



# NOTICE/AGENDA

<b>THE PUBLIC MAY LISTEN IN BY CALLING:</b>	<b>1-800-839-9416</b>
<b>PARTICIPANT CODE:</b>	<b>298-2825</b>

## **EXECUTIVE COMMITTEE MEETING NOTICE/AGENDA**

POSTED AT: [www.scdd.ca.gov](http://www.scdd.ca.gov)

**DATE:** June 19, 2018

**TIME:** 1:00 PM – 4:00 PM

**MEETING LOCATION:**  
SCDD HQ OFFICE  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811

**TELECONFERENCE LOCATION:**  
1831 K Street  
Sacramento, CA 95811

**COMMITTEE CHAIR:** Charles Nutt

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**Item 1. CALL TO ORDER**

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**Item 2. ESTABLISH QUORUM**

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**Item 3. WELCOME AND INTRODUCTIONS**

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**Item 4. PUBLIC COMMENTS**

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

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Item 5.	APPROVAL OF APRIL 2018 MINUTES 	Page 3
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Item 10.	COUNCIL MEETING PLANNING CALENDAR AND PROPOSAL FOR CONSENT CALENDAR 	Page 41
Item 11.	RECOMMENDATIONS FROM LPPC ON JUNE 11, 2018 	
Item 12.	AIDD LETTER REGARDING MEMBERSHIP NON- COMPLIANCE	Page 43
Item 13.	NEXT MEETING DATE & ADJOURNMENT	

**Accessibility:**

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact (916) 322-8481. Requests must be received by 5 business days prior to the meeting.

**Materials:**

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

**APPROVAL OF  
APRIL 2018  
MINUTES**



## Executive Committee Meeting Minutes April 19, 2018

### Attending Members

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

### Members Absent

### Others Attending

Aaron Carruthers  
Doug Sale  
Natalie Bocanegra  
Rihana Ahmad

#### 1. **CALL TO ORDER**

Chairperson Jenny Yang (SA) called the meeting to order at 10:13 AM.

#### 2. **ESTABLISH QUORUM**

A quorum was established.

#### 3. **WELCOME/INTRODUCTIONS**

Members and others introduced themselves as indicated.

#### 4. **PUBLIC COMMENTS**

There were no public comments.

#### 5. **APPROVAL OF THE MARCH 2018 MEETING MINUTES**

It was moved/seconded (Smith [FA]/Nutt [SA]) and carried to adopt the March 12, 2018 meeting minutes (unanimous)

#### 6. **SCDD BUDGET UPDATE**

Executive Director Aaron Carruthers presented the March 2018 SCCD Budget Update outlining the current budget and expenditures for the BSG, QA and CRA/VAS funds. Committee members discussed the budget update and requested budget expenditures be broken down into more details in future budget updates.

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#### Legend:

SA = Self-Advocate  
FA = Family Advocate

The CRA/VAS grant was discussed and Committee members shared ideas for possible future use of grant funds as more developmental centers close.

## 7. CONFLICT OF INTEREST WAIVER REQUEST

### Tri-Counties Regional Center (TCRC)

#### A. Board Member Howard Kraus

Mr. Howard Kraus is a board member of the TCRC and a TCRC consumer. He is employed by Pathpoint, a TCRC vendor, as part of the employment services he receives through the regional center. Therefore, his conflict resolution plan must follow the rules of W&I Section 4622 (k).

It was first/seconded (Nutt [SA]/Lewis [FA]) and carried to adopt staff's recommendation to approve the waiver request and mitigation plan for Kraus provided he does not participate in any board decision that impacts his employer and that he also comply with Section 4622(k) requirements.  
(unanimous)

## 8. EXECUTIVE DIRECTOR EVALUATION PROCESS 2017/2018

Deputy Director of Administration Doug Sale presented a detail sheet outlining staff's recommendation for the 2017/2018 Executive Director Evaluation Process. The recommendation was for SCDD's HR and Legal Counsel to collaborate to develop alternate models based on best practices from ITACC and other State Councils' Executive Director Performance Evaluations for the Committee's consideration.

Committee Chair Jenny Yang reviewed the timeline developed by Legal Counsel in 2017. Committee Chair Yang expressed the importance with securing a third party to do the evaluation process, and collect the information. Committee members discussed last year's process and staff's recommendation outlined in the detail sheet.

It was first/seconded (Blakemore, Nutt [SA]) and carried to direct staff to develop a tool that aligns the Executive Director's job duty statement with the tools that SCDD received from ITAAC, and to present the new tool to the Executive Committee at the June meeting. Staff is also directed to identify resources that will allow the Council to complete the ED evaluation by the end of September, with a third party completing the

collection and tabulation of the data which will be made available prior to the June Executive Committee meeting, so that the Executive Committee can do the evaluation, and present the results at the July Council meeting. In addition, staff is directed to develop a revised timeline that will allow the ED evaluation process to be complete by the September Council meeting. This new timeline is to be presented at the May Council meeting. (unanimous)

Council Chair April Lopez announced that she will be stepping down as Council Chair after the July Council meeting. Committee members expressed gratitude for Council Chair Lopez's leadership.

**9. NEXT MEETING DATE & ADJOURNMENT**

The next Executive Committee meeting will be held on June 12th. Meeting adjourned at 11:55 AM.

# **SPONSORSHIP REQUEST**

## COUNCIL AGENDA ITEM DETAIL SHEET

**ISSUE:** Sponsorship request from Northwest Committee for the Employment of Persons with Disabilities (NCEPD).

**AMOUNT: \$999.00**

**BACKGROUND:** The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills. The event is scheduled for July 25, 2018 in Eureka, CA.

**ANALYSIS/DISCUSSION:** NCEPD is requesting a sponsorship for their planned "Windmills" training. Windmills training educates about best practices, etiquette, and resource development for consumers, families, service providers, and community members. Windmills is a high-impact disability training curriculum. The program consists of 12 modules that use participation and discovery as learning vehicles.

The training focuses on attitudes and human factors, while addressing concerns including legal requirements and accommodation. The modules primarily consist of exercises relevant to the everyday world of work to which participants can relate and then remember on the job. This training is helpful to families and consumers in helping them develop confidence in knowing how and which accommodations can be requested in the workplace. The Windmills training has been used for over 30 years and is the standard training in the field of employment of persons with disabilities.

NCEPD anticipates up to 100 participants from the community. There will be an emphasis on outreach to community employers as well as people with disabilities, Regional Center staff, service providers, IHSS Providers, families, SELPA and school staff, government staff and officials, consultants, and community members. NCEPD expects 25-30% of the attendees to be people with disabilities and/or their family members.

This event does not have any consumers that will be serving as presenters.

The SCDD funds would be utilized for offsetting the costs of the workshop presenters. This is the first time NCEPD has applied for a sponsorship.

**COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE:** Individuals with developmental disabilities, their families and their support and/or professional staff

will increase their knowledge and skills so as to effectively access needed educational and/or community-based services through at least 225 trainings, conferences, workshops, webinars, and/or resource materials developed by the Council on topics such as rights under IDEA, rights under California's Lanterman Act etc. on an annual basis.

**PRIOR COUNCIL ACTIVITY:** Since the beginning of FY 2017-18, the Council has awarded \$13,986 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2017.

**STAFF RECOMMENDATION:** Approve Northwest Committee for the Employment of Persons with Disabilities request for sponsorship.

**ATTACHMENTS(S):** Northwest Committee for the Employment of Persons with Disabilities request for sponsorship.

**PREPARED:** Kristie Allensworth      June 6, 2018



## Sponsorship Request Application Checklist

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

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

### Information Checklist

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

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

APPLICATION FOR SCDD SPONSORSHIP GRANT 2018

To the members of the Grant Committee:

Please review the Northwest Committee for the Employment of Persons with Disabilities (NCEPD) request for funding support for a planned “Windmills” training, July 25, 2018 in Eureka, California.

Section 1:

- a) The request is for a planned “Windmills” training (see attached proposal), July 25, 2018 in Eureka, California. The exact location is TBD as we are in the process of contacting venues. Windmills is a nationally acclaimed training that educates about best practices, etiquette, and resource development for consumers, families, service providers, and community members. Revised in 2016, “Windmills” is a high-impact, changing the perception of disability training curriculum. The program consists of 12 modules that use participation and discovery as learning vehicles.

Many organizations would like to employ persons with disabilities but find that fears, biases and myths create barriers in the hiring process. The training focuses on attitudes and human factors, while addressing concerns including legal requirements and accommodation. The modules primarily consist of exercises relevant to the everyday world of work to which participants can relate and then remember on the job. This training is helpful to families and consumers in helping them develop confidence in knowing how and which accommodations can be requested in the workplace.

The Windmills training has been used for over 30 years and is the standard training in the field of employment of persons with disabilities(See attached “Tilting a Windmills.. news)

- b) The cost of the event is about \$4800-\$5200.00, of which the workshop will be about \$4500.00. We are requesting donations from various agencies. Humboldt Community Access and Resources (HCAR) has offered to help and may be able to subsidize \$3000. Tri-County Independent Living (TCIL) has offered to make up the difference to \$2000. NCEPD is an all-volunteer, non-profit, which collects minimum dues and has less than \$800 for annual operations. We were able to secure a quote of about 70% discount, because they will be doing a training locally, the day before, and they recognize our need and that of the community.
- c) Two Co-Trainers from Windmills will be presenting. There are no consumers presenting
- d) We anticipate up to 100 participants from the community. Outreach will emphasize community employers we well as people with disabilities, Regional Center staff, service providers, IHSS Providers, families, SELPA and school staff, government staff and officials, consultants, and community members. We expect 25-30% of the attendees to be people with disabilities and/or their family members.
- e) Outreach is being done through agency mailing and e-lists, NCEPD Facebook page and posts, radio and print PSAs. HCAR will also do a mass mailing to their business contacts. We will coordinate with Families Advocating Autism Now to promote the training as well as send information out to Eureka Main Street, Eureka Chamber of Commerce, Arcata Chamber of Commerce, and McKinleyville Chamber of Commerce.

f) Draft Budget:	WorkshopPresenters	\$4500 (still to be finalized)
	(We are requesting \$999 from SCDD for presenters)	
	Event Site	\$0-300
	Refreshments	\$370-520
	Copy/Office Sup	\$60-80
	<b>Estimated Total</b>	<b>\$4930-5400.00</b>

g) NCEPD has not requested any prior support from SCDD

h) Letters of support from Redwood Coast Regional Center, and HCAR (attached)

We will gladly provide acknowledgment to SCDD. We will handout brochures if they are provided and can hang a banner. We would like to invite SCDD staff to attend and if a representative would like to give an opening statement, that would be great.

Thank you for your consideration of our request.

Contact:

Mark Schaffner, NCEPD Treasurer 707-616-8895 [mark\\_schaffner@yahoo.com](mailto:mark_schaffner@yahoo.com)

Charles Bean – NCEPD President 707-496-0761 [charles.bean@yahoo.com](mailto:charles.bean@yahoo.com)



## Northwest Committee for the Employment of People with Disabilities

P.O. Box 350, Eureka, CA 95502-0350

<http://nwcepd.wordpress.com>

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May 14, 2018

To the members of the grant review committee:

I am writing on behalf of the Northwest Committee for the Employment of Persons with Disabilities (NCEPD) support of HCAR's grant funding application. We have discussed this and decided that HCAR will be the primary contractor for this request.

NCEPD in coordination with HCAR have reached out to bring the "Windmills" training to Humboldt County. Due to them coming to do a training for AJC partners, we were able to book them for significantly less than if we had a stand alone event. It has been over 14 years since a similar training has been held on the north coast, and we are in need of this.

The total cost of the training will be over \$3900. We are collaborating with HCAR to pay the majority of this, as well as Tri-County Independent Living (TCIL) to help cover the cost of the venue, supplies, and marketing on Facebook. In the process we are developing an active community collaborative.

Thank you for your consideration and support of this. If I or NCEPD can be of any further assistance, my contact is 707-616-8895,  
[mark\\_schaffner@yahoo.com](mailto:mark_schaffner@yahoo.com)

With appreciation,

Mark Schaffner, NCEPD Chair



# Redwood Coast Regional Center

Respecting Choice in the Redwood Community

May 3, 2018

Denise Gorny  
State Council on Developmental Disabilities  
505 S State St.  
Ukiah, CA 95482

To Whom It May Concern:

Please accept this letter in support of the North Coast Employment of People with Disabilities (NCEPD) proposal to bring Milt Wright & Associates Inc. one day Windmills training titled "Changing the Perception of Ability" to Eureka on July 25, 2018.

As a part of the Redwood Coast Regional Center (RCRC) Employment First Strategic Plan we recognize the critical need for training to employers to eliminate the stigma of disability that is often a barrier to employment for people with developmental disabilities.

In an effort to secure funding for this much needed training, RCRC will be reaching out to various vendors we work with who have direct daily contact with employers in the Humboldt County business community.

Partial sponsorship (\$999) of this event by SCDD will be crucial in securing enough funding to bring this important training to Humboldt County.

Thank you in advance for your anticipated collaboration and support of this training opportunity for potential employers of people with disabilities.

Please let me know if you have any questions.

Sincerely,

Sierra Braggs  
CMS Waiver & Employment Specialist Manager

Corporate Offices 525 - 2<sup>nd</sup> Street, Suite 300, Eureka, CA 95501 707-445-0893

Satellite offices:

□ 1116 Airport Park Blvd., Ukiah, CA 95482 707-462-3832 \* □ 270 Chestnut St., Ste A, Ft Bragg, CA 95437 707-964-6387

□ 1301 A Northcrest Dr., Crescent City, CA 95531 707-464-7488 \* □ 180 Third Street., Lakeport, CA 95453 707-262-0470

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**EXECUTIVE  
DIRECTOR  
EVALUATION  
PROCESS**

## **EXECUTIVE COMMITTEE AGENDA ITEM DETAIL SHEET**

### **ISSUE: 2018 EXECUTIVE DIRECTOR EVALUATION TOOL**

**BACKGROUND:** In accordance with the federal Developmental Disabilities Assistance and Bill of Rights Act (Federal DD Act), the California State Council on Developmental Disabilities (Council) is required to evaluate the performance of the Council Executive Director on an annual basis.

To meet this requirement, the Council previously approved an evaluation tool to assess the Council's Executive Director. (See Minutes of March 16, 2011, Council Meeting.) The Council decided to use this tool for each annual Executive Director evaluation through 2017, with some administrative changes and providing the Executive Director with the opportunity to provide additional information on significant accomplishments.

At its April 19, 2018, meeting, the Executive Committee:

- Directed staff to develop a new proposed evaluation tool that aligns with the Executive Director's job duty statement and sample evaluation tools received from ITAAC ;
- Decided that the new proposed evaluation tool is to be presented to the Executive Committee at the June 2018 meeting;
- Directed staff to identify resources that will allow the Council to complete the ED evaluation by the end of September, with a third party completing the collection and tabulation of the data;
- Decided that the evaluation tool will be presented to and considered by the Council at its July 2018 Council meeting;
- Directed staff to develop a revised timeline that will allow the ED evaluation process to be completed by the September Council meeting.

At the May 2018 Council meeting, staff presented a revised timeline which was approved by the Council.

Regarding the Executive Director duty statement and job responsibilities:

- In April 2015, the Executive Committee, under delegated authority by the Council, updated the Executive Director job description as part of the recruitment process for the Executive Director. The approved job description was incorporated into the E.D. position announcement under which recruitment and hiring were conducted for the current position. The announcement was publicly noticed and posted in April 2015.
- In July 2015, staff included a duty statement as part of the Council's Exempt Position Request submitted to the Department of Human Resources (CalHR) for the hiring of the SCDD Executive Director. This duty statement was based on a version that was revised by staff in December 2014 to conform to AB 1595 changes.

Most of the significant responsibilities of the Executive Director position outlined in the approved job description are included in the duty statement submitted to CalHR. However, there may be additional responsibilities included in the job description. (See attached.)

### **ANALYSIS/DISCUSSION:**

Staff has developed a proposed evaluation tool that includes the Council's consideration of two items: 1) Responses to evaluation questions distributed to Council members, employees, and the Executive Director (for self-evaluation) and 2) Recommendations and Priorities Over the Next Year adopted by the Council as part of the prior year's Executive Director Evaluation.

### **Evaluation Questions**

The Executive Committee is responsible for selecting/developing the most effective evaluation questions based on the Executive Director's duties and responsibilities to be used for the 2018 Executive Director Evaluation:

**Option 1:** Staff has developed a set of questions that align with the Executive Director's job duty statement filed with CalHR. Option 1 evaluation questions include only the responsibilities outlined in this duty statement.

**Option 2:** Staff has also developed a set of questions that align with both the Executive Director's job duty statement filed with CalHR and the job description approved by the Executive Committee/Council.

Staff presents the Option 1 and Option 2 sets of questions for the Executive Committee's consideration in order to select and recommend the 2018 Executive Director Evaluation tool to the full Council. The Executive Committee also has the ability to select individual questions that it would like to be used, if it desires.

**Prior Year's Goal and Priorities**

To provide for continuity and an effective and meaningful evaluation process, Human Resources and Legal Counsel recommend that, in developing its 2018 Executive Director Evaluation, the Council consider the goals and priorities developed by the Council and provided to the Executive Director during 2017 Executive Director Evaluation.

**COUNCIL STRATEGIC PLAN OBJECTIVE: CC 1.1**

**PRIOR COUNCIL ACTIVITY:** Prior approval and use of existing Executive Director evaluation tool.

**RECOMMENDATION(S):** Staff recommends that the Executive Director Evaluation include the Council's consideration of the goals and priorities developed by the Council and provided to the Executive Director during the prior year's evaluation. In addition, staff recommends that the Executive Committee review and recommend a 2018 Executive Director Evaluation Tool based on its decision regarding which evaluation questions should be used.

**ATTACHMENTS(S):** 2018 Executive Director Evaluation Timeline; Executive Director job announcement; Duty statement submitted to CalHR; Evaluation Tool Summary; Option 1 Questions; Option 2 Questions.

**PREPARED:** Legal Counsel Natalie Bocanegra, Deputy Director of Administration Douglas Sale, and Personnel Officer Janet Butts; June 8, 2018.



## **STATE COUNCIL ON DEVELOPMENTAL DISABILITIES 2018 EXECUTIVE DIRECTOR EVALUATION SUMMARY**

The Developmental Disabilities Assistance and Bill of Rights Act of 2000 (federal DD act) requires that the Executive Director of the Council be evaluated on an annual basis.

The process for evaluating the Executive Director is:

1. The Chairperson of the Council oversees and manages the Executive Director Evaluation. He/she oversees the distribution of the Evaluation questions to Council members and Council staff.
2. Each Council member is required to provide responses to the evaluation questions. Once completed, the form must be returned to the Chairperson or to the third party engaged to collect and compile response data. Staff member responses are voluntary.
3. The Executive Director will complete a self-evaluation by providing responses to the evaluation questions and providing a narrative addressing the Recommendations and Priorities from the prior year's evaluation. The Executive Director will discuss her/his self-evaluation with the Chairperson.
4. Each Performance Evaluation Form is logged onto a worksheet and summarized by the third party engaged to collect and compile the response data.
5. The third party will prepare a summary report of the data with the assistance of the Chairperson.
6. The Chairperson with the assistance of the third party, if desired, will present the summary report along with evaluation materials, statistical data, the Goals and Priorities from the prior year's evaluation, and all other information to the Executive Committee during a closed session. The Executive Committee will approve a

6/08/18

draft 2018 Executive Director Evaluation and recommendation(s) to be considered by the full Council.

7. The Executive Director Evaluation will be on the next possible Council Meeting agenda as a closed session item. Executive Committee will present the evaluation and their recommendation(s) to the full Council during the closed session.
8. In open session, the Executive Director and Council then meet to discuss salary/bonus, etc., if applicable.



# CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

EXECUTIVE DIRECTOR





## THE ORGANIZATION

The State Council on Developmental Disabilities (Council) was established by state (Lanterman Act at Welfare and Institutions Code, section 4520 et. seq.) and federal law (Developmental Disabilities and Bill of Rights Act) to ensure that individuals with developmental disabilities and their families participate in the planning, design and receipt of the services and supports they need which promote increased independence, productivity, inclusion and self-determination. Federal law requires the Council to identify methods to improve and increase services for individuals and their families, and to submit these to the federal government in the form of a State Plan. This Plan identifies priority areas for improving and increasing services and support for individuals and their families. Plan goals, objectives and strategies are achieved through Council's headquarters and regional office activities and Community Program Development Grants. The Plan is approved by the federal Administration on Developmental Disabilities.

The governing multi-member body of the Council is comprised of 31 members appointed by the Governor, including individuals with

disabilities, their families, federally funded partners and state agencies.

In addition to headquarters in Sacramento, the Council has 13 regional offices throughout the state that support individuals with developmental disabilities and their families by providing training, monitoring and public information. The Council works to ensure that appropriate laws, regulations and policies pertaining to the rights of individuals are observed and protected.

Headquarters staff, including the Executive Director, are housed in Sacramento.

### Mission Statement

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

### Vision Statement

Californians with developmental disabilities are guaranteed the same full and equal opportunities for life, liberty, and the pursuit of happiness as all Americans.

To learn more about the Council go to: [www.scdd.ca.gov](http://www.scdd.ca.gov)

## THE SACRAMENTO AREA

Sacramento is conveniently located halfway between the Pacific Ocean (San Francisco) to the west, and the Sierra Nevada Mountains (Lake Tahoe) to the east. With a population of approximately 470,000, Sacramento is the 7th largest city in California.

Sacramento offers some of the lowest housing prices of major cities in the state. Many new residents have relocated from the San Francisco Bay Area and Southern California to take advantage of Sacramento's employment opportunities, moderate housing prices, reasonable cost of living, and competitive salaries.

The Sacramento region offers amenities that are attractive to those with an active lifestyle. Hiking, biking, golfing, snow-skiing, water-skiing, house-boating, wine-tasting, and other sports and recreational opportunities abound. Educational opportunities are plentiful, with the Sacramento region being home to California State University - Sacramento; University of California at Davis; Sacramento City College; McGeorge School of Law and other community and four-year college programs.

## THE POSITION

Appointed by and reporting to the Council, the Executive Director is the Chief Executive Officer and serves at the will of the Council. The Executive Director provides leadership to assist the Council, ensure the development and implementation of the Council approved State Plan and other Council approved policies and activities; ensures that the Council fulfills its specific mandates under federal and state law, and manages the day to day operations of the Council.

### Major Responsibilities of the Executive Director:

#### *Positions the Council to Carry out the California State Plan and Conduct Strategic Planning for Systems Change and Advocacy*

- Works with the Council to facilitate the Council's development of a State Plan including setting up those activities to develop a vision for short and long-term strategic goals and identifying resources needed to accomplish those goals. Clearly communicates vision and information to and from the Council and stakeholders.





- Keeps the Council apprised of relevant programmatic, policy and administrative matters, timely notifies the Council of any pending or emerging issues, and provides recommendations, including issues identified by the Council's regional advisory committees.
- Assists the Council members in acquiring requisite training, knowledge and skills to promote good stewardship of the organization and its mission in a responsive and helpful manner.
- Ensures that Council and Committee meetings are appropriately scheduled, planned and prepared.
- Works to advance the Council's agenda for systemic change to advance the rights of persons with disabilities by leveraging policy opportunities, effectively understanding relevant issues, and working within the varying political environment.
- Assists the Council with the development of policy

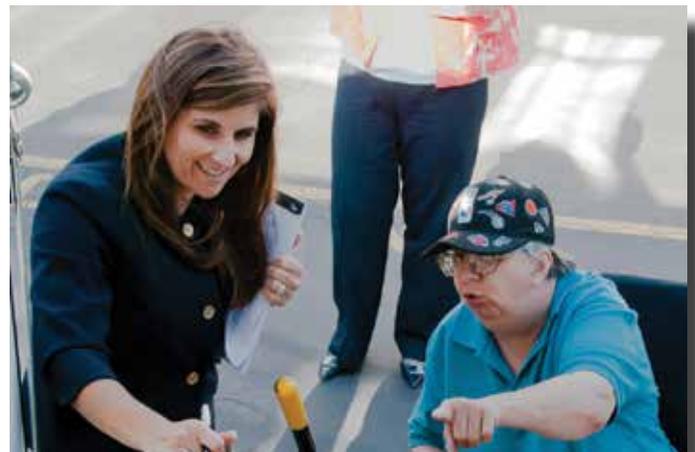
decisions that positively affect the rights and interests of individuals with developmental disabilities.

- Represents the Council with the Legislature and state and local agencies in advocating for the rights of Californians with developmental disabilities.

**Administration and Personnel Management of a Multi-office California State Government Agency**

- Performs high administrative and policy functions of a California state government agency effectively.
- Motivates and inspires all Council staff to work collaboratively toward vision, mission and goals, while demonstrating sensitivity and good judgment.
- Manages and receives monitoring and planning input from headquarters and regional office staff in order to achieve a cohesive, strategic vision and to accomplish goals of the state plan.

- Reports to or requests approval from the Council on regional activities and needs including but not limited to staffing, fiscal and State Plan implementation.
- Deploys resources efficiently and effectively toward Council organizational goals, working with staff to balance workload and effort.
- Develops, seeks approval from the Council and implements Council staff structure sufficient to implement the State Plan and carry-out Council activities.
- Mentors and builds the skills of key staff in the organization, so they can mentor, encourage and motivate other staff.
- Ensures that staff are trained and supervised effectively in order to carry out Council goals and activities in conjunction with state and federal laws.
- Recommends policies and practices necessary to attract and retain a qualified, skilled work force and ensures that Council approved policies are implemented.
- Assures adequate resources are available now and in the future to accomplish the mission of the Council.
- Engages in short and long-term fiscal planning to provide for the fiscal stability of the Council and develops, oversees, and maintains a system of fiscal internal controls that comply with state and federal standards.
- Develops, implements and manages an annual budget that reflects programmatic needs. Ensures that budget is legal and adheres to California state government agency accounting and fiscal management practices.
- Ensures that all reporting and compliance requirements are met for each funding source.
- Notifies the Council of fiscal status and highlights fiscal issues that may require attention including providing Council with timely and relevant budget and fiscal reports.
- Negotiates and executes contracts as approved by the Council consistent with approved plans, goals, activities, and California state government agency rules.
- Manages day-to-day administrative operations of the Council.



## **Promotes Partnerships and Relationships**

- Maintains effective relationships between the Council and state and federal funding agencies.
- Maintains effective relationships with, and assumes a position of leadership within, the disability and other key stakeholder communities and organizations to promote the policies and positions of the State Council.
- Maintains an effective relationship and acts as a liaison with the National Association of Councils on Developmental Disabilities.
- Serves as a representative of the Council with the Governor's Office, Administration, Legislature and other state, federal and local agencies.
- Fosters effective working relationships within the Council and with other agencies involved in service to individuals with developmental disabilities and resolves issues in an objective and productive manner.
- Communicates the programs, policies and purpose of the Council to public constituencies and government bodies in a way which will motivate them to support organizational operations, goals and objectives.
- Serves as an active spokesperson for the Council through proactive contact with media, finding opportunities to promote the Council's work and increase public awareness of the Council's mission and issues affecting Californians with developmental disabilities.

## **THE IDEAL CANDIDATE**

The Council has identified the following characteristics and knowledge-base as qualities they are seeking in the ideal candidate:

- Demonstrated interest and leadership in human service activities including working with and sensitivity to individuals with disabilities.
- Five years of progressively responsible experience in the management and administration of a complex organization with multiple offices, including public interaction, employee supervision and management, personnel administration, fiscal reporting and budgetary responsibilities.
- Knowledge of the organization, functions, and practices of California state government including the organization and practices of the Legislature and the Executive Branch and principles, practices, and trends applicable to the administration, organization, and management of a California state government agency.
- Demonstrated experience and ability to work effectively with a variety of organizations and individuals with diverse perspectives, including persons with disabilities, advocacy groups, the public and elected and appointed officials.
- Demonstrated experience working with and providing support to Boards of Directors and/or similar oversight bodies including but not limited to task forces and committees.
- Demonstrated leadership in public policy advocacy.
- Ability to analyze complex problems and develop creative solutions.
- Effective oral and written communication skills.

- Experience and sensitivity in working with individuals from diverse language and ethnic communities.
- Possess a B.A. or B.S. degree from an accredited college or university.

## **COMPENSATION**

The monthly salary range for the Executive Director is **\$9,156-\$10,200** and is supplemented by an attractive benefits package.

## **APPLICATION AND SELECTION PROCEDURE**

**This position is open until filled with a Full Consideration Date of May 11, 2015.** To receive full consideration during initial review by the Executive Committee, application materials must be **RECEIVED BY MAY 11, 2015.**

Application materials received after May 11th are not guaranteed to be fully reviewed by the Executive Committee. Application materials may be emailed provided that the State Application (STD 678) with an original signature is submitted prior to any scheduled interview.

To be considered for this excellent career opportunity, please submit a completed State of California Application (STD 678), resume (including dates of employment and size of budgets and staff managed), Statement of Qualifications (no more than three pages), current salary, and six work-related references to:

Personnel Officer  
Executive Director Search  
State Council on  
Developmental Disabilities  
1507 21st Street, Ste. 210  
Sacramento, CA 95811  
Tel: 916 322-8481  
Fax: 916 443-4957

Email: [EDsearch@scdd.ca.gov](mailto:EDsearch@scdd.ca.gov)

## **Selection Process**

Application materials will be screened in relation to the Executive Director responsibilities outlined in this brochure. Candidates with the most relevant qualifications will be selected for initial interviews by the Council's Executive Committee. A select group of candidates will be selected for subsequent interview by the full Council. An appointment is anticipated following comprehensive reference and background checks.



# State Council on Developmental Disabilities

## EXECUTIVE DIRECTOR

### Duty Statement

#### **THE STATE COUNCIL ON DEVELOPMENTAL DISABILITIES:**

The State Council on Developmental Disabilities (Council) is an independent state agency mandated by federal and state law to engage in advocacy, capacity building, and systemic change to promote a consumer and family-based system of services and supports for people with intellectual and/or developmental disabilities. The goal of the federal law is to enable individuals with developmental disabilities (self advocates) to maximize their self-determination, independence, productivity, and community integration and inclusion. Federal law requires the Council to identify methods to improve and increase services for individuals and their families and to submit these to the federal government in the form of a State Plan.

The multi-member governing body of the Council consists of 31 voting members, all of whom are appointed by the Governor, including individuals with disabilities, their families, federally funded partners and state agencies. In addition to its headquarters office in Sacramento, the agency maintains 13 Council offices located throughout California that carry out activities to achieve State Plan goals, objectives and strategies across the State.

#### **THE EXECUTIVE DIRECTOR POSITION:**

The Executive Director, as a leader of the Council's Executive Management Team, helps the Council fulfill its specific mandates under the Federal Developmental Disabilities Assistance and Bill of Rights Act (Title 42, US 15001 et seq.) and the Lanterman Developmental Disabilities Act (Welfare and Institutions Code 4500 et. seq.).

The Executive Director serves as the chief advisor to the Council and is responsible for overseeing the implementation of Council policy. The Executive Director provides leadership and direction to ensure necessary support for the Council in developing policies, adopting plans, conducting system monitoring, systemic change and capacity building, and generally advocating for persons with intellectual and/or developmental disabilities. The Executive Director represents the Council with the Governor's Office, the Legislature and other state, federal and local agencies. The Executive Director is appointed by and serves at the will of the Council.

#### **A. JOB DUTIES:**

- 50% Policy Development, Planning and Coordination – Serves as chief executive advisor to the 31 Council members. Keeps the Council informed regarding Council statutory responsibilities. Develops, recommends, coordinates with and represents the Council's positions regarding policy development and implementation that positively affect the rights and interests of individuals with intellectual and/or developmental

disabilities. Provides oversight and direction for development of Council State Plan and strategic planning. Works closely with Council leadership to ensure that Council and Committee meetings are appropriately scheduled, noticed, planned, and conducted by performing high level Clerk of the Council functions.

30% Policy Implementation and Advocacy – Provides leadership and direction to ensure the development and implementation of Council approved policies and practices are consistent with statutory rights and responsibilities, including the implementation and administration of Division 4.5 of the Welfare and Institutions Code and Public Law 106-402. Supervises the development and provision of training to Council members and staff on Public Law 106-402 mandates. Coordinates with Disability Rights California, the University Centers for Excellence and other agencies and organizations. Serves as a representative of the Council to the Governor’s Office, Legislature and other federal, state, and local agencies.

20% General Administration and Management – As chief administrative executive to a State of California agency, provides overall guidance and leadership to Council staff, is responsible for hiring, supervision, training and evaluation of employees and ensures that Council directives are properly carried out by staff. Provides supervision over the development and implementation of standard orientation tools and resources for staff that address program and administrative requirements. Mentors and builds the skills of key staff in the organization. Through subordinate staff, manages the day to day operations of the Council and oversees program compliance with federal and state laws applicable to a state agency receiving federal funding.

**B. SUPERVISION RECEIVED:**

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

**C. SUPERVISION EXERCISED:**

The Executive Director provides direction to a Chief Deputy Director, a Deputy Director of Regional Offices, a Deputy Director of Policy and Planning, Senior Legal Counsel, and other Council employees.

**D. ADMINISTRATIVE RESPONSIBILITY:**

The Executive Director has overall responsibility for all Council operations.

**E. PERSONAL CONTACTS:**

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

**F. ACTIONS AND CONSEQUENCES:**

The Executive Director assumes overall responsibility for Council operations and is therefore critical to the success of the organization. The position of Executive Direction is necessary to coordinate agency responsibility and functions and to ensure compliance with federal and state laws.

**G. OTHER INFORMATION:**

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

The Executive Director must demonstrate respect for and the ability to communicate effectively with individuals who have an intellectual and/or developmental disability and their families. The Executive Director must be free to work extended hours and travel.

**State Council on Developmental Disabilities  
Executive Director Evaluation  
July 2017 – July 2018**

**OPTION 1**

**Policy Development, Planning and Coordination**

**1. Keeps the Council informed regarding Council statutory responsibilities**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**2. Develops, recommends, coordinates with and represents the Council's positions regarding policy development and implementation that positively affect the rights and interests of individuals with intellectual and/or developmental disabilities**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**3. Provides oversight and direction for development of Council State Plan and strategic planning**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**4. Works closely with Council leadership to ensure that Council and Committee meetings are appropriately scheduled, noticed, planned, and conducted by performing high level Clerk of the Council functions**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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## Policy Implementation and Advocacy

**1. Provides leadership and direction to ensure the development and implementation of Council approved policies and practices are consistent with statutory rights and responsibilities, including the implementation and administration of Division 4.5 of the Welfare and Institutions Code (Lanterman Act) and federal DD Act**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**2. Supervises the development and provision of training to Council members and staff on the federal DD Act mandates**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**3. Coordinates with Disability Rights California, the University Centers for Excellence and other agencies and organizations**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**4. Represents the Council to the Governor’s Office, Legislature and other federal, state, and local agencies**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**General Administration and Management**

**1. Provides overall guidance and leadership to Council staff in the areas of hiring, supervision, training and evaluation of employees and ensures that Council directives are properly carried out by staff**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**2. Provides supervision over the development and implementation of standard orientation tools and resources for staff that address program and administrative requirements**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**3. Mentors and builds the skills of key staff in the organization**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**4. Through subordinate staff, manages the day to day operations of the Council and oversees program compliance with federal and state laws applicable to a state agency receiving federal funding**

- Exceeds expectation
- Meets expectation
- Needs improvement
- Do not have enough information to form an opinion

Comments:

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**State Council on Developmental Disabilities  
Executive Director Evaluation Questions  
July 2017 – July 2018  
Option 2**

**A. Council Support and Communication**

- A1. Keeps the Council informed regarding Council statutory responsibilities**
- A2. Reports to or requests approval from the Council on regional office activities and needs including but not limited to staffing, fiscal and State Plan implementation**
- A3. Notifies the Council of fiscal status and highlights fiscal issues that may require attention including providing Council with timely and relevant budget and fiscal reports**
- A4. Timely notifies the Council of any pending or emerging issues related to programmatic, policy and administrative matters**
- A5. Works closely with Council leadership to ensure that Council and Committee meetings are appropriately scheduled, noticed, and planned**
- A6. Develops and seeks approval from the Council and implements Council staff structure sufficient to implement the State Plan and carry-out Council activities**

**B. Policy Development and Implementation**

- B1. Develops and implements policy that positively affects the rights and interests of individuals with intellectual and/or developmental disabilities**

- B2. Provides oversight and direction for development of Council State Plan**

## **C. External Relations and Advocacy**

- C1. Leverages policy opportunities and works within the varying political environments to advance the Council’s mission and work**
- C2. Fosters effective working relationships and with other agencies involved in service to individuals with developmental disabilities and resolves issues in an objective and productive manner**
- C3. Coordinates, maintains effective relationships, and acts as a liaison with Disability Rights California, the University Centers for Excellence and the National Association of Councils on Developmental Disabilities**
- C4. Maintains effective relationships with the disability and other key stakeholder communities and organizations**
- C5. Represents the Council to the Governor’s Office, Legislature and other federal, state, and local agencies**
- C6. Maintains effective relationships between the Council and state and federal funding agencies**
- C7. Serves as an active spokesperson for the Council through proactive contact with media, finding opportunities to promote and increase awareness of the Council’s mission and work**

## **D. Program Administration and Strategic Planning**

- D1. Develops short and long-term strategic goals and identifies resources needed to carry out the Council's mission and work**
- D2. Ensures that Council policies and practices are consistent with the Lanterman Act and federal DD Act**
- D3. Supervises the development and provision of training to Council members and staff on the federal DD Act mandates and Council member responsibilities**
- D4. Provides supervision over the development and implementation of standard orientation tools and resources for staff that address program and administrative requirements**
- D5. Oversees program compliance with federal and state laws applicable to a state agency receiving federal funding**
- D6. Negotiates and executes contracts as approved by the Council consistent with approved plans, goals, activities, and California state government agency rules**
- D7. Manages and receives monitoring and planning input from headquarters and regional office staff of in order to achieve a cohesive, strategic vision and to accomplish goals of the state plan**
- D8. Deploys resources efficiently and effectively toward Council goals, working with staff to balance workload and effort**

## **E. Fiscal**

- E1. Develops, implements and manages an annual budget that reflects programmatic needs.**
- E2. Engages in short and long-term fiscal planning to provide for the fiscal stability of the Council**

- E3. Develops, oversees, and maintains a system of effective fiscal internal controls that comply with state and federal standards and Councilmember responsibilities**

## **F. Personnel Management**

- F1. Recommends strategies to attract and retain a qualified, skilled work force**
- F2. Mentors and builds the skills of key staff in the organization**
- F3. Encourages all Council staff to work collaboratively toward vision, mission and goals**
- F4. Demonstrates sensitivity and good judgment when working with Council staff**
- F5. Provides support to key staff in the organization so they can mentor, encourage and motivate other staff**
- F6. Ensures that staff are trained and supervised effectively in order to carry out the Council's mission and work**

**2018 EXECUTIVE DIRECTOR EVALUATION  
PROPOSED TIMELINE**

DATE	ACTION
<b>May 2018</b>	<ul style="list-style-type: none"> <li>• Provide proposed E.D. evaluation timeline to the Council for consideration and approval at the May 31, 2018, Council meeting.</li> </ul>
<b>June 2018</b>	<ul style="list-style-type: none"> <li>• Staff presents E.D. evaluation tool, based on Executive Committee direction, to the Executive Committee for consideration at the June 12, 2018, Executive Committee meeting.</li> <li>• Executive Committee selects 2018 E.D. evaluation tool and adopts recommendation to be presented to the full Council for approval.</li> </ul>
<b>July 2018</b>	<ul style="list-style-type: none"> <li>• Executive Committee presents its recommended 2018 E.D. evaluation tool to the full Council for consideration and approval.</li> <li>• Council considers and approves the 2018 E.D. evaluation tool at the July 31, 2018 Council meeting.</li> </ul>
<b>August 2018</b>	<ul style="list-style-type: none"> <li>• Designated State Agency - Health &amp; Human Services (DSA) or other neutral third-party designee sets up online evaluation survey based on evaluation tool approved by the Council.</li> <li>• DSA or designee distributes the evaluation survey electronically and, if requested, via U.S. mail to Councilmembers, staff, and E.D.</li> <li>• E.D. completes self-assessment survey.</li> <li>• Council Chair meets with E.D. regarding self-assessment evaluation.</li> </ul>

	<ul style="list-style-type: none"> <li>• Deadline for completion of evaluation survey by Councilmembers and staff is August 24, 2018.</li> <li>• DSA or designee collects and tabulates the survey results and aggregates written comments to prepare report based on responses and self-assessment.</li> </ul>
<p><b>September 2018</b></p>	<ul style="list-style-type: none"> <li>• DSA or designee presents report to the Executive Committee for consideration during a closed session at the September 13, 2018, Executive Committee meeting.</li> <li>• Executive Committee adopts a recommendation for final draft evaluation to be presented to the full Council.</li> <li>• Executive Committee presents its recommendation for a final draft to the full Council during a closed session at the September 18, 2018, meeting.</li> <li>• Council considers Executive Committee recommendation and approves final E.D. evaluation at September 18, 2018.</li> </ul>

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# **COUNCIL MEETING PLANNING CALENDAR**

## 2018 COUNCIL PLANNING CALENDAR

### JANUARY 18, 2018

Governor's Proposed Budget  
Committee and Task Force Reports  
Cycle 41 Grant Timeline  
2017 Program Performance Report

### JULY 24, 2018

Governor's State Budget Update  
Cycle 41 Grant  
Committee and Task Force Reports  
EFC Report  
Annual Member Training

Disability Spotlight: Dual Disabilities  
Focus Topic: Public Health & Safety (Goal #4)

### MARCH 20, 2018

Draft SCDD 18-19 Budget  
Legislative Positions and Priority Update  
Committee and Task Force Reports  
Cycle 41 Grant

Disability Spotlight: Cerebral Palsy  
\*March is Cerebral Palsy Awareness Month  
Focus Topic: Employment (Goal #2)

### SEPTEMBER 18, 2018

Executive Director Annual Evaluation (Closed Session)  
Legislative Platform Revisions  
Committee and Task Force Reports  
Selection of Nominating Committee

Disability Spotlight: Other Disabilities  
Focus Topic: Early Intervention, Education, Transition,  
& Post-Secondary Education (Goal #5)

### MAY 15, 2018

Governor's May Revise Update  
Adopt SCDD 18-19 Budget  
Legislative Position Updates

Disability Spotlight: *Autism*  
\*April is Autism Awareness Month  
Focus Topic: Housing (Goal #3)

### NOVEMBER 29, 2018

Policy Planning for 2018  
2018 PPR  
Legislative Platform Revisions  
Committee and Task Force Reports  
Chair and Vice Chair Elections  
State Plan Amendment Update

Disability Spotlight: Epilepsy  
\*November is Epilepsy Awareness Month  
Focus Topic: Disparities, Formal and Informal  
Community Supports (Goal #6)

# **AIDD LETTER**



May 2, 2018

Aaron Carruthers  
Executive Director  
California State Council on Developmental Disabilities  
1507 21st Street, Suite 210  
Sacramento, CA 95811

Reference: Council Membership Compliance

Dear Mr. Carruthers,

The Administration on Intellectual and Developmental Disabilities (AIDD), Administration on Disabilities (AOD), Administration for Community Living (ACL), at the U.S. Department of Health and Human Services is writing in regards to the State of California Developmental Disabilities Council's (SCDD) membership non-compliance per the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act).

AIDD previously sent correspondence after the submission of the State Plan in 2016 in which we expressed concern to all Councils regarding a high number of vacant positions, lapsed appointments, and term limits not being adhered to. On, March 1, 2018, the Technical Assistance Information & Technical Assistance Center for Councils on Developmental Disabilities, inquired with the Council regarding Council membership compliance.

It has come to the attention of AIDD that the Council is again demonstrating non-compliance with Council membership. This is of concern, given the prior history of the Council. In 1994, 2006, and 2012, following programmatic reviews and an MTARS site visit, it was noted that the Council was out of compliance with the DD Act relating to Council membership. In January 2018, the Council completed the Corrective Action Plan in which the non-compliance issue of council membership was sufficiently addressed.

A review in April 2018 of the Council's membership roster found on the Council's website, confirmed issues with council membership. As of April 2018, a vacancy and several overdue appointments were noted.

A current listing of Council members, both citizen and state agency shows that out of 21 members, a total of 10 positions need to be addressed with new appointments or potential reappointments. Eight council members have been on the board beyond the terms of expiration and 7 of those members are not eligible for reappointment. Additionally, 1 position remains vacant and another position expires in June, 2018.



Washington, D.C. 20201

According to the Council's by laws, The Council will notify the Governor regarding:

- membership requirements of the Council
- vacancies
- recommendations for appointments
- when vacancies of the Council remain unfilled for a significant period of time.

The above implies the Council will work with the Governor's appointments office on the membership requirements which includes expired terms, even though members are currently serving in expired positions.

Councils are established through the DD Act and receive federal funding to carry out their work. The critical mission of a Council is to make sure people with Developmental Disabilities and their families have their voices heard and their needs prioritized in the State. A complete and engaged Council is necessary for making this mission a reality. To that end, the Council is responsible for educating the Governor's appointment's staff, on the requirements for maintaining membership compliance as defined in the DD Act. I have attached relevant language from the DD Act to assist in this effort.

As your Federal Program Officer, I would like to be updated on the Council's progress towards achieving compliance. Please email me at: [Allison.Cruz@acl.hhs.gov](mailto:Allison.Cruz@acl.hhs.gov) by May 30, 2018, demonstrating the Council's ongoing efforts to engage the Governor's office and actions taken to reach compliance with the DD Act.

Thank you in advance for your cooperation.

Sincerely,

Allison Cruz, MS Ed.  
Project Officer  
Administration on Intellectual and Developmental Disabilities



Washington, D.C. 20201

**SEC. 125. STATE COUNCILS ON DEVELOPMENTAL DISABILITIES AND DESIGNATED STATE AGENCIES.**

(a) **IN GENERAL.**—Each State that receives assistance under this subtitle shall establish and maintain a Council to undertake advocacy, capacity building, and systemic change activities (consistent with subsections (b) and (c) of section 101) that contribute to a coordinated, consumer- and family-centered, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that contribute to the achievement of the purpose of this subtitle. The Council shall have the authority to fulfill the responsibilities described in subsection (c).

(b) **COUNCIL MEMBERSHIP.**—

(1) **COUNCIL APPOINTMENTS.**—

(A) **IN GENERAL.**—The members of the Council of a State shall be appointed by the Governor of the State from among the residents of that State.

(B) **RECOMMENDATIONS.**—The Governor shall select members of the Council, at the discretion of the Governor, after soliciting recommendations from organizations representing a broad range of individuals with developmental disabilities and individuals interested in individuals with developmental disabilities, including the non-State agency members of the Council. The Council may, at the initiative of the Council, or on the request of the Governor, coordinate Council and public input to the Governor regarding all recommendations.

(C) **REPRESENTATION.**—The membership of the Council shall be geographically representative of the State and reflect the diversity of the State with respect to race and ethnicity.

(2) **MEMBERSHIP ROTATION.**—The Governor shall make appropriate provisions to rotate the membership of the Council. Such provisions shall allow members to continue to serve on the Council until such members' successors are appointed. The Council shall notify the Governor regarding membership requirements of the Council, and shall notify the Governor when vacancies on the Council remain unfilled for a significant period of time.

(3) **REPRESENTATION OF INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES.**—Not less than 60 percent of the membership of each Council shall consist of individuals who are—

(A)(i) individuals with developmental disabilities;

(ii) parents or guardians of children with developmental disabilities; or

(iii) immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves; and

(B) not employees of a State agency that receives funds or provides services under this subtitle, and who are not managing employees (as defined in section 1126(b) of the Social Security Act (42 U.S.C. 1320a-5(b)) of any other entity that receives funds or provides services under this subtitle.

(4) **REPRESENTATION OF AGENCIES AND ORGANIZATIONS.**—

(A) **IN GENERAL.**—Each Council shall include—

(i) representatives of relevant State entities, including—

(I) State entities that administer funds provided under Federal laws related to individuals with disabilities, including the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.), and titles V and XIX of the Social Security Act (42 U.S.C. 701 et seq. and 1396 et seq.);

(II) Centers in the State; and

(III) the State protection and advocacy system; and

(ii) representatives, at all times, of local and nongovernmental agencies, and private nonprofit groups concerned with services for individuals with developmental disabilities in the State in which such agencies and groups are located.

(B) **AUTHORITY AND LIMITATIONS.**—The representatives described in subparagraph (A) shall—



- (i) have sufficient authority to engage in policy planning and implementation on behalf of the department, agency, or program such representatives represent; and
- (ii) recuse themselves from any discussion of grants or contracts for which such representatives' departments, agencies, or programs are grantees, contractors, or applicants and comply with the conflict