



NOTICE/AGENDA

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES EMPLOYMENT FIRST COMMITTEE MEETING POSTED AT: www.scdd.ca.gov

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DATE: September 29, 2020

TIME: 11:00 AM – 4:00 PM

COMMITTEE CHAIR: Wesley Witherspoon

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3.	WELCOME AND INTRODUCTIONS	
Item 4.	PUBLIC COMMENTS <i>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.</i>	
Item 5.	APPROVAL OF JULY 2020 MINUTES 	Page 4
Item 6.	GETTING PEOPLE BACK INTO THE WORKFORCE	Page 9
Item 7.	POLICY PLATFORM  <i>Presented by Cindy Smith, SCDD</i>	Page 11
Item 8.	FEDERAL AND STATE LEGISLATIVE AND REGULATORY UPDATES  <i>Presented by Cindy Smith, SCDD</i>	Page 13
Item 9.	UPDATE ON CIE BLUEPRINT IMPLEMENTATION <i>Presented by CDE, DOR and DDS</i>	Page 14
Item 10.	UPDATE ON THE IMPLEMENTATION OF THE DATA SHARING LEGISLATION <i>Presented by: Michael Luna</i>	Page 15
Item 11.	WORKGROUP UPDATES  <i>Presented by Olivia Raynor and Cindy Smith</i> a. Labor Workforce Workgroup b. Data Workgroup	Page 16
Item 12.	2020 EFC REPORT TIMELINE 	Page 17
Item 13.	2021 EFC PRIORITIES 	Page 19
Item 14.	MEMBER UPDATES <i>Presented by: All</i>	Page 21
Item 15.	NEXT MEETING AND ADJOURNMENT	

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 Robin Maitino-Erben at (916) 263-8193 or robin.maitino@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.

September 29, 2020

AGENDA ITEM 5.

ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Approval of July 2020 Minutes

Members will be presented with the draft minutes from the July 30th meeting for consideration.

Action Recommended

Approve July 2020 minutes.

Attachments

July 30th Meeting Minutes



DRAFT

Employment First Committee Meeting Minutes July 30, 2020

Attending Members

Cindy Chiu (DOR)
Sarah Issacs (DRC)
Michael Luna (DDS)
Olivia Raynor (UCLA)
Steve Ruder (UCD)
Nick Wavrin (CDE)
Wesley Witherspoon (SA)
Larry Yin (USC)

Members Absent

None

Others Attending

Aaron Carruthers
Charlotte Endres
Cindy Smith
Lea Park-Kim
Mary Ellen Stives
Matt Traverso
Robin Maitino-Erben
Sheraden Nicholau

Others Attending (cont.)

Arturo Cazares
Bill Pelter
Debra Jorgensen
Dennis Petrie
Derek Shields
Katherine Sanders
Liz Zastrow
Lori Bruno
Mary Agnes Nolan
Nicole Patterson
Rose Casarez
Sue Sawyer
Zak Ford

1. CALL TO ORDER

Chairperson Wesley Witherspoon (SA) called the meeting to order at 11:08 a.m.

2. ESTABLISH QUORUM

A quorum was established.

3. WELCOME/INTRODUCTIONS

Members and others introduced themselves.

4. PUBLIC COMMENTS

Debra Jorgensen provided comments stating that providers are struggling with HCBS compliance and would benefit from technical assistance. Ms. Jorgensen also asked that the Data Workgroup make sure that any data released for the public have a dominator under it.

Committee member Cindy Chiu noted that DOR is interested in partnering with anyone that is interested in doing something for NDEAM.

5. APPROVAL OF THE APRIL AND JUNE 2020 MEETING MINUTES

It was moved/seconded (Raynor/Wavrin) and carried to approve the April and June 2020 meeting minutes as presented. (Abstain: Issacs: all others present voted in favor. See page one for members in attendance.)

6. FEDERAL AND STATE LEGISLATIVE AND REGULATORY UPDATES

Deputy Director Cindy Smith provided updates on federal and state legislative and regulatory issues relating to employment for people with disabilities. The report included updates on the one-year extension on HCBS compliance, introduction of the federal COVID package, SB 1264 and following-up with the submission of the Business and Economic Recovery Workgroup recommendations. Ms. Smith asked if there was any interest in meeting again to continue the work of the workgroup. Committee member Olivia Raynor provided an update on the TPSID grants.

7. GETTING PEOPLE BACK INTO THE WORKFORCE

Dennis Petrie, Associate Secretary of the California Labor and Workforce Development Agency spoke to the Committee about the work his Agency is doing in workforce development, what is the future of the Future of Work Department in light of COVID and what the Agency is doing to get people with I/DD back to work.

Committee members participated in a robust conversation with Mr. Petrie on ways the Committee can get involved to further the work the Labor and Workforce Development Agency. The Committee ultimately established a workgroup to develop recommendations for the Future of Work Department consisting of Steve Ruder, Olivia Raynor and Michael Luna with consultation from Cindy Chiu.

8. EMPLOYMENT SERVICES PRESENTATION

Arturo Cazares from the Regional Center of Orange County spoke to the Committee about what his regional center is doing to adapt the way they provide services in light of COVID 19 and social distancing. As the Chair of the Employment Committee for ARCA, Mr. Cazares also spoke about data trends and what regional centers can do better.

Following the presentation and a robust conversation on the various internships available and the data that exists, Committee members asked that Mr. Cazares join the Data Workgroup as an invited guest as they continue their work identifying the data that would be most useful and

relevant in determining barriers to competitive integrated employment (CIE) and outcomes. Orange County has provided a template and would like to use the work they have done.

9. LET'S WORK – CYCLE 42 GRANT PRESENTATION

Ms. Sue Sawyer from the California Transition Alliance (Alliance), along with her partners Liz Zastrow and Derek Shields spoke to the Committee about the agency's Let's Work! Project. Ms. Sawyer talked about the mission of the Alliance before providing an overview of the work completed using the Council's grant funding received in 2019. These grant funds were used to create videos and other digital tools by employing young people with I/DD to write, cast, produce, record, edit, audio-describe, caption and publish video and supportive digital content.

As part of their deliverable, the Alliance also created a dedicated YouTube Channel (<https://www.youtube.com/channel/UCB8NI2TRJJ3IjKRzN2AL1xQ>) for its soft launch and one of the videos produced is now posted. Additional elements of this project include conducting outreach to increase awareness of the new resources, providing instructional videos and producing documentaries that show young adults working in CIE settings. The digital stories told in the documentaries will highlight individual pathways to CIE and the young adults will also help create instructional videos for their peers. This innovative project is also enhancing four best practices as identified by the National Technical Assistance Center on Transition and the Workforce Innovation.

10. DATA SHARING

Committee member Olivia Raynor, Chair to the Data Workgroup provided a brief update on the work the Data Workgroup did at their first meeting. Their next meeting is scheduled for July 10th.

Committee member Michael Luna stated that there is no new data to report on the implementation of the data sharing legislation.

11. 2019 EFC REPORT – LESSONS LEARNED FOR NEXT YEAR

Committee members discussed the lessons learned in the development of the 2019 report and discussed ways they could streamline the process moving forward.

For the 2020 report, the Committee agreed to use a two-part strategy. First, they would see a rough draft of the report at the first meeting of the year,

discuss needed revisions and recommendations to include, etc. At the second meeting of the year they would approve a final version of the report. The Committee members also agreed to divide the responsibility of who would write each section of the report at the September 29th meeting to ensure that the report is a Committee project.

For the 2021 report, the Committee decided to create an outline of targeted issues to be covered at each meeting and link those discussions to the recommendations in the report. The timeline for 2020 and 2021 meeting dates will be available at the next meeting.

12. UPDATE ON CIE BLUEPRINT IMPLEMENTATION

Committee member Nick Wavrin provided a verbal update on the Department of Education's implementation activities since the last meeting. The remaining updates were provided on page 49 of the packet.

13. 2020 MEETING DATES

September 29th.

14. ADJOURNMENT

Meeting at adjourned at 3:31 p.m.

September 29, 2020

**AGENDA ITEM 6.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Getting People Back into the Workforce

This is a standing agenda item which highlights what different agencies/organizations are doing to get people back into the workforce in light of the COVID-19 pandemic. At this meeting, the Chair has asked staff to highlight the Council's activities relating to both the 30th Anniversary of the ADA and Disability Awareness Month.

Attachments

SCDD's Planned Activities for the 75th Anniversary of National Disability Employment Awareness Month (NDEAM)

SCDD's Planned Activities for the 75th Anniversary of National Disability Employment Awareness Month (NDEAM)

1. Employment stories from Councilmembers, Regional Advisory Committee members, and SSAN members: Communications Manager has reached out to collect videos, photos, and writings of employment stories that include personal journeys, challenges that people with disabilities face, and tips for job seekers with disabilities.
2. Honoring and recognizing businesses that have proven their commitment to a diverse workforce: Bay Area Regional Office Manager is creating a survey to collect nominations from SCDD regional networks and Communications Manager will develop a plan for promotion. Committee members are welcome to nominate businesses or organizations that deserve recognition.
3. Let's Work CA: The SCDD grant recipient will share a series of documentaries about young adults working in customized and integrated settings. Produced by Inclusion Films, these videos were designed to increase access to information for Californians with intellectual and developmental disabilities, their families and supporters to obtain competitive integrated employment (CIE). Let's Work! is a unique video-based initiative of the California Transition Alliance.
4. Promotion of events hosted by Regional Offices: Headquarters will use emails and social media to promote virtual events that are hosted by the Regional Offices. These events include:
 - Chapman University's Annual DisAbility Summit on 10/9 hosted by the Orange County Regional Office and the Department of Rehabilitation
 - Jobtoberfest on 10/13 hosted by the San Diego Imperial Regional Office
 - Employment Chats Outline throughout the month of October hosted by Sacramento Regional Office
5. Some SCDD staff has been planning possible collaboration with the Department of Rehabilitation. We are aware that the Department of Rehabilitation may host a virtual event to raise awareness about the Limited Examination and Appointment Program (LEAP) have extended our support to promote when more details are ready.

September 29, 2020

AGENDA ITEM 7.

ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Policy Platform

Committee members will review potential language changes to the 2021 Policy Platform as it relates to employment with people with developmental disabilities.

Attachments

Proposed Changes to the Policy Platform

SCDD POLICY PLATFORM LANGUAGE RELATED TO EMPLOYMENT

EMPLOYMENT AND ECONOMIC SELF-SUFFICIENCY (Current Language)

Employment in the community, at least minimum wage or above, is known as competitive integrated employment (CIE). CIE is the priority outcome for working age individuals with I/DD regardless of the severity of their disability. CIE provides every person a chance to build relationships with co-workers, be a part of the community, and contribute to the local economies. It reduces poverty and reliance on state support and leads to greater self-sufficiency. Employers must be prepared and supported to employee individuals with I/DD. The Council supports the full and robust implementation of California's Employment First Law. Pathways to CIE must be developed and supported, including apprenticeships and internships, for all individuals with I/DD regardless of severity of disability.

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

EMPLOYMENT AND ECONOMIC SELF-SUFFICIENCY (Proposed New Language)

Competitive Integrated Employment (CIE) means full or part time work, at minimum wage or above, with wages and benefits similar to those without disabilities, and fully included with co-workers without disabilities located in the community. California must invest in systems change efforts that will result in a measurable increase in CIE for people with I/DD. This priority is consistent with California's Employment First Law that states that CIE is the priority outcome for working age individuals with I/DD regardless of the severity of their disability.

Policies, service delivery practices, and financing must set expectations for CIE, microenterprise training, and/or self-employment. Individuals with I/DD must have access to information, benefits counseling, transition planning, job training, and inclusive post-secondary education. Adequate provider rates must be established for the provision of services and to incentivize quality and inclusive employment outcomes.

Employers must be engaged, prepared and supported to employ individuals with I/DD. New or expanded pathways to CIE must be developed and supported, including apprenticeships and internships, for all individuals with I/DD regardless of severity of disability. The Council supports the phasing out and elimination of subminimum wage and/or segregated employment for all individuals with I/DD.

September 29, 2020

AGENDA ITEM 8.

POTENTIAL ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Federal and State Legislative and Regulatory Updates

Deputy Director Cindy Smith will provide an update on federal and state legislative and regulatory issues relating to employment for people with disabilities. Her update will include highlights from the U.S. Commission on Civil Rights report entitled, [Subminimum Wages: Impacts on the Civil Rights of People with Disabilities](#). The report examines an exemption under the Fair Labor Standards Act—the section 14(c) waiver program—which permits employers to pay less than the minimum wage to individuals with disabilities, and the federal enforcement of the civil rights of individuals in the program. The Commission found persistent failures in regulation and oversight by the Department of Labor and Department of Justice of the 14(c) program that have allowed, and continue to allow, it to operate without satisfying its legislative goal to meet the needs of people with disabilities. The Commission further examined the program as a whole and determined it was inconsistent with the civil rights protections to which people with disabilities are entitled.

Attachments

None – could be handouts the day of the meeting.

September 29, 2020

**AGENDA ITEM 9.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Update on CIE Blueprint Implementation

Cindy Chiu with the Department of Rehabilitation, Michael Luna with the Department of Developmental Services, Nick Wavrin with the Department of Education will provide a report on the progress of the Blueprint Implementation across the Departments.

Attachments

None – May be handouts the day of meeting.

September 29, 2020

**AGENDA ITEM 10.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Update on the Implementation of the Data Sharing Legislation

Committee members will receive any implementation updates available on the data sharing legislation.

Attachments

None – May be handouts the day of meeting.

September 29, 2020

AGENDA ITEM 11.

POTENTIAL ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Workgroup Updates

Members will be provided with an update on the Committee's workgroups. Cindy Smith will provide the Labor Workforce Workgroup update and Olivia Raynor will provide the Data Workgroup update.

Attachments

None – may be handouts day of the meeting

September 29, 2020

AGENDA ITEM 12.

ACTION ITEM

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

2020 EFC Report Timeline

Committee members will be provided with a draft report timeline based on the 2021 meeting dates and identify authors for each section of the report.

Attachments

Draft - 2020 EFC Report Timeline

2020 EFC Report Timeline

<u>Start Date</u>	<u>Activity</u>	<u>Due Date</u>	<u>Responsibility</u>	<u>Notes</u>
9/29/20	<ul style="list-style-type: none"> Complete Timeline Establish Theme Assign Sections to be Drafted 		All Committee Members	
10/1/20	<ul style="list-style-type: none"> Draft Sections of Report 	11/11/21		
1/15/21	<ul style="list-style-type: none"> Develop February Meeting Packet 		Council Staff	
2/4/20	<ul style="list-style-type: none"> Review Draft Report at EFC Meeting 		All Committee Members	First Committee meeting of the year.
2/4/21	<ul style="list-style-type: none"> Comment Period 	3/15/21	All Committee Members	
3/19/21	<ul style="list-style-type: none"> All Comments Due to Council Staff 	3/19/21	All Committee Members	
3/22/21	<ul style="list-style-type: none"> Incorporate Final Comments 	4/12/21	Council Staff	
4/12/21	<ul style="list-style-type: none"> Develop May Meeting Packet 	4/26/21	Council Staff	
5/6/21	<ul style="list-style-type: none"> Approve Final Report at EFC Meeting 		All Committee Members	Second Committee meeting of the year.
May-Jun 2021	<ul style="list-style-type: none"> Council Approves Final Report 	6/24/21	Council	
7/1/21	<ul style="list-style-type: none"> Submitted to the Legislature 		Council Staff	
July 2021	<ul style="list-style-type: none"> Distribute to Stakeholders. 		Council Staff	

September 29, 2020

**AGENDA ITEM 13.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

2021 EFC Priorities

The Committee will create an outline of targeted issues to be covered at each meeting in 2021 so that they can link those discussions to recommendations to be determined for the 2021 EFC report.

Attachments

2021 Meeting Dates

***2021 EFC Meeting Planning**

<u>Meeting Date</u>	<u>Priority</u>	<u>Recommendations</u>	<u>Notes</u>
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9/29/20	Identify Target Priorities for 2021		
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2/4/21			
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5/6/21			
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7/22/21			
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10/7/21			
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10/7/21	Begin planning for 2022		
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September 29, 2020

**AGENDA ITEM 14.
INFORMATIONAL ITEM**

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES – EFC

Member Updates

This is a new agenda items to allow members to provide local and/or agency updates on activities related to the employment of people with developmental disabilities.

Attachments

None – there may be handouts the day of the meeting