

State Council on Developmental Disabilities
Community Outreach &
Regional Advisory Committee Meeting

Wednesday, April 25, 2018 7:00PM to 9:00PM

Support for Families

1663 Mission Street, 7th Floor, San Francisco, CA

Collaboration is key! We invite members of the community to share input, issues and concerns. All are welcome.

Featured this meeting:

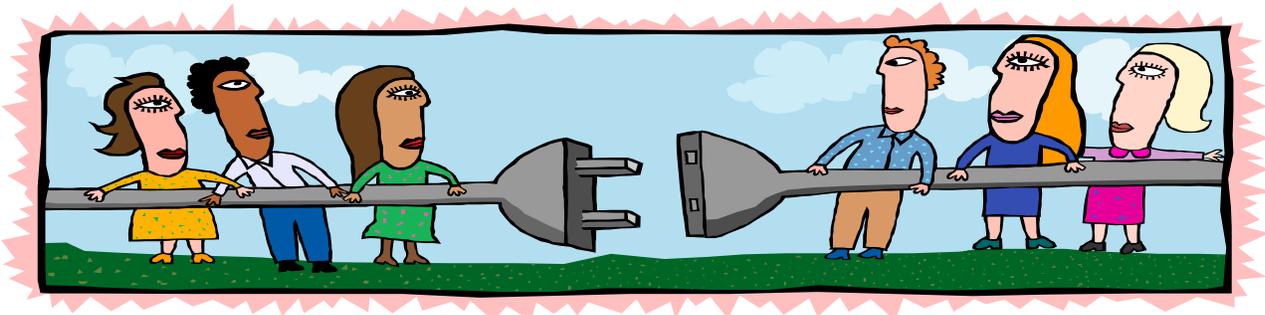
Overview of Affordable Housing, update on Health & Safety Net Services, and more!

For Information:

Valerie Buell at 510-286-0439 or bayarea@scdd.ca.gov
State Council on Developmental Disabilities Bay Area Regional Office
1515 Clay St. Suite 300 Oakland, CA 94612

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 Valerie Buell at 510-286-0439 at least 5 business days before the meeting. The agenda will be posted at the [Bay Area Office Website](http://scdd.ca.gov/bayarea) <http://scdd.ca.gov/bayarea>

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STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
BAY AREA REGIONAL ADVISORY COMMITTEE (RAC) MEETING & COMMUNITY OUTREACH

NOTICE & AGENDA*



Date Wednesday, April 25th, 2018



Time 7:00pm – 9:00pm



Location Support for Families
1663 Mission Street, 7th Floor
San Francisco, CA

This Regional Advisory Committee Notice & Agenda is posted: <http://www.scdd.ca.gov/bayarea/>

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 the meeting, should contact the State Council's Bay Area Office by phone 510.286.0439 or by email BayArea@scdd.ca.gov. Requests must be received 5 business days prior to the meeting.

Please refrain from wearing scented products at this meeting, thank you.



1515 Clay St. Suite 300, Oakland, CA 94612
Phone. 510.286.0439 Fax. 510.286.4397 www.scdd.ca.gov



7:00p Call to Order

Introductions / Establishment of Quorum

Bittner



7:10p Approval of the meeting minutes of 02.28.2018

Bittner



7:15p Public Comment

An invitation to provide the public an opportunity to comment and/or present information to the Committee on **any matter that is not on the agenda**. Each public member is afforded up to 3 minutes to speak. Written requests will be considered first. The Committee will provide a public comment period not to exceed 5 minutes total for all public comments prior to action on any agenda item.



7:25p Report from Miguel Guerrero

Field Representative, CA's 12th Congressional District

House Minority Leader Rep. Nancy Pelosi

Guerrero

Hear a timely update from Field Representative Guerrero from Congressman and House Minority Leader Pelosi's office, regarding issues affecting people with disabilities, including Social Security, the Tax Reform Bill's effect on entitlements and long-term support services, Medicare & Medicaid, and SFHA & HUD policy and projects that impact affordable housing. Includes a brief Q&A session.



7:45p 2018 RAC Priorities Overview and Updates:

Health and Safety-Net Services

GGRC & RCEB

Leadership from Regional Center of the East Bay and Golden Gate Regional Center provide a regional update on the preservation and expansion of Health and Safety-Net Services.



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8:05p 2018 RAC Priorities Overview and Updates:

Affordable Housing Overview

Nicholau

SCDD Regional Manager, Sheraden Nicholau, provides a brief overview of affordable housing terms, strategies and projects.



8:15p Reports

Bittner

- Regional Advisory Committee Chair Report
- Regional Advisory Committee Member Reports
- SCDD Bay Area Regional Office Report
- Regional Center Reports
- County DD Council Reports
- People First Report



8:55p Other Announcements & Agenda Items for Future Meetings

An opportunity of members of the community to bring up ideas, needs, issues and concerns

9:00p Meeting Adjourned

Bittner

***All times indicated and the order of business are approximate and subject to change. Any agenda items have the potential to be brought for a vote.**



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**State Council on Developmental Disabilities
Bay Area Regional Advisory Committee Meeting
February 28, 2018 Minutes **DRAFT****

Location: San Mateo County – San Mateo County Office of Education, 101 Twin Dolphin Drive, Redwood City

Committee Members Present: Nicole Adler (SA), Sascha Bittner (SA), Francisco Garcia (FA), Pam Perls (FA), Jennifer Torai (FA), Regina Woodliff (SA)

State Council (SCDD) Members Present: Francis Lau (FA)

Committee Members by Phone: Christina Lasson (SA), Kristen Anderson (FA),

Committee Members Absent: Dianne Millner (FA), Kate Rauch (FA),

Guests Present: Aaron Caruthers (SCDD), Sandi Soliday (Alameda County Developmental Disabilities Planning and Advisory Council), Eric Zigman (Golden Gate Regional Center (GGRC), Sean Galvin (GGRC), Debra Adler (FA), Soheila Razban (Abilities United), Lisa Kleinbub (Regional Center of the East Bay (RCEB)), Anne Hare (FA), Abby Yim (Integrated Community Services), John Marble (SA), Connie *** (FA), Linda Stevens (FA)

Guests by Phone: Sara Desumala (SA - People First SF), Patrick MacKay (SA), Elizabeth Morabito (NNR Publications Provider)

Staff: Sheraden Nicholau, Ron Usac, and Valerie Buell

7:06p Call to order/Introductions/Establishment of Quorum

7:10p Approval of the meeting minutes of 12/5/2017

Moved by: Nicole Adler

Seconded by: Jennifer Torai

Vote: All Ayes

7:12p Public Comments:

Comment: Anne Hare shared the difficulty her son with autism faced recently when he was in crisis and nothing was in place to help him. The nearest response was an hour away. She shared concerns that even though hours have been allocated for such support, there are too few vendors, that rates are too low, and she asked about the data collection procedures, where that data is reported, and who is determining the rates. She also suggested a need for credible training videos for agencies that provide supported living and other residential services, and that this may be a better training option than, for example, a 30-page paper, and could help agencies save money in quality training.

There was discussion on this comment, some main points were:

- Sheraden Nicholau will provide follow up, and this topic will be put on a future RAC Agenda.
- Safety-Net Services is a RAC priority area for this year. There is both statewide work being done to expand these services, and there are also regional efforts to improve services and build capacity.

Comment: Connie shared concerns about affordable housing around Affordable Dwelling Units (ADUs), and the perceived misinterpretation of what an ADU is and what a Jr. ADU is. She reported that some regional centers insist that such units must have a separate address or you

cannot get services like Independent Living Services. She requested that State Council make this a priority.

There was discussion on this comment, some main points were:

- It is a question of governance with approach to DDS; to figure out what is appropriate and where DDS provides instruction, guidance or neither to regional centers.
- Much of this is policy interpretation; DDS can have an influence, but often do not dictate to regional centers in various areas.
- One of SCDD's legislative priority areas is affordable housing and the increase of affordable housing options, including ADUs.

Comment: Elizabeth Morabito, Marketing and Publications Consultant from N&R Publications, shared how she was inspired by a friend who educated her and the community on inclusion for people with Intellectual and Developmental Disabilities (I/DD). Now she is working with Sonya Bingaman at the Sacramento Regional Office of SCDD, with Housing Now, and other organizations, to put together and to seek funding for an 8-page publication to insert into the local paper to spread messages of inclusion for people with I/DD, what that looks like, and to encourage competitive integrated employment. She would like to encourage more communities to do the same.

Comment: Connie asked if Department of Developmental Services (DDS) has a rate-setting committee.

There was discussion on this comment, some main points were:

- Burns and Associates are doing a DDS rate study for California, due to be completed by 2019.
- This firm has not done this previously for California, but they have done this in 10 other states.
- No other state has the Lanterman Act, which does impact the complexity of the study.

Comment: Christina Lasson, over the phone, requested that speakers say their name first so those on the phone do not get confused about whom is talking and can better follow the meeting.

7:38p Aaron Carruthers gave a presentation and lead a discussion on updates in civil rights and equity issues.

There were three main areas discussed.

- Activities happening at the State Council
- Your role as Regional Advisory Committee members
- Changes from Boards to RACs

Some main points included:

- The Medicaid advocacy effort this last year was fantastic; Aaron was able to bring the community's letters directly to legislators in Washington D.C.
- The State Council is interested in stories from the community about being pulled over by law enforcement.
- Addressing unemployment
- The President's proposals on funding cuts to State Councils
- SCDD will be continuing to reach out to RAC members for their feedback and input on the issues that the Council is addressing.

8:07p Reports:

- **RAC Chair:** Sascha Bittner reported she is a co-plaintiff in a lawsuit against UBER. She wrote a letter to Rep. Jackie Speier's office and Rep. and Minority Leader Nancy Pelosi's office opposing HR 620.

- **RAC Member:**
 - Sheraden Nicholau read aloud the report Regina Woodliff wrote about the Legislative Breakfast. Regina spoke with many legislators and staff. Prior to the event she put together a summary of her advocacy for issues like affordable housing, Medi-Cal, services, and support services for people with disabilities.
 - Pam Perls attended Alameda County Interagency Health and Wellness Committee. There are working groups forming: The Forensic Workgroup is meeting 4/27, 1p-2p at 1000 Broadway 5th floor, right before the next full committee. On 4/24, 11a-12p is the Schreiber Center Referral Workgroup, and on 4/20, 130p-3p, is the Crisis Recovery Center Workgroup.
- **SCDD Bay Area Office:**
 - Re. the Centers for Medicare and Medicaid Services' Final Rule on Home and Community-Based Settings: California received an initial approval for the State Transition Plan (STP) on 02/23/18
 - RAC membership has room for up to 15 members from 5 counties; an eblast will go out to recruit applicants from the region.
 - Outgoing members, Linda Stevens and Jennifer Torai, were honored for their service and leadership to the RAC
 - Introduced Christina Lasson as new RAC member.
- **Regional Center Reports:**
 - Lisa Kleinbub of RCEB
 - East Bay Legislative Coalition had a Legislative Breakfast earlier in the month. Many legislators and staff attended; great advocacy and engagement took place.
 - RCEB is holding Purchase of Service (POS) Disparity meetings in March. Dates are posted on the RCEB website.
 - Advocacy work happening for the restoration of social and recreational services and camping services in the Governor's Budget. Also focused on the Governor's proposal to increase the DDS holiday schedule to a 14-day holiday schedule, which would serve as a funding cut for services and would impact people-served.
 - Advocacy work also focused on making sure affordable housing exists in the region.
 - Eric Zigman of GGRC
 - Sheraden Nicholau will keynote the next All Staff meeting for GGRC.
 - Self-Determination Advisory Committee is holding meetings and pre-enrollment meetings regularly, aided by GGRC, Sheraden Nicholau and Sascha Bittner's participation
 - Sonoma Developmental Center residents' move into the community is almost complete. This is a significant milestone.
 - Re. affordable housing: Locating and securing affordable properties for new Crisis Homes and Enhanced Behavioral Support Homes is challenging in the catchment region, so GGRC has partnered with San Andreas Regional Center and others to locate appropriate properties.
 - Advocacy includes the need for an increase of providers, including Supportive Living Services. The Burns and Assoc. DDS rate study will address this. On a related note, there have been no DDS Program Development Funds in the community since 2003, other than for people coming out of the institutions. That changed this fiscal year.
 - Continuing to work to expand outcomes related to CA's Employment First Policy and GGRC's Employment First Policy
- **County Developmental Disabilities Councils (DDCs):**
 - Sandi Soliday gave the reports for both Alameda County Developmental Disabilities Planning and Advisory Council and the Contra Costa County Developmental Disabilities Council. She also provided printed copies of the reports.
 - Contra Costa County's report shared their bio, community partners, and the planning committees they participate with. They are planning the upcoming Autism Star Conference. They also shared the success of their "Bridge to

Success Program". These are county jobs designated for individuals with developmental disabilities.

- Alameda County's report shared their bio, collaborations, and the groups/committees they partner with.
- County DDS are valuable resources and create impact for the counties and communities they serve
- **People First:** Christina Lasson reported that Bay Area People First had a Holiday Party in January. Currently they are scheduling speakers and trainer to come to meetings to train/present on Self-Determination, Affordable Housing, Section 8, and Employment in the months ahead.

9:02 Final Announcement

Pam Perls made an announcement about HR620. This and other bills affecting access and the ADA should be on the radar.

9:04p Meeting Adjourned

*Documents referenced were in the RAC packets and in the handouts at the meeting for guests. They can also be found on the website www.scdd.ca.gov/bayarea.htm



State Council on Developmental Disabilities Bay Area Regional Advisory Committee Priority Areas for 2018

Affordable Housing

- Obtaining/accessing affordable housing for people with disabilities
- Understanding how affordable housing works
- Understanding how to keep affordable housing / removing barriers to accessing affordable housing for people with disabilities

Preservation of Health & Safety Net Services

- Healthcare benefits (including dental and mental/behavioral healthcare)
- SSI / SSDI and Medicaid
- Accessing benefits, addressing frequent provider changes or access changes
- Emergency/ safety net services (residential, behavioral, medical, etc.)

These will be addressed through the RAC using:

- Accessing and understanding data regarding the disparities (#s, anecdotal, etc.)
- Advocacy & Outreach (self, local community, legislative)

Policy & Tools: Affordable Housing Dictionary

Affordable Housing - Housing that costs no more than 30% of a household's income is considered to be “affordable” for that household. More specifically, “affordable housing” meets this 30% standard for low-income households (i.e., households earning below 80% of the area median income). For owners, housing costs include principal, interest, property taxes, and hazard insurance. For renters, costs include rent and tenant-paid utilities (except telephone and cable).

Area Median Income (AMI) - One-half of the incomes in the area are above this amount and one-half are below. Figures are published annually by HUD for every county and metropolitan area in the U.S. (see <http://www.huduser.org/portal/datasets/il.html> [1]).

Brownfields - Abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real, potential or perceived environmental contamination. More information is available from the Environmental Protection Agency website: <http://www.epa.gov/brownfields/> [2].

Community Development Block Grant Program (CDBG) - Created by the Housing and Community Development Act of 1974. CDBG provides eligible metropolitan cities and urban counties (called "entitlement communities") with annual direct grants that they can use to revitalize neighborhoods, expand affordable housing and economic opportunities, and/or improve community facilities and services, principally to benefit low- and moderate-income persons.

Community Land Trust - A form of ownership similar to a condominium in that each household owns an individual unit but not the land beneath it. However, in a community land trust, the common areas and land are owned by a non-profit, community-based corporation. Because land values are controlled and this is a limited-equity form of ownership, it maintains long-term affordability.

Condominium - A form of ownership in which individuals own a unit of housing in a multi-unit complex. The individual owners also jointly own and share financial responsibility for the common areas in the complex.

Cooperative (Co-op) - Housing in which each member shares in the ownership of the whole project with the exclusive right to occupy a specific unit and to participate in project operations through the purchase of stock.

Extremely Low Income - Adjusted income that is below 30% of the area median income (AMI) adjusted for household size and for the county or Metropolitan Statistical Area.

Fair Housing - Federal law that prohibits discrimination in housing, renting and lending based on race, color, national origin, religion, sex, family status, or disability. Legislation first enacted in 1968 and expanded by amendments in 1974 and 1988.

Fair Market Rent (FMR) - Rent guidelines for various size units (studio, 1BR, 2BR, etc.) based on market rents for the area. These guidelines are set by HUD primarily to determine payment standards for its affordable housing programs (e.g., Housing Choice Vouchers). FMRs are published annually by HUD (<http://huduser.org/datasets/fmr.html> [3]).

HOPE VI - Also known as the Urban Revitalization Program, this program enables demolition of obsolete public housing, revitalization of public housing sites and distribution of supportive services to the public housing residents affected by these actions. Rebuilt projects are commonly designed following new urbanist principles, and typically include one-third heavily subsidized units, one-third moderately subsidized units, and one-third market rate units.

Housing Trust Fund – Distinct funds established by city, county or state governments that receive ongoing, dedicated sources of public funding to support the preservation and production of affordable housing, and opportunities for households to access affordable homes. While housing trust funds can be a repository for private donations, they are neither public/private partnerships nor endowed funds. There are currently 38 states with housing trust funds, and more than 550 city- and county-level funds in operation.

Housing Choice Vouchers - Allow very low-income households to choose and lease privately-owned rental units. The main federal rental assistance program, vouchers are administered by local public housing agencies. Vouchers are provided to eligible households, and they find their own housing (it must meet program health and safety requirements). Housing voucher recipients must pay 30 percent of their monthly adjusted gross income for rent and utilities. The PHA calculates the maximum amount of allowable assistance as the area moderate-priced unit standard minus 30 percent of the household's income.

Inclusionary Zoning - These policies require (or provide incentives for) developers to include a minimum percentage of low- and/or moderate-income housing within new market-rate developments. Typical incentives include density bonuses (allowing additional units to be built), expedited permitting, relaxed design standards (e.g., minimum lot sizes or setbacks), and fee waivers.

Limited-Equity Ownership - Residents own their units, which provide security and wealth creation, but the price at which the housing can be resold or leased is limited. These restrictions can be based on the income characteristics of the incoming buyers, on the sale price itself, or both. There are two typical forms of limited-equity ownership: 1) condominium- each household owns its unit, but an association owns the land and

common areas; 2) cooperative- each household owns a share of the cooperative housing association, not a unit.

Linkage Fees - A linkage or impact fee may be assessed on new industrial, commercial, or office development that increases the affordable housing burden on the surrounding community. The fees are used to create affordable housing. (Alternatively, housing units may be provided as part of the development.)

Low Income - Adjusted income that is between 50 and 80% of the area median income (AMI) adjusted for household size and for the county or Metropolitan Statistical Area.

Low Income Housing Tax Credits (LIHTC) - A federal tax incentive that facilitates financing to develop low-income housing. The program provides dollar-for-dollar credit toward taxes owed by the housing owner. These tax credits can be sold, or used to back up bonds that are sold, to obtain financing to develop the housing. As with any other subsidy program, specific rules and eligibility requirements pertain to units funded with LIHTC.

Market Rate - Area rent levels for units without any subsidy or assistance from a public program.

Mixed-Income - A mix of residents with various income levels (including low income) within one development.

Moderate Income - Adjusted income that is between 80 and 120% of the area median income (AMI) adjusted for household size and for the county or Metropolitan Statistical Area.

Rent Control - These anti-gentrification ordinances limit the amount that a landlord can raise the rent, typically by setting an allowable annual percentage increase. Some ordinances also limit the amount the rent can be raised once a unit is vacant (i.e., between renters).

Section 8 (see Housing Choice Vouchers) - Housing Assistance Payments Program, authorized by the Housing and Community Development Act of 1974. There are two types of Section 8 housing: 1) unit-based- landlords of privately owned units sign a Section 8 contract under which they agree to charge below-market rent and receive direct government subsidies to make up the difference; 2) tenant-based- as of October 1999, the Section 8 certificate and voucher programs merged and became the Housing Choice Voucher Program.

Single Room Occupancy (SRO) - Small private rooms that contain either food preparation or sanitary facilities, or both, and are designed to be inhabited by a single individual. HUD's Section 221(d) program provides mortgage insurance for such properties.

Subsidized Housing - There are two general types of housing subsidies: 1) development subsidies (supply side) to help construct or acquire housing, and 2) operating subsidies (demand side) that supplement the amount that residents can pay.

Very Low Income - Adjusted income below 50% of the area median income (AMI) adjusted for household size and for the county or Metropolitan Statistical Area.

Zoning - The classification of land by a) types of uses permitted and prohibited and b) by densities and intensities permitted and prohibited in a given district, including regulations regarding building location on lots.

2017-2018 Approved Legislative and Public Policy Platform

ABOUT THE COUNCIL

Close to fifty years ago, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act) established State Councils on Developmental Disabilities in each of the 56 states and territories to “promote self-determination, independence, productivity, integration, and inclusion in all aspects of community life” for people with intellectual and developmental disabilities (I/DD) and their families. The Lanterman Act establishes the California State Council on Developmental Disabilities (Council) to fulfill those rights through advocacy, capacity building, and systems change.

The Council is comprised of 31 members appointed by the Governor, including individuals with disabilities and their families, and representatives from the DD Act partners (Disability Rights California, the 3 University Centers for Excellence in Developmental Disabilities), and state agencies.

To implement the rights in the DD Act, the Council develops and implements a five-year state plan that contains goals, objectives, and strategies designed to improve and enhance the availability and quality of services and supports. In addition to the Council’s Sacramento headquarters, regional offices support individuals with I/DD and their families through activities such as advocacy training, monitoring, and disseminating and collecting public information. The Council works with policymakers and other stakeholders to ensure policies pertaining to the rights of individuals are protected and enhanced by ensuring people with I/DD are able to experience equality of opportunity, full participation, independent living, and economic self-sufficiency. These four pillars are enshrined in the Americans with Disabilities Act of 1990.

The Council believes that individuals with I/DD and their families must be included and consulted in all aspects of the policy making process to ensure their needs are adequately and appropriately addressed. The Council works to address disparities in access, outcomes, and quality for all services and supports.

Disparities in services and supports can result in severe health, economic, and quality of life consequences. Accordingly, services and supports must

be distributed equitably so that individual needs are met in a culturally appropriate and linguistically competent manner, regardless of race, ethnicity, or income.

PROMISE OF THE LANTERMAN ACT

The Lanterman Act promises to honor the needs and choices of individuals with I/DD by establishing an array of quality services throughout the state. Services shall support people to live integrated, productive lives in their communities. Access to needed services and supports must not be undermined through categorical service elimination, service caps, means testing, or family cost participation fees and other financial barriers. California must not impose artificial limitations, delays or reductions in community-based services and supports that would compromise the health and safety of persons with I/DD.

SELF-DETERMINATION

Individuals with I/DD and their families must be given the option to control their service dollars and their services through Self-Determination. The person with I/DD is in charge. With the support of those they choose and trust, people with I/DD and their families are best suited to understand their own unique needs, develop their own life goals, and construct those services and supports most appropriate to reach their full potential. The process begins with a Person Centered Plan (PCP). Self-Determination gives individuals the tools and the basic human right to pursue life, liberty, and happiness in the ways that they choose.

SELF-ADVOCACY

Individuals with I/DD must be supported to exert maximum control over their lives. They must be provided the opportunity and support to be heard, and be leaders in the service system and society, including voting and other civic responsibilities. Self-Advocates must have access to training, plain language materials, and policy making opportunities.

EMPLOYMENT AND ECONOMIC SELF-SUFFICIENCY

Employment in the community, at least minimum wage or above, is known as competitive integrated employment (CIE). CIE provides every person a chance to build relationships with co-workers, be a part of the community, and contribute to the local economies. It reduces poverty and reliance on state support and leads to greater self-sufficiency. The Council supports the full and robust implementation of the Workforce Investment Opportunity

Act (WIOA), Home and Community-Based Services Setting Rule (HCBS), Achieving Better Life Experience (ABLE) Act, and California's Employment First Law.

CIE is the priority outcome for working age individuals with I/DD, regardless of the severity of their disability. Transition planning should begin as early as possible. Policies and practices must set expectations for employment, promote collaboration between local agencies, state agencies, and remove barriers to CIE through access to information, benefits counseling, job training, inclusive postsecondary education, and appropriate provider rates that incentivize quality employment outcomes. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment for all individuals with I/DD.

TRANSPORTATION

Access to transportation is essential to the education, employment, and inclusion of individuals with disabilities. Mobility training must be a standard program among transportation providers to increase the use of available transportation and reduce reliance on costlier segregated systems. Barriers between geographic areas and transportation systems must be addressed so people with I/DD can travel as safely and easily as people without disabilities.

HEALTH CARE

Every person must have access to comprehensive, timely, quality, affordable health care, dental care, and wellness services, and access to plain language information and supports to make informed decisions about their health care. This requires informed consent, individualized, appropriate medication, and an adequate network of health professionals. It also includes people with multiple health care needs, those who require routine preventative care, mental and/or behavioral health treatment, dental care, durable medical equipment, and those with reproductive health issues. Service system complexities must be reduced. Individuals must be reimbursed for insurance co-pays, co-insurance, and deductibles when their health insurance covers therapies that are on their Individual Program Plans (IPPs).

EDUCATION

Every student has the right to be safe in school and to receive a quality education with their peers that prepares them for post-secondary education

and/or meaningful employment in the community. Schools must ensure robust implementation of the Individuals with Disabilities Education Act (IDEA), Every Student Succeeds Act (ESSA), and other state laws and regulations, to ensure that students with I/DD receive a free appropriate public education (FAPE).

Students with disabilities will be educated alongside their non-disabled peers in the least restrictive environment. Comprehensive transition planning must be considered part of the IPP process. School districts and other educational agencies must be held accountable for implementing the letter and the intent of all state and federal laws. Parents and students must have equal participation in the Individual Education Plan (IEP) process, including the ability to give informed consent. Transparency is paramount.

Teachers, school leaders, paraprofessionals and other school-based professionals must be trained to use valid, positive, and proactive practices, such as individualized school-wide positive behavior interventions and supports, with fidelity. The needs of the student must not impact the child's placement in the least restrictive environment. The Council opposes the use of all forms of seclusion and restraint.

HOUSING

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

COMMUNITY PARTICIPATION

Individuals with I/DD must have access to and be fully supported to fully participate in their communities, with their peers without disabilities, through opportunities in all areas of community life including education, employment, recreation, organizational affiliations, spiritual development, and civic responsibilities.

TRANSITION TO ADULT LIFE

All services, including education, rehabilitation, and regional center services, must support students to transition to competitive integrated employment, post-secondary education or other opportunities that will lead

to meaningful employment in the community. Transition services must be considered at the earliest possible opportunity and across the lifespan. Adults with I/DD must have access to meaningful activities of their choice with the appropriate services and supports.

SAFETY

All people have a right to be safe. People with I/DD need emergency preparedness training. Individuals with I/DD experience a much greater rate of victimization and a far lower rate of prosecution for crimes against them. The same level of due process protections must be provided to all people. Individuals with I/DD should be trained in personal safety, how to protect themselves against becoming victims of crime, and how their participation in identification and prosecution can make a difference. In addition, too many interactions between law enforcement and people with I/DD end in avoidable tragedy. Law enforcement personnel, first responders, and the judicial system must be trained in how to work with people with I/DD during the course of their duties, including those who are suspects, victims or witnesses of crimes.

QUALITY AND RATES FOR SERVICES AND SUPPORTS

Having access to and receiving quality services and supports is the cornerstone for people with I/DD to being safe, healthy, and promoting self-determination, independence, and inclusion in all aspects of community life. The State of California must ensure that funding is used to achieve positive outcomes for individuals with I/DD and their families. An adequate safety net must be in place to address medical, psychiatric, behavioral, residential, staffing, equipment, or other needs when those services or supports fail, are interrupted, are not available, or additional services and supports are necessary for urgent or immediate need.

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

The state must restore rates to adequately support the availability of quality services for people with all disabilities. A planned and systematic approach to rate adjustments must prioritize and incentivize services and supports.



State Council on Developmental Disabilities

Housing Trends, Advocacy & Policy

An Overview of Regional & Statewide Change & Needs

David Grady, Central Coast Regional Manager
Sheraden Nicholau, Bay Area Regional Manager





An Overview

- The Vision & Challenges
- The Language & Players
- The Data & Trends
- Policy & Legislation
- Know your Strategy



The Vision:

The **Developmental Disabilities Assistance and Bill of Rights Act of 2000** specifies that, ...the goals of the Nation properly include a goal in providing individuals with DD with the information, skills, opportunities, and support to:

- Make informed choices and decisions about their lives
- Live in homes and communities in which such individuals can exercise their full rights and responsibilities as citizens
- Achieve full integration and inclusion in society, and in an individualized manner, consistent with the unique strengths resources, priorities, concerns, abilities and capabilities of each individuals

The Challenge, Nationally:

Based on a sample from the 2017 National Autism Indicators Report tracking services and outcomes in adulthood:

- 25% of respondents report that they don't get all of the services they need
- 49% live in the home of a parent or relative (If we include those without State DD services, that number goes to over 80%)
- 27% live in group homes
- 38% of those who live w parents or relatives receive no paid in-home supports
- 49% receive 24 hr. on-site support in their home
- 16% reported that they choose where they live, 24% reported that they had input, 60% said the choice was made for them (no input)

The Challenge, in CA:

In the last 10 years, the number of individuals with developmental disabilities accessing State DD Systems (Regional Center system) increased just under 40% in 10 years, while the general pop only grew 9.5%.

Where are adults with developmental disabilities living now in CA, compared with 10 years ago?

- Parent or family member's home: 59.9% (up from 50%)
- Community Care Facility: 16.3% (down from 20.6%)
- Own home with Supported Living or Independent Living services: 16.7% (down from 17.1%)
- Intermediate Care Facility or Skilled Nursing: 5.4% (down from 7.9%)
- Developmental Center: .7% (down from 2.8%)

Currently in CA: **5,870** residential providers & **2,296** supported living and independent living related service providers

Regionally:

Individuals with ASD in our local 7 counties receiving Regional Center services:

6,472 or **23%** of individuals receiving Regional Center Services



Looking Ahead at the Challenge, in CA:

Children with Autism Spectrum Disorder (ASD):

- Over 97k public school students have been diagnosed with ASD, a jump of 7% in the last year
- More than 1 in 65 kindergartners in CA have been diagnosed with ASD
- For those 3 yrs. and older receiving State DD Services: ASD diagnoses grew from 17.4% to 32.7%
- Approx. 83K individuals 3 yrs. and older access CA's State DD Services through the Regional Center system

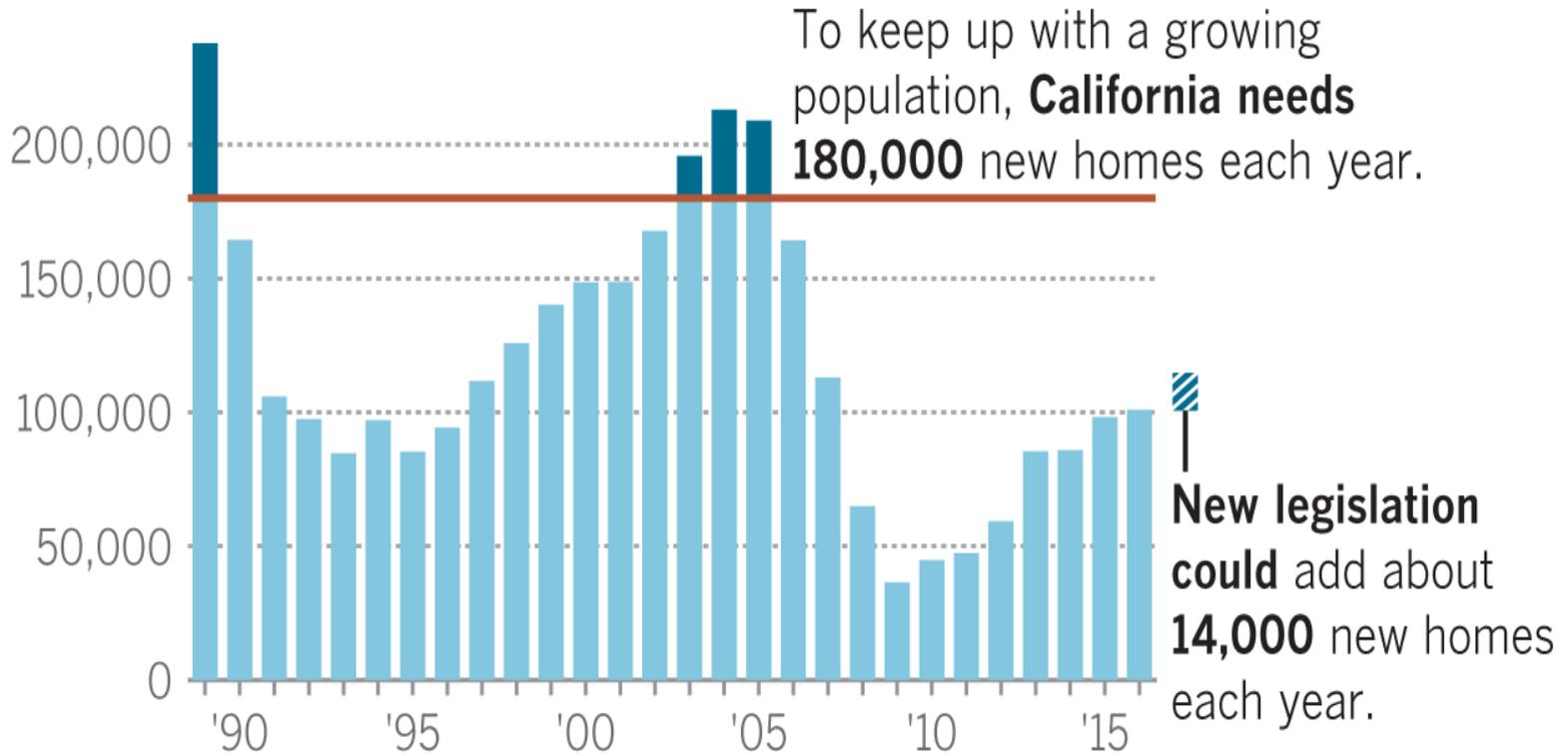
We know the need will only increase...

The Challenge, Regionally:

In our local 7 counties, those receiving Regional Center services and who are 22 yrs. of age and up live:

- In a parent's/family member's home: **5,921**
- In a Community Care Facility: **2,669**
- In own home with SLS or ILS related services: **1,971**
- In an Intermediate Care Facility or in Skilled Nursing: **570**
- In a Foster Home or Family Home Agency: **149**
- In a Developmental Center: **60**
- Transient or Homeless: **31**

New homes built each year in California



Note: One of the bills would require voter approval in 2018.

Sources: Construction Industry Research Board and California Department of Housing and Community Development

@latimesgraphics

The Language:

<http://www.forworkingfamilies.org/page/policy-tools-affordable-housing-dictionary>

For Key Terms in Affordable Housing

<http://www.dds.ca.gov/AH/Home.cfm>

For Key Terms in Affordable Housing for People with I/DD in CA

<http://www.lantermanhousingalliance.org/websites/>

For info about State Plan language in other states and recommendations for a CA State Housing Plan for People with I/DD



The Players:

Supply Side

Developers/Landlords/Policy Makers

Federal (HUD)

County/City Public Housing Authority

County/City Office of Supportive
Housing

Housing Nonprofits

Developers

Project-Based Collaboratives

Landlord / Property Managers

Demand Side

Renters/Buyers/Co-Op Members

Special Needs Housing Populations include:

- Elderly
- Veteran
- Homeless & Chronically Homeless
- Mental Health & Shelter + Care
- Disability
- Developmental Disability
- Other Low Income

Advocates

Populations-served

Family

DD systems/support entities (Regional
Centers, Community Providers, DDS, SCDD,
etc.)



The Players:

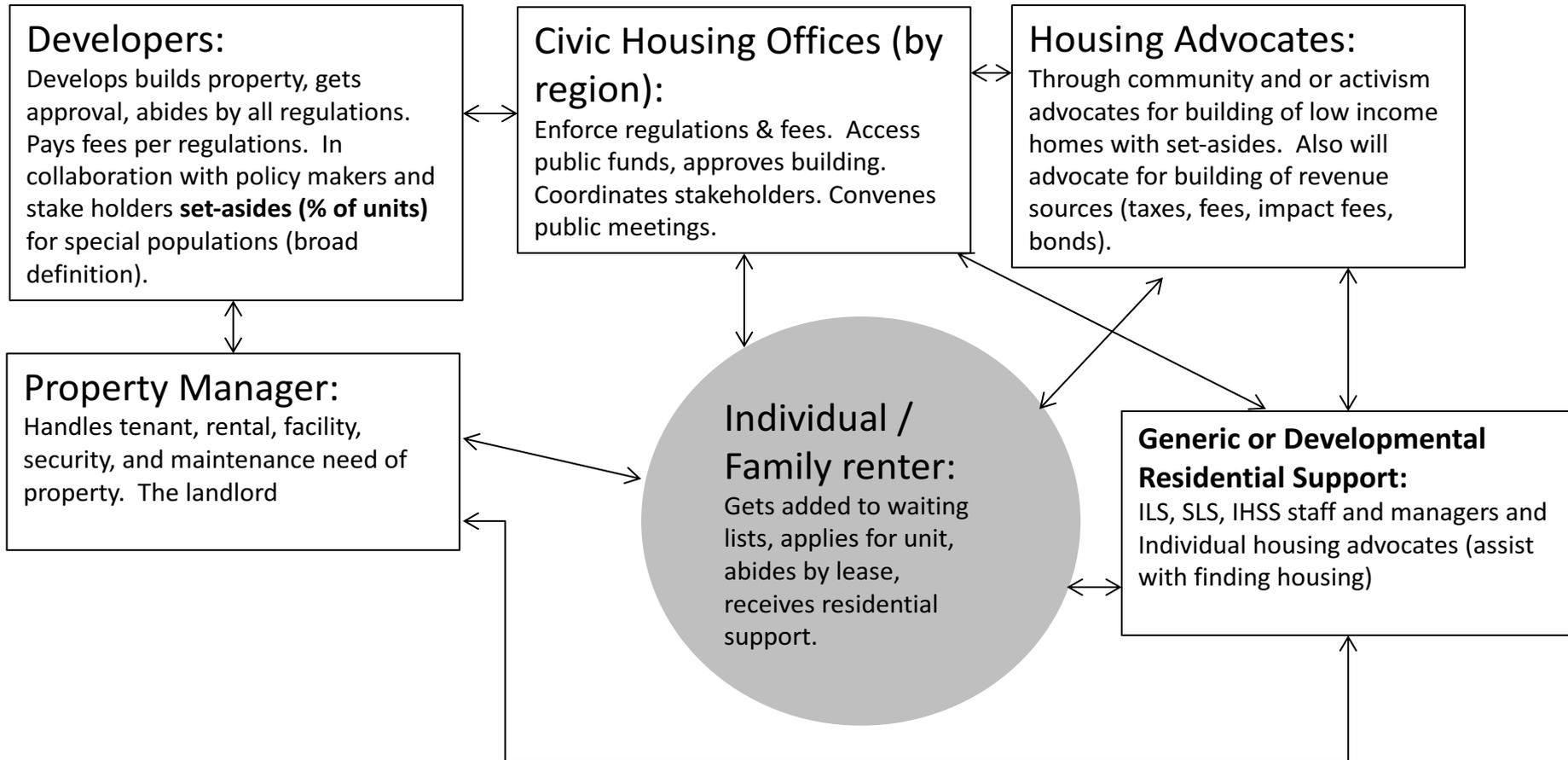
Advocates Also Include:

- Low Income Housing Department in Cities, Counties, and Regions
- Housing Developers
- Fair Housing Resources
- Housing Legal Aid
- Housing collaboratives (regional, state and fed)
- Housing Advocates / Tennant Rights Organizations
 - General Community
 - Developmental Disability Community
- Nonprofit, Faith communities & Neighborhood Organizations



How Do They Come Together?

Example: Project Base / Set Asides



Where to find the Data on our Needs

**WITHIN the state & regional developmental
services community**



- <http://leginfo.legislature.ca.gov/>
- <http://arcanet.org/initiatives/housing/index.html>
- <http://www.lantermanhousingalliance.org/>
- <http://www.dds.ca.gov/AH/Home.cfm>
- 12th Edition of the California Department of Developmental Disability 2017 *Fact Book*
 - <http://www.dds.ca.gov/FactsStats/Factbooks.cfm>
- Department of Developmental Services
 - <http://www.dds.ca.gov/FactsStats/QuarterlyReports.cfm>
 - <http://www.dds.ca.gov/QA/>
- Your regional housing advocacy groups and collaboratives



Where to find the Trends in Policy:

OUTSIDE of the state & regional developmental services community

Housing Elements and Regional Housing Need Allocation:

<http://www.hcd.ca.gov/housing-policy-development/housing-resource-center/plan/he/>.

Each governing body (City Council or Board of Supervisors) of a local government in California is required to adopt a comprehensive, long-term general plan for the physical development of the city, city and county, or county.

California's Housing Future, Challenges, and Opportunities Statewide Housing

Assessment, Public Draft:

<http://www.hcd.ca.gov/policy-research/plans-reports/docs/California%27s-Housing-Future-Full-Public-Draft.pdf>

From the CA Department of Housing and Community Development. Reviews need and impact on several populations in CA, including those with developmental disabilities. Highlights key challenges, best practices/categories of approaches to increase affordable housing.



Policy & Legislation:

National Level

Home and Community Based Settings

- To ensure that individuals receiving long-term services and supports through home and community based service (HCBS) programs under the 1915(c), 1915(i) and 1915(k) Medicaid authorities have:
 - **Full access to benefits of community living**
 - **The opportunity to receive services in the most integrated setting appropriate**
- To enhance the quality of these services and provide protection to participants



Policy & Legislation:

State Level:

➤ **2017 CA Legislative Housing Bill Package:**

This fall, Governor Brown signed the housing package, making official the passage of critical affordable housing funding bills, streamlined housing approvals, and new housing element requirements.

➤ **Bills projected to make an impact in CA's housing crisis include:**

SB 2 SB 3 SB 35 AB 73 SB 540 AB 1505 AB 1521
AB 571 AB 1397 SB 166 AB 879 SB 167 AB 678 AB 1515
AB 72



Policy & Legislation:

County & City Level:

- **Anti-Discrimination Ordinances affecting Section 8 Voucher Holders**
 - Affecting people with developmental disabilities, as well as the elderly and veteran populations

- **Accessory Dwelling Units (ADUs)**
 - 2016's AB 2299 & SB 1069 impact all of CA
 - County and City jurisdictions now must adopt or amend local ordinances accordingly



State Council on Developmental Disabilities' Focus:

How can we reduce barriers to accessible, affordable, safe and inclusive housing for all Californians with developmental disabilities?

- Identify and address NIMBYism
- Support benefits-related policy and legislation that allows for better asset growth and management
- Support public and private programs that assist with education, advocacy, and tools for elimination of barriers
- Provide and refer technical assistance for those experiencing discrimination or access needs



State Council on Developmental Disabilities' Focus:

How can we work with housing organizations to increase the development and availability of community housing for Californians with developmental disabilities?

- SCDD Statewide Grant Cycle 40 funding
- Educate legislators, and policy makers on a city & county level
- Educate developers on population needs and resources available
- Encourage and support the increase in a variety of housing options, including those through project-based subsidies, tenant-based subsidies, home-ownership programs, co-ops, public-private partnerships and other special projects that increase the stock of housing options for Californians with developmental disabilities



State Council on Developmental Disabilities' Focus:

How can we work with federal partners to increase the advocacy and support of laws and policies that increase housing for Californians with developmental disabilities?

- Seeking population-specific language in housing legislation and policy
- Partnering with federal partners: University Centers for Excellence in Developmental Disabilities and Protection and Advocacy
- SCDD Legislative Platform



State Council on Developmental Disabilities' Outputs for Fed FY (Oct 2016-September 2017)

| 3.1 | Working with housing entities to increase development and provision of community housing for people with I/DD (# and People Reached) | | | |
|------------------|--|---|-----|---------|
| 3.1 | 1 | Identify stakeholders & build coalitions | 14 | 470 |
| | | Convene quarterly stakeholder meetings | 47 | 597 |
| | | Assess/document/update lists of current regional housing levels (including home ownership & NIMBY concerns) | 12 | |
| | | Convene/attend regional DFEH/HUD/housing authority meetings | 26 | 703 |
| | 2 | Develop/distribute information/letters to publicize/petition for housing needs of people with I/DD &/or cross-disabilities | 44 | 47,164 |
| | 3 | Develop/update curriculum about affordable, accessible, safe housing & housing rights | 9 | |
| Provide training | | 23 | 763 | |
| 3.2 | Identify and Decrease Barriers to Housing for People with I/DD (# and People Reached) | | | |
| 3.2 | 1 | Develop/update training about HCBS Final Settings Rule | 3 | |
| | | Provide training | 14 | 695 |
| | 2 | Develop/update training about housing needs to be included in transition & ITP/IPP planning | 2 | |
| | | Provide training | 12 | 281 |
| | 3 | Develop/distribute/post to website set of housing information/material(s) that includes residential options (Distributed through eBlasts) | 126 | 126,640 |
| | | Develop/update training about long-range financial planning, public entitlements, etc. in regard to housing needs | 2 | |
| | Provide training | 11 | 378 | |



State Council on Developmental Disabilities' Outputs for Fed FY (Oct 2016-September 2017)

| Identify and Decrease Barriers to Housing for People with I/DD (# and People Reached) | | | | |
|---|---|--|----|-------|
| 3.2 (Cont.) | 4 | Develop/update needs assessment regarding the number of clients requiring emergency placement/relocation | 1 | NA |
| | | Develop/distribute/update/post to website list of terms/definitions associated with emergency living options | 1 | 9,693 |
| | | Develop/distribute/update/post to website statewide list identifying information/emergency residential options | 9 | 7,549 |
| 3.3 | The Council, in consultation with its federal partners, will increase identification, advocacy and/or sponsorship of legislative, regulatory, policy, procedure and/or practice changes to increase housing for people with I/DD (# and People Reached) | | | |
| 3.3 | 1 | Develop/update/maintain list of subject matter experts in housing-related issues | 1 | 43 |
| | | Provide housing-related presentations at LPPC meetings | 2 | 40 |
| | 2 | Convene meetings with policymakers | 20 | 391 |
| | 3 | Monitor/address legislation related to housing for family/self-advocates with I/DD &/or cross-disabilities | 30 | 652 |
| | 4 | Testify/provide information in hearings addressing housing-related issues | 9 | 427 |



Develop Strategies:

Advocacy Tips Include...

- Find others who are like-minded
- Join or organize collaboratives/advocacy orgs
- Form → Norm → Storm → Perform
- Take on a Manageable Task (time & effort)
- Testify (e.g. City Councils, Board of Supervisors, SCDD, DDS, RAC): Share your concise strategic story, include family member, show respect, present as a win-win.
- Tortoise vs. Hare: How turtle always wins!



State Council on Developmental Disabilities

Housing Trends, Advocacy & Policy

An Overview of Regional & Statewide Change & Needs

THANK YOU FOR YOUR LEADERSHIP IN YOUR COMMUNITY & STATE



SCDD Positions, 2018 (as of April 2018)

AB 1909 (Nazarian D) In-home supportive services: written content translation.

Current Text: Amended: 2/27/2018 [html](#) [pdf](#)

Introduced: 1/23/2018

Last Amend: 2/27/2018

Status: 4/5/2018-Read second time. Ordered to Consent Calendar.

Is Urgency: N

Is Fiscal: Y

Location: 4/5/2018-A. CONSENT CALENDAR

Summary: Existing law requires a state agency that serves a substantial number of non-English-speaking people and provides English language materials explaining services to provide the same type of materials in other languages, as specified. Existing law requires the State Department of Social Services to translate a specified notice of action into all languages spoken by a substantial number of the public receiving in-home supportive services, as specified. This bill would clarify that the department is required to provide translations of written content, as defined, in languages spoken by a substantial number of providers of in-home supportive services. The bill would permit the department to work with counties and the County Welfare Directors Association to repurpose existing, county-produced translations of written content.

Position

Support

AB 2171 (Frazier D) Individuals with disabilities: special education and related services: interagency agreements.

Current Text: Amended: 4/4/2018 [html](#) [pdf](#)

Introduced: 2/12/2018

Last Amend: 4/4/2018

Status: 4/5/2018-Re-referred to Com. on ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-A. ED.

Summary: (1) Existing law requires the Superintendent of Public Instruction to develop written interagency agreements, or adopt joint regulations that include responsibilities, in accordance with specified federal law, with the directors of certain state departments, for the provision of special education and related services to individuals with exceptional needs in the state. Existing law requires the Superintendent to develop interagency agreements with other state and local public agencies, as deemed necessary by the Superintendent, to carry out the provisions of state and federal law. This bill would require the Superintendent, the Director of Developmental Services, and the Director of Rehabilitation to develop, or amend an existing, interagency agreement to ensure the seamless and coordinated delivery of services and supports to individuals with disabilities who are eligible for special education services or who are eligible for services provided by the State Department of Education, the State Department of Developmental Services, or the Department of Rehabilitation for individuals with developmental disabilities. The bill would require the interagency agreement to include specified components and to be submitted to the Legislature on or before January 1, 2020. This bill contains other existing laws.

Position
Support

AB 2244 (Acosta R) **Developmental services: regional centers: provider rates.**

Current Text: Introduced: 2/13/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Status: 4/4/2018-In committee: Hearing postponed by committee.

Is Urgency: N

Is Fiscal: Y

Location: 3/21/2018-A. APPR.

Summary: Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities. Existing law sets forth the department's and a regional center's authority to establish provider rates. Existing law prohibits a regional center from paying a greater rate to a provider of certain services or supports, as specified, or from approving a service level for a residential service provider that would result in an increase in state costs, unless the regional center demonstrates that the approval is necessary to protect the consumer's health or safety and the department has granted prior written authorization or, in certain circumstances, unless the increase is required by a contract between the regional center and the vendor, as specified. This bill would deem a request from a regional center for prior written authorization approved by the department if the department does not act on the request within 30 calendar days of receipt of the request, unless the director, in his or her discretion, determines that additional time is reasonably necessary to fully and fairly evaluate the request, as specified. If the director determines that additional time is necessary, the bill would grant the department an additional 30 calendar days to act on the request. The bill would authorize additional extensions of time only upon agreement of all parties, as specified. This bill contains other related provisions and other existing laws.

Position
Support

AB 2291 (Chiu D) **School safety: bullying.**

Current Text: Introduced: 2/13/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Status: 3/1/2018-Referred to Com. on ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-A. ED.

Summary: Existing law, the Safe Place to Learn Act, requires the State Department of Education to assess whether local educational agencies have taken certain actions related to educational equity, including adopting a policy that prohibits discrimination, harassment, intimidation, and bullying based on specified characteristics such as disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, or sexual orientation, or association with a person or group with one or more of the specified characteristics. This bill would delete the statement encouraging comprehensive school safety plans to include policies and procedures aimed at the prevention of bullying. The bill would include in the appropriate strategies that will address the school's procedures for complying with existing laws related to school safety, policies and procedures relating to bullying and the prevention of bullying adopted pursuant to the Safe Place to Learn Act. By requiring school districts and county offices of education to include an additional element in comprehensive school

safety plans, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position
Support

AB 2331 **(Weber D) Medi-Cal: redetermination: developmental disability.**

Current Text: Introduced: 2/13/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Status: 4/3/2018-In committee: Hearing postponed by committee.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-A. HEALTH

Summary: Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing law generally requires a county to redetermine a Medi-Cal beneficiary's eligibility to receive Medi-Cal benefits every 12 months and whenever the county receives information about changes in a beneficiary's circumstances that may affect his or her eligibility for Medi-Cal benefits. This bill would instead require a county to perform a redetermination only every 36 months for a Medi-Cal beneficiary who has a developmental disability and who is determined to be eligible for services by a regional center. The bill would require the State Department of Developmental Services to make available to the State Department of Health Care Services an updated list of individuals who meet this condition. The bill would require the State Department of Health Care Services to utilize the list, or any other information available to the department, as specified, in order to verify, every 12 months, the continued eligibility of the beneficiary due to a determination of eligibility for regional center services, until the county is required to perform a redetermination. This bill contains other related provisions and other existing laws.

Position
Support

AB 2587 **(Levine D) Disability compensation: paid family leave.**

Current Text: Amended: 4/2/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Last Amend: 4/2/2018

Status: 4/5/2018-Read second time. Ordered to Consent Calendar.

Is Urgency: N

Is Fiscal: N

Location: 4/5/2018-A. CONSENT CALENDAR

Summary: Current law establishes, within the state disability insurance program, a family temporary disability insurance program, also known as the paid family leave program, for the provision of wage replacement benefits to workers who take time off work to care for a seriously ill family member or to bond with a minor child within one year of birth or placement, as specified. This bill would delete that application of vacation leave to the waiting period, consistent with the removal of the 7-day waiting period for these benefits on and after January 1, 2018. This bill contains other existing laws.

Position
Support

AB 2623 (Holden D) Developmental disabilities: regional centers.

Current Text: Introduced: 2/15/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Status: 3/8/2018-Referred to Com. on HUM. S.

Is Urgency: N

Is Fiscal: Y

Location: 3/8/2018-A. HUM. S.

Summary: Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is responsible for providing various services and supports to persons with developmental disabilities, and for ensuring the appropriateness and quality of those services and supports. Existing law authorizes the department to contract with regional centers to provide these services and supports. Existing law sets forth the department's and the regional center's authority to establish provider rates. Existing law prohibits certain provider rate increases, but authorizes increases to those rates as necessary to adjust employee wages to meet the state minimum wage law. Existing law further requires the department to adopt regulations that specify rates, calculated on the basis of a cost model, including, among other things, changes in the state or federal minimum wage, for community care facilities serving persons with developmental disabilities, as specified. Existing law authorizes the department to approve rate adjustments for a work activity program that demonstrates to the department that the adjustment is necessary, as specified. Existing law authorizes community-based day program and in-home respite services agency providers with temporary payment rates set by the department to seek unanticipated rate adjustments from the department, as specified. This bill would require the cost model described above to also include changes in local minimum wage. The bill would additionally authorize adjustment of prescribed provider rates if the adjustment is necessary in order to pay employees no less than the minimum wage required to comply with an ordinance that increases the minimum wage, as specified. The bill would provide that these provisions become operative on July 1, 2019.

Position

Support

AB 2657 (Weber D) Pupil discipline: restraint and seclusion.

Current Text: Introduced: 2/15/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Status: 3/8/2018-Referred to Com. on ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/8/2018-A. ED.

Summary: Existing law prohibits a person employed by or engaged in a public school to inflict, or cause to be inflicted, corporal punishment upon a pupil. This bill would authorize an educational provider, as defined, to use behavioral restraints, which includes physical and mechanical restraints, or seclusion, as defined, only if a pupil's behavior presents an imminent danger of serious physical harm to the pupil or others, and if other specified conditions are met. The bill would prohibit an educational provider from using a behavioral restraint or seclusion in certain circumstances, including, but not limited to, using seclusion or a behavioral restraint for the purpose of coercion, discipline, convenience, or retaliation, and would prohibit the use of certain restraint and seclusion techniques. The bill would require an educational provider, as soon as possible, but no later than 2 school days after the use of seclusion or a behavioral restraint, to schedule a debriefing meeting regarding the use of seclusion or a behavioral restraint with the pupil, the pupil's parent or legal

guardian, the staff members involved in the incident, and the educational provider's administrator, as specified. Because the requirement to hold a debriefing meeting would impose a new duty on local educational agencies, the bill would impose a state-mandated local program. The bill would require an educational provider to collect and, no later than 3 months after the end of a school year, report to the State Department of Education annually on the use of behavioral restraints and seclusion for pupils enrolled in or served by the educational provider for all or part of the prior school year, as specified. To the extent that the data collection and reporting requirements would impose new duties on local educational agencies not required by federal law, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Support

AB 3158 (Mathis R) Disability access: construction-related access barrier: civil actions.

Current Text: Amended: 3/19/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/19/2018

Status: 4/2/2018-In committee: Set, first hearing. Hearing canceled at the request of author.

Is Urgency: N

Is Fiscal: Y

Location: 3/15/2018-A. JUD.

Summary: Existing law prohibits discrimination on the basis of various specified personal characteristics, including disability. Existing law imposes civil liability upon any person or persons, firm, or corporation who denies or interferes with admittance to or enjoyment of public facilities or otherwise interferes with the rights of an individual with a disability, as specified. The Construction-Related Accessibility Standards Compliance Act establishes standards for making new construction and existing facilities accessible to persons with disabilities and provides for construction-related accessibility claims for violations of those standards. This bill would prohibit a cause of action on the basis of a construction-related access barrier in an existing public accommodation by an individual who alleges to have been aggrieved by the existence of the access barrier from accruing unless specified conditions are met, including that a written notice has been sent to the owner and operator, as specified. The bill would create a specified 90-day period and an additional 30-day period during which the owner or operator of the public accommodation shall be permitted to remove the barrier or to make substantial progress toward removing the barrier, or to make a good faith effort to remove the barrier, as defined, before a cause of action accrues. The bill would also specify that a cause of action against an owner or operator of a public accommodation on the basis of a construction-related access barrier by an individual who alleges to have been aggrieved by the existence of the access barrier shall not accrue under the Unruh Civil Rights Act, provisions that impose civil liability upon those who deny or interfere with admittance to or enjoyment of public facilities or otherwise interfere with the rights of an individual with a disability, or the Construction-Related Accessibility Standards Compliance Act during a 90-day period, and, if applicable, the additional 30-day period, if a civil action relating to the same construction-related access barrier is pending. The bill would also require the Judicial Council to submit a report to the Legislature on or before January 1, 2021, that analyzes the impact of these provisions, as specified. This bill contains other related provisions and other existing laws.

Position

Oppose

AB 3200 (Karla D) Public social services: SSI/SSP.

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 3/12/2018-Referred to Com. on HUM. S.

Is Urgency: N

Is Fiscal: Y

Location: 3/12/2018-A. HUM. S.

Summary: Existing law provides for the State Supplementary Program for the Aged, Blind and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement Supplemental Security Income (SSI) payments made available pursuant to the federal Social Security Act. This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2019 calendar year. The bill would also require a maximum aid payment provided to an individual or a married couple that does not equal or exceed 100% of the 2018 federal poverty level to be increased to an amount that equals 100% of the federal poverty level. By reinstating the cost-of-living adjustment and by increasing the amount of benefits paid under the SSP, this bill would make an appropriation. This bill contains other existing laws.

Position

Support

SB 1274 **(McGuire D)** **Developmental services: data exchange.**

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 3/5/2018-Set for hearing April 10.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-S. HUM. S.

Summary: (1) Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (Cal Works) program, under which, through a combination of state and county funds and federal funds received through the TANF program, each county provides cash assistance and other benefits to qualified low-income families. Existing law generally requires a recipient of Cal Works benefits to participate in welfare-to-work activities as a condition of eligibility for aid. Existing federal law also provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Under existing law, the State Department of Social Services is charged with state administration of both of these programs. This bill would, notwithstanding the general prohibition above, require the State Department of Social Services to disclose eligibility and enrollment data for the Cal Works and Cal Fresh programs to the State Department of Developmental Services to assist that department in the implementation of the Employment First Policy, as specified, to the extent permitted under federal law and regulations. This bill contains other related provisions and other existing laws.

Position

Support

SCDD Watched Bills 2018

AB 2159 (Chu D) Elder and dependent adult financial abuse.

Current Text: Amended: 3/21/2018 [html](#) [pdf](#)

Introduced: 2/12/2018

Last Amend: 3/21/2018

Status: 3/22/2018-Re-referred to Com. on AGING & L.T.C.

Is Urgency: N

Is Fiscal: Y

Location: 3/19/2018-A. AGING & L.T.C.

Summary: Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. Existing law requires persons designated as mandated reporters of suspected financial abuse, as defined, to report known or suspected instances of elder or dependent adult financial abuse and makes failure to comply with these requirements subject to a civil penalty not exceeding one thousand dollars (\$1,000) or if the failure to report is willful, a civil penalty not exceeding five thousand dollars (\$5,000). Existing law defines "mandated reporters" for purposes of these requirements as all officers and employees of financial institutions. This bill would also include within the definition of mandated reporters for these purposes, a money transmitter. The bill would define money transmitter as a person who sells or issues payment instruments, or who receives money for transmission, as specified. Under the bill, a willful violation of the reporting requirements described above would result in a civil penalty not exceeding five thousand dollars (\$5,000) and full reimbursement to the victim for the financial loss suffered as a result of the financial abuse.

Position

Watch

AB 2324 (Rubio D) Elder or dependent adult abuse: public shaming.

Current Text: Introduced: 2/13/2018 [html](#) [pdf](#)

Introduced: 2/13/2018

Status: 3/1/2018-Referred to Coms. on AGING & L.T.C. and PUB. S.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-A. AGING & L.T.C.

Summary: Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes procedures for the reporting, investigation, and prosecution of abuse of an elder or dependent adult, which is defined to mean physical abuse, neglect, abandonment, and financial abuse, among other forms of abuse. Existing law requires specified persons, known as mandated reporters, who, have observed or have knowledge of an incident that reasonably appears to be, or is told by an elder or dependent adult that he or she has experienced behavior constituting, physical abuse, abandonment, abduction, isolation, financial abuse, or neglect to report the known or suspected instance of abuse, as specified. A failure to report is a misdemeanor. This bill would also include in the definition of "abuse of an elder or a dependent adult" public shaming, which the bill would define as the taking, transmission, or dissemination of an image of an elder or dependent adult that shames, degrades, humiliates, or otherwise harms the personal dignity of the elder or dependent adult. The bill would also make it a misdemeanor for a mandated reporter to fail to report public shaming of an elder or dependent adult. By expanding the scope of a crime, this bill would impose a state-mandated local

program. This bill contains other related provisions and other existing laws.

Position

Watch

AB 2408 **(Weber D) California State University: ethnic studies.**

Current Text: Amended: 3/14/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amend: 3/14/2018

Status: 3/15/2018-Re-referred to Com. on HIGHER ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/5/2018-A. HIGHER ED.

Summary: Existing law establishes the California State University and its various campuses under the administration of the Trustees of the California State University. Existing law requires the trustees to adopt rules and regulations not inconsistent with the laws of this state for the governance of the trustees, their appointees and employees, and the California State University. Existing regulations require, as a graduation requirement, students of the California State University to demonstrate competence by completing courses in American history and American government or by passing comprehensive examinations in those fields with specified requirements and exceptions. This bill, commencing with the 2019–20 academic year, would require the California State University to provide for courses in ethnic studies, including, issues of race and gender and sexual identity, at each of its campuses. The bill, commencing with the 2019–20 academic year, would require the California State University to require, as a graduation requirement, the completion of one 3-unit course in ethnic studies consistent with the requirements and exceptions provided in the regulation described above.

Position

Watch

AB 2522 **(Chu D) Developmental services.**

Current Text: Amended: 3/19/2018 [html](#) [pdf](#)

Introduced: 2/14/2018

Last Amend: 3/19/2018

Status: 3/20/2018-Re-referred to Com. on HUM. S.

Is Urgency: N

Is Fiscal: Y

Location: 3/15/2018-A. HUM. S.

Summary: (1) Existing law, the California Early Intervention Services Act, provides a statewide system of coordinated, comprehensive, family-centered, multidisciplinary, and interagency programs that are responsible for providing appropriate early intervention services and supports to all eligible infants and toddlers and their families, and requires an eligible infant or toddler receiving services under the act to have an individualized family service plan. The act requires these services to be provided pursuant to the existing regional center system under the Lanterman Developmental Disabilities Services Act and the existing local education agency system. Existing law defines the term “eligible infant or toddler” to mean infants and toddlers from birth through 2 years of age for whom a need for early intervention services is documented by means of assessment and evaluation and who meet one of specified criteria, including having a developmental delay in one or more of 5 specified areas,

meaning that they are determined to have a significant difference between the expected level of development for their age and their current level of functioning. Existing law defines significant difference as a 33% delay in one or more development areas. This bill would instead define developmentally delayed infants and toddlers as those who are determined to have a difference between the expected level of development for their age and their current level of functioning, and would delete the definition of significant difference.(2)Existing law requires each service identified on the individualized family service plan to be designated as an early intervention service, another service that the eligible infant or toddler or his or her family may receive from other state programs, or a referral to a no required service that may be provided to an eligible infant or toddler or his or her family. With the exception of durable medical equipment, existing law prohibits a regional center from purchasing nonrequired services, but authorizes a regional center to refer a family to a nonrequired service, as specified. This bill would repeal that prohibition on purchasing nonrequired services.(3)Under existing law, the Lanterman Developmental Disabilities Services Act, the State Department of Developmental Services is responsible for providing various services and supports to individuals with developmental disabilities, and for ensuring the appropriateness and quality of those services and supports. Under existing law, the department contracts with regional centers to provide services and supports to persons with developmental disabilities. The services and supports to be provided to a regional center consumer are contained in an individual program plan, developed in accordance with prescribed requirements. Existing law defines a “developmental disability” as a disability that originates before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for the individual. This bill would remove from the definition of “developmental disability” the requirement that the disability constitute a substantial disability for the individual.(4)Existing law prohibits regional centers from purchasing experimental treatments, therapeutic services, or devices that have not been clinically determined or scientifically proven to be effective or safe or for which risks and complications are unknown. This bill would repeal the prohibition described above.(5)Existing law requires the department, in consultation with stakeholders, to develop an alternative service delivery model that provides an Individual Choice Budget and suspends a regional center’s authority to purchase certain services, including, among others, camping services and associated travel expenses, pending implementation of the Individual Choice Budget and certification that the Individual Choice Budget has been implemented and will result in state budget savings, as specified. This bill would repeal the suspension described above.(6)Existing law establishes the Family Cost Participation Program, which requires the department to develop and establish a Family Cost Participation Schedule, consisting of a sliding scale for families with an annual gross income of not less than 400% of the federal poverty guideline, as specified, to be used by regional centers to assess the parents’ cost participation for providing services to their children under 18 years of age who have developmental disabilities and who are not eligible for Medi-Cal, among other eligibility criteria. This bill would repeal those provisions.

Position

Watch

AB 2776 (Salas D) Workforce development: workforce diploma program: California Community Colleges.

Current Text: Amended: 3/23/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/23/2018

Status: 4/2/2018-Re-referred to Com. on HIGHER ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/15/2018-A. HIGHER ED.

Summary: Existing law establishes systems of public elementary, secondary, and postsecondary

education in this state. These systems provide instruction at school sites and campuses throughout the state. Existing law establishes various programs for adults who are seeking to further their education at the secondary and postsecondary levels and to establish and improve their workforce skills. This bill would establish a workforce diploma program under the administration of the California Community Colleges. The program would consist of components that would include career diplomas, standard diplomas, pay-for-performance programs, and the use of approved providers who provide designated services to increase the employability of program participants. The bill would provide for an online component of the workforce diploma program. The bill would express the intent of the Legislature to provide \$5,000,000 of funding, as specified, to the Chancellor's Office of the California Community Colleges through the annual Budget Act or another statute, to fund a 2-year pilot workforce diploma program.

Position
Watch

AB 2840 **(Rubio D) Employment opportunities: persons with autism.**

Current Text: Amended: 4/3/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 4/3/2018

Status: 4/4/2018-Re-referred to Com. on L. & E.

Is Urgency: N

Is Fiscal: Y

Location: 3/22/2018-A. L. & E.

Summary: Existing law establishes various programs for job training and employment development, including, among others, establishing the California Workforce Development Board as the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment. This bill would create a 3-year pilot program in the counties of Sacramento and Los Angeles for the purposes of increasing long-term employment opportunities for young adults with autism and other intellectual and developmental disabilities. The bill would provide that the pilot program be administered by the California Workforce Development Board and accomplish specified goals. The bill would require the board to submit a report to the Legislature on or before December 31, 2021, regarding information on the success of the program in accomplishing specified goals. This bill contains other related provisions.

Position
Watch

AB 2846 **(Gipson D) Organ and tissue transplantation: uninsured or undocumented individuals.**

Current Text: Amended: 4/2/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 4/2/2018

Status: 4/3/2018-Re-referred to Com. on HEALTH.

Is Urgency: N

Is Fiscal: Y

Location: 3/19/2018-A. HEALTH

Summary: Existing law, the Uniform Anatomical Gift Act, authorizes the making of a donation of all or part of a human body or a pacemaker to take effect upon or after death, as specified. Existing law also requires each general acute care hospital to develop a protocol for identifying potential organ

and tissue donors. Existing law requires an application for an original or renewal driver's license or identification card to contain a space for the applicant to enroll in the Donate Life California Organ and Tissue Donor Registry. This bill would require the State Department of Public Health to convene a working group to evaluate ways to provide organ transplants to uninsured or undocumented residents of the state who are ineligible for organ transplants due to financial hardship. The bill would require the working group to submit its findings and recommendations to the Legislature on or before January 1, 2020, as specified. The bill would require the working group to be comprised of representatives from certain entities, including, among others, community-based immigrant rights and health organizations.

Position

Watch

AB 3074 (Frazier D) Developmental services: integrated competitive employment.

Current Text: Amended: 3/22/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/22/2018

Status: 4/2/2018-Re-referred to Com. on HUM. S.

Is Urgency: N

Is Fiscal: Y

Location: 3/22/2018-A. HUM. S.

Summary: Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers to provide services and supports to individuals with developmental disabilities and their families. Existing law establishes the Employment First Policy, which is the policy that opportunities for integrated, competitive employment be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities. Existing law authorizes a consumer to choose a tailored day service or vouchered community-based training service, in lieu of any other regional center vendored day program, look-alike day program, supported employment program, or work activity program. Existing law requires a tailored day service to (1) include an individualized service design, as determined through the individual program plan (IPP) and approved by the regional center, that maximizes the consumer's individualized choices and needs and (2) encourage opportunities to further the development or maintenance of employment, volunteer activities, or pursuit of postsecondary education, maximize consumer direction of the service, and increase the consumer's ability to lead an integrated and inclusive life. This bill would authorize a consumer in a supported employment program or work activity program who has the stated goal of integrated competitive employment in his or her IPP to request to use tailored day services in conjunction with his or her existing program to achieve that goal, if specified criteria are met, including that the type, amount, and provider of tailored day service allowed under these provisions is determined through the IPP process. The bill would specify the maximum hours of tailored day services that may be authorized in conjunction with existing services under these provisions. Existing law, until January 1, 2025, provides that the Legislature intends that in order to increase effectiveness and opportunity to gain meaningful integrated competitive employment opportunities, habilitation services shall also provide community-based vocational development services. Existing law requires the department to conduct a 4-year demonstration project in up to 5 volunteer regional centers to determine whether the provision of community-based vocational development services increases, integrated competitive employment outcomes and reduces purchase of service costs for working age adults. As part of the pilot program, existing law requires a plan to be developed if community-based vocational development services are determined to be a necessary step to achieve a supported employment outcome, and provides for the hourly rate for the services and hours of participation that may be provided. Existing law requires

the department to secure federal Medicaid funding for these services prior to implementation of the project and requires these provisions to be implemented only to the extent that federal financial participation is available and any necessary federal approvals have been obtained. This bill would delete the provisions stating legislative intent and requiring the department to conduct a demonstration project, thereby implementing the provisions that require habilitation services to also provide community-based vocational development services effective statewide without a demonstration project. The bill would also delete the January 1, 2025, repeal date, and would thereby extend the operation of these provisions indefinitely.

Position

Watch

AB 3127 **(Acosta R) Income taxes: credit: employees with disabilities.**

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 3/12/2018-Referred to Com. on REV. & TAX.

Is Urgency: Y

Is Fiscal: Y

Location: 3/12/2018-A. REV. & TAX

Summary: The Personal Income Tax Law and the Corporation Tax Law allow various credits against the taxes imposed by those laws. This bill, for taxable years beginning on and after January 1, 2019, and before January 1, 2024, would allow a credit under those laws to a qualified employer that pays or incurs to a qualified employee a wage equal to or exceeding the minimum wage during the taxable year, as provided. The bill would define a qualified employee as an individual with a disability who may be paid a special minimum wage under existing state or federal law. The credit would be allowed in an amount equal to the difference between the special minimum wage and the minimum wage, multiplied by the hours worked by the qualified employee. The bill would require the Franchise Tax Board to submit a report containing specified data relating to these credits to the Legislature by June 1, 2024. This bill contains other related provisions.

Position

Watch

AB 3136 **(O'Donnell D) Special education funding.**

Current Text: Amended: 3/22/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/22/2018

Status: 4/2/2018-Re-referred to Com. on ED.

Is Urgency: N

Is Fiscal: Y

Location: 3/22/2018-A. ED.

Summary: Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula. Existing law requires the Superintendent of Public Instruction to determine the amount of funding to be provided for each special education local plan area in accordance with specified calculations. Existing law requires the Superintendent, for the 2013–14 fiscal year, to compute an equalization adjustment for each special education local plan area for purposes of increasing the funding rates for special education local plan areas with funding rates

below the 90th percentile, as specified. This bill would increase that percentile to the 95th percentile and would require the Superintendent to compute that equalization adjustment commencing with the first fiscal year after funds are apportioned pursuant to a specified formula and for each fiscal year thereafter in which an equalization appropriation is made, as specified. The bill would require the Superintendent to make certain computations following each year in which an equalization appropriation is made. The bill would establish the high cost service allowance for the purpose of providing supplemental funding to a special education local plan area on the basis of the number of pupils with severe disabilities and the number pupils with both deafness and blindness, traumatic brain injury, or multiple disabilities, and would require the Superintendent to make specified computations that would determine the high cost service allowance for each special education local plan area. The bill would require, commencing with the first fiscal year after funds are apportioned pursuant to a specified formula, a special education local plan area that reports serving children 3 or 4 years of age who meet the definition of an "individual with exceptional needs" to count 3 times all units of average daily attendance generated by children enrolled in kindergarten less those children eligible for transitional kindergarten, for purposes of calculating units of average daily attendance. By adding to the duties of special education local plan areas, the bill would impose a state-mandated local program. Existing law defines "average daily attendance reported for the special education local plan area" for purposes of these and other provisions to mean the total number of units of average daily attendance reported in the school district or districts and in the county office or offices, or portion of an office, as specified. The bill would revise that definition to mean the total number of units of average daily attendance reported for the current school year or the prior school year, whichever is greater, in those same entities, as specified. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Position

Watch

SB 1011 **(Roth D) Proceeding to establish limited conservatorship: person with developmental disabilities.**

Current Text: Amended: 4/2/2018 [html](#) [pdf](#)

Introduced: 2/6/2018

Last Amend: 4/2/2018

Status: 4/2/2018-From committee with author's amendments. Read second time and amended. Re-referred to Com. on JUD.

Is Urgency: N

Is Fiscal: Y

Location: 2/14/2018-S. JUD.

Summary: Existing law requires a petition for a conservatorship to provide identification and contact information about the proposed conservator and the proposed conservatee, and state the reasons why a conservatorship is necessary. Existing law further requires a petition to be supported by separately filed supplemental information that is protected from disclosure, except under specified conditions. This bill would authorize a petition to establish a limited conservatorship for a person with developmental disabilities to be additionally supported by the most recent individual program plan (IPP) regarding the proposed limited conservatee and provide this plan with similar protections from disclosure as the supplemental information provided in support of a petition. This bill contains other related provisions and other existing laws.

Position

Watch

SB 1190 (Skinner D) Eugenics Sterilization Compensation Program.

Current Text: Amended: 4/3/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Last Amend: 4/3/2018

Status: 4/4/2018-Withdrawn from committee. Re-referred to Com. on RLS.

Is Urgency: N

Is Fiscal: Y

Location: 4/4/2018-S. RLS.

Summary: Existing law prohibits sterilization of a person with developmental disabilities without his or her consent, if he or she has the ability to consent to sterilization, as defined, unless a limited conservator authorized to consent to the sterilization of an adult with a developmental disability is appointed and obtains court authorization to consent to the sterilization, as specified. Existing law prohibits sterilization for the purpose of birth control in county jails and state prison facilities, as specified. This bill would establish the Eugenics Sterilization Compensation Program, to be implemented by the California Victim Compensation Board for the purpose of providing victim compensation to any survivor of state-sponsored sterilization conducted pursuant to eugenics laws that existed in the State of California between 1909 and 1979. The bill would require the board, in consultation with community-based organizations, to conduct outreach to locate any qualified recipient, as defined, notify that person of the process to apply for victim compensation, and review and verify all applications for victim compensation, as specified. The bill would require the board to keep confidential and not disclose to the public any record pertaining to an individual's application for victim compensation or the board's verification of the application. The bill would appropriate an unspecified amount from the General Fund to the board for the purposes of paying victim compensation to qualified recipients and administering and implementing the program, as specified. The bill would exempt victim compensation payments from, among other things, being considered taxable income for state tax purposes or being subject to enforcement of a money judgment, as specified. This bill contains other related provisions and other existing laws.

Position

Watch

SB 1224 (Glazer D) Statewide longitudinal education and workforce data system.

Current Text: Amended: 3/19/2018 [html](#) [pdf](#)

Introduced: 2/15/2018

Last Amend: 3/19/2018

Status: 4/4/2018-Re-referred to Com. on ED.

Is Urgency: N

Is Fiscal: Y

Location: 4/4/2018-S. ED.

Summary: Existing law establishes the California Longitudinal Pupil Achievement Data System, commonly known as CALPADS, which is required to be used, among other ways, to provide a better means of evaluating educational progress and investments over time, to provide local educational agencies information that can be used to improve pupil achievement, and to provide an efficient, flexible, and secure means of maintaining longitudinal statewide pupil level data. This bill would establish a statewide longitudinal education and workforce data system to include data on California students from enrollment in kindergarten to their entry into the workforce. The bill would require the State Department of Education, the Chancellor of the California Community Colleges, and the

California State University, and would request the University of California, to set up a data collection system to track student data for these purposes, and would require the Labor and Workforce Development Agency to provide wage record and workforce program data for those students recently entering the workforce. The bill would require any research or report developed with the use of the data system to be accessible to the public, and would require the development and maintenance of the data system to comply with applicable state and federal privacy laws.

Position

Watch

SB 1320 **(Stern D) Elder or dependent adult abuse: victim confidentiality.**

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 4/5/2018-Set for hearing April 17.

Is Urgency: N

Is Fiscal: Y

Location: 3/1/2018-S. JUD.

Summary: Existing law authorizes victims of domestic violence, sexual assault, stalking, or human trafficking to complete an application to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Any person who makes a false statement in an application is guilty of a misdemeanor. This bill would make this program available to a victim of elder or dependent adult abuse and would make related conforming changes. By expanding the scope of the program to include victims of elder or dependent abuse, this bill would impose new duties on local public officials and expand the scope of an existing crime, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

Position

Watch

SB 1376 **(Hill D) Transportation network companies: accessibility for persons with disabilities.**

Current Text: Amended: 3/22/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Last Amend: 3/22/2018

Status: 4/4/2018-Re-referred to Coms. on E., U. & C. and T. & H.

Is Urgency: N

Is Fiscal: Y

Location: 4/4/2018-S. E. U., & C.

Summary: The Passenger Charter-party Carriers' Act defines a transportation network company as an organization, whether a corporation, partnership, sole proprietor, or other form, operating in California that provides prearranged transportation services for compensation using an online-enabled platform to connect passengers with drivers using their personal vehicles. The act also defines a participating driver or driver as any person who uses a vehicle in connection with a transportation network company's online-enabled application or platform to connect with passengers. This bill would express the intent of the Legislature that every transportation network company ensure that it provides full and equal access to all persons with disabilities. The bill would

require the commission, by July 1, 2019, to (1) develop regulations relating to accessibility for persons with disabilities, including wheelchair users who need an accessible vehicle, who utilize transportation network company transportation services, (2) consider assessing a fee on transportation network companies to fund on-demand accessible transportation services for persons with disabilities to ensure full and equal access to transportation network company services, and (3) conduct workshops with stakeholders, including all interested California cities and counties and persons with disabilities, in order to determine community need and develop programs for on-demand services, service alternatives, and partnerships. This bill contains other existing laws.

Position

Watch

SB 1385 **(Hueso D) School safety: policies and procedures: pupil harassment and bias-based bullying.**

Current Text: Introduced: 2/16/2018 [html](#) [pdf](#)

Introduced: 2/16/2018

Status: 3/8/2018-Referred to Com. on RLS.

Is Urgency: N

Is Fiscal: N

Location: 2/16/2018-S. RLS.

Summary: Existing law, the Safe Place to Learn Act, requires the State Department of Education to assess whether local educational agencies have taken certain actions related to educational equity, including adopting a policy that prohibits discrimination, harassment, intimidation, and bullying based on specified characteristics such as disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, or sexual orientation, or association with a person or group with one or more of the specified characteristics. This bill would state the intent of the Legislature to enact legislation that would require school districts to implement policies and procedures to effectively address pupil harassment and bias-based bullying in California schools.

Position

Watch

Total Measures: 16



AB 2171 (Frazier) One Person, One Goal: Improving Opportunities for Competitive Integrated Employment

SUMMARY

The proposed bill will build on California's progress in increasing opportunities for individuals with intellectual disabilities and developmental disabilities (ID/DD) to prepare for and engage in competitive integrated employment (CIE). People with ID/DD seeking employment are often served by the Department of Education (CDE), Department of Rehabilitation (DOR) and/or Department of Developmental Services (DDS). This bill advances efforts by these Departments to coordinate so that one person experiences the system working toward one goal.

BACKGROUND

In the past five years, federal and state policies have changed to ensure that persons with disabilities have meaningful opportunities for CIE. In 2013, California's Employment First Policy was signed into law (Welfare and Institutions Code, section 4869(a)(1)). In 2014, Congress passed the Workforce Innovation and Opportunity Act (WIOA), which put into place new requirements to ensure students and adults have access to employment opportunities in CIE. In 2014, the Centers for Medicare & Medicaid Services also issued a new rule for Home and Community Services that governs how states can use Medicaid funds for community based housing and employment services.

In May 2017, the CDE, DOR and DDS issued "Real Work for Real Pay in the Real World": A Blueprint to Implement the Employment First Policy over the next five years. The Blueprint is intended to address implementing the new and existing federal and state policies that impact CIE. The overarching goal of the Blueprint is to jointly identify ways to increase CIE opportunities for individuals with ID/DD.

Currently, for an eligible individual with a disability, who may be eligible for services from any or all of the three Departments (CDE, DOR and DDS) each develop and implement a separate plan regarding the services and supports that an individual with a disability will receive from that agency. CDE, DOR and DDS also use their own internal data systems for individuals eligible for services and supports from that agency.

PROBLEM: Joe's Story

Joe is a young man with an intellectual disability is a client of the DOR and the Regional Center. He completed high school with a certificate of completion and wants to work in competitive integrated employment (CIE). Despite this personal goal, he had worked in a sheltered workshop for nearly 2 years, earning less than minimum wage. In addition, his individual program plan (IPP) with the Regional Center did not reflect his goal of working in the community



nor was he was receiving any services from the Regional Center to prepare him for CIE. He obtained representation to help him negotiate with the Regional Center.

After negotiations, the Regional Center agreed to update his IPP to reflect his goal of working in the community and also agreed to provide independent living skills training, employment skills, and individualized support while he attends classes at his local community college to gain workforce readiness skills. After Disability Rights California (DRC) helped him secure these services, Joe was able to leave his job in the sheltered workshop. DRC then went on to advocate for Joe to obtain supported employment services from the DOR.

If AB 2171 was in effect, the Regional Center would have a presumption that this individual wanted to receive a competitive wage for work in the community. The Regional Center would already be required to outline specific services they would provide in the person's IPP to help him reach that goal. The IPP would specify how the Regional Center would coordinate with the DOR to so that Joe could obtain additional vocational supports. Furthermore, Joe's success in achieving CIE after exiting special education could be easily tracked via common identifying code that would be shared by the Department of Education (DOE), DDS and DOR.

SOLUTION

The bill will further the goals of California's Employment First Policy and advance the goals of the Blueprint to ensure every individual has an opportunity to experience a system with one goal - work at minimum wage or above in the community.

The bill will require CDE, DOR and DDS to continue collaboration to strengthen the person-centered planning processes across the Departments, including having CDE and DOR formally adopt the Employment First Policy. The bill will create a method to share data across Departments, or make it portable for the person to independently access themselves. Finally, the bill will require the three Departments in their respective service plans to have a section of each plan that will specify how each Department will support the individual in obtaining or retaining CIE. The three Departments would be given until January 2020 to complete the agreement on how they will implement the legislation and update the Legislature on process to implement it.

SUPPORT

State Council on Developmental Disabilities (Sponsor)

OPPOSE

None Known

FOR MORE INFORMATION

Cindy Smith
Deputy Director, Public Policy
916-322-8481 or cindy.smith@scdd.ca.gov



April 5, 2018

The Honorable Patrick O'Donnell
Chair, Assembly Education Committee
1020 N Street, Room 159
Sacramento, CA 95814

RE: SUPPORT FOR AB 2171 (FRAZIER)

Dear Assemblymember O'Donnell:

The State Council on Developmental Disabilities (SCDD) is proud to sponsor AB 2171 (Frazier) – “One Person, One Goal.” The proposed bill will build on California’s progress in increasing opportunities for individuals with intellectual disabilities and developmental disabilities (ID/DD) to further competitive integrated employment (CIE). While small gains have been seen with an increase from 12 percent to close to 15 percent employment rate for people with ID/DD, the employment rate for people with disabilities remains far too low compared to the general population. Every person with a disability should have services and supports needed to become employed in or retain CIE, and be economically self-sufficient.

People with I/DD seeking employment are often served by the Department of Education (CDE), Department of Rehabilitation (DOR) and/or Department of Developmental Services (DDS). The bill will further the goals of California’s Employment First Policy and advance the goals of the Blueprint to ensure every individual has an opportunity to truly experience a system with one goal: to work for minimum wage or above in the community.

The following story illustrates the all-too-common barriers encountered when a person with ID/DD is seeking CIE:

Susan has a developmental disability. She wants to get a job that pays more and has better hours than the sheltered workshop which is segregated and pays subminimum wage. With a Regional Center’s assistance, [she] applied for Department of Rehabilitation (DOR) services and participated in a vocational assessment that stated that [she] would benefit from supported employment services and could work in an integrated setting. After the assessment, the process stalled and both DOR and the Regional Center did not give [her] next steps to secure a supported employment provider.

If AB 2171 were in effect, DOR and the Regional Center would have been required to work in cooperation to coordinate services for the individual to obtain a position in CIE, rather than leaving it to her to navigate the barriers to her goal.

More specifically, the bill will require:

- CDE, DOR and DDS to continue collaboration to strengthen the person-centered planning processes across the Departments.



- CDE and DOR to formally adopt the Employment First Policy, and apply it to all transition and employment related services provided by their respective agencies.
- CDE, DOR, and DDS to create a method to share data across Departments, or make the data portable for the person to independently access themselves without having to ask the Departments to provide it based on a record's request.
- CDE, DOR and DDS to have a section in their respective service plans that will specify how each Department will support the individual to obtain or retain CIE.

Close to 50 years ago, Congress established the State Councils in every state and territory. The Councils are authorized in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to ensure that individuals with developmental disabilities and their families design and can access services and supports that "promote self-determination, independence, productivity, and integration and inclusion" in community life. The Lanterman Act establishes the SCDD in California to be comprised of 31 members appointed by the Governor, including individuals with disabilities, their families, other partners and state agencies. The SCDD develops a five-year state plan to implement the DD Act through the work of 12 regional offices in California. The plan is developed with stakeholder input and is focused on addressing systemic barriers to employment, housing, education, community supports, health and safety for persons with developmental disabilities.

SCDD is mandated in the Employment First Policy to establish an Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase employment for people with disabilities. SCDD has taken a lead role in working to remove barriers to CIE.

We are pleased to support AB 2171, as we are persuaded it is consistent with our Legislative Platform and State Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "April Lopez".

Dr. April Lopez
Chairperson



SB 1274: Developmental Services: Data Exchange

SUMMARY

SB 1274 will help improve employment guidance and policies for individuals with developmental disabilities (I/DD) regarding competitive integrated employment (CIE) and the utilization of public benefits by authorizing data sharing between the Department of Social Services and the Department of Developmental Services to further California's Employment First Policy (AB 1041, Chesbro).

BACKGROUND

The Department of Developmental Services and the Regional Center system support about 141,207¹ working-age people with intellectual and developmental disabilities.

Last year, the California State Legislature passed AB 1696 which authorized the Employment Development Department to disclose specified wage related information to assist the Department of Developmental Services to implementation the Employment First Policy. However, more information is required from other public social service agencies, such as data related to utilization of benefit programs such as CalWorks and CalFresh by people with I/DD in order for the mission of the Employment First Policy to be fully realized by people with I/DD.

In 2014, Congress created the Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities.² The Committee was charged with making recommendations on "ways to increase competitive integrated employment (CIE) opportunities." One of the key findings in the report was that "neither the federal government nor most states have a consistent data system that can provide longitudinal information across systems or track participation in services that lead to CIE." However, California has made significant progress with AB 1696, and can continue to lead with this bill by now examining use of generic benefits programs designed for people living in poverty.

PROBLEM

Existing law prohibits the Department of Social Services from disclosing records and information concerning their programs except to agencies that administer public social services. Data from the Department of Social Services' California Work Opportunity and Responsibility to Kids (CaWORKs) as well as CalFresh programs is needed to fully

¹ United States, DDS Information Technology Division. "Fact Book Fourteenth Edition." *Fact Book Fourteenth Edition*, June 2017. www.dds.ca.gov/FactsStats/docs/factBook_14th.pdf. Accessed 27 Feb. 2018.

² United States of America, Advisory Committee on Increasing Competitive Integrated Employment for Individuals with Disabilities. (2016, September 15). Retrieved February 27, 2018, from https://www.dol.gov/odep/topics/pdf/ACICIEID_Final_Report_9-8-16.pdf



understand how California's Employment First Policy is improving outcomes for persons with I/DD and impacting the utilization of public benefits.

SOLUTION

SB 1247 will require the Department of Social Services to disclose eligibility and enrollment data for the CalWORKS and CalFresh programs to the Department of Developmental Services to assist in the implementation of the Employment First Policy.

POSITIONS

SUPPORT

State Council on Developmental Disabilities (Sponsor)

OPPOSITION

None Known

FOR MORE INFORMATION

Cindy Smith
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April 3, 2018

The Honorable Scott D. Wiener
Chair, Senate Human Services Committee
Sacramento, CA 95814

The Honorable Senator Hannah-Beth Jackson
Chair, Senate Judiciary Committee
Sacramento, CA 95814

RE: Support for SB 1274 (McGuire)

Dear Senator Wiener and Senator Jackson:

The State Council on Developmental Disabilities (SCDD) is pleased to sponsor SB 1274 (McGuire) because every person should have the opportunity to be economically self-sufficient. The bill will help improve our understanding of how employment policies for individuals with intellectual and developmental disabilities (I/DD) impact competitive integrated employment. The bill will authorize data sharing between the Department of Social Services and the Department of Developmental Services to further understand implementation of California's Employment First Policy (AB 1041, Chesbro).

Existing law prohibits the Department of Social Services from disclosing records and information concerning their programs except to agencies that administer public social services. Data from the Department of Social Services' California Work Opportunity and Responsibility to Kids (CalWORKs) and CalFresh programs is needed to understand how California's Employment First Policy is improving outcomes for persons with I/DD and impacting the utilization of public benefits. SB 1247 will require the Department of Social Services to disclose eligibility and enrollment data for the CalWORKs and CalFresh programs to the Department of Developmental Services. One of the goals of California's Employment First Policy is to raise the percentage of the people with I/DD who work from 13.6% to match the California general population rate of 75.7%.¹

Nearly 50 years ago, Congress established the State Councils in every state and territory. The Developmental Disabilities Assistance and Bill of Rights Act of 2000 authorizes the Councils to ensure that people with I/DD and their families design and access services and supports that "promote self-determination, independence, productivity, and integration and inclusion" in community life. The Lanterman Act establishes the SCDD in California, comprised of 31 members appointed by the Governor, including individuals with I/DD, their families, other partners and state agencies. The SCDD develops a five-year state plan to implement the DD Act through the work of 12 regional offices. The plan is developed with stakeholder input and addresses systemic barriers to employment, housing, education, community supports, health and safety for persons with I/DD.

AB 1041 directs SCDD to establish an Employment First Committee to identify strategies and recommend legislative, regulatory, and policy changes to increase employment for people with disabilities. SCDD has taken a lead role in working to improve data that is available to understand long-term trends for people with I/DD in regards to competitive integrated employment. We are pleased to support SB 1274.

Sincerely,

A handwritten signature in blue ink, appearing to read "April Lopez".

Dr. April Lopez, Chairperson

¹ See http://www.dds.ca.gov/RCOversight/Employment_CA.cfm