



# NOTICE/AGENDA

## **STATE COUNCIL ON DEVELOPMENTAL DISABILITIES COUNCIL MEETING**

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

This is a Zoom and teleconference meeting only. There is no physical location being made available to the public. Per [EXECUTIVE ORDER N-29-20](#), teleconferencing restrictions are waived during the COVID-19 pandemic. Therefore, committee members are not required to list their remote locations and members of the public may participate telephonically or by Zoom from any location. Accessible formats of all agenda and materials can be found online at [www.scdd.ca.gov](http://www.scdd.ca.gov).

**JOIN ZOOM MEETING:** <https://bit.ly/julycouncil2020>

**MEETING ID:** **987 8316 6647**

**OR**

**JOIN BY TELECONFERENCE: (VOICE ONLY)**

**CALL IN NUMBER:** **(888) 475-4499**

**MEETING ID:** **987 8316 6647, passcode 352373**

**DATE:** July 14, 2020

**TIME:** 10:00 AM – 12:30 PM: 1<sup>st</sup> half of meeting

12:30-1:00 PM: Lunch Break

1:00-2:30 PM: 2<sup>nd</sup> half of meeting

**COUNCIL CHAIR:**

Maria Marquez

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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 three minutes to speak.*

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**Item 5. APPROVAL OF MAY 2020 MINUTES**

*All*

  
Page 4**Item 6. CHAIR REPORT**

*Maria Marquez, Council Chair*

Page 11

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**Item 7. EXECUTIVE DIRECTOR REPORT AND STAFF REPORTS**

Page 12

*Aaron Carruthers, SCDD Executive Director*

A. Deputy Director of Administration Report

B. Deputy Director of Policy and Public Affairs Report

C. CRA/VAS Report

D. Developmental Center Closure Update

E. QA Project Update Report

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**Item 8. DISCUSSION ON IMPACT OF COVID-19**

Page 34

*All*

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**30 MINUTE LUNCH BREAK**

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**Item 9. CYCLE 43 GRANT PROPOSALS – REVIEW AND RECOMMENDATIONS**

*Aaron Carruthers, Executive Director*

  
Page  
35**Item 10. STATEWIDE SELF-ADVOCACY NETWORK (SSAN) REPORT**

Page 36

*Wesley Witherspoon, SSAN Chair*

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**Item 11. COMMITTEE REPORTS**

Page 38

A. Executive Committee Report

B. State Plan Committee Report

C. Employment First Committee Meeting Summary Report

1) Employment First Committee Annual Report

D. Membership Committee Report

E. Statewide Self-Determination Advisory Committee Report

F. Self-Advocates Advisory Committee Report (handout)

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Next Meeting: September 15, 2020

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***Accessibility:***

Pursuant to Government Code Sections 11123.1 and 11125(f) and Executive Order N-29-20 (this Executive Order can be found by clicking the link on page one of the agenda or typing <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.17.20-N-29-20-EO.pdf> into your web browser), 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 Charlotte Endres at (916) 263-8184 or [charlotte.endres@scdd.ca.gov](mailto:charlotte.endres@scdd.ca.gov). *Please provide at least 3 business days prior to the meeting to allow adequate time to respond to all requests.*

*All times indicated and the order of business are approximate and subject to change.*

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**JULY 14, 2020**

**AGENDA ITEM 5  
ACTION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Approval of May 2020 Minutes***

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The minutes from the May 2020 Council meeting have been included in the packet for review and approval.

***Action Recommended***

Approve the January 2020 Minutes.





**DRAFT**  
**Council Meeting Minutes**  
**May 12, 2020**

<b><u>Members Present</u></b>	<b><u>Members Absent</u></b>	<b><u>Others Attending</u></b>
Andrew Imparato Aubyn Stahmer Cindy Chiu David Pegos (F.A.) Evelyn Schaeffer Francis Lau (F.A.) Jeana Eriksen (S.A.) Joseph Rodrigues Joyce McNair (F.A.) Julie Austin (F.A.) Julie Neward (F.A.) Julio Garnica (S.A.) Kara Ponton (S.A.) Karen Millender (F.A.) Kim Levy Rothschild (F.A.) Larry Yin Lee Bycel (F.A.) Maria Marquez (S.A.) Matthew Lagrand (S.A.) Nicole Adler (S.A.) Olivia Raynor Rosie Ryan (S.A.) Sandra Aldana (S.A.) Wesley Witherspoon (S.A.)	Brian Winfield Kilolo Brodie Marko Mijic  <b><u>Others Attending</u></b> Aaron Carruthers Adam Lewis Alex (last name not avail) Beth Hurn Carlos Cienfuego Charlotte Endres Chris Arroyo Cindy Smith Dan Shelley Debra Adler Dena Hernandez Diane Ugalde Douglas Sale Erika Flores Holly Bins Jaclyn Balanay Judy Mark Julie Hillstead Karen Mulvaney	(Continued) Kendra Tully Kim Andrade Laura Larson Lavonne Fawver Lea Park-Kim Lisa Hooks Mary Agnes Nolan Mary Ellen Stives Matt Traverso Michelle Heid Michelle Splane Nancy Dow Nicole Patterson Riana Hardin Rihana Ahmad Robin Maitino-Erben Ronny Zavosky Sandra Smith Scarlett von Thenen Sheraden Nicholau Sonya Bingaman Tamica Foots-Rachal Xiang Xiong Yolanda Cruz

**1. CALL TO ORDER**

Council Chair Maria Marquez called the meeting to order at 10:10 A.M.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME AND INTRODUCTIONS**

Councilmembers and others in attendance introduced themselves.

**4. PUBLIC COMMENTS**

During Public Comment, Sandra Smith spoke to the Council to express her gratitude for being able to attend the meeting. She is the designated representative for Disability Rights California (DRC) when Councilmember Imperato is unable to attend. Ms. Smith was thankful for the collaboration that DRC and SCDD have started.

The Council also received comments in the meeting chat box from public members Alex (no last name provided) and Michelle Heid. Alex thanked the Council for allowing him to attend. Michelle noted that many districts are not funding their NPA's and some are not providing related services at this time. She added that this will likely cause infrastructure issues when schools resume, due to lack of providers.

Lastly, Councilmember Sandra Aldana also offered comment noting that according to Amazon.com, EBT cards would not be accepted by California residents and asked if anyone knew why.

**5. ONLINE MEETING ETIQUETTE AND CHAIR REPORT**

Council Chair Maria Marquez welcomed Councilmembers and all other attendees to the first-ever State Council meeting to be held using the Zoom platform. Chair Marquez reviewed recommended tips and guidelines for using Zoom, asking that members use the Raise Hand feature to be recognized to speak. She emphasized that everyone should respect one another and treat the meeting as if it was being held in person.

**6. APPROVAL OF JANUARY 2020 MINUTES**

Councilmember Sandra Aldana requested an amendment to the January 2020 minutes, noting that former Councilmember Andrea Vergne was listed as an attendee but was not listed in the voting log. Council staff will verify and make necessary changes to the January minutes.

### **Action 1**

It was moved/seconded (Witherspoon [S.A.]/Pegos [F.A.]) and carried to approve the January 2020 Council meeting minutes with corrections. (See page 6 for the voting record of members present.)

## **7. EXECUTIVE DIRECTOR REPORT AND STAFF REPORTS**

Executive Director Aaron Carruthers provided Councilmembers with a report on recent Council activities. When COVID began, the Council changed directions to focus on in-reach, informing and advocacy for the I/DD community. SCDD staff have been learning what the needs and gaps in services are. Regional managers have been reaching into the community regularly to contact various groups (family members, self-advocates and others). SCDD also surveyed community groups and community-based organizations and found that above all, people really needed information. SCDD published a number of documents to help people stay safe during this time and created an online resource list for everyone to access. We also found that people were experiencing loneliness and isolation. Plain language guides were created for virtual meetings, in collaboration with the Maryland Disabilities Council. We also created guides for identifying scams and fraud, accessing CalFresh, and applying for unemployment insurance. SCDD has been translating many of these documents into Spanish and other languages. Additionally, staff worked to create YouTube videos featuring Self-Advocates, both in English and Spanish, on staying healthy and what to do if you or a family member or caretaker becomes sick.

In terms of advocacy, the Council urged the Governor to declare that there should be no discrimination in COVID care, that there should be an emergency registry of In-Home Support Services (IHSS) providers, and that there should be expedited approval of new IHSS and Regional Center providers. Additionally, the Council advocated that PPE (Personal Protective Equipment) should be available for all Regional Center and IHSS providers, that CalFresh should be eligible for online shopping, that there should be remote check-ins and increased contact with people receiving independent living services (ILS), that the State should halt Medi-Cal terminations and re-determinations, and that the Department of Education should issue guidance on online programs and have remote check-ins to ensure students are receiving special education and related services.

The Council also sent letters to House Speaker Pelosi and Senate Minority Leader McCarthy, noting that the following issues are important for people with disabilities: Home & Community Based Services (HCBS) funding, production of PPE and PPE distribution for direct support professionals, including caregivers in paid sick leave programs, removing obstacles for stimulus checks for SSDI and adult dependents, and supplemental increases in funding for all disability Councils nationwide. The Council also signed onto a letter at the end of April advocating for allowing visitation in hospitals. Ongoing advocacy issues will include the State budget, people who are aging out of early intervention K-12 services, health care rationing, data reporting, food delivery services and wildfires. Upcoming information will be distributed regarding the IHSS emergency registry, participant-directed services, and strategies for coping with difficult behaviors. Regional office staff have been working very hard to assist with PPE distribution and informal PPE drives throughout the state. Loneliness, services and safety will continue to be top priorities for the Council to address going forward.

State Plan activity has been busier than ever, having helped 378,658 Californians with technical assistance and information between February and April of this year. Additionally, 6,328 State Plan surveys were received by the Council.

## **8. SCDD 2020-2021 BUDGET**

Executive Director Carruthers provided Councilmembers with a presentation on the latest SCDD budget plan and proposed budget details for the new fiscal year (July 1, 2020 through June 30, 2021). He outlined details about several aspects of the budget including personal services (salaries/wages for staff, honoraria payments for members), operating expenses and equipment, printing needs, communications, postage, in-state and out-of-state travel, training, facilities operations and utilities, inter-departmental services, external contract services, data processing, and community program development grants. Many of these cost estimates have not changed from last year.

### **Action 2**

It was moved/seconded (Pegos [F.A.]/Witherspoon [S.A.]) and carried to approve the SCDD fiscal year 2020-2021 budget. (See page 6 for the

voting record of members present.)

**9. MODERATED DISCUSSION: IMPACTS OF COVID-19**

Due to meeting time constraints, this agenda item was not addressed.

**10. COMMITTEE REPORTS**

Reports from the following Council committees were included in the packet materials for members to review: Executive Committee, State Plan Committee, Employment First Committee, Self-Advocates Advisory Committee, and the Statewide Self-Advocacy Network.

**11. NEXT MEETING DATE & ADJOURNMENT**

The next Council meeting is scheduled to be held on July 14, 2020.  
The meeting was adjourned at 12:20 P.M.

<b>Name</b>	<b>Action 1</b>	<b>Action 2</b>
Adler, Nicole	For	For
Aldana, Sandra	For	For
Austin, Julie	For	For
Bycel, Lee	For	For
Chiu, Cindy	For	Abstain
Eriksen, Jeana	For	For
Garnica, Julio	For	For
Imparato, Andy	Abstain	For
Lagrand, Matthew	For	For
Lau, Francis	Abstain	For
Marquez, Maria	For	For
McNair, Joyce	For	For
Millender, Karen	For	For
Neward, Julie	For	N/A
Pegos, David	For	For
Ponton, Kara	For	For
Raynor, Olivia	For	Abstain
Rodrigues, Joseph	N/A	N/A
Rothschild, Kim Levy	For	For
Ryan, Rosie	For	For
Schaeffer, Evelyn	For	Abstain
Stahmer, Aubyn	For	For
Witherspoon, Wesley	For	For
Yin, Larry	For	N/A

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**JULY 14, 2020**

**AGENDA ITEM 6  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Chair Report***

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Council Chair Maria Marquez will provide Councilmembers with an oral report about her recent activities and the current priorities for the Council.

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**JULY 14, 2020**

**AGENDA ITEM 7  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Executive Director Report and Staff Reports***

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SCDD Staff reports have been included in the packet for informational purposes.

***Attachments***

- A) Deputy Director of Administration Report
- B) Deputy Director of Policy and Public Affairs Report
- C) C.R.A./V.A.S. Update Report
- D) Developmental Center Closure Update
- E) QA Project Update Report

Additionally, SCDD Executive Director Aaron Carruthers will provide Councilmembers with an oral report regarding recent Council activities.



**State Council on Developmental Disabilities**  
**Deputy Director of Administration Report**  
**July 14, 2020**

The Deputy Director of Administration exercises broad policy-making authority over the SCDD's administrative functions including personnel, fiscal, contracts, information technology and customer services to fulfill the strategic goals of the SCDD. Below is a summary of activities since the last Council meeting on January 28, 2020.

This report continues to be dominated by COVID-19 activities as the SCDD went on an emergency telework program statewide on March 17, 2020 and continues to telework until further notice.

- In coordination with HR and Legal, continued to monitor guidance from the Governor and the administration regarding the Stay at Home order and impacts to our emergency telework policy.
- In coordination with HR and Legal, drafted a department-wide COVID-19 Re-open Plan and submitted it to the Governor.
- Attended numerous control agency meetings related to COVID-19.
- Continued to provide information technology to staff statewide as needed for emergency telework.
- Arranged necessary office coverage to send and receive mail, payroll, member travel claims with appropriate social distancing measures.
- Completed the California Department of Technology regional office bandwidth increase project. All regional offices have increase internet connectivity bandwidth to enable videoconferencing and quicker upload and download of files and data to our server in Sacramento. Smaller field offices have 10 MBPS speed and larger offices have 20 MBPS speed.
- Deployed 20 new notebook computers as part of the 5 Year equipment refresh schedule.
- Awaiting delivery of ergonomic workstations from Prison Industries Authority for headquarters.
- Entered into a 2-year contract for the Qualtrics platform that is being used for our State Plan data and activity reporting.
- Working on new contracts for postage meter and copier maintenance in all offices.

- Regional Office Lease Renewal Update:
  - Chico – Toured new office building that SCDD will sublease a small portion of for our office. Pending building owner and DGS approval, the new sublease will be effective as early as September 1.
  - North Bay-Vallejo – Lease signed.
  - Central Coast-San Jose – Community Care Licensing is going to share space with us, reducing our rent significantly.
  - Sequoia-Fresno – Floorplan has been developed and presented to the Lessor. We are awaiting response and cost estimate.
  - San Diego – Lease signed – move in date is October 1 pending COVID-19 restrictions.
- Continued supervision of the Quality Assurance and Clients' Rights Advocacy/Volunteer Advocacy Services programs with close collaboration with DDS.
- Continued working with DDS QA Program staff and the SCDD QA Program Coordinator on the budget for a new multi-year contract beginning in July 2020.
- Advertised to fill the Deputy Director of Planning & Regional Office Operations and Legal Counsel positions.
- Began preliminary discussions with the Executive Committee on the 2020 Executive Director Evaluation process and timeline.

## **Report from Deputy Director, Policy and Public Affairs and Policy and Public Affairs Staff**

The Deputy Director of Policy and Public Affairs is the lead person responsible for fulfilling the department's federal and state mission for advocacy. The Deputy Director directs the department's policy, advocacy, communication and committee activities.

**May 1, 2020 – June 25, 2020**

### **Policy**

- Reviewed bills moving forward during the 2020 legislative session. Made recommendations for positions to Chair of Council and Chair of Legislation and Public Policy Committee. Reviewed letters of support prior to submission. Successfully secured extension of Limited Examination and Appointment Program (LEAP) internship program included in Human Services omnibus legislation (SB 1264).
- Drafted and coordinated sign-ons for letter to Administration on personal protective equipment as prevention. Drafted and submitted letter to Administration with recommendations for use of federal emergency funding for COVID-19. Drafted and submitted letter to Budget Committees on May Revise. Drafted and submitted letter to Governor's Office regarding Americans with Disabilities Act 30<sup>th</sup> Anniversary. Drafted and submitted alert regarding COVID-4 Package. (See the included list for more information.)
- Led and supported Policy Analyst to reach out to state legislative and California Congressional offices with updates on Council's activities and resources.
- Led and supported Policy Analyst to prepare two self-advocates to testify on emergency management proposed legislation (AB 2730).
- Represented Council on the National Association of Councils on Developmental Disabilities (NACDD) calls related to COVID-19 response and recovery. Represented Council on NACDD Public Policy Committee. Invited to participate in small national workgroup on response to COVID-19.
- Represented Council on Home and Community Based Services (HCBS) Advisory Workgroup led by Department of Developmental Services.

- Appointed to and participated in Part C to Part B Workgroup led by California Department of Education.
- Represented Council on Interagency Advisory Committee on Apprenticeships. Worked with Department of Industrial Relations to plan a workgroup specific to people with disabilities.
- Participated in California Governor's Office of Emergency Services weekly stakeholder calls.
- Participated in Managers calls regarding concerns and response to COVID-19.
- Met with Disability Rights California (DRC) to discuss education policy as California recovers from COVID-19. Led development of joint letter from Council and DRC.
- Represented Council at Path Forward Collaborative meetings. Reviewed and made recommendations about sign-on for letters.
- Appointed to and represented Council at California Committee for the Employment of People with Disabilities subcommittees on Employment and Training and State Coordination.
- Continued to onboard new Policy Analyst.

## **Communications**

- Supported Communications Manager to launch the neighbor-to-neighbor initiative with California Volunteers - Office of the Governor and to collaborate with 13 individuals and organizations to share available local and state resources to fight isolation among people with disabilities. Communications Manager promoted Councilmembers by producing a video of family and self-advocates discussing the initiative.
- Supported review and dissemination of 14 additional COVID-19 resources in plain language on the SCDD website as of 6/25.
- Provided guidance to Communications Manager to draft and distribute information regarding the Council's effort in securing over six million pieces of personal protective equipment via email and social media.

- Communications Manager assisted Regional Offices that requested help with making graphics for events, writing email drafts, creating social media posts, uploading documents on the website, editing webinar videos, or attending events to take photographs and film videos.
- Supported Communications Manager to participate in the Department of Developmental Services Directives/Letters Workgroup with two other SCDD representatives to discuss plain language documents and share resources.
- Supported Communications Manager in development of the new Council website.
- Continued to onboard Communications Manager.

### **Committee Support**

- Supported the Committee Specialist in managing committee and workgroup meetings.
- Supported the Committee Specialist in her role of leading and managing the creation of materials, coordinating with speakers, and supporting the Committee's co-chairs for the Statewide Self-Determination Advisory Committee (SSDAC) on June 9<sup>th</sup>.
- Led two meetings of Employment First Committee's (EFC) newly created Business and Economic Recovery (BER) Workgroup to develop and finalize recommendations to the Governor's Taskforce on Business and Economic Recovery. The Committee Specialist and Policy Analyst supported workgroup calls and assisted in developing and finalizing BER recommendations.
- Led development, approval, and submission of EFC's Annual Report for 2019 (included in packet). The Committee Specialist and Policy Analyst assisted in drafting and submission of EFC report. Communications Manager designed the report once the text was approved by Executive Committee. Committee Specialist supported Chair of EFC to present report to Executive Committee.
- Supported Committee Specialist in role of managing the meeting, reviewing the recommended proposals, creating summaries, and other grant-related materials as well as conducting necessary research for the State Plan Committee that met to review and consider the Cycle 43 Grant Scoring Team Recommendations on June 25<sup>th</sup>.

- Supported Committee Specialist with Council, Regional Advisory Committee (RAC), and Self-Determination Advisory Committee (SDAC) tracking and recruitment process which included finding ways to promote recruitment opportunities for the Council's At-Large Institution vacancy and conceptualizing guidelines for RAC and Council appointed Local SDAC members.
- In partnership with Executive Director's Assistant and Committee Specialist, began meeting planning for 2021.

### **Positions Taken on Legislation and Policy by SCDD since March 15, 2020\***

#### AB 1914 - O'Donnell (D) - Special education: inclusive education.

Would establish the Supporting Inclusive Practices project, to be administered by the State Department of Education through the provision of grant funds to department-designated lead local educational agencies. The bill would require the project to have certain goals, including increasing opportunities for pupils with disabilities to meaningfully participate in general education. The bill would require the department, in awarding grant funds, to prioritize local educational agencies that are identified as not meeting specified standards pursuant to federal and state law. The bill would require a local educational agency that receives a grant to provide the department with specified data.

Current Status as of 7/1/2020: Failed Deadline – Not Moving Forward This Session

Position: Support Using Delegated Authority

#### AB 2213 - Limon (D) - Office of Emergency Services: model guidelines.

Would require the Office of Emergency Services, in coordination with California Volunteers, to develop model guidelines for local governments, operational areas, and nonprofit, community-based, faith-based, and private sector organizations active in disasters to identify, type, and track community resources that could assist in responding to or recovering from disasters. The bill would require the OES to publish and distribute the initial model guidelines by May 1, 2022, and to update and distribute the guidelines annually thereafter.

Current Status as of 7/1/2020: Passed Assembly. In Senate Policy Committee

Position: Support Using Delegated Authority

#### AB 2387 - Grayson (D) - In-home supportive services: needs assessment.

Current law establishes the In-Home Supportive Services (IHSS) program which provides qualified older adults and people with disabilities with services to permit them to remain in their own homes. Current law requires the county welfare department to

assess each recipient's continuing monthly need for in-home supportive services at varying intervals as necessary, but at least once every 12 months. This bill would authorize counties to perform the needs assessment by telephone if certain conditions are met, including that the recipient has had at least one in-person assessment since the initial program intake and the recipient has not changed their residence since the previous assessment.

Current Status as of 7/1/2020: Passed Assembly. In Senate Policy Committee

Position: Support Using Delegated Authority

AB 2512 - Stone (D) - Death penalty: person with an intellectual disability.

Current law requires the court to order a hearing to determine whether the defendant has an intellectual disability upon the submission of a declaration by a qualified expert. Current law defines "intellectual disability" as a condition of significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested before 18 years of age. This bill would change the definition of "intellectual disability" to include conditions that manifest before the end of the developmental period, as defined by clinical standards.

Current Status as of 7/1/2020: Passed Assembly. In Senate Policy Committee

Position: Support Using Delegated Authority

AB 2730 - Cervantes (D) - Access and functional needs: local government: agreement for emergency management, transportation, and paratransit services.

Would require a regional transit district, county transportation commission, or other local transportation authority that provides paratransit services to enter into an agreement with adjacent regional transit districts, county transportation commissions, or local transportation authorities, upon request of the adjacent district, commission, or authority, for purposes of permitting the adjacent district, commission, or authority to borrow, for compensation, paratransit vehicles and drivers in the event of an emergency that requires the evacuation and relocation of the access and functional needs population in the jurisdiction or service area of the adjacent district, commission, or authority.

Current Status as of 7/1/2020: Passed Assembly. In Senate Policy Committee

Position: Support Using Delegated Authority. Invited to testify at dais but bill moved forward with no testimony needed.

AB 3052 - Carrillo (D) - Forced or Involuntary Sterilization Compensation Program.

Would establish the Forced or Involuntary Sterilization Compensation Program, to be administered by the California Victim Compensation Board for the purpose of providing victim compensation to survivors of state-sponsored sterilization conducted pursuant to eugenics laws that existed in California between 1909 and 1979 and to survivors of coerced sterilizations of people in prisons after 1979. The bill would require the board, in consultation with community-based organizations, to conduct outreach to locate qualified recipients, notify that person of the process to apply for victim compensation, and review and verify all applications for victim compensation.

Current Status as of 7/1/2020: Failed Deadline – Not Moving Forward This Session

Position: Support Using Delegated Authority

SB 801 - Glazer (D) - Electrical corporations: wildfire mitigation plans: deenergization: public safety protocol.

Would require an electrical corporation to deploy backup electrical resources or provide financial assistance for backup electrical resources to a customer receiving a medical baseline allowance if the customer meets those conditions and the additional condition that the customer is located in a high fire threat district. The bill would require an electrical corporation to develop its program in consultation with community disability rights groups or other local disability rights advocates.

Current Status as of 7/1/2020: Passed Senate. In Assembly Policy Committee

Position: Support Using Delegated Authority

SB 1264 - Senate Committee on Human Services - Human Services

Is a combination of multiple statutory proposals housed within the Government Code, Health and Safety Code, and the Welfare and Institutions Code that focus on improving the lives of people with disabilities, including helping to ensure individuals with disabilities can be independent and in charge of their own decision-making through the use of an authorized representative as well as ensuring these individuals are able to have additional opportunities to become employed in state service through the internship program within the Limited Examination and Appointment Program as a path towards meaningful and gainful employment. Lastly, this bill will allow people receiving services from Regional Centers more autonomy over what services are provided and how they receive these services by ensuring certain services, as listed in the statute, are included as participant-directed services.



Current Status as of 7/1/2020: Passed Senate. In Assembly Policy Committee.  
Scheduled to be heard on 7/20/2020.

Position: Support Using Delegated Authority. The Council was the primary sponsor of the language regarding appointment of authorized representatives and LEAP internship extension.

\*All letters have been drafted or reviewed by SCDD Policy and Public Affairs staff and reviewed and approved by the Chair and/or Vice Chair of the Council.

**Policy Letters and Other Recommendations Led or Supported by SCDD since March 15, 2020\*\***

Joint Position Statement on the Right to Equal Access to Medical Treatment (SCDD Sign-on) sent on 3/19/2020

Primary Recipient\*\*\*: Open Letter

Purpose and/or Request: To show solidarity with other organizations for the principle that having developmental disabilities, including those with the most significant disabilities, should not be an indicator for withholding or limiting access to medical care.

Systems Change: Unknown

SCDD Letter on COVID-19 sent on 3/23/2020

Primary Recipient: Governor Gavin Newsom

Purpose and/or Request: Request for guidance or other action including: identifying one cross-disability point person who reports directly to you who is responsible for advising you on the complexity of needs of people with disabilities and the intersectionality of entities serving those needs; preventing discrimination in healthcare by prohibiting “quality of life” criterion in COVID-19 testing and treatment, or exempt people with IDD from this criterion; creating emergency registry of IHSS and other providers and temporarily systemically expedite and approvals of individuals to provide these direct services; prioritizing people with IDD, their families and their caregivers for testing; considering people coming in contact with medically fragile people among those receiving PPE; proactively increasing contact with people with IDD to reduce isolation and abuse; halting all Medi-Cal terminations for 90 days, allowing CalFresh purchases to be made online; issuing guidance on how California will ensure special education and related services.

Systems Change: New guidelines regarding medical discrimination were issued on 6/8/2020 at

<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/California%20SARS-CoV-2%20Crisis%20Care%20Guidelines%20-June%208%202020.pdf>.

Guidance was issued on 6/1/2020 for In-Home Supportive Service Providers at

[https://mcusercontent.com/73901133dd7ea1a5581344daf/files/27dec181-5784-417e-9fdb-5ac012d58018/20\\_61.pdf](https://mcusercontent.com/73901133dd7ea1a5581344daf/files/27dec181-5784-417e-9fdb-5ac012d58018/20_61.pdf) and on 6/8/2020 for Regional Centers at

[https://www.dds.ca.gov/wp-content/uploads/2020/06/DDSDirective\\_AvailabilityPersonalProtectiveEquipment\\_06082020.pdf](https://www.dds.ca.gov/wp-content/uploads/2020/06/DDSDirective_AvailabilityPersonalProtectiveEquipment_06082020.pdf).

Purchases can be made using Cal-Fresh benefits as of 4/28/2020. More information at

<https://www.cdss.ca.gov/ebt-online>.

Guidance on education released on multiple dates at

<https://www.cde.ca.gov/ls/he/hn/coronavirus.asp> .

SCDD Letter on Priorities for COVID-19 Funding sent on 4/8/2020

Primary Recipients: Speaker Pelosi and Minority Leader McCarthy

Purpose and/or Request: Request to include in the COVID-4 Package:

Increased resources for Home and Community-Based Services (HCBS), access to Personal Protective Equipment (PPE) for Direct Support Professionals, increased production of PPE and ventilators; inclusion of people with disabilities in paid leave, and removal of obstacles to stimulus payment for SSI recipients.

Systems Change: Unknown

SCDD Letter to the Administration on Health Care Surge and Crisis Care Guidelines sent on 4/23/2020

Primary Recipients: Governor Gavin Newsom, Secretary of the Health and Human Services Agency Mark Ghaly and Director of the Department of Public Health Sonia Angell

Purpose and/or Request: Request to revise Health Care Surge and Crisis Care

Guidelines published by the California Department of Public Health (CDPH) on April 19, 2020 to ensure they do not result in discrimination for people with disabilities.

Systems Change: SCDD was part of small workgroup that initially helped revised guidelines. New guidelines were issued on 6/8/2020 at <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/California%20SARS-CoV-2%20Crisis%20Care%20Guidelines%20-June%208%202020.pdf>

Consortium for Citizens with Disabilities Letter on Hospital Visitor Policies regarding People with Disabilities during the COVID-19 Pandemic (SCDD Sign-on) sent on 4/29/2020

Primary Recipient: Open Letter (Shared with the Office of Governor Gavin Newsom)

Purpose and/or Request: Request to Governors in other states to adopt hospital and other healthcare provider visitor policies include reasonable modifications for people with disabilities who need the physical presence of a support person in order to ensure equal access to health care, such as the policy adopted in New York. The letter is at <http://c-c-d.org/fichiers/Sign-on-letter-supporters-in-hospitals-governor.pdf>.

Systems Change: Guidance was issued 6/16/2020 at <https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/AFL-20-38.aspx>

SCDD Letter on Personal Protective Equipment as Prevention (SCDD Drafted and Circulated for Over 300 Sign-ons) sent on 5/1/2020

Primary Recipients: Governor Gavin Newsom, Secretary of the Health and Human Services Agency Mark Ghaly and Director of the Department of Public Health Sonia Angell

Purpose and/or Request: Request to provide Personal Protective Equipment to and prioritized for workers who provide in-home services to persons with disabilities either through In-Home Supportive Services or through the Regional Centers to as prevention mechanism.

Systems Change: Guidance was issued on 6/1/2020 for In-Home Supportive Service Providers at [https://mcusercontent.com/73901133dd7ea1a5581344daf/files/27dec181-5784-417e-9fdb-5ac012d58018/20\\_61.pdf](https://mcusercontent.com/73901133dd7ea1a5581344daf/files/27dec181-5784-417e-9fdb-5ac012d58018/20_61.pdf) and on 6/8/2020 for Regional Centers at [https://www.dds.ca.gov/wp-content/uploads/2020/06/DDSDirective\\_AvailabilityPersonalProtectiveEquipment\\_06082020.pdf](https://www.dds.ca.gov/wp-content/uploads/2020/06/DDSDirective_AvailabilityPersonalProtectiveEquipment_06082020.pdf)

SCDD Letter Regarding Priorities for Coronavirus Aid, Relief, and Economic Security Act Funding sent on 5/11/2020

Primary Recipients: Governor Gavin Newsom, Secretary of the Health and Human Services Agency Mark Ghaly

Purpose and/or Request: Requested that a portion of funding from federal relief packages be used to fund: Personal Protective Equipment as prevention; to collect and analyze more robust data on the impact of COVID-19, specifically on people with disabilities; to provide services to and collect data on the mental health impacts of the crisis on persons with developmental disabilities; and to provide information dissemination, training and technical assistance to local education agencies to implement best practices, professional development to teachers and provide information on student's rights to parents.

Systems Change: See PPE as Prevention Letter. SCDD received and distributed PPE to people with disabilities and their families through Regional Offices

Path Forward Collaborative Principles Surrounding May Revise Budget (SCDD Sign-on) sent on 5/17/2020

Primary Recipient: Open Letter

Purpose and/or Request: Request regarding May revision of budget and that if cuts go into effect that the state should take this opportunity to move systems forward that provide services and supports to people with disabilities based on principles of maximizing federal funding, ensuring federal compliance, prioritizing safety, preserving in-person services, increasing consumer control, maintaining critical service coordination and not exacerbating racial and ethnic disparities.

Systems Change: Majority of cuts were rejected in final budget signed into law

SCDD Letter to the Senate Committee on Budget Regarding the Governor's May Revision to the State Budget Proposal sent on 5/18/2020

Primary Recipients: Senate Committee on Budget Sub-Committee #3 Chair Richard Pan and Assembly Committee on Budget Sub-Committee #1 Chair Joaquin Arambula

Purpose and/or Request: Request regarding May revision of budget and that if cuts go into effect that the state should take this opportunity to move systems forward that provide services and supports to people with disabilities based on principles of maximizing federal funding, prioritizing funding for Home and Community-Based Services, prioritizing safety, preserving in-person services, promoting person

empowered models, maintaining critical service coordination and reducing disparities in access.

Systems Change: Majority of cuts were rejected in final budget signed into law

SCDD Comments on California Building Standards Commission – Proposed Amendments April 3 – May 18, 2020 Comment Period sent on 5/18/2020

Primary Recipient: California Building Standards Commission

Purpose and/or Request: Bring Chapters 11A and 11B of the California Building Code (CBC) into clear compliance with federal statutes and regulations on accessibility in housing that will assist individuals with disabilities to obtain accessible affordable housing and to live independently.

Systems Change: Unknown

Civil Rights Principles for Safe, Healthy, and Inclusive School Climates (SCDD Sign-on) sent in June 2020

Primary Recipient: Open Letter

Purpose and/or Request: To show solidarity with other organizations for the principle that all children should be safe and welcome in schools by providing a series of recommendations for how to accomplish that principle. The principles are at <http://civilrightsdocs.info/pdf/education/School-Climate-Principles.pdf>.

Systems Change: Unknown

EFC Recommendations to Business and Jobs Recovery Taskforce (SCDD led workgroup and sign-on) sent on 6/9/2020

Primary Recipient: Governor's Taskforce on Business and Jobs Recovery

Purpose and/or Request: Request to fully include and account for people with disabilities as part of Business and Jobs Recovery Taskforce by recommending that California:

- Become a national leader in employment by implementing policies and practices that guarantee equitable access, opportunity and inclusion for people with disabilities.
- Ensure that people with and without disabilities achieve equal participation in the labor force.

- Support California businesses in their efforts to employ people with disabilities.
- Add additional Taskforce members from the business community with expertise in development, recruitment, hiring and retention of people with disabilities.

Systems Change: In Process

SCDD Letter on ADA Anniversary sent on 6/16/2020

Primary Recipient: Governor Gavin Newsom

Purpose and/or Request: Request for the announcement of the creation of a workgroup charged with creating a strategic plan to improve employment outcomes for people with disabilities with specific goals and benchmarks over five years as part of the ADA Anniversary celebrations.

Systems Change: In Process

SCDD and DRC Letter Regarding Education Services for Students with Disabilities During Recovery sent on 6/25/2020

Primary Recipients: Governor Gavin Newsom and State Superintendent Thurmond

Purpose and/or Request: Request to discuss how local education agencies will be held accountable for meeting a students' needs; how school districts can create a more equitable learning environment by adopting policies and best practices, such as Universal Design for Learning principles; and how the California Department of Education's advisory panels can be expanded to include students, families and advocates for students with disabilities in ongoing collaboration around access to distance and in-person learning.

Systems Change: In Process

\*\*The Policy and Public Affairs Team also reached out to almost every member of the California federal and state delegations in April and the federal delegation in May to educate them on our concerns and activities.

\*\*\*Many of the letters had secondary distribution to other allied organizations or other policymakers.

# CRA / VAS

## Clients' Rights Advocacy and Volunteer Advocacy Services

### SCDD AT WORK INSIDE CALIFORNIA DDS OPERATED FACILITIES

#### Developmental Center/Community Facility/STAR Unit Census as of July 1, 2020

**Total Population: 260**

Northern STAR I <b>4</b>	Northern STAR II <b>2</b>	Porterville DC <b>191</b>	Central STAR <b>3</b>
Southern STAR <b>5</b>	Canyon Springs CF <b>48</b>		Desert STAR <b>7</b>

\*Fairview Developmental Center officially closed on February 24, 2020

#### Program Activity for May and June 2020

#### COVID-19 and Shelter in Place

SCDD issued an emergency telework plan on March 16, 2020. CRA/VAS staff serve clients at the facilities on a rotating basis. DDS issued a no visitor policy at all state operated facilities in March 2020. All DDS and CRA/VAS staff working on grounds are screened daily and provided a mask. The campuses of Fairview DC and Porterville DC are deemed alternative care facilities. These campuses house surge bed units for people from across California who have active or related COVID-19 cases. DDS manages beds targeted for individuals with I/DD. An outside private agency manages all other beds. As of July 1, 2020, the surge bed units at the alternative care facilities are in warm shut down until October 1, 2020.

CRA/VAS team assisted SCDD Regional Offices to distribute PPE in the local regional areas.

#### Canyon Springs Community Facility and Desert STAR Unit

CRA reviewed 1 denial of rights; 2 human rights/behavioral meetings, 6 transition meetings, facilitated 6 self-advocacy meetings, attended 24 Emerging Risk Notification; assisted 8 clients with court communication, provided 4 rights and other trainings staff. VAS attended 5 IPPs, 13 special meetings, 19 transition meetings, 4 community home observations, 1 denial of rights meeting, 1 human rights/behavior. VAS Coordinator attended 26 professional group meetings and/or trainings in the community.

#### Southern STAR Unit and Former FDC Individuals in the Community

CRA attended following meetings for Southern STAR residents: 11 transition/special/IPP, 1 denial of rights, 2 human rights/behavioral meeting. CRA serves all clients in the STAR unit. VAS Coordinator and advocates attended 7 transition meetings, 1 day program review, and made over 25 follow up contacts for individuals who transitioned from Fairview DC.

#### Porterville Developmental Center and Central STAR Unit

CRA attended 8 human rights meetings, 6 IPPs, 2 transition meetings, 5 escort reviews, 8 denial of rights reviews, provided 1 staff training, submitted 2 incident reports, 19 court appearances. VAS attended at PDC and in the community: 12 IPPs, 38 transition meetings, 1 escort review, 1 denial of rights, 1 regional project meeting, conducted 1 staff training, 1 human rights committee, attended IEP trainings, 1 RAC meeting, 3 VAS trainings.

#### Northern STAR Unit and Former SDC individuals in the Community

SDC placed the last individual on December 17, 2018. Northern STAR unit in Vacaville opened up a second residence. The CRA/VAS Program attended: 9 IPPs 2 Special team conference, 1 rights training, 1 denial of right, 2 community placement review meetings, 150 follow up contacts. CRA serves all clients in the Northern STAR. VAS program serving individuals transitioned from Sonoma DC ended on June 30, 2020.

# Clients' Rights Advocate and Volunteer Advocacy Services

## Developmental Center Closure Update July 2020

### Community Transition Numbers for 2020

2020*	Jan	Feb	Mar	Apr	May	Jun	Total Number of Transitions	July 1 2020 DC/CF/STAR census
Canyon Springs	0	0	0	0	0	1	1	48
Desert STAR	0	0	0	0	0	1	1	7
Southern STAR	0	0	0	0	0	0	0	5
Porterville DC	1	4	1	0	0	0	6	191
Central STAR	0	0	0	0	0	0	0	3
Northern STAR I and II	0	0	0	0	0	0	0	6

*\*Canyon Springs Community Facility, Porterville Developmental Center Secure Treatment Area, and all STAR Units are not scheduled for closure. The Porterville Developmental Center General Treatment Area closed December 31, 2019. Fairview Developmental Center closed February 24, 2020.*

### ***Developmental Center Closures – Past and Present***

Facility	Projected Closure Date and Land Use
Sonoma Developmental Center	Closed December 17, 2018 (site transferred to Department of General Services on July 1, 2019)
Fairview Developmental Center located in Costa Mesa	February 24, 2020 (site remains under DDS operation)
Porterville Developmental Center	December 31, 2019 (General Treatment Area only)
Canyon Springs Community Facility located in Cathedral City	No proposed closure date
Lanternman Developmental Center	Closed 2014 (site is now part of Cal Poly, Pomona)
Agnews Developmental Center	Closed 2009 (sold to corporations and City of San Jose)
Sierra Vista Community Facility	Closed 2009
Camarillo Developmental Center	Closed 1997 (site is now Cal State Univ, Channel Islands)
Stockton Developmental Center	Closed 1996 (site is now part of Cal State, Stanislaus)



**SCDD Clients' Rights Advocate (CRA) current observations  
inside the DC/CF/STAR**

Canyon Springs and Desert STAR	CS clients typically enjoy community access for work and leisure. Shelter in place protocols have caused increased behaviors. CRA collaborating with RCs regarding transition activity. Court hearings are postponed in some counties thus Writs of Habeas Corpus hearings are delayed. CRA is collaborating with DDS trust to ascertain receipt of stimulus funds for some clients but not others.
Southern STAR	FDC closed on February 24, 2020 when last client transferred out. CRA attended all transition meetings for remaining clients. CRA continues to serve individuals admitted to the Southern STAR unit on the FDC campus. Transition activities for STAR unit clients has slowed due to shelter in place. All meetings are held via teleconference. CRA educated staff and family members on CalABLE account.
Porterville DC and Central STAR	Due to COVID-19 policy changes at PDC, the CRA ensured that individuals are still afforded all rights and services. Use of the payphone on the STA dramatically increased. Equitable access is being investigated. Individuals committed under WIC 6500 to STA are starting to transition to the community. There's a continued lack of least restrictive environment for female STA clients that include newer units include single bedroom and bathroom that their male counterparts enjoy. PDC administration is reviewing building layouts. New local judges were appointed in Tulare County. CRA is collaborating with DDS for tour and sit down after restrictions are lifted. CRA successfully advocated for the STAR unit to receive child abuse reporting and training with Child Welfare Services. CRA is advocating for trauma informed practice as well as cultural competency training be incorporated at PDC.
Northern STAR I and II	CRA is in continual contact with managers. CRA providing clients' rights assistance via virtual platform including attendance in IPPs and transition planning meetings for individuals residing in the Northern STAR unit at Vacaville. CRA is advocating for education services to be offered.

**SCDD Volunteer Advocacy Services (VAS)**

The VAS Project serves approximately 25% of the individuals residing and transitioning from the DC/CFs. A Volunteer Advocate or the VAS Project Coordinator provide direct advocacy services for twelve months post placement.

SCDD VAS services created and distributed a personal emergency card listing the direct service provider, Regional Center, preferred communication style, and emergency contact person to every individual in the state who receives VAS services.

VAS programs continue to reach out to all individuals and their direct service providers to ascertain health and safety during state-wide shelter in place requirements.

Canyon Springs and Desert STAR	VAS program has 13 Volunteer Advocates serving 35 individuals at CS and 13 in the community. VAS continues to advocate via social distancing protocols. Advocates virtually visit with their clients which can be inconsistent depending on happenings at the facility. VAS assisted families to connect via virtual platforms with their loved ones at CS. VAS Coordinator increased outreach to clients due to COVID-19 shelter in place protocols. VAS advocating for outside access with safety protocols in place for clients in community.
Fairview DC individuals in the community	VAS Coordinator and advocates must visit community clients via virtual platforms. VAS is focusing on health and safety needs in the community including medical/dental, vocational, PPE and adequate staffing.
Porterville	The VAS Coordinator conducted safe, on-site visits to clients recently transitioned from PDC by following CDC safety protocols. Delays in the community noted for access to medical/dental care, and other generic resources services due to shelter in place. Transitions to the community from PDC began in June. Advocates are requesting greater supports in the community homes as cross training was virtual or there were no in-person visits for the client prior to transition. Increase in self-reported stress and noted altercations between individuals has been noted. The VAS Coordinator obtained PPE from the SCDD Sequoia Regional Office to deliver to VAS and other clients in the local catchment.
Sonoma DC individuals in the community	After 22 years of service, the Sonoma DC VAS program ceased operation on June 30, 2020. During this reporting period, VAS program reached out to current and former clients to ascertain health and safety and to provide alternative advocacy referrals, if needed. VAS performed over 150 contacts and/or visits of clients via virtual platform this reporting period. VAS Coordinator successfully advocated for direct service providers to obtain PPE. SCDD is proud of the compassion, tenacity, and professionalism performed by the SDC Volunteer Advocates. Their stalwart advocacy added to the successful transition to the community for hundreds of SDC individuals.

# Quality Assessment Project Report

## July 2020

### Cycle: Adult Family Survey (AFS) Family Guardian Survey (FGS)

The completion of the AFS and FGS cycle continues through the Covid-19 crisis. At present, all regional center goals have been met or exceeded except for CVRC and VMRC Family Guardian Surveys (FGS). These two Regional Centers are slightly short by 14 and 4 surveys, respectively. A small follow-up mailing of additional surveys is scheduled to go out and the gap is expected to close in about 2 weeks.

The total number of AFS completed to date is **15,245** with the total number of FGS completed to date is **5,621**.

Please refer to Tables 1 and 2 for Regional Center breakdown.

*Table 1: Adult Family Surveys Completed*

Regional Center	Sample Size	GOAL (15% return rate)	SCDD Entry	Direct Entry	Total AFS Completed
ACRC	5946	892	924	352	1276
CVRC	4536	680	673	104	777
ELARC	3730	560	509	117	626
FDLRC	2450	368	315	85	400
FNRC	1499	225	220	70	290
GGRC	2459	369	457	103	560
HRC	3423	513	459	167	626
IRC	9310	1397	1253	365	1618
KRC	2122	318	279	50	329
NBRC	2127	319	290	109	399
NLA	5549	832	725	187	912
RCEB	4484	673	760	220	980
RCOC	5347	802	882	247	1129
RCRC	786	118	111	34	145
SARC	4854	728	591	192	783
SCLARC	4302	645	677	82	759
SDRC	6604	991	1100	343	1443
SGPRC	3284	493	462	86	548
TCRC	3302	495	509	146	655
VMRC	3149	472	428	98	526
WRC	2455	368	323	85	408
Unknown	0	0	56	0	56
<b>Grand Total</b>	<b>81,718</b>	<b>12,258</b>	<b>12,003</b>	<b>3,242</b>	<b>15,245</b>

Table 2: Family Guardian Surveys Completed

Regional Center	Sample Size	GOAL (15% return rate)	SCDD Entry	Direct Entry	Total FGS Completed
ACRC	2562	384	304	167	471
CVRC	1754	263	166	83	249
ELARC	821	123	92	45	137
FDLRC	527	79	69	26	95
FNRC	1041	156	134	66	200
GGRC	1102	165	189	87	276
HRC	795	119	101	33	134
IRC	1946	292	249	105	354
KRC	824	124	102	25	127
NBRC	1276	191	177	89	266
NLA	1655	248	194	101	295
RCEB	1716	257	392	85	477
RCOC	2429	364	364	137	501
RCRC	416	62	58	18	76
SARC	1807	271	277	148	425
SCLARC	731	110	91	26	117
SDRC	2680	402	375	188	563
SGPRC	1035	155	120	46	166
TCRC	1563	234	238	106	344
VMRC	1133	170	111	55	166
WRC	941	141	90	68	158
Unknown	0	0	24	0	24
<b>Grand Total</b>	<b>28,754</b>	<b>4,313</b>	<b>3,917</b>	<b>1,704</b>	<b>5,621</b>

If you have your access code and wish to complete your survey online, please scan the QR code below or visit <https://systems.hsri.org/nci2019/FamilySurvey-Login.asp>



## **Mover Longitudinal Study (MLS)**

All Mover Longitudinal In-Person interviews continue to be suspended as of March 17, 2020 due to the Covid-19 crisis. While this suspension continues, the possibility of remote interviews through a HIPPA compliant video conferencing platform is being researched.

There have been no changes since last reported: MLS In-Person interviews completed to date statewide is 1,963. Please see Table 3 below for Regional Center and Survey Type breakdown.

*Table 3: MLS In-Person Surveys Completed*

<b>Regional Center</b>	<b>3 Month</b>	<b>6 Month</b>	<b>1 Year</b>	<b>2 Year</b>	<b>3 Year</b>	<b>4 year</b>	<b>Total</b>
Alta California	55	51	48	40	7	0	201
Central Valley	53	49	41	35	15	6	199
East Bay	85	84	83	38	11	3	304
Eastern LA	5	5	5	2	2	1	20
Far Northern	10	10	10	8	4	0	42
Frank D. Lanterman	4	4	3	3	1	0	15
Golden Gate	67	67	67	44	12	3	260
Harbor	10	9	10	6	4	1	40
Inland	4	4	4	1	1	0	14
Kern	25	20	17	11	7	0	80
North Bay	79	76	75	25	14	0	269
North LA County	11	11	10	10	6	1	49
Orange County	62	58	30	10	8	1	169
Redwood Coast	3	3	3	3	2	0	14
San Andreas	6	6	6	4	0	0	22
San Diego	39	25	23	18	8	1	114
San Gabriel/Pomona	5	5	4	3	3	0	20
South Central LA	18	17	16	10	2	1	64
Tri-Counties	10	9	5	3	1	0	28
Valley Mountain	3	3	3	1	1	0	11
Westside	8	7	7	6	0	0	28
<b>Grand Total</b>	<b>562</b>	<b>523</b>	<b>470</b>	<b>281</b>	<b>109</b>	<b>18</b>	<b>1963</b>

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**JULY 14, 2020**

**AGENDA ITEM 8  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Discussion on Impact of COVID-19***

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Councilmembers will have the opportunity to engage in a moderated, open discussion about the impact of COVID-19 on them, their families, and/or the California I/DD community. Participation is voluntary and highly encouraged, and the Council welcomes group ideas for moving forward during these difficult times.

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**JULY 14, 2020**

**AGENDA ITEM 9  
ACTION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Cycle 43 Grant Proposals: Review and Recommendations***

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Historically, the Council has awarded program development grants as a way of providing innovative programs to the state and local community. For the last several years, the Council has chosen to alternate Grant Cycles between state and regional level funding. Consequently, at the November 2019 Council meeting, the Council acted to award Program Development Grant (PDG) Cycle 43 funding at the regional level in the amount of \$20,000 for each regional office for a total of \$240,000.

In March 2020, the Council posted the request for proposal (RFP) announcement and advertised it for 6 weeks. Once the deadline passed, staff then performed a technical review to ensure that all proposals met the RFP guidelines. Proposals that passed the technical review were then sent forward to the scoring team. The scoring team met on June 12<sup>th</sup> to review the proposals and consider funding recommendations. The State Plan Committee met on June 25<sup>th</sup> to consider these recommendations as well as ways to use remaining grant funds.

The Committee Chair and Executive Director will present Councilmembers with the proposals being recommended for funding. In order to abide by state contracting confidentiality, Councilmembers will receive a summary of relevant information for each proposal along with a recommended funding amount at the meeting.

Councilmembers will then consider the Committee's recommendation on the use of remaining Grant funds.

***Action Recommended***

Approve the State Plan Committee's recommendation to fund grant proposals and determine how to use remaining grant funds.

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**JULY 14, 2020**

**AGENDA ITEM 10  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Statewide Self-Advocacy Network Report***

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Councilmember and SSAN representative Wesley Witherspoon will provide a summary report on the recent June 24, 2020 SSAN meeting.



July 14, 2020

**AGENDA ITEM 10.  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

**Report from the Statewide Self-Advocacy Network**



Report by Councilmember Wesley Witherspoon

**Recent Activity:** The Statewide Self-Advocacy Network (SSAN) held their second meeting of 2020 on June 24, 2020 using Zoom.

**Focus of Meeting:**

Due to COVID—19 concerns, the June 2020 SSAN was shortened to a three-hour meeting held using the Zoom meeting platform. The California Foundation for Independent Living Centers (CFILC) new Statewide Community Organizer introduced themselves, as they will be representing CFILC at SSAN meetings.

SCDD Executive Director Aaron Carruthers provided SSAN members with an update on SCDD activity since the March SSAN meeting. This update included information on the agency's efforts to advocate for people with I/DD during COVID—19, which included: 1) the "Fight Isolation Among People with Disabilities" campaign; 2) the members' survey results about concerns about COVID—19; 3) the status of the California Budget; and 4) the importance of participating in the 2020 Census.

CalABLE Executive Director Dante Allen gave members a presentation on updates to the CalABLE program, including: 1) how to become an Ambassador for the program; 2) how an ABLE Account may affect other benefits; and 3) information about legislation impacting the CalABLE program.

Members reviewed and approved the June edition of the SSAN Newsletter and discussed topics for articles to include in the next edition.

**Actions Taken:**

- Approved the Agenda for the June 2020 SSAN Meeting
- Approved the Minutes from the December 2019 SSAN Meeting
- Approved the June 2020 Edition of SSAN Newsletter

The next SSAN Meeting is scheduled for September 23, 2020 over Zoom. Please visit the [SSAN Page](#) on the SCDD website for more information.

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**JULY 14, 2020**

**AGENDA ITEM 11  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Committee Reports***

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SCDD Committee reports have been provided in the packet for review and informational purposes.

***Attachments***

- A. The Executive Committee met on 6/16/20. The meeting summary is attached.
- B. The State Plan Committee met on 5/18/20, 6/8/20, 6/25/20 and will meet on 7/9/20. The summary for these meetings is attached.
- C. The Employment First Committee met on 6/8/20. Additionally, the Committee hosted multiple workgroups. The summary for the work completed is attached.
- D. The Membership Committee Report to the Council is attached. Next meeting date TBD.
- E. The Statewide Self-Determination Advisory Committee met on 6/9/20. The meeting summary is attached.
- F. The Self-Advocates Advisory Committee will meet on 7/13/20. The meeting summary will be provided as a handout.

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**AGENDA ITEM 11A.****EXECUTIVE COMMITTEE SUMMARY**

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***Date of Meeting***

June 16, 2020

***Meeting's Focus***

The Executive Committee met remotely using Zoom and teleconference on June 16, 2020. Committee members heard reports from Executive Director Aaron Carruthers and Deputy Director of Administration Doug Sale. The meeting's focus centered on the recent impacts of COVID-19 as well as several regular voting items. Additionally, the Committee discussed the idea of convening an open meeting for both staff and Councilmembers to attend, where they can have a group discussion about moving forward in stressful times. Topics for the meeting would include racial, social and economic issues in the wake of recent racial justice protests for Black Americans.

***Items Acted Upon***

The Committee acted on the following items:

- The April 2020 Executive Committee meeting minutes were approved.
- The Employment First Committee (EFC) Annual Report was approved to present to the full Council.
- The Committee approved a sponsorship request from the Special Needs Resource Foundation of San Diego.
- The Committee approved a motion to convene an open discussion meeting for staff and Councilmembers to attend within the next two months. The meeting date will be determined soon.
- The Committee discussed the annual Executive Director Evaluation tool, process and timeline. The item was tabled until the next Executive Committee meeting.

***Future Meeting Dates***

August 11, 2020

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**Agenda Item 11B.****STATE PLAN COMMITTEE SUMMARY**

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***Date of Meetings***

May 18<sup>th</sup>, June 8<sup>th</sup>, June 25<sup>th</sup> and July 9<sup>th</sup>

***Meetings' Focus*****2022-2026 State Plan**

On May 18<sup>th</sup> and June 8<sup>th</sup>, the Committee met to continue their review and input on the more than 6,500 State Plan survey responses received statewide. Members then met on June 25<sup>th</sup> and will be meeting on July 9<sup>th</sup> to select a State Plan model and develop the first draft of the goal language.

**Grant Cycle 43**

On June 25<sup>th</sup> the Committee also reviewed and considered the scoring team's recommendations for Grant Cycle 43. Committee members talked extensively about the quality of the Grants before recommending funding on five (5) regional grants. Members then discussed various options for the use of remaining funds and requested cost information on the development of a web interface app for the 6.1 deliverable and virtual training platform be provided to them on July 9<sup>th</sup>.

***Items Acted Upon***

Approval of Meeting Minutes

Grant Cycle 43 Recommendations which included a recommendation for the use of excess Grant funds

## **AGENDA ITEM 11C.**

### **EMPLOYMENT FIRST COMMITTEE (EFC) SUMMARY**

#### ***Date of Meeting***

June 8, 2020

#### ***Meeting's Focus***

The Committee met on June 8<sup>th</sup> to review and consider the recommendations drafted by the Committee's Business and Economic Recovery (BER) Workgroup. These recommendations were drafted in response to the Committee's April 23<sup>rd</sup> directive to establish a workgroup to draft recommendations for the Governor's new Task Force on Business and Jobs Recovery to ensure that people with intellectual and developmental disabilities are considered.

Additionally, the Committee completed its annual report and submitted it to the Legislature on June 30<sup>th</sup> (see attached) and is scheduled to convene their first Data Workgroup meeting on July 9<sup>th</sup>. The purpose of the Data Workgroup is to identify data that would be most useful and relevant in determining both outcomes and barriers to competitive integrated employment (CIE). Once identified, the Workgroup will then begin work on the data dashboard.

#### ***Attachment***

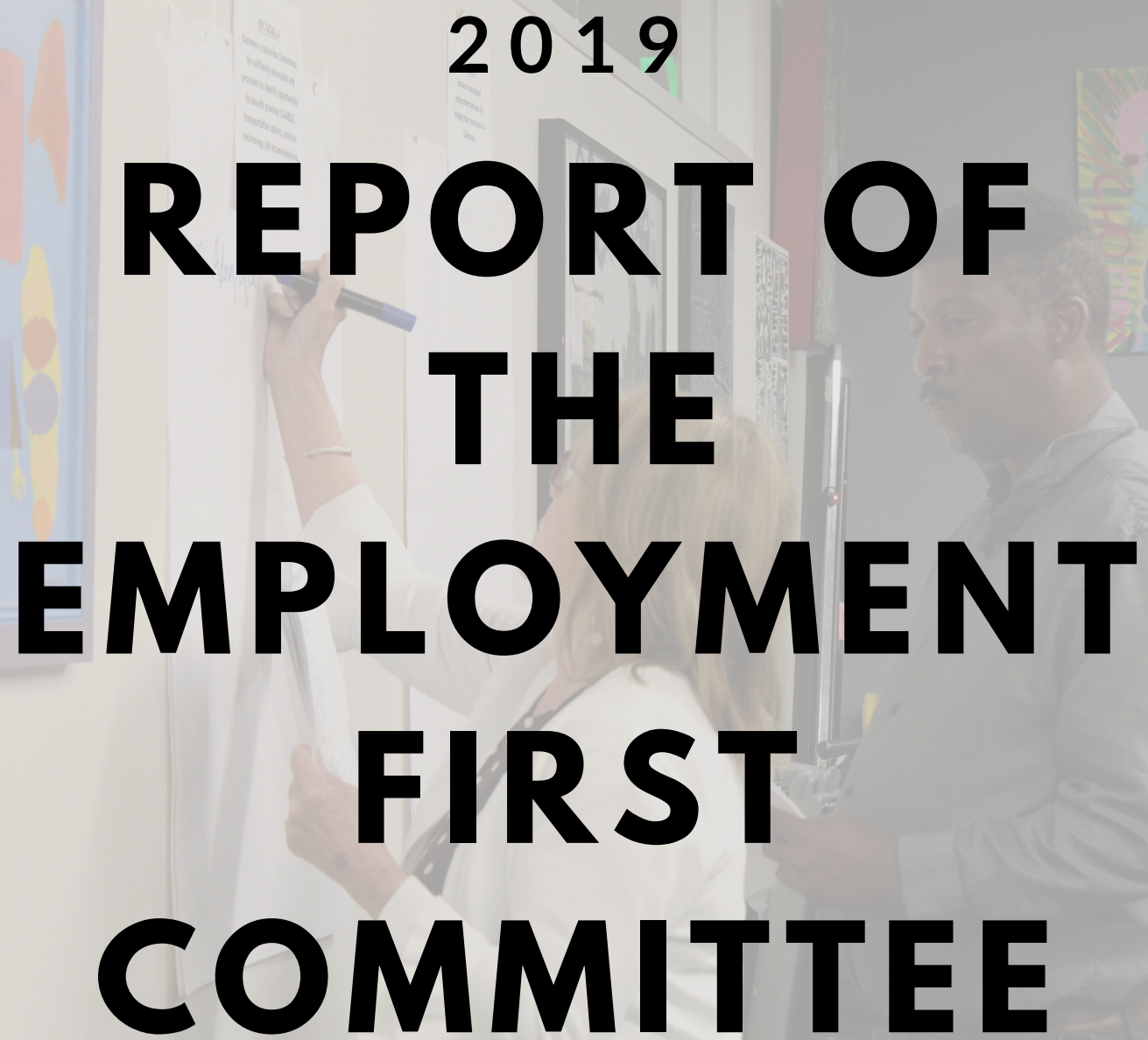
2019 Employment First Committee's Annual Report

#### ***Items Acted Upon***

The Committee approved the BER workgroup recommendations. The Committee submitted their recommendations to the Governor's Taskforce on June 9, 2020.

#### ***Future Meeting Dates***

July 9, 2020 – Data Workgroup meets  
July 30, 2020 – full Committee meets



2019

# REPORT OF THE EMPLOYMENT FIRST COMMITTEE

Convened By

**THE CALIFORNIA STATE COUNCIL ON  
DEVELOPMENTAL DISABILITIES**

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# TABLE OF CONTENTS

Executive Summary .....	3
Data Trends in Competitive Integrated Employment (CIE) .....	4
Federal Policies Impacting CIE in California .....	5-6
State Policies Impacting CIE in California .....	7-9
State and Local Implementation of Policies for CIE .....	10-11
Internship Success Story #1 .....	11
Internship Success Story #2 and #3 .....	12
New Legislative Efforts in 2019 .....	13
EFC's Activities in 2020 .....	14
Recommendations .....	15-17
Appendices .....	18-23
Footnote .....	24



# EXECUTIVE SUMMARY

This is the 2019 annual report of the Employment First Committee (EFC) convened by the State Council on Developmental Disabilities. EFC is tasked with advancing competitive integrated employment (CIE) for people with developmental disabilities by identifying: 1) the respective roles and responsibilities of state and local agencies; 2) strategies and best practices for increasing employment including transition practices; 3) sources of employment data and recommended approaches for measuring progress; 4) demographic data that can be matched to employment outcomes; and 5) goals for measuring employment participation and outcomes for various people with developmental disabilities across service systems.

Although some progress has been made in both California and across the country, the majority of working age adults with developmental disabilities remain unemployed or underemployed. California has the opportunity to become a national leader in CIE. Although California has a strong Employment First Policy, it has not yet been fully actualized. Some of the current barriers include: 1) access to comprehensive data within and across systems to effectively evaluate and identify barriers; 2) shortfalls in employment service provider availability and retention; and 3) insufficient availability of information for individuals with developmental disabilities and equal access to good jobs.

This report discusses some of the efforts that have been undertaken in 2019 to address these barriers and includes policy recommendations for the Legislature and Administration to meet these challenges. The world has changed since our fiscal year ended as a result of the COVID-19 pandemic and presents important new opportunities to achieve meaningful change. Although we do not yet know what this will look like, we have laid out some important principles in our recommendations.



A man with grey hair, wearing a light-colored button-down shirt, is seated at a table in a meeting room. He is pointing his right index finger towards a screen that is out of frame. Other people are visible in the background, also seated at tables.

# DATA TRENDS IN COMPETITIVE INTEGRATED EMPLOYMENT (CIE)

Access to comprehensive data within and across systems is the cornerstone of evaluating and identifying barriers to achieving CIE. California continues to experience gaps in the ability to collect and analyze comprehensive data requiring stakeholders to rely on multiple data systems to create a holistic portrait of the barriers and achievements related to CIE.

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

A secondary analysis of the American Community Survey reported in 2018, the employment rate of working-aged people with disabilities was 37.5 percent compared to 77.8 percent of working-aged people without disabilities.[1] A gap of 40.3 percent has remained relatively unchanged from 2017 to 2018.[2] 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.[3] A gap of 14.7 percent.[4] In California in 2017, the percentage of working-aged people with disabilities who were not working but actively looking for work was 7.4 percent compared to 17.4 percent of working-aged people without disabilities.[5]

In 2017, the Department of Developmental Services reported that 14.5 percent of working-aged people with developmental disabilities who are receiving services through the Regional Centers were working compared to 14.2 percent in 2016.[6]

In 2017, an average of 23,265 Regional Center clients received wages.[7] The average monthly Regional Center clients' wage was \$725.[8] The State of California has also continued 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.



# 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) Settings Rule

In 2014, the Centers for Medicaid and Medicare Services (CMS) published a final HCBS Settings Rule 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 superseded the Workforce Investment Act of 1998 and 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. For individuals with disabilities under age 25, it established strict requirements that must be met before a person can be placed in subminimum wage employment.

The WIOA core partners are working on their shared commitment to CIE and are either in the process of phasing out or no longer placing people in subminimum wage employment. WIOA also focuses on ensuring that youth in transition from school to employment or post-secondary education are provided pre-employment transition. It also 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 almost 2,500 accounts were opened and more than \$13.5 million was invested in the program’s first year 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.

The background of the header is a photograph of the California State Capitol building, featuring its iconic dome and classical architecture, surrounded by green trees.

# 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 2,500 people with developmental disabilities.



As of February 2020, there are 135 people who are enrolled in SDP and using their spending plans to pay for services. In November 2019, additional participants were selected to participate in the program to replace the 569 spaces that became available through participant dropout.

Of those 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 that 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, DDS, and DOR to jointly identify ways to increase CIE opportunities for individuals over a five-year period using existing resources and providing a roadmap on how best to implement CIE.

In May 2020, the second CIE Annual Report was made available highlighting the work in the second year of implementation.[9]

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 second year of implementation that are highlighted in the report include:

- The number of individuals with developmental disabilities working in CIE increased from 1,125 to 1,502.
- The continued dissemination of the CIE Blueprint Written Guidance and Local Partnership Agreements (LPA) Template. An LPA identifies how Local Educational Agencies, DOR Districts, Regional Centers, and other stakeholders will work together to streamline service delivery and engage their local communities to increase opportunities for CIE. In 2019, 15 new LPAs between LEAs, DOR Districts, and Regional Centers were created and posted, bringing the cumulative total of LPAs to 28.

- The leveraging of the Senate Bill (SB) 644 Limited Examination and Appointment Program (LEAP) Internship Program resulting in two additional individuals with developmental disabilities hired as full-time permanent state employees, joining the five who were hired during state fiscal year 2017-2018.
- An increased utilization of work opportunities including the following:
  - 26,247 students participated in paid work experience and unpaid community-based vocational education with CDE WorkAbility I (WAI).
  - 35 individuals participated in On-the-Job Training (OJT) through DOR.
  - 1,420 individuals participated in a DDS Paid Internship Program (PIP)
- Provided career counseling and information and referral (CC&IR) services to over 12,029 individuals working at subminimum wage, of which over 300 applied for vocational rehabilitation (VR) services and 10 achieved CIE.
- Engaged with employers and business partners in a variety of innovative ways including the following:
  - Participated in Employment Roundtables, formed Business Advisory Committees and Employer Panels and connected to Mayor's Committees to encourage businesses to hire individuals with developmental disabilities.
  - Initiated regional workgroups between LPA core partners and local workforce development partners to enhance and build upon business engagements.
- The DDS approved the allocation of \$15 million to service providers who submitted a plan to become compliant with the Home and Community-Based Services (HCBS) Final Rule. 33 non-integrated employment programs were approved to use funding to modify their services to come into compliance. Since 2016-2017, 78 non-integrated programs have received funding.

# STATE AND LOCAL IMPLEMENTATION OF POLICIES FOR CIE

All the agencies and organizations represented on the EFC are actively involved in promoting implementation of federal and state policies that support implementation of CIE in local communities. Some specific examples of the strategies undertaken during this report period include the use of job fairs, development of evidence-based practices, and information dissemination.

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.

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, 40 employers, and over 20 resources in attendance.

A representative from 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 Dante Allen, Executive Director of 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.

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 participated in CE trainings. The training will lead to more uniformity and availability of CE services throughout the state including statewide provider capacity development.

In 2019, the Council also invested in a grant to the California Transition Alliance to create a documentary titled, "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.

#### Internship Success Story #1

Recent Project SEARCH graduate, Crystal is one of the people who plays a role in ensuring that copies of birth, death, and marriage certificates are available upon request and included in Alameda County records. As a full-time temporary employee at the Alameda County Auditor Controller's Office, 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 mail room, you might also find her sorting and purging old paper public records that are no longer needed. 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! Crystal is thrilled that her short-term assignment was recently extended. She's hoping to become a permanent employee.







### Internship Success Story #2

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 follow 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."

### Internship Success Story #3

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, 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-renowned "supercomputer" host. Seleste's tasks include overseeing the travel arrangements of scientists including booking flights and hotels, processing their expense reports and reimbursement requests, coordinating site access for visiting scientists, and more.

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!

# NEW LEGISLATIVE EFFORTS IN 2019

During the 2019 legislative session, three significant pieces of legislation were sponsored by the organizations represented on the Committee and moved through the state legislative process including one bill, AB 1019 that was signed into law.

Assembly Bill 1019 (Frazier) - The State Council sponsored AB 1019 (Frazier), which 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 even though apprenticeships provide an important avenue to CIE.

AB 365 (Garcia, C.) - Disability Rights California sponsored AB 365 (Garcia, C.) that if passed, would have made improvements to 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 into 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 people 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 goals and activities to work towards completing as a Committee in 2020. Each activity identified fell within previously identified goals.

## Goal - Transition from segregated programs to CIE

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

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

## Goal – Support families and individuals better understand CIE

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 – Assure qualified employment related services

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

Additionally, in February 2020, the Committee began delving into barriers related to data sharing and coordination at the systemic level. The Committee believes additional collection and analysis of data within and across systems is critical to making progress in identifying barriers to and achieving 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.

The recommendations included in the report represent the collective input of the Employment First Committee and have not been approved by the individual departments and organizations included below.

## Legislative

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 allocate funding to create career pathways and training that provide direct support professionals with career advancement and credentialing to increase competency and professionalism to improve job retention and quality support for people with developmental disabilities.

The State Legislature should help prepare students with developmental disabilities for employment by expanding opportunities for post-secondary education for students with developmental disabilities within California's higher education systems (community college, state universities, and the University of California).

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. This process should include 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 additional tax or other incentives, such as incorporating transportation solutions and supports, for employers who hire people with developmental disabilities and retain them long-term.

The State Legislature should increase funding for access to technology for people with disabilities who need to use it to enter or retain CIE.



Councilmembers Wesley Witherspoon and Rosie Ryan testify at the Select Committee on Intellectual and Developmental Disabilities hearing in January 2020

### Administrative

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 or not 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 chambers of commerce.

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 Labor and Workforce Development Agency should develop a senior level position reporting to both the Secretary of Labor and Health and Human Services Agency that is responsible for coordinating services and activities related to CIE across both agencies including the activities of the various Committees and Taskforces with responsibility for CIE.





# APPENDICES

## **EFC Membership for 2019**

- Wesley Witherspoon, State Council on Developmental Disabilities
- Michael Clay, Department of Developmental Services (Served: January 2018 to April 2019)
- Michael Luna, Department of Developmental Services (Served: May 2019 to Present)
- Cindy Chiu, Department of Rehabilitation
- Barbara Boyd, California Department of Education
- Sarah Isaacs, Disability Rights California
- Olivia Raynor, UCEDD, Tarjan Center at University of California, Los Angeles
- Steve Ruder, UCEDD, University of California, Davis 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 decision making 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 was the EFC 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.

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 it 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.



# FOOTNOTE

[1] <https://disabilitycompendium.org/sites/default/files/user-uploads/2019%20Annual%20Report%20---%20FINAL%20ALL.pdf> at pg. 11.

[2] *Id.* at pg. 12.

[3] *Id.* at pg. 15.

[4] *Id.* at pg. 16. The widening of this gap from 14.4 in 2017 to 14.7 in 2018 is not statistically significant.

[5] [https://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport\\_US.pdf](https://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport_US.pdf) at pg. 33.

[6] <https://dds.ca.gov/rc/dashboard/employment/33>

[7] *Id.*

[8] *Id.*

[9] <https://www.chhs.ca.gov/wp-content/uploads/2020/05/Competitive-Integrated-Employment-Blueprint-Annual-Report-2019.docx>

# July 2, 2020

## Membership Committee Report to the Council

### SEC 1. Existing Vacancies

Seat	Date Seat Became Vacant	Months Vacant Asterisk (*) indicates vacancy of more than 4 months
Los Angeles Region	July 2019	*
At Large 5	April 2020	
At Large Institution	April 2020	

### SEC 2. Expired Appointments

Seat	Date Appointment Expired Number of Months Expired Asterisk (*) indicates eligible for reappointment
None	

### SEC 3. Upcoming Terms Set to Expire

Seat	Date Appointment Will Expire Asterisk (*) indicates eligible for reappointment
N. Valley Hills Region	7/11/2020*

### SEC 4. Recommendations Solicited

Has a solicitation for multiple recommendations for Council appointment been distributed?

☒ Yes

☐ No

**Agencies Solicited**

**Date**

SCDD Website  
SCDD CRA/VAS Project Manager

Continuous  
May 2020

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## **SEC 5. Councilmember Terms**

**Appointment Roster Listing Each Members Term Attached?**

☐ Yes

☒ No

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## **SEC 6. Nominees**

**Number of candidates forwarded to the Governor's Office for consideration**

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**AGENDA ITEM 11E.****STATEWIDE SELF-DETERMINATION ADVISORY COMMITTEE (SSDAC)  
SUMMARY**

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***Date of Meeting***

June 9, 2020

***Meeting's Focus***

The Statewide Self-Determination Advisory Committee (SSDAC) met on June 9<sup>th</sup> via Zoom. Committee members began the meeting by approving the February meeting minutes before moving on to discuss their regional center's Self-Determination Program (SDP) implementation updates.

Committee members then broke into seven (7) distinct and random groups to continue the work they started in February on drafting a report which identifies the barriers to implementing the SDP. The purpose of the breakouts was to reach a consensus on recommendations to overcome specific barriers and incorporate them into a report that would then be presented to the entire Committee for its approval and submission to the State Council and the Department of Developmental Services. Following the breakout reports, the Committee acted to meet six times a year.

***Items Acted Upon***

Approval of February minutes

Meet six times a year

***Future Meeting Dates***

October 2, 2020



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**JULY 14, 2020**

**AGENDA ITEM 12  
INFORMATION ITEM**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Next Meeting Date and Adjournment***

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The Council's next meeting date is scheduled for September 15, 2020.