



## COUNCIL MEETING NOTICE/AGENDA

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**REVISED**

**DATE:** Thursday, November 14, 2013

**TIME:** 10 a.m. – 5 p.m.

**LOCATION:** Hilton Arden West  
2200 Harvard Street  
Sacramento, CA 95815  
(916) 922-4700

*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](mailto:robin.maitino@scdd.ca.gov). Requests must be received by 5:00 pm, November 6, 2013.*

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1.	<b>CALL TO ORDER</b>	J. Aguilar
2.	<b>ESTABLISHMENT OF QUORUM</b>	J. Aguilar
3.	<b>WELCOME/INTRODUCTIONS</b>	J. Aguilar
4.	<b>PUBLIC COMMENTS</b> <i>This item is for members of the public only to provide comments and/or present information to the Council on matters <b>not</b> 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>	
5.	<b>APPROVAL OF SEPTEMBER MEETING MINUTES</b>	J. Aguilar 4

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

6.	<b>KERN REGIONAL CENTER COI WAIVER REQUEST</b>	J. Aguilar	10
7.	<b>PRESENTATION: PACIFIC ALLIANCE ON DISABILITY SELF-ADVOCACY</b>	Stacey Milbern	25
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9.	<b>NACDD DUES</b>	R. Newton	26
10.	<b>PPR REPORT</b>	R. Newton	
11.	<b>UPDATE ON FACILITATION</b>	R. Newton	
12.	<b>COMMUNITY OUTREACH</b>	J. Lewis	
13.	<b>COLLABORTIVE WORK WITH CECY</b>	O. Raynor	
14.	<b>FUTURE OF THE DEVELOPMENTAL CENTERS TASK FORCE REPORT</b>	K. Weller	
15.	<b>COMMITTEE REPORTS</b>		
	<b>A. Executive Committee</b>	J. Aguilar	
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	<b>B. Administrative Committee</b>	M. Kennedy	
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	<b>C. Legislative and Public Policy</b>	R. Ceragioli	
	i. Report of November 12, 2013 meeting		

ii. Adjustment to Provider Rates 60

**D. Program Development Committee** J. Lewis

- i. Report of November 5, 2013 meeting
- ii. Recommendations for Area Board Mini Grants
- iii. Recommendation for Second Year of Jay Nolan Grant

**E. Self-Advocates Advisory Committee** K. Williams

**F. Employment First Committee** K. Weller

- i. Explanation of Data Dashboard

**16. STAFF REPORTS**

A. Interim Executive Director R. Newton  
B. Deputy Directors M. Polit  
C. Area Board Executive Directors All 64

**17. COUNCIL MEMBER REPORTS AND COMMENTS** All

**18. NEXT MEETING DATE & ADJOURNMENT** J. Aguilar



**DRAFT**

**Council Meeting Minutes  
September 18, 2013**

**Members Present**

April Lopez  
Catherine Blakemore  
Dan Boomer  
David Forderer  
Eric Gelber  
Feda Almaliti  
Janelle Lewis  
Jennifer Allen  
Jonathan Clarkson  
Jorge Aguilar  
Kecia Weller  
Kerstin Williams  
Kris Kent  
Max Duley  
Molly Kennedy  
Olivia Raynor  
Patty O'Brien-Peterson  
Ray Ceragioli  
Rebecca Donabed  
Robin Hansen

**Members Absent**

Carmela Garnica  
Nicole Smith  
Robert Jacobs

**Others Attending**

Angela Lewis  
Anastasia Bacigalupo  
Carlyn Meshack  
Chris Arroyo  
Dawn Morley  
Dena Hernandez  
Holly Bins  
Joe Bowling  
Kyle Minnis  
Lynn Cach  
Mark Polit  
Mary Agnes Nolan  
Mary Ellen Stives  
Maureen Caraseti  
Melissa Corral  
Michael Brett  
Rocio Smith  
Roberta Newton  
Robin Maitino  
Ruby Villanueva  
Sarah May  
Vicki Smith

**1. CALL TO ORDER/ESTABLISHMENT OF QUORUM**

Jorge Aguilar, Chairperson called the meeting to order at 9:10 a.m. and a quorum was established.

**2. WELCOME AND INTRODUCTIONS**

Members and others attending introduced themselves.

**3. PUBLIC COMMENT**

Rocio Smith presented the Council with a picture collage on behalf of Congreso Familiar in appreciation for the support the Council provided them on August 10<sup>th</sup> by awarding a \$999 sponsorship that went towards family attendance.

**4. APROVAL OF JULY 2013 MEETING MINUTES**

It was moved/seconded (Hansen/Weller) and carried to approve the May 15, 2013, Council meeting minutes as amended. (1 abstention)

*Amendment*

- Adding Brian Gutierrez as present.

**5. JAY NOLAN COMMUNITY SERVICES GRANT REPORT**

Jay Nolan provided an in-depth presentation outlining the progress they have made since the grant began in February 2013. They not only had members of staff present but also presenters from Easter Seals.

**6. CLOSED SESSION – PERSONNEL**

The Council went into closed session.

**7. RECONVENE OPEN SESSION**

The following actions were reported in open session:

***Action 1***

It was moved/seconded and carried to offer the Executive Director position to Virginia Knowlton Marcus.

***Action 2***

It was moved/seconded and carried to authorize the Chair to negotiate the candidate's offer, including salary flexibility and authorize the Executive Committee to make the final approval of salary.

**Action 3**

It was moved/seconded and carried to re-engage in the search process with the Executive Committee and Search Ad-Hoc Committee if the current offer is not accepted and put forward any new and/or additional candidates.

**Action 4**

It was moved/seconded and carried to approve the appointment of Roberta Newton as Executive Director of Area Board 10 upon completion of her duties at Headquarters.

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

Kecia Weller was present at the August 9<sup>th</sup> task force meeting in Sacramento on behalf of the Council. Kevin MacDonald of the ARC gave a presentation on the future of services. The next meeting is October 22<sup>nd</sup>. For more information about the task force you may visit the web at [www.chhs.ca.gov](http://www.chhs.ca.gov).

**9. COMMITTEE REPORTS**

**a. Executive Committee**

Jennifer Allen provided a brief summary on the August 13<sup>th</sup> meeting.

**Facilitation Services**

Roberta Newton provided the Council with an update on the Facilitation Services proposal efforts stating that given the research that has been done and the legality of how services are delivered, the Council should consider using a payroll management company to deliver facilitation services.

It was moved/seconded (Kent/Kennedy) and carried to have Council staff consult with CalHR on this personnel issue.

**b. Administrative Committee**

Molly Kennedy provided a summary of the August 29, 2013 meeting stating that there are still issues around the DSS interagency

agreement but progress is being made. The Committee also continues to look at issues around funding for the last three years.

c. Legislative and Public Policy Committee

Ray Ceragioli provided an update on the Council's current supported legislation including the Employment First and Self-Determination bills.

d. Program Development Committee

The following action was taken on the Cycle 36 Area Board Mini Grants:

It was moved/seconded (Forderer/Ceragioli) and carried to adopt the Program Development Committee's recommendations for funding on Area Board 1, 2,4, 5, 7, and 8 proposals as well as the augmentation requested by Area Board 9 for a total funding amount of \$10,000.

Additionally, the Council referred Area Board 11's proposal back to the Program Development Committee for review.

Following some discussion on administrative overhead limits and the Committee's recommendation to limit the administrative overhead of program development grants to a maximum of 15% of the grant total, the below action was taken.

It was moved/seconded (Forderer/Kent) and carried to refer the recommendation for an administrative overhead limit back to the Program Development Committee to delineate the intent.

e. Self-Advocates Advisory Committee (SAAC)/Statewide Self-Advocacy Network (SSAN)

SAAC met on September 16, 2013. Roberta Newton provided the Committee with an update on the Facilitation RFP and they went over the Council packet to address any questions.

SSAN met on September 10-11, 2013 in Sacramento. Members received facilitation training from CAPC and completed the bylaws. SSAN also took a position of support on the employment first bill.

f. Employment First Committee (EFC)

Kecia Weller reported that after the May Council meeting, EFC wrote to DDS and EDD to request that they expand their analysis on Employment Data. At the next meeting they will have four of the leading supported employment providers in the State discussing the current challenges they come up against. Molly Kennedy and Jennifer Allen will also be speaking on sheltered workshops.

10. **SUPPORTED LIFE INSTITUTE SPONSORSHIP REQUEST**

It was moved/seconded (Forderer/Clarkson) and carried to approve the Supported Life Institute sponsorship request in the amount of \$999 to allow persons with developmental disabilities to participate in this event.

In addition to supporting this sponsorship request, the Council also began discussions about the need for a branding policy on all Council sponsored and produced materials. The following actions came out of that discussion:

It was moved/seconded (Raynor/Kennedy) and carried to request that the Executive Committee continue discussions on establishing a communication and branding policy at their next meeting.

It was moved/seconded (Kennedy/Hansen) and carried to request that the Administrative Committee review the current sponsorship policy.

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 UPDATES**

Jorge Aguilar thanked everyone for the good work they put in at the September 17 training and team building activity. He is looking forward to future exercises.

April Lopez encouraged everyone to send the Governor's Office letters of support for the bills on his desk.

Janelle Lewis announced two upcoming events for Families of Early Autism Treatment, one on September 18<sup>th</sup> at the Shriner's Hospital in Sacramento and one on October 16<sup>th</sup> at the Shriner's Hospital in Sacramento.

David Forderer announced the appointment of two new Area Board members.

Brian Gutierrez announced that he would be speaking on Autism on Saturday, September 21, 2013 in Orange County.

Feda Almati spoke about SB 26 at the Congreso Familiar conference.

Max Duley announced that on September 25<sup>th</sup> he will be having lunch with Assembly Member Frazier.

Jennifer Allen appreciated the Robert Rules of Order training received on September 17<sup>th</sup> and looks forward to her role as parliamentarian.

### 13. **ADJOURNMENT**

Meeting was adjourned at 5:05 p.m.

**DATE: SEPTEMBER 2011**  
**TO: ALL AREA BOARDS**  
**FROM: STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**  
**RE: REGIONAL CENTER REQUESTS FOR WAIVER OF CONFLICT OF INTEREST CRITERIA PROCESS**

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## **BACKGROUND**

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.

### **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:

1. 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.
2. An employee or member of the Council or area board,
3. 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.
4. 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:

5. 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.
6. 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.
7. When a governing board member is any individual described in WIC 4626.

#### **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, 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 wavier on behalf of the same individual before? If so, how long ago?
3. Upon evaluating the request, the area board shall take action to approve/deny the waiver request unless additional information is requested from RC.
4. Within 5 business days of taking action, the area board shall forward their analyses and action to the Council.
5. 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.
6. The Council shall submit their action to DDS within 5 business days.

# RAMONA PUGET

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



February 5, 2013

RECEIVED

FEB 12 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Please find enclosed a Conflict of Interest Reporting Statement for Ramona Puget. In the attached Conflict of Interest Reporting Statement, you will note that Ms. Puget is acknowledging her volunteer work with the organization Kern Autism Network (KAN). Ms. Puget is the President of this organization. It is noted that the Kern Autism Network is vendorized with Kern Regional Center for the sole purpose of funding an annual conference on autism. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization.

As a Kern Regional Center Board Member, Ms. Puget is responsible for voting on contracts over \$250,000.00. These contracts are developed by Kern Regional Center staff and presented to the Board for approval.

Ms. Puget's participation with KAN does present a potential Conflict of Interest and is requesting a waiver. Ms. Puget understands that she cannot participate in Board discussions regarding KAN services. Susan Lara, as President of the Board of Directors, will assure Ms. Puget does not violate this safeguard.

Ms. Puget understands that she is obligated to discharge her responsibilities as a Board Member with integrity and fidelity, and that her decisions must benefit the Regional Center and consumers. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services  
3200 N. Street • Bakersfield, California 93308  
TEL: (805) 833-1351

**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: Ramona Puget Regional Center: Kern

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 Status<sup>1</sup>

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.

<sup>1</sup> 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

*volunteer*

2. Do you or a family member<sup>2</sup> *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.

*- Kern Autism Network - Autism Society, President*  
*- Annual Conference on Autism for parents*

3. Do you or a family member own or hold a position<sup>3</sup> 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.

*- Kern Autism Network - Autism Society, President*  
*- Annual Conference on Autism for parents*  
*- no 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 explanation above.*

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.

<sup>2</sup> 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).  
<sup>3</sup> 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.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- 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 member<sup>4</sup>?  yes  no -- If yes, please explain.

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

*KRC board - over \$250K*

8. Do you have a financial interest in any contract<sup>6</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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.

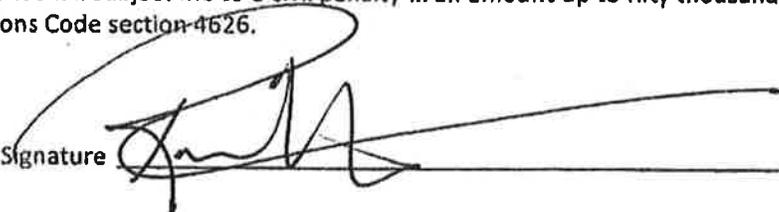
- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

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**

Ramona Puget (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 12/20/12

**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

ES

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Please find enclosed a Conflict of Interest Reporting Statement for Ramona Puget. In the attached Conflict of Interest Reporting Statement, you will note that Ms. Puget is acknowledging her volunteer work with the organization Kern Autism Network (KAN). Ms. Puget is the President of this organization. It is noted that the Kern Autism Network is vendorized with Kern Regional Center for the sole purpose of funding an annual conference on autism. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization.

As a Kern Regional Center Board Member, Ms. Puget is responsible for voting on contracts over \$250,000.00. These contracts are developed by Kern Regional Center staff and presented to the Board for approval.

Ms. Puget's participation with KAN does present a potential Conflict of Interest and is requesting a waiver. Ms. Puget understands that she cannot participate in Board discussions regarding KAN services. Susan Lara, as President of the Board of Directors, will assure Ms. Puget does not violate this safeguard.

Ms. Puget understands that she is obligated to discharge her responsibilities as a Board Member with integrity and fidelity, and that her decisions must benefit the Regional Center and consumers. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services, Bakersfield, California 93308

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

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Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services  
2201 N. State Avenue · Bakersfield, California 93308



State Council on Developmental Disabilities



STATE OF CALIFORNIA  
Edmund G. Brown Jr.  
Governor

• website • [www.scdd.ca.gov](http://www.scdd.ca.gov) • email • [council@scdd.ca.gov](mailto: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 9<sup>th</sup> 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 Kern Regional Center on behalf of Ms. Ramona Puget.

The Executive Committee reviewed Ms. Puget's conflict of interest plan. After careful consideration of the relevant materials, the Executive Committee took action to deny 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: Susan Lara, Chairperson, Kern Regional Center  
Vicki Smith, Executive Director, Area Board 12  
Joe Bowling, Executive Director, Area Board 8

*"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."*



State Council on Developmental Disabilities



STATE OF CALIFORNIA  
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(916) 443-4957 fax  
(916) 324-8420 TTY

August 30, 2013

Duane Law,  
Executive Director  
Kern Regional Center  
3200 North Sillect Avenue  
Bakersfield, CA 93308

Dear Mr. Law:

The Executive Committee of State Council on Developmental Disabilities (SCDD) re-considered the waiver request submitted by Kern Regional Center on behalf of Ms. Ramona Puget on August 13, 2013.

The Executive Committee initially reviewed Ms. Puget's conflict of interest statement on April 9, 2013 and denied the waiver request. After careful re-consideration of the relevant materials on August 13, 2013, the Executive Committee reaffirmed the denial of this waiver request based on the statutory conflict outlined in Welfare and Institutions Code Section 4626(b) (3) which provides that no regional center board member shall be, "an employee or member of the governing board of any entity from which the regional center purchases consumer services."

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

Sincerely,

A handwritten signature in blue ink that reads "Jorge Aguilar".

JORGE AGUILAR  
Chairperson

Bakersfield, California

October 25<sup>th</sup>, 2013

Roberta Newton  
Executive Director  
Board of Directors  
California State Council of Developmental Disabilities



Dear Madam:

It is my understanding that the Kern County Regional Center Board President, Susan Lara, and the Kern County Regional Center CEO, Duane Law, have requested to speak at the next SCDD Board Meeting on behalf of Ms. Ramona Puget in an attempt to obtain a waiver concerning her Conflict of Interest, so Ms. Puget can continue to be on the KCRC Board.

I am requesting on behalf of my child who is a KRC client that the SCDD Board NOT GRANT A WAIVER to Ms. Puget. If a waiver is granted every time there is a conflict of interest, exceptions will be made for certain people who have political support and/or influence; thus, the whole point of having a Conflict of Interest regulation becomes invalid. Making exceptions is not in the best interest of clients and it puts the SCDD Board in the awkward position of having to decide who gets the waiver and who does not.

Mrs. Lara is currently stopping other parents from joining the KCRC Board in hopes that she can influence the SCDD Board to obtain a waiver for her friend. This is completely inappropriate as there are other parents without conflict of interest who desire to join the board, including myself.

I am a mother of an autistic child, and as an English/Spanish Court Interpreter, I would be a great asset for the Kern County Board of Directors. There are other parents who also wish to have the opportunity to serve and have applied to join the KCRC Board. Please help us gain access to the KCRC Board by not allowing exceptions in the interest of fairness to all the parents that aspire to serve on the KCRC Board and do not pose any conflict of interest.

Sincerely,

Marlene Donahue

1101 Sayword Ct, Bakersfield, CA, 93312

Phone Number 661-9005156

E-mail: marlen\_perez@hotmail.com

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



July 31, 2013

Jorge Aguilar  
Chairperson  
State Council of Developmental disabilities  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811

Dear Mr. Aguilar,

We recently received your letter denying the waiver request of Ramona Puget. As President of the KRC Board, I am very saddened by this decision. Your letter stated you came to that conclusion after careful consideration of the relevant materials, but did you take into consideration the irreplaceable amount of knowledge of Autism that Mrs. Puget brings with her to our Board. She has served on the KRC Board for over a year now and is currently serving as Board Secretary.

Mrs. Puget has a passion for those served by Kern Regional Center because she first is a parent of two children with Autism. Because of her two children, she has strived to gain knowledge of Autism and the services available. Her knowledge of our regional center system throughout California is quite extensive and she has become so valuable to our Board when making the tough decisions and guiding our mission. She is also an amazing advocate for all with Autism and strives to share that experience with others through her completely volunteer status with Kern Autism Network (KAN), which is our local chapter of the National Autism Society. Her role as President of the Board of KAN is strictly as a volunteer, much like my role as KRC Board President. Mrs. Puget derives no income from KAN and is only a volunteer as with the rest of the Board of Directors of KAN, all 30 members. It is her experience from KAN and her constant advocating for other families that make her indispensable to our KRC Board.

Yes, KAN is a vendor of KRC, only for families to be able to attend the valuable conference put on by KAN. None of the money from KRC to KAN ever goes directly to Mrs. Puget. She is only a volunteer. And KAN does not have a large contract that will ever come before the KRC Board for a vote, so I do not see how this would pose as a conflict.

We have worked very hard to ensure our Board of Directors are composed of individuals with experience, unique skills and/or knowledge of developmental disabilities in accordance with the criteria defined in Section 4622 of the Welfare & Institutions Code. We strive to have representation that reflects the defined catchment area of Kern, Inyo and Mono counties and the unique characteristics that are reflective of our catchment area. Also, we are mindful to conform to the following criteria to include persons with legal, management, public relations, and developmental disability program skills.

For these very reasons, Mrs. Puget is vital as she is representative of several of the above areas as she is of Hispanic/Spanish decent, a parent of two KRC clients with firsthand experience of disabilities, management and legal experience and extensive knowledge our system. Please reconsider Mrs. Puget's waiver request and the years of valuable knowledge of Autism and our complex system that the KRC Board finds irreplaceable.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", with a long horizontal flourish extending to the right.

Susan Lara  
Board President, KRC Board of Directors

3200 No. Silect Avenue • Bakersfield, California 93308  
(661) 327-8531 • Fax (661) 324-5060 • TDD (661) 327-1251

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



July 30, 2013

Jorge Aguilar  
Chairperson  
State Council of Developmental Disabilities  
1507 21<sup>st</sup> Street suite 210  
Sacramento, CA 95811

Mr. Aguilar:

Recently Kern Regional Center received a letter from your office apprising us of the decision to deny the waiver request for the conflict of interest plan for Ramona Puget, our Board Secretary. We were stunned and concerned as to the rationale for this decision based on the waiver submitted. Ms. Puget is a valued member of our Board of Directors and a strong advocate for individuals in the community. We value her expertise to inform the Kern Regional Center Board of Directors on legal, autism-related and other service concerns. Ms. Puget is of Hispanic/Spanish decent and is the mother of two KRC clients. All of these factors are requirements for composition of our Board of Directors.

Ms. Puget does not gain financially from her role on the Board of Directors. The conflict of interest referenced in the Department of Developmental Services follow up letter states: "The noted conflict is that Ms. Puget is the President of Kern Autism Network, a KRC vendor that funds an annual conference on autism. Ms. Puget serves as a volunteer and receives no financial compensation." Based on this acknowledgement there does not appear to have an active conflict of interest relative to Ms. Puget's potential gain.

The routine nature of the declaration process and the disclosures provided indicate a diligence to compliance and monitoring by Kern Regional Center Board of Directors. The members of the Board have worked diligently over the past 16 months to enhance the Board's composition and capability. Ms. Puget is a critical component of the Board Executive Committee and her integrity is beyond reproach in her engagement with Board discussions and guidance to the Regional Center.

I appreciate the challenge of the review and determination process regarding conflict of interest and value the oversight to our governing bodies throughout the state. It is imperative that the system works to avoid overcompensating for the errors of the past by reacting to individuals who are forthright and supportive of our mission while they hold us all accountable for our fiduciary obligations. Ms. Puget is one of these individuals and her value to our Board of Directors is not conflicted by her service to the community through Kern Autism Network.

Sincerely,

A handwritten signature in black ink, appearing to read "Duane A. Law". The signature is fluid and cursive, with a long horizontal stroke at the end.

Duane A. Law, MA  
Chief Executive Officer

**Corral, Melissa@SCDD**

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**Subject:** FW: Autism Society Concern

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**From:** Scott Badesch, Autism Society [<mailto:sbadesch@autism-society.org>]  
**Sent:** Wednesday, July 31, 2013 2:57 PM  
**To:** Corral, Melissa@SCDD  
**Subject:** Fwd: Autism Society Concern

It is very important that the voice of those impacted by autism be part of your state and local governmental regional center advisory boards as well as developmental disability councils. It was therefore a great surprise to us at the Autism Society of America that Ms. Ramona Puget, a long time and very strong advocate for all people with disabilities, is being asked to resign based on your request and your conclusion that she has a conflict of interest, which we assume relates to her involvement with her local Autism Society.

I know that throughout the nation, as well as at the federal and state level, Autism Society volunteers are members of government councils such as your council. To help us advise Ms. Puget on this matter, we are encouraging her not to resign but rather seek the specific and legally authorized policy that determines that she has a conflict of interest. Both Ramona and I like to know what that conflict is and if your determination of such a conflict is duly authorized and approved by executive as well as legislative proper and legal decision making?

We can not allow an autism advocate to be asked to leave a government board without first having you provide Ms. Puget and us the written rule and justification defining how she has a conflict based on her conflict of interest statement. As the nation's best advocate for all impacted by autism, we also ethically and morally can't allow any decision to remove a strong and highly productive advocate from a governing body until such time you demonstrate written law or administrative properly developed rules that define the rationale or your request to remove her. Not seeing such rules, I would question if your intent is to remove an advocate representing one out of every 88 people in your state who live with autism from being heard and assisting your state enhance services and support to those you have a legal mandate to serve, I would welcome a quick written response to this email so we can advise Ramona on the actions she should take regarding this matter including seeking a review of your request by both the Governor's office as well as California Attorney General. If you choose not to respond, we will conclude you are in agreement with us that there is no law or other government consistent rule that defines Ms. Puget having a conflict of interest.

Sincerely,

Scott Badesch  
President/CEO  
Autism Society of America

Sent from my iPad. Please excuse spelling mistakes.

# Pacific Alliance on Disability Self-Advocacy

The **Pacific Alliance on Disability Self Advocacy** (PADSA), a project of the Autistic Self Advocacy Network, is a four-state technical assistance consortium focused on supporting local self-advocacy organizations. The Pacific Alliance is designed to provide technical assistance and mentoring to state and local self-advocacy organizations in California, Oregon, Washington, and Montana.

## Technical assistance priorities include:

- **assisting with grant writing** and securing more diverse funding sources for self-advocacy for state and local self-advocacy organizations;
- supporting self-advocacy groups to **develop by-laws and become incorporated** as formal non-profit 501(c)3 organizations;
- supporting self-advocacy groups in **welcoming and including people of color**;
- developing and implementing in each state **comprehensive needs assessments and state plans on enhancing the capacity** of the self-advocacy movement to promote meaningful change, including a strong emphasis on **data collection and management**;
- **facilitating and supporting progress in the development of local self-advocacy groups** according to state plans established by state leadership teams; and,
- supporting **leadership development and systems change training** for emerging leaders in the self-advocacy movement.

## To support these priorities, if funded the Pacific Alliance will include the following program features:

- funding to hire people with I/DD as part-time **state coordinators** in each state within the Alliance;
- assistance from ASAN project staff to successfully implement a **needs assessment** within each participating state, as well as develop and implement a **state plan** for enhancing the capacity of the self-advocacy movement;
- an annual week-long **leadership academy** for emerging and established leaders in the self-advocacy movement on community organizing, systems change, capacity-building and fundraising;
- a regularly updated and cognitively accessible **website and online community** focused on sharing best practices across states;
- availability of **ongoing mentorship** from ASAN project staff on all areas of technical assistance priorities; and,
- **Disability Advocacy White Board**, a periodic YouTube series modeled on the White House's White House White Board series, which will provide a monthly synopsis of key concepts in community organizing, disability policy and organizational capacity-building.

## **COUNCIL AGENDA ITEM DETAIL SHEET**

### **ISSUE: NACDD DUES**

#### **BACKGROUND:**

The Council has paid dues annually to the National Association of Councils on Developmental Disabilities (NACDD). The NACDD is a membership organization composed of all 57 State and territorial Councils. NACDD provides technical assistance to its member Councils through webinars, written publications, conferences, public policy events and site visits. In May 2013, the Council benefitted from a visit by NACDD Technical Assistance Manager Sheryl Matney.

#### **ANALYSIS/DISCUSSION:**

In response to the reduced allocation to the Councils as a result of sequestration, NACDD has lowered the expected dues for FY 2014 from FY 2013. In our case, the reduction is from \$22,638 to \$22,246. Nevertheless, the leadership of NACDD requested that Councils consider augmenting the requested 2014 dues to bring it up to the 2013 level so that they are able to manage their budgetary needs. In our case, that would only represent an increase of \$392.

Additionally, Councils have been asked to assist financially in supporting DD Suite which is the software program used by Councils to track and report to the AIDD on our state plan activities. DD Suite was developed and is managed by the Massachusetts State Council (MDDC). MDDC had until now relied in part on funding from AIDD to augment user fees paid by the Councils. That support is now reduced so Councils are being asked to step up with increased funds.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** Not applicable

**PREVIOUS ACTION:** Last year the Council paid \$22,638 in dues. Although the California Council has used DD Suite for the past two years, last year we provided no financial support because the invoice was lost during the departure of administrative staff and MDDC never followed up.

**RECOMMENDATION:** Staff recommends that the Council pay NACDD dues consistent with FY 2013, in the amount of \$22,638.

Staff further recommends that we support the use of DD Suite with a contribution of \$7,000 to MDDC. Those funds can be added to the NACDD dues for a total of contribution of \$29,638.

**ATTACHMENTS:** Chart of Council Allotments and Dues; invoice; letter from MDDC

**PREPARED:** Roberta Newton, October 16, 2013

**Maitino, Robin@SCDD**

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**To:** Newton, Roberta@SCDD  
**Subject:** RE: FY14 Member Dues



**TO:** NACDD Member Councils  
**FROM:** Marshall Jones, Mgr. Admin. Ops., NACDD  
**DATE:** August 30, 2013  
**RE:** FY14 Dues Invoices

Dear Executive Directors:

As a follow-up to Claire Mantonya's email addressing the FY14 dues, please provide the following information, so I may send the correctly prepared invoice to your council.

Paying only FY 14 Dues \_\_\_\_\_

Paying FY 14 Dues at the FY13 Rate \_\_\_\_\_

Contributing an additional amount? Contact [mjones@nacdd.org](mailto:mjones@nacdd.org) for information.

STATE/ TERRITORY	FY 12 ALLOTMENT	FY 13 ALLOTMENT	FY 13 DUES	0.0085 of first \$500K 500,000	0.008 of next \$500K \$1 M	0.0075 of next \$500K \$1.5 M	0.0065 of next \$500K \$2 M	0.003 of next \$500K \$2.5 M	0.002 of next \$500K \$3 M	0.0015 of next \$2 M \$5 M	0.001 Amount Over \$5 M	FY 14 DUES	CHANGE FROM FY 13	CHANGE FROM FY 12 TO FY 13	TWO YEAR CHANGE
<b>California</b>	<b>6,898,078</b>	<b>\$ 6,496,150</b>	<b>\$22,638</b>	<b>\$4,250</b>	<b>\$4,000</b>	<b>\$3,750</b>	<b>\$3,250</b>	<b>\$1,500</b>	<b>\$1,000</b>	<b>\$3,000</b>	<b>\$1,496</b>	<b>\$22,246</b>	<b>(\$392)</b>	<b>(\$16)</b>	<b>(\$408)</b>
Texas	5,084,078	\$ 4,794,740	\$20,834	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$2,692		\$20,442	(\$392)	(\$12)	(\$404)
New York	4,355,559	\$ 4,107,730	\$19,783	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$1,662		\$19,412	(\$371)	(\$16)	(\$387)
Florida	3,710,543	\$ 3,499,415	\$18,816	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$749		\$18,499	(\$317)	(\$13)	(\$330)
Pennsylvania	3,137,182	\$ 2,958,678	\$17,956	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$917			\$17,667	(\$289)	(\$11)	(\$300)
Ohio	2,858,499	\$ 2,695,852	\$17,467	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$392			\$17,142	(\$325)	(\$13)	(\$338)
Illinois	2,626,795	\$ 2,477,331	\$17,004	\$4,250	\$4,000	\$3,750	\$3,250	\$1,432				\$16,682	(\$322)	(\$12)	(\$334)
Michigan	2,586,883	\$ 2,439,721	\$16,924	\$4,250	\$4,000	\$3,750	\$3,250	\$1,319				\$16,569	(\$355)	(\$12)	(\$367)
Puerto Rico	2,501,126	\$ 2,364,288	\$16,752	\$4,250	\$4,000	\$3,750	\$3,250	\$1,093				\$16,343	(\$409)	(\$2)	(\$411)
Georgia	2,164,614	\$ 2,041,448	\$15,744	\$4,250	\$4,000	\$3,750	\$3,250	\$124				\$15,374	(\$370)	(\$15)	(\$385)
North Carolina	2,118,636	\$ 1,998,086	\$15,606	\$4,250	\$4,000	\$3,750	\$3,238					\$15,238	(\$368)	(\$15)	(\$383)
New Jersey	1,582,970	\$ 1,492,899	\$12,539	\$4,250	\$4,000	\$3,697						\$11,947	(\$592)	(\$24)	(\$616)
Tennessee	1,512,170	\$ 1,426,128	\$12,079	\$4,250	\$4,000	\$3,196						\$11,446	(\$633)	(\$23)	(\$656)
Virginia	1,498,451	\$ 1,416,470	\$11,988	\$4,250	\$4,000	\$3,124						\$11,374	(\$614)	(\$4)	(\$618)
Indiana	1,494,093	\$ 1,409,080	\$11,956	\$4,250	\$4,000	\$3,068						\$11,318	(\$638)	(\$26)	(\$664)
Arizona	1,476,807	\$ 1,392,777	\$11,826	\$4,250	\$4,000	\$2,946						\$11,196	(\$630)	(\$26)	(\$656)
Louisiana	1,408,289	\$ 1,328,158	\$11,312	\$4,250	\$4,000	\$2,461						\$10,711	(\$601)	(\$25)	(\$626)
Massachusetts	1,400,096	\$ 1,320,431	\$11,251	\$4,250	\$4,000	\$2,403						\$10,653	(\$598)	(\$24)	(\$622)
Alabama	1,372,331	\$ 1,294,246	\$11,042	\$4,250	\$4,000	\$2,207						\$10,457	(\$585)	(\$24)	(\$609)
Wisconsin	1,358,035	\$ 1,280,763	\$10,935	\$4,250	\$4,000	\$2,106						\$10,356	(\$579)	(\$24)	(\$603)
Missouri	1,298,680	\$ 1,224,785	\$10,490	\$4,250	\$4,000	\$1,686						\$9,936	(\$554)	(\$22)	(\$576)
Wisconsin	1,298,680	\$ 1,224,785	\$10,490	\$4,250	\$4,000	\$1,686						\$9,936	(\$554)	(\$22)	(\$576)
Kentucky	1,267,881	\$ 1,195,739	\$10,259	\$4,250	\$4,000	\$1,468						\$9,718	(\$541)	(\$22)	(\$563)
Washington	1,254,427	\$ 1,183,050	\$10,158	\$4,250	\$4,000	\$1,373						\$9,623	(\$535)	(\$22)	(\$557)
South Carolina	1,137,865	\$ 1,073,121	\$9,284	\$4,250	\$4,000	\$548						\$8,798	(\$486)	(\$20)	(\$506)
Minnesota	1,022,921	\$ 966,956	\$8,422	\$4,250	\$3,736							\$7,986	(\$436)	(\$2)	(\$438)
Maryland	1,005,825	\$ 950,796	\$8,294	\$4,250	\$3,606							\$7,856	(\$438)	(\$2)	(\$440)
Mississippi	960,915	\$ 906,239	\$7,937	\$4,250	\$3,250							\$7,500	(\$437)	(\$18)	(\$455)
Colorado	911,313	\$ 859,459	\$7,541	\$4,250	\$2,876							\$7,126	(\$415)	(\$16)	(\$431)
Oklahoma	895,172	\$ 846,197	\$7,411	\$4,250	\$2,770							\$7,020	(\$391)	(\$3)	(\$394)
Oregon	828,909	\$ 781,744	\$6,881	\$4,250	\$2,254							\$6,504	(\$377)	(\$16)	(\$393)
Arkansas	797,737	\$ 752,346	\$6,632	\$4,250	\$2,019							\$6,269	(\$363)	(\$15)	(\$378)
West Virginia	785,041	\$ 740,372	\$6,530	\$4,250	\$1,923							\$6,173	(\$357)	(\$15)	(\$372)
Iowa	772,384	\$ 730,126	\$6,429	\$4,250	\$1,841							\$6,091	(\$338)	(\$2)	(\$340)
Connecticut	722,584	\$ 681,469	\$6,031	\$4,250	\$1,452							\$5,702	(\$329)	(\$13)	(\$342)
Utah	676,092	\$ 637,622	\$5,659	\$4,250	\$1,101							\$5,351	(\$308)	(\$12)	(\$320)
Kansas	613,166	\$ 579,619	\$5,155	\$4,250	\$637							\$4,887	(\$268)	(\$2)	(\$270)
New Mexico	508,321	\$ 479,397	\$4,317	\$4,321								\$4,321	\$4	(\$9)	(\$5)
Nevada	497,304	\$ 469,007	\$4,237	\$4,227								\$4,227	(\$10)	(\$8)	(\$18)
Alaska	477,688	\$ 451,553	\$4,060	\$3,838								\$3,838	(\$222)	(\$10)	(\$232)
D.C.	477,688	\$ 451,553	\$4,060	\$3,838								\$3,838	(\$222)	(\$10)	(\$232)
Delaware	477,688	\$ 451,553	\$4,060	\$3,838								\$3,838	(\$222)	(\$10)	(\$232)

Hawaii	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	0
Idaho	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	3
Maine	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
Montana	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
Nebraska	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
New Hampshire	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
North Dakota	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
Rhode Island	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
South Dakota	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
Vermont	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
Wyoming	477,688	\$ 451,553	\$4,060	\$3,838						\$3,838	(\$222)	(\$10)	(\$232)
American Samoa	248,766	\$ 235,156	\$2,115	\$1,999						\$1,999	(\$116)	(\$4)	(\$120)
Guam	248,766	\$ 235,156	\$2,115	\$1,999						\$1,999	(\$116)	(\$4)	(\$120)
N Mariana Islands	248,766	\$ 235,156	\$2,115	\$1,999						\$1,999	(\$116)	(\$4)	(\$120)
Virgin Islands	248,766	\$ 235,156	\$2,115	\$1,999						\$1,999	(\$116)	(\$4)	(\$120)
	74,774,408	70,554,801	\$501,419							\$481,888	(\$19,531)	(\$712)	(\$20,243)

Dues anticipated to be unpaid **(\$17,667)**  
Projected FFY 14 Dues **\$464,221**

- Dues Formula Adopted 7/24/11**
1. All Councils pay a percentage on each increment of allotment, with the percentage declining for each subsequent increment.
  2. All Councils pay the same rate within each increment.



*Commonwealth of Massachusetts*  
*Massachusetts Developmental Disabilities Council*

*1150 Hancock Street, Third Floor Suite 300*  
*Quincy, MA 02169-4340*

*DEVAL L. PATRICK*  
*GOVERNOR*

*JULIE M. FITZPATRICK*  
*CHAIRPERSON*  
*DANIEL M. SHANNON*  
*EXECUTIVE DIRECTOR*

September 6, 2013

Dear Colleagues:

I am writing to solicit your financial support for DD Suite for FFY 14. As you may be aware, for the past three years we have received funding for DD Suite through a subcontract of TA funds from NACDD. These funds provided sufficient support for us to manage the entire system and provide technical assistance to all users. The most significant benefit was that we did not have to solicit additional support from other Councils.

In FFY 2013, we were informed by AIDD that they will no longer allow TA subcontract funds to be used for the data management component of DD Suite, which includes grants, council activities; performance measures, and related functions and reports. They will allow TA contract funds to be used only for work related to the AIDD dashboard, Program Performance Reports, State Plans, and user functions that affect all users (administration, Council user accounts, etc.).

I have included a DD Suite budget delineating our projected costs for FFY 14, with a comparison to FFY 13. I have also included a list of enhancement requests made by Councils for the data management component of DD Suite. This list does not include additional enhancements identified by our technical staff. In FFY 13 the TA subcontract provided \$200,000. In FY 14 we anticipate that to be \$185,000 or less. We have reduced overall costs this year by \$41,000, eliminating one staff position and shifting some additional duties to a contractor. The increases in other direct costs will be covered by the MA DD Council, and we are seeking an additional \$65,307 to cover the costs for technical staff contractors to continue to develop data management enhancements and provide technical assistance on grants and related components.

If you are in a position to support the project there are two options available. NACDD has included DD Suite as an option for providing additional support through your NACDD dues payment. You may also provide support directly to the MA Council through whatever contracting/invoicing mechanism meets your needs.

We are truly grateful for the support that many of you have provided to this initiative, and look forward to continuing this great partnership. If you wish to discuss this matter in more detail, do not hesitate to contact me at your convenience. Thank you.

Sincerely,

Dan



*(617) 770-7676 (Voice)*  
*(617) 770-9499 (TTY)*  
*(617) 770-1987 (Facsimile)*

<b>DD Suite FY 14 Budget</b>				<b>FY 14</b>	<b>AIDD</b>	<b>MDDC</b>	<b>OTHER</b>	<b>FY 13</b>
<b>Personnel</b>	<b>Basis</b>	<b>Rate</b>	<b>Hours</b>	<b>FY 14</b>	<b>AIDD</b>	<b>MDDC</b>	<b>OTHER</b>	<b>FY 13</b>
TA Contract Salaries	Current Salaries	-	585	\$29,587	\$29,587	\$0	\$0	\$67,296
Fringe Benefits	Negotiated Fed Rate	26.26%	-	\$7,770	\$7,770	\$0	\$0	\$17,484
Payroll Taxes	Negotiated Fed Rate	1.42%	-	\$420	\$420	\$0	\$0	\$956
Indirect	Negotiated Fed Rate	9.40%	-	\$2,781	\$2,781	\$0	\$0	\$6,326
<b>Total Staff</b>				<b>\$40,558</b>	<b>\$40,558</b>	<b>\$0</b>	<b>\$0</b>	<b>\$92,062</b>
<b>Technical Contractors</b>	<b>Basis</b>	<b>Rate</b>	<b>Hours</b>	<b>FY 14</b>	<b>AIDD</b>	<b>MDDC</b>	<b>OTHER</b>	<b>FY 13</b>
Contractor Salaries	State Contract Rate	-	4576	\$171,142	\$112,211	\$0	\$58,931	\$166,850
Payroll Taxes	Negotiated Fed Rate	1.42%	-	\$2,430	\$1,593	\$0	\$837	\$2,369
Indirect	Negotiated Fed Rate	9.40%	-	\$16,087	\$10,548	\$0	\$5,539	\$15,683
<b>Total Contractors</b>				<b>\$189,659</b>	<b>\$124,352</b>	<b>\$0</b>	<b>\$65,307</b>	<b>\$184,902</b>
<b>Supplies</b>	Cost			<b>\$1,000</b>	<b>\$500</b>	<b>\$500</b>	<b>\$0</b>	<b>\$1,000</b>
<b>Other Direct Costs</b>	<b>Basis</b>	<b>Rate</b>	<b>Units</b>	<b>FY 14</b>	<b>AIDD</b>	<b>MDDC</b>	<b>OTHER</b>	<b>FY 13</b>
RackSpace Web Svcs.	Current Mo. Rate	\$800.00	12	\$9,600	\$8,541	\$1,059	\$0	\$6,960
Space Occupancy	Current Rental Rate	\$32.50	320	\$10,400	\$6,819	\$3,581	\$0	\$6,819
Laptop Lease	Actual ITD Charge	\$1,500.00	3	\$4,500	\$2,951	\$1,549	\$0	\$4,500
ITD User Accts.	Actual ITD Charge	\$650.00	3	\$1,950	\$1,279	\$671	\$0	\$1,950
<b>Total Other Direct</b>				<b>\$26,450</b>	<b>\$19,590</b>	<b>\$6,860</b>	<b>\$0</b>	<b>\$20,229</b>
<b>PROJECT TOTALS</b>				<b>\$257,667</b>	<b>\$185,000</b>	<b>\$7,360</b>	<b>\$65,307</b>	<b>\$298,193</b>

## List of Requested Data Management Enhancements as of August 31, 2013

477	Members of the public viewing grants	General/Other
476	Authorizing a user	Grantee Admin.
475	User Account - two different e-mails	Grantee Admin.
466	Archive Projects & Delete Users	Local Admin.
446	Dates for Grantee Reports not in the correct order	Grantee Reports
445	Clone Grant enhancement request	Grant Mgmt.
434	Changing criteria for cloning from 'accepted' to 'submitted'	General/Other
428	Duplicate Solicitation Number Causes Problems	Grant Mgmt.
422	Pulling Performance Measure Data into PPR from Previous PPR Year	PMs
413	Add new council members and staff	Local Admin.
390	Notice of On-Line Users for Councils	Local Admin.
382	Imported PMs including all prior PMs from all projects	PMs
365	Application Attachment Limits	NOFA
320	Streamline buttons for completed/accepted applications	Applications
311	Grantees switching to a different organizations	Grantee Admin.
310	Simplifying required fields process when creating a new NOFA	Grant Mgmt.
283	Adding Personnel/Fringe lines to budget after grant approval	Grant Mgmt.
257	Changing User Access Control list for grantees	Local Admin.
214	Enhancing Auto-message features	State Plan
212	Choosing Multiple Objectives for Council Activities/Grants	General/Other
204	Enhance ability to add council committee/workgroup	General/Other
202	Rounding budget line total amounts	Grantee Reports
201	Auto e-mail improvements	State Plan
198	Improved print features	State Plan
186	Simplify deleting an organization	Grant Mgmt.
171	Needed enhancements when Requesting Clarifications	Applications
169	Add in a delete link [x] for Council Reporting Dates	Local Admin.
158	Add feature to allow grantees to enter quarterly update on project.	Grantee Reports
144	Show state plan goals and objectives in the staff activity report	Council Activities
142	Emails for key project staff.	Grantee Admin.
134	Enhance task notifications when Multiple Staff Responsible for Grants	Grant Mgmt.
67	Enhancement: Budgets: hitting the return key closes the program	Budgets
52	Improve Manual Grant Process	Grant Mgmt.
29	Improve grantee user login	Login

**DRAFT**  
**Executive Committee Meeting Minutes**  
**October 2, 2013**

**Attending Members**

Janelle Lewis  
Jennifer Allen  
Jorge Aguilar

Molly Kennedy  
Olivia Raynor  
Ray Ceragioli

**Members Absent**

Kecia Weller

**Others Attending**

Lynn Cach  
Melissa Corral  
Nancy Dow  
Robin Maitino  
Roberta Newton  
Mark Polit

1. **Call to Order**

Jennifer Allen called the meeting to order at 1:35 p.m. and established a quorum present.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Approval of August 2013 Minutes**

It was moved/seconded (Aguilar/Kennedy) and carried to approve the August 13, 2013, Executive Committee meeting minutes as presented. (1 abstention)

4. **Public Comments**

There were no public comments.

5. **Closed Session**

Pursuant to Government Code Section 11126 (a)(1) the Committee went into closed session.

6. **Reconvene Open Session**

Announcement of action taken during closed session:

It was moved/seconded (Kennedy/Aguilar) and carry to hold a joint meeting with the Ad Hoc Search and Executive Committee's along with Pam Derby , CPS to: 1) look at resumes and 2) Strategize about pursuing other avenues of recruiting additional candidates for the Executive Director position.

7. **Conflict of Interest Waivers**

The Committee revisited the waiver request for Jack Padilla with the phone presence of regional center staff/board members. The following action was taken:

***Reconsideration of Jack Padilla:***

It was moved/seconded (Kennedy/Aguilar) and carried to approve the reconsideration of the Jack Padilla waiver request from Inland Regional Center. (1 oppose, 1 abstention)

8. **Area Board 11 Mini Grant**

It was moved/seconded (Aguilar/Kennedy) and carried to refer the School of Continuing Education, North Orange County Community College District mini-grant application back to the area board and Program Development Committee for further details. (1 abstention)

9. **California Transition Alliance Sponsorship Request**

It was moved/seconded (Lewis/Kennedy) and carried to award \$999 to the California Transition Alliance to allow advocates and additional consumers to attend. (1 abstention)

Additionally, Olivia Raynor engaged in discussion regarding this organization and the phenomenal work they are doing and encouraged the Committee to provide them with additional funding.

10. **Person Center Services, Inc. Sponsorship Request**

Because the most recent 2011 Sponsorship Policy was not approved by the full Council, the Committee took the following action based on the approved 2009 Sponsorship Policy:

It was moved/seconded (Kennedy/Aguilar) and carried to award \$999 to Person Centered Services. (2 abstentions)

11. **Administrative Committee Update**

Molly Kennedy provided a summary of the October 2, 2013, Administrative Committee meeting stating that the Committee has accomplished a great deal since its reestablishment. The Committee is still working on new administrative polices, HQ and area board budget reporting, and spending.

There was also discussion about SCDD fiscal affairs. Molly expressed concern that the SCDD is considering increasing expenses when the budget is so tight. Jorge and Olivia opined that a modest increase in the Executive Director's compensation could attract additional candidates and not unduly overwhelm the budget.

It was moved/seconded (Aguilar /Kennedy) and carried to investigate whether or not CalHR/Governor's Office could increase the Executive Director salary without an applicant.

12. **Employment First Update**

In Kecia Weller's absence, this item was pushed to the Council meeting.

13. **Communication and Branding Policy**

The was some discussion regarding the need for guidance and/or direction on the use of the SCDD logo as well as proper credit given to our agency when SCDD and its area boards sponsor events, produce informational sheets, etc. Since this would be a policy and/or procedure that would need developed, the Administrative Committee would take charge of this. Once complete, the Administrative Committee would submit it to the Executive Committee for approval consideration.

14. **2014 Meeting Dates**

It was moved/seconded (Aguilar/Ceragioli) and carried to accept the 2014 Council/SAAC Meeting dates as presented.

## 15. **Future Agenda Items**

The Committee requested that the following be included on future agenda's:

- SAAC Discussion at next Executive Committee meeting
- Clarification on Sponsorship Policy (Admin to develop)
- Financial information to be required of grant applicants (PDC to develop)

## 16. **November Council Agenda**

The November Council meeting agenda will include:

- Committee Reports
- Under Administrative Committee include: Quarterly Budget Report item, FISMA item, and List of Contracts item.
- Staff Reports
- NACDD Dues
- PPR Report
- Update on Facilitation
- Collaborative Work with CECY
- Community Outreach
- Possible Closed Session

## 17. **Adjournment**

Chair Jennifer Allen adjourned the meeting at 4:25 pm.

## Maitino, Robin@SCDD

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**From:** Newton, Roberta@SCDD  
**Sent:** Wednesday, October 30, 2013 3:30 PM  
**To:** Maitino, Robin@SCDD  
**Subject:** FW: Request for sponsorship

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**From:** Sue Sawyer [<mailto:suesawyer@att.net>]  
**Sent:** Wednesday, October 30, 2013 2:44 PM  
**To:** Newton, Roberta@SCDD  
**Cc:** May, Sarah@SCDD; Liz Zastrow  
**Subject:** Request for sponsorship

Hi Roberta, I am following up on an email that was sent to you by Sarah May. I am working with a team of transition experts throughout the state of California to develop the Secondary Transition Institute: Build a Bridge to the Future. We appreciate the support the council has recently provided. Olivia Raynor advised me that additional sponsorship funding is available through the Council and we are seeking clarification on how to proceed.

One of the strengths of the Institute is the involvement of youth (ages 16-25) to play leadership roles at the event. We have invited individuals with ID to perform and to inform by participating in a breakout session. We are offering them an opportunity to be vendors for their microbusiness enterprises. We are also pleased that the CECY grant is hosting five breakout sessions that focus on Integrated Competitive Employment.

We have identified needs in these areas:

parent participation from a parent information center, travel money to pay for the chartered bus to bring consumers, hotel and registration costs for consumers, youth sessions recorded, support for micro business attending for travel costs. Are these the type of costs that could be covered through a sponsorship from the Council?

Thank you so much for guiding us through this process. Sue

MEMORANDUM

**TO:** Jorge Aguilar, Chair  
California State Council on Developmental Disabilities

**FROM:** Pam Derby  
CPS HR Consulting

**DATE:** October 7, 2013

**SUBJECT:** Executive Director Recruitment – Salary Adjustment

Over the past few months, CPS HR Consulting has been assisting the Council in its recruitment of an Executive Director. In this effort, advertisements were placed with the National Association of Councils on Developmental Disabilities, the Association of University Centers on Disabilities, the National Disability Rights Network, the Administration on Intellectual and Developmental Disabilities, The Arc of California, The ARC, ExecSearches.com, Public Service Careers, and the American Public Human Services Association and we personally reached out to 221 developmental disability professionals to apprise them of the position and ascertain whether they may have an interest or know of other qualified candidates.

The response to these efforts was marginal and yielded a total of 30 candidates. Three of those candidates were interviewed by the Council and only one brought the background or credentials the Council was looking for. Unfortunately, the chosen candidate is already making almost 20% more than the top of the Executive Director's salary range to run a much smaller organization. While the candidate is desirous of returning to California, after careful consideration, the candidate determined that given the top of the salary range, California's higher cost of living and the state's inability to offer relocation assistance made it impossible for the candidate to accept the position.

The feedback received during the outreach portion of the recruitment indicated two main areas of concern:

- *The stated monthly compensation range of \$8,976-\$9,709 is not commensurate with the significant job duties and workload (including size of staff) or the cost of living in the Sacramento area. The low end of the range seemed to be particularly concerning and an annual range of \$125,000 - \$140,000 appeared to make the job much more palatable and commensurate with other agencies of the Council's size.*
- *The Council has experienced some 'turmoil' and that did make some candidates reluctant; however, it was noted that those concerns would be overcome with a salary adjustment.*

CPS HR is happy to continue efforts to recruit for the Executive Director position, however, we are concerned that without a salary adjustment, we will not be able to provide the Council with the highly qualified candidates needed to fill this critical position.

Executive Director Salary Chart - Updated, July 2013

Council	2011		2013		No Change	No Update	FY 13 Allotment	Delta within pay range
	Base of Range	Top of Range	Base of Range	Top of Range				
Tennessee	47,484	75,972	71,208	128,304			1,426,128	1 57,096
Illinois	51,540	126,000	51,540	126,000	x		2,477,331	2 74,460
Texas	74,118	122,294	74,899	123,517			4,794,740	3 48,618
Massachusetts	76,110	110,930	76,110	121,416			1,320,431	4 45,306
Arizona	78,000	78,000	81,900	121,416			1,392,777	5 39,516
District of Columbia	88,000	120,000	88,000	120,000	x		451,553	6 32,000
<b>California</b>	102,380	110,741	107,712	116,508			<b>6,496,150</b>	7 8,796
New York	62,900	114,000	62,900	114,000	x		4,107,730	8 51,100
Virginia	53,510	109,818	53,510	109,818	x		1,416,470	9 56,308
Mississippi	45,000	70,000	60,174	106,964			906,239	10 46,790
Pennsylvania	70,318	106,876	70,318	106,876	x		2,958,678	
Louisiana	99,500	99,500	101,000	101,000			1,328,158	
Alaska	98,043	98,043	81,909	98,043			451,553	
Hawaii	68,328	97,272	68,328	97,272	x		451,553	
Connecticut	75,653	97,032	75,653	97,032	x		681,469	
Washington	47,000	76,200	52,800	96,900			1,183,050	
Florida	90,000	95,000	90,000	95,000	x		3,499,415	
North Dakota	35,904	59,832	56,496	94,152			451,553	
Maryland	57,000	91,000	57,626	92,521			950,796	
Ohio	68,000	92,000	68,000	92,000	x		2,695,852	
Kansas	75,760	75,760	75,000	90,000			579,619	
Colorado	72,000	80,000	72,000	90,000			859,459	
Georgia	90,000	90,000	90,000	90,000	x		2,041,448	
Idaho	48,661	89,502	48,661	89,502	x		451,553	
North Carolina	48,654	80,901	49,238	81,872			1,998,086	
Delaware	47,029	75,543	54,017	81,025			451,553	
New Mexico	90,000	90,000	80,000	80,000			479,397	
New Hampshire	57,935	79,775	57,935	79,775	x		451,553	
Oklahoma	47,016	75,941	47,016	75,941	x		846,197	
Missouri	44,340	73,704	46,584	75,912			1,294,246	
Maine	75,000	75,000	75,000	75,000	x		451,553	
Nevada	49,694	74,082	49,694	74,082	x		469,007	
Wyoming	60,000	65,000	72,000	72,000			451,553	
Wisconsin	52,737	87,017	70,000	70,000			1,224,785	
Kentucky	54,000	66,000	54,000	66,000	x		1,195,739	
South Dakota	37,523	56,284	37,523	56,284	x		451,553	
Guam	53,432	53,432	55,274	55,274			235,156	
American Samoa	40,000		43,000	43,000			235,156	
CNMI	48,000	48,000				x	235,156	
Montana	60,000	70,000				x	451,553	

Executive Director Salary Chart - Updated, July 2013

Council	2011		2013		No	No	FY 13
	Base of Range	Top of Range	Base of Range	Top of Range	Change	Update	Allotment
California	102,380	110,741	107,712	116,508			6,496,150
Texas	74,118	122,294	74,899	123,517			4,794,740
New York	62,900	114,000	62,900	114,000	x		4,107,730
Florida	90,000	95,000	90,000	95,000	x		3,499,415
Pennsylvania	70,318	106,876	70,318	106,876	x		2,958,678
Ohio	68,000	92,000	68,000	92,000	x		2,695,852
Illinois	51,540	126,000	51,540	126,000	x		2,477,331
Michigan	67,000	91,000				x	2,439,721
Puerto Rico						x	2,364,288
Georgia	90,000	90,000	90,000	90,000	x		2,041,448
North Carolina	48,654	80,901	49,238	81,872			1,998,086
New Jersey	45,000	92,000			x		1,492,899
Tennessee	47,484	75,972	71,208	128,304			1,426,128
Virginia	53,510	109,818	53,510	109,818	x		1,416,470
Indiana	46,878	46,878				x	1,409,080
Arizona	78,000	78,000	81,900	121,416			1,392,777
Louisiana	99,500	99,500	101,000	101,000			1,328,158
Massachusetts	76,110	110,930	76,110	121,416			1,320,431
Missouri	44,340	73,704	46,584	75,912			1,294,246
Alabama	59,818	91,265				x	1,280,763
Wisconsin	52,737	87,017	70,000	70,000			1,224,785
Kentucky	54,000	66,000	54,000	66,000	x		1,195,739
Washington	47,000	76,200	52,800	96,900			1,183,050
South Carolina	45,000	70,000			x		1,073,121
Minnesota	62,911	90,515				x	966,956
Maryland	57,000	91,000	57,626	92,521			950,796
Mississippi	45,000	70,000	60,174	106,964			906,239
Colorado	72,000	80,000	72,000	90,000			859,459
Oklahoma	47,016	75,941	47,016	75,941	x		846,197
Oregon	42,456	62,820				x	781,744
Arkansas	37,743	60,390				x	752,346
West Virginia	37,140	68,712			x		740,372
Iowa	61,298	94,270			x		730,126
Connecticut	75,653	97,032	75,653	97,032	x		681,469
Utah	27.63/hour	41.51/hour	27.63/hr	41.51/hr	x		637,622
Kansas	75,760	75,760	75,000	90,000			579,619
New Mexico	90,000	90,000	80,000	80,000			479,397
Nevada	49,694	74,082	49,694	74,082	x		469,007
Alaska	98,043	98,043	81,909	98,043			451,553
Delaware	47,029	75,543	54,017	81,025			451,553

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## Exempt Salary Chart

July 2007

Exempt Category	Level Definitions	Salaries in Statute		DPA Established Exempt Salaries				Civil Service Excluded		
		Monthly Salary	Annual Salary	Monthly Min.	Monthly Max.	Annual Min.	Annual Max.	Level Definition	Mnthly Min.	Mnthly Max.
I. Management Positions:										
A.	Cabinet	11,881.83	142,582		14,583.33		175,000			
	All Others at Level A			11,376	-	12,305	136,512	-	147,660	
B.	Tier II Department Director	11,144.33	133,732	11,913.75	-	12,509.33	142,965	-	150,112	
	All Others at Level B			10,672	-	11,544	128,064	-	138,528	
C.	Chair - Major Boards	10,652.75	127,833	10,202	-	11,033	122,424	-	132,396	
	Member - Major Boards	10,324.75	123,897	9,885	-	10,694	118,620	-	128,328	Legal & Medical 13,381
D.	Major Chief Dep. (CEA V Equiv.)			9,755	-	10,549	117,060	-	126,588	CEA V 9,544 - 10,520
E.	Tier I Department Director	9,833.08	117,997	11,346.33	-	11,913.67	136,156	-	142,964	
	All Others at Level E			9,416	-	10,183	112,992	-	122,196	
F.	CEA IV Equivalent			9,215	-	9,968	110,580	-	119,616	CEA IV 9,018 - 9,939
G.	Ex. Officers, Major Boards			8,976	-	9,709	107,712	-	116,508	
	Chair - Medium Boards	9,341.58	112,099	8,945	-	9,673	107,340	-	116,076	
H.	Maj. Dept. Deputy Director			8,785	-	9,502	105,420	-	114,030	CEA III 8,594 - 9,475
	Small DD & Mbr. Med. Bds.	9,013.92	108,167	8,630	-	9,332	103,560	-	111,984	
I.	Asst. Agency Secretary I			8,369	-	9,053	100,428	-	108,636	
J.	Asst. Director (Line Program)			7,984	-	8,634	95,808	-	103,608	CEA II 7,815 - 8,616
K.	Asst. Agency Secretary II			7,616	-	8,237	91,392	-	98,844	
L.	CEA I Equivalent			7,261	-	7,852	87,132	-	94,224	CEA I 6,173 - 7,838
M.	SSM III Equivalent			6,922	-	7,485	83,064	-	89,820	SSM III 6,779 - 7,474
N.	SSM II/III Equivalent			6,605	-	7,143	79,260	-	85,716	
O.	SSM II Equivalent			6,297	-	6,811	76,564	-	81,732	SSM II (M) 6,173 - 6,808
II. Non-management Positions										
										SSM II (S) 5,576 - 6,727
P1.				6,155	-	6,458	73,860	-	77,496	
P2.	SSM I (Supervisory) Equiv.			5,831	-	6,155	69,972	-	73,860	SSM I 5,079 - 6,127
P2A	SSM I (Non-supervisory)			5,594	-	5,831	67,128	-	69,972	
P3.				5,339	-	5,594	64,068	-	67,128	
P4.	Assoc./AA II Level			4,424	-	5,339	53,088	-	64,068	Assoc./AA 4,400 - 5,348
P5.	SSA - Rg. C/AA I			3,676	-	4,424	44,112	-	53,088	SSA - Rg. C 3,658 - 4,446
P6.	SSA - Rg. B			3,071	-	3,676	36,852	-	44,112	SSA - Rg. B 3,050 - 3,708
P7.	SSA - Rg. A			2,821	-	3,350	33,852	-	40,200	SSA - Rg. A 2,817 - 3,426
P8.	Mgt. Svcs. Tech.			2,402	-	2,821	28,824	-	33,852	MST - Rg. A 2,495 - 3,034
P9.	(Grad) Student Assistant			2,079	-	2,402	24,952	-	28,824	GSA - Rg. A 1,799 - 2,284
Q1.	Executive Secretary II			3,299	-	4,008	39,588	-	48,096	Ex. Sec. II 3,288 - 3,996
Q2.	Executive Secretary I			2,956	-	3,755	35,484	-	45,060	Ex. Sec. I 3,020 - 3,672
Q3.	Secretary			2,630	-	3,261	31,440	-	39,132	Secretary 2,686 - 3,265

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# DRAFT



State Council on Developmental Disabilities



STATE OF CALIFORNIA

Edmund G. Brown Jr.  
Governor

• website • [www.scdd.ca.gov](http://www.scdd.ca.gov) • email • [council@scdd.ca.gov](mailto:council@scdd.ca.gov)

1507 21st Street, Suite 210  
Sacramento, CA 95811

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

October 30, 2013

Debbie Baldwin  
Executive Compensation Manager  
CalHR  
515 "S" Street, North Building, Suite 400  
Sacramento CA 95811-7258

Dear Ms. Baldwin:

The State Council on Developmental Disabilities (SCDD) is an independent state agency established by federal and state law that advocates, promotes and implements policies and practices that achieve self-determination, independence, productivity, and inclusion in all aspects of community life for Californians with developmental disabilities and their families. The State Council (Council) consists of 31 voting members, all of whom are appointed by the Governor.

This letter serves as SCDD's request that CalHR consider changing the currently assigned exempt salary level of the Executive Director position from exempt level G to C. It should be noted that we are seeking this adjustment largely due to difficulties in our nationwide recruiting effort for this critical vacant position.

It should be further noted that the State Council's membership has directed staff to submit this request because of their experience during the past four months in unsuccessfully attempting to fill the position of Executive Director.

In May 2013, the SCDD entered into a contract with CPS HR Consulting (CPS) to provide executive recruitment services leading to the employment of a new Executive Director. CPS has a stellar reputation in California State Government, having recruited the CEO of the California Board of Equalization, the CEO of the High-Speed Rail Authority, and the EO of the Board of Registered Nursing, to name just a few.

According to Pam Derby, the senior recruiter assigned to SCDD, CPS placed advertisements with eight national developmental disability/human services organizations as well as personally contacted 221 professionals in our field (See attached memorandum from Pam Derby). Ms. Derby described the response to this recruitment as "marginal" in that it yielded only 30 candidates, of which only four

*"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."*

individuals were felt to have sufficient qualifications to even interview. The candidate ultimately chosen has declined the offer as her current salary is nearly 20% higher than the top of the Exempt Level G range. It should be noted that the applicant is a respected professional in our field who is the current Executive Director of an equivalent agency that is one third the size of the SCDD.

Ms. Derby indicated that many potential applicants declined to apply for the position because the compensation is viewed as inadequate for the significant scope of duties, the complexity and size of the SCDD and the cost of living in Sacramento.

Further, the salary range for the SCDD Executive Director is not comparable to other State Councils or other similar organizations. Although California is by far the largest of all State Councils on Developmental Disabilities, the salary for its Executive Director is only the 7<sup>th</sup> highest in the country (see attached chart). It should be noted that California received the highest allotment of federal funds (\$6,496,150) with the next highest state, Texas, receiving \$4,794,740. Too, California's Council is far more complex than other Councils in its staffing, projects and state as well as federal obligations.

Unlike other State Councils which generally have from 3-10 employees, the California Council employs 89 employees in 13 regional offices in addition to the Sacramento Headquarters. Per the requirements of the federal Administration on Intellectual and Developmental Disabilities, our funding source, the SCDD is responsible for implementing the goals, objectives and initiatives contained in its State Plan (see attachment). Additionally, Welfare & Institutions Code 4520 et seq. lays out other mandates of the Council. That includes but is not limited to implementation of two Interagency Agreements with the Department of Developmental Services, one that deploys staff to the state's five state developmental centers/state operated facilities to ensure that residents get appropriate and timely treatment; the other is to conduct large-scale surveying of people with developmental disabilities and their family members (4,000 per year) to gauge their satisfaction with services received. No other State Council has the breadth of responsibility that California does. Accordingly, the Council needs a chief executive with an equivalent breadth of experience.

In addition to the aforementioned issues of the Executive Director's scope of responsibility and comparisons of equivalent positions nationally, there is additionally a salary compaction issue within the Council staffing. The attached exhibit "Listing of Exempt Positions" includes the Senior Legal Counsel position which as of July 1, 2013 has a salary range of \$7,682-\$9,857. The incumbent is currently earning the maximum monthly salary of \$9,857. Were the Executive Director position to remain at Exempt

Debbie Baldwin  
Page 2  
October 30, 2013

Level G, effective 7/1/13 after applying the 3% longevity pay increase, the salary range would be \$8,976-\$10,000. Comparative analysis of the top step of these two positions reveals that the Executive Director's monthly salary only exceeds that of the Senior Legal Counsel by \$143 (\$10,000 - \$9,857) or 1.5%. In order to establish the generally accepted standard of a 10% to 15% differential between managers and staff reporting through them in an organization, the exempt level of the Executive Director position would need to be changed from G to C.

In conclusion, we look forward to working with you and your staff in establishing a satisfactory compensation structure that will allow the Council to successfully recruit a well qualified Executive Director to strengthen and advance our organization. Please contact me at (916) 322-8481 for further information or discussion.

Sincerely,

ROBERTA NEWTON  
Interim Executive Director

cc: Lisa McVay  
Raquel Belmontes  
Angelina Snarr  
Jorge Aguilar

Attachments

# Exempt Position Request

Instructions: Complete and send through the agency (if appropriate) to the Appointments Unit of the Governor's Office who will forward it to CalHR. An advance copy should be sent to CalHR.

## I.a. Appointee Information

Proposed Appointee <b>Exempt Level Adjustment Request</b>	Effective Date <b>Pending</b>	Salary	Salary Range	Level
--	----------------------------------	--------	--------------	-------

If the appointee is currently a state employee:

Class Code	Current Salary Rate	Current Employing Department

## I.b. Exempt Pay Scale Information

Current Information and Proposed Changes, if any: (Current information is available on Controller's CSP Screen or the CalHR P.I.E.)

	Schem Code	Class Code	Title				
Current:	EG00	5090	Interim Executive Director, State Council on Developmental Disabilities				
Proposed:			Executive Director, State Council on Developmental Disabilities				
	Salary Range	Exempt Level	Authority/Entitlement	VWG	MCR	CBID	Footnotes
Current:	\$8,976-\$10,000	G	E/WI4551	E	None	E99	
Proposed:	\$10,202-\$11,364	C					

New exempt class based on new legislation (attach a copy of the legislation).

New exempt class based on the conversion of a civil service managerial position under Gov. Code 12010.6.

If new conversion, Civil Service Class to be Converted

Position Number

### Definitions of Commonly Used Appointing Authorities

C - Constitution Officer or Appointee (Not Gov. or Lt. Gov.)

F - Governor's (or Lt. Gov.'s) Appointee

D - Board or Commission Member

G - Appointee of a Governor's Appointee

E - Appointee of a Board or Commission

### Modified Classification Review (MCR):

NONE Review required when refilled.

I No review required.

### CBID:

E97 Confidential

E98 Supervisory

E99 Managerial

E79 Managerial Specialist (Non-supervisory)

## I.c. Requesting Department

Requester's Title	Department	
Requester's Signature	Telephone Number	Date

## II. Agency Approval

Name and Title of Approving Official <b>Roberta Newton, Interim Executive Director</b>	Agency Name <b>State Council on Developmental Disabilities</b>	
Signature of Approving Official	Telephone Number <b>(916) 322-8481</b>	Date <b>10/21/13</b>

## III. Governor's Office Approval (Send to Appointments Unit, Attn. Lisa McVay)

(For CalHR Use Only)

Comments:	
Name and Title of Approving Official <b>Lisa McVay, Appointments Administrator</b>	Telephone Number <b>445-4541</b>
Signature of Approving Official	Date

**State of California  
 State Council on Developmental Disabilities  
 Office of the Executive Director  
 Executive Director  
 DUTY STATEMENT**

Employee Name:	Classification: Executive Director	Exempt Level: G	Position Number: 792-100-5090-001
Unit: Office of Executive Director		Division: Headquarters	
Position Appointment Date:			

The State Council on Developmental Disabilities (SCDD) is an independent state agency mandated by federal and state law to pursue systemic change, capacity building, advocacy to promote a consumer and family-based system of services, and supports for people with developmental disabilities. The goal of the federal law is to enable individuals with developmental disabilities (self-advocates) to maximize their self-determination, independence, productivity, and community integration and inclusion. The State Council (Council) consists of 31 voting members, all of whom are appointed by the Governor. The Executive Director, as the leader of SCDD's Executive Management Team, helps the Council fulfill its specific mandates under the Federal Developmental Disabilities Assistance and Bill of Rights Act (Title 42, USC 15001 *et seq.*) and the Lanterman Developmental Disabilities Act (Welfare and Institutions Code 4500 *et seq.*).

The Executive Director serves as the chief advisor to the State Council (Council). The Executive Director is responsible for overseeing the implementation of Council policy. The Executive Director provides leadership and direction to ensure necessary support for the Council in developing policies, adopting plans, conducting system monitoring, systemic change and capacity building, and generally advocating for persons with developmental disabilities. The Executive Director represents the Council with the Governor's Office, the Legislature and other State, Federal and local agencies. The Executive Director serves as Clerk of the Council. The Executive Director oversees the statewide operations of SCDD which includes staff located in a headquarters office and 13 regional offices. The Executive Director is appointed by and serves at the will of the Council.

**A. Job Duties:**

- 30% Policy Development, Planning and Coordination - Serves as chief executive advisor to the 31 member Council. Keeps the Council informed regarding Council statutory responsibilities. Develops, recommends, coordinates with and represents the Council's positions regarding policy development and implementation. Provides oversight and direction for development of the SCDD Strategic Plan, California Developmental Disabilities State Plan and all other Council responsibilities.
- 30% Policy Implementation and Advocacy - Provides leadership and direction to ensure policies and practices are consistent with statutory rights and responsibilities, including the implementation and administration of Division 4.5 of the Welfare and Institutions Code and Public Law 106-402. Coordinate with Protection and Advocacy, Inc., the University Centers for Excellence and other agencies and organizations.
- 30% General Administration and Management– Provides overall guidance and leadership to staff of the SCDD.
- 10% Clerk of the Council - Provides leadership and ensures the business of the Council is conducted in accordance with open meeting and other state and federal laws.

**B. Supervision Received:**

The Executive Director is appointed by and reports to the Council. The Executive Director receives general guidance from the Council. Unlike the typical department that has an Agency Secretary, the Council reports directly to the Governor. The Executive Director must exercise the judgment of a Cabinet level position.

**C. Supervision Exercised:**

The Executive Director provides general direction to a Chief Deputy Director/Deputy Director of Administration, Deputy Director of Area Board Operations, a Deputy Director of Policy and Planning, a Senior Legal Counsel, an Executive Assistant, and a Staff Services Manager I on matters pertaining to equal employment opportunity and labor relations.

**D. Administrative Responsibility:**

The Executive Director has overall responsibility for all Council operations.

**E. Personal Contacts:**

The Executive Director interacts with the Governor's Office, high level governmental officials, members and staff of the California Legislature, Council Members, State Agencies, vendors, contractors, interested individuals and organizations, and the media and general public.

**F. Actions and Consequences:**

The Executive Director is critical to the success of the organization, since this position assumes overall responsibility for Council operations. Without this service, the Council would not have a single position to coordinate its responsibility to ensure compliance with State and Federal laws.

**G. Other Information:**

The Executive Director must provide direction to the Council in compliance with all State and Federal laws and requirements applicable to the Council. The Executive Director must have general understanding of organizational theory and general understanding of fiscal, administrative, and personnel management of a State agency. The Executive Director must be able to effectively lead, coordinate, review and evaluate staff efforts to implement Council directives. The Executive Director must be able to monitor, research, analyze, develop and promote strategic public policy and long range plans; articulate policy and plans in writing and orally for logical persuasion; develop effective and constructive working relationships with the Governor's office, State and Federal departments, key legislators and legislative staff, and other public officials. The Executive Director must be able to accurately represent and implement the Council's policy directions and maintain a professional staff relationship with the Council Members. The Executive Director must be able to represent the Council and the Council's official positions/actions to a variety of agencies, organizations, groups and individuals. The Executive Director must have a broad knowledge of the system of services and supports for individuals with developmental disabilities and their families. The Executive Director must have the ability to comprehend programmatic and fiscal policy issues related to persons with developmental disabilities and their families. The Executive Director

**G. Other Information - continued:**

must have general knowledge of major federal and state laws affecting services for persons with developmental disabilities; have general knowledge of the federal and state legislative process; work professionally and effectively with consumers, families, and consumer groups; facilitate consensus among diverse interest groups. The Executive Director must demonstrate respect for and the ability to communicate effectively with individuals who are developmentally disabled and their families. The Executive Director must be free to work extended hours and travel.

4100 - State Council on Developmental Disabilities  
 Listing of Exempt Positions As of October 1, 2013  
 Fiscal Year 2013-14

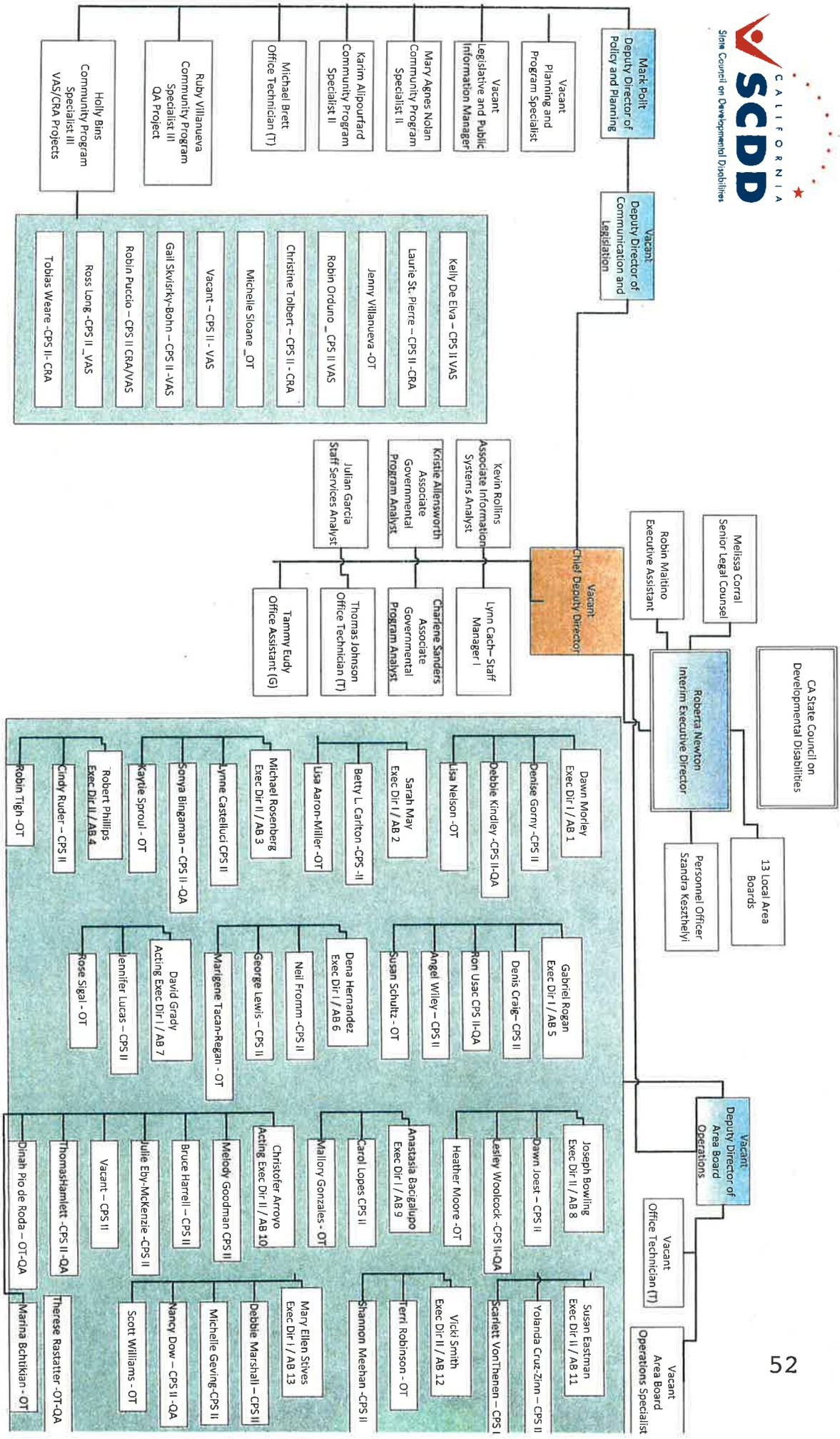
<u>Incumbent</u>	<u>Position Number</u>	<u>Classification</u>	<u>October 1, 2013</u>		<u>Comments</u>
			<u>Exempt Level</u>	<u>Salary Range*</u>	
Newton, Roberta	792-100-5090-001	Interim Executive Director	G	\$8,976 - \$10,000	Council Appointee
Corral, Melissa**	792-100-5795-001	Senior Legal Council (Staff Council III)**	**	\$7,682 - \$9,857	Civil Service**
Vacant	792-100-3095-001	Chief Deputy Director	K	\$7,616 - \$8,484	Governor Appointee
Vacant	792-100-0619-001	Deputy Director, Comm & Legislation	N	\$6,605 - \$7,357	Governor Appointee
Polit, Mark	792-100-3094-001	Deputy Director, Policy & Planning	J	\$7,984 - \$8,893	Governor Appointee
Vacant	792-100-0618-001	Planning & Program Specialist	P2A	\$5,661 - \$6,006	Governor Appointee
Vacant	792-100-9440-001	Legislative Specialist	P4	\$4,424 - \$5,499	Governor Appointee
Area Board Operations:					
Vacant	792-114-0342-001	Deputy Director for Area Board Ops	L	\$7,261 - \$8,088	Governor Appointee
Morley, Dawn	792-101-5098-001	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***
May, Sarah	792-102-5098-001	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***
Rosenberg, Michael	792-103-5099-001	Executive Director II	N	\$6,605 - \$7,357	Council Appointee***
Phillips, Robert	792-104-5099-001	Executive Director II	N	\$6,605 - \$7,357	Council Appointee***
Rogin, Gabriel	792-105-5098-001	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***
Hernandez, Dena	792-106-5098-002	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***
Grady, David	792-107-5098-001	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***
Bowling, Joseph	792-108-5099-001	Executive Director II	N	\$6,605 - \$7,357	Council Appointee***
Bacigalupo, Anastasia	792-109-5098-001	Executive Director II	O	\$6,297 - \$7,015	Council Appointee***
Vacant****	792-110-5099-001	Executive Director I	N	\$6,605 - \$7,357	Council Appointee***
Eastman, Susan	792-111-5099-001	Executive Director II	N	\$6,605 - \$7,357	Council Appointee***
Smith, Vicky	792-112-5099-001	Executive Director II	N	\$6,605 - \$7,357	Council Appointee***
Slives, Mary Ellen	792-113-5098-005	Executive Director I	O	\$6,297 - \$7,015	Council Appointee***

\*Salary ranges are as reflected on DPA's "Exempt Salary Chart" dated July 2007, updated to reflect July 1, 2013 longevity pay adjustment.

\*\* This position, supervised by the Executive Director, is displayed on this schedule for salary comparison only. As reflected above, the top step of the Executive Director salary range exceeds the top step of the Staff Council III's by \$143 (\$10,000 - \$9,857) or 1.5%.

\*\*\*Nominated by the members of the Area Board, appointed by the Executive Director, and approved by the State Council.

\*\*\*\*Roberta Newton was appointed Interim Executive Director in Headquarters effective February 12, 2013.



DRAFT

**Administrative Committee Meeting Minutes  
October 2, 2013**

**Attending Members**

Brian Gutierrez  
David Forderer  
Kris Kent  
Molly Kennedy  
Ray Ceragioli

**Members Absent**

**Others Attending**

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

1. **Call to Order**  
Molly Kennedy called the meeting to order at 2:05 p.m. and established a quorum present.
2. **Welcome and Introductions**  
Members and others introduced themselves.
3. **Approval of August 2013 Minutes**  
It was moved/second (Ceragioli/Gutierrez) and carried to approve the August 29, 2013 minutes as presented. (1 abstention)
4. **Public Comments**  
There were no public comments.
5. **Continued Discussion of Rollover Funds & Delegated Spending Authority**  
Ed Steele was present to continue the discussion and provide an explanation on rollover funds and how dollars are expended. He stated that there is a negative funding gap between the amount we are authorized to spend by the approved Governor's Budget and the actual dollars we receive from the Federal Government that are available to spend. The gap exists because the amount appropriated in the Governor's Budget process is adjusted each year to consider inflationary cost increases while in recent years the Federal funds we receive do not. Additionally, Federal funds have been further reduced due

to the Sequester cuts. SCDD is currently able to sustain solvency primarily due to the savings generated by unfilled Exempt Headquarters positions.

Molly Kennedy requested that the Committee look at vacancies come January 2014 for possible cost savings.

6. **Update on DSS Administrative Support Services**

Kris Kent and Roberta Newton reported that they still continue to be in negotiation with DSS and are moving closer to an agreement. They will keep the Committee updated on the progress.

7. **Conflict of Interest, Sponsorship, and Related Policies**

Melissa Corral provided current draft and/or final policies to the Committee for review. While draft and/or final policies were provided on Incompatible Activities and Council Member Policy for Representation at Outside Events, the Committee only took action on the Incompatible Activities policy as stated below. There was no new action taken on the Council Member Policy for Representation at Outside Events since it has already been adopted by the Council. Melissa also provided background material which included old policies. Among them was a "Draft" SCDD COI Policy for Grants. The Committee requested that this item be put on the agenda at a future meeting for more discussion.

It was moved/second (Kent/Ceragioli) and carried to recommend that the "Draft" Incompatible Activities Policy be forwarded to the Executive Committee for approval.

8. **2012-14 Area Board Line Item Budgets**

Roberta Newton went of the area board line item budgets that were included in the packet. Roberta explained that there was a change to a few of the area board's budgets due to the elimination of QA positions. The funds were transferred to Area Board 5 and 10.

9. **List of 2013-14 Contracts**

Roberta Newton provided list of all contracts and service orders as of July 1, 2013 under \$10,000 to the Committee. The Committee decided moving forward, that staff is to provide the Administrative Committee with "informational only reports" of any new contracts/service orders under \$5,000 while taking anything over \$5,000 to the full Council for approval.

10. **Transition Report**

Roberta Newton has requested that all area board Executive Director's prepare and submit Transition Reports to her prior to the new Executive Director's (ED) start date in order to provide as much information and transparency to the ED. A due date will be set for this assignment once a start date is determined.

11. **Year-End Activities**

Roberta reported that MTARS has been delayed due to the Government Shutdown. She is currently working on the 2013 FISMA report and expects to have it completed mid-October. The PPR report is also being prepared and will be ready before year-end.

Some of the achievements this Committee plans on having completed by year-end are: Conflict Polices; DSS Interagency Agreement; and area board quarterly budgets.

12. **Schedule Next Meeting**

The next meeting was set for November 21, 2013 at 2:00 pm.

13. **Adjournment**

Molly Kennedy adjourned the meeting at 3:20 pm.

**2013-14 EXPENDITURE REPORT**

4100 State Council on Developmental Disabilities

July 1, 2013 -- September 30, 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	\$1,187,567	\$252,812	21%	\$469,831	\$91,045	19%	\$1,657,398	\$343,857	21%
Community Program Development Grant	\$0			\$727,000	\$1,062	0%	\$727,000	\$1,062	0%
Area Board 1									
* BSG	\$194,257	\$38,855	20%	\$57,230	\$9,760	17%	\$251,487	\$48,615	19%
* QA	\$140,120	\$34,581	25%	\$52,520	\$5,404	10%	\$192,640	\$39,985	21%
Area Board 2									
* BSG	\$243,378	\$63,366	26%	\$53,997	\$10,599	20%	\$297,375	\$73,965	25%
Area Board 3									
* BSG	\$211,156	\$37,707	18%	\$82,187	\$16,100	20%	\$293,343	\$53,807	18%
* QA	\$143,378	\$35,845	25%	\$59,800	\$10,054	17%	\$203,178	\$45,899	23%
Area Board 4									
* BSG	\$285,905	\$69,852	24%	\$63,281	\$7,425	12%	\$349,186	\$77,277	22%
* CRA	\$242,634	\$59,224	24%	\$50,595	\$5,346	11%	\$293,229	\$64,570	22%
Area Board 5									
* BSG	\$294,729	\$56,834	19%	\$88,469	\$3,451	4%	\$383,198	\$60,285	16%
* QA	\$141,491	\$29,132	21%	\$77,329	\$514	1%	\$218,820	\$29,646	14%
Area Board 6									
* BSG	\$213,606	\$56,359	26%	\$69,491	\$13,645	20%	\$283,097	\$70,004	25%
* QA	\$141,791	\$39,103	28%	\$52,652	\$5,298	10%	\$194,443	\$44,401	23%
Area Board 7									
* BSG	\$272,172	\$78,463	29%	\$91,286	\$19,262	21%	\$363,458	\$97,725	27%
* QA	\$0	\$0		\$0			\$0	\$0	
Area Board 8									
* BSG	\$294,153	\$57,704	20%	\$69,368	\$8,654	12%	\$363,521	\$66,358	18%
* CRA	\$361,594	\$71,583	20%	\$80,000	\$210	0%	\$441,594	\$71,793	16%
Area Board 9									
* BSG	\$262,811	\$49,137	19%	\$90,000	\$14,598	16%	\$352,811	\$63,735	18%

	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
<b>Area Board 10</b>									
* BSG	\$335,639	\$63,064	19%	\$80,037	\$15,342	19%	\$415,676	\$78,406	19%
* QA	\$358,837	\$91,567	26%	\$231,675	\$55,042	24%	\$590,512	\$146,609	25%
* CRA	\$234,895	\$99,890	43%	\$27,913	\$1,595	6%	\$262,808	\$101,485	39%
<b>Area Board 11</b>									
* BSG	\$276,528	\$84,506	31%	\$88,011	\$15,275	17%	\$364,539	\$99,781	27%
* CRA	\$211,434	\$51,716	24%	\$22,838	\$2,941	13%	\$234,272	\$54,657	23%
<b>Area Board 12</b>									
* BSG	\$155,324	\$44,769	29%	\$69,000	\$9,330	14%	\$224,324	\$54,099	24%
* QA	\$135,143	\$35,995	27%	\$56,800	\$8,880	16%	\$191,943	\$44,875	23%
* CRA	\$170,520	\$27,859	16%	\$20,300	\$839	4%	\$190,820	\$28,698	15%
<b>Area Board 13</b>									
* BSG	\$259,668	\$61,136	24%	\$99,481	\$16,907	17%	\$359,149	\$78,043	22%
* QA	\$141,791	\$25,773	18%	\$65,685	\$14,334	22%	\$207,476	\$40,107	19%
<b>All Area Boards</b>									
* BSG	\$3,299,326		0%	\$1,001,838		0%	\$4,301,164	\$0	0%
* QA	\$1,202,551		0%	\$596,461		0%	\$1,799,012	\$0	0%
* CRA	\$1,221,077		0%	\$201,646		0%	\$1,422,723	\$0	0%



July 26, 2013

To: All Agency and Department Heads

**Subject: Financial Integrity and State Manager's Accountability Act Requirements**

The Financial Integrity and State Manager's Accountability (FISMA) Act (Government Code sections 13400-13407) requires the heads of state agencies and departments to establish and maintain a system of internal accounting and administrative control within their organizations. Executive management is responsible for documenting the system, communicating the system requirements to employees, assuring that the system is functioning as designed, and monitoring and modifying the system as changes in conditions warrant. Additionally, executive management in each agency is required to be involved in identifying risks which may prevent them from meeting their goals and objectives, and describing the actions they have taken to eliminate or reduce the risks identified.

Your organization has been identified as being subject to the FISMA requirements. As such, you are required to conduct an internal review of your organization's risks and internal accounting and administrative controls. In addition, you must prepare a written report which evaluates the adequacy of your organization's system of internal controls.

This letter serves as a reminder that your report is due to the Director of Finance, the Legislature, the California State Auditor's Office, the Governor's Office, the State Library, the State Controller's Office, the State Treasurer's Office, and the Attorney General by December 31, 2013.

For further instructions on how to complete your organization's 2013 report, or other inquiries related to the FISMA requirements, please refer to Finance's FISMA website at <http://www.dof.ca.gov/osae/fisma/> or contact Susan Botkin, Audit Manager, at (916) 322-2985, extension 3158.

Sincerely,

ANA J. MATOSANTOS  
Director

### **2013-14 SCDD Contracts**

1. Pathways Facilitation Services (Team Building Facilitator) - \$4,900 – Executive Committee approved in concept
  2. Christopher R. Thompson, MD (Employee Personnel Matter)- \$5,250.
  3. CAPC (Self-Advocacy Support) - \$155,844 – SCDD approved
  4. CAPC (Facilitation Training) -- \$1,500 – service order, not a contract
  5. CPC (Personnel Consultants) -- \$4,920 – Executive Committee approved
  6. Friends of Californians with Disabilities (YLF) - \$9,999 --SCDD approved
  7. Gerald Rucker Consulting (rollover contract, personnel investigations as needed) -- \$9,999
  8. Sanitorial Janitorial ---\$3,564 – Area Board 2 janitorial service
- 

### **Area Board Mini Grants**

1. Enriching Lives- \$10,000-Area Board 1- SCDD approved
2. AMJaMB, Beyond Inclusion- \$9,895- Area Board 2 – SCDD approved
3. Kidpower Teenpower Fullpower - \$7,500- Area Board 4- SCDD approved
4. North Bay Housing Coalition - \$2,500- Area Board 4 – SCDD approved
5. Housing Coalition of the East Bay (HCEB) -\$10,000 – Area Board 5- SCDD approved
6. Hope Services - \$10,000- Area Board 7- SCDD approved
7. Kern Assistive Technology Center - \$10,000- Area Board 8- SCDD approved
8. PathPoint - \$10,000- Area Board 9- SCDD- approved

## **AGENDA ITEM DETAIL SHEET**

### **Rate Adjustments**

**ISSUE:** Need for adjustment to provider rates to compensate for recent changes in law and regulation

**SUMMARY:** In the next two years, providers will see increased labor costs due an increase in the state minimum wage, US Department of Labor rule change on overtime for in-home supports, and the implementation of the Affordable Care Act (ACA). Should the Council support increases in provider rates to help compensate for these increased labor costs?

**COUNCIL STRATEGIC PLAN GOALS/OBJECTIVES:** Goal #14: Public policy in California promotes the independence, productivity, inclusion and self-determination of individuals with developmental disabilities and their families

**PRIOR COUNCIL ACTIVITY:** N/A

**BACKGROUND:** Three changes in law and regulation will increase labor costs for many regional center provider agencies: (1) In September, Governor Brown signed into law an increase in the state minimum wage from \$8 per hour today to \$9 per hour, effective July 1, 2014, and to \$10 per hour, effective Jan. 1, 2016. (2) The US Department of Labor enacted a rule change to the Fair Labor Standards Act that narrows the applicability of the “companionship exemption” to federal minimum wage and overtime protections. Effective January 1, 2015, most in home direct care workers will be entitled to receive federal minimum wage and overtime pay protections. These workers were already protected by state minimum wage laws, but California Wage Order 15 exempted many of them under state law from overtime protections. The DOL rule change will over-ride any California exemption. (3) The ACA requires employers with 50 or more employees to purchase health insurance for their employees or pay a fine for each eligible employee not covered.

**ANALYSIS/DISCUSSION:** After over a decade of rate freezes, regional center providers generally operate close to the margin. Reports from around the state indicate a decline in service quality and the availability of services. The three changes in law and regulation will significantly increase costs for many providers. For example, group homes typically pay direct support workers at or close to minimum wage. The increase in minimum would lead to a 20% increase in labor costs for a worker currently

getting paid minimum wage. For agencies who compensate their workers above minimum wage, say at \$10-\$12/hour, their pay scale will be suddenly less competitive compared to fast food and other low wage industries. The effects of the DOL rule change would impact primarily supported living agencies and In-Home Supports Services.

After years of budget cuts and program limitations, there are many candidates for the use of new state revenues and an increase in regional center budgets: Suspended services, cap on respite hours, eligibility limits for early start, limits on reimbursements for co-pays, and many more. Compensating for increasing labor costs is just one item competing for limited resources. However, it is a new item, and one that could cause new damage to parts of the regional center system of services, if not addressed. Also, since this item has its own logic and precedents, it may not preclude the state from addressing other needs.

**RECOMMENDATION(S):** The LPPC recommends that the state should adjust rates to compensate for changes in the minimum wage and the companionship exemption, as well as the implementation of the ACA.

**ATTACHMENT(S):** Draft Lanterman Coalition letter on the impact of changes in law and regulation. The letter provides additional background on the potential impact of these changes.

**PREPARED:** Mark Polit, October 24, 2013

DRAFT LETTER PREPARED BY LANTERMAN COALITION.

SCDD will not sign onto this letter, as it will be released prior to the Council meeting. At this time, it is not known which organizations will sign on.

DATE, 2013

Honorable Jerry Brown, Governor, State of California  
c/o State Capitol, Suite 1173  
Sacramento, CA 95814

**RE: Funding of Wage and Benefit Impacts**

Honorable Governor Brown:

The Lanterman Coalition consists of the 16 major stakeholders in California's community based developmental services system and we are concerned that recent state and federal mandated wage and benefit changes, if not funded, will harm services provided to California's 260,000 persons with developmental disabilities. While we appreciate the recognition that the minimum wage must be raised, service providers and regional centers must be funded for these costs to ensure that needed services continue. Those concerns boil down to "funding of wage and benefit costs," and cover four issue areas: employees who earn, and regional center positions budgeted at, the minimum wage; supervisory staff who currently earn more, but will see their wages compressed; federal overtime regulations; and the Affordable Care Act.

**Issue Area 1: Baseline funding**

Service providers contract with regional centers to provide direct services to people with developmental disabilities. Their rates are generally set by the state. Most rates were frozen in 2003, and others in 2008.

Wages, many at the state minimum as a result, are the single largest expense for these (and all) businesses. When the minimum wage was raised in 1997 and 2007, funding was increased so employers could pass along the additional money to their employees. That must happen again, to ensure vendors, already on razor-thin margins, are not pushed out of business by new and unsustainable costs. This issue also affects regional centers, due to the way the state calculates funding for regional center operations (OPS).

For all employers, this will also raise the baseline costs for salaried employees. Those employees must earn the equivalent of twice the minimum wage for a full-time (40h/week) employee.

**Issue Area 2: Wage Compression**

One of the perks for employees is a raise, either owing to seniority or promotion. Not only do they earn more, they earn more *compared to those more junior*. Given the \$10/hour end-point of AB 10, there will be many cases where employees' wages are compressed. Commensurate with job duties and seniority, employers will have to raise wages to compensate those staff appropriately. This will impose a further cost on the provider.

**Issue Area 3: Expansion of Federal Overtime Requirements**

In September 2013, the federal Department of Labor finalized regulations that will override California's exemption of home care workers from overtime requirements. This change to the Fair Labor Standards Act (FLSA) will go into effect on January 1, 2015. AB 241 (Ammiano), recently signed in to law, exempted developmental services workers. But changes to the FLSA will moot it. The Department of Developmental Services noted this as a future fiscal issue in May 2013, with an impact "estimated to be approximately \$21 million for DDS."

That will create an immediate cost in overtime wages. To maintain the current levels of care, quality, and continuity, a backfill will be needed to honestly account for those overtime costs.

**Issue Area 4: The Affordable Care Act**

The Affordable Care Act's benefits, deeply beneficial to many hard-working Californians, are costly to employers. Employers with 50 or more full-time (> 30h/week) employees must offer coverage that pays for at least 60% of care costs and does not cost the employee more than 9.5% of their household income. Because service providers and regional centers are independent nonprofit employers with their own wage and benefit packages, the ACA will impact each one differently. Unless the employer is already in full compliance, the increased costs, starting as early as 1-1-14, could be astronomical.

Service provider and regional center employers that do not already provide coverage for all 30+ hour employees face the significant added expense of covering those individuals who request affordable coverage in 2014 to comply with the individual mandate. Starting in 2015, employers who do not offer any employee coverage face fines of \$2000 per year for ALL of their employees. The minimum impact on these employers will be \$100,000 per year per employer. (50 employees x \$2,000 per year = \$100,000.) Employers who cover some, but not all, of their 30+ hour employees will face fines of \$3,000 for each employee who qualifies for a subsidy through Covered California.

To offset these changes, we are asking you to fully fund them in the Governor's 2014-15 Budget for the Department of Developmental Services/Community Services budget. The ideal outcome of this positive change, a change we support, for the working men and women of California is pass-through funding for these costs. First, ensure money is provided to meet the costs of the new, higher minimum wage. Second, provide funding for wage-compressed positions. Third, account for impending overtime costs, to guarantee that care will not be compromised. And fourth, fund ACA implementations costs.

Rates for providers, and regional center budget funding calculations, have stagnated for years. Inflationary pressures and system growth have compounded this, and long-term effects are appearing. We stand at the ready to join you in the challenging and detailed discussion of those issues.

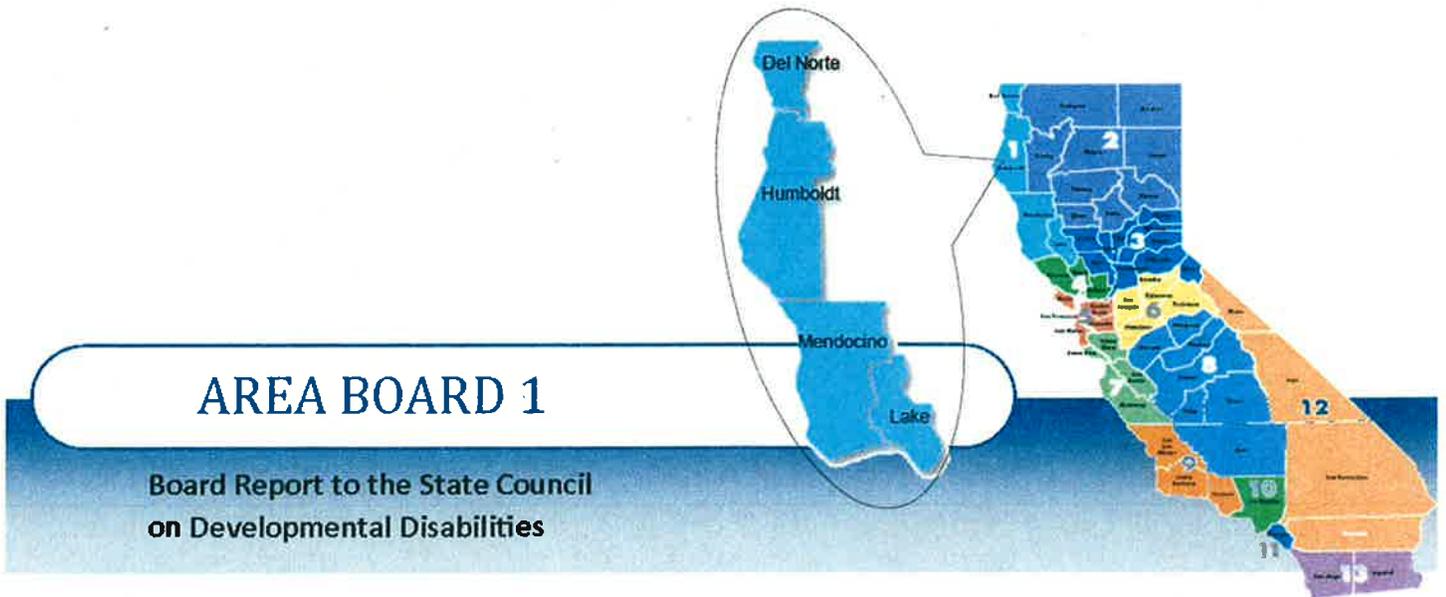
Sincerely,

Shirley Dove

*Founding Chair of the Lanterman Coalition, and  
Parent of Person with a Developmental Disability*

The Lanterman Coalition consists of the 16 major stakeholders in California's community based developmental services system: The Arc and United Cerebral Palsy in California, the Association of Regional Center Agencies, Autism Society of California, California Disability Services Association, California State Council on Developmental Disabilities, California Supported Living Network, Disability Rights California, Family Resource Center Network of California, People First of California, Service Employees International Union, Cal-TASH, Easter Seals, The Alliance, Autism Speaks, and the Autism Alliance.

Cc: Lark Park, Deputy Legislative Secretary, Office of the Governor  
Diana Dooley, Secretary, Health and Human Services Agency  
Carla Castaneda, Principal Program Budget Analyst, Department of Finance  
Terri Delgadillo, Director, Department of Developmental Services  
[KEY MEMBERS OF THE LEGISLATURE AND RELEVANT STAFF, TO BE DETERMINED]



Reporting Period: September-October 2013

Date: 10-24-13

**Highlights**

Staff participated in the California Memorial Project 2013 Remembrance Day Ceremony at the Ukiah Valley Cemetery on September 16<sup>th</sup> honoring and remembering those individuals who died while in the Mendocino State Hospital and were buried in mass or unmarked graves.



**State Plan Activities Implemented During this Reporting Period**

- Goal 1 and Goal 13**-Area Board staff provided facilitation and support to advocates participating in community groups that are working on transportation issues.
- Goal 2**-In collaboration with the Special Education Local Plan Area Community Advisory Committee staff is assisting in the updating of the “Be Involved” Handbook which was originally written in 1988 by parents for parents going through the Special Education process. The handbook has provided valuable help through the years.
- Goal 2 and Goal 6** Interagency Transition Teams are reconvening and establishing priorities for the coming year. Topics of interest to be addressed are: Conservatorships and Alternatives to Conservatorships, Working with Law Enforcement and Annual Spring Panels which provide parents and students of transition age (and pre-transition age) opportunities to meet with service providers, college representatives and service agencies in preparation for post-secondary life.

**Goal 3-**The Quality Assurance Project is gearing up and staff is in the process of distributing the Adult Family Survey and Family Guardian Survey forms to Redwood Coast and North Bay Regional Center clients.

**Goal 7-**The Area Board, as a member of the Partnership for Healthy Babies, participated in the local fall festival educating over 1000 members of the public regarding the importance of not drinking while pregnant. In collaboration with representatives from the Women, Infants, and Children (WIC) Program the group provided healthy “mocktails” and distributed recipe cards and resource information at the event.

**Goal 9-**Area Board is continuing ongoing support for the Northwest Committee for the Employment of People with Disabilities (NCEPD). Staff will be facilitating the establishment of goals and priorities for the coming year.

-The Area Board, as part of our work with the Disabled Student Program and Services Advisory Committee, assisted College of the Redwoods recruitment for instructors for the Community Education Classes. It was noted that College of the Redwoods Disabled Students Program provides service to 16% of the total student population.

-Area Board 1 is beginning its 15<sup>th</sup> year as a Work Ability Employment site.

**Goal 10-**In collaboration with Partnership HealthPlan of California, Tri-County Independent Living Center, In-Home Supportive Services Advisory Committee and Redwood Coast Regional Center, Area Board will be hosting a November workshop for residents in Humboldt and Del Norte Counties in order to educate individuals regarding the Medi-Cal Managed Care program which was recently implemented.

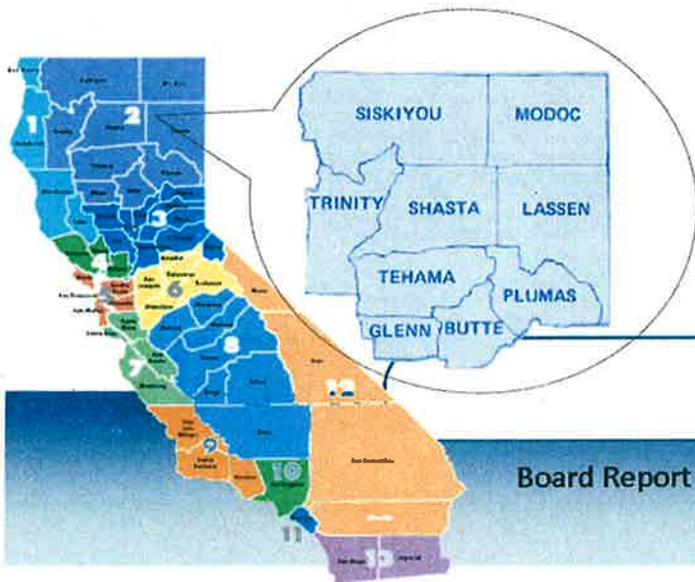
-Area Board staff is facilitating meetings with the local regional center and hospital to explore the feasibility of providing hospital dental services in the area. Currently clients must travel long distances, out of area to access these services.

**Goal 12-**Area Board 1, as part of the Mental Health Advisory Board, is monitoring the progress and implementation of the 32 unit housing project which is to include dually diagnosed clients.

Individual/Systemic Advocacy-Area Board collaborates with Disability Rights California Office of Clients Rights Advocacy staff, Regional Center staff, the Public Guardian and Service Providers in order to identify systemic issues as well as provide advocacy and support based on person-centered principles and individual client needs.

### **Issues or Concerns for State Council Consideration**

The work of the Lanterman Coalition has been helpful to the Area Board as we work with communities, clients, families and agencies to identify future priorities to maintain (and fortify) services and restore services that have been lost or diminished during the cuts to services in recent years.



## AREA BOARD 2

Board Report to the State Council on Developmental Disabilities

Reporting Period: September-October 2013

Date: October 25, 2013

### Highlights

**Goal #13 Objective 3- USE OF MEDIA INCLUDING SOCIAL MEDIA TO EDUCATE THE PUBLIC:**

October 3-5, 2013 celebrated the 9<sup>th</sup> Annual FOCUS Film Festival, a project of Far Northern Regional Center, funded by grants and community donations and partnerships. FOCUS Film Festival explores documentary and narrative films that celebrate diversity and inclusion. The festival's vision is "of a community that embraces diversity, not as difference, but as a blend of varied and valuable contributions." The Festival also sponsors an international Short Film Competition. The annual event is held in October in Chico, and single screening events are held throughout the year in Chico, Redding, Quincy, Paradise and Red Bluff. This year's festival included the screening of 30+ films at Colusa Hall, which is the Office of Diversity and Inclusion, Chico State University, Chico. The Festival is a collaboration of university staff and students, community service provider agencies, Area Board 2 staff and local businesses that participate in this annual event that is viewed and enjoyed by 1,000+ people. Check out the FOCUS Film Festival website at: [www.FOCUSFilmFestCalifornia.com](http://www.FOCUSFilmFestCalifornia.com) – where you can sign up for the e-newsletter. You can also watch the Festival's Film trailers on FNRC's YouTube channel – [www.youtube.com/user/FOCUSfilmfestcalif](http://www.youtube.com/user/FOCUSfilmfestcalif). Or "like us" on Facebook – [www.facebook.com/FOCUSFilmFestival](http://www.facebook.com/FOCUSFilmFestival)

**Goal #2 Objective 3 – CROSS TRAINING, OUTREACH AND COLLABORATION:**

October 17, 2013 celebrated Butte County Coordinating Council's (BCCC) 18<sup>th</sup> Annual Recognition Celebration. This annual event is a collaborative effort by Area Board 2, Far Northern Regional Center, Community Service Providers, Rural Education Institute, local community businesses and the general community to recognize many extraordinary people. 30 honorees received the "People Who Make a Difference" award for making a positive impact in the lives of people with developmental disabilities. The honorees were nominated

by their colleagues, supervisors, consumers, families and community partners. Since 2000, the BCCC has presented one person the annual “Frank D. Lanterman Outstanding Service” award, who has demonstrated a life-long commitment to service and support of people with developmental disabilities. This year Mark Gordon, Executive Director of Here’s The Deal service agency, was the 2013 recipient. This year’s event was attended by 200 people and was a huge success! BCCC, Area Board 2 and Far Northern Regional Center were instrumental in implementing this annual event and remain major contributors.

## **State Plan Activities Implemented During this Reporting Period**

### ***Goal #2 Objective 1 – INDIVIDUAL EDUCATION ADVOCACY***

Area Board 2 provided advocacy assistance to 7 students during this reporting period. Issues include behavior support plans; IEP compliance; special education eligibility, modifications to IEP services, and placement changes.

### ***Goal #2 Objective 1.1 – INDIVIDUAL COMMUNITY SUPPORTS ADVOCACY***

Area Board 2 provided advocacy assistance to 10 consumers and families during this reporting period. Issues include residential placement paid by the school district, Far Northern Regional Center eligibility, referrals to community agencies; collaboration with community agencies, and technical assistance on system navigation issues.

### ***Goal #10 Objective 1 – INFORMATION AND TRAINING ON HEALTH CARE SYSTEM ISSUES***

On October 8, 2013 from 1-4pm in Chico, Area Board 2 and Far Northern Regional Center in collaboration with Diversability Advocacy Network (D.A.N.) organized a stakeholder training with Health Care Options and Anthem Blue Cross to learn about the 2013 Rural Expansion of Medi-Cal Managed Care expansion in Butte, Tehama, Glenn and Plumas Counties through a free training and outreach to address the following areas: Introduction to Managed Care; Overview of Health Care Options; Overview of Anthem Blue Cross; Specialized Health Care Referrals; Out of area treatment; Transportation; Formulary; Authorization Guidelines; Eligibility; Claims Processing/Timelines; Online Services; Provider/Plan Change Process. This training was well attended by service providers, medical providers, medical clinics and hospitals, consumers, FNRC service coordinators, parents, county personnel, local Area Agency on Aging; Independent Living Services of Northern California, Disability Rights California; and general public = 300 attended.

On October 15, 2013 from 1-4pm in Chico, Area Board 2 in collaboration with Diversability Advocacy Network (D.A.N.) organized a stakeholder training with Health Care Options and California Health and Wellness to learn about the 2013 Rural Expansion of Medi-Cal Managed Care expansion in Butte, Tehama, Glenn and Plumas Counties through a free training and outreach to address the following areas: Introduction to Managed Care; Overview of Health Care Options; Overview of California Health and Wellness; Specialized Health Care Referrals;

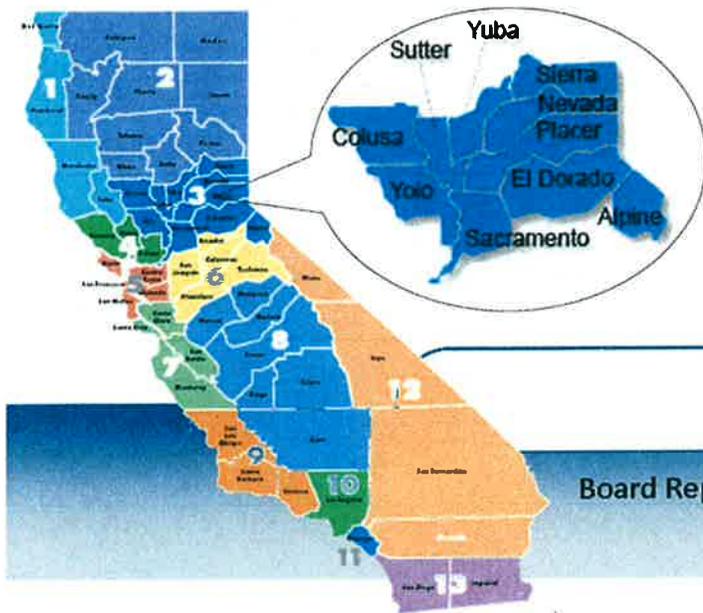
Out of area treatment; Transportation; Formulary; Authorization Guidelines; Eligibility; Claims Processing/Timelines; Online Services; Provider/Plan Change Process. This training was well attended by service providers, medical providers, medical clinics and hospitals, consumers, FNRC service coordinators, parents, county personnel, local Area Agency on Aging; Independent Living Services of Northern California, Disability Rights California; Department of Health Care Services and general public = 100 attended.

The trainings survey results reflect that more community trainings and outreach will be necessary with Health Care Options, Anthem Blue Cross and California Health and Wellness to educate and prepare the community for these health care changes.

### **Issues or Concerns for State Council Consideration**

Area Board 2 remains committed to outreach and educating consumers and families in Region 2 on the Rural Expansion of Medi-Cal Managed Care and its' impacts. Currently seniors and people with disabilities, including people with developmental disabilities, are considered "voluntary" until 2014 when they will be "mandatory." This has caused some confusion in our community and Area Board 2 will remain actively involved in the implementation of Medi-Cal Managed Care to ensure people with disabilities, parents and professionals are knowledgeable about health care system changes and to ensure they receive health services they need.

As the Affordable Care Act rolls out, Area Board 2 will be monitoring the impact on community service providers.



## AREA BOARD 3

Board Report to the State Council on Developmental Disabilities

Reporting Period: September/October 2013

Date: November 1, 2013

### Highlights

The area board developed an RFP for Cycle 36 and received an exciting proposal addressing the Housing issues facing many individuals and families relevant to accessing an online service for potential living arrangements. The proposal has been forwarded to the Council for approval.

The area board continues to seek action by the State Council regarding the Parental Fees and the services to 18-22 year olds as it relates to Welfare and Institutions Code section 4648.55. These two issues continue to plague families that have children, under the age of 18 years old, in out-of-home placement, and with regard to the second issue not only force young adults to remain in public education but appear contrary to the intent of Council supported legislation of Employment First.

The Board is very excited to announce that **Jennifer Allen** will be our SSAN Member Representative. Jennifer brings exceptional experience as a former State Council Member and a highly committed self-advocate to her new role in representing Area Board 3.

### State Plan Activities Implemented During this Reporting Period

**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.....**In collaboration with a local school district the staff provided a Parents' Rights Training in which 35 families attended. Additionally staff conducted an all-day training session in conjunction with the Supported Life Conference in which 45 families participated.

Additionally staff participated in 60 IEP meetings, conducted 29 informational intake meetings, participated in 2 regional center mediations and 3 school district Resolution meetings.

**Goal #10 Individuals with developmental disabilities understand their options regarding health services and have access to a full range of coordinated health, dental and mental health .....**The Area Board and Supported Life Institute presented this years Supported Life Conference with a theme of “Wellness for All” which focused on a variety of health related matters. Over 40 sessions and more than 400 people attended the two day conference.

**Goal #11 Individuals with developmental disabilities have access to affordable and accessible housing that provides .....**This year’s Cycle 36 proposal is directed directly at addressing accessible information regarding housing options. The Board is excited about the submittal of a proposal and look forward to addressing this major goal with potential expansion state wide.

### **Issues or Concerns for State Council Consideration**

The Area Board continues to be concerned with regard to the issue of Entitlement. As we have noted in our previous reports and again noted as part of our Highlights section of this report we believe the State Council must address the ongoing attack of the Lanterman Act.



## AREA BOARD 4

Board Report to the State Council on Developmental Disabilities

Reporting Period: September – October, 2013

Date: 10/31/13

### Highlights

#### Self Advocacy

1. Coordinated regional self advocacy meeting with Assemblymember Yamada as the featured speaker.

### State Plan Activities Implemented During this Reporting Period

#### Education

1. Provided parent training on special education rights and process.
2. Provided individual IEP advocacy regarding accommodations, placement, nursing services, and behavior support.
3. Coordinated training for families on regional center eligibility vs special education eligibility.
4. Provided resource information to students and families at transition resource fair.
5. Conducted outreach and provided rights information to Spanish-speaking families.
6. Participated on 3 Community Advisory Committees for special education, and CAC subcommittees on parent trainings, and inclusion recognition awards.
7. Provided 2 trainings to regional center case managers on special education rights and supporting families.
8. Presentation at the September Area 4 Board meeting by a PDF grant recipient on how technology, specifically iPads and apps, are to promote learning for students with disabilities and interaction amongst those students and their non-disabled peers.

### Living Arrangements

1. Provided individual advocacy to individuals on supported living services, maintaining placement, and family support services.
2. Provided individual support and assistance to two adults with ASD, one is homeless, for living arrangement and regional center eligibility.

### Work

1. Disseminate information to service providers, individuals and families to promote expansion of customized employment options.
2. Provided individual advocacy support to individual who wants to start a business, and to individuals who want to have competitive employment jobs.
3. Assist with multi-agency networks to coordinate transition to adult work options.
4. Made presentations to NBRC Board and Vendor Advisory Committee on AB1041 Employment First, and SB 468 Self Determination.
5. Both the September and October issues of the AB4 E-News highlighted the two bills, AB 1041 and SB 468.
6. Presentation by SCDD's Deputy Director on the two bills at the September AB4 Board meeting.
7. Attended the September meeting of the SCDD Employment First Committee.
8. Attended Pathways to Employment training at MIND Institute.

### Family Support

1. Provided support for parent to have supervised visit with son.

### Cultural/Language Access

1. Translate information on rights, trainings, and event notices into Spanish and distribute to mailing list of Spanish-speaking families.
2. Provided translated resources on special education rights to Spanish-speaking families.

### Emergency Preparation

1. Distributed a special issue of the AB 4 E-News for September on National Preparedness Month with information on, and a link to, an emergency preparedness toolkit.
2. Distributed information on emergency preparedness from a table at a mall in Santa Rosa.

## Health

1. Delivered through the Board's PDF grant to Kidpower, trainings on prevention of abuse and exploitation to 64 adults, 21 staff, and 1 parent. Additionally, a focused training was conducted for 17 other staff.
2. Distributed information through the AB4 E-News issues for both September and October on the Affordable Care Act and individuals with intellectual and developmental disabilities.
3. The October issue of the AB4 E-News included information on, and a link to, a fact sheet that promotes healthy relationships and debunks myths about sexuality in relation to individuals with disabilities.

## Legislative Advocacy

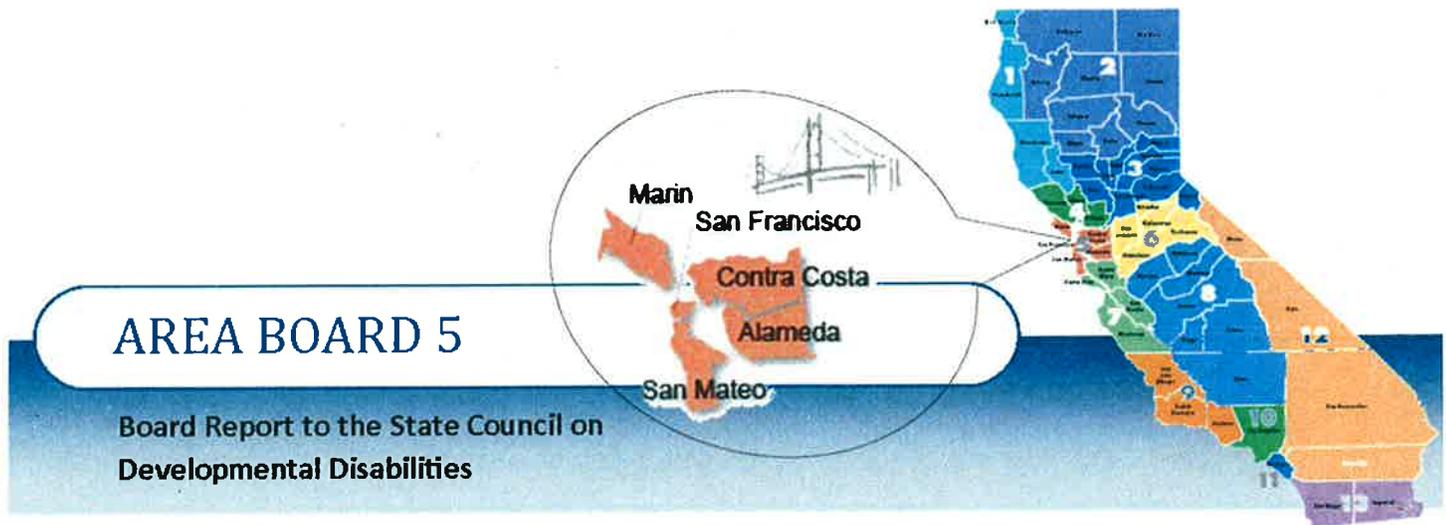
1. Distributed information through AB4 E-News on several other bills, including SB 555.
2. Held a meeting of the Board's LPPC; and attended the Council's LPPC.
3. Participated on Senator Evan's North Coast Autism Regional Taskforce in discussions on issues that may need legislative action.

## Self Advocacy

1. Provided facilitation for Statewide Self Advocacy Network representative to participate in SSAN meeting.
2. Provided 2 trainings to self advocates on employment options, and 1 training on legislative advocacy.
3. Produced and distributed self advocacy newsletter to more than 200 individuals and agencies. Self advocates were supported to write articles for newsletter

## **Issues or Concerns for State Council Consideration**

1. In addressing the next steps to transform Employment First policy to employment outcomes for individuals, attention should be given to disseminating information and best practice success down to the regional and local levels.
2. As the Taskforce on the Future of State Developmental Centers completes its work and develops its report, the Council should have a strong presence in the discussions.



Reporting Period: September-October 2013

Date: 10/28/13

**Highlights**

- CALICO (Child Abuse, Listening, Interviewing, and Coordination) Conference
- Mini-Grant Award to Housing Consortium of the East Bay (HCEB)
- Annual Golden Gate Self-Advocacy Conference: *How Person-Centered Thinking Can Change Your Life*
- Annual Celebration of Self-Advocacy
- New Area Board 5 Executive Director and Office Technician

**State Plan Activities Implemented During this Reporting Period**

As a result of an earlier grant from Area Board 5, CALICO conducted their collaborative training titled, "A Multi-Disciplinary Approach to Supporting Victims with Disabilities" on September 24<sup>th</sup>. The training was attended by 130 individuals from various agencies, including many first-responders. Participants, including 3 Board members and 1 staff person, learned strategies to reduce sexual victimization among those with intellectual, physical and communication disorders. On September 25<sup>th</sup>, two exciting events took place: 1) Area Board 5 helped conduct the annual Golden Gate Self-Advocacy Conference titled "How Person-Centered Thinking Can Change Your Life." Over 300 people, including many self-advocates, attended; and the event was very successful. 2) The Area Board ratified the Mini-Grant Award to Housing Consortium of the East Bay (HCEB). The Grant will allow HCEB to work with community partners to influence the Housing Elements of local jurisdictions; ultimately increasing affordable housing opportunities for people with developmental disabilities in our region. On October 2<sup>nd</sup>, Area Board 5 hosted our annual Celebration of Self-Advocacy. Over 100 people attended the Celebration and 9 self-advocates were presented with awards (Area Board 5 was also presented with a Certificate of Recognition from Assemblymember Phillip Ting). On October 5<sup>th</sup>, Area Board 5 collaborated with several agencies, including RCEB, Care Parent Network, Family Resource Network and Alameda County Public Health to conduct a "College with a Disability Conference." Over 150 people attended the conference, which focused on educating transition-age youth and their families on the benefits and challenges of college life. Additionally, Area Board 5 continued to support self-advocates through Bay Area People First, People First of California and the

Statewide Self-Advocacy Network. People First of California has begun planning their June, 2014 Gathering, which will be held in the Bay Area. We also continued to participate in, and support, local committees (Marin Autism Collaborative, East Bay Diversity and Equity Committee, East Bay Legislative Committee, etc.) and events (Contra Costa County Transition Fair). Area Board 5 also provided individual advocacy to 11 individuals/families within this period (2 housing, 1 adult day program, 1 IHSS, 3 rights, 1 respite, 1 community supports, and 2 health). Finally, we welcomed our new Executive Director, Gabriel Rogin, and bid a fond farewell to our Office Technician of 25 years, Susan Schultz. Our new Office Technician, Valerie Buell, will begin on October 31<sup>st</sup>.

### **Issues or Concerns for State Council Consideration**

Area Board 5 continues to be concerned about the upcoming loss of a Community Program Specialist staff position when it becomes vacant, anticipated to occur at the end of December. Ostensibly, this was based on the sequestration of federal funds, along with the reduction of the Program Development Grants. Now we are being told that when the position goes vacant, it will be eliminated in any event. We would like the State Council to take this issue under reconsideration, if the threat of sequestration were to be removed. Given the population and the diversity of the Bay Area, and considering the turnover of key staff -- as three out of five long-term staff members will have retired within a one-year period -- the Board is fearful of the impact of losing this position. This comes at a time when there is a high level of demand for continued, rigorous advocacy on behalf of more than 25,000 individuals with developmental disabilities who live in the five-county area, which is split between two regional centers.



## AREA BOARD 6

Board Report to the State Council on Developmental Disabilities

Reporting Period: September/October

Date: October 28, 2013



In Memory of Mr. Edward Flaiz- a Governor Brown Appointee to Area Board 6. Eddie passed away on September 26, 2013 in Stockton, Ca. He will be missed by all who knew him. Please see Stockton Record Newspaper article at end of this report.

### **State Plan Activities Implemented During this Reporting Period**

**Goal CR.14.1)** Disseminated legislation information on the Employment First and the Self Determination bills to self-advocates, families, educators, school districts CAC's, regional center vendors, regional center staff and board, and community members. Hard copies were disseminated and email was sent- combine- over 500 people were given information on this important legislation.

**Goal CS.02.1)**

- Provided advocacy to parents and individuals regarding respite issue, supported living services issue, and regional center issues.
- Participated at the Valley Mountain Regional Center Strategic Planning Retreat.

**Goal CS.02.2)** Provided SCDD/Area Board 6 training to the VMRC Foster Grandparents and Senior Companions. There were 65 in attendance and representative from DDS.

**Goal ED.06.1)** Transition 2 Life event in the Mountain Counties- over 100 people attended. The Transition to Life was the Cycle 35 grant recipient.

**Goal ED.02.1)** Provided individual education advocacy to 15 families on IEP issues and special education rights.

**Goal ED.02.2)** Provided a Special Educational rights and IEP workshop to 15 families in collaboration with Family Resource Network.

### Goal ED.02.3)

- Participated and disseminated information at the Multicultural Health Day Fair in Stockton- attendance at approx. 800 people, and at the DRAIL Disability Awareness event in Modesto- attendance around 75 in attendance.
- Participated at the Hospice of Amador & Calaveras End of Life & Grief for people with Intellectual and developmental disabilities. There were 12 people in attendance. It was co-sponsored by the Arc of Amador and Calaveras.

### Goal ED.06.1)

- Facilitated the first 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.
- Attended the UC David Mind Institute event called Pathways to Employment transition Fair.

Goal EM.09.1) Facilitated the Employment Network meeting and shared Employment First information.

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 at the Statewide Self Advocacy Network meetings in Sacramento.

### **Issues or Concerns for State Council Consideration**

- The area board 6 members request information on the process of selecting grants from the Program Development Committee. As the Cycle 36 grant recommended for funding by area board 6 was not granted, the board was unclear as to why. The minutes from the Program Development Committee meeting only stated that the committee had concerns but did not stipulate what those concerns were. The board recommends that a process be in place where by members of the committee contact the area board executive director with specific concerns and the executive director can contact the proposal author(s) and get clarification or answers to concerns before the PDC recommends not funding to full SCDD board.
- An area board 6 board member contacted our office with concerns about the Stockton Unified School District's CAC. According to our board member- it appears that the CAC is not operating as a CAC consistent with the responsibilities dictated by Education Code. Board member and executive director are working on a strategy to participate in a conversation with the staff currently overseeing the CAC.
- Area Board 6 has still been contacted regarding the DDS Parental Fee issues. One parent says her bill has gone up each month for the last several months and it continues to be a hardship. Can DDS give an update on these issues?

## EDDIE FLAIZ PERSONIFIED A LIFE LIVED WELL AND WITH COURAGE

By **Michael Fitzgerald**

September 29, 2013  
Record Columnist

Eddie Flaiz, a well-known manager of the downtown multiplex who was admired for his courage and high spirits in the face of harrowing disabilities, died Thursday after a stroke. He was 46. Flaiz suffered a stroke on Sept. 21. He suffered several more after being rushed to St. Joseph's Medical Center. He died at 7:33 p.m., a family member said.

"He was an inspiration to everybody," said Anthony Barkett, developer of City Centre Stadium 16 + IMAX. "He lived his life to the fullest, and he never complained about his disabilities. He was just a joy to be around."

Flaiz was hobbled by cerebral palsy. He suffered two heart attacks and at least four strokes before the recent strokes that claimed his life. It seemed the reaper was always taking a swing at him. But he always came back to work. And he kept an incredibly positive attitude. "I just want to make the most of it," he told me once. Shift manager at a movie theater is not usually a high-profile job. Flaiz transformed it into one. "Everybody knew him, everybody recognized him," said the theater's general manager, Richard Binney. Flaiz knew many moviegoers by name. To them, he was more like a maitre'd, greeting and offering assistance and special favors. The plaza outside the downtown theater can be urban and intimidating. Flaiz made the inside warm. Despite his handicap, he ousted many an obnoxious patron. "He was a tough little guy, too," Barkett said. "He took it personally. He would go out there and kick butt."

Born in Honduras, Flaiz had hardships literally before birth. His father abused his mother while she was pregnant. Flaiz's twin sister died in utero. Flaiz was born disabled. Put up for adoption, or given away, Flaiz was brought to America by a Mormon missionary. He stayed with a Tracy family and in orphanages. Stockton's Minatre family took him in. Back then, among his other challenges, he stuttered, said Joanne Minatre. "My husband used to always tell him, 'Don't talk, sing it,' " Minatre recalled. "When he sang, he didn't have the stuttering." In fact, Flaiz boasted a beautiful singing voice. In late life, he sang the national anthem at a San Diego Chargers game and at many other events. Flaiz went on to earn honors at Lincoln High School. Upon graduating, he was not content to rely on disability benefits. He sought work. He rounded up shopping carts at a grocery store, and worked as a doorman at a nightclub, before landing a job with a northside movie theater.

Along the way, he exercised his bewildering talent for meeting anybody and everybody. When he submitted his application to the downtown multiplex, "His two references were Alex Spanos and Gary Podesto," recalled Binney. "Wow. He was most definitely connected."

Moviegoers came to love the guy. "Anyone who went to the theater felt they knew him," said Paul Rapp. "The guy was always bright-eyed. You just felt happy seeing him."

Flaiz also sat on local disability advocate boards. He worked to make life better for disabled people.

"Eddie Flaiz was always the most upbeat person at the meeting," said Teresa Brown, who sat on one board with him. "No matter what he was going through physically."

Perhaps the proudest moment in Flaiz's life was his appointment by Gov. Jerry Brown to Area Board VI of the California State Council on Developmental Disabilities.

Greater Stockton Chamber of Commerce CEO Douglass Wilhoit went to the swearing in. "You could just see the joy on his face," Wilhoit said. "It was kind of an exclamation point on all he had done."

But not all he dreamed of doing. Toward the end of his life, Flaiz was considering a run for mayor.

Flaiz was no saint. His engagement to a Stockton woman ended badly. It caused him enduring regret.

He was a severe boss to his home caregivers: According to the woman he considered his grandmother, Virginia Sanchez, he fired or drove off 885 of them.

"He would hire and fire them, hire and fire them," Sanchez said.

But in recent months he began calling them to apologize, Sanchez said.

Despite that, Flaiz was inspirational. He strove to flourish despite severe misfortunes. And more; he was one of those mysterious nuclei around which community forms.

I loved the guy. So did a cast of thousands.

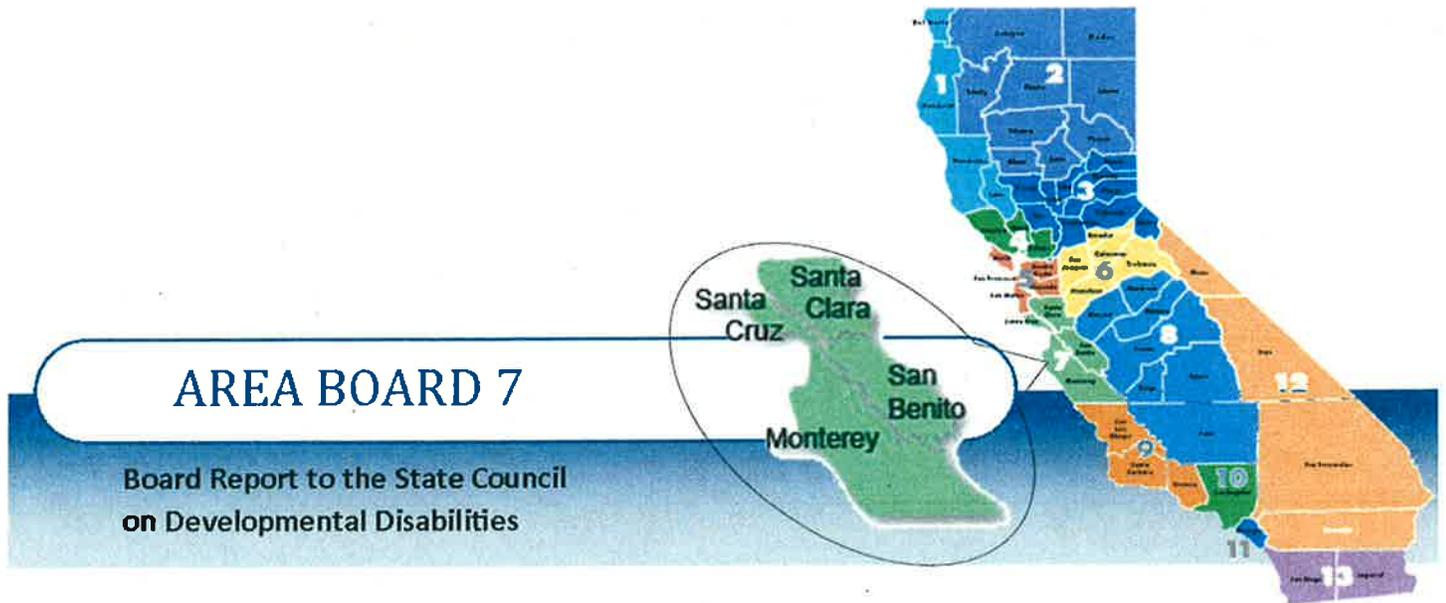
"My God, he had the heart of gold," said Michael Spanos, president of the A.G. Spanos Cos.

"He never gave up hope for the future of his city, and he was a true community leader," said Mayor Anthony Silva.

"He played an important part in the renovation of downtown," said Mark Lewis, Stockton city manager 2001-06. "He was the spirit keeper, keeping the hope alive that there were better days ahead for us all and the downtown."

Added moviegoer Rich Riley: "He really added to the character and fabric of the city. We need more Eddies in Stockton and in this world."

REST IN PEACE EDDIE!



## AREA BOARD 7

Board Report to the State Council  
on Developmental Disabilities

Reporting Period: September to October 2013 Date: 10/25/13

### Highlights

- Outreach
  - Met with Paradigm Day Service director in Salinas to discuss board development, advocacy, and needs of Monterey County.
  - Met with Special Kids Crusade director in Monterey to discuss board development, advocacy and needs of Monterey County.
  - Met with Mainstream program coordinator in Santa Cruz to discuss board development and needs of Santa Cruz County.
  - Met with Employment and Community Options director in San Jose to discuss board development, advocacy, and needs of Santa Clara County.
  - Met with San Andreas director in Campbell to discuss progress and collaboration between SARC and Area Board.
  - Met with Office of Client's Rights director in Campbell to discuss progress and collaboration between SARC and Area Board.
  - Attended Salinas, Santa Cruz, and Campbell Vendor Fair at San Andreas Regional Center to promote Area
  - Attended Disability Awareness Day sponsored by the City of San Jose
  - Attended Regional Center Quality Assurance Committee, Service Providers and Board Meeting.
  - Attended Regional Center Service Above Self Awards.
    - Jane Lefferdink former Executive Director received Eagle Award. Family accepted in her memory.
    - Nancy Lopez former AB7 Board member received Eagle Award for years of dedicated service.
  - Attended Supported Employment Round Table meeting.
  - Attended Employment Consortium
  - Attended two Transition Collaborative meetings.
  - Area Board to develop a directory of providers for all attendees of Vendor Fairs.
  - Along with board member provided QA, Consumer Rights training to 30 potential residential service providers.
- SSAN
  - SSAN met for dinner/planning session on 9/9/13 to strategize building the organization, increasing members, and appointing a SSAN representative.
  - Nominated three candidates for SSAN representative.

- SSAN volunteer coordinating the election. In the process of electing a new SSAN representative from AB7
  
- Quality Management
  - Met with SARC Board Member and Quality Assurance Committee to discuss the development of joint effort to review NCI data and strategies to identify and attend to areas of need that are demonstrated in the NCI reports.
  
- Board & Board Development
  - One application is on file at Santa Clara Board of Supervisor for the seat that remains open. Ongoing advocacy to encourage and support an appointment as quickly as possible with a request to meet with appointing Supervisor. Meeting scheduled for October 29.
  - Assisted individual with follow-up of application sent to Monterey Board of Supervisors.
  - Completed Board Orientation to Governor Appointee from Santa Cruz
  - Legislative and Education and Advocacy Committee met. Full Board meeting with quorum.
    - New officers elected: Mary Peitso: chair, Sky Anderson: vice-chair, David Forderer: Secretary
  
- Cycle 36 RFP
  - SCDD approved AB7's grant committee recommendation to award Hope Service Cycle 36 funding.
  - Hope and the other two Cycle 36 applicants were informed in writing of the AB and SCDD decision.
  
- Advocacy
  - 49 Individual/ Families received Advocacy
    - Support requested includes:
      - Supported Living
      - Transportation
      - IHSS
      - Program Planning
      - Day Program
      - Authorized Representative
      - Eligibility
      - IEP: Attended 9 IEPs
      - Medical Equipment
      - Day Care Services
      - Program Planning / ILS
      - Employment
      - Self-Advocacy
      - Behavioral Therapy / Assessment
      - Communication Needs
      - Attended 1 IPP
      - Attended two fair hearing. With one case not decided and one ruled in families favor.
      - Language Line used to provide advocacy in families preferred language.

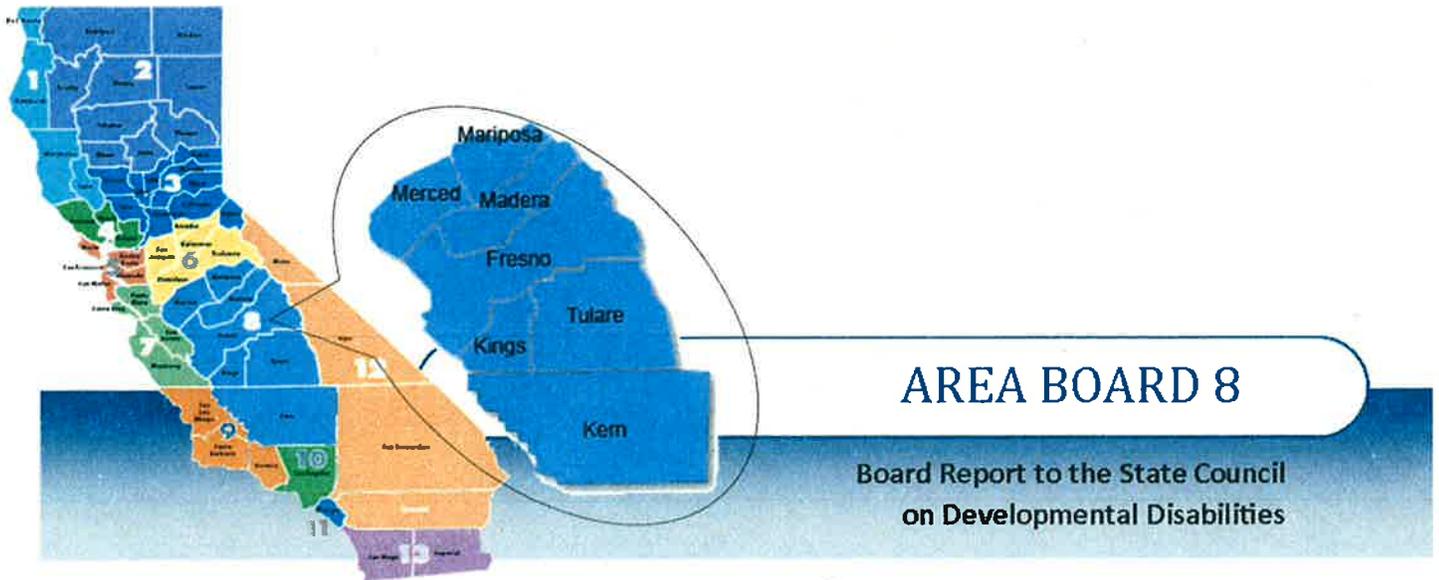
## State Plan Activities Implemented During this Reporting Period

- Goal 1
  - 9 Self Advocates participated SSAN meeting.

- 3 Self Advocates assisted with campaigns to become SSAN representative.
- Goal 2
  - Advocacy: Provided direct advocacy for 30 individuals and families.
  - Informed 120 regional center staff and providers of AB 7 services at the four vendor fairs.
  - 30 providers trained in rights, advocacy, Lanterman, and QA
- Goal 5
  - Awarded Cycle 36 grant to Hope Emergency Preparedness services.
- Goal 6:
  - Transition Consortium: Attended 3 planning meeting.
- Goal 9
  - Employment Consortium with 10 other providers to discuss community wide employment development.
- Goal 11
  - Attended Supported Employment Roundtable with 5 providers to discuss improved quality of service delivery.

## Issues or Concerns for State Council Consideration

- A consistent methodology by the regional centers for completing their intake and assessing suspected disabilities does not appear to be in place. Best practice guidelines for assessing autism exist but are not consistently utilized. There appears to be considerable ambiguity around best practices when assessing other areas of disability.
- Board has concern around the quality of special education services provided in a local school district as well as their ability to implement IDEA and work cooperatively, in a non-adversarial manner with the family. I collaborated with DRC and PHP in determining the best course of action.
- In response to change in policy for access at Disney Land, Board has identified need for outreach and training regarding effective and appropriate access policies at local amusement parks and theaters for people and families with disability.



Reporting Period: September-October 2013 Date: October 28, 2013

## Highlights

The Area VIII Board staff (Dawn Joest) has been deeply involved in a Due Process with a parent of a student attending Fresno Unified School District. The district failed to provide a FAPE and IEP Meetings were pre-determined. This case has been ongoing for 3 years. The case is currently being heard again as the previous resolution was not sufficient for the parent.

Conducted Monthly IEP Clinic with Family Resource Center in Kern County, 20 people in attendance.

### Individual Advocacy:

72 Individual/Families received Advocacy Support

Of the 48 approximately 48 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 72 approximately 3 were Regional Center Individual/Family's needs including:

- Eligibility
- Appeal Process/Fair Hearing
- ABA Services
- In Home Respite Hours

Attended 26 IEP meetings to support individual/families.

## **State Plan Activities Implemented During this Reporting Period**

**Goal 1:**

Continued Support of our local SSAN Advocate

**Goal 2:**

72 Individual/Family Advocacy

Rights Training – 1 Presentation to 20 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

## **Issues or Concerns for State Council Consideration**

Insurance Co-Pay issues with ABA services.



## AREA BOARD 9

Board Report to the State Council  
on Developmental Disabilities

Reporting Period: August-September

Date: 10/28/13

### Highlights

On Saturday, September 28<sup>th</sup>, we had our first central coast self advocacy conference. We had a small venue that could only handle about 150 people and the last two weeks before the conference we were turning people away. The support from community agencies, vendors and self advocacy groups was amazing and made the day a great success. Over 100 self advocates attended with the balance being attendants, volunteers, board members, SCDD staff and Area Board 9 staff.

### 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):** There 7 new individual and family educational advocacy cases opened at Area Board 9. 6 of the individuals and families served were English speaking and 1 was non-English speaking or limited English speaking.

Each case had an initial intake and appointment with an advocate. The breakdown of assistance for these cases is:

- 3 cases were resolved through an appointment with an advocate and with distribution of related materials on educational advocacy topics.
- 2 cases were resolved through an appointment with advocate, distribution of related materials and consultation with an educational agency representative.
- 2 cases were resolved through an appointment with advocate, distribution of related materials, and preparation by the advocate for an IEP meeting.

**Education/Supporting and Educating the Communities (State Plan Goal 2.3):** Area Board 9 publicized via emails the availability of 18 different informational activities about educational and community supports. Each of the 18 emails was sent to approximately 20 individuals served, 131 family members and 151 professionals. Emails breakdown is as follows:

3 emails related to legislative and public policy matters: 9/12 (SB 468/AB 1041), 9/10 (Action Alert - CRPD), and 8/26 (Action Alert).

15 emails related to community supports: 9/16 (VC SELPA Communication for Parents workshop), 9/16 (Rainbow Connection Hiring Parents), 9/16 (SAC Gift Basket request), 9/13 (Anti-Bullying Guide), 9/9 (Apps for Ind. w/ Special Needs), 9/9 (SAC Registration), 9/3 (Rainbow Connection Sept. Schedule), 9/3 (SB Dance Program), 8/23 (SAC Registration), 8/21 (SAC Volunteer request), 8/21 (IPP Process), 8/21 (Rainbow fundraiser), 8/16 (SAC Comm. Resource Fair), 8/7 (Healthy Families Transition to Medical Orientation), and 8/7 (Changes to how TCRC Funds Behavioral Services).

**Community Supports/Technical Assistance (State Plan Goal 2.1):** There were 11 new individual and family community supports advocacy cases opened at Area Board. 10 of the individuals and families served were English speaking and 1 was non-English speaking or limited English speaking.

Each case had an initial intake and appointment with an advocate. The break down of assistance for these cases is:

- 5 cases were resolved through an appointment with an advocate and with distribution of related materials on the community support.
- 4 cases were resolved through an appointment with advocate, distribution of related materials and consultation with a community support agency representative.

-2 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).

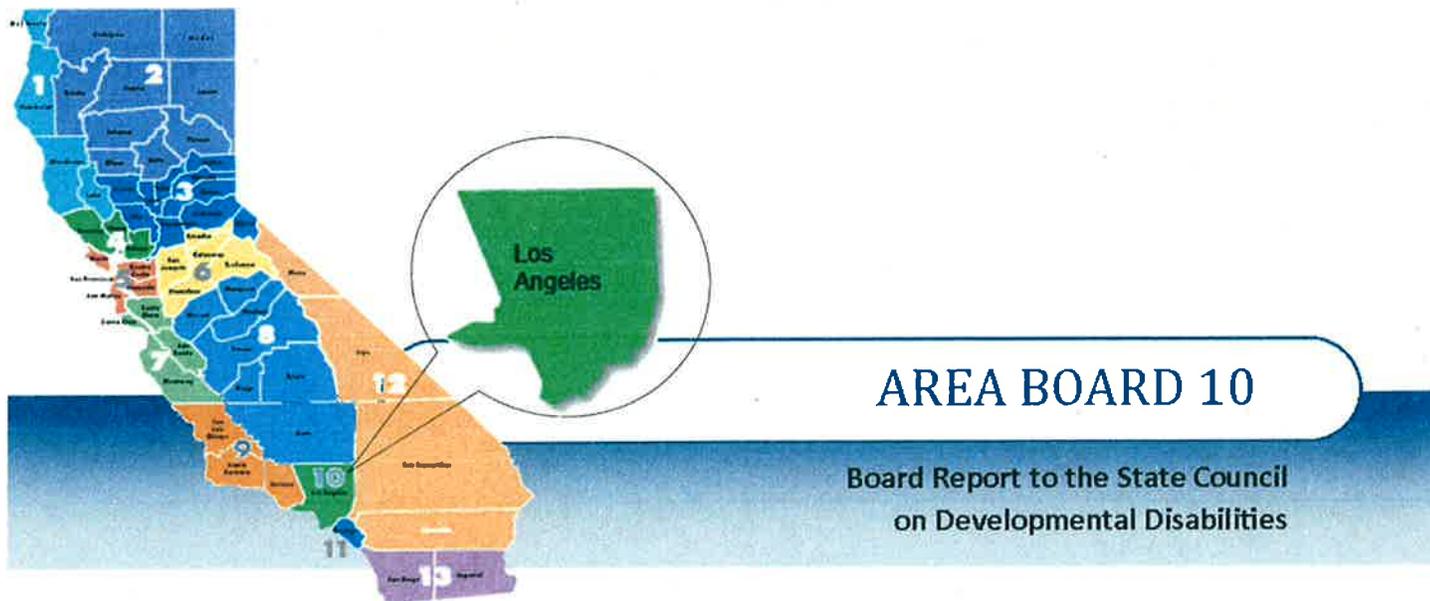
8 of the cases involved issues related to Social Security benefits and 3 were related to services and supports from the regional center.

**Community Supports/Outreach (State Plan Goal 2.1):** Area Board 9 provided two presentations during this review period related to community supports: 08/13/2013: DSS/APS/IHSS staff in San Luis Obispo on Area Board 9 services, rights and responsibilities and 08/16/2013: Tri-Counties Regional Center vendors and staff in Simi Valley on Mandated Reporting for Abuse/Neglect of Dependent Adults.

### **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.
- The Affordable Care Act and the perceived positive and/or negative impact on children and adults with developmental disabilities, and,
- Implementation of new laws- employment first and self-determination- what people who receive regional center services and their families should expect.



Reporting Period: September – October 2013

Date: 10/28/13

## Highlights

Distributed the new booklet, “Enough Is Enough! Anti-Bullying Strategies for Students with Developmental Disabilities, Their Families, and Schools” to over 400 individuals and sent a link to download it to over 1100.

Staff presented at two conferences (“Round Table Discussion on the 2012 National Survey on Abuse of People with Developmental Disabilities” and the “1<sup>st</sup> Annual Disability Rights Summit: Health Technology, and the Future of Disability Rights”) during this reporting period to over 130 families, self-advocates, and providers on “The Systemic Policy Implications for the Prevention and Response to the Abuse of Individuals with Developmental Disabilities” and “Employment Rights: the ADA, the Underemployment of People with Developmental Disabilities, and the Employment First Movement”.

With the Inclusion Institute, hosted “Talking to Your Child with Disabilities about Relationships and Sexuality” for 84 attendees, mostly parents and some self-advocates and professionals.

Distributed two newsletters and two AB 10 action alerts to over 1000 people each.

Monitored implementation of the AB 10 mini grant provided to Get Safe, which in this reporting period included trainings to 95 self-advocates and 70 first responders (Los Angeles Deputy District Attorneys and LAPD police officers and dispatchers).

## State Plan Activities Implemented During this Reporting Period

Provided individual advocacy and technical assistance to 60 people regarding access to needed community supports, four of whom were Spanish speaking, and five of whom were provided direct advocacy assistance at IPP meetings. Also assisted 34 families regarding the provision of appropriate educational services for their child with special needs, 8 of whom were Spanish speaking, and one of whom were provided direct advocacy assistance at an IEP meeting.

Provided four presentations in Spanish and English to 105 parents on IEP strategy to get needed services and one presentation to 12 parents on the Lanterman Act and Regional Center services.

Took positions on AB 753 and SB 22 and updated our position letters for this legislative session and sent them to the Governor.

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. Provided technical support to assist SABLAC in sending position letters for SB 468 and AB 1041.

Participated as a member of CalTrans' State (Grant) Review Committee.

Facilitated the quarterly meeting of the L.A. Regional Center Transportation Group; discussed local paratransit's long shared rides, safety concerns, identifying a program willing to pilot a Volunteer Driver Program, and assorted regional center issues.

Attended a local paratransit riders coalition to instigate the creation of a Volunteer Driver Program Start-Ups Committee.

Participated in one meeting of the electroconvulsive therapy (ECT) panel.

### **Issues or Concerns for State Council Consideration**

- There is great concern over the need to restore the many cuts and changes to the Lanterman Act over the past five years. It is recommended that action is taken to prioritize the efforts made to restore such cuts.
- There are additional concerns regarding SB 946 implementation and the increasing number and amount of fees being levied against families from multiple systems and agencies.
- The Area Board continues to be concerned that it has had no representation on the Council for two years.



## AREA BOARD 11

Board Report to the State Council on Developmental Disabilities

Reporting Period: SEPTEMBER/OCTOBER

Date: 30 OCTOBER 2013

### Highlights

During this reporting period, one of the members of ABXI’s Board of Directors, Yvonne Klutz, was appointed to DDS’s Consumer Advisory Committee (CAC). Congratulations, Yvonne!

ABXI assisted a monolingual-Spanish-speaking parent at a district-requested ADR and obtained independent and in-house assessments and immediate speech, occupational, and physical therapy services, as well as adaptive P.E. services, for her 7-year-old daughter. For the last two years, her daughter had received only minimal services, based on the district’s determination that she would not benefit from more.

ABXI’s bilingual staff, an active member of the planning committee for the November Orange County Fiesta Educativa Conference that drew 250 attendees this year, presented a workshop on community resources, “Recursos de la Comunidad”, for 40 parents.

### State Plan Activities Implemented During this Reporting Period

#### A. Advocacy

ABXI staff assisted 50 new and current clients during this reporting period with issues involving access to community supports/services; special education services; living options; employment; and health care concerns. Thirteen 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) 265 hours of IHSS; (2) SSI benefits; (3) restoration of SSI benefits; (4) personal assistance hours, in lieu of a day program, to develop work opportunities in the community; (5) RCOC eligibility; (6) 43 hours of respite; (7) a 504 plan; (8) retroactive dental care costs, due to CCF failure to

comply with new regulations; and (9) SSI eligibility and back SSI payments for two consumers of more than \$8,000 and \$15,000, respectively.

## **B. Trainings, Outreach, and Community Meetings**

### 1. Trainings

During this reporting period, ABXI provided trainings for 164 attendees. ABXI hosted an AT workshop by Goodwill ATEC and presented workshops in English and Spanish on preparing for IEPs. Other workshops included Social Security disability benefits; IHSS; and regional center services.

Workshop attendees included: (1) members of the Japanese Speaking Parents Association of Children with Challenges (JSPACC); (2) monolingual-Spanish-speaking parents at CHOC's (Children's Hospital of Orange County) parent support group; (3) monolingual-Spanish-speaking family members at Fiesta Educativa's 2013 conference; (4) the Chinese Parents Association for the Disabled (CPAD); (5) parents and other family members; and (6) CAC members and school district employees.

### 2. Community meetings:

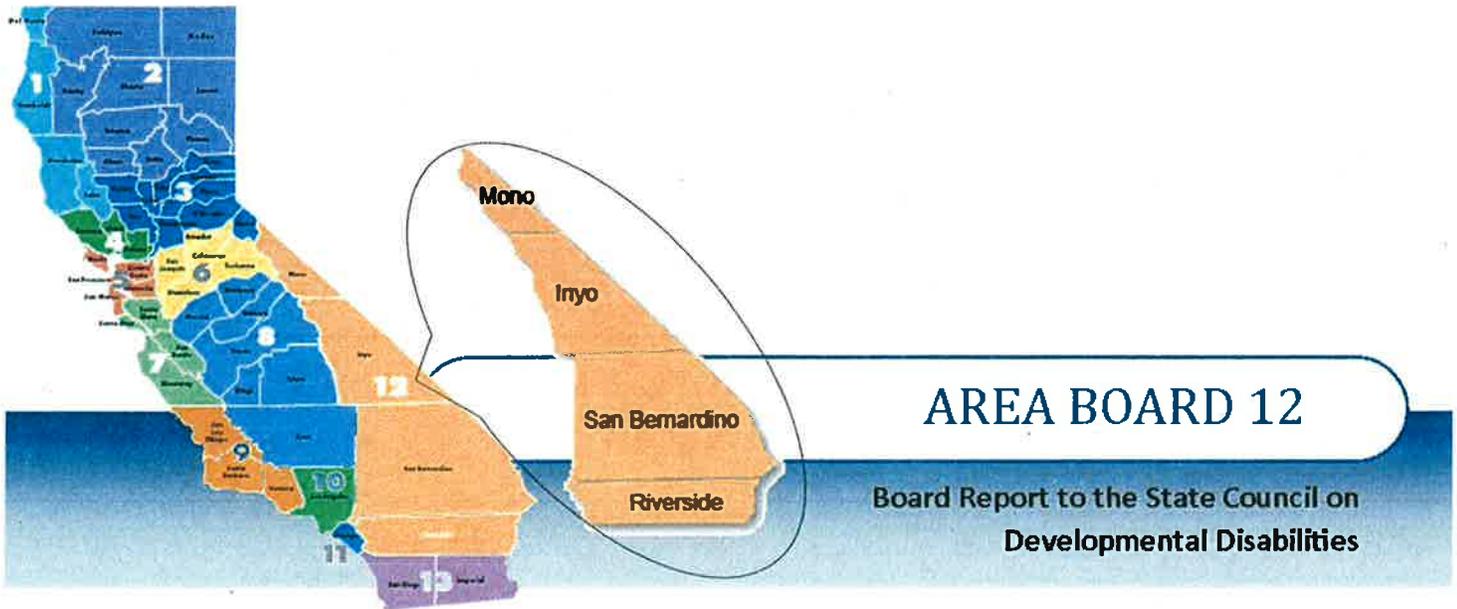
ABXI continues to work with its community partners planning the next annual Disability Rights Workshop, "Come One, Come All!", a day-long event focusing on inclusion, featuring local and state consumer and family advocates.

ABXI is an active member of RCOC's NCI Advisory Council's Health & Self-Advocacy Committees and the Orange County Adult Transition Task Force, both of which met during this reporting period.

Other meetings attended by staff included the O.C. Care Coordination Collaborative (CHOC/UCI) and the Orange County Employment Advocacy Network (OCEAN).

ABXI staff attended RCOC's day-long Self-Determination Conference, "Let's Talk about Sex".

## **Issues or Concerns for State Council Consideration**



Reporting Period: 09-01-2013 to 10-31-2013 Date: 10-30-2013

### Highlights

(Sept) – AB 12 facilitated the establishment of a New Self-Advocacy Group @ Desert ARC Riverside County w/Collaborative Partner: Get Safe USA. (19) self- advocates attended

(Sept) - provided training to the Mono County Board of Supervisors to increase awareness of individuals with developmental disabilities within the community. (15) BOS professionals

(Oct) – AB12 met with Director of Medi-Cal for San Bernardino County to resolve concerns brought by Inland Regional Center’s Revenue Unit involving systemic problems getting their folks initial medi-cal and redeterminations approved and through the hearing process. Matter resolved. (3) professionals

### State Plan Activities Implemented During this Reporting Period

(Sept) - completed (29) Face to Face visits with self-advocates for the purpose of implementing the Adult Consumer Quality Assessment project in Inyo, Kern, Mono, Riverside and San Bernardino counties.

(Sept) - facilitated Individual Program Planning training to SLS/supportive living services staff on consumer rights, community services, navigating the system and increasing consumer’s self-advocacy skills. (8) professionals

(Sept) - input (9) child and family surveys from self-advocates within Inyo, Kern, Mono, Riverside and San Bernardino counties.

(Sept) – participated in the Inland Empire Disabilities Collaborative Conference “Aging well w/Disabilities” by providing training on Aging Well with a Disability. (50) self-advocates, (25) family advocates and (125) professionals

(Sept) - provided training to parents on how to advocate for quality transition services for young adults in the Mammoth Unified School District. (1) self-advocate, (2) family advocates, (1) professional

(Sept) - provided training to the Mono County Board of Supervisors to increase awareness of individuals with developmental disabilities within the community. (15) BOS professionals

(Sept) - collaborated with Mono County Department of Public Social Services Director to discuss needs assessment and the need for dental services in the county for individuals with developmental disabilities. (1) Professional

(Sept) - provided training to increase the awareness of individuals with developmental disabilities and who are served by County Mental Health services and best practices to navigate the mental health system. (7) self-advocates (7) family advocates (8) professionals

(Sept) – facilitated training "Home Ownership, is it right for you?" in Riverside County. Collaborating partner: Get Safe USA and funded by Cycle 35 Grant. ( 1) self-advocate, (2) family advocates, ( 6) professionals

(Sept) – facilitated SLS/Supportive living vendor meeting for all vendors servicing Riverside and San Bernardino Counties and IRC consumers. Addressed issues & concerns brought by SLS vendors regarding advocacy of consumers. (12) professionals

(Sept) – facilitated Employment Readiness Training: Resume Building Clinic @ Desert ARC. (12) self-advocates received personalized resumes in both hard (paper) copy and on CD for future use.

(Sept) – facilitated the establishment of a New Self-Advocacy Group @ Desert ARC Riverside County w/Collaborative Partner: Get Safe USA. (19) self-advocates attended

(Sept) - assisted (8) family advocates via telephone contact regarding educational issues by providing information and phone advocacy assistance and support.

(Sept) – assisted family advocates & (1) self-advocates regarding issues regarding employment and questions regarding public benefits. AB 12 provide information regarding system navigation through DOR with (5) referrals. (4) family advocates

(Sept) - assisted (9) telephone calls from family advocates requesting advocacy assistance and information regarding regional center services and supports.

(Sept) – assisted (3) family advocates requesting information and assistance regarding Housing for individuals w/developmental disabilities via telephone.

(Sept) - provided Individual Educational Plan advocacy at (3) IEP's to assist in the process of making systemic changes regarding the educational process for individuals with developmental disabilities in the local school district within the community.

(Sept) - provided individual advocacy for (1) consumers and (1) family advocate of the consumer going through the fair hearing process with regional center.

(Sept) - provided individual advocacy assistance through the IPP process of (1) consumer re: SLS reduction.

(Sept) - provided individual advocacy, assistance and support to (2) consumers and their families through the Regional Center appeal process and face to face at the Fair Hearing.

(Oct) - provided Individual Program Planning training to SLS/supportive living services staff on consumer rights, community services, navigating the system and increasing consumers' self-advocacy skills. Attendees: (9) professionals

(Oct) – collaborated with San Bernardino District Attorney's Multi-Disciplinary Team and discussed cases regarding consumers of regional center who have been victims of abuse, neglect, undue influence or financial improprieties. Attendees: (15) professionals

(Oct) – provided individual advocacy via telephone by assisting (3) family advocates of (3) regional center/RC consumers navigate the system and expedite the process of re-activating their cases w/RC to obtain needed services and supports.

(Oct) – provided individual advocacy via telephone by assisting (5) family advocates by providing information about educational rights and responsibilities of schools to ensure students' needs are identified and addressed through the IEP process and within the proper timelines.

(Oct) – provided individual advocacy via telephone by assisting (3) family advocates and (2) self-advocates by providing information and guidance regarding regional center appeal process, fair hearing guidelines, complaint procedures and Laterman Act/WIC codes sections on services and supports.

(Oct) – participated in DOR/Department of Rehabilitation open house to network and collaborated with agency professionals who serve individuals w/developmental disabilities. Attendees: (35) professionals

(Oct) – participated in IEP settlement agreement extension meeting for out-of-state residential/educational placement. (Part 1 of 2) Attendees: (1) self-advocate (2) family advocates (15) professionals

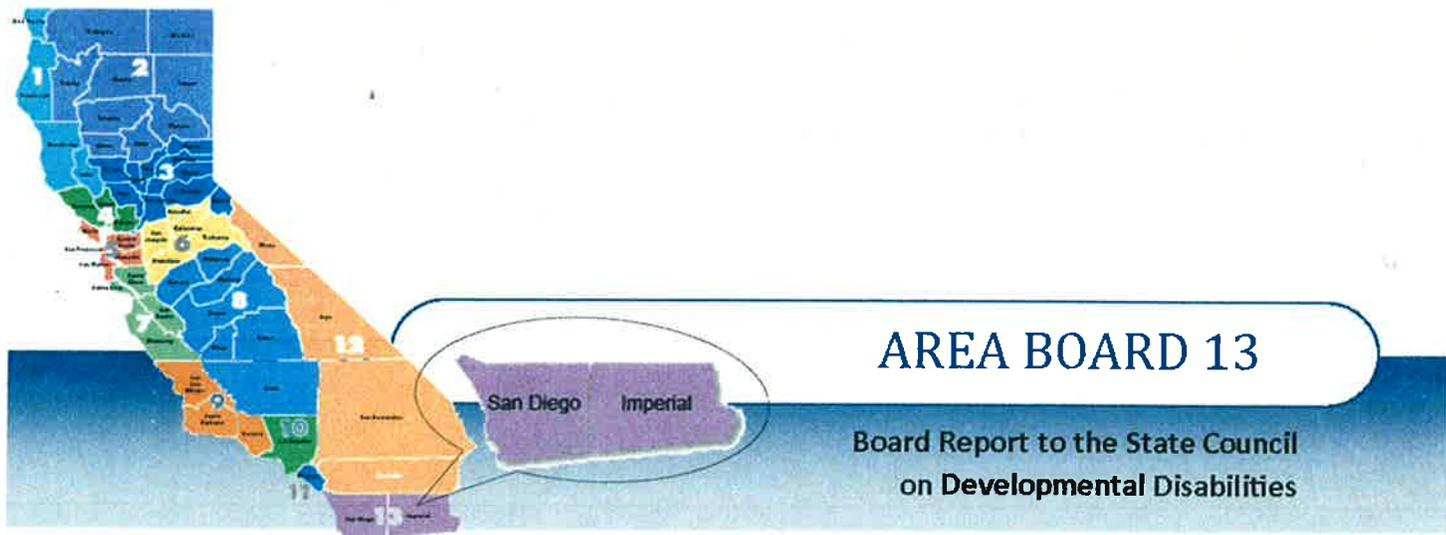
(Oct) – met face-to-face to determine authorized representative for IRC re: Medi-Cal state level appeal (1) self-advocate (3) professionals

(Oct) – met with Director of Medi-Cal for San Bernardino County to resolve concern issue brought by Inland Regional Center's Revenue Unit in systemic problems getting their folks medi-cal approved and through hearing. Matter resolved. (3) professionals

(Oct) –AB12 board met with Kern Regional Center to discuss the Self-Determination pilot project in Inyo and Mono counties. (5) self-advocates (4) parent advocates (5) professionals

### **Issues or Concerns for State Council Consideration**

At our last reporting, Area Board 12 had requested IRC to review its policy on SLS services prior to conducting a public hearing. To date, no response has been provided. Our office continues to get complaints from both providers and recipients of SLS services regarding alleged threats of retaliation from Inland Regional Center.



Reporting Period: September/October

Date: October 24, 2013

## Highlights

Staff facilitated the collaboration between Area Board XIII, SDPF and the San Diego Regional Center Wellness Committee for the 2<sup>nd</sup> annual Health and Wellness Leadership Symposium held on September 30<sup>th</sup>. Training was provided on "How to Advocate with your Health Care Provider", "Feeling Safe, Being Safe" and "Chair Dancing: Exercise Can Be For Everyone". While the training was targeted for self advocates there were 8 nursing students and their instructor from the San Diego State University Nursing Program who came to observe the training and have an opportunity to learn more about the needs of individuals with developmental disabilities. 56 people attended this event.

Participated in the San Diego South County SELPA Resource Fair. 116 handouts were taken by parents, professionals and transition students.

Completed 50 hours of practicum hours to complete COPAA SEAT training.

Presented to 17 parents during the "Project Leadership" training being offered through the Exceptional Family Resource Center.

Shared information regarding Area Board XIII and the services we offer as well as an overview of SB386 to 20 Court Appointed Special Advocates (CASA's) at Voices for Children.

Held the third "Community Conversation" with Carlos Flores, Executive Director of the San Diego Regional Center to share information about services and supports, recent legislation, and provide an opportunity for the community to share their concerns, questions, etc. There were 46 people in attendance.

Met with the marketing firm that has been contracted by the County of San Diego, Office of Emergency Services, to discuss development of three one hour videos to educate emergency shelter

staff regarding supporting individuals with developmental disabilities in the event of a crisis situation. Following the initial meeting, I gathered a small focus group to further present ideas regarding the videos, information we felt imperative they provide, and ideas of techniques that should be employed. We will be previewing the scripts prior to the completion of the product.

Attended a workshop on Alzheimers Disease in Adults with Downs Syndrome. Clarified for the presenter and some of the attendees that individuals with Downs Syndrome are NOT automatically conserved by the regional center when they become adults.

## **State Plan Activities Implemented During this Reporting Period**

### **Goal #1:**

Provide monthly facilitation at the SDPF officer meeting, SDPF and IVPF business meetings.

Continued meeting with a core group of self advocates to formulate the structure and direction of the planning for the 2014 SDPF Self Advocacy conference.

Staff provided facilitation during the planning meetings for the 2014 Imperial Valley Self Advocacy Conference. With facilitation support the group created a fundraising plan to help defray the cost of the conference. They will be hosting a Gift Basket Silent Auction on December 5<sup>th</sup> for their members and the community.

Staff facilitated the collaboration with Area Board XIII, SDPF and the San Diego Regional Center Wellness Committee for the 2<sup>nd</sup> annual Health and Wellness Leadership Symposium held on September 30<sup>th</sup>. 56 people were in attendance at the event.

Provided support to the SSAN interim chairperson in preparation for the By-Law Training, and at the September meeting.

### **Goal #2:**

Staff participates on the Fiesta Educativa conference planning committee and is responsible for coordinating the health and resource fair which will include a hands on assistive technology area, 28 vendors have been secured for the event. Staff secured three speakers to conduct workshop training sessions on using IPADs in the classroom and home environment.

Participated in a resource fair sponsored by the Lindberg Schweitzer Elementary School, 9 family members were provided with information regarding their educational rights and regional center services.

Attended 4 IEP meetings, the issues addressed were incomplete assessment reviews, service needs and levels being accurately identified, educationally related mental health services evaluations, implementation of the IEP and safety issues as it relates to community based instruction and knowing where students are located at all times.

Attended 4 IPP meetings, the issues addressed were inadequate amounts of respite, securing employment, changing supported living vendors, procurement of behavior intervention services and wrap around services.

Staff provided technical assistance in preparation for and during a mediation meeting with San Diego Regional Center regarding 5<sup>th</sup> category eligibility. Eligibility was granted.

Resolution to a request for fair hearing was reached following an informal meeting and agreement to conduct additional assessment. Eligibility was granted.

Consulted with 2 families regarding their family member's lack of day program. One family has been told that their family member cannot attend her day program of 4 years because the program was restraining her. The second family is concerned that their staff person from a tailored day program is consistently re-assigned when others staff are unavailable.

Assisted with 2 families with information regarding regional center and educational services e.g. how to request special education services.

Attended three IEP meetings and one IPP meeting.

Assisted family with issues regarding respite and SDRC. SDRC informed family that they needed medical respite without specifying where it is written in the regulations.

Technical support given at one IEP meeting.

Technical support given over the phone or email in the following areas: 5 calls regarding Special Education, 3 calls/email regarding IHSS, 2 call regarding community supports

Participation on the IEP Day (Involved Exceptional Parents Day) Conference planning committee. Role of co-chair at monthly meetings, working on selection of keynote speakers, workshop topics/presenters and attaining sponsorships/funding. Also responsible for conference budget.

Goal #3:

Mailed approximately 2100 NCI quality assurance surveys.

Goal #4:

Participated in the PERT Training Academy Resource Fair, 32 members from the law enforcement community were given resource materials, an overview of the Area Board and how we could be a resource to them.

At a Town Hall meeting conducted by Senator Marty Block, the need to educate law enforcement in handling situations involving people with developmental disabilities was shared.

At the San Diego Mayor's Committee on Disability, the need to train all city employees regarding people with developmental disabilities was brought up due to a recent incident in a public library

where a librarian called the police with an exaggerated complaint, which could have caused the arrest of the individual had the officer not been as well informed as he was.

**Goal #6:**

Staff continues to work with the San Diego Unified School District TRACE program to look at ways to strengthen their self advocacy/governance group. Discussions and planning are continuing regarding the implementation of a peer mentor program. Staff provided facilitation for the first Governance Group meeting, 33 students representing 16 program sites were in attendance.

Continue to plan for the 4<sup>th</sup> year of Project College to be held on the campus of the University of San Diego.

Conduct Transition Committee meetings on a monthly basis, and are in the process of planning another transition workshop for students/families, as well as creating some materials to put on the ABXIII and SDRC websites for easy access at all times for families.

**Goal #8:**

Another training the Transition Committee is planning is a panel presentation regarding the recently passes Employment First legislation. We would like to have members from the EF Workgroup, etc. present on how and why this legislation came about, and what the implementation will look like. The target audience is DOR, SDRC, School staff, families and students.

**Goal #9:**

Supported the Jobtoberfest Event, which was attended by approximately 1200 people with disabilities. There were various workshops offered on the Working Disabled Program, Completing a job application, etc., as well as 50 employers who talked about employment opportunities. The acting Mayor opened the event.

**Goal #13:**

Participation in the monthly IHSS Advisory Committee meetings as an advocate for people receiving services through SDRC. Participation in monthly CICA (CA IHSS Consumer Alliance) calls for updates on what is happening across the state. Take notes from those calls to share at the monthly Advisory Committee meetings.

As a member of the Mayors Committee on Disabilities, reviewed and approved a virtual experience being designed by the Museum of Man in Balboa Park for use by individuals unable to climb the steep stairs into the newly opened second level tower.

**Goal #14:**

Serve as facilitator for governor appointed State Council Representative. Attended both the Executive and Administrative Committee meetings.

**Issues or Concerns for State Council Consideration**

Continued issues with families finding it difficult to obtain regional center services – eligibility and beyond.