



NOTICE/AGENDA

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EXECUTIVE COMMITTEE MEETING NOTICE/AGENDA

POSTED AT: www.scdd.ca.gov

DATE: March 12, 2018

TIME: 11:00 AM – 2:30 PM

MEETING LOCATION:
SCDD HQ OFFICE
1507 21st Street, Suite 210
Sacramento, CA 95811

TELECONFERENCE LOCATION(S):
Listed below

COMMITTEE CHAIR: Ning “Jenny” Yang

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3. WELCOME AND INTRODUCTIONS

Item 4. PUBLIC COMMENTS

This item is for members of the public only to provide comments and/or present information to the Committee on matters not on the agenda. Each person will be afforded up to two minutes to speak. Written requests, if any, will be considered first.

Item 5.	APPROVAL OF FEBRUARY 2018 MINUTES 	Page 3
Item 6.	SPONSORSHIPS  A. CHOICES Institute	Page 9
Item 7.	EXECUTIVE TEAM COMMUNICATION WITH THE BOARD	
Item 8.	WHISTLEBLOWER POLICY	Page 23
Item 9.	CLARIFYING ROLES OF STAFF IN RELATION TO COUNCIL BUSINESS	
Item 10.	NEXT MEETING DATE & ADJOURNMENT	

Accessibility:

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 (916) 322-8481. Requests must be received by 5 business days prior to the meeting.

Materials:

Meeting documents and presentations for an agenda item must be submitted to SCDD no later than 2 business days prior to the meeting.

TELECONFERENCE LOCATION(S):

Central Coast Regional Office
2580 North First Street, Suite 240
San Jose, CA 95131

350 S. Bixel Street
Los Angeles, CA 90017

**APPROVAL OF
FEBRUARY 2018
MINUTES**



DRAFT

**Executive Committee Meeting Minutes
February 15, 2018**

Attending Members

April Lopez (FA)
Charles Nutt (SA)
David Forderer (SA)
Janelle Lewis (FA)
Jenny Yang (SA)
Sandra Smith (FA)

Members Absent

Others Attending

Aaron Carruthers
Kristie Allensworth
Natalie Bocanegra
Nathan Semino
Rihana Ahmad
Robin Maitino
Wayne Glusker

1. CALL TO ORDER

Chairperson Jenny Yang (SA) called the meeting to order at 11:07 a.m.

2. ESTABLISH QUORUM

A quorum was established.

3. WELCOME/INTRODUCTIONS

Members and others introduced themselves as indicated.

4. PUBLIC COMMENTS

There were no public comments.

5. APPROVAL OF THE DECEMBER 2017 MEETING MINUTES

It was moved/seconded (Lewis [FA]/Smith [FA]) and carried to adopt the December 2017 meeting minutes as presented. (For: Forderer, Lewis, Nutt, Smith, Yang; Abstain: Lopez)

6. SCDD BUDGET UPDATE

Executive Director Carruthers presented the proposed 2018-2019 budget to the Committee. It was recommended by Council Member Lopez that acronyms listed on the budget be defined. In addition, Council Member Lopez raised questions regarding the line item "Worker's Compensation Claim" on Page 10 of the packet. This is a past claim, it was suggested

Legend:
SA = Self-Advocate
FA = Family Advocate

that the claim be added to the Structural Deficit and something to look further into. Council Member Lopez also requested that an update on adopted structural deficit items be included in the budget report presented at the next Council meeting, including an update on the HQ office move, and a timeline for the I-Pads.

It was moved/seconded (Nutt [SA]/Forderer [SA]) and carried to move the 2018-2019 budget to the March Council meeting (Unanimous, see attendance list for voting record)

7. **SCDD TRAVEL POLICY**

Executive Director Carruthers presented the draft SCDD Council Member Travel Policy to the Executive Committee for review and approval. The intent of the policy is to ensure Council Member understanding of the State required travel request guidelines as well as rates for which members can be reimbursed. Although this information is provided in numerous, different State documents, SCDD wanted to create one document where all the information can be found for reference and clarity.

Committee members made the following recommendations:

- The language, “whatever is most cost effective per individual location/needs” be added under the heading Transportation, after the words: “Uber/Lyft when possible)”
- Staff draft a list of possible emergency situations, for Council members to discuss, add, or clarify
- Research Southwest Airlines protocol for “Wanna Get Away” fares and restrictions
- A contact from the Hotel be given to Council members in case a room cancellation is needed to be made after hours.

It was moved/seconded (Nutt [SA]/Smith [FA]) and carried to recommend approval of the SCDD Travel Policy (Unanimous, see attendance list for voting record)

8. **COUNCIL MEMBER SEXUAL HARASSMENT PREVENTION POLICY**

Executive Director Carruthers presented details regarding a Sexual Harassment Prevention Policy. SCDD is working with the Department of Social Services (DSS) in providing Sexual Harassment Prevention training online. The online training will be mandatory for SCDD staff.

If adopted by the Council, all SCDD Council Members would also be required to take the EverFi online training within 6 months of their start date and every 2 years thereafter.

The Committee acted to recommend approval pending an amendment to the policy. The amendment would add language that exempts Council Members who already have completed Sexual Harassment Training with their agency.

It was moved/seconded (Nutt [SA]/Smith [FA]) and carried to recommend approval of the Sexual Harassment Prevention Policy (Unanimous, see attendance list for voting record)

9. **CONFLICT OF INTEREST WAIVER REQUEST**

Tri-Counties Regional Center (TCRC)

Board Member Robyn Adkins

Ms. Robyn Adkins is a member of the TCRC board. Ms. Adkins' mother is employed by Respite Inc., a regional center vendor, to provide services solely to Ms. Adkins' son, a regional center consumer.

It was moved/seconded (Nutt [SA]/Smith [FA]) and carried to adopt staff's recommendation to approve the waiver request and mitigation plans for (Adkins) provided she implements the submitted mitigation plan and does not participate in any decision that impacts her mother's employer.
(Unanimous, see attendance list for voting record)

10. **SPONSORSHIP REQUEST**

Staff member Kristie Allensworth presented the UCLA/OIC Center for Cerebral Palsy request for \$999.00 in sponsorship funds for their "Family Forum". This event is to take place on Saturday, March 17, 2018 at the UCLA Faculty Center. Council funds will be used towards the costs of the audiovisual services.

It was moved/seconded (Nutt [SA]/Lewis [FA]) and carried to fund the March 17, 2018 UCLA/OIC Center for Cerebral Palsy Family Forum in the amount of \$999.00. (Unanimous, see attendance list for voting record)

11. CLARIFYING ROLES OF STAFF IN RELATION TO COUNCIL BUSINESS

As a follow-up to the question: Is the SCDD attorney, the Council's attorney, or the staff's attorney? Executive Director Carruthers clarified his answer from the January Council closed session. He stated the client is SCDD. The attorney's mission is to protect the State Department. The Executive Director is the supervisor of the Staff Attorney. The attorney does not represent any individual.

At this point, SCDD staff were asked to leave the meeting room, with the exception of staff member Rihana Ahmad who was responsible for taking the minutes.

A. Clarifying roles of Legal Counsel

Committee members requested a current copy of the SCDD organizational chart. Copies were made available at the meeting. Chair Yang suggested Council Members Kris Kent and Catherine Blakemore be added to the Executive Committee, because of their experience. Council Member Lopez volunteered to invite Council Members Kent and Blakemore, due to her close-working relationship with them, to the next meeting.

Council Member Lopez asked to review the job descriptions (job duties) for Legal Counsel (current and prior), change in structure, in addition to looking at other boards and commissions protocol on contacting their attorney, and come back with recommendations to change the job description.

Committee members would like to look at organizational structures from other departments.

Council Member Lopez also raised a hypothetical scenario of concern. Council Member Lopez also expressed concerns that she believes at times the Council has been told "Staff has recommended", and assumed Legal Counsel had reviewed the information. Council Member Lopez wants to make sure Legal Counsel is giving information based on having reviewed information, because she believes it has not always been the case.

Chair Yang reminded committee members that the Executive Committee is to work out concerns then make recommendations to Council, the item was moved to the April agenda in an open session.

B. Concerns how and when council members can contact staff

Council Member Lopez spoke about how when she contacted Orange County Regional Office's current manager, she was unaware the current manager was on maternity leave.

Committee members discussed how to address the scenario, however concerns were raised that it could hinder business operations. Council Member Lopez shared her concerns with having to spend vacation time reviewing an agenda. It was suggested that new staff or extended leaves of absences be shared with all council members via an announcement.

At this point, SCDD staff were allowed back into the room for the remainder of the meeting. Executive Director Carruthers explained the difference between rank and file staff, and the Executive/Deputy Directors. Rank and file staff are contracted to work a specific set of hours and labor laws protect them from working outside those hours. A chart outlining support staff, contact information, and business hours was shared with committee members. Committee members were informed that the Executive/Deputy Directors are available to contact after hours, within reason. It was recommended that Executive Director Carruthers contact info be included in the chart, and handed out to council members at the next Council meeting.

12. EXECUTIVE DIRECTOR EVALUATION PROCESS AND MATERIALS FOR 2018, 2019

Committee members discussed the Executive Director evaluation process. It was noted that Council Member Lopez had recused herself from the process. Committee members felt the timeline used last year was helpful.

13. NEXT MEETING DATE & ADJOURNMENT

The next Executive Committee meeting will be held on April 19th, 10am – 3pm. Meeting adjourned at 2:04pm

SPONSORSHIPS

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Sponsorship request from CHOICES Institute.

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

ANALYSIS/DISCUSSION: CHOICES Institute is requesting \$999.00 for the 31st Annual CHOICES Conference. The event is scheduled for Friday, April 6, 2018, at the San Joaquin County Office of Education (SJCOE) in Stockton, CA.

CHOICES Institute is a non-profit educational organization with the goal of providing education through an annual conference and training seminars for individuals with developmental disabilities and their families. Professionals, service providers and case management staff will also be in attendance.

The annual conference attendance of 500+ is made up of people with developmental disabilities who receive services from Valley Mountain Regional Center. By attending this conference and gaining knowledge and information, participants learn to exercise control, choice and flexibility in the services that they receive.

There will be 3 keynote speakers, all of whom have developmental disabilities. CHOICES Institute also hires The Advocates to sing at the lunch break. The Advocates are a singing group whose performers are people with developmental disabilities. There is a micro business fair that brings business owners with disabilities to sell their wares at the event.

The majority of the audience is made up of self-advocates that include transition aged students. There are service providers, educators, family advocates and regional center staff as well.

The SCDD funds will be used to offset the cost of the conference. The funds will cover printing, postage and signage costs.

The SCDD previously sponsored this event in 2014. Choices Institute receives in kind support from the SCDD North Valley Hills Regional Office in the form of hosting planning team meetings and other technical support for this event.

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

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2017-18, the Council has awarded \$11,988 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2017.

STAFF RECOMMENDATION: Approve CHOICES Institute’s request for sponsorship.

ATTACHMENTS(S): CHOICES Institute’s request for sponsorship.

PREPARED: Kristie Allensworth February 22, 2018



Sponsorship Request Application Checklist

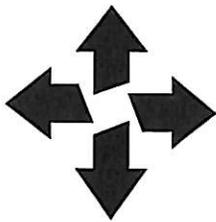
The checklist below will help you identify the information needed to complete the sponsorship request application. We suggest you print this page to use while you gather information for the sponsorship application.

To allow sufficient time for processing and review, we recommend that sponsorship requests be submitted at least 3 months before an event. Please submit this checklist with the sponsorship request application.

Information Checklist

- Name of your Company/Organization
- Name of Project/Event/Program
- Project/Event Date
- Contact Name
- Contact Email, Address and Phone Number
- Amount of Funding Requested
- Approximate Total Cost of Project/Event
- The answer to this question: How this event/conference will increase the ability of consumers and family members to exercise control, choice and flexibility in the services and supports they receive, including a description of the specific way SCDD's funding would be utilized
- Event/Program Objectives
- Target Audience: The number and type of expected attendees (i.e. teachers, providers, administrators, etc.), including how many of those attendees are expected to be consumers and family members
- The answer to this question: How many presenters or panelists will participate in the event and what number of the presenters or panelists will be consumers
- A list of other sponsors/major contributors
- The answer to this question: How you will conduct outreach to increase consumer and family involvement in the conference
- Have you included a complete and total budget, including the amount you are requesting (\$999 limit), details on the amount and sources of other funds solicited or obtained

- Have you included a list of other SCDD sponsorships and grants you have previously requested and/or received
- Have you included a letter of recommendation from a consumer and/or family organization that supports your efforts to improve consumer and family self-advocacy



CHOICES INSTITUTE

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Supporting Organizations
State Council on Developmental
Disabilities – North Valley Hills
arc-San Joaquin
CaPromise
Central Valley Training Center
Coalition of Area Service
Providers (CLASP)
Creative Support Alternatives/SDSU
Disability Rights California
DRAIL
Family Resource Network
Lodi Unified SELPA
Valley CAPS
Person Centered Services
San Joaquin County
Office of Education SELPA
Self Advocacy Council 6
United Cerebral Palsy
of Stanislaus
Valley Mountain Regional Center

January 19, 2018

SCDD- Sponsorship Request
1507 21st Street Suite 210
Sacramento, CA 95811

To Whom it May Concern and in accordance of the SCDD
Sponsorship Policies and Procedures:

a.) CHOICES Institute would like to request \$999.00 sponsorship dollars for use at our 31st Annual CHOICES Conference to be held on Friday, April 6, 2018 at the San Joaquin County Office of Education (SJCOE) in Stockton, CA.

CHOICES Institute is a non-profit educational organization with the goal of providing education through an annual conference and training seminars for person with developmental disabilities, their families, professionals, volunteers, service providers, case management staff and other community members.

b.) This annual event sells out every year. Most of the audience is made up of people with developmental disabilities who receive services from Valley Mountain Regional Center. By attending this conference and gaining knowledge and information participants learn to exercise control, choice and flexibility in the service they receive. The SCDD funds will be used to offset the cost of the conference which will allow the CHOICES Institute to keep the registration fee low. The funds will cover printing, postage and signage costs.

c.) The CHOICES Institute conference planning team is made up of self advocates, family advocates, service providers, Valley Mountain Regional Center staff and SCDD North Valley Hills staff. For our 2018 conference, there will be 3 keynote speakers, all of whom have developmental disabilities. CHOICES Institute also hires **The Advocates** to sing at the lunch break. **The Advocates** are a signing group whose performers are people with developmental disabilities. There is a micro business fair that brings business owners with disabilities to sell their wares at the event.

d.) As mentioned- our conference sells out each year- we get 500 attendees. The majority of our audience is made up of self advocates that include Transition aged students. There are service providers, educators, family advocates and regional center staff as well.

e.) Outreach of this event is done by the conference planning committee. The Self Advocacy Council 6 provides information and

materials at their area meetings, SCDD North Valley Hills disseminates information and material as do the rest of the committee members. Because it is an annual event held in April of each year, people know to look for information on the CHOICES Institute website. We also have a t-shirt and video contest which helps people know the theme and give them an opportunity to be part of the event by sending in artwork or video work. Sadly- we do sell out each year and cannot safely accommodate more than 500 at our current FREE location.

f.) A complete and total budget is attached to this request. The CHOICES Institute is requesting the \$999 for printing, postage and signage costs which total \$999.

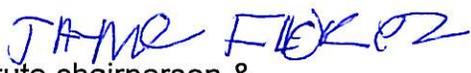
g.) In 2014, the CHOICES Institute received \$999 Sponsorship funds from SCDD. CHOICES did complete the payee data from at that time. We do receive in kind support from the San Joaquin County Office of Education (SJCOE) in regards to space, staff time and folders for the event and from SCDD North Valley Hills in regards to hosting our planning team meetings and other technical support of this event.

h.) Letters of recommendation are attached from the Family Resource Network (FRN) and the Self Advocacy Council 6 (SAC6).

2) Acknowledgement during the event will occur at the morning welcome, through SCDD signage, SCDD logo on conference materials and SCDD will have a resource table.

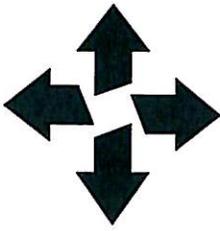
On behalf of the CHOICES Institute, I thank you for your time and attention to this matter. The CHOICES Conference is a worthwhile event and it does incorporate SCDD's state plan Goal #1 on Self Advocacy.

Sincerely,

Jayne Florez 
CHOICES Institute chairperson &
Self Advocacy Council 6 Representative

Attachments:

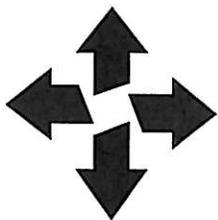
- CHOICES Institute 2018 Conference Budget
- DRAFT copy of the Registration Materials
- Letter of Recommendation from Family Resource Network and the Self Advocacy Council 6
- Copy of the SCDD Sponsorship Policies & Procedures form



Prospective Budget for the CHOICES 2018 Conference

Income:		Totals:
Participants= average 500		
50 staff & professionals	\$40 x 50	\$2000.00
440 individuals with disabilities/family members	Reduced Rate of \$30 x 450	\$ 13,200.00
10 CLASP (vendor association) Scholarships-	\$40 x 10	\$400.00
Money from registration fees		\$ 15, 600.00
Expenditures:		
Use of SJCOE Building	In kind donation SJCOE	\$0
Liability Insurance		\$200.00
Speakers fees, travel and per diem	3 speakers	\$3000.00
Hotel for 1 speaker and support person (other 2 speakers staying at friend's home as no cost to CHOICES)	1 speaker & support person	\$200.00
CHOICES Scholarships	\$30 x 35	\$1050.00
Printing (poster winner/registration materials)	Request SCDD sponsorship	\$600.00
Postage	Request SCDD sponsorship	\$200.00
Signage	Request SCDD sponsorship	\$199.00
Committee HELP Buttons		\$50.00
CHOICES T-shirts		\$3000.00
Conference Packet materials & handouts	In kind donations from SJCOE & SCDD NVH	\$ 0

Food- Continental Breakfast, coffee service and Panera Lunch		\$ 4500.00
<i>"The Advocates"</i> to sing at lunch (individuals with disabilities hired from Person Centered Services)		\$ 500.00
Thank you notes to legislators		\$ 50.00
Certificates, holders and cash award to t-shirt and video winners		\$ 500.00
P.O. Box use annual fee		\$40.00
Voicemail Line Fee	In kind donation	\$0
Total Expenditures		\$14089.00
Income of \$15600.00 less Expenditures \$ 14086.00		= \$1,511
Less SCDD Sponsorship request of \$999		= \$512.00



CHOICES INSTITUTE

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Liz Zastrow

Administrative Support
Sharon Gaines
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Supporting Organizations

State Council on Developmental
Disabilities – North Valley Hills
arc-San Joaquin
CaPromise
Central Valley Training Center
Coalition of Area Service
Providers (CLASP)
Creative Support Alternatives/SDSU
Disability Rights California
DRAIL
Family Resource Network
Lodi Unified SELPA
Valley CAPS
Person Centered Services
San Joaquin County
Office of Education SELPA
Self Advocacy Council 6
Thumbs Up!
United Cerebral Palsy
of Stanislaus
Valley Mountain Regional Center

DRAFT of the Registration Form that will be completed in February 2018.

CHOICES 2018 Schedule

8:00 am – 10:00 am

- Registration
- Continental Breakfast

8:30 am - 1:00 pm

- Micro Business Fair-Greenwood 3 & 4

10:00 am – 10:20 am

- Conference Welcome
- Presentations of Awards

10:20 am – 10:30 am

- Showing of the Winner of the CHOICES Video Conference

10:30 am – 11:10 am

- Keynote Speaker- (Piper)

11:10 am – 11:15 am

- Break

11:15 am – 12:00 pm

- Legislative Session

12:00 pm – 1:00 pm

- Lunch
- Performance by “The Advocates”

1:15 pm – 3:00 pm

- Afternoon Key Note Speakers (Kevin & Chris)

Bios of our speakers:

1) Piper Roberson is a talented writer and storyteller who is also emerging as a powerful speaker and advocate. Piper will share her experiences of moving out on her own, building a circle of support, finding the love of her life, and chasing her dreams!

2) Kevin Fortunato (@KJF797) is a student at TCHS Brandywine in the Early Childhood Education program. A keynote presenter at the 2016 California Transition Alliance, 2017 South Carolina Transition Conference, and 2017 Delaware Transition Conference Kevin has also presented at NTACT (National Technical Assistance Center on Transition) and the 2016 Pennsylvania Transition conference. He is currently mentoring students at his former elementary school as a youth leader.

3) Chris Coulston (@irishchris2014) is a Project SEARCH™ graduate and now an employee at Christiana Care Health Systems and a part-time student at Delaware Technical Community College. He has keynoted at the 2016 and 2015 California Transition Alliance conference and 2017 Delaware Transition conference, and presented workshops at the 2017, 2016 and 2014 NTACT conference, 2011-2015 Delaware Transition conference, 2016 Pennsylvania Transition conference and the 2012 National Transition conference. He is a graduate of Jr. Partners in Policymaking.

Both Kevin and Chris enjoy sharing their personal stories of self-advocacy and bringing the gift of self-determination to others. Self-determination empowers you to go after the life you want to live!



Family Resource Network

5250 Claremont Avenue, Suite 148

Stockton, CA 95207

209-472-3674 ♥ 800-847-3030 ♥ fax 209-472-3673 ♥ www.frcn.org

January 23, 2018

To Whom It May Concern:

Family Resource Network is proud to write this letter in support of the CHOICES Institute's Sponsorship application for \$999.00 from the California State Council on Developmental Disabilities. The funds will be used to offset the cost of this year's annual conference—specifically for the printing of the Poster Winner's artwork for each conference participant to keep, postage and signage. By covering these costs, it allows the CHOICES Institute planning team to continue to nearly “break even” fiscally for the annual conference. This is the 31st Annual Conference and the theme for this year is “It's All About Me”. The speakers are self-advocates who will share their life stories to encourage, excite and empower everyone in attendance.

Family Resource Network is a co-sponsor of the CHOICES Institute because it is an event that promotes consumer and family empowerment through self-advocacy. The SCDD sponsorship dollars will allow the CHOICES Institute to keep registration fees low so more people can attend.

Thank you for considering this sponsorship request.

Sincerely,

Lisa Culley
Executive Director



January 29, 2018

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Lisa Utsey
Vice chair

Marilyn Pipa
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Marianna Sanfilippo
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Diana Powell

Jonathan Zahodne

Stephanie Doty

Ron McAllister

Tim Cabral

Consultants

Dena Pfeifer

Brad Putz

To Whom It May Concern:

I am writing this letter of support to the CHOICES Institute's application for a SCDD Sponsorship for the 2018 CHOICES Conference to be held on Friday, April 6, 2018 at the San Joaquin County Office of Education in Stockton.

The Self Advocacy Council 6 is on the planning team of the annual conference. Nearly 500 people come to this conference to learn about many difference things. Our speakers for the 2018 conference are all people with developmental disabilities. The theme is "Its All About Me".

The \$999 will help the CHOICES Institute's budget by covering printing, postage and signage for the conference. This will help keep the fees low for everyone to attend.

Thank you for considering the CHOICES Institute Sponsorship request.

Sincerely-

Crystal Enyeart

Crystal Enyeart
SAC6 chairperson

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WHISTLEBLOWER POLICY

REPORT IMPROPER ACTIVITY

Contact the Whistleblower Hotline
by phone, web, or mail

(800) 952-5665

www.auditor.ca.gov

WHAT TO REPORT

Improper acts by a state agency or employee, such as:

- Violation of state or federal law.
- Noncompliance with an executive order, a Rule of Court, the State Administrative Manual, or the State Contracting Manual.
- Misuse or waste of state resources.
- Gross misconduct, incompetence, or inefficiency.

Some of the most commonly reported improper acts include misuse of state property, improper travel expenditures, and time and attendance abuse.

The California State Auditor does not have the authority to investigate:

- Violations of a department's internal policies or procedures.
- Local government agencies and employees.

COMPLAINTS ARE INVESTIGATED

The California State Auditor investigates complaints and reports the results of substantiated allegations to the:

- Head of the employing agency.
- Legislature, Governor, and appropriate law enforcement agencies.
- General public, keeping identities confidential.

WHISTLEBLOWERS ARE PROTECTED

The Whistleblower Protection Act requires the California State Auditor to protect your identity.

It also prohibits intimidation, threats, or coercion by state employees that could interfere with your right to disclose improper governmental activities.

If you feel that you have been retaliated against for reporting an improper governmental activity, you should report this immediately to one of the following agencies:

- State and court employees: write to the State Personnel Board at 801 Capitol Mall, MS53, Sacramento, CA 95814.
- University of California (UC) employees: contact the locally designated official for the UC facility at which you are employed.
- California State University employees: write to the Vice Chancellor of Human Resources at 401 Golden Shore, Long Beach, CA 90802 or contact the appointed campus administrator.

2017-2018

HOW TO REPORT



(800) 952-5665 phone
(916) 322-2603 fax



Investigations
California State Auditor
P.O. Box 1019
Sacramento, CA 95812



www.auditor.ca.gov/hotline
Note: complaints not accepted via e-mail

To view an informational webinar hosted by CalHR, search "California Whistleblower Hotline" on YouTube or go to the following link:
<https://www.youtube.com/watch?v=9WFYLhJDOss>



HOW TO REPORT

You have three ways to report information to us confidentially:

Call the Whistleblower Hotline at:

800-952-5665

916-322-2603 (Fax)

(Note: The hotline is staffed Monday through Friday, 8 a.m. to 5 p.m. However, callers may leave a brief recorded message during other hours.)

Mail information to:

Investigations

California State Auditor

P.O. Box 1019

Sacramento, CA 95812

Submit a complaint online to:

<http://www.auditor.ca.gov/hotline>

(Note: The State Auditor does not accept complaints sent by e-mail.)

The California State Auditor's Office is your confidential avenue for reporting improper activities by state agencies or employees. It is your responsibility, as a government employee, to report any type of fraud, waste, or abuse, which ultimately protects scarce state resources, and to be free from retaliation for doing so.

In 2016 alone, we received 2,098 allegations of wrongdoing from state employees and members of the public, most of which concerned misuse of state property, improper travel expenditures, and time and attendance abuse. Whistleblower complaints have triggered investigations revealing millions of dollars in wasteful spending in recent years, such as:

- A state department wasted at least \$3.2 million in state funds and improperly paid \$16 million in advance payments when it improperly used a master agreement to upgrade an electrical infrastructure within its facilities beginning in 2011.
- 25. Four psychiatrists at a state facility regularly worked an average of 22 to 29 hours per week during a one-year period rather than the required 40-hours per week average; in total they worked 2,254 hours fewer than what was required at a total cost to the State of \$296,800.

- A state employee forged military documents and falsely reported his time regarding purported reservist duties, ultimately receiving compensation and benefits totaling \$6,000 to which he was not entitled.

To view our investigative reports, please visit our website: <http://www.auditor.ca.gov/reports/investigative>.

To view an informational webinar hosted by CalHR, search "California Whistleblower Hotline" on YouTube or go to the following link:

<https://www.youtube.com/watch?v=9WFYLhJDOss>.

REPORT IMPROPER ACTIVITY



it's our responsibility as
government employees





WHAT TO REPORT

Pursuant to Government Code section 8547.2, subdivision (c), improper acts by a state agency or employee that should be reported to the State Auditor include:

- Violations of state or federal law, including theft, fraud, or conflict of interest;
- Noncompliance with an executive order, Rule of Court, the *State Administrative Manual*, or the *State Contracting Manual*;
- Misuse or waste of state resources, including property or employee time;
- Gross misconduct, incompetence, or inefficiency.

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We do not have the authority to investigate violations of internal department policies or procedures, or to investigate local government agencies and employees.



WHISTLEBLOWERS ARE PROTECTED

If you report an impropriety, you are protected by the Whistleblower Protection Act, which:

- Requires us to protect your identity (except from law enforcement);
- Prohibits intimidation, threats, or coercion by state employees that could interfere with your right to disclose improper governmental activities.

If you believe that you have been retaliated against for disclosing an improper governmental activity, you should report this immediately to one of the following agencies:

State and court employees
State Personnel Board
801 Capitol Mall, MS53
Sacramento, CA 95814

California State University employees
Vice Chancellor of Human Resources
401 Golden Shore
Long Beach, CA 90802

Or contact the *appointed campus administrator*.

University of California (UC) employees
Contact the locally designated official for the UC facility at which you are employed. Visit www.ucop.edu for more information.



HELPFUL TIPS WHEN FILING A COMPLAINT

- **Prepare Before Filing.** Before we can investigate your complaint, we must understand what you are alleging. We have found that complainants are more effective in communicating with us if they gather their thoughts before filing a complaint and prepare themselves to answer the following questions: What is the improper activity? Who acted improperly? Where does that person work? How can we prove your allegation is true? Why do you think the activity is improper?
- **Support What You Allege.** To open an investigation regarding your complaint, we need to know that evidence exists to support what you are alleging. So when you file a complaint, it is very important that you describe the evidence that proves what you are saying and that you give us the names and telephone numbers of knowledgeable witnesses. It also is very helpful for you to provide us with copies of any documents you have in your possession that will support what you are saying. Please do not submit original documents, as they cannot be returned.
- **Consider Providing Contact Information.** You have a right to file a complaint without providing your name or any other information about who you are and how we may contact you. However, we may not be able to investigate your complaint if we cannot talk to you to confirm the information you are providing or obtain additional information. Please remember that if you identify yourself to us, we will not reveal your identity to anyone else without your permission, except to appropriate law enforcement personnel who are conducting a criminal investigation.
- **Keep Your Complaint Confidential.** We investigate complaints as confidentially as possible to protect both your identity as a whistleblower and our ability to gather information without interference. To protect the confidentiality of your complaint, we encourage you not to tell anyone that you filed a complaint with us.

INVESTIGATION OF COMPLAINTS

We investigate complaints and report substantiated allegations to the head of the employing agency, the Legislature, and the Governor. In addition, some of the substantiated allegations will be reported to the general public, keeping confidential the identities of the state employees involved. These reports may be viewed on our website at www.auditor.ca.gov/reports. Substantiated violations of law will be referred to law enforcement agencies, as appropriate.

About Filing a Complaint

The California Whistleblower Protection Act authorizes the California State Auditor to receive complaints from state employees and members of the public who wish to report an improper governmental activity. An "improper governmental activity" is defined as any action by a state agency or any action by a state employee directly related to state government that violates the law, violates an Executive Order of the Governor, violates a Rule of Court, violates the State Administrative Manual or State Contracting Manual, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. The complaints received by the State Auditor shall remain confidential, and the identity of the complainant may not be revealed without the permission of the complainant, except to an appropriate law enforcement agency conducting a criminal investigation.

Upon receiving a complaint, the State Auditor may conduct an investigation into the facts alleged in the complaint to determine whether an improper governmental activity has occurred. Before launching an investigation, the State Auditor's staff will conduct a careful evaluation of the complaint to determine whether it has enough potential merit to warrant the expenditure of state resources to conduct an investigation. We therefore ask that you keep the following points in mind when filing a complaint:

- We need a clear and concise statement of what you are alleging is an improper act, why you believe it is improper, and what evidence there is to confirm that what you are saying is true;
- If you don't provide a name or other information that clearly identifies the person you are alleging to have acted improperly, and the department where that person works, we may not know who to investigate;
- If you do not identify witnesses or documents that will support what you are saying, we may not be able to verify that what you are saying is true;
- While you may submit a complaint anonymously, we may not be able to determine whether your complaint has merit if we are not able to interview you;
- Submitting copies of any documents that will support your complaint is extremely helpful to our evaluation process. However, please submit copies of the documents, rather than the original documents, as they cannot be returned. If we need the original documents we will ask you for them later.

After the State Auditor receives a complaint, any investigation resulting from the complaint is confidential, so the State Auditor's staff cannot provide any updates about what is being done to investigate the complaint or what information has been uncovered. Information about the investigation will not be released unless the State Auditor substantiates that an improper activity has occurred and issues a report about it.

State employees who file a complaint are **entitled to protection against retaliation** by their employers for filing the complaint.

There are several ways to file a complaint. Prior to filing a complaint, it is a good idea to review the **Frequently Asked Questions**. For more information on filing a complaint, please see how to **File a Complaint**.

Frequently Asked Questions

Who may file complaints with the State Auditor?

- State employees
- Internal auditors of state agencies
- Anyone else, including contractors who do business with the state, job applicants, and persons obtaining services from the State

Who can the State Auditor investigate?

- Every office, department, division, bureau, board, and commission in the executive and judicial branches of state government, including the courts
- Any employee of the executive and judicial branches of state government, including elected constitutional officers, appointed state officials, and state civil service employees

Who can the State Auditor not investigate?

- Members of the legislative branch of government, including state senators, assembly members, and legislative staff
- Local government agencies and employees, including county, city, and school district employees and officials
- Federal government agencies and employees, including federal officials
- Private entities such as businesses and nonprofit organizations, or their employees

What can the State Auditor investigate?

- Any violation of state or federal law (including regulations) by a state agency or employee
- Noncompliance with an executive order of the Governor, a Rule of Court, the State Administrative Manual, or the State Contracting Manual
- Significant waste or misuse of state resources, including funds, property, and employee time
- Gross misconduct, incompetency, or inefficiency by a state employee

What are some examples of improper conduct recently investigated by the State Auditor?

- Embezzlement
- Improper contracting
- Misuse of state property
- Conflicts of interest
- Improper overtime
- Improper expense reimbursements
- False time and attendance reporting by state employees

May I file a complaint anonymously?

You have a right to file a complaint without providing us with your name or any other information about who you are and how we may contact you. However, we may not be able to investigate your complaint if we cannot talk to you to confirm the information you are providing or obtain additional information. Please remember that if you identify yourself to us we will not

reveal your identity to anyone else without your permission, except to appropriate law enforcement personnel who are conducting a criminal investigation.

What should I include in my complaint?

We will not undertake an investigation unless we have a basis for believing that your complaint has sufficient merit to warrant the expenditure of resources on an investigation. You should therefore include a clear statement of what you believe the improper activity to be, why you believe the activity is improper, who is involved, and what evidence we may examine to confirm that what you are alleging is true. Your complaint should therefore include:

- A clear and concise statement of what you are alleging to be improper activity and why you believe it is improper
- The name or other information that clearly identifies the person you are alleging has acted improperly and the department where that person works
- The names and contact information for any witnesses who can confirm the truth of what you are saying
- Copies of any documents that will support what you are saying. Please do not submit original documents, as they cannot be returned.

What happens after I file a complaint?

We will evaluate your complaint to determine whether it has sufficient merit to warrant an investigation. If we launch an investigation in response to your complaint, we will perform the investigation confidentially. This means that we will not report to you or anyone else about the progress of the investigation or what the investigation has found. The investigation will remain confidential unless the State Auditor issues a report on the investigation. If we need additional information from you, we will contact you.

What can the State Auditor do if the improper activity is substantiated?

- Issue a confidential report to the head of the agency that is involved
- Confidentially report the matter to the Attorney General, the Legislature, or any other entity having jurisdiction over the matter
- Issue a public report on the matter, keeping confidential the identities of the individuals involved
- The State Auditor does not have enforcement powers and cannot order a department or official to take any action