



# NOTICE/AGENDA

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES  
ADMINISTRATIVE COMMITTEE MEETING  
POSTED AT: [www.scdd.ca.gov](http://www.scdd.ca.gov)**

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This meeting is being held via teleconference within the meaning of Government Code Section [11123.2](#). Members may be physically present at one or more teleconference locations. There may be members of the public body who are participating in today's meeting that were granted a reasonable accommodation per the Americans with Disabilities Act (ADA). Accessible formats of all agenda and materials can be found online at [www.scdd.ca.gov](http://www.scdd.ca.gov)

**TELECONFERENCE LOCATION**

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

**JOIN BY TELECONFERENCE:**

Call-In Number: (888) 475-4499  
Meeting ID: 884 7394 1076

**JOIN VIA ZOOM:**

Meeting ID:  
Password:

<https://bit.ly/ADMIN-MAY2024>  
884 7394 1076  
706318

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**DATE:** May 30, 2024

**TIME:** 11:00 AM – 1:00 PM

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**COMMITTEE CHAIR:**

Harold Fujita

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**Item 1. CALL TO ORDER**

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**Item 2. ESTABLISH QUORUM**

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**Item 3. WELCOME AND INTRODUCTIONS**

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**Item 4. PUBLIC COMMENTS**

*This item is for members of the public 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 Council agenda item, with each person allotted up to 1 minute to comment.*

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**Item 5. APPROVAL OF FEBRUARY 2024 MINUTES **

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**Item 6. REVIEW UPDATES TO COUNCILMEMBER ADMINISTRATIVE POLICIES **

Page 9

*Presented by Aaron Carruthers*

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**Item 7. ADJOURNMENT**

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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 (916) 263-7919. Requests must be received by 5 business days prior to the meeting. *All times indicated and the order of business are approximate and subject to change.*

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**May 30, 2024**

**AGENDA ITEM 5.**

**ACTION ITEM**

**ADMINISTRATIVE COMMITTEE**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Approval of February 2024 Minutes***

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Committee members will review and consider approval of the draft minutes from the February 16, 2024, Administrative Committee meeting.

***Action Recommended***

Approve the February 2024 meeting minutes.

***Attachment(s)***

February 2024 Administrative Committee Meeting Minutes

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**DRAFT**

**Administrative Committee Meeting Minutes  
February 16, 2024**

**Attending Members**

Harold Fujita  
Julio Garnica  
Julie Neward

**Members Absent**

None

**Others Attending**

Aaron Carruthers  
Austin Murphy  
Beth Hurn  
Brian Weisel  
Ibrahim Muttaqi  
Ken DaRosa  
Kristie Allensworth  
Rihana Ahmad  
Robin Maitino-Erben

**1. CALL TO ORDER**

Committee Chair Harold Fujita (FA) called the meeting to order at 11:03 AM.

**2. ESTABLISH QUORUM**

A quorum was established.

**3. WELCOME/INTRODUCTIONS**

Members and others in attendance introduced themselves.

**4. PUBLIC COMMENTS**

There were no public comments.

**5. APPROVAL OF THE FEBRUARY 17, 2023, MEETING MINUTES**

It was moved/seconded (Garnica [SA]/Neward [FA]) to approve the February 17, 2023, meeting minutes as presented. (Unanimous – see page one for a list of members in attendance.)

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Legend:  
SA = Self-Advocate  
FA = Family Advocate

## 6. SCDD BUDGET UPDATE

Executive Director Aaron Carruthers and Chief Deputy Director Ken DaRosa provided an update on current year (F/Y2023-24) budget expenditures and presented the Draft 2024-2025 proposed SCDD Budget for consideration.

It was moved/seconded (Garnica [SA]/Neward [FA]) and carried to recommend that the Executive Committee approve the FY 2022-23 Proposed Budget as presented and provide a one-time increase of \$40,000 for Program Development Grants. (Unanimous – see page one for a list of members in attendance.)

## 7. COUNCILMEMBER ADMINISTRATIVE POLICIES

Executive Director Aaron Carruthers presented proposed changes to SCDD's Facilitation/Attendant Policy and Unprofessional Conduct Policy. Staff recommends increasing rates for facilitation and attendant services to more closely align with current market rates. Staff also recommends revisions to SCDD's Unprofessional Conduct Policy to make it inclusive of volunteers serving on local Self-Determination Advisory Committees.

It was moved/seconded (Neward [FA]/Garnica [SA]) and carried to recommend that the Executive Committee increase in Facilitation pay to \$21.67 an hour and Attendant pay to \$20.72 an hour. (Unanimous – see page one for a list of members in attendance.)

It was moved/seconded (Neward [FA]/Garnica [SA]) and carried to recommend that the Executive Committee approve the January 2024 revision to the unprofessional conduct policy to include volunteers serving on local advisory committees. (Unanimous – see page one for a list of members in attendance.)

## 8. SPONSORSHIP POLICY

Executive Director Aaron Carruthers presented proposed changes to SCDD's Sponsorship policy to increase the amount of available funding from \$1,500 to \$2,500.

It was moved/seconded (Neward [FA]/Garnica [SA]) and carried to recommend that the Executive Committee approve a \$1,000 funding increase for Sponsorships. The funding maximum for a single event would change from \$1,500 to 2500. (Unanimous – see page one for a list of members in attendance.)

**9. REVIEW DESIGNATED STATE AGENCY EVALUATION**

Executive Director Aaron Carruthers presented SCDD’s 2024 Designated State Agency Review. The Lanterman Act designates the California Health and Human Services Agency as the Council’s DSA to provide accounting, financial management, personnel, and other reasonable support services. Staff analysis found that the DSA has met or exceeded expectations in all areas of the SCDD/CDSS interagency agreement.

It was moved/seconded (Neward [FA]/Garnica [SA]) and carried to recommend that the Executive Committee accept the 2023-2024 DSA Evaluation as presented. (Unanimous – see page one for a list of members in attendance.)

**10. ADJOURNMENT**

The meeting was adjourned at 12:47 PM.

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**May 30, 2024**

**AGENDA ITEM 6.**

**ACTION ITEM**

**ADMINISTRATIVE COMMITTEE**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

***Councilmember Administrative Policies***

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Members will be provided an overview of the status of Councilmember Administrative Policies and consider changes to the following policies:

- 1-110 Councilmember Committee Staff Communication
- 1-115 Councilmember & Travel Coordinator Communications
- 1-120 Legal Consultation
- 1-140 Restrictions on Political Activities
- 1-240 Professional Conduct
- 1-420 Honorarium
- 1-430 Policy for Conference Attendance by Councilmembers
- 1-440 Travel and Expense Advances
- 1-450 Travel Planning and Reimbursement
- 1-460 Travel Out of State
- 1-510 Facilitation Attendant Services
- 1-630 Tablet Usage
- 1-640 Virtual Meetings Policy

***Action Recommended***

Recommend approval of the updated policies to the Executive Committee.

***Attachment(s)***

Councilmember Administrative Policies Table of Contents (changes notated)  
Updated Councilmember Administrative Policies (listed above)

***Handouts***

May be handouts the day of the meeting.

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California State Council on Developmental Disabilities

COUNCILMEMBER ADMINISTRATIVE POLICIES AND PROCEDURES

TABLE OF CONTENTS

Updates At-A-Glance

Section 1 - Administrative

**1-100 COMMUNICATIONS**

- 1-110 Councilmember and Committee Staff Communications: Updated
- ~~1-115 Councilmember & Travel Coordinator Communications: No Longer Applicable~~
- 1-120 Legal Consultation: Updated
- 1-130 Photograph and Video Release: No Change
- 1-140 Restrictions on Political Activities: Updated

**1-200 CONDUCT**

- 1-220 Nepotism Prevention Policies for Councilmembers: No Change
- 1-230 Zero-Tolerance Policies:
  - 1-232 Discrimination: No Change
  - 1-234 Drug Free Workplace: No Change
  - 1-236 Equal Employment Opportunity: No Change
  - 1-238 Sexual Harassment: No Change
  - 1-238.1 Sexual Harassment Prevention Training: No Change
- 1-240 Professional Conduct: Updated
- 1-242 Workplace Violence Prevention: No Change

**1-300 ETHICS: No changes to this section.**

- 1-310 Ethics Training
- 1-320 Form 700 Statement of Economic Interest
- 1-330 Statement of Incompatible Activities

**1-400 PAYMENTS/TRAVEL**

- 1-420 Honoraria Payments: Updated
- 1-430 Policy for Conference Attendance by Councilmembers: Updated
- 1-440 Travel Advances: Updated
- 1-450 Travel Planning and Reimbursements: Updated
- 1-460 Travel Out of State: Updated

- 1-500**            **REASONABLE ACCOMMODATION**  
1-510            Facilitation & Personal Attendant Services Guidelines: **Updated**  
1-520            Reasonable Accommodation Policy: **No Change**
- 1-600**            **TECHNOLOGY**  
1-630            Tablet Usage: **Additional Updates Pending CDT Guidance**  
1-640            Virtual Meetings: **Proposed New**
- 1-700**            **WHISTLEBLOWER PROTECTION: No Change**
- 1-800**            **WORKERS' COMPENSATION: No Change**

State Council on Developmental Disabilities  
Adopted by Council: February 12, 2019  
Federal Law: YesNo

SCDD Policy #1-110  
State Law: YesNo

## COUNCILMEMBER AND COMMITTEE STAFF COMMUNICATIONS

### **Purpose:**

To clarify the lines of communication between and among Councilmembers and Committee staff.

### **Authority/Reference:**

42 USC 15025, Sec(c)(9); Welfare and Institutions Code 4552N/A.

### **Applies To:**

Councilmembers and Committee Staff

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## POLICY

### **Policy Statement**

In an effort to clarify lines of communication between and among Councilmembers and Committee staff, the following instructions pertain to routine situations that regularly occur during the working relationships between members and these staff. It is the intent of this policy to foster positive working relationships between Councilmembers and Committee staff. It is the intent of this policy to preserve positive relationships between Council staff and public and private agencies and organizations with which the Council conducts business. This policy does not preclude Council staff from communicating as necessary with any agency or organization.

### **Procedure**

On matters concerning specific committee business, it is the responsibility of the committee Chairs to field ideas, suggestions, thoughts, questions, concerns, and requests that pertain to an ongoing function or standard business of a committee from Councilmembers. It is the committee Chair's and staff responsibility to interact with each other. Communication between the chair and Committee staff is the responsibility of both parties. Committee members should not individually instruct committee staff about a proposed issue, but instead utilize request that

the Committee Chair ~~to~~ communicate the issue with Committee staff. This enables the Committee Chair to be knowledgeable of ~~his/her~~ members' thoughts, manages the flow of committee communication to the staff member, and allows the Committee Chair to be responsible to articulate the position of the committee to Councilmembers.

Councilmembers' specific requests of staff to provide ideas, thoughts, information, research, or personal assistance that are not task oriented to specific committee work or travel should be directed to the Executive Director to enable him/her/them to operate with full knowledge of issues pertinent to the Council and to manage staff assignments. The general rule is for Councilmembers to communicate with committee staff via office phone or email. Councilmembers may not always be available during normal business hours and should expect committee staff to respond during normal business hours. Committee staff is responsible for confirming attendance for committee meetings and follow up if they have not received a response from the Councilmembers before the posting date.

If issues should arise, Committee staff should direct concerns about Councilmembers to the Executive Director. Councilmembers should direct their concerns about Committee staff to the Executive Director and Chair of the Council.

In the case of extended absence, Committee staff should inform the Committee Chair. If the Committee Chair will be unavailable for more than two days, the Committee staff should be informed. If the Committee staff will be unavailable for more than two days, the Committee Chair should be informed.

~~Also, it is the intent of this policy to preserve positive relationships between Council staff and public and private agencies and organizations with which the Council conducts business.~~

### **Most Recent Action**

February 12, 2019: Executive Committee approved policy.

## **COUNCILMEMBER AND TRAVEL COORDINATOR COMMUNICATIONS**

### **Purpose:**

To clarify the lines of communication between and among Councilmembers and travel staff.

### **Authority/Reference:**

N/A.

### **Applies To:**

Councilmembers and staff responsible for coordinating their travel (Travel Coordinators)

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## **POLICY**

### **Policy Statement**

In an effort to clarify lines of communication between and among Councilmembers and staff responsible for coordinating their travel (Travel Coordinators), the following instructions pertain to routine situations that regularly occur during the working relationships between members and these staff. It is the intent of this policy to foster positive working relationships between Councilmembers and Travel Coordinators and also allow for open and spontaneous interactions as well as effective, appropriate and timely communications flow. This policy does not preclude Council staff from communicating as necessary with any agency or organization.

### **Procedure**

On matters concerning travel, Council and Committee members may communicate with the Travel Coordinator via phone or email at [TravelClaims@scdd.ca.gov](mailto:TravelClaims@scdd.ca.gov). After hours on a travel day, Councilmembers and Committee members may contact the Executive Director if an emergency arises, or there are travel issues. If the Executive Director is unavailable, the Deputy

~~Director of Administration~~ Manager of HQ Business Operations and Committee Support may be contacted.

~~Councilmembers' specific requests of staff to provide ideas, thoughts, information, research, personal assistance that are not task oriented to specific committee work or travel should be directed to the Executive Director to enable him/her to operate with full knowledge of issues pertinent to the Council and to manage staff assignments. The general rule is for Councilmembers to communicate with the Travel Coordinator via office phone or email. Councilmembers may not always be available during normal business hours and should expect the Travel Coordinator to respond during normal business hours.~~

~~If issues should arise, the Travel Coordinator should direct concerns about Councilmembers to the Executive Director. Councilmembers should direct concerns regarding the Travel Coordinator to the Executive Director and Chair of the Council.~~

### **Most Recent Action**

February 12, 2019: Executive Committee approved policy.



## LEGAL CONSULTATION

### **Purpose:**

To provide Councilmembers with the scope of legal consultation they can seek and review from the Legal Counsel.

### **Authority/Reference:**

State Bar of California Rules of Professional Conduct, Rule 1.13  
Welfare & Institutions Code §§ 4551, 4552  
42 U.S.C. § 15025

### **Applies To:**

Councilmembers

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## POLICY

### **Policy Statement**

Councilmember requests for legal consultation from the State Council on Developmental Disabilities' (SCDD) staff Legal Counsel should pertain to Council business, not personal issues, and be directed to and approved by the Executive Director except for requests for legal consultation related to a conflict of interest or improper conduct by the Executive Director. Legal consultation includes a request to interpret state and federal law and its applicability to specific facts, ~~or a request to interpret state or council policy and its applicability to specific facts.~~

The Legal Counsel is a State civil service employee that works under the direction of the Executive Director and provides legal opinions, legal consultation and/or legal documents to SCDD executive management and to the Council through the SCDD Executive Director. This reporting relationship ensures that the Executive Director has knowledge of the issues pertinent to the Council and to manage the workload of the Legal Counsel. Generally, requests for legal advice should flow from Councilmember to the Executive Director, to Legal Counsel - to stay up to date on workflow capacity, current legal issues, and staff

chain-of-command. Exceptions for minor consultations on routine questions may arise outside the normal workflow procedure as determined appropriate by the Executive Director and Legal Counsel.

~~Because the Legal Counsel reports to the Executive Director, the Legal Counsel is required to discuss requests and inquiries from Councilmembers with the Executive Director and, as appropriate, Executive Management, as well as any legal opinion, legal consultation and/or other legal documents prepared by the Legal Counsel prior to sharing with the Councilmembers.~~

~~Executive Management is defined as the Executive Director and all Deputy Directors.~~

It is the intent of this policy to foster positive working relationships between Councilmembers, Executive Management, and the Legal Counsel. Also, it is the intent of this policy to preserve positive relationships between Council staff and public and private agencies and organizations with which the Council conducts business. This policy does not preclude Council staff from communicating as necessary with any agency or organization. -The Legal Counsel sits in a unique position. The primary client is the Council itself, not any one Council member or Chairperson, or even the Executive Director or executive management. This policy also does not preclude Should any of these interests conflict, Legal Counsel from must exercising exercise their best professional judgement, in accordance with the State Bar of California Rules of Professional Conduct and any applicable law, about issues which they feel require Council attention.

## **Procedure**

A Councilmember or the Council as a whole can request legal consultation. Requests for legal consultation shall be presented to the Executive Director. The Executive Director will discuss each request with the Legal Counsel, and they will mutually agree upon a completion date based on the Legal Counsel's workload and SCDD priorities. The Executive Director shall communicate the completion date with the requesting Councilmember(s). The Executive Director and Legal Counsel shall review and discuss all legal opinions, legal consultation and/or other legal documents prepared by the Legal Counsel prior to sharing with the Councilmembers.

In the event the Executive Director and Legal Counsel are unable to agree on the legal recommendation, legal consultation and/or other legal documents prepared by the Legal Counsel, and the Legal Counsel feels in ~~his/her~~their professional judgment there is an -issue that needs to be brought to the Council, the Legal Counsel and Executive Director shall provide the Executive Committee a written summary detailing the request and their respective positions on the matter for discussion and resolution in an Executive Committee meeting.

This policy does not preclude Legal Counsel or other staff or Councilmembers who believe they have been sexually harassed or subjected to discrimination or other unprofessional conduct by the Executive Director from reporting the potential policy violation- directly to the Designated State Agency EEOC Office

### **Most Recent Action**

February 12, 2019: Executive Committee approved policy.

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## RESTRICTIONS ON POLITICAL ACTIVITIES

### **Purpose:**

To provide policy to Councilmembers and employees regarding the restrictions on political activities.

### **Authority/Reference:**

United States Code Title 5, § 1501 – 1508  
Government Code §§ 8314, 82015, 82025  
2 CCR 18215, 18420.1  
Penal Code § 424

### **Applies To:**

Councilmembers and staff

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## POLICY

### **Policy Statement**

This policy addresses restrictions regarding Councilmembers and employees of the State Council on Developmental Disabilities (SCDD) engaging in political activities. State appointees and employees, like all citizens, have a constitutional right to participate in political activities, attend fund raisers, and other activities, asso long as the political activity does not involve an improper use of state or federal resources and are not conducted on state paid time. For the protection of the integrity of California State service and the effective use of federal grants, SCDD Councilmembers and employees must adhere to federal and state law prohibiting certain political activities during working hours or while otherwise performing duties on behalf of SCDD. Additionally, Councilmembers and employees shall not endorse candidates for federal, state, or local office in their official SCDD capacity. State law forbids the use of any public resources to campaign for or against ballot initiatives or candidates. State resources can only be used for authorized official purposes.

This policy provides guidelines to follow in order to adhere to the law and avoid the appearance of impropriety. It is important that everyone understand the rules against using federal and state resources for campaign activities ~~because violations~~ as violations can result in civil or criminal penalties.

### THE GENERAL STATE RULE

The general rule is that elected state officers, as well as state appointees, employees, and consultants, are prohibited from using public funds and resources for campaign activities (Gov. Code § 8314; see also Penal Code § 424).

“*Campaign activity*” means an activity having a political purpose. (See Gov. Code § 8314 (b)(2)). In most instances an activity will be for a political purpose if it is for the purpose of influencing or attempting to influence the action of the voters for or against the nomination or election of a candidate or candidates, or the qualification or passage of any ballot measure during a local, state or federal election. (See Gov. Code §§ 8314, 82015 and 82025; 2 CCR 18215(a)(1).)

Violations of this rule usually fall into two categories.

1. *Use of State Compensated Time*: You may not participate in campaign activities on state-compensated time. This means you cannot make campaign-related phone calls, draft campaign-related emails or letters, or attend campaign-related meetings on state-compensated time.<sup>1</sup>
2. *Use of State Resources*: You may not use state resources in connection with campaign activities. State resources include, but are not limited to, office space, office supplies, state vehicles, and office equipment, including telephones, computers, copying machines, and other items of this nature.

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<sup>1</sup> “‘Campaign activity’ does **not** include the incidental and minimal use of public resources, including the referral of unsolicited political mail, telephone calls, and visitors to private political entities.” (Gov. Code, § 8314 (b)(2), emphasis added.)

APPLICATION OF THE GENERAL RULE TO COMMON SITUATIONS

The following guidelines address some common situations that might present themselves.

1. *State Computers, Telephones, E-mail, and Fax Machines*

Persons covered by the general rule cannot use state resources, including computers, social media accounts, telephones, fax machines, or e-mail, to communicate with any political campaign. Although there may be a situation where an individual must communicate with a campaign as part of their state duties, such as to confirm the schedule of an official, this situation will be rare.

2. *Travel*

Persons covered by the general rule cannot be reimbursed by the state for travel related to campaign activities. Travel for state business should not be scheduled to facilitate participation in campaign activity.

3. *State Stationery and Letterhead*

State stationery and letterhead cannot be used for campaign-related correspondence. Additionally, persons covered by the general rule cannot prepare any campaign correspondence while they are on state-compensated time.

4. *State Office Space*

Meetings on campaign-related matters cannot be held in state-owned or leased office facilities. This applies even to meetings held outside normal working hours.

5. *Campaign Contributions*

It is unlawful to receive campaign contributions in the State Capitol, in any state office building, or in any office for which the State pays the majority of the rent (Gov. Code § 84309). If a campaign contribution is mistakenly sent to a state office, it should be returned to the sender and not forwarded to the campaign. The sender may be informed of the proper address to send the contribution.

#### *6. Campaign Activities During Vacation or Leave Time*

Outside normal working hours (including during lunch, at night, or on weekends and holidays), persons covered by the general rule may engage in campaign activities, so long as persons covered by the general rule do not use state resources to do so. Using state resources would include the planning and arranging for such a meeting on state-compensated time or with state-compensated staff.

Unless prohibited by another law (such as the Hatch Act discussed below), a person covered by these rules who wishes to engage in campaign activity, other than incidental and minimal campaign activity, may engage in campaign activity outside normal working hours or must take vacation or other applicable leave time. A good practice is to keep a written record that vacation or leave time was used.

#### *7. Endorsement of Candidate or Ballot Measure*

Persons covered by the general rule, in his or her official capacity, may not endorse a candidate or a ballot measure. This applies even if the employee is not at work. This restriction does not prohibit an employee from endorsing a candidate or a ballot measure provided he or she does so in his or her individual capacity. Thus, if a Councilmember or employee decides to endorse a candidate or ballot measure in a public setting, such as a newspaper, social media or in a verbal or written correspondence, SCDD must not be referenced in any manner, nor can the Councilmember or employee utilize SCDD letterhead or the SCDD logo. Engaging in unauthorized political activities violates both state and federal law and may result in disciplinary or other legal action.



### USING PUBLIC RESOURCES FOR INITIATIVES

Despite the general prohibitions discussed above, state resources can be used to develop initiative proposals, and state resources may also be spent to provide information about the likely impact of a proposed initiative on a state agency or program. Decisions about the use of SCDD funds for ballot initiative (ballot measure) involvement may only be made by the Council and will be implemented by the Executive Director who will provide staff with clear direction on specific tasks. A Councilmember involved with Council work involving a ballot initiative must make sure to comply with the “Council Member Policy for Representation at Outside Events” in addition to the rules provided by this policy.

Please note that, while public resources can be used to educate and inform the public about an initiative, public resources can never be used for campaign activities that advocate for the passage or defeat of an initiative. (See Gov. Code § 8314 and *Stanson v. Mott* (1976) 17 Cal.3d 206.)

The critical, but sometimes unclear, distinction is between informational activities, which are permissible, and expenditures for campaign or advocacy activities, which are not. Informational activities are done in a balanced, non-partisan informational manner where all candidates have an equal opportunity to participate and information is given without taking a position on a candidate or ballot proposition.

The line between improper campaign activities and proper informational activities is not always a bright one. Persons covered by the general rule should err on the side of caution. SCDD Legal Counsel is available on these issues as they arise.

### THE FEDERAL LAW

The federal law, commonly referred to as the Hatch Act (5 U.S.C. Sec. 1501 et seq.), places restrictions on all state employees whose principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the United States or a federal agency. Those employees, who meet these criteria, are prohibited from:

- Using his/her official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- Directly or indirectly coercing, attempting to coerce, commanding or advising a state or local officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes; and
- If the employee's salary is paid completely, directly or indirectly, by loans or grants made by the United States or a federal agency, being a candidate for partisan elective office.

(5 USC 1502; see also 5 USC 1503.)

Please note that an employee's violation of the Hatch Act need not be a knowing and willful violation. In fact, in determining whether a violation has occurred, the courts simply examine the activity and whether the particular employee in question is covered under the Act. Because an employee may be removed from office (or penalties imposed on a department) as a result of a violation, the employee must notify his/her supervisor of the activity or prospective activity as soon as possible.

If an employee covered by the general rule is considering any political activities, the employee first should check with the Legal Office regarding activities prohibited by the California Government Code or an applicable collective bargaining agreement. Infractions in any of these areas could result in actions ranging from an informal reprimand to dismissal.

### **Most Recent Action**

February 12, 2019: Executive Committee approved policy

## PROFESSIONAL CONDUCT

### **Purpose:**

To inform Councilmembers, employees, and volunteers serving on advisory committees of the State Council on Developmental Disabilities' commitment to providing a workplace in which all individuals are treated with courtesy, dignity, and respect.

### **Authority/Reference:**

Government Code § 1090 et seq.; 19990 et seq.; 87100 et seq. California Code of Regulations, Title 2, Division 1, Administrative Personnel, Chapter 1, State Personnel Board, Subchapter 1.3. Examinations and Appointments, Article 8. Examinations, Section 172. General Qualifications.

### **Applies To:**

Councilmembers, employees, and **volunteers serving on advisory committees.**

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## POLICY

In addition to prohibitions against unlawful harassment and discrimination, SCDD has zero tolerance for abusive, unprofessional **and/or unethical conduct** in the workplace. This includes acts of bullying and/or mobbing. Accordingly, derogatory racial, ethnic, religious, age, disability, sexual orientation, sexual or other inappropriate remarks, slurs, or jokes will not be tolerated.

**For the purposes of this policy, unethical is defined as not only the previously stated behaviors, but also unethical accounting practices, bribery, incompatible activity with state employment, and misappropriation of funds, including financial conflicts of interest. Councilmembers, volunteer advisory committee members, and employees shall conduct themselves using the principles of honesty, integrity, fairness, and good-faith.**

Each individual must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as harassment and/or unprofessional, inappropriate behavior. Forms of harassment and other unprofessional, inappropriate behavior, include, but are not limited to: **Verbal:** repeated sexual innuendoes, racial or sexual epithets, derogatory slurs, off-color jokes,

propositions, threats or suggestive or insulting sounds; **Visual/Non-Verbal:** derogatory posters, cartoons or drawings, suggestive objects or pictures, graphic commentaries, leering or obscene gestures, inappropriate jokes being sent or forwarded via email; **Physical:** unwanted physical contact including touching, interference with an individual's work movement or assault, and **Other:** making or threatening reprisals as a result of a negative response to harassment or sexual advances.

### CONTACT INFORMATION

Employees or volunteers who believe they have experienced abusive, unprofessional conduct described in this policy should contact the Personnel Office at (916) 263-8121.

### RETALIATION

Actions of retaliation taken against individuals who report or file a complaint of unprofessional conduct or provide information during a supervisor's fact finding meeting(s) are strictly prohibited. SCDD will not tolerate any retaliation against any individual(s) who, in good faith, report and/or provide information relative to a complaint of unprofessional conduct regardless of whether the complaint is determined to be valid or unfounded.

### EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is available as a resource for employees who desire counseling for stress, interpersonal conflicts, legal issues and/or other concerns. Employees may contact the Personnel Office at (916) 322-5521 for more information regarding EAP or Magellan Healthcare at (866) EAP-4SOC (1-866-327-4762). TTY users should call (800) 424-6117. The EAP is a confidential program.

### **Most Recent Action**

Revision approved by HR & Legal April 2024

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## HONORARIA

### **Purpose:**

To inform Councilmembers of the procedures for requesting and receiving honoraria payments for Council business.

### **Authority/Reference:**

Welfare and Institutions Code §4550

### **Applies To:**

Councilmembers

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## POLICY

### **Policy Statement**

Pursuant to Welfare and Institutions Code §4550, each Councilmember is entitled to receive the sum of one hundred dollars (\$100.00) for each full day of work performed directly related to Council business, not to exceed fifty (50) days in any fiscal year.

The following honoraria procedures ensure a best practices approach that substantiates the appropriate use of public funds.

### **Procedure**

The process to submit a request for payment of honoraria is:

1. **Qualifying event** – An event qualifies for honoraria if one of the following applies: a) the Council has been asked to participate in the event, and the member has been appointed as the Council representative by the Council Chairperson; or b) the Chairperson or Executive Director requests a member's participation in an event. A voluntary event does not qualify for honorarium.

2. **Prior Authorization** - Members shall obtain prior authorization from the Executive Director **before** attending a qualifying event. If the Executive Director does not authorize the request, the member may seek approval from the Council Chairperson. The Council Chairperson has the discretion to approve the member's request after consulting with the Executive Director if he or she determines that the member's participation in the qualifying event is in the best interest of the Council.
3. **Qualifying Participation** - In order to be considered qualifying participation, the member must be participating in the event representing the Council in their role as a Council member. This **shall not** include events where the member participates in a different role.
4. **Qualifying Time Period** - In order to be considered a full day, participation (including travel time) must be at least six-four (46) hours. In the instance participation is less than 46 hours, the hours may be cumulative in nature. For example: if during a calendar day a member participated in ~~one three~~ a one (13) hour event and another that was ~~four three~~ (34) hours, the two events combined would qualify as a full day. Another example could be that a member participated in ~~four three~~ (43) events at ~~two one~~ (12) hours each over multiple calendar days. In that instance, the combined events would total ~~six four~~ (46) hours. In no instance shall more than one honorarium be paid per calendar day. SCDD will track members' participation hours toward a full day.
5. **Honoraria Tracking Claim Form** - ~~After the event concludes, the member must complete the Honoraria Claim Form and provide all requested information. It is requested that claim forms be submitted no later than thirty (30) days after the event.~~ SCDD staff will record Councilmember attendance at qualifying virtual events and in-person events.

## Most Recent Action

February 12, 2019: Executive Committee approved policy.



## **POLICY FOR CONFERENCE ATTENDANCE BY COUNCILMEMBERS**

### **Purpose:**

To provide the policy under which self-advocate and family advocate Councilmembers may apply to attend relevant conferences with costs underwritten by the Council.

### **Authority/Reference:**

Council adoption on December 4, 2012

### **Applies To:**

Self-advocate and family advocate members of the Council.

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## **POLICY**

### **Policy Statement**

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. Toward that aim and to better carry out their responsibilities on the Council, Councilmembers may apply to attend a relevant conference with costs underwritten by the Council. The Council will pay for conference registration fees, travel, hotel, and per diem. Under this policy, the Council will not pay for honorarium. In no event shall the total funds expended for Councilmember attendance at conferences exceed ~~\$30,000~~ **\$20,000** in a fiscal year.

This policy applies only to self-advocate and family advocate members of the Council. All other Councilmembers are ineligible to receive Council funds for conferences.

Councilmembers are eligible to attend one conference per state fiscal year if the Chair, as advised by the Executive Director, determines that sufficient funds exist. Councilmembers may only attend conferences in California under this

policy. If a Councilmember desires to attend more than one conference in a fiscal year, he or she may request approval from the Executive Committee.

Councilmembers who attend conferences shall prepare a report for the Council summarizing the information that was provided during the conference so it can be shared with the other Councilmembers.

## **Procedure**

Councilmembers who wish to attend a conference shall **submit a “Conference Attendance Expense Payment Request” form** to the Chair of the Council and the Executive Director to the extent possible at least 30 days prior to the scheduled event, and provide the following information:

1. Conference title, subject matter, content information, benefit and alignment with State Plan
2. Cost of conference and estimated associated travel costs
3. Date and location of event
4. Other anticipated costs including accommodation and support costs, if indicated

The Chair approves Councilmember requests. The Executive Director approves Chair requests. In the event of a disagreement between the Chair and the Councilmember requesting payment of conference costs, the matter may be referred to the Executive Committee for resolution.

## **Most Recent Action**

February 12, 2019: Executive Committee approved policy.

## **TRAVEL AND EXPENSE ADVANCES**

### **Purpose:**

To provide guidance to Councilmembers for travel and expense advances.

### **Authority/Reference:**

SAM Manual

### **Applies To:**

Council and SSAN Members

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## **POLICY**

### **Policy Statement**

Section 8116.2 of the SAM Manual states that SCDD may issue a revolving fund check as an advance for anticipated travel expenses to designated low-income advisory board or committee members. This policy enables members with insufficient economic resources to pay their travel expenses necessary to perform their official duties. The determination of qualifying advisory boards and committees, designation of low-income members, and the scope of travel involved in the members' official duties will be made by the Executive Director of SCDD.

### **Procedure**

SCDD will follow the procedures for travel advances and revolving funds outlined in SAM Manual. In addition, the following procedures are required:

- a. A strict accountability method will be established to assure that travel advances are for the purposes of official State business only.

- b. A properly prepared TEC to substantiate the travel expenses must be submitted within 10 calendar days after the official function or activity. If the travel advance exceeds the substantiated expenses, the member must submit a check or money order with the TEC to return the excess travel advance amount. If the substantiated expenses exceed the travel advance, the member will be paid the difference with a revolving fund check.
- c. Only one travel advance per member will be approved per function or activity.
- d. Each member will be allowed only one outstanding travel advance at any given time.
- e. A special subsidiary record of these travel advances will be maintained by the departments in sufficient detail to ensure compliance with the above provisions.

SCDD may issue a revolving fund check for a travel advance to a councilmember or reimburse the councilmember who uses personal funds for travel expenses while conducting official Council business.

Requirements for issuance of travel advances and submission of travel expenses:

1. The travel advance will be issued within 10 calendar days of when the anticipated expenses are to be paid or incurred. SCDD may issue travel advances within 20 calendar days of when the anticipated expenses are to be paid or incurred when the travel advance is required to be mailed to the employee.
2. The travel advance amount must be reasonably calculated not to exceed the estimated expenses to be paid or incurred on the trip. To ensure that the travel advance amount is not excessive, the travel advance request should be reviewed and approved by the same person who approved the trip.
3. If a trip is canceled or postponed indefinitely, **the travel advance must be returned immediately.**

4. Members are required to submit receipts along with a travel expense claim within 10 calendar days after traveling is concluded.

Future travel advances will not be issued until the member clears any outstanding advances and/or money owed.

If a member is traveling multiple times in a month, they may request an advance to cover multiple meetings.

***Travel Advance Acknowledgement***

I hereby certify that this travel advance is necessary to defray my expenses(s) while on official business for the State of California. I understand that this is a loan given for the anticipated expenses that will be incurred. Within 10 days of travel, I will fully repay the entire amount of the travel advance in one of the following ways:

1. Submit travel expense claim reimbursement (TEC) form with receipts to the Travel Coordinator for the entire amount of the travel advance;
2. Return the travel advance check;
3. Submit a personal check or money order to offset the entire amount of the travel advance; or
4. Submit a combination of a TEC form and repayment.

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*Print and Sign Above*

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*Date*

Federal Law: No State Law: Yes

## TRAVEL PLANNING AND REIMBURSEMENTS

### **Purpose:**

To provide guidance to Councilmembers for adherence to the state rules and regulations for travel and expense planning and reimbursements

### **Authority/Reference:**

Welfare & Institutions Code §4550  
State Administrative Manual (SAM)  
California Department of Human Resources

### **Applies To:**

Council, Committee, and SSAN members

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## POLICY

### **Policy Statement**

The State Council on Developmental Disabilities (SCDD) shall reimburse councilmembers for any actual and necessary expenses incurred in connection with the performance of their duties (Welfare & Institutions Code §4550). Reimbursement rates are limited to those allowed by state rules and regulations such as those contained in the Government Code, California Department of Human Resources regulations, and the California State Administrative Manual.

### **Procedures**

#### *Travel Requests*

Council, Committee, and SSAN members who are required to travel on state business (“travelers”) are responsible for submitting all travel requests, via email, to the ~~Travel Coordinator~~Business Operations and Logistics Analysis. All travel questions and requests are to be submitted to [travelclaims@scdd.ca.gov](mailto:travelclaims@scdd.ca.gov). Travel

requests are to be submitted no less than 14 days prior to the date of the meeting and must contain the following information.

- Three (3) flight/train options in order of preference. The Business Operations and Logistics Analysis Travel Coordinator will make every attempt to accommodate the traveler's first preference whenever possible. However, should the first preference be unavailable, the Travel Coordinator will book either the second or third preference.
- Name as it appears on your California I.D., date of birth, Southwest Rapids Rewards and, TSA number (if applicable).

The Business Operations and Logistics Analysis Travel Coordinator will book travel at least 5 business days prior to a meeting or event requiring travel. Upon completion of the reservation, an email confirmation will be sent to the traveler and to relevant as well as any SCDD staff (when appropriate).

### ***“Wanna Get Away” Fares and Flight Change Requests***

SCDD is required to use “Wanna Get Away” fares whenever possible. These fares are non-refundable and costly to change. Therefore, flight change requests are limited to emergency situations only (e.g., illness, injury, or other serious and urgent personal matters). In non-emergency situations, the traveler will be responsible for making changes and for any fees and fare difference associated with flight change requests.

### ***Hotel Reservations***

Council members typically arrive and depart on the same day of the Council meeting. If it is not reasonable for the traveler to arrive on the day of the meeting, a traveler residing outside a 50-mile50-mile radius of Sacramento may request hotel accommodations. Travelers that meet this requirement may request a room for one (1) night prior to meeting date. Hotel room requests must be submitted to the Travel Coordinator at [TravelClaims@scdd.ca.gov](mailto:TravelClaims@scdd.ca.gov) at least 7 days prior to travel. Any Travelers requesting a room for more than one (1) night must submit their request in writing prior to the meeting. Written requests should include the following information: 1) meeting location, date, and time; 2) nature of request (e.g.



“Additional Hotel Stay”); and 3) reason for additional night’s stay. If you require a reasonable accommodation such as a roll-in shower, adjoining room, etc., please include that information in your request.

### ***Room Cancellations***

It is the responsibility of the traveler to notify the [Business Operations and Logistics Analysis Travel Coordinator](#) at least 24 hours in advance if you need to cancel your reservation. Should you need to cancel your reservation after regular business hours, it is the traveler’s responsibility to contact the hotel directly to cancel, get a confirmation number for the cancellation, and follow-up with an email informing the Travel Coordinator. Failure to do so, will result in the following actions:

- 1<sup>st</sup> Occurrence – Traveler will receive a written warning via email.
- 2<sup>nd</sup> Occurrence – Traveler will receive a formal warning letter from SCDD, and will be responsible for any charges incurred due to the cancellation.
- 3<sup>rd</sup> Occurrence – Traveler will lose SCDD travel booking privileges for 6 months, and will be responsible for reserving their own hotel rooms and seeking reimbursement after the fact. In addition, the traveler will be responsible for any charges incurred due to the cancellation.

### ***Transportation***

Reimbursement for transportation expenses will only be for the method of transportation that is in the best interest of the state considering both direct expense and the traveler’s time. When a traveler chooses a method of transportation that is not considered to be in the best interest of the state (i.e. driving a personal vehicle instead of flying or taking a taxi rather than sharing an Uber/Lyft when possible), whatever is most cost effective per individual location/needs, reimbursement will be at the rate of the least expensive option.

### ***Airport Parking***

Parking at the airport must be in the best interest of the State. (i.e. parking in long-term lot versus parking in short-term or daily lots). Parking will be reimbursed at the economy lot rate.

**Third Party Flight and Lodging Vendors**

Expedia.com, Travelocity.com, etc., shall not be used. All reservations must be made through the SCDD Travel Coordinator.

**Meals and Incidentals**

Reimbursements for each 24-hour period are made using the rates listed below. The time base for which meal reimbursements are based is also listed in the below table.

**Reimbursement Rates and Time Frames**

<b>Meal</b>	<b>Trip Begins</b>	<b>Trip Ends</b>	<b>Reimbursement Rate</b>
Breakfast	at or before 6 am	at or after 8 am	\$ <del>137</del> .00
Lunch	at or before 11 am	at or after 2 pm	\$ <del>154</del> .00
Dinner	at or before 5 pm	at or after 7 pm	\$ <del>263</del> .00

*Exception: Council members attending a full day meeting will receive lunch reimbursement.*

~~The State Members will be does not reimbursed for tips related to allowable meal and transportation (taxi, shuttle, meal, etc.) expenses incurred while traveling at the rate of 20% or up to \$2.00, whichever amount is greater. However, travelers will receive a \$5.00 reimbursement for incidentals for each 24-hours of travel to be used for such items.~~

**Rental Vehicles**

Rental cars are generally not used and only authorized on a case by case basis. They require prior approval from the Executive Director or his designee. Rental cars must be booked through SCDD’s Travel Coordinator. SCDD contracted base rate per day is \$~~33.00~~37.75. Anything exceeding that amount will be at the expense of the traveler. Rental cars must be returned refueled. Only the traveler whose name is on the car rental may claim reimbursement for refueling. Refueling charges/fees from the contracted Rental Car company will not be reimbursed. Travelers who operate vehicles on official state business must have a valid driver’s license, insurance, and a good driving record.

### ***Mileage Reimbursement Rates***

Travelers may seek reimbursement for mileages when using their personal vehicle to conduct Council business. Effective January 1, ~~2018~~2024, mileage reimbursement rates are \$0.~~675~~45 per mile. A traveler requesting to use her or his own vehicle must obtain prior approval through the Travel Coordinator to allow for approval to be obtained from the Executive Director and submit a completed Authorization to Use Privately-Owned Vehicle form, STD. 261 before travel.

### **Submitting Reimbursements**

- All travelers shall submit their Travel Expense Claim (TEC) forms and supporting documents no later than 30 days after travel. Incomplete travel claim packages will not be processed. Due to fiscal restrictions, SCDD may be unable to process any travel claims that are received after 30 days.
- Travelers shall complete and submit a TEC form for each trip. It is the responsibility of the traveler to complete all relevant information on this form. Trip start and end times are required. Meal reimbursements are based on the time you leave your home and the time you return home.
- With the exception of meal receipts, travelers shall attach all other original receipts (in either original/paper form, or a scanned/digital copy) to the Travel Expense Reimbursement form.
- Original Rceipts that are not on 8 ½ by 11 paper (standard paper size) must be taped, not stapled, to an 8 ½ by 11 inch piece of paper.
- TECs that are incomplete will be returned so be sure to complete all information on your form, including your vehicle license plate number (if requesting mileage) and transportation receipts, including bus and rental cars.

Travel reimbursement checks are issued by the State Controller's Office approximately 6-8 weeks from the date the Travel Coordinator received the travelers TEC. Please plan accordingly.

Helpful Hints

Keep all receipts in an envelope until your claim is filed. **Original or scanned/digital receipts** must be submitted with your travel claim. You are responsible for ensuring that all required receipts are included with your TEC and turned into SCDD's Travel Coordinator. All travel and business expenses are to be incurred as a result of conducting state business and are subject to review/verification by SCDD. Be sure your claim form is complete and submitted on time with all required documents attached to your TEC.

Accessibility

It is the policy of SCDD to make a reasonable accommodation for any known physical and mental limitations of an otherwise qualified traveler performing duties on behalf of the SCDD, unless making that accommodation would create an undue hardship. If you require a reasonable accommodation to complete travel claim forms and/or prepare supporting documentation, you may contact the Business Operations and Logistics Analysis ~~Travel Coordinator~~ at (916) 263-7919. It is recommended that requests for accommodation are submitted in advance allowing enough time to meet any deadlines.

**Most Recent Action**

February 12, 2019: Executive Committee approved policy.

## TRAVEL OUT OF STATE

### **Purpose:**

To provide Councilmembers with the annual Out-of-State Travel policy and procedures.

### **Authority/Reference:**

Governor's Executive Order B-06-11  
Government Code, § 11139.8  
Travel and Expense Planning and Reimbursement Policy.

### **Applies To:**

Councilmembers

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## POLICY

### **Policy Statement**

Governor's Executive Order B-06-11 states that no travel, either in-state or out-of-state, is permitted unless it is mission critical or there is no cost to the state.

Mission critical means travel that is directly related to:

- Enforcement responsibilities
- Auditing.
- Revenue collection.
- A function required by statute, contract or executive directive.
- Job-required training necessary to maintain licensure or similar standards required for holding a position.

For the State Council on Developmental Disabilities (SCDD), this means that travel directly related to federal requirements such as the following items would be considered mission critical: meetings or training fulfilling a requirement of a federal grant or to maintain federal grant funding; requests by the federal government to appear before committees; required attendance at any litigation or compliance related events (e.g. interviews, depositions, or testimony) related to federal funding.

For example, to stay in good standing with SCDD's federal funding agency, the U.S. Administration on Intellectual and Developmental Disabilities (AIDD), the SCDD Chairperson (or designee) and the SCDD Executive Director (or designee) should attend the National Association of Councils on Developmental Disabilities (NACDD) annual in-person training. Generally, travel for this NACDD training is the only mission critical out-of-state travel required of any Councilmembers. However, there may be an exception if a particular trip's purpose is to maintain compliance with SCDD's AIDD basic state grant contract. The Executive Director in consultation with Legal Counsel will make this determination.

~~Additionally, the following states are currently subject to California's ban on state-funded and state-sponsored travel:~~

- ~~1. Alabama~~
- ~~2. Kansas~~
- ~~3. Kentucky~~
- ~~4. Mississippi~~
- ~~5. North Carolina~~
- ~~6. Oklahoma~~
- ~~7. South Dakota~~
- ~~8. Tennessee~~
- ~~9. Texas~~

~~Please visit the Attorney General's prohibited state travel website at <https://oag.ca.gov/ab1887> for the most current list of prohibited states.~~

Furthermore, when traveling, the Chairperson (or designee) shall comply with the rules set forth in SCDD's Travel and Expense Planning and Reimbursement Policy.

## FACILITATION AND PERSONAL CARE ATTENDANT SERVICES GUIDELINES FOR NON-AGENCY AUTHORIZED MEMBERS

### Purpose:

Provide non-agency Councilmembers with information on Council reimbursement practices and rates for facilitation or personal care attendant services when needed to carry out their duties on behalf of the Council.

### Authority/Reference:

Welfare & Institutions Code § 4550

### Applies To:

Non-agency Councilmembers, Statewide Self-Advocacy (SSAN) members and Regional Advisory Committee (RAC) members

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## POLICY

### Policy Statement

The Council recognizes that some members may need reasonable accommodations to remove barriers which would prevent their full participation. The Council has established this policy to provide guidelines for support services to members who need facilitation and/or personal attendant services.

When a non-agency councilmember, SSAN or RAC member with a disability determines that they need facilitation and/or personal attendant services to help carry out business and/or activities related to their role, reimbursement will be available. Members who are clients of the regional center system may want to consider adding a goal related to self-advocacy to their Individual Program Plan (IPP). Payments that are eligible for reimbursement include those for services provided by individuals working in the support classifications of facilitator or attendant.

Reimbursement for facilitation or personal care attendant services must be reasonable and comply with the State of California reimbursement rules. For guidance, Attachment A identifies costs for Facilitators and Personal Care Attendants that have been considered reasonable based on market rates.

## DEFINITIONS

The following are definitions for facilitation and personal attendant services:

1. Facilitation is when one-person helps another to understand information, for example to understand policy issues, to develop his/her own decisions regarding issues, and to communicate those decisions. A facilitator may also assist with making transportation/travel arrangements, getting and/or tracking funds needed for attending authorized meetings, reviewing and explaining agenda items, and providing support during meetings by explaining actions or discussions on agenda items.
  - a. Explain policy related information, either written or oral, into a form that is more easily understood by the member.
  - b. Provide an impartial explanation of the relevant issues. The explanation may include different points of view, opinions, and the meaning, risks, and potential outcomes for supporting or proposing any particular position/action. The intent is to provide the member with the knowledge necessary to make informed decisions.
  - c. Assist the member to effectively communicate both positions and questions on topics related to agenda items and/or remembering related information.
  - d. Support to accomplish other related tasks, such as making travel arrangements and scheduling committee activities on behalf of the member.



2. Personal care attendant service means one or more person/people helps someone carry out activities of daily living. A personal care attendant may help someone with their grooming and cleanliness, mobility, and directional guidance, and at times helping someone with reasoning tasks.
3. Both facilitation and personal care attendant services explained in this policy refer to helping the member perform the tasks and duties needed for their official position. A member may need the same types of support at home and while they are traveling. This policy is about providing supports and services that are needed to perform their responsibilities as a member.

### RESPONSIBILITIES OF FACILITATORS AND ATTENDANTS

The need for, and level of, facilitation or personal care attendant service should be determined by the member. During the new members' orientation, it is important that the availability and levels of assistance be clearly explained. The new member must be able to make an informed decision as to whether accommodation is necessary.

It is important to stress that accommodations may include those other than facilitation or personal care attendant services. While this policy and supporting documents only cover these two forms of accommodation, other types of accommodations, such as enlarged print, modified seating arrangements, and travel modes, may be requested and approved based on an individual member's situation and needs.

#### **A. Facilitators - Responsibilities**

Facilitators are responsible for providing services that help the person to be successful in their role. The following list includes examples of activities with which the facilitator may help with:

1. Create and maintain a calendar of upcoming meetings and activities that the member must attend. This may also include helping to manage and work around other commitments and follow-up actions.
2. Assist with making transportation/travel arrangements for authorized meetings.

3. Obtain and/or manage funds required for taking part in authorized meetings/events. This may also include follow-up in submitting any necessary documentation. Examples may include receipts needed to clear cash advances and travel reimbursement claims.
4. Preparation prior to meetings through review and interpretation of agenda items.- Should the facilitator not understand an issue, they are responsible for obtaining any information necessary for clarification.
5. Support during meetings by explaining actions or discussions on agenda items. If the facilitator does not understand an issue, they are responsible for making sure they are able to understand the issue to be able to support the member. Support may also be given to help a member understand and follow group process rules, such as Parliamentary Procedure.
6. Review any actions taken or discussions held after the meeting and help to identify necessary follow-up actions.

In addition, there are two fundamental guiding principles that a facilitator should follow when providing services.

The first principle is that while explaining, the facilitator must communicate both the content and meaning of any spoken or written communication. The facilitator must also make sure that the information is shared in a way that is easy for the member to understand. This may be especially difficult when the facilitator disagrees with what has been said or written. The facilitator is not responsible for the content of the communication, only for presenting it accurately.

The second principle is that while the person being served is an appointed member, the facilitator is not. For this reason, the facilitator should not counsel, advise, or include personal opinions while assisting the member in carrying out their official duties. This type of behavior is considered inappropriate participation and a likely inappropriate use of authority by the facilitator.

**B. Personal Care Attendants - Responsibilities**

Responsibilities of personal care attendants may include, but are not limited to, the following duties:

1. Assistance with personal care and hygiene, which may include some or all of the following: dressing, grooming, eating, bathing, breathing equipment maintenance, and toilet functions such as bowel, bladder, catheter and menstrual tasks. Assistance assumes knowledge of the member's needs related to these tasks, and of other needs that may require only periodic assistance, such as what to do if the member experiences a seizure.
2. Assist the member with traveling to and from authorized activities.
3. Assistance with mobility tasks, which may include helping the member to move from place to place. Examples could include movement from a meeting room to a local restaurant or from one chair to another.
4. Occasional assistance with tasks, such as reading, money handling, making travel arrangements, simple clerical tasks, and some explanation of difficult to understand information.

NOTE: Attendants and facilitators may at times provide similar assistance with regard to reasoning tasks, the attendant does so to a much lesser degree, and typically would not interpret issues related to policy development.

## PERFORMANCE

Each member is responsible for determining and assessing the performance of the facilitator or attendant providing services to the member. Job performance of a facilitator or attendant depends on the unique needs of the member being served. Based on a self-assessment, the member specifies the type(s) of assistance that will be needed from the facilitator and/or attendant. Job duties are to be clearly defined and documented in writing. Each duty, once clearly defined, should be included in a checklist.

The checklist will aid in identifying and documenting specific areas the member needs help with.- For example, if the member indicates the need for a facilitator, the specific task(s) are also to be identified. Members may want to use the checklist to help evaluate the performance of a facilitator or attendant.

**ATTACHMENT A**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES FACILITATOR AND ATTENDANT SERVICES AND TRAVEL REASONABLE AND REIMBURSABLE PAYMENTS**

SERVICES

The Council may authorize payment for facilitator or attendant services if those payments are reasonable under the State’s reimbursement rules. A client of a regional center may want to consider adding a goal related to self-advocacy to their IPP.

<u>SERVICE</u>	<u>PAY RATE</u>
Facilitator	<u>\$21.67</u> per hour
Attendant	<u>\$20.72</u> per hour

The above pay rates are based on the Department of Developmental Services (DDS) Participant-Directed Services rates. Payment of these rates are typically limited to two hours before, during, and two hours after an authorized meeting. Additional time will be considered on a case-by-case basis with consideration for each individual’s specific needs.

Services Provided by Employees or Other Compensated Persons: If the facilitator or attendant is an employee of the Council, developmental center, or regional center, or is already being compensated for the facilitation or attendant services, the Council will reimburse only for allowable travel related expenses.

Services Provided by Volunteers: If a member requires facilitation or attendant services and the facilitator or attendant is a volunteer, the Council will authorize payment of travel related expenses for the volunteer including allowable meals at the rate outline in SCDD’s Travel Policy.

## TRAVEL

In accordance with PML 1986-001 entitled, "Travel Expenses of Non-State Employees," and SCDD's Travel Policy, the below travel expenses of individuals providing facilitation or attendant services to a member may be reimbursed at rates equal to the rates allowed to the member.

## LODGING

Facilitator/Attendants typically arrive and depart with the member on the same day of a meeting. If it is not reasonable for the traveler and council member to arrive on the day of the meeting, a traveler residing outside a 50-mile radius of Sacramento (or where the meeting is taking place) may request hotel accommodations.

## TRANSPORTATION

Reimbursement for transportation expenses will only be for the method of transportation that is in the best interest of the state considering both direct expense and the traveler's time. Best interest of the State means least costly and meets the traveler's needs. When a traveler chooses a method of transportation that is not considered to be in the best interest of the state (i.e. driving a personal vehicle instead of flying or taking the train, or taking a taxi instead of taking a shuttle service or sharing an Uber/Lyft when possible), the individual will be reimbursed based on whatever is most cost effective per individual location/needs.

## MEALS

Meal per diems are not paid to facilitator or attendants who are being paid a wage by member via SCDD.

Reimbursement for these travel expenses may be claimed on a travel expense claim form. The facilitator/attendant shall reference the members name on the travel expense claim form.

**ATTACHMENT B**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES  
FACILITATOR SERVICES TASK CHECKLIST**

Definition: Facilitation refers to a service wherein one-person aids another to understand policy issues, to develop their own informed decisions regarding the issues, and to effectively express those decisions. A facilitator also assists with making transportation/travel arrangements, obtaining and/or managing funds required for attending authorized meetings, reviewing and explaining agenda items, and providing support during meetings through interpretation of actions or discussions on agenda items.

This facilitator services task checklist will be used to identify and document specific areas the member needs assistance with to enable them to fully participate in meetings.

Please select yes or no to the following list of activities or functions that the member needs help with:

1. Develop and maintain a calendar of upcoming meetings and activities that the member must attend. This may include help with deciding on and managing follow-up actions and tasks.

YES—\_\_\_\_\_ NO—\_\_\_\_\_

2. Make e transportation/travel arrangements for authorized meetings.

YES—\_\_\_\_\_ NO—\_\_\_\_\_

3. Obtain and/or manage funds required for taking part in authorized meetings. This may also include follow-up in submitting necessary documentation for reimbursement. Examples, if applicable, may include cash advances and travel claims.

YES \_\_\_\_\_ NO \_\_\_\_\_

4. Preparation prior to meetings through review and clarification of agenda items. Should the facilitator not understand an issue, they are responsible for obtaining any information necessary for clarification.

5. Support during meetings through explanation of actions or discussions on agenda items. As with preparing for the meeting, if the facilitator does not understand an issue, they are responsible for making sure that it is clarified. Assistance may also be provided in following relevant group process rules, such as Parliamentary Procedure.

YES \_\_\_\_\_ NO \_\_\_\_\_

6. Use the space provided below to add anything that is not listed above.

YES \_\_\_\_\_ NO \_\_\_\_\_



**ATTACHMENT C**

**STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**  
**PERSONAL CARE ATTENDANT SERVICES**  
**TASK CHECKLIST**

Attendant service refers to assistance from others which compensate for a person's inability to independently perform activities of daily living. Services may include assistance with maintenance and hygiene, mobility, and directional guidance responsibilities, and to a lesser degree, assistance with related cognitive tasks.

This attendant services task checklist is to aid in identifying and documenting specific areas the member needs assistance with to enable them to fully participate in meetings.

please select yes or no to the following list of activities that the member needs help with:

1. Activities of daily living (specify)

- |    |  |                   |                  |
|----|--|-------------------|------------------|
| a. | Dressing                               | YES               | NO <u>      </u> |
| b. | Bathing                                | YES <u>      </u> | NO <u>      </u> |
| c. | Eating                                 | YES <u>      </u> | NO <u>      </u> |
| d. | Tilting                                | YES <u>      </u> | NO <u>      </u> |
| e. | Grooming                               | YES <u>      </u> | NO <u>      </u> |
| f. | Respirator<br>equipment<br>maintenance | YES <u>      </u> | NO <u>      </u> |
| g. | Other:                                 | <u>      </u>     |                  |
-

2. Assistance with traveling to and from authorized activities.

YES-\_\_\_\_\_ NO-\_\_\_\_\_

3. Assistance with mobility tasks, which may include help with movement from place to place within confined settings. Examples could include movement from a meeting room to a local restaurant or from one chair to another.

YES-\_\_\_\_\_ NO-\_\_\_\_\_

4. Assistance with some cognitive tasks, such as reading, money handling, making travel arrangements, simple clerical tasks, and some interpretation of difficult to understand information.

YES-\_\_\_\_\_ NO-\_\_\_\_\_

**Most Recent Action**

February 12, 2019: Executive Committee approved policy.

## TABLET USAGE (COUNCILMEMBERS)

### **Purpose:**

The purpose of this iPad Usage Policy is to establish guidelines and procedures for Councilmembers of the State Council on Developmental Disabilities ("SCDD") in regards to use of SCDD issued iPads.

### **Authority/Reference:**

N/A

### **Applies To:**

Councilmembers

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## POLICY

### **Policy Statement**

The purpose of this iPad Usage Policy is to establish guidelines and procedures for Councilmembers of the State Council on Developmental Disabilities (SCDD) with regard to the use of SCDD issued iPads. These iPads are available to Councilmembers for the purpose of receiving and reviewing council and committee meeting materials and attending online/virtual Council related meetings. ~~The iPad is for receiving and reviewing council and committee meeting materials and to reduce costs and waste associated with the creation and distribution of materials in paper format.~~

### **POLICY GUIDELINES**

#### **A. SCDD Ownership**

- i. IPads will be issued to Councilmembers upon request ~~Upon appointment to the Council, one iPad with accessories will be issued to each Councilmember.~~ iPads issued to Councilmembers are the property of SCDD and Councilmembers have no ownership, interest, or right to title of the iPads or any information stored on the device. Upon receipt of an iPad from SCDD, Councilmembers agree to return such iPad to SCDD when requested.

- ii. The iPad is the property of the SCDD. The SCDD reserves the right to seize the iPad for any violations of this iPad Usage Policy.
- iii. Councilmembers must promptly return their SCDD issued iPad upon request from SCDD staff.~~may be asked to surrender their iPad. A reason for the surrender may or may not be given.~~
- iv. Prior to the expiration of a Councilmember's service to SCDD, their iPad shall be returned to the SCDD HQ office, where the IT tech will appropriately wipe all stored information from the iPad so that it may be reissued in the future in accordance with this policy.

## B. Liability

- i. Councilmembers are responsible for all materials sent using and/or stored on the iPad issued to them. Councilmembers who accept and use an SCDD iPad ~~are~~ responsible for keeping the iPad free from all inappropriate or dangerous files.
- ii. SCDD is not liable for any material sent by, or any material stored on, iPads issued to Councilmembers other than SCDD data loaded on the iPad in connection with SCDD business.

## C. Acceptable Use

- i. SCDD only authorizes use of its iPads in a manner that supports its mission.
- ii. The iPad is not for personal use. It has been provided for work-related use only. *Government Code § 8314 prohibits the use of state resources for non-state purposes, except uses that are "incidental and minimal" (e.g. de minimis personal telephone or photo copy use). There are civil penalties for violation of this section.*
- iii. Do not share the iPad with anyone else.

## D. Loss or Damage

- i. Councilmembers are responsible for the safety and security of their assigned iPads.
- ii. Lost or Stolen iPads:
  - a. If an iPad issued to a Councilmember is lost or stolen, the Councilmember must report the loss immediately to SCDD HQ office.
  - b. If an iPad issued to a Councilmember is lost, the Councilmember generally will not be issued a replacement iPad due to fiscal and administrative considerations.
  - c. If an iPad issued to a Councilmember is stolen, it will only be replaced if a police report and claim are submitted to SCDD.
- iii. Damaged iPads:
  - a. Damages to iPad must be reported immediately to SCDD HQ Office.
  - b. The damaged iPad must be delivered to SCDD HQ Office or the local SCDD regional office for repairs.
  - c. Depending on the extent of damages, a replacement may not be available.
  - d. A Councilmember may not attempt to repair the iPad on your own.
  - e. A Councilmember may not take the iPad to the store or other non-SCDD electronic equipment professional for repairs, this action may void the warranty

## **E. Internet Access**

- i. The SCDD issued iPad has Wi-Fi capability for use with any public hotspot or home Wi-Fi.
- ii. No data plan will be provided.

## F. Acceptance

- ~~i. Councilmembers may decline acceptance of an iPad. In such instance, that Councilmember may receive Council meeting materials for regular, special, committee meetings in paper.~~
- ~~ii. Councilmembers who receive an iPad shall not be entitled to receive materials on paper.~~
- ~~iii. Councilmembers who decline option of an iPad shall not be entitled to any other form of computing equipment in place of the iPad.~~
- ~~iv.i. Councilmembers may choose to use their own personal device, and will be provided details for receiving meeting materials.~~
- v. All Councilmembers who are issued accept an iPad from SCDD agree and acknowledge, without restriction or reservation that any information contained in such iPad is subject to incidental review by SCDD IT staff, regardless of whether the information is SCDD related or personal in nature. If at any time the Councilmember decides that the iPad is no longer needed, they may contact the Assistant to the Executive Director for instructions to return the device.
- ~~vi. Councilmembers have the option to return the iPad and opt for paper format at any time. Likewise, Councilmembers may choose to opt for an iPad instead of paper, however there may be a waiting period of no more than 4 months.~~

### Most Recent Action

February 12, 2019: Executive Committee approved policy.

## ACKNOWLEDGMENT OF RECEIPT AND ACCEPTANCE OF THE SCDD iPad USAGE POLICY

Receipt and  
Acceptance of  
Terms

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I have received a copy of the SCDD iPad Usage Policy. I understand its contents and agree to abide by its terms and the terms of any subsequent revision to the policy.

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**Select one option and provide your initials by your choice:**

Councilmember  
Initials: \_\_\_\_\_

I would like to request an SCDD iPad ~~to be used in replacement of meeting materials.~~

~~Councilmember  
Initials: \_\_\_\_\_~~

~~I decline acceptance of a SCDD issued iPad, and request meeting materials to be provided to me in paper format.~~

Councilmember  
Initials: \_\_\_\_\_

I ~~decline acceptance of~~ do not wish to receive an SCDD issued iPad, and would prefer to use my own personal device to review meeting materials and attend virtual meetings.

Councilmember  
Signature

---

Councilmember Printed Name

---

Councilmember Signature

---

Date

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Adopted by Council: []

Federal Law: No State Law: Yes

## VIRTUAL MEETINGS

### **Purpose:**

The purpose of this Virtual Meetings Policy is to establish guidelines and procedures for Councilmembers of the State Council on Developmental Disabilities ("SCDD") Council and Committee Meetings held via electronic means (i.e., Zoom, Teams, WebEx).

### **Authority/Reference:**

Government Code section 11123.2

### **Applies To:**

Councilmembers

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## POLICY

### **Policy Statement**

Council and committee meetings have been conducted via electronic software (Zoom, Teams, WebEx, etc.) since the start of the COVID-19 pandemic. This new tool allowed for more participation for member who did not feel safe leaving their homes, and decreased travel issues for members. As new laws emerged, this increased participation had to be weighed against the rights of members of the public to watch their government work, like watching and commenting at Council meetings. Because of this, the Council must balance several considerations when conducting meetings virtually.

### **Cameras**

Members must keep their cameras on whenever they can. There are limited exceptions, but for most of a virtual meetings members must keep their computer camera on so the public can see them. If a member's camera is not working, they should let staff know and turn the camera back on if it starts working again. Members should feel free to move their bodies, take a short break, take notes, move your hands, stretch, or rest whenever they need. If a member needs to leave the area for a quick moment, they may do so without announcing it or disrupting the meeting. If a member need to be gone for longer than 5-10 minutes, they can do so but need to

announce that before doing so. If possible, try to make longer breaks at times other than when the Council or committee is about to vote on an item. If a member needs to leave for longer than 10 minutes, they may turn off their camera and let the Chair or staff know they need to leave. When the member returns, they should turn their camera back on and let the Chair or staff know they are back so they can continue the meeting. Everyone needs to take breaks just like they would at a meeting in person, but members should try to make those breaks in a way that isn't disruptive to others.

### Announcing Other People

If another adult is with you in the room with the member as they are attending the meeting virtually, the member must announce that at the start of the meeting, usually during introductions. A member might say, "Hi I'm Aaron and here in the room with me is Bob, who is helping me with my computer." Members do not have to disclose anyone under 18 years old in the room. If someone enters the room for a short moment and then leaves, the member does not need to say anything. However, someone is with the member for more than a few minutes, let the chair or staff know at the next time that does not interrupt the meeting. Members are always welcome to have anyone they want with you in the room while you are on a Zoom meeting, this requirement is only to let the public know who can see and hear Council and committee meetings.

### Accommodations

A majority of the Council or Committee must attend the meeting at a physical site stated on the agenda. However, people who need an accommodation because of a disability may attend virtually, and still count toward that necessary majority. Family Advocates who care for someone with an Intellectual Disability and Self-Advocates have already provided the proof necessary to meet this requirement when they applied for and were vetted for membership. Nothing further is required. A Self- or Family-Advocate who wishes to participate at a meeting virtually needs only to let the Chair or staff know before the meeting and they may attend virtually, with one exception below.

### In-Person Minimum Requirement

Every meeting must have one person present at the pre-determined in-person location, without exception. The rest of the members are welcome

to join as well, but may attend virtually if the majority of members are using an accommodation as mentioned above. Even with most members attending virtually, one member must still attend in person. This should usually be the Chair of the Council or Committee, or a member who lives close to the physical location whenever possible. If no one can attend in person, the meeting cannot vote on any action items. More members are always welcome to attend if they wish. Members should let their Chair or staff know how they plan to attend before the meeting.

The Council and committees are still welcome to have full in-person meetings at the determination of the Chair.

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