 Presentation to 2 participants

Goal 6:

Individual support preparing students transitioning from school to employment

Goal 7:

Presentation to local family agency to help young families needing information to navigate the service system

Joint Presentation with Area Board 12 to Kern Regional Center on area board/ SCDD history and mandates

Issues or Concerns for State Council Consideration

The need for transparency for the public to know how many tax funded dollars are spent by school districts on attorney fees fighting parents. Current budget reports published by districts only show a total amount per district, not a line item amount.

Continued concern regarding the ability and effectiveness of Office of Protective Services (OPS).



AREA BOARD 9

Board Report to the State Council on Developmental Disabilities

Reporting Period: January to March, 2014

Date: 03/04/2014

Highlights

Area Board 9 board of directors and staff began 2014 with its first board meeting held on February 7th. The board discussed the State Council's efforts to address the MTAR report and voted on sending a letter of support to the State Council, its members and headquarters staff for their tireless efforts to respond to AIDD.

State Plan Activities Implemented During this Reporting Period

Quality Assurance/Training (State Plan Goal 1.2): We provided ongoing outreach trainings and support to the following existing self advocacy groups: People First San Luis Obispo, People First Santa Maria Chapter, People First Santa Barbara and People First Ventura County. All of the existing self advocacy groups were represented at the self advocacy conference organized by Area Board 9.

Education/Technical Assistance (State Plan Goal 2.1): We assisted 26 individuals with special education cases during this reporting period. 9 of the individuals served were English speaking and 17 were non-English speaking or limited English speaking.

The breakdown by county of the special education cases is: Ventura County: 22 cases; Santa Barbara County: 1 case; and San Luis Obispo County: 3 cases. Each case had an initial intake and appointment with an advocate. The breakdown of assistance for these cases is:

17 cases were resolved through an appointment with an advocate and with distribution of related materials on educational advocacy topics.

6 cases were resolved through an appointment with advocate, distribution of related materials and consultation with an educational agency representative.

3 cases were resolved through an appointment with advocate, distribution of related materials, and preparation by the advocate for an IEP meeting.

Community Supports/Technical Assistance (State Plan Goal 2.1): We assisted 36 individuals with community supports advocacy cases during this reporting period. 25 of the individuals and families served were English speaking and 11 was non-English speaking or limited English speaking.

The breakdown by county of the community supports cases is: Ventura County: 24 cases; Santa Barbara County: 4 cases; and San Luis Obispo County: 8 cases. Each case had an initial intake and appointment with an advocate. The breakdown of assistance for these cases is:

22 cases were resolved through an appointment with an advocate and with distribution of related materials on the community support.

11 cases were resolved through an appointment with advocate, distribution of related materials and consultation with a community support agency representative.

3 cases were resolved through an appointment with advocate, distribution of related materials, and preparation by the advocate for a formal meeting with the agency representatives (IHSS/regional center/SSA).

Community Supports/Outreach (State Plan Goal 2.1): Area Board 9 provided the following community outreach during this review period:

- 01/17/2014: *Introduction to Area Board 9 Services, Special Education Teacher Transition Fair, Ventura County Office of Education/SELPA; 57 participants.*
- 01/23/2014: *Transitioning Young Adults with Developmental Disabilities: A review of agencies' transition timelines and how it impacts services for your young adult; Parents Helping Parents San Luis Obispo; 30 participants.*
- 01/24/2014: *Intake Clinic, Parents Helping Parents Atascadero; 7 participants.*
- 01/29/2014: *Transition to Adulthood: Practical and Legal Strategies/Special Education, Rainbow Family Resource Center Oxnard; 60 participants.*
- 02/05/2014: *Transition Fair, Ventura County SELPA Ventura; 20 participants.*
- 02/06/2014: *Autism Services Panel, Collaboration between Rainbow Family Resource Fair, VC SELPA and Area Board 9; 20 participants.*

- 02/11/2014: *Transition Fair*, Ventura County SELPA Thousand Oaks; 12 participants.
- 02/25/2014: *Transition Fair*, Ventura County SELPA Oxnard; 22 participants.
- 03/01/2014: *Walking the Path (Special Education Conference and Resource Fair)*, Ventura County SELPA; 15 participants.

Upcoming Outreach:

- 03/06/2014: *Transition Fair*, Ventura County SELPA Simi Valley.
- 03/15/2014: *Accessing In-Home Supportive Services (IHSS) (offered in English and Spanish)*; collaborative presentation with Rainbow Family Resource Center, Office of Clients Rights Advocacy/DRC and Area Board 9.
- 04/27/2014: *Aut2Run: Autism Walkathon*, Autism Society of Ventura County.

Education/Supporting and Educating the Communities (State Plan Goal 2.3): Area Board 9 informed over 8,000 people about different informational activities related to legislative and public policy matters and educational and community supports locally and statewide.

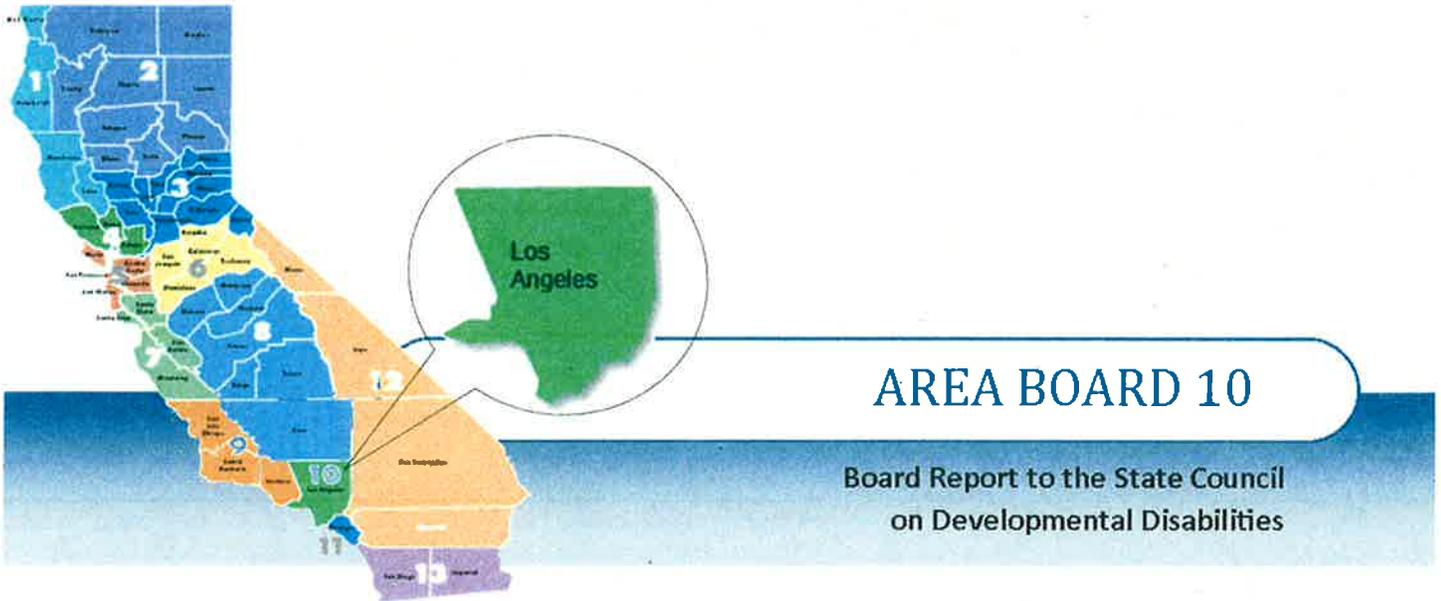
Access to Information and Resources/Language and Cultural Competency (State Plan 15.1): Area Board 9 developed and translated the following:

- Materials for a PowerPoint presentation about Special Education into Spanish
- Materials for a PowerPoint presentation about In Home Supportive Services into Spanish
- Transition Aged Chart into Spanish
- Flyers for community action around the release of the POS Data into Spanish

Issues or Concerns for State Council Consideration

We continue to be concerned about the following issues:

- The impact of changes to the Diagnostic Statistical Manual of Mental Disorders (DSM), fifth edition, in regard to Autism and mental health diagnostic criteria.
- Implementation of new laws- employment first and self-determination- what people who receive regional center services and their families should expect, and,
- The release of data related to differences in how regional center services are purchased between racial, ethnic and language groups in our community and statewide.



Reporting Period: January – February 2014

Date: 3/4/14

Highlights

In our efforts to provide trainings on self-determination, we have developed a presentation and provided it in two venues to 75 people. At the time of this writing, 13 presentations on self-determination are presently scheduled in our area for provision over the next 2 months.

Wrote and distributed a plain language version of the MTARS report.

Created a summary of the regional center purchase of service disparity data for all of the regional centers in L.A. County.

Promoted MTA's long-awaited Solicitation for Proposals for Job Access funds and New Freedom funds to over 60 programs and 1,022 e-newsletter subscribers, regional center staff, parent groups, and family resource centers. We also offered technical assistance for those developing volunteer driving programs under the New Freedom funding.

Distributed two e-newsletters to over 1000 people each.

State Plan Activities Implemented During this Reporting Period

Goal 1

- Continued to support local self-advocacy efforts by facilitating the Self-Advocacy Board of L.A. County's (SABLAC) monthly meetings and participating in the Statewide Self-Advocacy Network's meetings. During this reporting period, provided assistance in developing topics and coordinating a self-advocacy conference in association with SABLAC.
- Wrote plain language version of the MTARS report.

Goal 2

- Distributed 500 flyers and via e-newsletter (over 1000 subscribers) promoting a presentation on special education due process by the presiding administrative law judge of the Office of Administrative Hearings with 160 registrants so far.
- Created and distributed a summary of the regional center POS disparity data for L.A. County
- Conducted a presentation to 20 Korean speaking parents about key strategies from “Enough Is Enough!”, our guide of anti-bullying strategies.
- Provided individual advocacy and technical assistance to 55 people regarding access to needed community supports, 3 of whom were Spanish speaking, and 4 of whom were provided direct advocacy assistance at IPP meetings.
- Provided individual advocacy and technical assistance to 16 families regarding the provision of appropriate educational services for their child with special needs, 3 of whom were Spanish speaking, and 1 of whom was provided direct advocacy assistance at an IEP meeting.
- Provided presentations about:
 - Self-determination to 21 parents and self-advocates
 - 13 presentations are scheduled to be given on this topic over the next two months
 - Self-determination to 60 parents as part of a panel
 - How to obtain regional center services and the new POS inequity data to 20 people in Spanish
 - A webinar to 15 participants on how to join and participate on boards and commissions
 - A webinar to 15 participants on California’s Sunshine Laws and Robert’s Rules of Order
 - Early Start and regional center eligibility to 30 parents and professionals
 - Role of SCDD and area boards to a regional center Vendor Advisory Committee, 38 people
- Appointed one authorized representative.

Goal 3

- Mailed over 11,000 quality assurance surveys and received over 2,302 of them. Our emphasis has shifted from mailing the surveys to entering them into our online data management system and thus over 50% of them have been entered to date.

Goal 7

- Provided individual advocacy and technical assistance to 2 families regarding the provision of Early Start services for their children with special needs.

Goal 10

- Participated as required by statute in two review panels of the usage electroconvulsive therapy for one self-advocate

Goal 13

- Facilitated the quarterly meeting of the L.A. County Regional Center Transportation Group, investigated enforcement of exorbitant fees to transport individuals with disabilities with action to follow depending on results.
- Promoted MTA's long-awaited Solicitation for Proposals for Job Access funds and New Freedom funds to over 60 programs and 1,022 e-newsletter subscribers, regional center staff, parent groups, and family resource centers. Offered technical assistance for those developing volunteer driving programs under the New Freedom funding.
- Participated in meeting with Paratransit Riders' Coalition Excessive Trip-Length Subcommittee resulting in plans to correspond and meet with MTA staff and board members, who fund the local paratransit service
- Provided technical assistance to a transportation vendor in order to expand existing capacity and ridership.
- Distributed two e-newsletters to 1,022 subscribers.

Goal 14

- Took a position on SB 391 and sent a position letter to the bill author and Governor.

Issues or Concerns for State Council Consideration

- No representation on the Council for over two years.



AREA BOARD 11

Board Report to the State Council on Developmental Disabilities

Reporting Period: JANUARY/FEBRUARY

Date: 5 MARCH 2014

Highlights

During this reporting period, ABXI directly assisted two consumers, in separate cases, to avoid eviction. In the first case, ABXI challenged the landlord's policy, which was based on their erroneous interpretation of federal regulations, and the two consumers - along with several other similarly-situated consumers in the complex - were able to remain in their homes. In the second case, ABXI prevented the consumer's eviction by working with the property manager to facilitate changes in the consumer's services and supports to better serve his needs and also assisted him to obtain a housing voucher.

ABXI assisted a family to file a complaint with the Office of Civil Rights after their request for a 504 plan was denied. The principal reversed his decision and is now providing accommodations per the 504 plan.

State Plan Activities Implemented During this Reporting Period

A. Advocacy

ABXI staff assisted 102 new and current clients during this reporting period with issues involving access to community supports/services; special education services; living options; and housing. Eight of the consumers and families are monolingual Spanish-speakers.

In addition to the educational services advocacy case above, ABXI assisted consumers and families to obtain the following: (1) special education eligibility; educational services; and change in placement; (2) speech and occupational therapy; (3) nursing assistance; (4) change in placement; (3) SSI eligibility and restoration of SSI benefits; (4) housing and ILS services; (5) RCOC eligibility; (7) 195 & 245 hours of IHSS personal services and 85.5 hours of PAS.

B. Trainings, Outreach, and Community Meetings

1. Trainings

During this reporting period, ABXI provided trainings for 106 consumers, family members, and professionals. Topics included RCOC intake/eligibility and SSI and employment.

Workshop attendees included: (1) monolingual-Spanish-speaking parents at Fiesta Familiar's parent support group and CHOC Epilepsy parent support group; (2) family members at ABXI's Roundtable IEP workshop and Regional Center Intake and Eligibility workshop; and (3) family members and professionals at an ABXI-hosted SSI and Employment workshop.

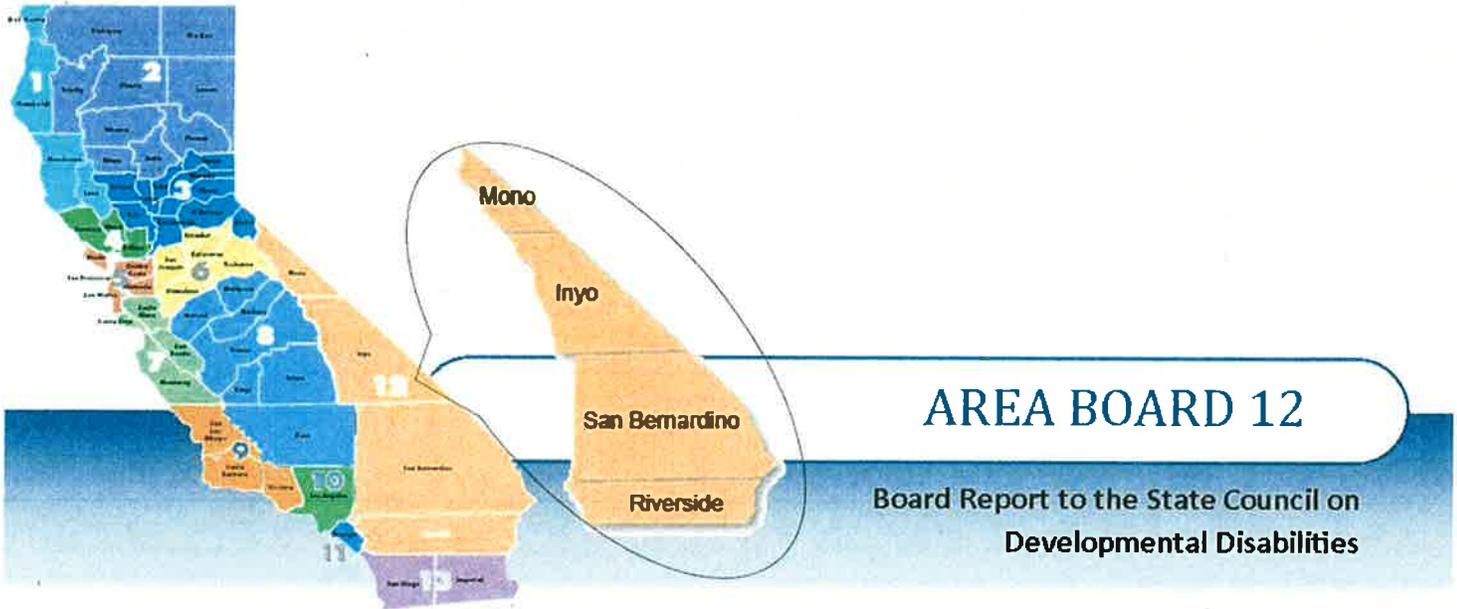
2. Community meetings:

ABXI and its community partners are in the last stages of preparation for the 10th Disability Rights Workshop, "Come One, Come All!", a day-long event scheduled for April 4, 2014, focusing on inclusion, featuring local and state consumer and family advocates and keynote speaker Richard Devylder with the California Governor's Office of Emergency Services, Office for Access and Functional Needs.

During this reporting period, ABXI held its Health Care Task Force meeting with RCOC; Legal Aid; local parents; and CalOptima management and physicians. Among the topics discussed were the recurring issue of the lack of collaborating hospitals providing dental anaesthesia and the dearth of physicians and beds for psychiatric care.

The Collaborative, a group of advocates from RCOC; Community Care Licensing; O.C. Ombudsman; Public Health Licensing; and APS, co-chaired by ABXI, also met during this time to review recent and ongoing issues involving abuse and neglect of O.C. consumers.

Issues or Concerns for State Council Consideration



Reporting Period: 01-01-14 to 02-28-14
 Submitted by: Vicki Smith

Date: 03-04-14

Highlights

SP #9c (Jan 2014) Initial collaborative meeting with Murrieta Valley Unified School District, Adult Transition Program, Special Education Parent Advisory Committee, Inland Empire Autism Society, Kecia Weller, and community members (seeking collaborative with CECY at Tarjan Center) to develop Employment Summit for April 2014. Goal to increase the number of self-advocates hired directly from high school. Self-Advocates = 1 / Family Advocates = 2 / Professionals = 2

SP #10a (Feb 2014) Provided training on Medi-Cal and Denti-Cal benefits for all licensed dentists (11) in the Inyo and Mono counties area (rural and frontier). Also provided training on common dental problems due to medications, etc. and how to work best with sensitization issues for patients with Autism. Training was a result of a needs assessment done with all licensed offices in October 2013. Self-Advocates = 0 / Family Advocates = 1 / Professionals = 8

State Plan Activities Implemented During this Reporting Period

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Autism. Training was a result of a needs assessment done with all licensed offices in October 2013. Self-Advocates = 0 / Family Advocates = 1 / Professionals = 8

SP #1b & 1c (Jan 2014) Establish collaborative with Cycle 36 grant recipient and SSAN Representative to identify dates and locations to setup new self-advocacy groups with region twelve and how to best support existing groups in region twelve. Self-Advocates = 1 / Family Advocates = 0 / Professionals = 4

SP #2b (Jan 2014) Establish collaboration with OCRA (DRC) to calendar several joint community outreach and trainings to help self and family advocates to better navigate the system serving folks with developmental disabilities. Self-Advocates = 0 / Family Advocates = 0 / Professionals = 4

SP #4a (Jan 2014) Ongoing Collaboration with San Bernardino County District Attorney's MDT on Elder and Dependent Adult Abuse team. Self-Advocates = 1 / Family Advocates = 0 / Professionals = 22

SP #10a (Jan 2014) Collaborate with San Bernardino County IHSS Advisory Committee to ensure people with developmental disabilities needs are heard. Self-Advocates = 6 / Family Advocates = 0 / Professionals = 14

SP #9b (Jan&Feb 2014) Provided employment training through weekly Workability program within regional 12 office. Self-Advocates = 4 / Family Advocates = 0 / Professionals = 2

SP #3a (Jan&Feb 2014) LQA Adult Family/Guardian survey's prepared, organized and disseminated = 1000 surveys mailed out.

SP #2c (Feb 2014) Provided input into West End SELPA strategic employment/work opportunities plan (Employment First plan) with collaborative partners Inland Regional Center, ROP, Workability, Transition programs, Community College Consortium groups to discuss best practices for implementation of Employment First policy language into the goals of students IPP, IEP, ITP. Self-Advocates = 0 / Family Advocates = 2 / Professionals = 23

SP #2c (Jan 2014) Provided training on mission and purpose of SCDD in relation to the regional center system to help improve relations with the Desert Mountain SELPA and the 26 Local Education Agencies that constituent parts. Request was made for ongoing training to increase collaboration and communication between the regional center staff and the schools. Self-Advocates = 0 / Family Advocates = 0 / Professionals = 25

SP # 1c (Jan 2014) Provide training to self and family advocates on self-determination plans regarding service rights in Bishop, CA. Follow-up training requested on the 4731 process. Self-Advocates = 5 / Family Advocates = 2 / Professionals = 4

SP #9c (Feb 2014) Provide training and information to regional center transition age (16-23) case workers regarding the role of SCDD and Employment First policy with upcoming summit scheduled for self-advocates in their geographic are to obtain gainful work. Self-Advocates = 0 / Family Advocates = 0 / Professionals = 20.

SP #2c (Feb 2014) Provide training to the board of Kern Regional Center in collaboration with SCDD region 8 office regarding the role of SCDD and system advocacy. Self-Advocates = 8 / Family Advocates = 25 / Professionals = 15.

Advocacy Referrals via telephone: Education (6), Employment (1), Regional Center/Eligibility (9)

Referrals via email. Education (6), Employment (1), Regional Center/Eligibility (3)

Referrals via telephone to generic community services (18)

Direct Telephone Advocacy• (22) cases

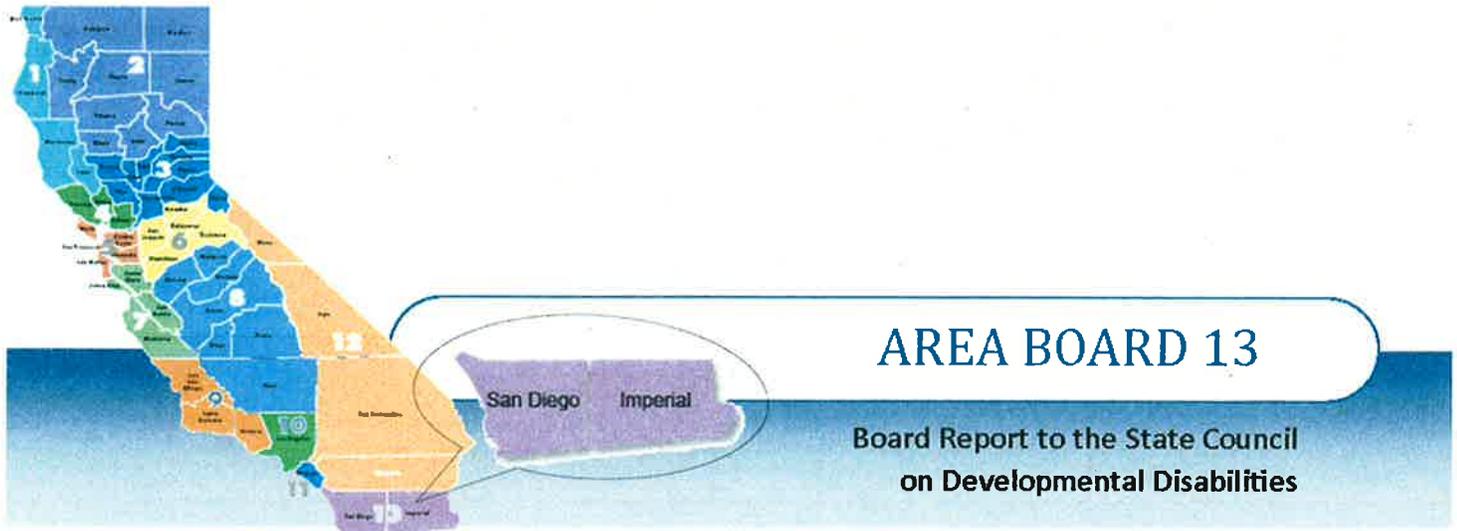
Direct Face-to-Face Advocacy (i.e, attending fair hearing, IEP, etc): (2) IEP (1) Education Settlement

Agreement (1) Education Due Process (1) RC State Level (1) RC Informal (1) IPP Team Meeting (1)

Auth Rep for Inland RC (2) 4731 Complaints Inland RC (1) IPP Addendum concerning self-advocate rape case

Issues or Concerns for State Council Consideration

We had two self-advocates who also serve on one of the regional center boards come to our office to file 4731 complaints because the Executive Director of that regional center asked their facilitator to leave during a closed session without asking the self-advocates their preference. As reported by the self-advocates, they did not want their facilitator to leave and as a result did not understand what took place in the closed session. Suggest that SCDD provide a self-advocate rights fact sheet or handout on the role of the facilitator and the right of the self-advocate to direct their facilitator, including during closed session meetings.



Reporting Period: January/February

Date: March 3, 2014

Highlights

Staff facilitated the connection of a Spanish speaking self-advocate with a Relay Service provider which provided him an opportunity to be featured in a training video on the use of the Speech to Speech service offered in California. This gentleman will be compensated for his time as well.

Worked with a MJE Marketing company in the development, creation and filming of training videos designed to provide workers at emergency shelters information and ideas on how to work with people with various disabilities in the event of an emergency. Two board members and the ABXIII ED were filmed, as were representatives from the local Independent Living Center, the Center for the Blind, and Deaf Community Services. These videos will be utilized when training shelter workers through the American Red Cross, and the local Office of Emergency Services.

Participated in the first meeting of the California Biobank Community Values Panel. The role of this panel is to advise the California Department of Public Health on a broad range of issues including: 1) policies and procedures of the Biobank regarding protection of privacy and confidentiality and 2) public awareness and consumer education methods and materials including fact sheets, website postings, screening program brochures and/or forms, etc. A main objective is to obtain insight on community values and steps that can be taken to impact community attitudes and informed decision making, as well as to establish baseline information on the California Biobank and Prenatal and Newborn Screening Programs.

State Plan Activities Implemented During this Reporting Period

Goal #1:

Provide support to the SDPF facilitator in preparation for the annual SDPF retreat.

Continued meeting with a steering committee to facilitate the planning of the 2014 SDPF Self Advocacy conference.

Staff provided facilitation during the planning meetings for the Imperial Valley Self-Advocacy Conference to be held in March 2014.

Staff continues to work with the San Diego Unified School District TRACE program to strengthen their self-advocacy/governance group. Procured a guest speaker to talk about the role and duties of an officer on a board and how the election process will work at the next Governance meeting. The speaker also talked about the personal benefits of being involved in a self-advocacy group and how being an officer and attending trainings such as Partners in Policy Making has helped her to develop her leadership skills. During the February meeting the representative held elections for their officers. Each nominee gave a speech about why they would be the best candidate for the position. Some students came with prepared speeches and posters highlighting the reasons they should be elected for the position. Following the elections the incoming officers scheduled a date to meet to prepare for the next Governance meeting and review the roles they will take at the next meeting. 29 students were in attendance.

Staff provided facilitation support to two Area Board members as they prepared for the annual board retreat and completed their annual board member paperwork.

Goal #2:

Staff participated in three resource fairs. One was a transition fair held in Imperial Valley, materials were provided to 120 individuals with disabilities. 120 State Council brochures (50 Spanish), 30 conference registration forms, and 20 Think before You Speak brochures were distributed. The second resource fair was for the EFMP program. 20 State Council Area Board brochures, 15 IEP fact sheets and 6 IPP fact sheets were distributed to families at the event. The third resource fair was the San Diego Access Abilities Expo sponsored by Rady Children's Hospital, and 79 handouts regarding Area Board XIII, local office of the State Council on Developmental Disabilities were distributed.

Staff participates at the monthly Fiesta Educativa conference planning committee.

Attended 7 IEP meetings, the issues addressed were assessment reviews, service needs, assistive technology, and transition planning and eligibility of services for a day treatment school setting for mental health services. Staff is also working closely with an attorney in preparation to file Due Process. One positive outcome was that a student will have access to an I Pad for communication purposes during an extended trial period for both school and home use.

Technical support was given to 1 parent regarding ABA home services through the SDRC (issue resolved), and Technical support was also given to 1 family regarding reevaluation of IHSS. Service hours did not change resulting in parent satisfaction. Additionally, assistance was provided to a family with issues regarding treatment/placement of family member in licensed facility, assisted a family acquire records and evaluations to try to preserve least restrictive placement in public school, and

consulted with a local hospital to explore regional center intake services for a man who was hospitalized.

Participated in the implementation of two student led IEPs. While working with a transition teacher two students were identified and assisted to create documents that would guide them through the process in leading their own IEP. As a result of the meeting the student's parents and teacher both felt it was a better way to run the IEP meeting and parents felt the presentation of information was much easier to understand and the student had more input into his IEP. The second student identified will beginning the planning process in March.

Another student who was having difficulty with his attendance at school was assisted through the student led IEP process in hopes of creating a plan that would encourage him to participate in school and attend on a regular basis. Following the process which resulted in a schedule change it was reported he was attending school on a more regular basis. Unfortunately, he was still not at the attendance level that everyone would like to see him at.

Staff provided technical assistance in preparation for and at the mediation meeting with San Diego Regional Center regarding regional center eligibility.

Goal #3:

1. Entered 63 (for a total of 213) Adult Family Surveys (AFS) and 155 Family Guardian Surveys (FGS) for Orange County. Still need of 18 FGS from RCOC to meet goal. In San Diego/Imperial counties, entered 23 AFS surveys (for a total of 200) and 185 FGS into ODESSA thus meeting all goals.
2. Conducted required training on ODESSA and Adult Family Survey implementation to two interviewers.
3. Completed all needed "Mover" interviews for Orange County (total of 12).

Goal #5:

See "Highlight" above regarding training for emergency shelter workers regarding people with disabilities.

Goal #6:

The Transition Committee continues to meet and schedule trainings as well as a comprehensive web presence to share information and resources regarding transition.

Goal #13:

Participation in monthly CICA (CA IHSS Consumer Alliance) conference call for updates on what is happening across the state regarding IHSS.

Goal #14:

1. Serve as facilitator for governor appointed State Council Representative. Attended 3 Administrative Committee meetings, and Executive Committee meeting, MTARS Committee meeting, and SCDD meeting.

Issues or Concerns for State Council Consideration

Nothing new at this time.