

DRAFT 2019 Text Only Version of Employment First Committee Report

Report Requirements: *“annually thereafter, shall provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations.”*

Executive Summary

To be written once report is final.

Data Trends in Competitive Integrated Employment (CIE)

Data trends are the cornerstone of evaluating the progress and barriers in achieving CIE. It is because of this that the Employment First Committee (EFC) continues to make data evaluation and sharing a Committee priority.

California, like the rest of the United States, continues to see minimal change in the employment participation and unemployment rates for persons with disabilities. People with disabilities continue to be much more likely to be unemployed or under-employed than people without disabilities.

Generally, the American Community Survey reports that in 2018, the employment rate of working-aged people (ages 21 to 64) with disabilities was 37.5 percent compared to 77.8 percent of working-aged people without disabilities. A gap of 40.3 percent. This gap remained relatively unchanged from 2017-2018. Also, in 2018, 26.9 percent of working-aged people with disabilities were living in poverty compared to 12.2 percent of working-aged people without disabilities. This gap also remained relatively unchanged from 2017-2018.¹ In California in 2017, the percentage of working-aged people with disabilities who were not working but actively looking for work was 8.0 percent compared to 18.0 percent of working-aged people without disabilities. A gap of 10 percent.

In 2017, the Department of Developmental Services reports that 14.5 percent of people with developmental disabilities who are receiving services through the Regional Centers were working compared 13.66 percent in 2016.² In 2017, 23,265 Regional Center clients received wages. The average monthly Regional Center clients' wage was \$725. The State of California also continues to expand the number of Regional Center clients receiving Supported Employment Program services and the amount of Supported Employment Program expenditures. While there is much more work to be done, the EFC remains steadfast in its commitment to improving access to data to inform how to improve outcomes.

¹ Houtenville, A. and Boege, S. (2019). Annual Report on People with Disabilities in America: 2018. Durham, NH: University of New Hampshire, Institute on Disability.

² <https://dds.ca.gov/rc/dashboard/employment/>

Federal Policies Impacting CIE in California

The ongoing implementation of federal policy changes are moving California to realize improved employment outcomes in the future. The following highlights those changes.

Home and Community Based Services (HCBS)

- In 2014, the Centers for Medicaid and Medicare Services (CMS) published a final Settings Rule HCBS which states in part that residential and non-residential programs must provide services in the most integrated setting by March 2022. California received initial approval for its plan in 2018 and is working towards final approval.

Workforce Innovation and Opportunity Act (WIOA)

- In 2014, WIOA was signed into law and supersedes the Workforce Investment Act of 1998, amended the Wagner-Peyser Act, the Adult Education and Family Literacy Act, and the Rehabilitation Act. For people with disabilities, WIOA created a presumption of employability in CIE and for individuals with disabilities under age 25, it established strict requirements that must be met before a person can be placed by DOR in subminimum wage employment. WIOA also focuses on ensuring youth in transition from school to employment or post-secondary education are provided pre-employment transition and ensures that adults with disabilities in segregated and/or subminimum wage employment receive information about options to become employed in CIE. In early 2020, California submitted its draft Unified Strategic Workforce Development Plan (State Plan) for 2020-2023 and is awaiting approval. The State Plan “represents agreement among partners identified in WIOA and serves as the framework for the development of public policy, fiscal investment, and operation of the state workforce and education system.” The Council and many other entities provided input during the development of the State Plan.

Achieving a Better Life Experience (ABLE) Act

- In 2014, the ABLE Act was signed into law and allows people with disabilities under the age of 26 and their families to set up a special savings account to pay for disability-related expenses which are not taxed. The funds in the ABLE account are also not generally considered for the Supplemental Security Income (SSI) program or Medicaid and other federal means-tested benefits. In December 2018, California launched its program and in its first year almost 2,500 accounts were opened and more than \$13.5 million invested across four investment portfolios.

Strengthening Career and Technical Education for the 21st Century Act

- In 2018, the Strengthening Career and Technical Education for the 21st Century Act was signed into law which reauthorized and amended the Carl D. Perkins Career and Technical Education Act of 2006. The Act provides expanded opportunities for all students, including students with disabilities, to explore, choose, and follow career and technical education programs of study and career pathways. In early 2020, California submitted its draft Strengthening Career and Technical Education for the 21st Century Act State Plan and is awaiting approval. The Council and many other entities provided input during the development of the Plan.

State Policies Impacting CIE in California

The State's policies impacting CIE are also being strengthened. This began in 2013 when California adopted its Employment First Policy (AB 1041 [Chesbro]). The policy states in part:

In furtherance of the purposes of this division to make services and supports available to enable persons with developmental disabilities...it is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities. This policy shall be known as the Employment First Policy (Welfare and Institutions Code 4869(a)(1)).

Adopting the Policy was a critical step in beginning to develop the framework that ensures that CIE be given the highest priority, regardless of the severity of disability, in California. The following highlights additional progress made during this report period.

Self-Determination Program (SDP)

In 2013, the SDP (SB 468 [Emmerson]) was signed into law. SDP provides people with developmental disabilities receiving Regional Center services the option to choose their service providers. The SDP launched in the fall of 2018 and is in the second year of a three-year phase-in process for 2500 people with developmental disabilities. As of February 2019, there are 135 people who are enrolled and using their spending plans to pay for services. Of the participants selected in 2019, 81 have attended an orientation, for a total of 306 orientations statewide since participants were first selected in 2018. Additionally, there have been 261 person-centered plans developed to inform the individualized program plan (IPP) and a reported additional 114 IPPs are currently in development.

California CIE: Blueprint for Change (2018-2019)

In 2017, the Department of Education (CDE), Department of Developmental Services (DDS), and Department of Rehabilitation (DOR) issued the California Competitive Integrated Employment (CIE) Blueprint for Change (Blueprint). The Blueprint is a proactive interagency plan between CDE, DOR, and DDS to jointly identify ways to increase CIE opportunities for individuals with developmental disabilities over a five-year period using existing resources and providing a roadmap on how best to implement CIE. In April 2019, the first CIE Annual Report was made available highlighting the work in the first year of implementation. The report highlights state and local collaborative efforts and pathways to CIE that are making a difference in the lives of individuals with developmental disabilities and their families. Some key accomplishments during the first year of implementation that are highlighted in the report include:

(SAME DATA AS REPORTED LAST YEAR)

- The number of individuals with developmental disabilities working in CIE increased from 780 to 1,152.
- The development of and dissemination of CIE Blueprint Written Guidance and Local Partnership Agreements (LPA) Template. (An LPA identifies how Local Educational Agencies, DOR, Regional Centers and other stakeholders will work together to streamline service delivery and engage their local communities to increase opportunities

for CIE.)

- Development of 13 new LPAs between LEAs, DOR districts and Regional Centers.
- The leveraging of the Senate Bill (SB) 644 Limited Examination and Appointment Program (LEAP) Internship Program resulting in five individuals with developmental disabilities hired as full-time permanent state employees.
- An increased utilization of work opportunities including the following:
 - 25,313 students participated in paid work experience and unpaid community-based vocational education with CDE WorkAbility I (WAI).
 - 29 individuals participated in On-the-Job Training (OJT) through DOR.
 - 647 individuals participated in a DDS Paid Internship Program (PIP).
 - Exploration of a customized employment model with sequenced funding structures.
 - The development of an interactive Employment Resources Map.
 - The providing of career counseling and information and referral (CC&IR) services through DOR to 14,008 individuals working at subminimum wage to encourage CIE.
 - The hiring of dedicated Regional Center Employment Specialists, funded through DDS, to act as subject matter experts on employment.

The 2018 CIE Blueprint Annual Report serves as a baseline for monitoring progress of implementation of the Blueprint in subsequent years. Each subsequent year during the five-year implementation effort, the annual report will build upon the successes of the previous year and demonstrate the achievements and potential barriers. Once available, the 2019 CIE Blueprint Annual Report will be available and posted on <https://www.chhs.ca.gov/home/cie/>.

SIDEBAR: Internship Success Stories! *(Have photos of participants too)*

After completing Project SEARCH and job hunting for several years, Yehonatan landed a coveted position as a Human Resources Assistant at Senior Helpers of the East Bay in El Cerrito. Yehonatan's great memory, the way in which he can look at a document and see what information is missing, his thoroughness, and his strong organizational skills, make him a great fit for this new job. He is responsible for care providers' files and seeing that all required documents – and no duplicates – are included in each file. Yehonatan makes sure employee records are in compliance with industry regulations. Yehonatan's supervisor comments, "With all of life's complexities, I am grateful that it brought Yehonatan to Senior Helpers of the East Bay. I believe Yehonatan will be a successful HR Assistant with his great attention to detail."

Seleste began working four hours a day at the Lawrence Berkeley National Laboratory (the Lab) as a Clerical Assistant 1. Five years and two promotions later, and Seleste is a full-time employee with benefits. Seleste commutes from Oakland by BART and then shuttles to the National Research Scientific Computer Center (NERSC). At 7:30 a.m., her workday begins at this world renown “supercomputer” host. A key portion of Seleste’s tasks includes overseeing the travel arrangements of scientists including: booking flights and hotels; processing their expense reports and reimbursement requests; and, coordinating site access for visiting scientists, etc. Seleste is thrilled to contribute to a workplace that makes it possible for more than 7,000 people in 47 countries to conduct groundbreaking research!

Ever wonder who handles all those birth, death, and marriage certificates in a geographic area as large and heavily populated as Alameda County? Recent Project SEARCH graduate, Crystal, is one of the people who plays a role in ensuring that copies of these important documents are available upon request and included in County records. As a full-time temporary employee at the Alameda County Auditor Controller’s Office, in addition to working with vital records, Crystal spends a large part of her day collecting, opening, tracking, and delivering hundreds of pieces of mail to multiple departments. When she’s not dealing with records or working in the mailroom, you might also find her sorting and purging old paper public records that are no longer needed. Of all her tasks, one of Crystal’s favorites is using the automatic envelope opener on the stacks and stacks of incoming mail she’s responsible for sorting every day. She operates it with adeptness and efficiency! Thrilled that her short-term assignment was recently extended, she’s hoping to become a permanent employee.

State and Local Implementation of Policies Promoting CIE

While all of the agencies and organizations represented on the EFC are actively involved in promoting implementation of federal and state policies that promote CIE in local communities, here are some specific examples of the state and local activities undertaken during this report period.

The Council invested in improving individuals and systems capacity for CIE through its Regional Offices and as a grant-maker to other community-based organizations.. Additionally, in Fiscal Year 2019, SCDD engaged in more than 246 trainings and activities across California designed to promote CIE which reached more than 3,688 individuals with developmental disabilities, families, employers, providers, and other stakeholders.

SCDD’s Regional Offices continue to take a lead role in educating stakeholders about the Employment First Policy and opportunities for CIE. . For example, SCDD’s San Diego-Imperial Regional Office assisted in planning the 20th Annual “Jobtoberfest.” The event was held on October 22, 2019 in San Diego where there were more than 850 job seekers in attendance, as well as 40 employers, and over 20 resources. San Diego County Supervisor Nathan Fletcher’s office was among the speakers and presented a Proclamation to the San Diego Committee on Employment for People with disABILITIES, honoring them for their work on the 20th Annual Jobtoberfest. Among the presenters was Executive Director, Dante Allen from CalABLE who provided training on CalABLE and Goodwill Industries who hosted various workshops on interviewing techniques. Three scholarships were provided to individuals with disabilities that will be attending post-secondary education.

Do other agencies/organizations have data they want to highlight here of their local activities?

In 2018, the Council invested in a grant to Easterseals Southern California to provide comprehensive training on customized employment (CE) and validate the use of the Discovery Fidelity Scale. In 2019, state agency staff have been participating in CE trainings. The training will lead to more uniformity and availability of CE services throughout the state. In addition, DOR also had a successful pilot program and is working to make CE more available. However, there is still much that needs to be done to build statewide provider capacity.

In 2019, the Council also invested in a grant to the California Transition Alliance to create a documentary entitled Let's Work! The purpose of this documentary is to increase access to information for Californians with developmental disabilities to obtain CIE. The final product will be produced by individuals with developmental disabilities and completed in September 2020.

New Legislative Efforts in 2019

During the 2019 legislative session, three significant pieces of legislation were sponsored by Members of the Committee and moved through the state legislative process.

Assembly Bill 1019 (Frazier)

The State Council sponsored, AB 1019 (Frazier) that was signed into law by Governor Newsom. AB 1019 adds the Director of the Department of Rehabilitation and the Executive Director of the State Council on Developmental Disabilities to the Interagency Advisory Committee on Apprenticeship (IACA) within the Division of Apprenticeship Standards within the Department of Industrial Relations and creates a subcommittee focused on people with disabilities within the IACA. Prior to AB 1019, the IACA did not have any representation or expertise focused on people with disabilities and apprenticeships provide an important avenue to CIE.

AB 365 (Garcia, C.)

Disability Rights California sponsored, AB 365 (Garcia, C.) that if passed, would make improvements state service for people with disabilities and specifically to the Limited Examination and Appointment Program (LEAP). LEAP offers an alternative to the traditional civil service examination and appointment process that enables the hiring of persons with disabilities in to state service. Unfortunately, AB 365 was vetoed by the Governor. However, the Governor established a State Diversity Taskforce to look at how to improve the hiring and retention of the persons with disabilities into state service with the goal of making California a model employer for people with disabilities. The Disability Workgroup is in the process of making recommendations to the Diversity Taskforce and is chaired by the Executive Director of the State Council.

AB 1169 (Frazier)

The State Council also sponsored AB 1169 (Frazier). The bill would have created a state tax credit to employers, not to exceed \$6,000 that hire individuals with developmental disabilities who are either referrals from vocational rehabilitation, qualified SSI or qualified SSDI recipients. The bill died in the appropriations committee in the Assembly.

Taken together, the federal and state policy changes are very promising for improving employment outcomes for Californians with developmental disabilities.

EFC'S Activities in 2020

In August 2019, Committee members completed its annual strategic planning process and identified the following activities to work towards completing as a Committee in 2020. Each activity identified fell within previously identified goals.

Goal 3 – Transition from segregated programs to CIE

Activity 1: Engage business via work experience, work-based learning, and customized employment, or internship/apprenticeship to build a direct pipeline meeting business talent needs.

Activity 2: Plan for how to support legislation to begin the phase-out of subminimum wage employment and/or segregated employment.

Goal 4 – Support families and individuals better understand CIE

Activity 3. Explore opportunities to hold a statewide Conference for self/family advocates and providers to identify opportunities for benefit planning (CalABLE), transportation options, assistive technology, job accommodations, etc.

Goal 6 – Assure qualified employment related services

Activity 4. Explore opportunities to enhance customized employment services in California by bringing in additional resources.

Additionally, in February 2020, the Committee began delving into data sharing barriers at the systemic level. The Committee believes additional data is critical to making true progress on next steps for CIE.

Recommendations

The EFC recommends that California undertake the following policy changes and activities to remove barriers to CIE and create a system that more fully supports CIE across agencies and departments with the goal of having an employment participation rate for people with disabilities, regardless of the significance of their disability, that is similar to that of people without disabilities.

Legislative

- The State Legislature should allocate funding to create a pathway for career advancement and credentialing that provides professional development for organization leaders, program managers and staff responsible for delivering services to support CIE.
- The State Legislature should expand opportunities for post-secondary education for students with developmental disabilities by working with and funding inclusive living college programs.
- The State Legislature should provide funding to promote the creation and enhancement of new and innovative projects that support CIE and facilitate systems transformation away from sheltered employment and segregated day services including funding for training and technical assistance from organizations that have successfully transitioned programs to provide expertise to assist those in the process of transitioning with the goal of moving towards phasing out sub-minimum wage under 14(c) of the Fair Labor Standards Act and/or segregated employment.
- The State Legislature should pass legislation to create an incentive for employers who demonstrate a commitment to CIE by incorporating transportation solutions and supports into their business practices. The Department of Transportation should work with stakeholders to identify and disseminate information on any existing opportunities to incentivize transportation to employment.
- The State Legislature should pass legislation to create additional tax or other incentives for employers who hire people with developmental disabilities and retain them long-term.
- The State Legislature should require that any federal or state funding to employers to help businesses/agencies recover from the COVID-19 public health emergency:
 - Should include a specific diversity requirement for spending the funds that would support the employment of people with disabilities.
 - Should be mandated that funding cannot be used to support sub-minimum wage and/or segregated employment.
 - Should include a component of required training on the Americans with Disabilities Act for all employees and contractors.
- The State Legislature should increase funding for access to technology for people with disabilities who need to use it to enter or retain CIE.

Administrative

- CDE and DOR should develop state standards or adopt national standards of professional competence in providing services to support CIE so performance can be developed, supported and measured.
- DDS should adopt a tiered incentive structure to implement Welfare and Institutions Code, Section 4870 (d-g) that provides for higher incentive payments for individuals with the most significant disabilities.
- DDS should continue to invest in the collection and reporting of all individual outcome data from different systems necessary to understand the factors that impact whether a person enters or retains CIE. DDS and the State Council should publicly report aggregate data on the Data Dashboard in a consumer friendly and accessible format so that the impact of CIE can be assessed and people with developmental disabilities and their families can make informed data- driven decisions about choosing the best pathway to CIE.
- CDE, DOR, DDS and the Council should work collaboratively to launch a statewide multi-media public service campaign in traditional and social media with the goal of reducing the stigma to hiring individuals with developmental disabilities. The campaign should highlight the impact and benefits to businesses when they hire a person with a developmental disability, and highlight the accomplishments of people with developmental disabilities in CIE.
- CDE, DOR and DDS should work to expand opportunities for work experience, work-based learning, career-exploration, and internship opportunities for students with developmental disabilities by increasing outreach to local businesses through partnerships with the Chamber of Commerce.
- As part of the LPA's, DDS, DOR and CDE should establish benchmarks and goals in regards to CIE and require the yearly reporting of progress in meeting those benchmarks and goals.
- CDE, DOR and DDS should continue their efforts to collaboratively work to streamline information sharing and service delivery planning to ensure that individuals with developmental disabilities, including those from ethnically and linguistically diverse communities, experience a service delivery system that allows for unified planning and data sharing across agencies.
- The State Council, CDE, DOR and DDS should explore opportunities to work in partnership to develop programs that build students' self- advocacy and self-determination skills including how to make informed financial decisions. The State Council, CDE, DOR and DDS should explore opportunities to create and fund a program for self-advocates employed in CIE to mentor students and their families about possible career opportunities in CIE.
- The Labor and Health and Human Services Agency should develop a senior level position reporting to Secretaries that is responsible for coordinating services and activities related to CIE across agencies including the activities of the various Committees and Taskforces with responsibility for CIE.

Appendices

EFC MEMBERSHIP FOR 2019

- Wesley Witherspoon, Chairperson, Self-Advocate at-Large
- Michael Clay, Department of Developmental Services (*Served: January 2018 to April 2019*)
- Michael Luna, Department of Developmental Services (DDS) (*Served: May 2019 to Present*)
- Cindy Chiu, Department of Rehabilitation
- Barbara Boyd, California Department of Education
- Sarah Isaacs, Disability Rights California (DRC)
- Olivia Raynor, UCEDD, Tarjan Center at University of California, Los Angeles
- Steve Ruder, UCEDD, University of California, Davis Medical Investigation of Neurodevelopmental Disorders (MIND Institute)
- Larry Yin, UCEDD, University of Southern California

Statutory Responsibilities of the Employment First Committee (Welfare and Institutions Code §4868)

(a) The State Council on Developmental Disabilities shall form a standing Employment First Committee consisting of the following members:

(1) One designee of each of the members of the state council specified in subparagraphs (B), (C), (D), (F), and (H) of paragraph (2) of subdivision (b) of Section 4521.

(2) A member of the consumer advisory committee of the state council.

(b) In carrying out the requirements of this section, the committee shall meet and consult, as appropriate, with other state and local agencies and organizations, including, but not limited to, the Employment Development Department, the Association of Regional Center Agencies, one or more supported employment provider organizations, an organized labor organization representing service coordination staff, and one or more consumer family member organizations.

(c) The responsibilities of the committee shall include, but need not be limited to, all of the following:

(1) Identifying the respective roles and responsibilities of state and local agencies in enhancing integrated and gainful employment opportunities for people with developmental disabilities.

(2) Identifying strategies, best practices, and incentives for increasing integrated employment and gainful employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transition planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.

(3) Identifying existing sources of employment data and recommending goals for, and approaches to measuring progress in, increasing integrated employment and gainful employment of people with developmental disabilities.

(4) Identifying existing sources of consumer data that can be used to provide demographic information for individuals, including, but not limited to, age, gender, ethnicity, types of disability, and geographic location of consumers, and that can be matched with employment data to identify outcomes and trends of the Employment First Policy.

(5) Recommending goals for measuring employment participation and outcomes for various consumers within the developmental services system.

(6) Recommending legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated employment, self-employment, and microenterprises, and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with developmental disabilities who are 14 years of age or older. This shall include, but shall not be limited to, the development of a policy with the intended outcome of significantly increasing the number of individuals with developmental disabilities who engage in integrated employment,

self-employment, and microenterprises, and in the number of individuals who earn wages at or above minimum wage.

This proposed policy shall be in furtherance of the intent of this division that services and supports be available to enable persons with developmental disabilities to approximate the pattern of everyday living available to people without disabilities of the same age and that support their integration into the mainstream life of the community, and that those services and supports result in more independent, productive, and normal lives for the persons served. The proposed policy shall not limit service and support options otherwise available to consumers, or the rights of consumers, or, where appropriate, parents, legal guardians, or conservators to make choices in their own lives.

(d) For purposes of this chapter, the following definitions shall apply:

(1) "Competitive employment" means work in the competitive labor market that is performed on a full-time or part-time basis in an integrated setting and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled.

(2) "Integrated employment" means "integrated work" as defined in subdivision (o) of Section 4851.

(3) "Microenterprises" means small businesses owned by individuals with developmental disabilities who have control and responsibility for decisionmaking and overseeing the business, with accompanying business licenses, taxpayer identification numbers other than social security numbers, and separate business bank accounts. Microenterprises may be considered integrated competitive employment.

(4) "Self-employment" means an employment setting in which an individual works in a chosen occupation, for profit or fee, in his or her own small business, with control and responsibility for decisions affecting the conduct of the business.

(e) The committee, by July 1, 2011, and annually thereafter, shall provide a report to the appropriate policy committees of the Legislature and to the Governor describing its work and recommendations. The report due by July 1, 2011, shall include the proposed policy described in paragraph (4) of subdivision (c).

(PLAIN LANGUAGE VERSION)

The Lanterman Act tells the State Council on Developmental Disabilities to have an Employment First Committee. This is what the Lanterman Act says about the Employment First Committee (EFC):

Why the EFC was created:

The Lanterman Act created the EFC to help get more people with developmental disabilities jobs in CIE.

What is Competitive Integrated Employment (CIE):

It means good jobs with good pay (minimum wage or above). Jobs in the general workplace, where people with disabilities work with other people from their community who do not have disabilities. These are jobs where people with disabilities get the same pay and benefits as people without disabilities doing the same work and where they are paid directly by their employer. Having a good job can also include people who make money with their own small businesses or by working for themselves.

Who is a member of the EFC:

The EFC includes representatives from departments of government and other organizations that help people with developmental disabilities get good jobs.

What the EFC has to do:

Describe how the state government departments will work with each other to help people get good jobs with good pay.

Find what works to help people get good jobs with good pay.

Find good ways to plan for transition aged students (age 14 and above) to go to work after they are finished with high school, or their education beyond high school.

Find ways to encourage agencies to support people to get good jobs with good pay.

Develop partnerships with employers and agencies that help people find good jobs with good pay.

Find out how many people with developmental disabilities are working and how much money they are earning. Each year, measure if the state is getting better at supporting people to get good jobs with good pay.

Recommend ways the state can improve how they measure progress in helping people get employed.

Recommend goals for CIE for the state to meet.

Recommend legislation and other ways that the state can do a better job of supporting people to get good jobs with good pay.

Recommend ways to improve helping transition age students (age 14 and above) go to work after they are finished with high school, or their education beyond high school.

Recommend an Employment First Policy that will get a lot more people good jobs with good pay, with the supports they need. This will help people with disabilities to be part of their communities, have jobs, and make money, just like other people their age without disabilities. The policy will make sure people can choose the services they want, like they do

now under the Lanterman Act. This policy is now California law.

Other things the EFC thinks will help.

The EFC has to send an annual report to the Legislature and the Governor. The report makes recommendations to the Legislature and the Governor and describes all the work of EFC. The Council approves the report.

Definition of Developmental Disability in the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code §4512(a))

“Developmental disability” means 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 that individual. As defined by the Director of Developmental Services, in consultation with the Superintendent of Public Instruction, this term shall include intellectual disability, cerebral palsy, epilepsy, and autism. This term shall also include disabling conditions found to be closely related to intellectual disability or to require treatment similar to that required for individuals with an intellectual disability, but shall not include other handicapping conditions that are solely physical in nature.

Definition of Developmental Disability in the Developmental Disabilities and Bill of Rights Assistance Act (42 U.S.C. §15002(8)(A))

The term “developmental disability” means a severe, chronic disability of an individual that —

(i) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(ii) is manifested before the individual attains age 22;

(iii) is likely to continue indefinitely;

(iv) results in substantial functional limitations in 3 or more of the following areas of major life activity:

- (I) Self-care.
- (II) Receptive and expressive language.
- (III) Learning.
- (IV) Mobility.
- (V) Self-direction.
- (VI) Capacity for independent living.
- (VII) Economic self-sufficiency; and

(v) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, individualized supports, or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated.