



ADMINISTRATIVE COMMITTEE
NOTICE/AGENDA

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THE PUBLIC MAY LISTEN IN BY CALLING:	1-800-839-9416
PARTICIPANT CODE:	2982825

DATE: Tuesday, September 1, 2015

TIME: 1:00 p.m. – 3:00 p.m.

LOCATION: State Council on Developmental Disabilities
1507 21st Street, Suite 210
Sacramento, CA 95811

TELECONFERENCE SITE:

North Bay Regional Office
236 Georgia Street, Suite 201
Vallejo, CA 94590

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 Robin Maitino at (916) 322-8481 or email robin.maitino@scdd.ca.gov. Requests must be received by 5:00 pm on August 25, 2015

AGENDA

	<u>Page</u>
1. CALL TO ORDER	S. Smith
2. ESTABLISH QUORUM	S. Smith
3. WELCOME/INTRODUCTIONS	S. Smith

4. PUBLIC COMMENTS

*This item is for members of the public only to provide comments and/or present information to the Council on matters **not** on the agenda. Each person will be afforded up to three minutes to speak. Written requests, if any, will be considered first. The Committee will provide a public comment period, not to exceed a total of three minutes.*

5.	APPROVAL OF APRIL 14, 2015 MINUTES	S. Smith	3
6.	NACDD INTRODUCTION	D. Meltzer	6
7.	MONTHLY BUDGET PROJECTIONS	A. Carruthers	8
8.	STRUCTURAL DEFICIT UPDATE	A. Carruthers	
9.	AIDD FUNDING FORMULA SECTION 1385.8	A. Carruthers	9
10.	FPPC CONFLICT OF INTEREST CODE	N. Bocanegra	15
11.	NEXT MEETING AND ADJOURN	S. Smith	

DRAFT

**Administrative Committee Meeting Minutes
April 14, 2015**

Attending Members

Ning Yang (SA)
Kris Kent
Max Duley (FA)
Sandra Smith (FA)

Members Absent

Eric Gelber

Others Attending

Aaron Carruthers
Gabriel Rogin
Lynn Cach
Mike Clark
Natalie Bocanegra
Robin Maitino
Sandra Aldana

1. **Call to Order**

Chairperson Sandra Smith(FA) called the meeting to order at 9:43 a.m.

2. **Establishment of Quorum**

A quorum was present.

3. **Welcome and Introductions**

Members and others introduced themselves.

4. **Public Comments**

There were no public comments.

5. **Approval of the February 24, 2015 Minutes**

It was moved/seconded (Yang [SA]/Smith [FA]) and carried to approve the February 24, 2015 minutes as presented. (AYES: Duley (FA), Smith (FA), Yang (SA). ABSTENTIONS: Kent.)

6. **Monthly Budget Projections**

Chief Deputy Director Carruthers provided the monthly budget projections for fiscal year 2014-15 through February 2015. This documented a projected federal grant shortfall of \$59,116 at current staffing levels and a shortfall of \$274,649 if all vacancies were to be filled. Chief Deputy Carruthers went on to state that unspent prior year funds are approximately \$1.1 million.

Executive Director Mike Clark stated that the Council continues to look for funding opportunities in order to fill the gap in services in federal versus state requirements. Executive Director Clark went on to state that the Council may approach DDS in the future to pursue said funding.

7. **Staff Resources Discussion**

Chief Deputy Carruthers presented a roster of employees to the Committee that identified each employee's salary including a funding source breakdown. He also shared the SCDD list of non-certified bilingual interpreters throughout the state and announced that the personnel officer vacancy had been filled.

8. **Review Proposed 2015-16 SCDD Budget**

Chief Deputy Carruthers presented the draft SCDD Proposed Budget for fiscal year 2015-16. Chief Deputy Carruthers went on to explain the difference between state and federal fiscal years, why certain amounts were allocated the way they were, and how although the budget seemed to identify a funding shortfall in BSF funds, the Council had prior year funds that would cover this deficit.

There was much conversation around how to present the budget information to councilmembers in a manner that would be easy to understand while still providing them with enough information to cast an informed vote. Following input from the Committee, the below action was taken.

It was moved/seconded (Yang [SA]/Kent) and carried to approve and put forth the proposed SCDD 2015-16 Budget for Executive Committee consideration with an explanation on the structural deficit. (Unanimous: Duley (FA), Smith (FA), Yang (SA), Kent.)

9. **Executive Director Evaluation Tool**

Legal Counsel Natalie Bocanegra provided a copy of the Executive Director Evaluation tool for informational purposes and advised the Committee that this tool would be put forth to the Executive Committee for review and approval later in the day.

10. **Review of Revised Sponsorship Policy**

At the March 25, 2015 Council meeting, councilmembers requested that staff review the Sponsorship Policy and provide clarification on the rules regarding how sponsored agencies/organizations can use sponsorship funds. With that directive in mind, Legal Counsel Bocanegra presented a draft of the revised Sponsorship Policy to the Committee for consideration and action. The following was considered when revising the Policy:

- Providing services or conference registration at no cost or at discounted rates to self-advocates and their families or provides other help;
- Supporting events where self-advocates participate as panelists and presenters;
- Requests must be submitted by an individual authorized to represent the agency/organization requesting funds; and
- Whether or not at least 30% of the expected attendees will be consumers.

In the revised policy, legal counsel also clarified that funds *may not* be used for: 1) lobbying activities; 2) campaign activities; 3) events with the sole purpose of fundraising; 4) agency/organization overhead expenses not related to the event; and 5) earmarked travel payments or conference registration. Following the review and input from the Committee, the below action was taken to adopt the revised policy.

It was moved/seconded (Smith [FA]/Lopez [FA]) and carried to approve the revised Sponsorship Policy as amended and refer with revisions to the Executive Committee for consideration and action(Unanimous: Duley (FA), Smith (FA), Yang (SA), Kent.)

Amendment 1

Page 2, Section 2, Item 1, remove "... SCDD Executive Committee..." and replace with "... Council..."

11. **Adjournment**

The meeting was adjourned at 10:45 a.m.

NACDD FY 16 Dues

STATE/ TERRITORY	FY 14 ALLOTMENT	FY 15 ALLOTMENT	FY 15 DUES	0.0085 of first \$500K 500,000	0.008 of next \$500K \$1 M	0.0075 of next \$500K \$1.5 M	0.0065 of next \$500K \$2 M	0.003 of next \$500K \$2.5 M	0.002 of next \$500K \$3 M	0.0015 of next \$2 M \$5 M	0.001 Amount Over \$5 M	FY 16 DUES	CHANGE FROM FY 15
California	\$6,508,782	\$6,459,004	\$22,259	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$3,000	\$1,459	\$22,209	(\$50)
Texas	\$4,804,064	\$4,742,116	\$20,456	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$2,613		\$20,363	(\$93)
New York	\$4,115,718	\$4,062,646	\$19,424	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$1,594		\$19,344	(\$80)
Florida	\$3,506,220	\$3,461,007	\$18,509	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$1,000	\$692		\$18,442	(\$67)
Pennsylvania	\$2,964,431	\$2,987,494	\$17,679	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$975			\$17,725	\$46
Ohio	\$2,701,094	\$2,810,012	\$17,152	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$620			\$17,370	\$218
Illinois	\$2,482,149	\$2,590,984	\$16,696	\$4,250	\$4,000	\$3,750	\$3,250	\$1,500	\$182			\$16,932	\$236
Puerto Rico	\$2,368,885	\$2,474,604	\$16,357	\$4,250	\$4,000	\$3,750	\$3,250	\$1,424				\$16,674	\$317
Michigan	\$2,444,467	\$2,437,488	\$16,583	\$4,250	\$4,000	\$3,750	\$3,250	\$1,312				\$16,562	(\$21)
Georgia	\$2,045,418	\$2,019,042	\$15,386	\$4,250	\$4,000	\$3,750	\$3,250	\$57				\$15,307	(\$79)
North Carolina	\$2,001,972	\$1,976,156	\$15,263	\$4,250	\$4,000	\$3,750	\$3,095					\$15,095	(\$168)
New Jersey	\$1,495,803	\$1,533,290	\$11,969	\$4,250	\$4,000	\$3,750	\$216					\$12,216	\$247
Virginia	\$1,419,224	\$1,482,561	\$11,394	\$4,250	\$4,000	\$3,619						\$11,869	\$475
Indiana	\$1,411,820	\$1,469,351	\$11,339	\$4,250	\$4,000	\$3,520						\$11,770	\$431
Tennessee	\$1,428,901	\$1,442,550	\$11,467	\$4,250	\$4,000	\$3,319						\$11,569	\$102
Arizona	\$1,395,485	\$1,377,490	\$11,216	\$4,250	\$4,000	\$2,831						\$11,081	(\$135)
Louisiana	\$1,330,740	\$1,357,983	\$10,731	\$4,250	\$4,000	\$2,685						\$10,935	\$204
Missouri	\$1,296,762	\$1,336,501	\$10,476	\$4,250	\$4,000	\$2,524						\$10,774	\$298
Massachusetts	\$1,322,999	\$1,305,975	\$10,672	\$4,250	\$4,000	\$2,295						\$10,545	(\$127)
Wisconsin	\$1,227,167	\$1,276,488	\$9,954	\$4,250	\$4,000	\$2,074						\$10,324	\$370
Alabama	\$1,283,254	\$1,267,110	\$10,374	\$4,250	\$4,000	\$2,003						\$10,253	(\$121)
Kentucky	\$1,198,064	\$1,182,615	\$9,735	\$4,250	\$4,000	\$1,370						\$9,620	(\$115)
Washington	\$1,185,351	\$1,170,066	\$9,640	\$4,250	\$4,000	\$1,275						\$9,525	(\$115)
South Carolina	\$1,075,207	\$1,082,855	\$8,814	\$4,250	\$4,000	\$621						\$8,871	\$57
Minnesota	\$968,836	\$1,012,073	\$8,001	\$4,250	\$4,000	\$91						\$8,341	\$340
Maryland	\$952,645	\$995,159	\$7,871	\$4,250	\$3,961							\$8,211	\$340
Mississippi	\$908,001	\$902,449	\$7,514	\$4,250	\$3,220							\$7,470	(\$44)
Oklahoma	\$847,842	\$885,680	\$7,033	\$4,250	\$3,085							\$7,335	\$302
Colorado	\$861,131	\$850,026	\$7,139	\$4,250	\$2,800							\$7,050	(\$89)
Oregon	\$783,264	\$773,163	\$6,516	\$4,250	\$2,185							\$6,435	(\$81)
Iowa	\$731,546	\$764,194	\$6,102	\$4,250	\$2,114							\$6,364	\$262
Arkansas	\$753,809	\$752,586	\$6,280	\$4,250	\$2,021							\$6,271	(\$9)
West Virginia	\$741,812	\$732,246	\$6,184	\$4,250	\$1,858							\$6,108	(\$76)
Connecticut	\$682,794	\$673,989	\$5,712	\$4,250	\$1,392							\$5,642	(\$70)
Utah	\$638,862	\$630,623	\$5,361	\$4,250	\$1,045							\$5,295	(\$66)

Kansas	\$580,746	\$606,663	\$4,896	\$4,250	\$853						\$5,103	\$207
New Mexico	\$480,330	\$483,919	\$4,083	\$4,113							\$4,113	\$30
Nevada	\$469,919	\$472,622	\$3,994	\$4,017							\$4,017	\$23
Alaska	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
D.C.	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Delaware	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Hawaii	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Idaho	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Maine	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Montana	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Nebraska	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
New Hampshire	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
North Dakota	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Rhode Island	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
South Dakota	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Vermont	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
Wyoming	\$452,431	\$472,622	\$3,846	\$4,017							\$4,017	\$171
American Samoa	\$235,613	\$246,128	\$2,003	\$2,092							\$2,092	\$89
Guam	\$235,613	\$246,128	\$2,003	\$2,092							\$2,092	\$89
N Mariana Islands	\$235,613	\$246,128	\$2,003	\$2,092							\$2,092	\$89
Virgin Islands	\$235,613	\$246,128	\$2,003	\$2,092							\$2,092	\$89
	70,692,000	71,442,000	\$482,087								\$487,742	\$5,655

Dues Formula Adopted 7/24/11

1. All Councils pay a percentage on each increment of allotment, with the percentage declining for each subsequent increment.
2. All Councils pay the same rate within each increment.

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
FY 2014-2015 PROJECTED SPENDING
 (BASED ON EXPENDITURES THROUGH JUNE 2015)

Projected without vacancies

FUNDING SOURCE	ANNUAL BUDGET			SPENDING TO DATE			CURRENT BALANCE			PROJECTED YEAR-END BALANCE			
	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	%
Grants & Contracts	\$5,131,546	\$1,247,454	\$6,809,000	\$4,673,426	\$1,405,062	\$6,078,488	\$458,120	(\$157,608)	\$730,512	\$458,120	(\$750,516)	(\$292,396)	-4%
BSG	\$1,616,399	\$850,124	\$2,466,523	\$1,563,039	\$658,680	\$2,221,718	\$53,360	\$191,444	\$244,805	\$53,360	\$201,713	\$255,074	10%
QA	\$1,322,055	\$557,945	\$1,880,000	\$1,305,990	\$194,468	\$1,500,458	\$16,065	\$363,477	\$379,542	\$16,065	\$378,979	\$395,043	21%
CRA/VAS	\$8,070,000	\$2,655,523	\$11,155,523	\$7,542,455	\$2,258,210	\$9,800,664	\$527,545	\$397,313	\$1,354,859	\$527,545	(\$169,825)	\$357,721	3%
TOTAL													

Projected with filled vacancies

FUNDING SOURCE	ANNUAL BUDGET			SPENDING TO DATE			CURRENT BALANCE			PROJECTED YEAR-END BALANCE			
	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	Personal Svc.	OE&E	Total	%
Grants & Contracts	\$5,131,546	\$1,247,454	\$6,809,000	\$4,673,426	\$1,405,062	\$6,078,488	\$458,120	(\$157,608)	\$730,512	\$458,120	(\$750,516)	(\$292,396)	-4%
BSG	\$1,616,399	\$850,124	\$2,466,523	\$1,563,039	\$658,680	\$2,221,718	\$53,360	\$191,444	\$244,805	\$53,360	\$201,713	\$255,074	10%
QA	\$1,322,055	\$557,945	\$1,880,000	\$1,305,990	\$194,468	\$1,500,458	\$16,065	\$363,477	\$379,542	\$16,065	\$378,979	\$395,043	21%
CRA/VAS	\$8,070,000	\$2,655,523	\$11,155,523	\$7,542,455	\$2,258,210	\$9,800,664	\$527,545	\$397,313	\$1,354,859	\$527,545	(\$169,825)	\$357,721	3%
TOTAL													

Notes:

NUMBER OF MONTHS REMAINING		
Current Month	State	Federal
June 2015	0	3

*Tables based on State Fiscal Year

ADMINISTRATIVE COMMITTEE AGENDA ITEM DETAIL SHEET

ISSUE: Administration on Intellectual and Developmental Disabilities (AIDD) Funding Formula (Sec 1385.5)

BACKGROUND: As stated in Section 121 of the DD Act, formula grants are made to each State and other eligible jurisdictions to support the State Council on Developmental Disabilities (SCDD) to engage in advocacy, capacity building, and systemic change activities that assure that individuals with developmental disabilities and their families participate in service and program design, and have access to needed community services. These grants provide assistance that promotes self-determination, independence, productivity, and integration and inclusion in all facets of community living. Activities contribute to a coordinated, person and family-centered, person and family-directed, comprehensive system that includes needed community services, individualized supports, and other forms of assistance that promote self-determination for individuals with developmental disabilities and their families.

The Final Rule of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 45 CFR Part 1385.8 (which applies to Sections 122 and 142 of the Act) has been modified (80 FR 44799). The formula for determining the allotments for the State Developmental Disabilities Councils and Protection & Advocacy Systems has been removed from regulation.

ANALYSIS/DISCUSSION: AIDD has released an Information Memorandum on allotment formulas for State Councils on Developmental Disabilities and Protection & Advocacy Systems. For fiscal year 2016, AIDD will use the current formula for allotments.

In the fall (of 2015), AIDD will release guidance seeking public comments on a new formula for FY17 and beyond. After the 45 day public comment period is complete, AIDD will respond to comments and release a final formula by April 1, 2016 which will impact future Basic State Grant allocations to the states and territories funded through AIDD.

ATTACHMENTS: [1] Information Memorandum AIDD IM-15-1 Formula Grants [2] July 30, 2015 [Slide #9] of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 Final Rule and [3] Developmental Disabilities Councils (DDC) Awards for the States/Territories FY 2016 Estimated Allocation

PREPARED: Dawn Morley, August 14, 2015

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Information Memorandum

AIDD IM-15-1

Formula Grants

Issued July 28, 2015

To:

Directors, Designated State Agencies
Directors, State Councils on Developmental Disabilities,
Directors, State Protection and Advocacy Agencies Directors,
National Association of Councils on Developmental Disabilities
National Disabilities Rights Network

Subject:

Formula Grants for Fiscal Year 2016

Legal and Related References:

Public Law 106-402, Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq).

&

45 CFR Part 1385.8

Content:

The Final Rule of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 45 CFR Part 1385.8 (which applies to Sections 122 and 142 of the Act) has been modified (80 FR 44799). The formula for determining the allotments for the State Developmental Disabilities Councils and Protection & Advocacy Systems has been removed from regulation. For Fiscal Year 2016, AIDD will continue using the current formula for allotments. AIDD posted estimated allotments on April 1, 2015 for Fiscal Year 2016 at http://acl.gov/About_ACL/Allocations/DD-Act.aspx. Estimated allotments for Fiscal Year 2016 are based on Fiscal Year 2015 appropriation final amounts and do not reflect the current Congressional budget discussions.

In the fall of 2015, AIDD will release guidance seeking public comments for a new formula to be used in Fiscal Year 2017 and beyond. AIDD will respond to comments and release a final formula to meet statutory requirements and post estimated allotments by April 1, 2016 at http://acl.gov/About_ACL/Allocations/DD-Act.aspx.

AIDD grantees are required to follow all statutory and regulatory requirements (42 U.S.C 15001 et seq. & 45 CFR Parts 1385 through 1388).

The Fiscal Year 2016 allotments will be calculated using the below formula:

The Commissioner will allocate funds appropriated under the Act for the State Developmental Disabilities Councils and the Protection and Advocacy Systems on the following basis:

(a) Two-thirds of the amount appropriated is allotted to each State according to the ratio the population of each State bears relative to the population of the United States. This ratio is weighted by the relative per capita income for each State. The data used to compute allotments are supplied by the U.S. Department of Commerce, for the three most recent consecutive years for which satisfactory data are available.

(b) One-third of the amount appropriated is allotted to each State on the basis of the relative need for services of persons with developmental disabilities. The relative need is determined by the number of persons receiving benefits under the Childhood Disabilities Beneficiary Program (Section 202(d)(1)(B)(ii) of the Social Security Act), (42 U.S.C. 402(d)(1)(B)(ii)) as a percentage to working population (ages 18–64) of each State.

Inquiries To:

Andrew Morris
Policy Analyst
(202) 357-3424

Preamble & Section by Section Discussion of Rule

Section 1385.8 Formula for Determining Allotment

- Formula has been removed from regulation
- FY 2016 formula will stay the same – guidance this week
- FY 2017 formula will be released in the fall for public comment through the guidance process with a 45 day comment period
- April 1st deadline will be met to put estimates up on AIDD website
- **IM was issued 7/28/2015 through email and is available on the AIDD website**

Disclaimer: Once Congress enacts an appropriation for FY 2016 and after ACL has updated the data used in the formula for determining award amounts, the allotments will be adjusted accordingly.	
The final State allotments will be provided to the grantee after a final appropriations bill is passed by Congress.	
State/Territory	Developmental Disabilities Councils (DDC)
Alabama	\$1,268,072
Alaska	\$472,981
Arizona	\$1,378,536
Arkansas	\$753,158
California	\$6,463,909
Colorado	\$850,672
Connecticut	\$674,501
Delaware	\$472,981
District of Columbia	\$472,981
Florida	\$3,463,636
Georgia	\$2,020,575
Hawaii	\$472,981
Idaho	\$472,981
Illinois	\$2,592,951
Indiana	\$1,470,467
Iowa	\$764,774
Kansas	\$607,124
Kentucky	\$1,183,513
Louisiana	\$1,359,014
Maine	\$472,981
Maryland	\$995,915
Massachusetts	\$1,306,966
Michigan	\$2,439,339
Minnesota	\$1,012,842
Mississippi	\$903,134
Missouri	\$1,337,516
Montana	\$472,981
Nebraska	\$472,981
Nevada	\$472,981
New Hampshire	\$472,981
New Jersey	\$1,534,454
New Mexico	\$484,286
New York	\$4,065,731
North Carolina	\$1,977,657
North Dakota	\$472,981
Ohio	\$2,812,147
Oklahoma	\$886,352
Oregon	\$773,751
Pennsylvania	\$2,989,763
Rhode Island	\$472,981
South Carolina	\$1,083,677
South Dakota	\$472,981
Tennessee	\$1,443,646
Texas	\$4,745,717
Utah	\$631,102
Vermont	\$472,981
Virginia	\$1,483,687
Washington	\$1,170,954
West Virginia	\$732,802
Wisconsin	\$1,277,458
Wyoming	\$472,981
American Samoa	\$232,751
Guam	\$232,751
Northern Mariana Islands	\$232,751
Puerto Rico	\$2,476,483
Virgin Islands	\$232,751
TOTAL	\$71,442,000

ADMINISTRATIVE COMMITTEE AGENDA ITEM DETAIL SHEET

ISSUE: AMENDMENT OF SCDD CONFLICT OF INTEREST CODE

BACKGROUND: Under state law, SCDD has a conflict of interest code (COI code) that provides rules for certain employees and all Council members to follow. The COI code lists positions and assigns categories that tell what information a person has to report when he or she fills out the Statement of Economic Interests (Form 700). The Form 700 is a public document that alerts public officials and members of the public to the types of financial interests (e.g. assets) that may create conflicts of interests. SCDD is required to review its COI code every other year and report to the Fair Political Practices Commission (FPPC) whether the code needs to be amended. AB 1595 made changes relating to SCDD staff positions. These changes make it necessary to now amend the COI code.

ANALYSIS/DISCUSSION: AB 1595 resulted in the elimination and creation of certain SCDD positions. This requires the COI code to be amended. In addition, SCDD must review the categories that tell what information must be reported. Changes to Category 1 are proposed in order to follow the FPPC rules. The proposed language is meant to capture the reporting of financial interests (e.g. assets) that may give rise to a potential conflict of interest.

COUNCIL STATE PLAN GOAL: Goal 1: Self Advocacy (1.1) - Council will train, support and empower 1,450 self-advocates and continue to promote stability and expansion of the statewide self-advocacy network through financial and in-kind support. Compliance with the conflict of interest rules is required in order to serve on the Council.

PRIOR COUNCIL ACTIVITY: Approval of current COI code by the Council and FPPC in 2003.

RECOMMENDATION(S): Staff recommends review of proposed amendments to disclosure categories, comment, and refer to the full Council for adoption.

ATTACHMENTS(S): SCDD current COI code; Category 1 proposed amendments.

PREPARED: Legal Counsel Natalie Bocanegra, August 6, 2015

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
Conflict of Interest Code

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes.

The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments to the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the State Council on Developmental Disabilities.

Designated employees shall file statements of economic interests with the State Council on Developmental Disabilities. The Council shall make and retain a copy and forward the original of the following statements to FPPC:

- SCDD members including ex officio members.
- SCDD alternate members.
- SCDD Executive Director.

APPENDIX A

Designated Employees

Applicable Disclosure Categories

Members, State Council on Developmental Disabilities, including ex officio members	1, 2
Alternate Members, State Council on Developmental Disabilities	1, 2
Members, Area Boards on Developmental Disabilities	1, 2
Executive Director, State Council on Developmental Disabilities	1, 2
Chief Deputy Director, State Council on Developmental Disabilities	1, 2
Deputy Directors, State Council on Developmental Disabilities	1, 2
Executive Directors of local Area Boards on Developmental Disabilities	1, 2
Staff Services Manager 1	1, 2
Staff Counsel	1, 2
Consultants *	<u>1, 2</u>

DISCLOSURE CATEGORIES

Category 1

A designated employee in this category must disclose business entities in which he or she has an investment or a business position and sources of income, including gifts, loans, and travel payments, if the business entities or sources of income, receive public funding and have as at least ten percent (10%) of their clientele, persons with developmental disabilities.

Category 2

A designated employee in this category must disclose business entities in which he or she has an investment or a business position and sources of income, including gifts, loans, and travel payments, if the business entities or sources of income are of the type which within the previous two years contracted with the agency to provide equipment, leased space, materials, supplies or services, including consulting services, to or on behalf of the agency.

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*With respect to Consultants, the Executive Director may, however, determine in writing that a particular consultant, although a "designated person," is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in this Section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director will retain a copy of this determination and make it available for public inspection. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

Note: Authority: Government Code Section 87300-87302 and 87306

This is the last page of the conflict of interest code for the **State Council on Developmental Disabilities**.



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the **State Council on Developmental Disabilities** was approved on **June 13, 2003**.

A handwritten signature in dark ink, appearing to read 'Mark Krausse', is written over a horizontal line.

Mark Krausse
Executive Director
Fair Political Practices Commission

Pursuant to Government Code Section 11346.2

Secretary of State Filing Date: 8/13/03

Effective: 9/13/03

CATEGORY 1 Proposed Amendments

Designated positions assigned to this category must report:

A designated employee in this category must disclose~~All investments, business positions and income, business entities in which he or she has an investment or a business position and sources of income,~~ including gifts, loans, and travel payments, or income from a nonprofit organization, if the ~~business entities or sources of income, receive public funding and have as at least ten percent (10%) of their clientele,~~source is of the type to offer or provide products or services concerning persons with developmental disabilities. Such services include but are not limited to consulting, representational, advocacy or direct services.