



Area Board XII

(serving Inyo, Mono, Riverside and San Bernardino counties)

Office of the California State Council on Developmental Disabilities
To protect and advocate for the civil, legal and service rights of persons with developmental disabilities.

Members of SCDD Area Board XII:

**S. McQueen (Chair), D. Gonzales (Vice Chair), B. Thompson (Secretary),
M. Benton (Member at Large), L. Bogh Baldi, L. Ciccarella,
S. Davis, G. Lee, J. Stathem, L. White-Findeisen and M. Wilson**

BOARD MEETING NOTICE and AGENDA

Posted at www.scdd.ca.gov

Pursuant to Government Code Section 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 the meeting, should contact Vicki Smith by phone: (909) 890-1259 or e-mail: Vicki.Smith@scdd.ca.gov least 5 days prior to the meeting.

[Note: Breaks will be announced as needed. Agenda items may be taken out of order to meet the Board's and its guests' needs as necessary. Action may be taken under any agenda item]

DATE: Saturday, April 14, 2012

TIME: 9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:00 p.m.

**LOCATION: RIVERSIDE MARRIOTT*
Embassy Conference Room
3400 Market Street
Riverside, CA 91764
Tel. (909) 987-5940**

*(*ending time for these meetings is approximate and is intended solely for the purpose of travel planning)*

- 1. CALL TO ORDER (S. McQueen, Chair)**
- 2. ROLL CALL - Establishment of Quorum (B. Thompson, Secretary)**
- 3. INTRODUCTIONS (S. McQueen, Chair)**
- 4. Approval of Minutes (S. McQueen, Chair)**
 - a. February 11, 2012 (Ontario, CA)**

5. Presentations

a. Update: Disability Rights California

6. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA:

This Section is for members of the public only; and is to provide the public an opportunity to comment and/or present information to the Board on any matter that is not on the agenda. Each public member will be afforded up to five minutes to speak (unless, otherwise allowed by the Chair). Written requests, if any, will be considered first under this section. Additionally, the Board will provide a public comment period not to exceed 5 minutes total for all public comments prior to Board action on each item that is on the agenda.

7. Regional Center Reports

a. Inland Regional Center

b. Kern Regional Center

8. Chairperson’s Report

(S. McQueen, Chair)

9. SCDD Representative Report

(Vacant)

10. Executive Director’s Report

(V. Smith)

11. Committee Reports

a. By-Laws/Policy and Procedures

(L. White-Findeisen)

i. Acceptance of ByLaws (Draft attached)

b. Housing and Development Committee

(L. Bogh Baldi)

c. Governmental Affairs

(S. McQueen)

d. Self-Advocacy

(B. Thompson)

12. Old Business/Continuing Business

a. County Reports - Inyo/Mono/Riverside/San Bernardino

13. New Business/Announcements

a. Cycle 35 Grants – Areas of Strategic Plan Emphasis (S.McQueen, Chair)

b. Agenda Items for Future Meetings

14. Recess until 1:30 p.m.

(S. McQueen, Chair)

15. Reconvene - Board Governance Training

(S. McQueen, Chair)

16. Adjourn

(s. McQueen, Chair)

(* Please note: The Hotel does charge for parking. There is also self-paid street-metered parking surrounding the hotel as well.



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****DRAFT MINUTES****

**BOARD MEETING of February 11, 2012 – 9:00 a.m. to 12:00 p.m. at
AYRES INN & SUITES ONTARIO MILLS MALL
4395 East Ontario Mills Parkway, Ontario CA 91764**

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
M. Benton	L. Bogh Baldi	V. Smith
L. Ciccarelli	D. Gonzales	
S. Davis	J. Stathem	
G. Lee		
S. McQueen		
B. Thompson		
L. White-Findeisen		
M. Wilson		

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1. **CALL TO ORDER** - Meeting called to order by S. McQueen at 0903
2. **ESTABLISHMENT OF A QUORUM** - Quorum established by Roll Call (B. Thompson)
3. **INTRODUCTIONS** -
4. **Approval of Minutes** **(S. McQueen, Chair)**
 - a. **October 08, 2011 (Bishop, CA)** – B. Thompson (m)/M. Wilson (s)/(c)
5. **Presentations**
 - a. **Update: State Council on Developmental Disabilities (SCDD)**
– Carol Risley, Executive Director SCDD

Ms. Risley updated the board on the change of terminology from “consumer” to “self-advocate” and from “family member” to “family advocate”. She also updated the board on the movement towards managed care and the “dual eligibles” project.
 - b. **Update: Statewide Self-Advocacy Network (SSAN)**
– Mark Starford, Director, Board Resource Center

Mr. Starford updated the board on the new Statewide Self-Advocacy Network (SSAN) being developed by the SCDD. Each Area Board catchment area’s self-advocacy groups will elect one representative to sit on SSAN in Sacramento to provide

information up and take information back down to local areas. The next meeting is April 11-12, 2012 in Sacramento, CA.

c. Update: Area Board 12 Grant Award Activities

– Self-Advocacy and Legal System, Stuart Haskin, Get Safe

Mr. Haskin updated the board on the training that was conducted in Bishop via the grant and the update to the establishment of Eastern Sierra Self-Advocacy Network (ESSAN) to be part of the statewide group (SSAN). He also updated the board on the progress made towards the Self-Advocacy conference.

– Employment, Ruth Goodsell, DesertARC

Ms. Goodsell updated the board on their progress on the grant and their intent to mail out a survey to companies in the local area re: employment issues.

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7. Regional Center Reports

- a. Inland Regional Center** – Ms. Fitzgibbons updated the board on IRC’s probationary status and reported OPS deficit of \$230,000 and a POS deficit of \$35million. IRC is working on completing the Draft of their POS Guidelines before posting them on the website. IRC is also celebrating its 40th Anniversary this year.
- b. Kern Regional Center** – no report provided

8. Chairperson’s Report -- S. McQueen reported that she received and accepted C. Childs resignation from the board (SB County appointee).

9. SCDD Representative Report -- Vacant

10. Executive Director’s Report -- V. Smith reported that Kern Regional Center announced a new Chief Executive Officer Duane Law who comes from the vendor side in Oregon. Reminded board members to complete and turn in their 700 forms and the Ethics training certificates.

11. Committee Reports

- a. By-Laws/Policy and Procedures** – draft by-laws will be completed and sent out with April board agendas so that action can be taken
- b. Executive Committee** -- no meeting
- c. Housing Committee** -- no report
- d. Legislation** -- no report
- e. Nominating Committee** – Chair asked for nominees for vacant Member-at-Large position – M. Benton agreed - board voted unanimous approval
- f. Self-Advocacy** – B. Thompson reported that People First California is meeting in June in Bakersfield.

12. Old Business/Continuing Business

- a. County Reports - Inyo/Mono/Riverside/San Bernardino** – Inyo (no report), Mono (no report), Riverside (no report), San Bernardino S. Davis reported that they are experiencing problems in the upper desert (Hesperia area)
- b. Meeting Dates/Locations for 2012 – Handouts**

13. New Business/Announcements

- a. Agenda Items for Future Meetings**

14. Adjourn

**State Council on Developmental Disabilities
Local Area Board 12
Mono, Inyo, Riverside and San Bernardino counties**

B Y L A W S

ARTICLE I. NAME

- 1.1 The name of this organization shall be State Council on Developmental Disabilities Board Local Area Board 12, serving Mono, Inyo, Riverside and San Bernardino counties, hereinafter referred to as Area Board 12.
- 1.2 Area Board 12 is a statutory body established by the Lanterman Developmental Disabilities Services Act effective January 1, 1977.

ARTICLE II. LOCATION

- 2.1 The principal office of Area Board 12 shall reside in its service area, the location of which shall be determined by a majority vote of the Board.

ARTICLE III. FUNCTIONS

- 3.1 In accordance with Chapter 2, Article 1, Section 4520, and Article 6, Sections 4543 through 4548 of the Welfare and Institutions Code of the State of California, the functions of Area Board 12 shall include:

- a. Protection of rights; pursuit of remedies

The Area Board shall protect and advocate the rights of all persons in the area with developmental disabilities.

The Area Board shall have the authority to pursue legal, administrative and other appropriate remedies to insure the protection of the legal, civil, and service rights of persons who require services or who are receiving services in the area.

The Area Board shall identify any evidence of denial of such rights; shall inform the appropriate local, state or federal officials of their findings and shall assist such officials in eliminating all forms of discrimination against persons with developmental disabilities in housing, recreation, education, health and mental health care, employment, and other service programs available for the general population.

- b. Public information programs

The Area Board shall conduct or cause to be conducted public information programs for professional groups and for the general public, to increase professional and public awareness of prevention and habilitation programs, and to eliminate barriers to social integration, employment and participation of persons with developmental disabilities in all community activities.

c. Self-advocacy organizations

The Area Board shall encourage and assist in the establishment or strengthening of self-advocacy organizations led by individuals with developmental disabilities.

d. Review of policies and practices of publicly funded agencies.

To the extent that resources are available, the Area Board shall review the policies and practices of publicly funded agencies that serve or may serve persons with developmental disabilities to determine if such programs are meeting their obligations under local, state, and federal statutes.

e. Solicitation of advice

In carrying out its review functions, the Area Board shall solicit the advice of knowledgeable professionals, consumers and consumer representatives about problems within the service delivery system in the region. The Area Board shall not duplicate the functions assigned to other agencies that are routinely responsible for monitoring, regulating, or licensing programs for developmentally disabled persons. The Area Board may call upon such agencies for information and assistance in order to carry out its responsibilities more effectively. Unless otherwise prohibited by law, such agencies shall provide information requested by the Area Board, and shall cooperate fully in complying with all reasonable requests for assistance.

f. Violation of standards; criminal misconduct

The Area Board shall remain informed about the quality of service in the area and shall inform appropriate state and local licensing agencies of alleged fire, safety, health or other violations of legally established standards, in any facility providing service to persons with developmental disabilities, that may be brought to the attention of the Area Board.

g. Preparation of state plan

The Area Board shall participate with the State Council in the preparation of the state plan by contributing information concerning the area's services, needs, and priorities to the State Council for inclusion in the plan.

h. Cooperation

The Area Board shall cooperate with county coordinating councils on developmental disabilities, other regional planning bodies, and consumer organizations in the area. The Area Board shall comply with the reasonable requests of such groups and may request the assistance of such groups in carrying out Area Board responsibilities.

i. Areawide developmental disabilities plan

The Area Board may, but shall not be required to, adopt an areawide developmental disabilities plan. The purpose of such shall be to organize on one document information about service need priorities, program objectives, and the availability and quality of programs for persons with developmental disabilities in the area.

j. Encouragement of development of services; prevention of duplication and fragmentation; funding new or expanded programs

The Area Board shall encourage the development of needed services of good quality and shall coordinate such developments to prevent duplication, fragmentation of services, and unnecessary expenditures. Prior to providing additional funds for major expansion of existing programs for persons with developmental disabilities or the establishment of new programs in an area, state agencies shall consult with the Area Board regarding the appropriateness of such programs' development. The provision shall not apply to state funds for public education allocated on an apportionment basis pursuant to state law.

3.2. Receipt and Administration of Grants. In order to perform its' authorized and mandated functions, Area Board 12 may receive and administer grants of funds in addition to its allocation of state funds or federal funds under Public Law 94-103.

ARTICLE IV BOARD OF DIRECTORS

4.1 Number of Directors The Board of Directors of Area Board 12 shall be composed of a total of seventeen (17) persons: three (3) of whom shall be appointed by Mono County Board of Supervisors; three (3) of whom shall be appointed by Inyo County Board of Supervisors; three (3) of whom shall be appointed by Riverside

County Board of Supervisors; three (3) of whom shall be appointed by San Bernardino County Board of Supervisors, and; five (5) of whom shall be appointed by the Governor of the State.

- 4.2. Composition of Board To the extent feasible, the Board members shall be selected according to the following proportions :
 - a. Persons with developmental disabilities or the parents or guardians or conservators of such persons – 60%
 - b. Representatives of the general public -- 40%
- 4.3. Representatives of the Community. To the extent feasible, the membership of Area Board 12 shall reflect the relative populations of Mono, Inyo, Riverside and San Bernardino counties. The membership shall reflect a cross-section of the income and the ethnic composition of the aforementioned counties as well as a cross-section of the community of people with developmental disabilities.
- 4.4. Qualifications All Area Board appointees shall have demonstrated interest and leadership in human service activities.
- 4.5. Residence All members of the Area Board shall be residents of the county from which they are appointed.
- 4.6. Conflict of Interest Provisions No member of the Area Board may be employed as a provider of service to persons with disabilities, or be a member of a governing board of any entity providing such service, when such service is funded in whole or in part with State funds.
- 4.7. Term of appointment
 - a. The regular term of appointment shall be for three (3) years and no member shall serve more than two (2) consecutive full terms. Officers shall be members of the Executive Committee.
 - b. When a vacancy occurs due to death, resignation or removal, or when a vacancy is pending due to the expiration of a term, the appropriate appointing authority shall be so notified and a new appointment shall be requested; in addition, when death, resignation or removal occurs within six (6) months of a term's expiration, the appointing authority shall be asked to fill the vacancy and simultaneously reappoint the member for the succeeding term.

- c. The Area Board 12 representative to the State Council shall continue to serve on the Area Board for the duration of his/her appointment to the State Council.

4.8. Termination of appointment

- a. A member may resign at any time by giving written notice.
- b. Any member with unexcused absences for two (2) consecutive meetings or a total of three (3) meetings during any twelve (12) month period may be subject to a request to terminate his/her appointment. He/she shall be requested by the Chairperson of the Board to advise the Executive Committee within two weeks of his/her intention to continue service on the Area Board. The Executive Committee shall decide whether the matter should be brought to the attention of the full Area Board at the meeting following such notification. If a majority of Board members at the meeting following such notification determine that the response is unsatisfactory, or if the member has failed to respond to the Executive Committee within two weeks, he/she shall be advised of the Area Board's intention to seek another appointment, and the appointing authority for the member shall be so notified.

- 4.9. Committee participation - Each board member shall participate on at least one Standing Committee or Ad Hoc Committee as needed. New board members will be requested to indicate to the Chairperson their preference for committee appointment.

ARTICLE V. OFFICERS

- 5.1 Officers - There shall be the following officers: Chairperson, Vice Chairperson, Secretary, Member-at-Large, and the Representative to the State Council on Developmental Disabilities. These positions shall compose the Executive Committee.
- 5.2. Term of Office - The term of office shall be two (2) years, the regular term to begin on the first of January. No member shall hold the office of Chairperson for more than two (2) consecutive terms. The Representative to the State Council on Developmental Disabilities shall remain on the Executive Committee for the duration of his/her appointment to the State Council.
- 5.3. Elections - All officers shall be elected during the regular meeting held in October. The Chairperson shall appoint an Ad Hoc Nominating Committee to present a slate of candidates not less than fourteen (14) days prior to the date of the election; however, additional nominations may be made before nominations

are closed. Voting shall be by roll call and election to office shall require a majority of the votes cast when a quorum is present.

- 5.4. Vacancies - A vacancy in the office of Chairperson shall be filled by the succession of the Vice Chairperson to complete the term of office. Any other office vacancy shall be filled for the remainder of the term by the Executive Committee.
- 5.5 Assumption of Office - Officers elected in October shall assume office on the first of January.
- 5.6. Duties of the Chairperson
 - a. Call and preside over regular and special meetings of the Area Board and Executive Committee.
 - b. Serve as the official representative, or may designate an official representative, of the Area Board.
 - c. The Chairperson shall be a member ex-officio of all committees.
 - d. Appoint and remove all Standing and Ad Hoc Chairpersons and committee members.
 - e. May also serve as the Area Board 12 representative to the State Council on Developmental Disabilities.
- 5.7 Duties of the Vice Chairperson - Assist the Chairperson and, in his/her absence, assume the functions of the Chairperson.
- 5.8 Duties of the Secretary – The Secretary shall assume the functions of the Chairperson in the Chairperson and Vice Chairperson’s absence. The Secretary shall call the roll for members at each regularly scheduled board meeting.
- 5.9 Duties of the Member-at-Large – Member-at-Large shall assume the functions of the Chairperson in the Chairperson, Vice Chairperson and Secretary’s absence.
- 5.10 Duties of the Representative to the State Council on Developmental Disabilities – serve as the voting member of Area Board 12 on Developmental Disabilities at meetings and other activities of the State Council, and serve on State Council committees as appointed. Serve as the liaison between Area Board 12 and the State Council.
- 5.11 Duties of the Standing Committee Chairs - Standing Committee Chairs shall

serve as Chairpersons of their respective Standing Committees at the Direction of the Area Board 12 Chairperson.

- 5.12 Removal of Officers - Removal of officers shall be for just cause, considered in a special executive session upon written petition by three or more Board members. Any removal of an officer shall require a two-thirds majority vote of the existing membership.

ARTICLE VI. MEETINGS

- 6.1. Meetings and Records - All meetings of the Area Board and records thereof shall be governed by the provisions of the State Agency Open Meeting Act.
- 6.2. Number of Meetings - The Area Board shall meet not less than quarterly, and at the call of the Chairperson as often as necessary to fulfill its duties.
- 6.3. Quorum - For all Board meetings a quorum shall consist of a simple majority of the appointed members.
- 6.4. Executive Sessions - Executive sessions of the Area Board, except as noted in Section 5.12 of these bylaws, shall be convened at the direction of the Chairperson and may be held before or after a regular or special meeting.
- 6.5. Voting - Every action taken or decision made by a majority of members present at a meeting duly held at which a quorum is present is a legal act of the Area Board unless the bylaws specify a greater number.
- 6.6. Rules of Order - Meetings shall be conducted in accordance with Robert's Rules of Order, except where otherwise specified in these bylaws.

ARTICLE VII. COMMITTEES

- 7.1. Committees - There shall be two (2) types of Area Board Committees: Standing, and Ad Hoc.
- 7.2. Standing Committees - In addition to the Executive Committee, the Standing Committees are:
 - a. Governmental Affairs
 - b. Housing and Development
- 7.3. Executive Committee - The Executive Committee shall be presided over by the Area Board Chairperson, and shall consist of the officers of the Area Board, including the Chair, Vice Chair, Secretary, Member-at-Large and the Area Board

12 Representative to the State Council on Developmental Disabilities. A simple majority of members of the Executive Committee shall constitute a quorum. The functions of the Executive Committee shall include:

- a. Reviewing the Area Board budget and expenditures.
- b. Meeting upon call for the purpose of performing urgent business that cannot wait for the action of the Board, or that cannot be handled by a functional committee of the Board. Any action of the Executive Committee shall be reported for ratification at the next meeting of the Board, and, if indicated, may be reported sooner by mail.
- c. Assisting in the preparation and review of the Area Board agenda prior to Board meetings.
- d. Developing the Executive Director's evaluation instrument, evaluating the Executive Director with input from all Board members and preparing the final evaluation report.
- e. Keeping apprised of personnel issues and pertinent state personnel guidelines and collective bargaining issues via the Executive Director.
- f. Recommending appointees or representatives to State Council committees or activities, as necessary.
- g. Such other functions as determined by the Area Board.

7.4. Standing Committees

- a. Governmental Affairs Committee. Responsibilities include:
 - 1. Reviewing and developing proposed positions on legislation, rules and regulations.
 - 2. Carrying out governmental activities approved by the Board
- b. Housing and Development Committee. Responsibilities include:
 - 1. Overseeing housing activities within Area Board 12 service area. Representing Area Board 12 at meetings pertaining to housing and development in the services are to ensure that housing development leads to more inclusive opportunities for people with developmental disabilities.

- 7.5. Ad Hoc Committees - Ad Hoc Committees shall be appointed as needed in order to fulfill the responsibilities of the Area Board in an expeditious manner. The duties of an Ad Hoc Committee and the duration of its appointment shall be specified by the Chairperson of the Area Board.

- 7.6. Participation on Standing and Ad Hoc Committees - Area Board Committees may include persons with developmental disabilities, their parents, guardians or conservators, professionals, members of the general public as well as Board members.

- 7.7. Call of Committee Meetings - All Area Board committees shall meet at the call of their chairpersons except that the Executive Committee shall also meet at the request of a majority of its members. Committee members shall receive written or oral notification prior to a called meeting.

ARTICLE VIII. AMENDMENTS

- 8.1. Bylaw Amendments and Repeal - These bylaws may be amended or repealed, or new bylaws may be adopted by a vote of two-thirds of a legally constituted quorum present at any special or regular meeting provided that written notice of such meeting and of the intention to alter the bylaws thereat is mailed to each member at least fourteen (14) days prior to such meeting.

Notes on Bylaws History

Bylaws Adopted _____