



NOTICE/AGENDA

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES EXECUTIVE COMMITTEE MEETING

Members of the public may participate in person, telephonically, or by Zoom. Accessible formats of all agenda and materials can be found online at www.scdd.ca.gov

MEETING DETAILS:

PHYSICAL LOCATION

SCDD HQ OFFICE
3831 North Freeway Blvd., #125
Sacramento, CA 95834

TELECONFERENCE:

CALL IN NUMBER: (888)-475-4499 or
(877)-853-5257
MEETING ID: 814 5841 8534

ZOOM LINK:

<https://bit.ly/ExecCmteJune2022>

MEETING ID: 814 5841 8534

PASSCODE: 886433

DATE: June 21, 2022

TIME: 10:30 AM – 3:00 PM

COMMITTEE CHAIR:

Lee Bycel

Item 1. CALL TO ORDER

Item 2. ESTABLISH QUORUM

Item 3. WELCOME AND INTRODUCTIONS

- Item 4. PUBLIC COMMENTS**

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

Additionally, there will be up to 10 minutes allocated to hear from the public on each agenda item, with each person allotted up to 1minute to comment.

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- Item 5. APPROVAL OF APRIL 2022 MINUTES **

All

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- Item 6. SPONSORSHIP REQUESTS **

Ken DaRosa, Chief Deputy Director

 - A. Special Needs Resource Foundation of San Diego*
 - B. California Sibling Leadership Network*
 - C. MIND Institute*

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- Item 7. CONFLICT OF INTEREST WAIVER REQUESTS **

Brian Weisel, Legal Counsel

 - A. Ana Quiles, Treasurer, North Los Angeles County Regional Center*
 - B. Shawna Hall, Board Member, Tri-Counties Regional Center*
 - C. Jose Ayala, Board Member, North Bay Regional Center*
 - D. Nilo Choudhry, Board Member, Westside Regional Center*
 - E. Rocio Sigala, Board Member, North Los Angeles County Regional Center*

Page 29
- Item 8. EMPLOYMENT FIRST COMMITTEE ANNUAL REPORT **

Wesley Witherspoon, Council Chair

Tania Morawiec, Deputy Director of Regional Office Operations

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- Item 9. EXECUTIVE DIRECTOR EVALUATION PROCESS **

Ken DaRosa, Chief Deputy Director

Page 75
- Item 10. EXECUTIVE DIRECTOR REPORT**

Aaron Carruthers, Executive Director

Page 76
- Item 11. SCDD BUDGET UPDATE**

Ken DaRosa, Chief Deputy Director

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- Item 12. ADJOURNMENT AND NEXT MEETING DATE**

The next meeting of the Executive Committee will be on Aug 23.

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Accessibility:

Pursuant to Government Code Sections 11123.1 and 11125(f), individuals with disabilities who require accessible alternative formats of the agenda and related meeting materials and/or auxiliary aids/services to participate in this meeting should contact Yaritza Sanchez at (916)-207-2856 or yaritza.sanchez@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.

There are members of the public body who are participating in today's meeting that were granted a reasonable modification per the Americans with Disabilities Act (ADA). To protect their health and/or safety, they are participating remotely for this proceeding without providing their physical location.

Per the guidance by the Centers for Disease Control and Prevention, and the California Department of Public Health, wearing a mask and social distancing at least six (6) feet while indoors with others is strongly recommended. The Committee asks all participants who choose to attend the meeting at SCDD's HQ office to wear a mask and social distance whenever possible for the duration of the Committee meeting.

JUNE 21, 2022

**AGENDA ITEM 4.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Public Comment

This item is for members of the public to provide comments and/or present information to this body on matters not listed on the agenda. There will be up to 20 minutes allocated to hear from the public with each person allotted up to 3 minutes to comment.

Additionally, there will be up to 10 minutes allocated to hear from the public on each agenda item, with each person allotted up to 1 minute to comment.

JUNE 21, 2022

AGENDA ITEM 5.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Approval of April 2022 Minutes

The draft minutes from the April 19, 2022 Executive Committee meeting have been included in the packet for review. Committee members will vote on whether to approve the minutes.

Attachment

April 2022 Executive Committee Meeting Minutes

Action Recommended

Approve the April 2022 minutes.



DRAFT
Executive Committee Meeting Minutes
April 19, 2022

Members Attending

Lee Bycel, Chair (FA)
Nicole Adler (SA)
Julie Austin (FA)
Harold Fujita (FA)
Maria Marquez (SA)
Kara Ponton (SA)
Wesley Witherspoon (SA)

Others Attending

Rihana Ahmad
Chris Arroyo
Ken DaRosa
Riana Hardin
Kristen Higa
Beth Hurn
Robin Maitino-Erben

Others Attending

Charles Nguyen
Alex Andy Phuong
Yaritza Sanchez
Victoria Schlusser
Brian Weisel

Members Absent

Kilolo Brodie (FA)

1. CALL TO ORDER

Executive Committee Chair Lee Bycel called the meeting to order at 10:31 A.M.

2. ESTABLISH QUORUM

A quorum was established.

3. WELCOME/INTRODUCTIONS

Members and others in attendance introduced themselves and identified what gives them hope.

4. PUBLIC COMMENTS

Alex Andy Phuong, a self-advocate, provided a public comment stating that at age 16 he was inspired by Jane Austen to become an author. He published his first book *An Altruistic* in 2020.

5. APPROVAL OF THE FEBRUARY 2022 MEETING MINUTES

Action 1

It was moved/seconded (Ponton [S.A.]/Fujita [F.A.]) and carried to approve the February 2022 meeting minutes as presented. (Passed by roll call, see page one for list of members present.)

Alex Andy Phuong made a public comment during this item. He mentioned that this is his first time joining an Executive Committee meeting. He reviewed the minutes and wanted to express his interest and support for the Committee.

6. **STAFF UPDATE**

Chief Deputy Director Ken DaRosa explained that at the start of the pandemic, Governor Newsom issued an executive order that temporarily changed the Bagley Keene rules to allow for virtual meetings. Under the executive order, meeting locations did not have to be posted and participants could join remotely. The order expired on April 1st, 2022 and all previous Bagley Keene meeting rules were reinstated.

Chief Deputy Director DaRosa provided the Executive Committee with options for hosting Council/Committee meetings under the current Bagley Keene rules. The first option is to return to in person meetings and provide a call-in option for members of the public. The second option is to hold virtual meetings and allow for remote participation. Councilmembers would be required to disclose their address on the agenda and ensure that the public also had access to attend the meeting at that location. The third option is to host meetings over the phone. Like option two, members would be required to disclose their addresses and ensure that the public had access to that location.

All options allow for members to request an accommodation under the Americans with Disabilities Act if they are unable to travel to a public location for reasons related to a disability or because they are a caregiver of someone with a disability. The requests will be reviewed by SCDD's legal counsel Brian Weisel.

Executive members discussed the options and expressed their opinions about returning to in person Council meetings. The Council and Committees will continue to meet virtually. If safe to do so, the first in person Council meeting will be in July.

7. **SPONSORSHIP REQUESTS**

Chair Bycel notified Committee members that the Sponsorship request from the California Sibling Network was submitted late and required additional information before being considered, therefore would need to be removed.

8. CONFLICT OF INTEREST WAIVER REQUESTS

Legal Counsel Brian Weisel presented one conflict of interest waiver request for the Committee’s consideration. A detailed conflict of interest mitigation plan for Elizabeth Soloway’s request was provided in the meeting packet. The Committee previously approved the same conflict of interest waiver for Elizabeth Soloway in 2021.

Action 3

It was moved/seconded (Austin [F.A.]/Marquez [S.A.]) and carried to approve the conflict of interest waiver requests from Elizabeth Soloway(East Bay Regional Center). (Passed by roll call, see page one for list of members present.)

9. SCDD BUDGET UPDATE

Chief Deputy Director Ken DaRosa presented an update on the State Council’s budget within the current fiscal year (2021-2022). He reported that SCDD’s budget is in good standing. About 33% of the personal services budget is still available for the fiscal year and SCDD is 7% under spending compared to the previous year. In addition, there is about 40% of the operating expenses and equipment budget remaining. He mentioned that as they approach the end of the fiscal year, some of the expenditures (particularly for contracts and grants) may go up. However, even with those potential increases, the budget will remain in good standing. He assured the Committee that he will continue to monitor the line item numbers to identify areas where spending projections may need to be updated or revised.

10. ADJOURNMENT AND NEXT MEETING DATE

The next Executive Committee meeting will be held on June 21, 2022. Meeting adjourned at 12:20 P.M.

JUNE 21, 2022

AGENDA ITEM 6.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Sponsorship Requests

Chief Deputy Director Ken DaRosa will present three sponsorship requests for the Committee's consideration. The sponsorship is from Special Needs Resource Foundation of San Diego, California Sibling Leadership Network, and the MIND Institute.

Following Chief Deputy DaRosa's presentation, members will vote on whether to approve the request.

Handout

Special Needs Resource Foundation of San Diego Application Package

California Sibling Leadership Network Application Package

MIND Institute Application Package

Action Recommended

Approve the sponsorship requests from Special Needs Resource Foundation of San Diego, California Sibling Leadership Network, and the MIND Institute.

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Special Needs Resource Foundation of San Diego

AMOUNT: \$1,200.00

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: The Special Needs Resource Foundation of San Diego is requesting a sponsorship for 5th Annual All-Inclusive Day of Play & Resource Fair. The event connects families who are looking for resources directly with advocates. Parents can get specific information about their child's diagnosis and get immediate answers to their questions. With over 65 booths, they have a wide variety of services represented. The objective of this event is to make sure kids of all abilities have a great time while parents can gather resources and have their questions answered about what services are available to help their children with special needs. The event is scheduled for July 15, 2022.

The vendors interact with parents and inform them of their services and answer questions. They provide handouts, pamphlets, fliers and informative material about their services, how to access them, where they are located, and how they can specifically help their child. Each table/booth is strongly encouraged to have a fun, child-centered activity that compliments their services.

This is a free, all-inclusive community event open to everyone who would like to attend. While most of the vendors are nonprofit organizations who offer services to families with children with special needs, they also have many for profit vendors, since families of children with special needs often have a typical sibling as well. They expect around 500 attendees and 65 vendor booths.

SCDD's funds would be utilized to offset the costs for the signage and advertising.

They were awarded a sponsorship from SCDD in 2020 and 2021 for this event.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: Goal 3.2-The Council will engage in 100 projects and events in the areas of employment, education, housing, health/safety, and emerging issues, reaching 25,000 people (family/self advocates/others) with information and resources to enhance their knowledge and increase their capacity to obtain supports and services that are important to them.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2022-23 the Council has awarded \$0 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2022.

STAFF RECOMMENDATION: Approve the Special Needs Resource Foundation of San Diego's request for sponsorship.

ATTACHMENTS(S): The Special Needs Resource Foundation of San Diego's request for sponsorship.

PREPARED: Kristie Allensworth May 30, 2022

SCDD EVENT Sponsorship Application Checklist

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

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

Mail sponsorship applications to:

State Council on Developmental Disabilities

3831 N. Freeway Boulevard, Suite 125

Sacramento, California 95834

Submit via email to: kristie.allensworth@scdd.ca.gov

Information Checklist

◆ Name of your Company/Organization

Special Needs Resource Foundation of San Diego, EIN #46-4543603

◆ Name of Project/Event/Program

5th Annual All-Inclusive Day of Play & Resource Fair

◆ Project/Event Date

July 15, 2022

◆ Contact Name

Linda Bay, Event Coordinator

◆ Contact Email, Address and Phone Number

Linda@sandiegofamily.com

1475 6th Avenue, Suite 511, San Diego, CA 92101

619-685-6970

www.SNRFSD.org

◆ **Amount of Funding Requested**

\$1,200.00

◆ **Approximate Total Cost of Project/Event**

\$6,800.00

◆ **How this event/conference will increase the ability of consumers and family members to exercise control, choice and flexibility in the services and supports they receive, including a description of the specific way SCDD's funding would be utilized.**

On July 15 we will hold our 5th annual All-Inclusive Day of Play & Resource Fair. We will hold this event at Miramar College at the Miramar Hourglass Recreation Center, 10440 Black Mountain Rd, San Diego, CA 92126.

SCDD funds would be used to pay for signage and advertising. We post 3 banners on Miramar campus prior to the event. All sponsors receive signage at their booth. We also purchase advertising for this event in San Diego Family Magazine and purchase an e-newsletter to reach their readers.

This event is so important because we connect families who are looking for resources directly with advocates. We are the only event like this in San Diego. Parents can get specific information about their child's diagnosis and get immediate answers to their questions. With over 65 booths, we have a wide variety of services represented. Also, our booth vendors network with each other and learn about other resources available that they can refer their patients to. We also purposely hold this event during the week. This typically allows actual owners and staff to attend this event, instead of weekend hired help. The benefit we found is that the booth vendors are engaged at the event and extremely knowledgeable about the services they offer, which in turn benefits the parents. By connecting advocates directly to the clients they serve, they can also get a better understanding of the questions parents are asking and any gaps in services that they can help fill.

◆ **Event/Program Objectives**

The All-Inclusive Day of Play & Resource Fair follows the mission statement of the Special Needs Resource Foundation of San Diego (SNRFSD), which is to connect families (and individuals) with disabilities to resources, services and opportunities while encouraging an inclusive community and enhancing quality of life. The objective of this event is to make sure kids of all abilities have a great time while parents can gather resources and have their questions answered about what services are available to help their children with special needs. The Miramar Hourglass Rec Center was selected because it is accessible to everyone, it is centrally located in San Diego County and is fully air-conditioning to accommodate our

attendees and vendors in the hot month of July. Part of the event focuses on parent education. Our vendors interact with parents and inform them of their services and answer questions. They provide handouts, pamphlets, fliers and informative material about their services, how to access them, where they are located, and how they can specifically help their child. Each table/booth is strongly encouraged to have a fun, child-centered activity that compliments their services. The other part of this event emphasizes FUN! We have games and activities appropriate for all ages and abilities. Games are geared toward reaching children of every ability, including sensory activities and gross motor play for children with physical challenges. We are providing a safe place where families who have children with special needs and typical children can have fun together. We also have awareness activities, including a wheelchair obstacle course for the physically-abled, led by children who use a wheelchair every day. The purpose of this activity is to help make typical kids aware of and understand the challenges that kids with a disability face on a daily basis. We have a DJ who provides music and entertainment throughout the event. Occasionally we have performances from kids of all abilities including wheelchair dancing, choirs, karate demos and dance teams. There will be raffle prizes available to attendees who visit each of the booths. Prizes will include donated services from the providers in attendance and various donated games, toys and books. There are several short videos highlighting this event on our website: www.SNRFSD.org.

◆ Target Audience: The number and type of expected attendees (i.e. teachers, providers, administrators, etc.), including how many of those attendees are expected to be consumers and family members.

This is a free, all-inclusive community event open to everyone who would like to attend. While the majority of the vendors are nonprofit organizations who offer services to families with children with special needs, we also have many for profit vendors, since families of children with special needs often have a typical sibling as well. We expect around 500 attendees and 65 vendor booths.

◆ How many presenters or panelists will participate in the event and what number of the presenters or panelists will be consumers?

We do not have presenters or panelists, just individual booths.

◆ A list of other sponsors/major contributors.

Our 2021 event was sponsored by SCDD, First 5 San Diego and Pala Band of Mission Indians. Our sponsored areas were supported by Brightside Law Group, Trumpet Behavioral Health, Hope Comprehensive Center for Development, Law Office of Meagan Nunez, CSD Autism Services, Law Office of Matthew Storey, Best S.T.E.P Forward, Harmony Home Medical, Valiant Partners, Comprehensive Autism Center, Shore Buddies, Maxim Healthcare, UCSD Autism Center of Excellence, Children's Physician Medical Group & Children's Primary Dental. Vendors included Sanford Autism Consulting, County of SD HHSA, ARCC Center, NFAR, SUNRISE

Therapies, TideSpeak Language & Speech Therapy, Toward Maximum Independence, Noah Homes, The ARC of SD, Fred Finch, Brain Balance UCSD Neurosciences, and more.

Our 2020 event was sponsored by SCDD, First 5 San Diego and Maxim Healthcare. Our sponsored areas were supported by Hope Comprehensive Center for Development, Law Office of Meagan Nunez, JUVU Autism + Behavioral Health Services and San Diego Family Magazine. Vendors included A.R.C.C. Center, Autism Speaks, Children's Physician Medical Group, Foster & Adoptive Resource Family Services, Fred Finch Youth Center, Gateway Learning Group, Marcus Family Law, Rolling With Me, Special Education Collaboration Project, THINK Therapy Center, Together We Grow Pediatric Day Healthcare, Usborne Books and Xcite Steps.

All event sponsors will have their logo included on all marketing materials including fliers, banners, signage, e-newsblasts, social media posts, advertising, etc. Sponsors will receive a free booth at our event and shout outs throughout the day. We will include fliers or brochures from sponsors in event backpacks and goody bags that are handed out to all attendees. Sponsor names and logos will be included on our event program handout.

◆ How you will conduct outreach to increase consumer and family involvement in the conference?

Our first All-Inclusive Day of Play & Resource Fair in 2018 had 40 vendors and approximately 100 attendees. Our 2019 event had 65 vendors and over 700 attendees. COVID-19 limited our 2020 event to 21 vendors and close to 200 attendees. Our 2021 event had 52 booths and 500 attendees. Our event is growing by word of mouth and with the help of our vendors. We also added radio and TV spots for the 2019 event, along with advertising in San Diego Family Magazine, on our website, through our e-newsletters and through social media. Our advertisers in our free, annual Flourishing Families resource guide also help us spread the word, along with our community partners.

◆ Have you included a complete and total budget, including the amount you are requesting (\$1,500 limit), details on the amount and sources of other funds solicited or obtained?

*Attached. SCDD funds would be used for signage and advertising.

\$500 event signage

\$700 Advertising

We are asking for event sponsorship from First 5 San Diego and the County of San Diego. We also offer sponsorship opportunities at the event.

◆ Have you included a list of other SCDD sponsorships and grants you have previously requested and/or received?

We received a sponsorship from SCDD in 2020 and 2021 for this event.

◆ Have you included a letter of recommendation from a consumer and/or family organization that supports your efforts to improve consumer and family self-advocacy?

Attached.



State Council on Developmental Disabilities
3831 N. Freeway Boulevard, Suite 125
Sacramento, California 95834
kristie.allensworth@scdd.ca.gov

Dear SCDD Team:

It is my pleasure to provide this letter of recommendation for “Day of Play” in support of the work they do for our special needs community in San Diego.

I am the Co-Founder of Mapigator Inc. Mapigator is a social enterprise startup tech company that has a mission to expand the diversity, inclusion, and accessibility of businesses. Mapigator’s business-listing platform is designed to enable businesses to promote their diverse product offerings and services. The platform allows businesses to promote amenities that equip those who have visible and invisible disabilities or specific needs. I also run the Facebook group “Count Me In”, a group of 1500+ San Diego caregivers of people with disabilities who share advice on services and businesses in San Diego with each other. Our goal is to create a more inclusive community.

For the past three years, Day of Play has brought great value to our organization and the community we serve. During that time, they consistently shared information, activities, support and insights to assist with family self-advocacy in the special needs community as well as providing the larger community a better understanding of disabilities. Day of Play has been an essential way for our organization to connect with the community that needs our services. The last couple of years I was fortunate to take photos of children with and without disabilities at the event enjoying activities together in an inclusive environment. It was a very powerful vision for me, especially as a mother of a child who has multiple disabilities. The group that facilitates Day of Play obviously has a solid understanding of disability and the barriers that often confront this population. Their input inspires me and those I see at the event, to go beyond acceptance and create inclusion and elevate to a better society. Day of Play is both a fun and purpose-driven event, I know that it will continue to bring the same high-level socially responsible impact it has in the past.

While the Day of Play team and I began our relationship as business associates working on an event to help create inclusion, I have come to respect and admire them for their sincerity, ingenuity, and integrity and am impressed by their ability to connect with the community at all levels. We are fortunate to have the work they do here in San Diego, I highly recommend Day of Play for any possible funding through SCDD

Sincerely,

Linda Burritt
Co-Founder, Mapigator Founder,

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: California Sibling Leadership Network, LLC (aka California Sibs)

AMOUNT: \$1,500.00

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: The California Sibling Leadership Network is requesting a sponsorship for their National Siblings Day Celebration – Sibs in Media. Siblings Day is a nationally recognized holiday akin to Mother’s Day, Father’s Day, and Grandparent’s Day. In recent years, the Sib community has used this holiday to share stories with each other and others in our lives what it means to be in a Sib/sibling relationship. The core audience is the adult siblings of people with intellectual and developmental disabilities, with a secondary audience of parents and other family members that are part of the broader family support network. The event is scheduled for April 10, 2022.

The event involves sharing a number of films, podcasts, talks, and social media that highlight Sib stories, as well as a panel interview with the creators of these stories. By honestly sharing the complexity of the Sib/sibling relationship, they encourage Sibs to stick with their involvement in their families, and not to distance themselves from the complexity.

The event will feature a keynote speech by Michael Kutcher who is a self-advocate with Cerebral Palsy that takes to a greater stage as a disability and organ donation advocate. The panel features five (5) Sibs who work in the entertainment industry and have created media around their Sib experience

SCDD’s funds would be utilized to offset the costs for the speakers.

This is the first time that they are requesting a sponsorship from SCDD.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: Goal 3.2-The Council will engage in 100 projects and events in the areas of employment, education, housing, health/safety, and emerging issues, reaching 25,000 people (family/self advocates/others) with information and resources to enhance their knowledge and increase their capacity to obtain supports and services that are important to them.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2021-22 the Council has awarded \$5,499 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2021.

STAFF RECOMMENDATION: Approve the California Sibling Leadership Network's request for sponsorship.

ATTACHMENTS(S): The California Sibling Leadership Network's request for sponsorship.

PREPARED: Kristie Allensworth April 18, 2022

April 18, 2022

The California Sibling Leadership Network
Attn: Kalyn Farris, Board President

via email kfarris@californiasibs.org

Dear Kalyn,

As a family member connected to the Regional Center system in California, both through a board position and sister of a man with intellectual and developmental disabilities receiving services in Los Angeles, I am in full support of the “Sibs in Media” National Siblings Day event.

I am a caregiver to not only my brother but also my aging parents. I look for representation within the media community, and realize that I am shaping our representation with my Instagram accounts, as well as others on the panel who have taken to TEDx talks, films and Buzz Reels. Our Community is small but mighty. Given my profession, it is stories and conversations that shape the world. I hope that the audience is inspired.

Thank you for serving our Sib Community and spotlighting the hard work of Sibs who have produced various forms of media.

Sincerely,

Elizabeth Espinosa

Elizabeth Espinosa

Sponsorships Awarded for 2021/22

Name:	Event Date:	Amount Requested:	Amount Awarded:	Amount Invoiced:	2021/22 Remaining Funds:
Special Needs Resource Foundation of San Diego	8/1/21	\$1,500	\$1,500	\$1,500	\$23,500
San Diego Committee on Employment for People with Disabilities	10/31/21	\$1,500	\$1,500	\$1,500	\$22,000
The University Center for Excellence in Developmental Disabilities	8/6/21	\$999	\$999	\$999	\$21,001
Care Parent Network	4/9/22	\$1,500	\$1,500	\$1,500	\$19,501
Totals:		\$5,499	\$5,499	\$5,499	\$19,501

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: University Center for Excellence in Developmental Disabilities (CEDD) at the MIND (Medical Investigation of Neurodevelopmental Disorders) Institute at the University of California, Davis

AMOUNT: \$1200.00

BACKGROUND: The California State Council on Developmental Disabilities (SCDD) supports events that promote self-advocacy, leadership and education, thereby enabling people with developmental disabilities and their family members to expand their knowledge and skills.

ANALYSIS/DISCUSSION: The MIND Institute is requesting a sponsorship for the virtual MIND Summer Institute on Neurodevelopmental Disabilities scheduled for August 3, 2022. The event will focus on self-advocacy and transition and will include the perspectives of people with disabilities, family members, and providers.

The event will also include two panel discussions. The discussions will provide resources and strategies related to self-advocacy, person-centered planning, and living your best life after high school. The first panel will address the topic of self-advocacy and highlight student-led IEPs and person-centered planning. The second panel will discuss personal experiences, resources, and strategies on living one's best life, including options for post-secondary education, employment, and accessing community events and various life enrichment options. Each panel will be moderated by a parent, and all 10 of the panelists are either a family member or a person with a disability, including autism, intellectual disability, and multiple disabilities. The keynote speaker is also a parent of a child with a disability.

SCDD's funds would be utilized to offset the costs of translation.

The MIND institute was awarded a sponsorship in the amount of \$999 from SCDD for their event in August 2021. The funds were utilized to offset the costs of translation.

COUNCIL STRATEGIC PLAN GOAL/OBJECTIVE: Goal 3.2-The Council will engage in 100 projects and events in the areas of employment, education, housing, health/safety, and emerging issues, reaching 25,000 people

(family/self advocates/others) with information and resources to enhance their knowledge and increase their capacity to obtain supports and services that are important to them.

PRIOR COUNCIL ACTIVITY: Since the beginning of FY 2022-23 the Council has awarded \$0 in funds for sponsorship requests. The Council allocates \$25,000 per fiscal year for sponsorships. The fiscal year began July 1, 2022.

STAFF RECOMMENDATION: Approve the MIND Institute’s request for sponsorship.

ATTACHMENTS(S): The MIND Institute’s’ request for sponsorship.

PREPARED: Kristie Allensworth June 7, 2022

June 7, 2022

Kristie Allensworth
State Council on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811

Dear Ms. Allensworth and the SCDD Review Committee,

The University Center for Excellence in Developmental Disabilities (CEDD) at the MIND (Medical Investigation of Neurodevelopmental Disorders) Institute at the University of California, Davis requests State Council sponsorship for our upcoming **MIND Summer Institute on Neurodevelopmental Disabilities** in the amount of **\$1,200**. The event will be held on **August 3, 2022** as a virtual webinar event, available to participants for free.

This year's MIND Summer Institute will focus on self-advocacy and transition and will include the perspectives of people with disabilities, family members, and providers. The discussions will provide resources and strategies related to self-advocacy, person-centered planning, and living your best life after high school. This conference topic is especially relevant to helping consumers and family members to exercise control, choice, and flexibility in the services and supports they receive. SCDD funding to help offset the costs for translation into Spanish and up to two other languages would further support this information being disseminated to consumers and family members whose primary language is not English. In addition, this conference will provide participants, including many consumers and family members, with a venue to ask pertinent questions about research and practices related to their own needs and to connect with others who may share similar interests and challenges.

Presenters & Panelists: The program will begin with a presentation by Dr. Elizabeth McGhee Hassrick entitled *The Journey to Adulthood for People with Disabilities – An Ecological Life Course Perspective*, which will cover topics such as transition pathways for success, measuring what matters, preparing for adulthood, post-transition milestones, and social capital during the transition to adulthood. The event will also include two panel discussions. The first panel will address the topic of self-advocacy and highlight student-led IEPs and person-centered planning. The second panel will discuss personal experiences, resources, and strategies on living one's best life, including options for post-secondary education, employment, and accessing community events and various life enrichment

options. Each panel will be moderated by a parent, and all 10 of the panelists are either a family member or a person with a disability, including autism, intellectual disability, and multiple disabilities. Our keynote speaker is also a parent of a child with a disability.

Program Objectives: The program objectives are for participants to be able to do the following at the end of the conference:

- 1) Identify at least 1 transition pathway for success for people with disabilities using an ecosystem perspective
- 2) Identify 1 individual, 1 organizational, and 1 societal barrier and/or facilitator for navigating the transition to adulthood
- 3) Describe the importance of person-centered planning by connecting it to the case examples presented by the panelists
- 4) Describe at least 3 strategies for developing effective student-led IEPs
- 5) Identify at least 3 non-traditional adulthood pathways (i.e., not post-secondary education or paid employment) that help lead to life fulfillment

Satisfaction with the conference was high with over 92% rating the content as appropriate and useful, that they increased their knowledge of the topic and were satisfied with the training they received.

Target Audience: Summer Institute for the last two years were virtual with over 1,000 people registering for the Zoom event in 2020 and over 800 in 2021. Many more have been reached through Facebook Live and later views of the recordings. To date, there have been over 250,000 combined views of the last 2 year's conference presentations. Last year's attendance breakdowns were: Consumers, Self-advocates, and Family Members (27%), Psychologists (15%), Educators (13%), Advocates (8%), Case Manager/Care Coordinators (7%), Licensed Mental Health Clinicians (6%), Allied Health Professionals (6%), Physicians and Nurses (6%), Behavior Analysts (5%), and Researchers (2%). We expect a similar attendance distribution and anticipate between 700-1000 participants at this year's virtual event with many more viewing the event recordings.

Increasing Consumer & Family Outreach / Involvement: Each year, we strive to increase our efforts to include people with disabilities and their families. We have high representation of self-advocates and family members on our summer institute planning committee, about 80% of whom have at least one disability or is a family member of someone with a disability and/or a special health care need. We are thrilled that our two panels this year will each be moderated by a parent, and all 10 of the panelists are either a family member or a person with a disability, including autism, intellectual disability, and multiple disabilities. Our keynote speaker is also a parent of a child with a disability.

Last year, the event attendance by Consumers, Self-advocates, and Family Members was about 27%.

We are working with event partners including ALTA CA Regional Center and the Warmline Family Resource Center to conduct outreach to increase consumer and family involvement in this event. We have emailed potential attendees a save-the-date flyer and will email again once the conference registration is open. The event has also been publicized on the UC Davis MIND Institute website, Facebook page, and newsletter. The MIND Institute faculty and staff and members of the Summer Institute planning committee also distributes this information widely with their networks, which has a huge reach that include many consumers and family members due to the diversity represented by our members.

Costs / Sponsors & Contributors: The total cost of the event will be approximately \$15,000. Funding for coordination of this event is provided through in-kind support from the CEDDD, the UC Davis MIND Institute, and our planning committee members who are from ALTA CA Regional Center, California State University Sacramento, SCDD, Warmline, Neurodiversity UC Davis, Sacramento City Unified, Down Syndrome Alliance, and Sacramento County Office of Education. We will also request a grant from the WITH Foundation for approximately \$4000 for this year's event.

The SCDD grant would go toward offsetting the costs for translation into Spanish and up to two other languages. SCDD sponsored the MIND Summer Institute in 2016, 2017, 2018, 2020, and 2021. We have included supporting information in the following addenda. Please note we are still developing the final brochure and can forward than when it is complete.

Thank you for your consideration. We look forward to hearing from you.

Sincerely,

Amber Fitzgerald and Kelly Heung
MIND Summer Institute Coordinators

Contact information:

*Kelly Heung, PhD
2825 50th St. Sacramento, CA 95817
kaheung@ucdavis.edu
916-703-0447*

Addendum A
Course Budget Reflecting SCDD Grant

Service	estimate 2022	SCDD Request
Zoom webinar application software	\$1,050.00	
Speaker Honoraria	\$3,000.00	
1 speaker, 10 panelists, 2 moderators		
Simultaneous interpretation	\$1,200.00	\$1,200.00
\$400 per language x 3		
Marketing	\$500.00	\$0.00
Conference Coordination (staffing; IT support and webinar consultation)	\$10,000.00	\$0.00
Total estimate charges:	\$15,750.00	\$1,200.00

RE: MIND Summer Institute Letter of Support

June 6, 2022

To Whom It May Concern:

Warmline Family Resource Center (WLFRC) enthusiastically supports the efforts of the Center in Developmental Disabilities (CEDD) to secure funds in support of the MIND Summer Institute from the California State Council on Developmental Disabilities (SCDD).

We believe that parents and self-advocates need to have access to high quality information that will allow them to exercise control, choice and flexibility in the services and supports they receive and, ultimately, to enhance the service system for children, youth and young adults with disabilities. This Summer Institute will focus on self-advocacy and transition and will include the perspectives of providers, people with disabilities, and family members. The discussions will provide resources and strategies related to self-advocacy, person-centered planning and living your best life after high school.

WLFRC has had a long and collaborative relationship with the MIND and believe that parents and self-advocates will benefit greatly from attendance at the MIND Summer Institute by providing them with relevant information about policy and practices.

Warmline Family Resource Center supports families of children with developmental disabilities in 6 counties in Northern California. As a California Department of Education and Department of Developmental Services contractor, we offer parents an array of services including peer parent support, education, individual consultation, information and referral to community resources to assist them with increasing their knowledge about early intervention, special education and the systems that support their child with a disability.

Please contact me if you have any questions.

Sincerely,

Pam Chueh

Executive Director

JUNE 21, 2022

AGENDA ITEM 7.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Conflict of Interest Waiver Requests

Legal Counsel Brian Weisel will present conflict of interest waiver requests from the following members:

- A. Ana Quiles, Treasurer, North Los Angeles County Regional Center
- B. Shawna Hall, Board Member, Tri-Counties Regional Center
- C. Jose Ayala, Board Member, North Bay Regional Center
- D. Nilo Choudhry, Board Member, Westside Regional Center
- E. Rocio Sigala, Board Member, North Los Angeles County Regional Center

Committee members will vote on whether to approve these requests.

Attachment(s)

Staff analysis details and conflict of interest mitigation plans for Regional Treasurer Ana Quiles and Regional Center Board Members Shawna Hall, Jose Ayala, Nilo Choudhry, and Rocio Sigala.

Handout

May be additional handouts the day of the meeting.

Action Recommended

Approve the conflict of interest waiver requests.

COUNCIL AGENDA ITEM DETAIL SHEET RENEWAL

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Ana Quiles, Treasurer, North Los Angeles County Regional Center:

Ana Quiles serves on the North Los Angeles County Regional Center (NLACRC) Board of Directors as the Board's Treasurer. Ms. Quiles' mother and sister are employed with Caring Family Supports, which is a NLACRC vendor. Ms. Quiles' mother and sister provide respite, personal assistance and day care Ms. Quiles' daughters, who are consumers of NLACRC. Additionally, Ms. Quiles' father, sister, and brother are employed with Caring Family Supports to provide respite and personal assistance for Ms. Quiles' nephews, who are consumers of NLACRC.

The Council previously approved a waiver for Ana Quiles in October 2020.

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation³ 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;

¹ Welf. & Inst. Code § 4626, subd. (f).

² Welf. & Inst. Code § 4628.

³ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Ms. Quiles' conflict of interest arises because of multiple family members employed by a NLACRC vendor.⁴ To address the conflict, Ms. Quiles resubmitted the following Conflict of Interest Resolution Plan (Plan):

1. Ms. Quiles will have no interaction as a board member with any matter that might impact Caring Family Supports, and specifically she will recuse herself from any vote on any matter that could impact Caring Family Supports.
2. Ms. Quiles will, in every conceivable manner, cease interacting with the Board on any matter that could conceivable impact Caring Family Supports.
3. Ms. Quiles will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding Caring Family Supports or any actions creating policy or approaches that would impact Caring Family Supports and other respite, personal assistance and day care vendors.
4. Ms. Quiles will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service (POS) authorizations for Caring Family Supports and other respite, personal assistance and day care vendors.

⁴ Cal. Code Regs., title 17, § 54520(a)(10).

5. Ms. Quiles will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Caring Family Supports and other respite and personal assistance and day care vendors.
6. Ms. Quiles will not create, review, or in any way participate as a board member in, any corrective action plans for Caring Family Supports and other respite, personal assistance and day care vendors.
7. Ms. Quiles will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Caring Family Supports and other respite, personal assistance and day care vendors.
8. Ms. Quiles will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Caring Family Supports and other respite, personal assistance and day care vendors.
9. Ms. Quiles will not as a board member access vendor files or other information the region center maintains about Caring Family Supports and other respite, personal assistance and day care vendors, either in electronic or hard copy form.
10. Ms. Quiles shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Caring Family Supports and other respite, personal assistance and day care vendors. Instead, these tasks will become the responsibility of other board members.
11. Ms. Quiles will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Caring Family Supports and other respite, personal assistance and day care vendors.
12. The NLACRC Board will be informed about this plan.

The proposed Plan appears to mitigate concerns over a conflict of interest that could result based upon Ms. Quiles' family members employment by a NLACRC vendor.

Ms. Quiles has reported no other conflicts of interest. Accordingly, the staff recommendation is to approve Ms. Quiles' waiver request.

STAFF RECOMMENDATION: Approve Ms. Quiles' waiver request

ATTACHMENT: Ms. Quiles' COI reporting statement and Plan.

PREPARED BY: Brian Weisel, Legal Counsel - June 2, 2022.

NOTIFICATION OF CONFLICT OF INTEREST,
AND
RESUBMISSION OF CONFLICT RESOLUTION PLAN

ANA QUILES - NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee or board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member
- (2) a board committee member
- (3) a director
- (4) an officer
- (5) an owner
- (6) a partner
- (7) a shareholder
- (8) a trustee
- (9) an agent
- (10) an employee
- (11) a contractor
- (12) a consultant
- (13) a person who holds any position of management
- (14) a person who has decision or policy making authority.
(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

- (a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict

shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Ms. Quiles

Ana Quiles is a Board Member at North Los Angeles County Regional Center (hereinafter “NLACRC” or “the Regional Center”). Ms. Quiles is a board member, Treasurer and Association of Regional Center Agencies (ARCA) Alternate and as such she participates on the Strategic Planning, Administrative Affairs, Executive and Post-Retirement Medical Trust Committees. NLACRC Executive Director Ruth Janka confirms that Ms. Quiles is a productive and valued member of the Board of Trustees. Attached as **Exhibit A** is Ms. Quiles completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Trustees.

Ms. Quiles’ has disclosed the following conflicts’ of interest:

- A. Her mother, Maria Elena Martinez and sister, Martha Martinez, are employed with Caring Family Supports, a vendor of NLACRC. Her mother and sister, provide respite, personal assistance and day care for her Ms. Quiles’ daughters (consumers of NLACRC).
- B. Her sister, Adriana Martinez; father, Luis Martinez; and brother, Gabriel Martinez are employed with Caring Family Supports, a vendor of NLACRC. Her sister, father and brother provide respite and personal assistance for Ms. Quiles’ nephews (consumers of NLACRC).

This creates a direct conflict for Ms. Quiles as defined by regulation. This document constitutes a disclosure of these conflicts, a Conflict Resolution Plan to mitigate any adverse consequences from this relationship, and a request for re-approval of the Conflict Resolution Plan by DDS.

In short, this Conflict Resolution Plan will have Ms. Quiles remain in her position on the NLACRC Board of Trustees, Treasurer and ARCA Alternate, but limit her actions as a board member so that she in no way participates in any role whatsoever with regard to Caring Family Supports or any other vendor who provides respite, personal assistance and day care services.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Ms. Quiles’ duties and responsibilities as a board member, Treasurer and ARCA Alternate and her family member’s roles in providing respite, personal assistance and/or day care services based on their employment with Caring Family Supports.

A. Ms. Quiles' Duties as Board Member

The role of the Board of Trustees of the North Los Angeles County Regional Center (NLACRC) is to make policy for the operation of the regional center. Policy is developed through recommendations from board committees and the executive director; direct operation is delegated to the executive director who is hired by the board. Staff recommendations for policy initiation or modification go to the executive director who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as **Exhibit B**. The responsibilities as a member of the NLACRC would include, but not limited to:

1. Attendance, either virtual or in-person, at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at one of NLACRC's three offices at 6:30 p.m.
2. Membership and attendance on one (1) or more board committees.
3. Board participation and advocacy will be focused on systems issues; issues regarding an individual consumer, family or program will be directed to the Executive Director's Office.
4. Identification of any potential conflict of interest as identified in Welfare and Institutions Code, Sections 4626 and 4627 during the board member's term on the board will be reported to the administrative assistant to the board.
5. Completion of the Conflict of Interest Statement annually and MediCal Provider Enrollment Form as applicable due to the regional center's funding and contract with the State of California, Department of Developmental Services.
6. Completion of a W-9 form by board members who seek reimbursement for childcare or personal care services under the Board Member Support policy.
7. Adherence to the board's Code of Conduct.
8. Attendance at the annual board orientation for all newly seated board members.
9. Participation in board-coordinated trainings and the annual board retreat.
10. Visitation to NLACRC vendored programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).

Under the suggested Conflict Resolution Plan, Ms. Quiles will remain in her board position, but will be strictly regulated so that she has no role or involvement whatsoever with any matter that might conceivably impact Caring Family Supports, or a vendor that provides respite, day care and personal assistance services.

B. Ms. Quiles Duties as Treasurer

The office of treasurer is established in Article V, Section 9 of the bylaws of North Los Angeles County Regional Center. The treasurer shall be a member of the Board of Trustees and elected by the Board of Trustees. The terms of office shall be one (1) year with no limitation on the number of terms. A copy of the Treasure Responsibilities is attached as **Exhibit C**. The treasurer shall serve as the chairperson of the Administrative Affairs Committee and is a member of the Executive Committee.

The treasurer shall:

1. Establish and/or approve all agendas for the Administrative Affairs Committee.
2. Review and report on the regional center contract with the Department of Developmental Services and the preliminary allocation.
3. Oversee and report on the fiscal status of the regional center:
 - a. Review and approve all financial reports and the financial status of the regional center on a quarterly basis.
 - b. Review and approve all audits to assure conformity with accepted practices and contractual requirements.
 - c. Review and approve the initiation of changes to bank accounts, tax returns and other ongoing corporate financial transactions.
4. Assure that regional center personnel policies and procedures are consistent with board policy.
5. Assure that the regional center's requirements for office space are met.
6. Ensure periodic review of procedures for evaluation of the executive director.

C. Ms. Quiles' Duties as ARCA Delegate

The offices of ARCA delegate and ARCA alternate are established in Article V, Sections 10 and 11 of the bylaws of North Los Angeles County Regional Center. The ARCA delegate and ARCA alternate shall be members of the Board of Trustees and elected by the Board of Trustees. The terms of office shall be a minimum of 2 years with no limitations on the number of terms. The ARCA delegate or ARCA alternate shall report to the Executive Committee, as needed. A copy of the ARCA Delegate and ARCA Alternate is attached as **Exhibit D**.

The duties of the ARCA Delegate and ARCA Alternate include:

1. Willing to accept a leadership role in ARCA. The delegate board members play an essential role in ARCA and contribute to its policy direction.
2. Able to clearly articulate the center's position on statewide issues.
3. Able to work effectively in a large group and with individuals who may have differing opinions.
4. Able to explain complex issues to the board in the context of state and local concerns.
5. Willing to commit the time to fully participate in ARCA activities.

ARCA is an incorporated organization of the regional centers. Representatives to ARCA consist of one member from each board and the executive director of each regional center.

ARCA meets regularly to address issues of common concern to the regional centers.

The ARCA delegate and ARCA alternate shall represent the corporation at ARCA meetings. The ARCA delegate and/ or ARCA alternate shall report to the Board of Trustees regarding actions taken at the ARCA meetings and assure that the board votes, when possible, on any issues requiring such action.

D. Ms. Quiles' Family Members' Duties at Caring Family Supports

Caring Family Supports is a service provider to NLACRC that provides the following services:

1. Respite Services
2. Personal Assistance
3. Day Care

As a respite worker for Caring Family Supports, Maria Elena Martinez and Martha Martinez provides respite services solely to Ms. Quiles' daughters who are NLACRC consumers. In addition Adriana Martinez, Luis Martinez and Gabriel Martinez provides respite services solely to Ms. Quiles' nephews who are NLACRC consumers. Their respite duties and responsibilities are as follows:

1. Review and understands Individual, Family and/or Home Provider Needs;

2. Provide individual receiving services with the supports necessary to meet their need;
3. Understand what to do in case of an emergency;
4. Under the direction of the Co-Founder, has a list of activities appropriate for each individual;
5. Attends in-service trainings and staff meetings;
6. Any other job-related duties as assigned by Co-Founders.

As a personal assistant for Caring Family Supports, Maria Elena Martinez and Martha Martinez provides personal assistance and day care services solely to Ms. Quiles' daughters who are NLACRC consumers. In addition Adriana Martinez, Luis Martinez and Gabriel Martinez provides personal assistance services solely to Ms. Quiles' nephew who are NLACRC consumers. Their personal assistance duties and responsibilities are as follows:

1. Review and understands Individual, Family and/or Home Provider Needs;
2. Provide individual receiving services with the supports necessary to meet their need;
3. Understand what to do in case of an emergency;
4. Under the direction of the Co-Founder, has a list of activities appropriate for each individual;
5. Attends in-service trainings and staff meetings;
6. Any other job-related duties as assigned by Co-Founders.

Day care is a sub-code under the Personal Assistance vendorization to distinguish if the personal assistance is for attendant care (i.e. feeding, toileting) or as a means for day care (i.e. child care)

IV. Conflict Resolution Plan

The Regional Center and its Executive Director, Ruth Janka, have concluded that Ms. Quiles provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek re-approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Ms. Quiles to remain in her position on the Board of Trustees, Treasurer, and ARCA Alternate but to cease any activity or action that might in any way impact Caring Family Supports. This will eliminate any instance in which Ms. Quiles would have to vote, give her opinion, analyze, assess the performance of, or take action for or against Caring Family Supports, and would eliminate any possible action by Ms. Quiles to recommend Caring Family Supports or other similar available respite, personal assistance and day care vendors.

The second part of the plan is to insulate Ms. Quiles from any involvement whatsoever with the generic type of provider like Caring Family Supports. She would recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact Caring Family Supports and all other respite, personal assistance and day care vendors. Any duties that potentially relate to Caring Family Supports or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other board members, Ms. Quiles develops policy through recommendations from the Executive Director, and thus works with numerous vendors on a variety of services.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to Caring Family Supports or other respite, personal assistance day care vendors, she will agree not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will require Ms. Quiles to abstain from discussion with, or involvement in the matter, and require the other board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center and Ms. Quiles suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Quiles will have no interaction as a board member with any matter that might impact Caring Family Supports, and specifically she will recuse herself from any vote on any matter that could impact Caring Family Supports.
2. Ms. Quiles will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact Caring Family Supports.
3. Ms. Quiles will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding Caring Family Supports or any actions creating policy or approaches that would impact Caring Family Supports and other respite, personal assistance vendors.
4. Ms. Quiles will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service (POS) authorizations for Caring Family Supports and other, respite and personal assistance vendors.

5. Ms. Quiles will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Caring Family Supports and other respite and personal assistance and day care vendors.

6. Ms. Quiles will not create, review, or in any way participate as a board member in, any corrective action plans for Caring Family Supports and other respite, personal assistance and day care vendors.

7. Ms. Quiles will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Caring Family Supports and other respite, personal assistance and day care vendors.

8. Ms. Quiles will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Caring Family Supports and other respite, personal assistance and day care vendors.

9. Ms. Quiles will not as a board member access vendor files or other information the regional center maintains about Caring Family Supports and other respite, personal assistance and day care vendors, either in electronic or hard copy form.

10. Ms. Quiles shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Caring Family Supports and other respite, personal assistance and day care vendors. Instead, these tasks will become the responsibility of the other board members.

11. Ms. Quiles will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Caring Family Supports and other respite, personal assistance and day care vendors.

12. The NLACRC Board of Trustees will be informed about this Plan of Action, and they will be informed of the need to ensure that Ms. Quiles has no involvement whatsoever in any action or business whatsoever involving or affecting Caring Family Supports and other respite, personal assistance and day care vendors.

13. These restrictions only apply to Caring Family Supports and policies impacting other respite, personal assistance and day care vendors. The bulk of Ms. Quiles' duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact Caring Family Supports. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Quiles provides to the NLACRC Board.

14. In the event the board member changes to a different respite, personal assistance and day care agency during the course of her term, each provision of this plan shall apply to with regard to the new agency for the duration of the trustee's term on the board.

15. NLACRC has received approval from its Board of Trustees regarding this Conflict Resolution Plan.

V. Request Re-Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS re-approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: 
[Ana Quiles \(Dec 29, 2021 23:18 PST\)](#)

Ana Quiles, NLACRC Board Member

Date: Dec 29, 2021

By: 
[Leticia Garcia \(Dec 30, 2021 17:33 PST\)](#)

Leticia Garcia, NLACRC Board President

Date: Dec 30, 2021

By: 
[Ruth Janka \(Jan 3, 2022 16:01 PST\)](#)

Ruth Janka, Executive Director, NLACRC

Date: Jan 3, 2022

COUNCIL AGENDA ITEM DETAIL SHEET RENEWAL

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Shawna Hall, Board Member, Tri-Counties Regional Center: Shawna Hall is a member of the Tri-Counties Regional Center (TCRC) Board of Directors³. Ms. Hall is a recipient of TCRC services.

Information regarding the TCRC Board's recruitment and appointment process is available at <https://www.tri-counties.org/who-we-are/tcadd-board-directors/>.

Ms. Hall recently came into a potential conflict with her Board position at TCRC by accepting a position as a Training and Facilitation Intern for Helen Sanderson Associates, USA (HSA). HSA is a vendor for TCRC.⁴ HSA provides person-centered training to staff and stakeholders throughout the area. As HSA is a vendor with TCRC, Ms. Hall's HSA salary is paid through TCRC Paid Internship Program funds.

The Council previously approved a conflict waiver request under the same circumstances in February 2021.

¹ Welf. & Inst. Code § 4626, subd. (I).

² Welf. & Inst. Code § 4628.

³ The governing board of TCRC is the Tri-Counties Association for the Developmentally Disabled (TCADD). TCRC is used throughout this letter for ease of reference.

⁴ Cal. Code Regs., title 17, § 54520(a)(10).

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation⁵ 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Ms. Hall's conflict of interest arises because she works for HSA, a vendor with TCRC. Her HSA salary is paid out of funds provided by TCRC. To address and mitigate the conflict, TCRC submitted the following Conflict of Interest Resolution Plan (Plan):

1. As a governing TCRC board member, Ms. Hall will not participate in any discussion or vote on any matter involving HSA vendor contracts or any business matters regarding TCRC and HSA. Ms. Hall is not involved with the selection of vendors who will work with TCRC.
2. Ms. Hall would disclose the existence and nature of the conflict of interest to TCRC's Board and have it noted in the Board records.

⁵ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

3. Ms. Hall would abstain from voting on any matter pertaining to HSA. Ms. Hall will remove herself from any deliberation or decisions of TCRC regarding HSA, including, but not limited to: preparation, formulation, or approval of reports, plans, policies, analysis, or TCRC opinions regarding HSA.
4. Should matters related to HSA arise during and TCRC Board or committee meeting, Ms. Hall will refrain from participating in the discussion.
5. TCRC's Board President and members are responsible for ensuring Ms. Hall complies with Welfare and Institutions Code section 4622(k)(2).
6. TCRC's Board President and members are responsible for ensuring that the plan and its safeguards are applied and monitored.

The proposed Plan appears to mitigate concerns over a conflict of interest that could result based upon Ms. Hall's employment at a TCRC vendor. Accordingly, staff recommends reapproval of Ms. Hall's waiver request.

STAFF RECOMMENDATION: Approve Ms. Hall's waiver request.

ATTACHMENT: Ms. Hall's COI reporting statement and Plan.

PREPARED BY: Legal Counsel Brian Weisel – June 3, 2022.

Tri-Counties Regional Center

Conflict Resolution Plan

Objective: The proposed Conflict Resolution Plan shall be a written, detailed plan to eliminate, or mitigate and manage, the present or potential conflict of interest, along with any necessary supporting documents.

The following is the Conflict Resolution Plan for a Board member of Tri-Counties Regional Center (TCRC). TCRC's responses to the regulatory components of the conflict resolution plan are in bold below. Any questions regarding their plan are to be directed to Michael Nagel, TCRC Director of Human Resources and Organizational Development, at 805-884-7217.

Date: **March 17, 2022**

Name of Board member: **Shawna Hall**

Title: **TCADD Board member**

Potential conflict as stated by the Board member: **Shawna currently serves on the TCADD Board and is served by TCRC. Shawna also currently works for a vendor of TCRC, Helen Sanderson Associates (HSA), who receives POS funding from TCRC.**

The proposed Conflict Resolution Plan shall contain the following:

- (1) Describe the precise nature of the present or potential conflict of interest or activity and give a detailed description of the conflict:
 - (A) The type of interest creating the present or potential conflict; and

The potential conflict of interest is created by Shawna's position on the TCADD Board and her employment relationship with a vendor of TCRC.

- (B) The identity and relationship between the individual(s) and/or entity(ies) involved; and

Shawna is the employee of a TCRC vendor.

- (C) The roles and duties of each individual and/or entity, that gives rise to the present or potential conflict of interest.

Shawna holds a TCADD Board position and works as an intern for HSA. In her position as a Planning Live Instructor, Shawna supports the duties associated with providing person centered training. As a Board member, Shawna votes on Board matters including contracts over \$250k.

(2) State the action(s) that the regional center governing board, regional center and/or the individual(s) will take, including the necessary timeframes, to eliminate or mitigate and manage the present or potential conflict of interest. Actions to eliminate, or mitigate and manage, the present or potential conflict of interest, may include, but are not limited to, one or more of the following:

- (A) Resignation of the individual(s) from the position or activity creating the conflict of interest
- (B) Refraining from participation, or limiting the individual's ability to act, in a particular matter or category of matters
- (C) Change of assignment, duties, or position
- (D) Divestiture of financial interests that give rise to the conflict of interest
- (E) Terminating or refraining from relationships that give rise to conflicts of interest

Shawna understands and TCRC has made it clear, that she is not to involve herself in any business dealings involving HSA . Also, it is understood by the TCADD Board President, Mark Wolf, and the TCRC Executive Director, Omar Noorzad, that Shawna is not to be involved in any potential business dealings involving HSA. Shawna understands she is to recuse herself from voting on any Board matters involving any decisions specifically involving HSA including voting, contract reviews, etc. of their services.

Shawna is not involved in the individual selection of vendors who will work with TCRC. Shawna understands she is not to allow any decisions she makes in the course of her duties as a Board member to be influenced by the fact that she is employed with a vendor of TCRC. If such an occasion did occur, she understands she is to remove herself from any decision making involving the vendor. She shall not participate either individually or as part of a group, in the presentation, preparation, formulation or approval of reports, plans, policies, analysis, or opinions regarding HSA.

(3) Provide a detailed explanation of how each of the proposed actions, will actually eliminate or mitigate and manage the present or potential conflict of interest.

The actions described above will eliminate or mitigate any present or potential conflict of interest as Shawna 's actions are visible by the TCADD Board President and TCRC Executive Director.

(4) Provide the name, position and duties of the individual(s) who will be responsible for ensuring that any actions, limitations, or restrictions, included in the Conflict Resolution Plan, if approved by the Department, will be taken, applied, followed, and monitored. Explain any oversight and monitoring mechanism in enough detail to allow the Department to ascertain that the mechanism is sufficient to eliminate, or mitigate and manage, the present or potential conflict of interest.

The TCADD Board President and the TCRC Executive Director ensure that all confidential matters related to the status of HSA will not be discussed with Shawna. The TCADD Board President and TCRC Executive Director will be responsible for ensuring the plan and its safeguards are applied and monitored.

(5) A proposed Conflict Resolution Plan shall be signed by the individual(s) subject to the Conflict Resolution Plan, in addition to the person in the designated position or committee responsible for reviewing the Conflict of Interest Reporting Statement, and the person in the designated position or committee responsible for monitoring performance under the proposed Plan, if approved.

DocuSigned by:
Shawna Hall 3/17/2022
CBCFD17684CC4C4...
Board member Date

DocuSigned by:
Mark Wolfe 3/17/2022
4BDABE4D2435448...
TCADD Board President Date

DocuSigned by:
Omar Noorjad 3/17/2022
6E5536F04627427...
Executive Director Date

DocuSigned by:
Michael Nagel 3/17/2022
BEF2477FA3D64F2...
Director of HR & OD Date

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Jose Ayala, Board Member, North Bay Regional Center: Jose Ayala is a member of the North Bay Regional Center (NBRC) Board of Directors. Mr. Ayala is a NBRC consumer and works on a part-time basis for Napa Valley Support Services, a NBRC vendor. Mr. Ayala's employment consists of a job placement at the Lexit Corporation where he performs product line assembly in connection with his employment services he receives from NBRC.

NBRC has a public member recruitment and appointment process which is subject to public review and engagement. Candidates for the NBRC governing board may be recommended by organizations representing individuals with developmental disabilities and/or their family members, service providers, community groups, multi-media outlets, the general public, the agency website, and/or self-referral. Final appointment decisions are made by the membership committee of the governing board, which completes the appointment process.

The Council previously approved waivers for Ayala in 2018, 2019, and 2020 under the same circumstances. NBRC advises that the mitigation plan developed in 2017 that was approved by the Council remains in effect.

¹ Welf. & Inst. Code § 4626, subd. (I).

² Welf. & Inst. Code § 4628.

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation³ 54520 provides in part that a conflict of interest exists when the board member, or a family member of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) **an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Mr. Ayala's conflict of interest arises because he is employed on a part-time basis by a NBRC vendor.⁴ To address the conflict, Mr. Ayala submitted the following Conflict of Interest Resolution Plan (Plan):

1. As a governing NBRC board member, Mr. Ayala will not participate in any discussion or vote on any matter involving Napa Valley Support Services.
2. NBRC's governing board and management staff will be informed of this plan and will be informed of the need to make sure that Mr. Ayala does not participate in any discussion or vote on any issue relating to Napa Valley Support Services.
3. The Executive Committee of the NBRC board has been informed of and has approved the submission of this proposed resolution plan.

³ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

⁴ Cal. Code Regs., title 17, § 54520(a)(10).

4. NBRC's board of directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.

The proposed Plan appears to mitigate concerns over a conflict of interest that could result based upon Mr. Ayala's part-time employment with a NBRC vendor. The prior Plan submitted by Mr. Ayala that was approved by the Council contained the same provisions to address the potential conflict. Accordingly, staff recommends reapproval of Mr. Ayala's waiver request.

STAFF RECOMMENDATION: Reapprove Mr. Ayala's waiver request.

ATTACHMENT: Mr. Ayala's COI reporting statement and Plan.

PREPARED BY: Legal Counsel Brian Weisel, June 2, 2022.



March 30, 2022

Ms. Maxine Milam
Department of Developmental Services
1600 9th Street
Sacramento, CA 94244-2020

Via Email: Maxine.milam@dds.ca.gov

Re: Updated Mitigation Plan for Jose Ayala

Dear Ms. Milam,

Per Title 17 § 54534. Conflict Resolution Plan Review Procedures, NBRC is submitting an updated mitigation plan for Jose Ayala, a client who serves as a member of our Board of Directors. We have reviewed Mr. Ayala's situation and his conflict of interest status has not changed. The mitigation plan developed in 2017 and the waiver obtained by DDS is still in force. We will continue to comply with the plan as stated below.

If you should have any questions, please feel free to contact me.

Sincerely,

Jennifer L. Crick, SPHR, PHRca, SHRM-SCP
Director of Administrative Services
North Bay Regional Center
jenniferc@nbrc.net
707-256-1271

March 30, 2022

Nancy Bargmann, Director
Department of Developmental Services
1600 9th Street
Sacramento, CA 94244.2020

RE: Request for Waiver for Potential Conflict of Interest for Jose Ayala

Dear Ms. Bargmann:

Pursuant to Section 54523 of Title 17, California Code of Regulations, this letter serves as a request by North Bay Regional Center for a waiver of a potential conflict of interest for our Board Member Jose Ayala.

Enclosed please find the following:

1. A copy of Mr. Ayala's Conflict of Interest Disclosure Statement;
2. A Disclosure Conflict of Interest, Request for Waiver and Plan of Action.

The limitations proposed by North Bay Regional Center are set forth in the plan of action and no other limitations are proposed.

This Waiver packet is also being served upon the North Bay Regional Office and State Council as required by Title 17.

Thank you for your consideration of Waiver Request. We look forward to hearing from you.

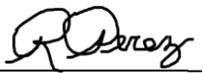
Sincerely,

x 

Gabriel Rogin
Executive Director

x 

Jose Ayala
Director, Board

x 

Rosemarie Pérez
President, Board

Cc: Human Resources
NBRC Board of Directors

Law Concerning Governing Board Member Conflict of Interest

The prohibition against a Regional Center governing board member having a conflict of interest is derived from Welfare and Institutions Code section 462(a). The conflict of interest definition is set forth in more detail in the California Code of Regulations, Title 17.

Title 17 section 54520(a) "A conflict of interest exists when a regional center governing board member ... or a family member of such a person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations, except to the **extent such position is permitted by Welfare and Institutions Code sections 4622 and 4626.**" (Emphasis added)

Welfare and Institutions ("W&I) Code section 4622(e) "A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the board shall be persons with developmental disabilities."

Section 54520 concludes: "(b) No regional center governing board member who has a conflict of interest shall continue to serve as a board member in violation of these provisions unless the board member has eliminated the conflict of interest or **obtained a waiver pursuant to these regulations.**" (Emphasis added)

Disclosure of Conflict of Interest for Mr. Jose Ayala

Potential or Actual Conflict of Interest

Jose Ayala was elected to the North Bay Regional Center Board by the Board of Directors in June 2016. His welcomed membership on the Board helps North Bay Regional Center to meet the requirements of W&I Code section 4622(c) which provides an exception to the requirements of Title 17, section 54520(a).

Mr. Ayala is a consumer of North Bay Regional Center who is employed by Napa Valley Supported Services a vendor of the Regional Center. Mr. Ayala's employment consists of a job placement at the Lixit Corporation doing product line assembly.

Request for Waiver of Conflict of Interest

This information is being provided to the Department along with a proposed Waiver should the Department determined that Mr. Ayala has a conflict of interest as defined in the W&I Code and Title 17.

For the reasons that follow, pursuant to Title 17, section 54523, North Bay Regional Center requests a Waiver of any potential or actual conflict of interest given that:

- a) Mr. Ayala was elected by the Board of Directors;
- b) Mr. Ayala fulfills North Bay Regional Center's compliance requirements under W&I section 4622(c) and (e);
- c) Mr. Ayala's part-time employer is a vendor of North Bay Regional Center; and
- d) Mr. Ayala does not have any financial interest in or decision-making authority related to Napa Valley Support Services.

Proposed Plan of Action

North Bay Regional Center's suggested plan of action for resolving this "conflict of interest" is as follows:

1. As a governing North Bay Regional Center Board Member, Mr. Ayala will not participate in any discussion or vote of any matter involving Napa Valley Support Services.
2. North Bay Regional Center's governing board and management staff will be informed of this Plan of Action and will be informed of the need to ensure that Mr. Ayala does not participate in any discussion or vote on any issue relating to Napa Valley Support Services.
3. The Executive Committee of the North Bay Regional Center Board has been informed of and has approved the submission of this proposed Plan of Action for Waiver of Conflict of Interest.
4. North Bay Regional Center's Board of Directors itself will be responsible for ensuring that the above plan and limitations are applied and monitored.
5. This request for Waiver packet is also being served on the North Bay Regional Office and the State Council as required by Title 17, section 54523.

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Nilo Choudhry, Board Member, Westside Regional Center:

Nilo Choudhry (Choudhry) serves on the Board of Directors of the Westside Regional Center (WRC) and is its Board Treasurer.

This is the first time this conflict waiver request has been presented before the Council.

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation³ 54520 provides in part that a conflict of interest exists when the board member, **or a family member** of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;

¹ Welf. & Inst. Code § 4626, subd. (I).

² Welf. & Inst. Code § 4628.

³ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Choudhry's conflict of interest arises Choudhry's brother, Hamid, is employed by Maxim Healthcare Services ("Maxim"), a WRC vendor, to provide Personal Assistance and Respite services to Choudhry's son, Zak, who is a regional center client. Choudhry does not provide services to any other regional center client.

While Zak had been receiving services from non-relative staff at Maxim prior to the Covid-19 pandemic, on July 1, 2021, Choudhry started to provide services to Zak due to concerns about non-family members entering the family home during the pandemic. To address the conflict, Choudhry submitted the following Conflict of Interest Resolution Plan, summarized below but also attached (Plan):

1. Choudhry will cease taking action on any matter that would impact Maxim or any competitor service provider.
2. Choudhry will not participate in the vote to approve any report, plan, opinion, recommendation or action regarding Maxim or any competitor service provider or any actions creating policy or approaches that would impact Maxim or any competitor service provider.
3. Choudhry will not participate in referrals or placement for Maxim or any competitor service provider. For any client served by Maxim or any competitor service provider, she will not participate in any review or discussion of any client's service issues brought to the attention of the Board; rather, such tasks will be addressed by other Board Members or Regional Center employees.
4. Choudhry will not participate in any decisions about Purchase of Service authorizations for Maxim or any competitor service providers.

5. Choudhry will not participate in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Maxim or any competitor service providers.
6. Choudhry will not create or review any corrective action plans for Maxim or any competitor service providers.
7. Choudhry will not participate in any action or resolution of any complaints pertaining to Maxim or any competitor service providers.
8. Choudhry will take no part in decisions regarding vendor appeals, or fair hearings involving Maxim or any competitor service providers.
9. Choudhry will not access vendor files, either in electronic or hard copy form, which the regional center maintains about Maxim or any competitor service provider.
10. Choudhry shall not participate in approving any policies that apply to Maxim or any competitor service provider. Instead, these tasks will be the responsibility of the other Board Members.
11. Choudhry will not be involved in the approval by WRC in pursuit of any course of action involving Maxim or any competitor service provider.

The proposed Plan submitted by Choudhry and WRC appears to mitigate concerns over a conflict of interest that could result based upon a relative's employment with a WRC vendor. Accordingly, the staff recommendation is to approve Nilo Choudhry's waiver renewal request.

STAFF RECOMMENDATION: Approve Nilo Choudhry's waiver renewal request.

ATTACHMENT: COI reporting mitigation Plan.

PREPARED BY: Legal Counsel Brian Weisel – June 2, 2022.

NOTIFICATION OF CONFLICT OF INTEREST AND CONFLICT RESOLUTION PLAN

WESTSIDE REGIONAL CENTER BOARD MEMBER
NILO CHOUDHRY

I. Law Governing Conflicts of Interest

The prohibition against regional center governing board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code, subsection (d), which provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding. . . .”

That general prohibition is explained in more detail in Title 17, section 54520, of the California Code of Regulations, entitled “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides, in pertinent part, as follows:

(a) A conflict of interest exists when a regional center governing board member, executive director, or a **family member of such person** is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;
- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) **an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policymaking authority.

(Emphasis added.)

Title 17, section 54505, of the California Code of Regulations defines “Business Entity, Entity or Provider” to mean “any individual, business venture, or state or local government entity from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations. . . .”

Furthermore, Title 17, section 54533, subdivision (a) of the California Code of Regulations states:

(a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the

present or potential conflict shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Conflict of Nilo Choudhry

Nilo Choudhry is a Board Member at Westside Regional Center (hereinafter “WRC” or “the Regional Center”) and serves as the Board’s Treasurer. As a Board Member and Treasurer, Ms. Choudhry serves on the Board’s Executive Committee, the Board Development Committee, Political Action Committee, Strategic Planning Committee, and Finance Committee. WRC Interim Executive Director, Mary Lou Weise-Stusser, confirms that Ms. Choudhry is a productive and valued member of the Board of Directors and the Committees on which she serves. Attached as Exhibit A is Ms. Choudhry’s completed Conflict of Interest Reporting Statement.

Ms. Choudhry’s brother, Hamid Choudhry (“Mr. Choudhry”), is employed by Maxim Healthcare Services (“Maxim”), a WRC vendor, to provide Personal Assistance and Respite services to Ms. Choudhry’s son, Zak, who is a regional center client. Mr. Choudhry does not provide services to any other regional center client. While Zak had been receiving services from non-relative staff at Maxim prior to the Covid-19 pandemic, on July 1, 2021, Mr. Choudhry started to provide services to Zak due to concerns about non-family members entering the family home during the pandemic.

The fact that Mr. Choudhry is employed by Maxim, a vendor of WRC, providing Personal Assistance and Respite services to Ms. Choudhry’s son, creates a direct conflict of interest for Ms. Choudhry. This document constitutes a disclosure of this conflict, a Conflict Resolution Plan to eliminate any adverse consequences from this relationship, and a request for approval of the Conflict Resolution Plan by the State Council on Developmental Disabilities (“SCDD”) and the Department of Developmental Services (“DDS”).

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this plan will first provide the facts regarding Ms. Choudhry’s duties and responsibilities as a Board member and Mr. Choudhry’s work with Maxim.

A. Ms. Choudhry’s Duties as Board Member

As a Board Member, Ms. Choudhry regularly meets with other WRC Board members to create policy for the operation of the regional center. Policy is developed through recommendations from Board committees and the Executive Director. Direct operation of the WRC is delegated to the Executive Director who is hired by the Board. WRC staff recommendations for policy initiation or modification either go to the Executive Director, who, in turn, refers them to the Board and/or an appropriate Board committee, as necessary, or go directly to the Board and/or appropriate Board committee, as necessary.

Ms. Choudhry's primary duties are as follows:

1. Attendance at monthly Board of Directors and Committee meetings, typically held on the first Wednesday of each month, remotely via Zoom. Board and Committee meetings were held at the main WRC office, located at 5901 Green Valley Circle, Culver City, California prior to the start of the pandemic in March 2020.

2. Because regional center operations are funded by DDS, pursuant to WRC's contract with DDS, each member of the Board of Directors is required to identify any potential conflict of interest as set forth in Welfare and Institutions Code sections 4626 and 4627 and their implementing regulations.

3. A part of a Board member's responsibility requires him or her to be an informed and active participant on the Board, voting on issues and approving regional center contracts of over \$250,000. WRC does not have a direct contract with Maxim for Personal Assistance or Respite services; rather services are purchased by way of individual Purchase of Service authorizations.

Under the suggested Plan of Action, Ms. Choudhry will remain in her Board position, but will be regulated so that she has no role or involvement with any matter that would impact Maxim or any service provider which provides the same services as Maxim.

B. Mr. Choudhry's Duties at Maxim

Mr. Choudhry provides Personal Assistance and Respite services to Ms. Choudhry's son, Zak. Mr. Choudhry receives payment for the Personal Assistance and Respite services through Maxim. Mr. Choudhry does not provide services to any other regional center client.

IV. Conflict Resolution Plan

WRC and its Interim Executive Director, Mary Lou Weise-Stusser, have concluded that Ms. Choudhry provides substantial value to the Board of WRC. After consideration of the totality of the circumstances and a careful review of the facts, the Interim Executive Director believes it is in the best interests of WRC to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek approval of this plan by SCDD and DDS.

The first step in the Conflict Resolution Plan is to allow Ms. Choudhry to remain in her positions on the Board of Directors, as Treasurer, and on the various Committees on which she serves, but to prohibit her from taking action that might impact Maxim or other service providers offering the same services as Maxim, which services include, but are not limited to, Personal Assistance, Respite, Day Care, and Nursing services. This will eliminate any instance in which Ms. Choudhry would have to vote, or take action for or against Maxim, and would eliminate any possible action by Ms. Choudhry to make recommendations concerning Maxim or to affect any of its competitors.

The second part of the Plan is to insulate Ms. Choudhry from any action regarding Maxim or any of its competitors. She would recuse herself from participation in any decision or vote regarding the drafting, planning, or discussion of rules, policies, or restrictions that would impact Maxim or its competitors. Any duties that potentially relate to Maxim or its competitors, or generic policies applicable to such vendor/s, represent a small portion of the valuable duties Ms. Choudhry performs on behalf of WRC, and these duties can be easily delegated to other WRC Board members.

WRC and Nilo Choudhry's suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Choudhry will take no action as a Board or Committee member on any matter that would impact Maxim or any competitor service provider, and, specifically, she will recuse herself from any vote or decision on any matter that would impact Maxim or any competitor service provider.

2. Ms. Choudhry will cease taking action on any matter that would impact Maxim or any competitor service provider.

3. Ms. Choudhry will not participate in the vote to approve any report, plan, opinion, recommendation or action regarding Maxim or any competitor service provider or any actions creating policy or approaches that would impact Maxim or any competitor service provider.

4. Ms. Choudhry will not participate in referrals or placement for Maxim or any competitor service provider. For any client served by Maxim or any competitor service provider, she will not participate in any review or discussion of any client's service issues brought to the attention of the Board; rather, such tasks will be addressed by other Board Members or Regional Center employees.

5. Ms. Choudhry will not participate in any decisions about Purchase of Service authorizations for Maxim or any competitor service providers.

6. Ms. Choudhry will not participate in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Maxim or any competitor service providers.

7. Ms. Choudhry will not create or review any corrective action plans for Maxim or any competitor service providers.

8. Ms. Choudhry will not participate in any action or resolution of any complaints pertaining to Maxim or any competitor service providers.

9. Ms. Choudhry will take no part in decisions regarding vendor appeals, or fair hearings involving Maxim or any competitor service providers.

10. Ms. Choudhry will not access vendor files, either in electronic or hard copy form, which the regional center maintains about Maxim or any competitor service provider.

11. Ms. Choudhry shall not participate in approving any policies that apply to Maxim or any competitor service provider. Instead, these tasks will be the responsibility of the other Board Members.

12. Ms. Choudhry will not be involved in the approval by WRC in pursuit of any course of action involving Maxim or any competitor service provider.

13. The WRC Board of Directors has been informed about this Plan of Action, and has been informed of the need to ensure that Ms. Choudhry has no involvement in any action involving or affecting Maxim or any competitor service provider.

14. WRC has received approval from its Board of Directors regarding this waiver.

15. These restrictions only apply to Maxim and policies impacting Maxim and any competitor service providers. The bulk of Ms. Choudhry's Board and Committee duties will remain unchanged, unless the Board work would impact Maxim or any competitor service provider. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Choudhry provides to the WRC Board.

16. Finally, WRC will also ensure that Maxim is informed of this Plan to ensure that there is no expectation that Ms. Choudhry, in her role as Board and Committee member, can take part in actions that impact Maxim or any competitor service provider.

V. Request Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, WRC hereby requests that SCDD and DDS approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: _____
Nilo Choudhry, WRC Board Member

Date: _____

By: _____
David Wyles, WRC Board President

Date: _____

COUNCIL AGENDA ITEM DETAIL SHEET

ISSUE: Regional Center Conflict of Interest (COI)

BACKGROUND: Codified in Welfare and Institutions (W&I) Code sections 4500 et seq., the Lanterman Act requires regional centers to submit conflict of interest statements and proposed resolution plans to the Department of Developmental Services (DDS) and the Council.¹ The Director of DDS may waive conflict of interest requirements of a contracting agency (i.e., a regional center) with approval of the State Council.²

The Council is being presented with information reviewed under the existing SCDD criteria and process approved by the Council. This approach provides for staff analysis of regional center conflict of interest issues.

Rocio Sigala, Board Member, North Los Angeles County Regional Center:

Rocio Sigala (Sigala) is currently on the Board of the North Los Angeles County Regional Center (NLARC). Sigala's sister, Belen Sigala, provides respite and personal assistance and daycare for her nephew, a consumer of NLACRC. Belen is employed with Helpful Hands, a vendor of North Los Angeles County Regional Center.

This is the first time the Council has reviewed a conflict waiver for Sigala at NLARC.

DISCUSSION:

Conflict of Interest: Department of Developmental Services (DDS) Regulation³ 54520 provides in part that a conflict of interest exists when the board member, **or a family member** of a regional center board member, holds any of the below positions for a provider:

- (1) a governing board member;
- (2) a board committee member;
- (3) a director;
- (4) an officer;

¹ Welf. & Inst. Code § 4626, subd. (I).

² Welf. & Inst. Code § 4628.

³ DDS' current regulations are published at California Code of Regulations, title 17, § 50201 et seq.

- (5) an owner;
- (6) a partner;
- (7) a shareholder;
- (8) a trustee;
- (9) an agent;
- (10) an employee;**
- (11) a contractor;
- (12) a consultant;
- (13) a person who holds any position of management; or
- (14) a person who has decision or policy making authority.

Sigala's conflict of interest arises because a Sigala's family member is a respite worker for a NLARC vendor.⁴ To address the conflict, Sigala submitted a conflict resolution plan, attached. In summary:

1. Sigala will screen off of any discussion or vote involving Helpful Hands as a vendor of NLARC.
2. Sigala will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Helpful Hands and other respite, personal assistance and daycare vendors.
3. Sigala will not create, review, or in any way participate as a board member in, any corrective action plans for Helpful Hands and other respite, personal assistance and daycare vendors.
4. Sigala will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Helpful Hands and other respite, personal assistance and daycare vendors.
5. Sigala will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Helpful Hands and other respite, personal assistance and daycare vendors.
6. The NLACRC Board of Trustees will be informed about this Plan of Action.

⁴ Cal. Code Regs., title 17, § 54520(a)(10).

The proposed Plan appears to mitigate concerns over a conflict of interest that could result based upon the respite services Sigala's sister provides to a NLARC vendor. Accordingly, the staff recommendation is to approve Rocio Sigala's waiver request.

STAFF RECOMMENDATION: Approve Rocio Sigala's waiver request.

ATTACHMENT: Rocio Sigala's COI mitigation Plan.

PREPARED BY: Legal Counsel Brian Weisel – June 3, 2022.

NOTIFICATION OF CONFLICT OF INTEREST,
AND
SUBMISSION OF CONFLICT RESOLUTION PLAN

ROCIO SIGALA - NLACRC BOARD MEMBER
NORTH LOS ANGELES COUNTY REGIONAL CENTER

I. Law Governing Conflicts of Interest

The prohibition against Regional Center employee or board member conflicts of interest has its origin in section 4626 of the Welfare & Institutions Code. Subsection (d) of said section 4626 provides: “The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding....”

That general prohibition is explained in more detail in Title 17 of the California Code of Regulations, section 54520 “Positions Creating Conflicts of Interests for Regional Center Governing Board Members and Executive Directors,” which provides in pertinent part:

(a) A conflict of interest exists when a regional center governing board member...or family member of such person is any of the following for a business entity, entity, or provider as defined in section 54505 of these regulations...:

- (1) a governing board member
- (2) a board committee member
- (3) a director
- (4) an officer
- (5) an owner
- (6) a partner
- (7) a shareholder
- (8) a trustee
- (9) an agent
- (10) an employee
- (11) a contractor
- (12) a consultant
- (13) a person who holds any position of management
- (14) a person who has decision or policy making authority.
(Emphasis added.)

Section 54505 states that: “Business Entity, Entity or Provider” means any individual or business venture from whom or from which the regional center purchases, obtains or secures goods or services to conduct its operations.”

Further, Section 54533 states:

- (a) When a present or potential conflict of interest is identified for a regional center board member, executive director, employee, contractor, agent, or consultant, the present or potential conflict

shall be either eliminated or mitigated and managed through a Conflict Resolution Plan, or the individual shall resign his or her position with the regional center or regional center governing board.

II. Potential Conflict of Ms. Sigala

Rocia Sigala is a Board Member at North Los Angeles County Regional Center (hereinafter “NLACRC” or “the Regional Center”). Ms. Sigala is a board member and as such she participates on the Consumer Services and Government and Community Relations Committees. NLACRC Executive Director Ruth Janka confirms that Ms. Sigala is a productive and valued member of the Board of Trustees. Attached as **Exhibit A** is Ms. Sigala completed Conflict of Interest Reporting Statement. As part of the Conflict Resolution Plan, she will remain in her position on the Board of Trustees.

Ms. Sigala’s sister, Belen Sigala provides respite, personal assistance and daycare for her nephew, a consumer of NLACRC. Ms. Belen Sigala is employed with Helpful Hands, a vendor of North Los Angeles County Regional Center. This creates a direct conflict for Ms. Sigala as defined by regulation. This document constitutes a disclosure of this conflict, a Conflict Resolution Plan to mitigate any adverse consequences from this relationship, and a request for approval of the Conflict Resolution Plan by DDS.

In short, this Conflict Resolution Plan will have Ms. Sigala remain in her position on the NLACRC Board of Trustees, but limit her actions as a board member so that she in no way participates in any role whatsoever with regard to Helpful Hands or any other vendor who provides respite, personal assistance and daycare services.

III. Facts

The plan of action proposed herein is designed to eliminate any adverse consequences from the conflict. To better understand how the plan will eliminate any adverse consequences, this request will first provide the facts regarding Ms. Sigala’ duties and responsibilities as a board member and her sister’s role with for Helpful Hands.

A. Ms. Sigala’ Duties as Board Member

As a board member, Ms. Sigala regularly meets with other board members of NLACRC to create policy for the operation of the regional center. Policy is developed through recommendations from board committees and the Executive Director. Direct operation is delegated to the Executive Director who is hired by the board. Staff recommendations for policy initiation or modification go the Executive Director, who, in turn, refers them to the board and/or an appropriate board committee. A copy of the Board Member Responsibilities is attached as **Exhibit B**.

Ms. Sigala responsibilities as a member of the Board of Trustees of the NLACRC would include, but not be limited to:

1. Attendance, either virtual or in-person, at monthly Board of Trustees meetings, usually held on the second Wednesday of each month at one of NLACRC's three offices at 6:30 p.m.
2. Membership and attendance on one (1) or more board committees.
3. Board participation and advocacy will be focused on systems issues; issues regarding an individual consumer, family or program will be directed to the Executive Director's Office.
4. Identification of any potential conflict of interest as identified in Welfare and Institutions Code, Sections 4626 and 4627 during the board member's term on the board will be reported to the administrative assistant to the board.
5. Completion of the Conflict of Interest Statement annually and MediCal Provider Enrollment Form as applicable due to the regional center's funding and contract with the State of California, Department of Developmental Services.
6. Completion of a W-9 form by board members who seek reimbursement for childcare or personal care services under the Board Member Support policy.
7. Adherence to the board's Code of Conduct.
8. Attendance at the annual board orientation for all newly seated board members.
9. Participation in board-coordinated trainings and the annual board retreat.
10. Visitation to NLACRC vendored programs is expected in order that board members may be informed about the developmental disabilities service system. Programs include a wide variety of residential and day programs as well as those providers who deliver a specific service (e.g. school setting or transportation).

C. Belen Sigala's Duties at Helpful Hands

Helpful Hands is a service provider to NLACRC that provides the following services:

- In home respite services
- Personal assistance
- Daycare

As an employee for Helpful Hands, Ms. Sigala provides respite, personal assistance and daycare services solely to her nephew who is an NLACRC consumer.

IV. Conflict Resolution Plan

The Regional Center and its Executive Director, Ruth Janka, have concluded that Ms. Sigala provides great value to the Board of NLACRC. After consideration of the totality of the circumstances and a careful review of the facts, the Executive Director believes it is in the best interests of the Regional Center to create and implement a Conflict Resolution Plan to eliminate any adverse consequences from this relationship and seek approval of this plan by DDS.

Initially, the first step in the Conflict Resolution Plan is to allow Ms. Sigala to remain in her position on the Board of Trustees, but to cease any activity or action that might in any way impact Helpful Hands. This will eliminate any instance in which Ms. Sigala would have to vote, give her opinion, analyze, assess the performance of, or take action for or against Helpful Hands, and would eliminate any possible action by Ms. Sigala to recommend Helpful Hands or other similar available respite, personal assistance and daycare vendors.

The second part of the plan is to insulate Ms. Sigala from any involvement whatsoever with the generic type of provider like Helpful Hands. She would recuse herself from participation in any vote regarding, drafting, planning, or discussion of rules, policies, or restrictions that would impact Helpful Hands and all other respite, personal assistance vendors. Any duties that potentially relate to Helpful Hands or generic policies applicable to such a vendor represent a small portion of the valuable duties she performs on behalf of the Regional Center, and these duties can be easily delegated to other Regional Center board members. Like other board members, Ms. Sigala develops policy through recommendations from the Executive Director, and thus works with numerous vendors on a variety of services.

Further, as the Conflict Resolution Plan details below, when any matter arises with regard to Helpful Hands respite, personal assistance and daycare vendors, she will agree not to be involved in the discussion of the matter, the presentation of options to the Board, or the decision or vote on such matter. NLACRC will require Ms. Sigala to abstain from discussion with, or involvement in the matter, and require the other board members to take all such actions, including appropriate description of options, recommendations, analysis and ultimate decision and vote.

The Regional Center and Ms. Sigala suggested Conflict Resolution Plan for this conflict of interest is as follows:

1. Ms. Sigala will have no interaction as a board member with any matter that might impact Helpful Hands, and specifically she will recuse herself from any vote on any matter that could impact Helpful Hands.
2. Ms. Sigala will, in every conceivable manner, cease interacting with the Board on any matter that could conceivably impact Helpful Hands.
3. Ms. Sigala will not participate as a board member in the consideration, preparation, review, presentation, formulation or approval of any report, plan, opinion, recommendation or action regarding Helpful Hands or any actions creating policy or approaches that would impact Helpful Hands and other respite, personal assistance and daycare vendors.
4. Ms. Sigala will not review or participate as a board member in any discussions, recommendations, or decisions about Purchase of Service (POS) authorizations for Helpful Hands and other respite, personal assistance and daycare vendors.

5. Ms. Sigala will not review or in any way participate as a board member in the preparation, consideration, or any follow-up related to Special Incident Reports from or about Helpful Hands and other respite, personal assistance and daycare vendors.

6. Ms. Sigala will not create, review, or in any way participate as a board member in, any corrective action plans for Helpful Hands and other respite, personal assistance and daycare vendors.

7. Ms. Sigala will not participate as a board member in any discussions, recommendations, action, or resolution of any complaints pertaining to Helpful Hands and other respite, personal assistance and daycare vendors.

8. Ms. Sigala will take no part as a board member in decisions regarding vendor appeals, or fair hearings involving Helpful Hands and other respite, personal assistance and daycare vendors.

9. Ms. Sigala will not as a board member access vendor files or other information the regional center maintains about Helpful Hands and respite, personal assistance and daycare vendors, either in electronic or hard copy form.

10. Ms. Sigala shall not participate as a board member in developing, creating, or recommending any POS policies, or other policies, that might apply to Helpful Hands and other respite, personal assistance and daycare vendors. Instead, these tasks will become the responsibility of the other board members.

11. Ms. Sigala will not be involved as a board member in the negotiation, discussion, obligation or commitment of NLACRC to a course of action involving Helpful Hands and other respite, personal assistance and daycare vendors.

12. The NLACRC Board of Trustees will be informed about this Plan of Action, and they will be informed of the need to ensure that Ms. Sigala has no involvement whatsoever in any action or business whatsoever involving or affecting Helpful Hands and other respite, personal assistance and daycare vendors.

13. These restrictions only apply to Helpful Hands and policies impacting other respite, personal assistance and daycare vendors. The bulk of Ms. Sigala's duties with regard to a vast array of other Board issues and other vendors will remain unchanged, unless the Board work would in any way impact Helpful Hands. This amounts to a reassignment of a small portion of her duties and will not reduce the value and productivity that Ms. Sigala provides to the NLACRC Board.

14. In the event the board member changes to a different respite agency during the course of her term, each provision of this plan shall apply to with regard to the new agency for the duration of the trustee's term on the board.

15. NLACRC has received approval from its Board of Trustees regarding this Conflict Resolution Plan.

V. Request Approval of Conflict Resolution Plan

For the reasons provided above, and in accordance with the Conflict Resolution Plan set forth above, North Los Angeles County Regional Center hereby requests that DDS approve the Conflict Resolution Plan in this matter.

Respectfully submitted,

By: 
Rodolfo Sigala, NLACRC Board Member

Date: 11/17/2021

By: 
[Leticia Garcia \(Dec 18, 2021 14:49 PST\)](#)
Leticia Garcia, NLACRC Board President

Date: Dec 18, 2021

By: 
[Ruth Janka \(Dec 21, 2021 11:59 PST\)](#)
Ruth Janka, Executive Director, NLACRC

Date: Dec 21, 2021

JUNE 21, 2022

AGENDA ITEM 8.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Employee First Committee Annual Report

The Employment First Committee is statutorily created and convened by the Council. Each year this Committee is required to produce a report to the Legislature by July 1st describing its work and policy recommendations. The Employment First Committee met on June 6, 2022 to finalize and approved the report pending implementation of recommended changes.

At this meeting, Wesley Witherspoon, Chair of the Employment First Committee and Tania Morawiec, Deputy Director of Regional Office Operations will provide a brief overview of the 2021 Annual Report and request that the Executive Committee approve the report for submission to the Legislature.

Attachment(s)

None.

Handout(s)

2021 EFC Report Text

May be additional handouts the day of the meeting.

Action Recommended

Approve the 2021 EFC Annual Report

JUNE 21, 2022

AGENDA ITEM 9.

ACTION ITEM

EXECUTIVE COMMITTEE

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

Executive Director Evaluation Process

Chief Deputy Director Ken DaRosa will present a draft the Executive Director (ED) process for the 2021-2022 evaluation. Committee members will discuss the process for the evaluation and vote on whether to move forward so that the full Council may approve the final report at its September 2022 meeting.

Action Recommended

Approve the 2021/22 Executive Director Evaluation process.

Handout(s)

Executive Director Evaluation PowerPoint

Proposed Executive Director Timeline

Proposed Executive Director Survey

JUNE 21, 2022

**AGENDA ITEM 10.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Executive Director Report

SCDD Executive Director Aaron Carruthers will provide Committee members with an update on recent Council activities, and upcoming goals.

Handout
Executive Director Report

JUNE 21, 2022

**AGENDA ITEM 11.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

SCDD Budget Update

Chief Deputy Director Ken DaRosa will provide Committee members with an update on the Council's budget.

Attachment(s)

Budget Narratives

April Budget Projections

Line Item Summary

FY 2021-2022 Budget Display



SFY 2021-22 Budget Update Cover Page

The package before the Committee includes the third quarter budget expenditure report and statement of activities for State Fiscal Year (SFY) 2021-22 expenditures through April 30, 2022, and a description of the budget line items. As a reminder, on May 22, 2022, the Council approved the SFY 2022-23 BSG budget.

It is important to understand that these projections are based on an analysis of expenditure data at a specific point in time (i.e., April 30, 2022) and are subject to change.

SFY 2021-22 BSG Expenditures and Unexpended Funds

The budget assumes BSG expenditures of \$7,816,000. With two months remaining in the state fiscal year, total year-to-date expenditures of \$6,009,465 result in a projected remaining balance of \$1,806,535 (i.e., 23 percent).

- Personal Services: Total expenditures to date (\$4,691,310) result in a remaining balance of \$919,690 (16 percent). The current vacancy rate is 16 percent, or a total of 8 vacancies. There are, at least, four active recruitments.
- OE&E: Total expenditures to date (\$1,252,459) result in a remaining balance of \$692,541 (35.6 percent). Staff predict the In-State Travel, General Expense, and a few other line items will be underspent this year. We conservatively project savings of approximately \$200,000
- Program Development Grants: Year-to-date expenditures total \$35,637, resulting in a remaining balance of \$194,304 (74 percent unspent).
- Unexpended Funds Available for the Council to Spend: After deducting the traditional \$1.75 million reserve, and projecting an anticipated amount of carryover, staff projects \$445,000 is available for the Council to consider on additional one-time initiatives.

SFY 2021-22 Quality Assurance (QA) Reimbursements from DDS

Total QA funding available is \$3,712,000. With two months remaining in the fiscal year, the program shows a remaining balance of approximately \$1,062,298 (28.6 percent).

- Personal Services: Year-to-date expenditures of \$1,622,850 reflect a remaining balance of \$511,150 (24 percent). The vacancy rate is 22 percent (i.e., two vacancies) and there is at least one active recruitment.
- OE&E: Year-to-date expenditures reflect a remaining balance of \$551,148 (34.9 percent).

SFY 2021-22 Client's Rights Advocates/Volunteer Advocacy Services (CRA/VAS) Reimbursements from DDS

Total CRA/VAS dollars available are \$1,737,000. With two months remaining in the state fiscal year, reimbursements from DDS for the CRA/VAS Program reflect a remaining balance of \$521,376 (30 percent).

- Personal Services: Expenditures to-date total \$1,029,877 and reflects a remaining balance of \$338,123 (24.7 percent). The vacancy rate is 11 percent (i.e., one position), and there is an active recruitment.
- OE&E: Currently, program expenditures total \$185,747 with a remaining balance of \$183,253 (49.7 percent). Travel likely will remain modest, resulting in savings in OE&E expenditures. It's important to note this program is funded by reimbursement from DDS, and that SCDD is these reimbursed for actual expenses. Any projected savings has no fiscal impact.



State Council on Developmental Disabilities

Council Report for FY 21-22

July 1 through June 30

Updated 6/7/22

Council Report for FY 21-22

Expenditure through **April-22**

FEDERAL GRANT (BSG)

BSG	Annual Grant Award	Monthly Expenditure	Year-To-Date Expenditure	Balance	Positions
Personal Services & Benefits	\$ 5,611,000	\$ 485,465	\$ 4,691,310	\$ 919,690	# Positions 50
Operating Expenses	\$ 1,945,000	\$ 174,549	\$ 1,252,459	\$ 692,541	# Vacancies 8
Grants / Special Items	\$ 260,000	\$ 35,637	\$ 65,696	\$ 194,304	
Unallocated Funds	\$ -	\$ -	\$ -	\$ -	
Total	\$ 7,816,000	\$ 695,651	\$ 6,009,465	\$ 1,806,535	Vacancy % 16%

QUALITY ASSESSMENT (QA)

QA	Annual	Monthly	Year-To-Date	Balance	Positions
Personal Services & Benefits	\$ 2,134,000	\$ 170,024	\$ 1,622,850	\$ 511,150	# Positions 18
Operating Expenses	\$ 1,578,000	\$ 57,676	\$ 1,026,852	\$ 551,148	# Vacancies 4
Total	\$ 3,712,000	\$ 227,700	\$ 2,649,702	\$ 1,062,298	Vacancy % 22%

Client's Rights Advocates/Voluntary

CRA/VAS	Annual Budget	Monthly Expenditure	Year-To-Date Expenditure	Balance	Positions
Personal Services & Benefits	\$ 1,368,000	\$ 98,248	\$ 692,341	\$ 675,659	# Positions 9
Operating Expenses	\$ 369,000	\$ 15,095	\$ 110,637	\$ 258,363	# Vacancies 1
Total	\$ 1,737,000	\$ 113,343	\$ 802,978	\$ 934,022	Vacancy % 11%

Total	
# Positions	77
# Vacancies	13
Vacancy %	17%



State Council on Developmental Disabilities

Council Report for FY 21-22

April-22

FEDERAL GRANT (BSG)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	5,611,000	485,465	4,691,310	919,690	16.4%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	75,000	24,297	36,721	38,279	51.0%
Printing	45,000	2,678	22,686	22,314	49.6%
Communications	100,000	7,081	62,538	37,462	37.5%
Postage	20,000	2,272	11,710	8,290	41.5%
One-Time Project	(325,000)	-	-	(325,000)	100.0%
Travel-in-State :	300,000	4,227	27,299	272,701	90.9%
Out-of-State Travel	20,000	-	-	20,000	100.0%
Training (Tuition and Registration)	35,000	100	18,298	16,702	47.7%
Facilities Operations (Rent)	600,000	53,632	450,446	149,554	24.9%
Facilities Plng/Maint. & Utilities	6,000	760	3,718	2,282	38.0%
Interdepartmental Services	225,000	7,344	191,999	33,001	14.7%
External Contract Services	301,000	29,557	61,786	239,214	79.5%
Information Technology (Computer, Software)	465,000	10,231	231,647	233,353	50.2%
SWCAP	25,000	-	25,000	-	0.0%
Other Items/ Client Services	53,000	32,370	108,611	(55,611)	-104.9%
Subtotal OE&E	1,945,000	174,549	1,252,459	692,541	35.6%
SPECIAL ITEM (PROGRAM 20)	260,000	35,637	65,696	194,304	74.7%
UNALLOCATED FUNDS					
TOTAL	7,816,000	210,186	6,009,465	1,806,535	23.1%

Quality Assessment (QA)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	2,134,000	170,024	1,622,850	511,150	24.0%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	18,000	138	1,828	16,172	89.8%
Printing	520,000	2,143	15,133	504,867	97.1%
Communications	40,000	1,996	23,229	16,771	41.9%
Postage	266,000	29,637	294,275	(28,275)	-10.6%
Travel-in-State :	5,000	-	152	4,848	97.0%
Training (Tuition and Registration)	3,000	-	1,038	1,962	65.4%
Facilities Operations (Rent)	255,000	23,023	207,789	47,211	18.5%
Facilities Plng/Maint. & Utilities	2,000	520	4,409	(2,409)	-120.5%
Interdepartmental Services	164,000	-	108,968	55,032	33.6%
External Contract Services	30,000	200	(14,507)	44,507	148.4%
Data Processing (Software, Supplies & Misc.)	50,000	-	39,591	10,409	20.8%
Other Items/ Client Services	225,000	19	344,947	(119,947)	-53.3%
Subtotal OE&E	1,578,000	57,676	1,026,852	551,148	34.9%
TOTAL	3,712,000	227,700	2,649,702	1,062,298	28.6%

Clients' Rights Advocates/Volunteer Advocacy Services (CRA/VAS)	Budgeted Base	Current Month Expenditure	YTD Expenditure	Remaining Balance	Remaining Percentage
PERSONAL SERVICES (PS & PB)					
Salaries & Wages w/ Benefits	1,368,000	98,248	692,341	675,659	49.4%
OPERATING EXPENSE (OE&E)					
General Expense (Meeting/Conf)	5,000	-	595	4,405	88.1%
Printing	9,000	137	976	8,024	89.2%
Communications	10,000	275	4,224	5,776	57.8%
Postage	1,000	-	283	717	71.7%
Travel-in-State :	32,000	874	6,897	25,103	78.4%
Training (Tuition and Registration)	15,000	-	-	15,000	100.0%
Facilities Operations (Rent)	24,000	3,524	23,987	13	0.1%
Interdepartmental Services	134,000	-	-	134,000	100.0%
External Contract Services	3,000	-	-	3,000	100.0%
Data Processing (Software, Supplies & Misc.)	45,000	2,169	18,629	26,371	58.6%
Other Items/ Client Services	91,000	8,116	55,046	35,954	39.5%
Subtotal OE&E	369,000	15,095	110,637	258,363	70.0%
TOTAL	1,737,000	113,343	802,978	934,022	53.8%



State Council on Developmental Disabilities

State Council Budgeted Base Fiscal Year 2021-22 Budget

Categories	Basic State Grant (BSG)	Quality Assessment	Clients' Rights Advocates/ Volunteer Advocacy	TOTAL
	Federal Grants	State Grants	State Grants	
1. Personal Services:				
Net Salaries & Wages	\$ 3,898,000	\$ 1,438,000	\$ 927,000	\$ 6,263,000
Temporary Help / Honorarium	\$ 87,000	\$ -	\$ -	\$ 87,000
Worker's Compensation	\$ 55,000	\$ 3,000	\$ 5,000	\$ 63,000
Staff Benefits	\$ 1,871,087	\$ 693,000	\$ 436,000	\$ 3,000,087
Less 7% Salary Savings From Vacancies	\$ (299,756)			\$ (299,756)
Total Personal Services	\$ 5,611,000	\$ 2,134,000	\$ 1,368,000	\$ 9,113,000
2. Operating Expense and Equipment:				
General Expense	\$ 75,000	\$ 18,000	\$ 5,000	\$ 98,000
Printing	\$ 45,000	\$ 520,000	\$ 9,000	\$ 574,000
Communications	\$ 100,000	\$ 40,000	\$ 10,000	\$ 150,000
Postage	\$ 20,000	\$ 266,000	\$ 1,000	\$ 287,000
Travel-in-State :	\$ 300,000	\$ 5,000	\$ 32,000	\$ 337,000
Out-of-State Travel	\$ 20,000	\$ -	\$ -	\$ 20,000
Training (Tuition and Registration)	\$ 35,000	\$ 3,000	\$ 15,000	\$ 53,000
Facilities Operations (Rent)	\$ 600,000	\$ 255,000	\$ 24,000	\$ 879,000
Utilities	\$ 6,000	\$ 2,000	\$ -	\$ 8,000
Interdepartmental Services	\$ 225,000	\$ 164,000	\$ 134,000	\$ 523,000
External Contract Services	\$ 301,000	\$ 30,000	\$ 3,000	\$ 334,000
Information Technology	\$ 465,000	\$ 50,000	\$ 45,000	\$ 560,000
Statewide Cost Allocation Plan (SWCAP)	\$ 25,000	\$ -	\$ -	\$ 25,000
Other Items of Expense	\$ 53,000	\$ 25,000	\$ 91,000	\$ 169,000
Less Previously Approved One-Time Projects	\$ (325,000)			\$ (325,000)
Total Operating Expense and Equipment	\$ 1,945,000	\$ 1,378,000	\$ 369,000	\$ 3,692,000
3. Community Grants / Other Projects	\$ 260,000	\$ 200,000	\$ -	\$ 460,000
4. Total Council Budget (1 + 2 + 3)	\$ 7,816,000	\$ 3,712,000	\$ 1,737,000	\$ 13,265,000
5. Total Basic State Grant Award	\$ 7,907,500			
6. Difference between Total Council Budget and Basic State Grant Award	\$ 91,500			
7. Cash Reserve	\$ 1,750,000			
8. Estimated Unexpended Funds Available for Council to Spend	\$ 445,000			

JUNE 21, 2022

**AGENDA ITEM 12.
INFORMATION ITEM**

**EXECUTIVE COMMITTEE
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

Adjournment and Next Meeting Date

The next meeting of the Executive Committee is scheduled for August 23, 2022.