



## **EXECUTIVE COMMITTEE MEETING NOTICE/AGENDA**

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**DATE:** April 9, 2013

**TIME:** 2 p.m. – 5:00 p.m.

**LOCATION:** State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811  
(916) 322-8481

### **TELECONFERENCE SITES:**

#### **Tarjan Center at UCLA**

11075 Santa Monica Blvd, Suite 208  
Los Angeles, CA 90025

#### **Area Board 11**

2000 E. Fourth Street, Ste. 115  
Santa Ana, CA 92705

#### **Wallace Group**

Redwood Conference Room  
612 Clarion Court  
San Luis Obispo, CA 93401

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### **AGENDA**

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<b>1. CALL TO ORDER</b>	J. Allen	
<b>2. ESTABLISHMENT OF QUORUM</b>	J. Allen	
<b>3. WELCOME/INTRODUCTIONS</b>	J. Allen	
<b>4. APPROVAL OF FEBRUARY 2013 MINUTES</b>	J. Allen	<b>3</b>

**5. PUBLIC COMMENTS**

This item is for members of the public only to provide an opportunity to 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 Council will provide a public comment period, not to exceed a total of seven minutes, for public comment prior to action on each agenda item.

<b>6. REGIONAL CENTER CONFLICT OF INTEREST WAIVER REQUESTS</b>	M. Corral	9
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<b>11. EMPLOYMENT FIRST COMMITTEE</b>	K. Weller	
<b>12. PROGRAM DEVELOPMENT COMMITTEE</b>	J. Lewis	
<b>13. JAY NOLAN COMMUNITY SERVICES ABUSE INCIDENT</b>	R. Newton & M. Polit	163
<b>14. STATE PLAN SUBCOMMITTEE COMPOSITION</b>	J. Aguilar	
<b>15. COUNCIL MEETING SCHEDULE AND TEAM BUILDING</b>	J. Aguilar	
<b>16. ESTABLISH MAY COUNCIL AGENDA</b>	All	
<b>17. ADJOURNMENT</b>	J. Allen	

Draft  
Executive Committee Meeting Minutes  
February 12, 2013

**Attending Members**

Janelle Lewis  
Jennifer Allen  
Jorge Aguilar  
Kecia Weller  
Molly Kennedy  
Ray Ceragioli

**Members Absent**

Olivia Raynor

**Others Attending**

Denis Craig  
Jerry Rucker  
Kara Read-Spangler  
Mark Polit  
Melissa Corral  
Roberta Newton  
Robin Maitino

1. **Call to Order**

Jennifer Allen called the meeting to order at 1:50 p.m. and established a quorum present.

2. **Welcome and Introductions**

Members and others introduced themselves.

3. **Approval of December 11, 2012 Minutes**

It was moved/seconded (Aguilar/Ceragioli) and carried to approve the December 11, 2012, Executive Committee meeting minutes as presented. (3 abstentions)

4. **Public Comments**

There were no public comments.

5. **Closed Session – Personnel**

The Executive Committee went into closed session.

**6. Reconvene In Open Session**

It was moved/seconded (Kennedy/Allen) and carried to appoint Roberta Newton as Interim Executive Director. (by unanimous vote)

It was moved/seconded (Allen/Weller) and carried to pursue retroactive pay for Roberta Newton back to September 12, 2012. (by unanimous vote)

**7. Issues to Follow-up from Council Meeting**

- (1) Personnel Action – Roberta Newton reported that there is no new information to report on the anticipated personnel action.
- (2) Appointment of Interim Executive Director – Jennifer Allen announced Roberta Newton’s appointment to Interim Executive Director as reported out from closed session.
- (3) Referral of Audit and Investigatory Materials to Attorney General – Per the Council’s request, Staff Counsel has referred this matter to the Attorney General’s office for investigation.

**8. Approval of Program Performance Report (PPR)**

Mark Polit presented the final draft of the PPR report to the Committee.

It was moved/seconded (Aguilar/Weller) and carried to approve the PPR report as amended.

**9. Regional Center Conflict of Interest Waiver Requests**

It was moved/seconded (Aguilar/Kennedy) and carried to make the following recommendations for input on the proposed Conflict of Interest regulations:

The Department of Developmental Services (DDS), as the contracting agency of regional centers, has the authority for the approval or denial of conflict of interest waiver requests. The regulations, as written today, do not allow DDS to approve waiver requests without approval from SCDD and the Area Board which could result in unintended consequences. This

needs to be remedied as soon as possible to allow DDS to approve or deny regional center board or staff waiver requests with or without input from the SCDD and area board.

SCDD appreciates the ability to provide input, but cannot take responsibility for issues that are not part of our authority. For instance, the SCDD or area board may not be able to provide input, either due to timing issues, lack of information provided, or other unforeseen circumstances.

Therefore, SCDD respectfully requests that the regulations are revised to either: 1) allow DDS to approve or deny waiver requests with or without input from the SCDD and area boards or, 2) remove both the SCDD and the area boards from reviewing Conflict Resolution Plans so that the SCDD does not have any active role that could be inconsistent with our functions or create unintended consequences for regional center board members or staff.

It was moved/seconded (Kennedy/Ceragioli) and determined by the Executive Committee that the lack of adequate information created a barrier to thorough analysis and diligent decision making. Therefore, the Committee is unable to take action on the Golden Gate Regional Center's request for Mr. James Shorter or Inland Regional Center's request for Mr. Jack Padilla.

#### 10. **Ad-Hoc Search Committee Update**

Jorge Aguilar reported on the progress since the first Ad-Hoc meeting on January 17<sup>th</sup>. He stated that the Committee is currently working on a draft duty statement and hopes to have more information by the March Council meeting.

Jorge announced the next meeting to be March 19<sup>th</sup> from 9-12.

#### 11. **Administrative Committee Update**

Molly Kennedy reported on the progress made at the first Administrative Committee meeting held on January 17<sup>th</sup>. The Committee discussed the possibility of getting a retired annuitant to work in the capacity of a Deputy Director for Administration until a permanent Executive Director is hired.

Kris Kent confirmed that his agency will be working with the Council to suggest some options. The Committee also discussed the following priorities to be tackled:

### Budgets

The Committee will ensure the budget is always tied to the State Plan and that input is received from all Committees. The Committee will also closely monitor expenditures to ensure no misuse of funds. There will be a budget update at each Council meeting.

### Contracts

The Committee will work closely with the Program Development Committee to ensure all monies being expended for Grants, etc. follow the priorities laid out in the State Plan and that proper oversight is given.

### Other Administrative

The Committee will also ensure that policies are developed and implemented for all other administrative functions.

The next Administrative Committee meeting is scheduled for February 21<sup>st</sup> from 1:30 to 3:30 p.m.

## 12. **Bylaw Review**

### *Motion 1*

It was moved/seconded (Kennedy/Weller) and carried to approve the following changes to the Bylaws as proposed by SAAC at the January 2013 Council meeting:

- (1) Page 15 under the Self-Advocate Advisory Committee: add a statement to have a standing representation from SAAC on SSAN.
- (2) Page 15 under the Self-Advocate Advisory Committee: add their mission statement.
- (3) Page 15 under the Self-Advocate Advisory Committee: amend to read; the SAAC shall advise the Council... State Council participation and peer advocacy advancement, independence and inclusion.

*Motion 2*

It was moved/seconded (Aguilar/Kennedy) and to carried to propose the following technical changes to the Council for approval.

- (1) On the cover – add notation “REVISED ON: \_\_\_\_\_ and CERTIFIED BY THE SCDD ON:\_\_\_\_\_.”
- (2) As a header throughout the bylaws add the “revision date:\_\_\_\_\_ on the top left and page # of # on the right.”
- (3) On page 7, capitalize “Chairperson and Vice-Chairperson.”
- (4) On page 8, remove formatting error.
- (5) On page 11, make capitalization changes and bring the language into compliance with Welfare and Institutions Code Section 4535.
- (6) On page 14-15, add SAAC proposed language clarifying mission and adding a standing representative to the Statewide Self-Advocacy Network.

13. **UCLA/Orthopedic Hospital Center for Cerebral Palsy Sponsorship Request**

UCLA/Orthopedic Hospital Center for Cerebral Palsy is requesting a sponsorship of \$999.00 for the Family Forum, the event will be held on Saturday, April 20, 2013.

This one day conference has two parts. The morning professional program is a CEU-accredited educational seminar. The afternoon program, the Family Forum, is a free consumer event for children and adults with CP and their families. The purpose of the Family Forum is to allow people with cerebral palsy, their families and others who care for them to interact with each other and with professionals in the field of cerebral palsy. Speakers offer informal presentations on topics relevant to people with cerebral palsy and their families. The audience is encouraged to ask questions and share their experiences. Demonstrations of equipment are often brought in to provide participants with “hands on” experiences. This is the only event in southern California that provides a forum for patients and their families to obtain accurate information on

programs addressing the medical, physical and social needs of people with cerebral palsy.

This year's Family Forum will include information on programs in the area of education, employment and leisure.

It was moved/seconded (Kennedy/Aguilar) and carried to award \$999.00 to UCLA/Orthopedic Hospital Center for Cerebral Palsy for individuals to participate in this program. (1 abstention)

14. **March 20, 2013 Council Agenda**

The March Council agenda will include the following:

- SB 946 Presentation
- Closed Session (if necessary as determined by SCDD Counsel)
- Review of Bylaws
- Conflict of Interest Waivers
- Committee Reports
- Sponsorship Request

15. **Adjournment**

The meeting was adjourned at 5 p.m.

## EXECUTIVE COMMITTEE AGENDA ITEM DETAIL SHEET

**ISSUE:** Regional Center Conflict of Interest (COI)

**SUMMARY:** The Department of Developmental Services enacted emergency regulations regarding regional center conflict of interest (COI) standards and procedures. The regulations significantly change the involvement of the Council and local area boards by requiring both the Council and appropriate local area board to approve a waiver of conflict of interest not only for regional center board members, as is currently the case, but also for regional center executive directors.

**BACKGROUND/ISSUES/ANALYSIS:** The Department of Developmental Services enacted emergency regulations regarding regional center conflict of interest (COI) standards and procedures.

Prior to these regulations, both the Council and area board approved waivers for regional center board members (WIC 4628); however, the newly enacted regulations require that the Council and area board approve waivers for regional center executive directors in addition to board members.

Today, the Committee will review, a previous waiver submitted by Inland Regional Center (IRC) on behalf of Jack Padilla. Based on the Executive Committee's action on February 12, 2013, the director of IRC submitted a clarifying letter to the Committee requesting a review of its decision. In addition, Area Board 12 took action to approve the waiver request during this interval.

The Committee will also review the COI statements and plans submitted for review by Kern Regional Center (KRC) and Far Northern Regional Center (FNRC) for the following staff and board members:

1. **KRC Board member** – Frank Meyer. Mr. Meyer submitted a conflict of interest plan and stated he has **NO CONFLICT**. Therefore, no action is required by the Council other than review.
2. **KRC Employee** – Duane Law, Chief Executive Officer. Mr. Law submitted a conflict of interest plan and stated he had **NO CONFLICT**. Therefore no action is required by the Council other than review.

3. **KRC Board member** – Matthew La Grand. Although Mr. La Grand works for BARC in the packaging department (which is a day program vendor) he stated that he has **NO CONFLICT**. Therefore, no action is required by the Council other than review.
4. **KRC Board member** – Emily Greenwood. Although Ms. Greenwood is a client of KRC and receives POS funded services through KRC, she stated that she has **NO CONFLICT**. Therefore, no action is required by the Council other than review.
5. **KRC Board member** – Iman Killebrew. Ms. Killebrew is the co-owner of Aimes and As One, Inc. which are both vendored by KRC. These vendors provide SLS and Level IV group homes. They also have a mobile community based program. Ms. Killebrew's husband is also involved in both of the companies. Ms. Killebrew is the Chairperson of the Vendor Advisory Committee of KRC. To mitigate (eliminate) the conflict, Ms. Killebrew proposes to:
  - a. Not participate in any discussions related to either SLS vendors or group home vendors and,
  - b. She will not vote regarding any contract for either type of vendor.
  - c. Ms. Susan Lara, Board President will assure Ms. Killebrew does not violate these restrictions.

The statute (law) pertaining to vendors sitting in the vendor advisory position on the board requires (WIC 4622) that the board member: 1) not sit as an officer of the board, 2) not vote on any fiscal matter affecting the purchase of services from any regional center provider and, 3) not vote on any other issue in which the member has a financial interest.

Considering the statutory language, Ms. Killebrew's conflict of interest plan may not be compliant with current statutory requirements.

6. **KRC Board member** – Ramona Puget. Ms. Puget is the president of the Kern Autism Network. The KAN is vendorized by the KRC for the sole purpose of funding an annual autism conference. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization. To mitigate (eliminate) the conflict, Ms. Puget proposes to:
  - a. Not participate in any discussion relating to KAN services and,
  - b. Ms. Susan Lara, KRC Board President, will assure Ms. Puget does not violate this safeguard.

The statute (law) prohibits members of the board of directors of entities from which the regional center purchases client services from sitting on the board of the regional center (WIC 4626(a)(3)).

7. **KRC Board President** - Susan Lara. Ms. Lara is a parent of a KRC client who has medical issues. Ms. Lara is vendorized for two services. The first is for reimbursement of medical mileage and the second is for providing personal assistance for her son. As a result, Ms. Lara receives more than 250.00 per month from KRS for providing services for her son. To mitigate (eliminate) the conflict of interest Ms. Lara proposes to:
  - a. Discharge her responsibilities with “integrity and fidelity” and she will “exercise powers conferred upon her with interested skill, zeal and diligence and for the benefit of the Regional Center and the consumers.”
  - b. Refrain from discussion related to her vendored categories.
  - c. Mr. Richard Stotler, KRC Vice President will assure Ms. Lara’s compliance with these restrictions.

8. **KRC Board Vice-President** – Richard Stotler. Mr. Stotler’s mother is the owner of a building which is rented to a KRC vendor, Great Advantages

SLS. Mr. Stotler is not involved in his mother's business activities. In order to mitigate (eliminate) the conflict, Mr. Stotler proposed to:

- a. Not discuss KRC business with his mother or the vendor, Great Advantages SLS and,
- b. Mr. Stotler will not be involved in any discussions related to this particular vendor during board meetings.
- c. Ms. Susan Lara, KRC Board President, will assure Mr. Stotler follows this plan to assure avoidance of any potential conflict of interest.

9. **KRC Board member** – David Marcus. Mr. Marcus is a client of KRC and receives POS funded service through KRC. Mr. Marcus stated he has **NO CONFLICT.** Therefore, no action is required by the Council other than review.
10. **FNRC Board member** - Margot Madsen. Ms. Madsen is a volunteer peer mentor with Bethesda Lutheran which is a FNRC vendor. Bethesda provides services that include residential care and day services. Ms. Madsen is not employed with Bethesda Lutheran. Ms. Madsen will not receive any wage or salary in connection with her volunteer work as a mentor. As a mentor, Ms. Madsen will travel to speak at a few out-of-town events during the year and will be reimbursed for her travel and per diem expenses. To mitigate (eliminate) the conflict of interest Ms. Madsen proposed to:
  - a. Ms. Madsen will not make any recommendation, participate in any discussion or vote on any contract or matter regarding Bethesda Lutheran.
  - b. Ms. Madsen will leave the room during discussion of any matter regarding Bethesda Lutheran.

- c. Ms. Madsen will not promote Bethesda Lutheran's services to FNRC consumers.
- d. Ms. Madsen will not discuss FNRC business, activities, or consumers with any employee of Bethesda Lutheran.
- e. Ms. Madsen will not access any files kept by FNRC relating to Bethesda Lutheran.
- f. Ms. Madsen will not make, participate in making, or in any way attempt to use her position as a Board member to influence a decision regarding Bethesda Lutheran.
- g. She will not participate individually, or as a part of a group, in the preparation, presentation, formulation or approval of reports, plans, policies analyses, opinions or recommendation pertaining to Bethesda Lutheran.
- h. The FNRC board Chairperson shall be responsible for ensuring that the conditions stated in the plan are applied.

11. **FNRC Board Member** – Colleen Ryburg. Ms. Ryburg's daughter-in-law, is an occupational therapist who is also a vendor with FNRC. Daughter-in-law provides OT services to consumers in Trinity County, ages 0-3, averaging fewer than five consumers per month. In order to mitigate/eliminate this conflict of interest, Ms. Ryburg proposed to:

- a. Ms. Ryburg will not have the opportunity or authority to approve any contract with her daughter or with any other provider of occupational therapy services.
- b. Ms. Ryburg will excuse herself from the room if the issue of occupational therapy services arises during the course of a FNRC meeting.

- c. She will not promote her daughter in law to FNRC staff or consumers
- d. She will not discuss FNRC business, activities, or consumers with her daughter-in-law.
- e. She will not access any files kept by FNRC relating to her daughter-in-law's vendorization, nor will she access any files relating to other providers of occupational therapy services.
- f. She will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations pertaining to her daughter-in-law, or any other FNRC vendor of occupational therapy services.
- g. The FNRC board Chairperson shall be responsible for ensuring that the conditions stated in the plan are applied.

12. **FNRC Board Member** – Susan Hess. Ms. Hess is a self-advocate who receives services from FNRC. She is also a receptionist for the Rowell Family Empowerment Center in Butte County. Rowell is a designated California Family Resource Center that provides support, education and advocacy for families of children with disabilities. Ms. Hess works 10 hours per week and her duties are entirely clerical. Ms. Hess' husband, Ted, is also a self-advocate of FNRC and is employed by the ARC of Butte County. To mitigate/eliminate these conflicts, Ms. Hess has proposed to:

- a. Ms. Hess will not make any recommendation, participate in any discussion or vote on any contract regarding Rowell or ARC.
- b. If any of these issues arise during the course of a FNRC Board of Directors meeting, she will excuse herself from the room.
- c. She will not access any files kept by FNRC relating to Rowell or ARC.

- d. She will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of plans, policies, analyses, or recommendations pertaining to Rowell or ARC.

**COUNCIL STRATEGIC PLAN OBJECTIVE:** None

**PRIOR COUNCIL ACTIVITY:** Neither the Council nor any Committee has taken action on this specific waiver requests. If a proposed Conflict Resolution Plan is denied by the State Council or area board in the respective area, the requestor shall have 30 calendar days to either eliminate the conflict of interest or resign his or her position. DDS can grant an extension in which to complete any actions necessary to eliminate the conflict of interest; however, DDS cannot override the decision of the Council and/or area board.

**STAFF RECOMMENDATION:** The Committee should thoroughly review the attached waiver requests and take action accordingly.

**ATTACHMENT:** 1) Current Council Policy on Waivers (which does not reflect the addition of executive staff waiver request reviews.) 2) letters signed by Jorge Aguilar, SCDD Chairperson, regarding the COI regulations and Mr. Jack Padilla, 3) complete package of KRC and FNRC waiver requests, 2)

**PREPARED:** Melissa Corral, March 27, 2013

# **APPROVED SCDD CONFLICT OF INTEREST POLICY**

**DATE: SEPTEMBER 2011**  
**TO: ALL AREA BOARDS**  
**FROM: STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**  
**RE: REGIONAL CENTER REQUESTS FOR WAIVER OF CONFLICT OF INTEREST CRITERIA PROCESS**

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## **BACKGROUND**

The purpose of these procedures is to establish consistent evaluation criteria and process of requests for waivers in accordance with Welfare and Institutions Code Sections 4622 *et seq.* and Title 17 Section 54520. These procedures shall be used by the California State Council on Developmental Disabilities (Council) and local area boards.

\*These procedures may be revised in accordance with imminent regulatory changes.

### **A. Regional Center Conflict of Interest Policy**

The establishment and implementation of a conflict of interest policy and reporting process for regional centers (RC) is intended to minimize, if not eliminate, the occurrence of conflicts of interest in certain settings. This seeks to ensure that the RC board members act in the course of their duties solely in the best interest of the consumers and their families without regard to the interest of any other organization with which they are associated.

Each RC shall submit a conflict-of-interest policy to the Department of Developmental Services (DDS) by July 1, 2011, and shall post the policy on its Internet Web site by August 1, 2011. The policy shall do, or comply with, all of the following:

1. Be consistent with applicable law.
2. Define conflicts of interest.
3. Identify positions within the regional center required to complete and file a conflict-of-interest statement.
4. Facilitate disclosure of information to identify conflicts of interest.

5. Require candidates for nomination, election, or appointment to a RC board, and applicants for RC director to disclose any potential or present conflicts of interest prior to being appointed, elected, or confirmed for hire by the RC or RC governing board.
6. Require the RC and its governing board to regularly and consistently monitor and enforce compliance with its conflict-of-interest policy.

## **B. Conflict of Interest Reporting**

Welfare and Institutions Code Section 4626(e-l) sets the process for reporting conflicts of interest. The reporting process is:

1. DDS is responsible for developing a Conflict of Interest Reporting Statement (Statement.)
2. The Statement shall be completed by each RC governing board member and executive director within 30 days of selection, appointment or election and annually thereafter. A Statement must also be completed upon any change in the status of the board member or executive director that creates a potential or present conflict of interest.
3. DDS and the appropriate RC governing board shall review the Statements of each board member and the executive director to ensure that no conflicts of interest exist; however, if a present or potential conflict of interest is identified for a board member or executive director that cannot be eliminated, the RC governing board shall submit to DDS and the Council, a copy of the Statement and a plan that proposes mitigation measures within 30 days (including timeframes and actions that the governing board or individual will take to mitigate the conflict of interest.)

The submission of this Statement and mitigation plan is not considered a request for waiver.

## **C. Conflict of Interest Criteria**

California law outlines the criteria by which DDS evaluates conflicts arising among RC board members.

Additionally, it is expected that board members will be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the RC, its consumers or its mission.

Pursuant to Welfare and Institutions Code section 4626(b), no member of the governing board or member of the program policy committee of a RC shall be any of the following:

1. An employee of DDS or any State or local agency that provides service to a RC consumer, if employed in a capacity which includes administrative or policymaking responsibility, or responsibility for the regulation of the RC.
2. An employee or member of the Council or area board,
3. With the exception of a consumer advisory committee member, an employee or member of the governing board of any entity from which the RC purchases consumer services.
4. Any person who has a financial interest in RC operations, except as a consumer of RC services.

Title 17 provides additional conflict of interest criteria which may or may not encompass the criteria set forth in statute. In accordance with 17 CCR 54520, the following constitute conflicts of interest for RC board members:

5. When a member of the board or their family member is: a) a director, officer, owner, partner, shareholder, trustee or employee of any business entity or provider, b) holds any position of management in any business entity or provider or, 3) has decision or policymaking authority in such an entity or provider.
6. When the advisory committee board member is an employee or member of the governing board of a provider from which the RC purchases client services and engages in the fiscal matters. If so, this member is prohibited from serving as an officer of the RC governing board and from voting on fiscal matters or issues.
7. When a governing board member is any individual described in WIC 4626.

### **WAIVER OF CONFLICT OF INTEREST EVALUATION PROCESS**

If there is good reason that a RC is unable to meet all of the criteria for their board, the director of DDS may waive the criteria for a period of time, not to exceed one year, with the approval of the appropriate area board and the Council in accordance with WIC 4628.

The Council/area board procedure for evaluating requests for waiver shall be:

1. When area board receives a request for a waiver, it shall be scheduled for discussion and action during the next available area board meeting.
2. When evaluating a request for waiver, the area board shall discuss and analyze the following:
  - a. Does the RC have and utilize a public board member recruitment process? If not, what recruitment efforts were implemented with respect to the board member in question?
  - b. What specific criteria are involved in the request? Is the individual prohibited from serving based on the statute (C. 1-4 above) or regulation (C. 5-7 above) or both?
  - c. Does the proposed mitigation plan effectively address avoidance of the identified conflict of interest?
  - d. What impact will the approval/denial of the waiver have on the RC board?
  - e. Has the RC requested a waiver on behalf of the same individual before? If so, how long ago?
3. Upon evaluating the request, the area board shall take action to approve/deny the waiver request unless additional information is requested from RC.
4. Within 5 business days of taking action, the area board shall forward their analyses and action to the Council.
5. The Council shall schedule a discussion and action for the next available regular Council meeting. During the discussion, the Council shall review the area board analyses. The Council shall take action to approve/deny the waiver unless further information is requested from the area board.
6. The Council shall submit their action to DDS within 5 business days.

**LETTER FROM J. AGUILAR  
REGARDING COI REGULATIONS**



State Council on Developmental Disabilities

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Edmund G. Brown Jr.  
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February 12, 2013

Mr. Eric Gelber, Assistant Director  
Office of Legislation and Regulations  
Department of Developmental Services  
1600 Ninth Street, Room 322, MS 3-10  
Sacramento, CA 95814

**CONFLICT OF INTEREST STANDARDS FOR REGIONAL CENTER BOARD MEMBERS, EMPLOYEES, AND OTHERS ACTING ON BEHALF OF THE REGIONAL CENTER**

Dear Mr. Gelber,

The State Council on Developmental Disabilities (SCDD), is established by state and federal law as an independent state agency to ensure that people with developmental disabilities and their families receive the services and supports they need. To that end, SCDD delegated the review of the conflict of interest regulations to Executive Committee of SCDD to meet the comment period deadline.

The proposed regulations require the State Council on Developmental Disabilities and local area boards to review and approve or disapprove Conflict Resolution Plans for regional center board members, employees, and others. After a thorough review on February 12, 2013, the SCDD Executive Committee believes that the regulations need to be revised to eliminate unintended consequences. We believe that the Department of Developmental Services (DDS), as the contracting agency of regional centers, has the authority for the approval or denial of conflict of interest waiver requests. The regulations, as written today, do not allow DDS to approve waiver requests without approval from SCDD and the Area Board which could result in unintended consequences. This needs to be remedied as soon as possible to allow DDS to approve or deny regional center board or staff waiver requests with or without input from the SCDD and area board.

We appreciate the ability to provide input, but we cannot take responsibility for issues that are not part of our authority. For instance, the SCDD or area board may not be able to provide input, either due to timing issues, lack of information provided, or other unforeseen circumstances.

*"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."*

February 12, 2013  
Mr. Eric Gelber  
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Therefore, we respectfully request the regulations are revised to either: 1) allow DDS to approve or deny waiver requests with or without input from the SCDD and area boards or, 2) remove both the SCDD and the area boards from reviewing Conflict Resolution Plans so that the SCDD does not have any active role that could be inconsistent with our functions or create unintended consequences for regional center board members or staff.

Thank you for your consideration of our input. If you have any questions, please do not hesitate to contact us.

Sincerely,

  
JORGE AGUILAR  
Chairperson

# JACK PADILLA REQUEST FOR RECONSIDERATION



State Council on Developmental Disabilities

• website • [www.sccd.ca.gov](http://www.sccd.ca.gov) • email • [council@sccd.ca.gov](mailto:council@sccd.ca.gov)

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February 13, 2013

Allan Smith  
Community Services Division  
Department of Developmental Services  
1600 9<sup>th</sup> Street, Room 320, MS 3-9  
Sacramento, CA 95814

Dear Mr. Smith:

On February 12, 2013, after receiving delegation authority from the State Council on Developmental Disabilities (SCDD), the Executive Committee of SCDD considered the waiver request submitted by Inland Regional Center on behalf of Mr. Jack Padilla. The basis for the delegated authority was to ensure a timely response to the waiver.

After their review, the Committee determined that the lack of adequate information created a barrier to thorough analysis and diligent decision making. Therefore, no action was taken on this waiver request.

If you have any questions or concerns, please feel free to contact Melissa C. Corral, Staff Counsel at 916-322-8481.

Sincerely,

JORGE AGUILAR  
Chairperson

cc: Drew Cutler MD, Chairperson, Inland Regional Center  
Vicki Smith, Executive Director, Area Board 12

*"The Council advocates, promotes & implements policies and practices that achieve self-determination, independence, productivity & inclusion in all aspects of community life for Californians with developmental disabilities and their families."*



# INLAND REGIONAL CENTER

...valuing independence, inclusion and empowerment

P. O. Box 19037, San Bernardino, CA 92423

Telephone: (909) 890-3000

Fax: (909) 890-3001

March 6, 2013

Jorge Aguilar, Chairperson  
State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street, Suite 210  
Sacramento, CA 95811

Dear Mr. Aguilar

On behalf of the Board of Trustees for Inland Counties Regional Center Inc, I wish to thank the Executive Committee for their review of the waiver request for Mr. Jack Padilla.

We understand that no action was taken on this request due to the committee's need for additional information to be able to make a decision. I am providing this additional clarity for further discussion as best as I can, not knowing exactly what the concerns may have been.

Mr. Padilla's daughter is an On-Call Registered Nurse for a provider that delivers skilled and intermediate care to people in a large 55 bed facility. There are very few IRC consumers residing in this facility and many times there are no IRC consumers at the facility. The daughter does not have any duties or responsibilities that would involve financial, policy, or governance decision-making by the facility.

At such time that IRC Board of Trustees would be voting on financial or policy matters arise that may have an impact on the provider/s, Mr. Padilla will abstain from voting.

As stated in the previous correspondence and packet of information, Mr. Padilla is very dedicated to supporting IRC and the services offered to people with developmental disabilities. He is committed to fulfilling his responsibility as an active, honest and dedicated member of the board.

I am hopeful that this clarity will allow the process to move forward with State Council so that Mr. Padilla will be able to remain as an active member serving an important role for persons with developmental disabilities in the Inland Empire. I remain available to provide any additional information that you may require in your review of this waiver.

Mr. Aguilar  
March 6, 2013  
Page 2

Thank you for your assistance in this matter. We are very willing to work cooperatively in this process. If you have any additional questions, please feel free to contact me at 909-890-3400.

Sincerely,

*Original signed by*

Carol A. Fitzgibbons  
Executive Director

Copy: Drew Cutler, M.D., President  
Allan Smith, DDS  
Brian Winfield, DDS  
Vicki Smith, Area Board 12  
Roberta Newton, SCDD



## Area Board XII

### 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.

---

05 March 2013

Brian Winfield, Regional Center Operations (brian.winfield@dds.ca.gov)  
Department of Developmental Services  
1600 Ninth Street  
Sacramento, CA 95814

Dear Brian:

We are in receipt of Inland Regional Center's "Conflict of Interest Resolution Plan" for Mr. Jack Padilla approved by both their President and Secretary of the board. Our office approves the plan put forward and believes that since, at this time, contracts and service agreements are not directly approved by the Inland Regional Center board that an opportunity for conflict does not exist.

Should you have any questions, please feel free to contact our office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Vicki Smith".

Vicki Smith  
Executive Director  
State Council on Developmental Disabilities, Area Board 12

/vs

cc: Roberta Newton, Interim Executive Director, SCDD (Roberta.Newton@scdd.ca.gov)  
Drew Cutler, M.D., President, IRC Board (DCutler@llu.edu)  
Carol Fitzgibbons, Executive Director, IRC (CFitzgibbons@InlandRC.org)

**FRANK MEYER**

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



RECEIVED

FEB 12 2013

February 5, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Enclosed please find the Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Frank Meyer. Mr. Meyer joined the Kern Regional Center Board on October 2, 2012. Mr. Meyer does not have any reportable Conflict of Interest in accordance with regulation.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Lara".

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT  
DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Frank N. Meyer Regional Center: Kern

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): 10/02/2012  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

- 1. Please list your job title and describe your job duties at the regional center.  
Governing Board Member

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
  
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.
  
4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
  
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

We, as board members, vote on contracts in excess of \$250,000.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I Frank N. Meyer (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Frank N. Meyer Date 11/12/2012

**INTERNAL USE ONLY**

Date this Statement was received by Reviewer:

The reporting individual  does  does not have a  present  potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

*[Signature]*

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Enclosed please find the Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Frank Meyer. Mr. Meyer joined the Kern Regional Center Board on October 2, 2012. Mr. Meyer does not have any reportable Conflict of Interest in accordance with regulation.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", with a long horizontal flourish extending to the right.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Enclosed please find the Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Frank Meyer. Mr. Meyer joined the Kern Regional Center Board on October 2, 2012. Mr. Meyer does not have any reportable Conflict of Interest in accordance with regulation.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", with a long horizontal flourish extending to the right.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

# DUANE LAW

**KERN REGIONAL CENTER**  
Supporting Equality, Independence & Opportunity



February 5, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Please find enclosed a Conflict of Interest Reporting Statement for Duane Law, Kern Regional Center's Chief Executive Officer. Mr. Law does not have any potential conflict of interest to report in accordance with regulations.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "SL", is written over a light blue horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT**

**DS 6016** (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: DUANE ALLEN LAW Regional Center: KERN Regional Ctr

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center. *CHIEF Executive officer, In response to the KRC Board of Directors provide leadership and oversight to Kern Regional Center in accordance with policies and procedures, state and Federal Laws. ASSURE proper Fiduciary Business Practices and Quality Services to individual with Disabilities under the Lanterman Act.*

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input checked="" type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?
  - yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
  
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?
  - yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.
  
4. Are you a regional center advisory committee board member?
  - yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
  
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?
  - yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children; stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input checked="" type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input checked="" type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I DUANE ALLEN LAW (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date OCT 31, 2012

<b>INTERNAL USE ONLY</b>	
Date this Statement was received by Reviewer:	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer	Date Review Completed
<u></u>	

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Please find enclosed a Conflict of Interest Reporting Statement for Duane Law, Kern Regional Center's Chief Executive Officer. Mr. Law does not have any potential conflict of interest to report in accordance with regulations.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "SL", is written over a light blue horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Please find enclosed a Conflict of Interest Reporting Statement for Duane Law, Kern Regional Center's Chief Executive Officer. Mr. Law does not have any potential conflict of interest to report in accordance with regulations.

If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "SL", is written over a light blue horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

**MATTHEW LA GRAND**

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



**RECEIVED**

**FEB 12 2013**

February 5, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Matthew La Grand. Mr. La Grand is also a client of Kern Regional Center. Mr. La Grand currently works at Bakersfield Association for Retarded Citizens (BARC). BARC is a day program vendor and Mr. La Grand works in their packaging department. As a Board Member, Mr. La Grand does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. La Grand does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "SL", is written over a light blue horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

---

**A. INFORMATION OF REPORTING INDIVIDUAL**

---

Name: Matthew La Grand Regional Center: KERN

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Board member / client

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

*work @ BARC - a day program vendor in the packaging Dept.*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

*N/A*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

I vote on contracts presented to the Board

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

Matthew Plasencia (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Matthew Plasencia Date \_\_\_\_\_

INTERNAL USE ONLY	
Date this Statement was received by Reviewer: _____	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>[Signature]</u>	Date Review Completed _____

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Matthew La Grand. Mr. La Grand is also a client of Kern Regional Center. Mr. La Grand currently works at Bakersfield Association for Retarded Citizens (BARC). BARC is a day program vendor and Mr. La Grand works in their packaging department. As a Board Member, Mr. La Grand does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. La Grand does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", is written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Matthew La Grand. Mr. La Grand is also a client of Kern Regional Center. Mr. La Grand currently works at Bakersfield Association for Retarded Citizens (BARC). BARC is a day program vendor and Mr. La Grand works in their packaging department. As a Board Member, Mr. La Grand does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. La Grand does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Lara".

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

**EMILY GREENWOOD**

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



February 13, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Emily Greenwood. Ms. Greenwood is also a client of Kern Regional Center. She does receive POS funded services through Kern Regional Center. As a Board Member, Ms. Greenwood does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Ms. Greenwood does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services



**CONFLICT OF INTEREST REPORTING STATEMENT**

**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Emily Greenwood Regional Center: Kern

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.  
Member, Kern Regional Center Board of Directors  
and KRC client.

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- |   |
|---|
| <input type="checkbox"/> Governing Board Member   |
| <input type="checkbox"/> Vendor Advisory on Board |
| <input type="checkbox"/> Executive Director       |
| <input type="checkbox"/> Employee/Other           |

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.
4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

N/A

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

*The Board of Directors votes on contracts over \$250,000.*

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.  
*N/A*

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain. *N/A*

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

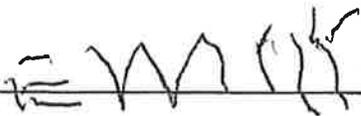
- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I Emily Greenwood (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 2.5.13

INTERNAL USE ONLY	
Date this Statement was received by Reviewer:	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer	Date Review Completed
<u></u>	

# KERN REGIONAL CENTER



February 13, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Emily Greenwood. Ms. Greenwood is also a client of Kern Regional Center. She does receive POS funded through Kern Regional Center. As a Board Member, Ms. Greenwood does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Ms. Greenwood does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Lara", with a long horizontal flourish extending to the right.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 13, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member Emily Greenwood. Ms. Greenwood is also a client of Kern Regional Center. She does receive POS funded services through Kern Regional Center. As a Board Member, Ms. Greenwood does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Ms. Greenwood does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

# IMAN KILLEBREW

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



February 5, 2013

RECEIVED

FEB 12 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Enclosed, please find a copy of a Conflict of Interest Reporting Statement for Iman Killebrew. Ms. Killebrew is sitting on a Kern Regional Center Board of Directors as the representative for the Vendor Advisory Committee. Ms. Killebrew is the co-owner of Aimes and As One, Inc. These vendors provide SLS services and Level IV I Group Homes. They also have a mobile community based program. Ms. Killebrew's husband, Steve Killebrew, is also involved in both of these companies. As the Chairperson of the Vendor Advisory Committee, Ms. Killebrew is sitting on the Kern Regional Center Board of Directors. In her position, Ms. Killebrew, does participate and votes related to approval of contracts over \$250,000.00.

Ms. Killebrew understands that she does have a potential for a conflict of interest as the result of her business interests. As a result, in order mitigate any potential conflict; Ms. Killebrew will not participate in discussions related to either SLS vendors or group home vendors. In addition, she will not vote regarding contracts for either type of vendors. Susan Lara, President of the Kern Regional Center Board of Directors, will be responsible for ensuring that Ms. Killebrew does not violate these restrictions. It should also be noted that in the past, Ms. Killebrew was on the Advisory Committee for ASPIRE which is a housing project for Kern Regional Center. Ms. Killebrew understands that this is a Conflict of Interest and is submitting her resignation from that advisory committee.

Kern Regional Center Board of Directors is supportive of Ms. Killebrew's participation in the Kern Regional Center Board of Directors and encourages approval of this Conflict of Interest Waiver request. If you have any questions regarding the enclosed Conflict of Interest Reporting Statement, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Iman Killebrew Regional Center: KRC

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

N/A

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

I am Owner; Co Owner of AIME'S;  
 AS ONE INC. we provide SLS and  
 Group Homes from level 4-I up  
 we have mobile Community based program

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

My Husband Steve Killebren is  
 also involved with both companies

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

I am the chair for the Vendor Advisory  
 Committee and I sit on KRC  
 Board.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

- a) NO - I am not an officer of KRC board.  
 b) YES - I vote on contracts that are not related  
 to my Vendorization with KRC.  
 c) NO -

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

N/A

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.  
 Board reviews all contracts valued over \$250,000. — and I do not vote on contracts that are related to any of my Vendorizations.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center? ~~yes~~  no -- If yes, please explain.  
 See # 2 ; # 3

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.  
 See # 3

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

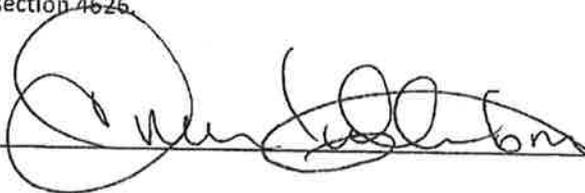
10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

N/A

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

Iman Killebrew (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 11.15.12

**INTERNAL USE ONLY**

Date this Statement was received by Reviewer:

The reporting individual  does  does not have a  present  potential conflict of interest

Signature of Designated Reviewer

Date Review Completed

es

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Enclosed, please find a copy of a Conflict of Interest Reporting Statement for Iman Killebrew. Ms. Killebrew is sitting on a Kern Regional Center Board of Directors as the representative for the Vendor Advisory Committee. Ms. Killebrew is the co-owner of Aimes and As One, Inc. These vendors provide SLS services and Level IV I Group Homes. They also have a mobile community based program. Ms. Killebrew's husband, Steve Killebrew, is also involved in both of these companies. As the Chairperson of the Vendor Advisory Committee, Ms. Killebrew is sitting on the Kern Regional Center Board of Directors. In her position, Ms. Killebrew, does participate and votes related to approval of contracts over \$250,000.00.

Ms. Killebrew understands that she does have a potential for a conflict of interest as the result of her business interests. As a result, in order mitigate any potential conflict; Ms. Killebrew will not participate in discussions related to either SLS vendors or group home vendors. In addition, she will not vote regarding contracts for either type of vendors. Susan Lara, President of the Kern Regional Center Board of Directors, will be responsible for ensuring that Ms. Killebrew does not violate these restrictions. It should also be noted that in the past, Ms. Killebrew was on the Advisory Committee for ASPIRE which is a housing project for Kern Regional Center. Ms. Killebrew understands that this is a Conflict of Interest and is submitting her resignation from that advisory committee.

Kern Regional Center Board of Directors is supportive of Ms. Killebrew's participation in the Kern Regional Center Board of Directors and encourages approval of this Conflict of Interest Waiver request. If you have any questions regarding the enclosed Conflict of Interest Reporting Statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in dark ink, appearing to be "SL", written over a light blue horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII

State Council on Developmental Disabilities

Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Enclosed, please find a copy of a Conflict of Interest Reporting Statement for Iman Killebrew. Ms. Killebrew is sitting on a Kern Regional Center Board of Directors as the representative for the Vendor Advisory Committee. Ms. Killebrew is the co-owner of Aimes and As One, Inc. These vendors provide SLS services and Level IV I Group Homes. They also have a mobile community based program. Ms. Killebrew's husband, Steve Killebrew, is also involved in both of these companies. As the Chairperson of the Vendor Advisory Committee, Ms. Killebrew is sitting on the Kern Regional Center Board of Directors. In her position, Ms. Killebrew, does participate and votes related to approval of contracts over \$250,000.00.

Ms. Killebrew understands that she does have a potential for a conflict of interest as the result of her business interests. As a result, in order mitigate any potential conflict; Ms. Killebrew will not participate in discussions related to either SLS vendors or group home vendors. In addition, she will not vote regarding contracts for either type of vendors. Susan Lara, President of the Kern Regional Center Board of Directors, will be responsible for ensuring that Ms. Killebrew does not violate these restrictions. It should also be noted that in the past, Ms. Killebrew was on the Advisory Committee for ASPIRE which is a housing project for Kern Regional Center. Ms. Killebrew understands that this is a Conflict of Interest and is submitting her resignation from that advisory committee.

Kern Regional Center Board of Directors is supportive of Ms. Killebrew's participation in the Kern Regional Center Board of Directors and encourages approval of this Conflict of Interest Waiver request. If you have any questions regarding the enclosed Conflict of Interest Reporting Statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "SL", written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities

# RAMONA PUGET

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



February 5, 2013

RECEIVED

FEB 12 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Please find enclosed a Conflict of Interest Reporting Statement for Ramona Puget. In the attached Conflict of Interest Reporting Statement, you will note that Ms. Puget is acknowledging her volunteer work with the organization Kern Autism Network (KAN). Ms. Puget is the President of this organization. It is noted that the Kern Autism Network is vendorized with Kern Regional Center for the sole purpose of funding an annual conference on autism. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization.

As a Kern Regional Center Board Member, Ms. Puget is responsible for voting on contracts over \$250,000.00. These contracts are developed by Kern Regional Center staff and presented to the Board for approval.

Ms. Puget's participation with KAN does present a potential Conflict of Interest and is requesting a waiver. Ms. Puget understands that she cannot participate in Board discussions regarding KAN services. Susan Lara, as President of the Board of Directors, will assure Ms. Puget does not violate this safeguard.

Ms. Puget understands that she is obligated to discharge her responsibilities as a Board Member with integrity and fidelity, and that her decisions must benefit the Regional Center and consumers. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII  
Area Board XII

Department of Developmental Services • 2201 K Street • Bakersfield, California 93308

(661) 327-8531 • Fax (661) 324-5060 • TDD (661) 327-1251

**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Ramona Puget Regional Center: Kern

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

*volunteer*

2. Do you or a family member<sup>2</sup> *work* for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

*- Kern Autism Network - Autism Society, President*  
*- Annual Conference on Autism for parents*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

*- Kern Autism Network - Autism Society, President*  
*- Annual Conference on Autism for parents*  
*- no financial interest*

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

*- See explanation above.*

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).  
<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

*KRC board - over \$250K*

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

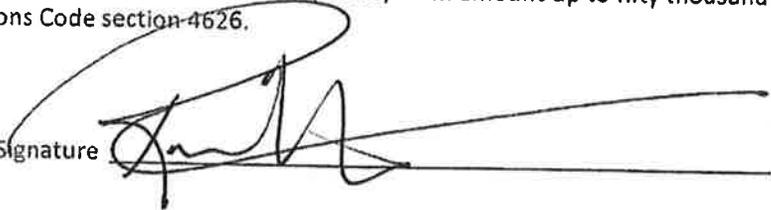
- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

Ramona Puget (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 12/20/12

INTERNAL USE ONLY	
Date this Statement was received by Reviewer:	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer	Date Review Completed
<u>ES</u>	

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Please find enclosed a Conflict of Interest Reporting Statement for Ramona Puget. In the attached Conflict of Interest Reporting Statement, you will note that Ms. Puget is acknowledging her volunteer work with the organization Kern Autism Network (KAN). Ms. Puget is the President of this organization. It is noted that the Kern Autism Network is vendorized with Kern Regional Center for the sole purpose of funding an annual conference on autism. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization.

As a Kern Regional Center Board Member, Ms. Puget is responsible for voting on contracts over \$250,000.00. These contracts are developed by Kern Regional Center staff and presented to the Board for approval.

Ms. Puget's participation with KAN does present a potential Conflict of Interest and is requesting a waiver. Ms. Puget understands that she cannot participate in Board discussions regarding KAN services. Susan Lara, as President of the Board of Directors, will assure Ms. Puget does not violate this safeguard.

Ms. Puget understands that she is obligated to discharge her responsibilities as a Board Member with integrity and fidelity, and that her decisions must benefit the Regional Center and consumers. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board XII  
**State Council on Developmental Disabilities**  
Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Please find enclosed a Conflict of Interest Reporting Statement for Ramona Puget. In the enclosed Conflict of Interest Reporting Statement, you will note that Ms. Puget is acknowledging her volunteer work with the organization Kern Autism Network (KAN). Ms. Puget is the President of this organization. It is noted that the Kern Autism Network is vendorized with Kern Regional Center for the sole purpose of funding an annual conference on autism. Ms. Puget does not receive any financial compensation for her participation with this volunteer organization.

As a Kern Regional Center Board Member, Ms. Puget is responsible for voting on contracts over \$250,000.00. These contracts are developed by Kern Regional Center staff and presented to the Board for approval.

Ms. Puget's participation with KAN does present a potential Conflict of Interest and is requesting a waiver. Ms. Puget understands that she cannot participate in Board discussions regarding KAN services. Susan Lara, as President of the Board of Directors, will assure Ms. Puget does not violate this safeguard.

Ms. Puget understands that she is obligated to discharge her responsibilities as a Board Member with integrity and fidelity, and that her decisions must benefit the Regional Center and consumers. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara". The signature is fluid and cursive, with a large initial "S" and "L".

Susan Lara, President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

**SUSAN LARA**

**KERN REGIONAL CENTER**  
Supporting Equality, Independence & Opportunity



February 5, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

**RECEIVED**  
FEB 12 2013

To Whom it May Concern:

Please find enclosed a Conflict of Interest Reporting Statement for Susan Lara, President of the Kern Regional Center Board of Directors. Ms. Lara reports that she is the parent of a KRC client who is medically fragile. As a result, Ms. Lara is vendorized for two services. The first vendorization is for reimbursement of medical mileage and the second vendorization is for providing personal assistance for her son. As a result of these vendorizations, Ms. Lara does receive more than \$250.00 per month from KRC for providing services to her son.

As a member of the Board of Directors, Ms. Lara is responsible for reviewing contracts for the Kern Regional Center with vendors when the contract is over \$250,000.00. Ms. Lara also participates in the review of Kern Regional Center's Purchase of Service Guidelines. As the President of the board, Ms. Lara only casts a vote in case of a tie.

Per regulations, Ms. Lara has a potential Conflict of Interest. She agrees to discharge her responsibilities with "integrity and fidelity" and that she will "exercise powers conferred upon her with interested skill, zeal and diligence and for the benefit of the Regional Center and the consumers." In addition, Ms. Lara is requesting a Conflict of Interest Waiver and agrees to refrain from Board discussions related to her vendored categories. As Vice-President of the board, Richard Stotler will assure Ms. Lara's compliance with these restrictions.

Kern Regional Center Board of Directors is supportive of this Conflict of Interest Waiver Request. If you have any questions regarding this statement, please feel free to contact me at your convenience.

Sincerely,

Richard Stotler, Vice-President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII  
Area Board XII

Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT**

**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Susan Lara Regional Center: Kern

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

President, Board of Directors

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest. *Please see Attachment 1*
4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain. *N/A*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

Please see attachment 1

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

Please see attachment 1

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

Susan E. Lara (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 1/10/13

**INTERNAL USE ONLY**

Date this Statement was received by Reviewer: \_\_\_\_\_

The reporting individual  does  does not have a  present  potential conflict of interest

Signature of Designated Reviewer \_\_\_\_\_

Date Review Completed \_\_\_\_\_



**Conflict of Interest Reporting Statement**  
**DS 6016**  
**ATTACHMENT 1**

**A. Information of Reporting Individual**

**Name: Susan Lara / Kern Regional Center**

- 1) President, Board of Directors
- 2) No
- 3) Yes, my son, Raymond Lara is a client of KRC and very medically fragile. I am vendorized for two services that Raymond receives; Medical Mileage Reimbursement and Service Code 062 for Personal Assistance. As a result of that vendorization, I do receive more than \$250 dollars a month from KRC to deliver services to Raymond.
- 4) No
- 5) N/A
- 6) No – At first glance I would say no, there are no contracts the Board could approve that would benefit our family financially. Yes – At second glance our Board periodically reviews, updates and approves our POS Standard Guidelines and there is a potential issue that could arise if the Board were to vote on a POS Standard for Medical Mileage Reimbursement or Code 062 Personal Assistance which could alter my son's services. Recent changes to the Title 17 Regulations resulted in changes or decreases to the services received for my child which were automatic and not a result of a Board decision. As Board President, if the POS Standard Guidelines were brought for approval before the Board, I would look at any potential changes and how it would affect our consumer population as a whole. Having experience with these services and how they are supportive, valuable and needed for many of the families served by KRC, I feel my personal knowledge is vitally important to make essential decisions as to the guidelines and how they ultimately affect our consumers, while also taking into account the budget restraints of our system.
- 7) Yes - As a Board Member we review and vote on all contracts over \$250,000 that are previously prepared and brought to the Board for approval. And as Board President, I am in charge of leading the discussion and facilitating the vote on said contracts.
- 8) No
- 9) No
- 10) No
- 11) No

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Please find enclosed a Conflict of Interest Reporting Statement for Susan Lara, President of the Kern Regional Center Board of Directors. Ms. Lara reports that she is the parent of a KRC client who is medically fragile. As a result, Ms. Lara is vendorized for two services. The first vendorization is for reimbursement of medical mileage and the second vendorization is for providing personal assistance for her son. As a result of these vendorizations, Ms. Lara does receive more than \$250.00 per month from KRC for providing services to her son.

As a member of the Board of Directors, Ms. Lara is responsible for reviewing contracts for the Kern Regional Center with vendors when the contract is over \$250,000.00. Ms. Lara also participates in the review of Kern Regional Center's Purchase of Service Guidelines. As the President of the board, Ms. Lara only casts a vote in case of a tie.

Per regulations, Ms. Lara has a potential Conflict of Interest. She agrees to discharge her responsibilities with "integrity and fidelity" and that she will "exercise powers conferred upon her with interested skill, zeal and diligence and for the benefit of the Regional Center and the consumers." In addition, Ms. Lara is requesting a Conflict of Interest Waiver and agrees to refrain from Board discussions related to her vendored categories. As Vice-President of the board, Richard Stotler will assure Ms. Lara's compliance with these restrictions.

Kern Regional Center Board of Directors is supportive of this Conflict of Interest Waiver Request. If you have any questions regarding this statement, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Stotler".

Richard Stotler, Vice-President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board VIII

State Council on Developmental Disabilities

Department of Developmental Services

3200 California Street, Bakersfield, California 93308  
(661) 327-8531 • Fax (661) 324-5060 • TDD (661) 327-1251

# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Please find enclosed a Conflict of Interest Reporting Statement for Susan Lara, President of the Kern Regional Center Board of Directors. Ms. Lara reports that she is the parent of a KRC client who is medically fragile. As a result, Ms. Lara is vendorized for two services. The first vendorization is for reimbursement of medical mileage and the second vendorization is for providing personal assistance for her son. As a result of these vendorizations, Ms. Lara does receive more than \$250.00 per month from KRC for providing services to her son.

As a member of the Board of Directors, Ms. Lara is responsible for reviewing contracts for the Kern Regional Center with vendors when the contract is over \$250,000.00. Ms. Lara also participates in the review of Kern Regional Center's Purchase of Service Guidelines. As the President of the board, Ms. Lara only casts a vote in case of a tie.

Per regulations, Ms. Lara has a potential Conflict of Interest. She agrees to discharge her responsibilities with "integrity and fidelity" and that she will "exercise powers conferred upon her with interested skill, zeal and diligence and for the benefit of the Regional Center and the consumers." In addition, Ms. Lara is requesting a Conflict of Interest Waiver and agrees to refrain from Board discussions related to her vendored categories. As Vice-President of the board, Richard Stotler will assure Ms. Lara's compliance with these restrictions.

Kern Regional Center Board of Directors is supportive of this Conflict of Interest Waiver Request. If you have any questions regarding this statement, please feel free to contact me at your convenience.

Sincerely,

Richard Stotler, Vice-President  
Kern Regional Center Board of Directors

RS:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

**RICHARD STOTLER**

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



February 5, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Please find enclosed a copy of a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Richard Stotler. Mr. Stotler is currently the Vice-President of the governing board of Kern Regional Center.

Mr. Stotler has declared a potential Conflict of Interest as a result of the fact that his mother is the owner of a building which is rented to a KRC vendor. The vendor organization is Great Advantages SLS. Mr. Stotler is not involved in his mother's business activities. In order to avoid any potential conflict of interest, Mr. Stotler understands that he should not discuss Kern Regional Center business with his mother or with the vendor, Great Advantages SLS. In addition, Mr. Stotler will refrain from any discussions related to this particular vendor during Board meetings. Susan Lara, President of Kern Regional Center Board of Directors, will be responsible for ensuring that Mr. Stotler follows the plan outlined above to assure avoidance of any potential conflict of interest.

The Kern Regional Center Board of Directors is supportive of Mr. Stotler's request for a Conflict of Interest Waiver. If you have any questions regarding the attached Conflict of Interest Reporting Statement from Mr. Stotler, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services



**CONFLICT OF INTEREST REPORTING STATEMENT****DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Richard Stotler Regional Center: Kern Regional Center

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Currently, I am the Vice President of the Governing Board.

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/> Governing Board Member <input type="checkbox"/> Vendor Advisory on Board <input type="checkbox"/> Executive Director <input type="checkbox"/> Employee/Other
---

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no – If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no – If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.
4. Are you a regional center advisory committee board member?  yes  no – If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

My Mother owns property which is rented to a vendor, Great Advantages SLS, of the Kern Regional Center.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

At regularly scheduled Board meetings, we approved contracts of vendors doing business with KRC.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

---

**B. ATTESTATION**

---

I Richard Stotler (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature  Date 01/09/2013

---

**INTERNAL USE ONLY**

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Date this Statement was received by Reviewer: \_\_\_\_\_

The reporting individual  does  does not have a  present  potential conflict of interest

Signature of Designated Reviewer

Date Review Completed



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# KERN REGIONAL CENTER



February 5, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Please find enclosed a copy of a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Richard Stotler. Mr. Stotler is currently the Vice-President of the governing board of Kern Regional Center.

Mr. Stotler has declared a potential Conflict of Interest as a result of the fact that his mother is the owner of a building which is rented to a KRC vendor. The vendor organization is Great Advantages SLS. Mr. Stotler is not involved in his mother's business activities. In order to avoid any potential conflict of interest, Mr. Stotler understands that he should not discuss Kern Regional Center business with his mother or with the vendor, Great Advantages SLS. In addition, Mr. Stotler will refrain from any discussions related to this particular vendor during Board meetings. Susan Lara, President of Kern Regional Center Board of Directors, will be responsible for ensuring that Mr. Stotler follows the plan outlined above to assure avoidance of any potential conflict of interest.

The Kern Regional Center Board of Directors is supportive of Mr. Stotler's request for a Conflict of Interest Waiver. If you have any questions regarding the attached Conflict of Interest Reporting Statement from Mr. Stotler, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to be "SL", written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 5, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Please find enclosed a copy of a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors Member Richard Stotler. Mr. Stotler is currently the Vice-President of the governing board of Kern Regional Center.

Mr. Stotler has declared a potential Conflict of Interest as a result of the fact that his mother is the owner of a building which is rented to a KRC vendor. The vendor organization is Great Advantages SLS. Mr. Stotler is not involved in his mother's business activities. In order to avoid any potential conflict of interest, Mr. Stotler understands that he should not discuss Kern Regional Center business with his mother or with the vendor, Great Advantages SLS. In addition, Mr. Stotler will refrain from any discussions related to this particular vendor during Board meetings. Susan Lara, President of Kern Regional Center Board of Directors, will be responsible for ensuring that Mr. Stotler follows the plan outlined above to assure avoidance of any potential conflict of interest.

The Kern Regional Center Board of Directors is supportive of Mr. Stotler's request for a Conflict of Interest Waiver. If you have any questions regarding the attached Conflict of Interest Reporting Statement from Mr. Stotler, please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Lara", is written over a horizontal line.

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

**DAVID MARCUS**

# KERN REGIONAL CENTER

Supporting Equality, Independence & Opportunity



RECEIVED

MAR 04 2013

February 25, 2013

State Council on Developmental Disabilities  
1507 21<sup>st</sup> Street  
Sacramento, CA 95811

To Whom it May Concern:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member David Marcus. Mr. Marcus is also a client of Kern Regional Center. He does receive POS funded services through Kern Regional Center. As a Board Member, Mr. Marcus does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. Marcus does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
Area Board XII  
Department of Developmental Services

**CONFLICT OF INTEREST REPORTING STATEMENT**

DS 6016 (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: David Marcus Regional Center: Kern

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Board of Directors - member

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.
3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.
4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.
5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain. *NIA*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

Vote on contracts over \$250,000

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I David Marcus (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature David H Marcus Date 2-19-13

<b>INTERNAL USE ONLY</b>	
Date this Statement was received by Reviewer:	
The reporting individual <input type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer	Date Review Completed
<u>[Signature]</u>	

# KERN REGIONAL CENTER



February 25, 2013

Area Board VIII  
Attn: Joe Bolling, Director  
770 E. Shaw Avenue, Suite 330  
Fresno, CA 93710

Dear Mr. Bolling:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member David Marcus. Mr. Marcus is also a client of Kern Regional Center. He does receive POS funded through Kern Regional Center. As a Board Member, Mr. Marcus does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. Marcus does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

  
Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board XII  
State Council on Developmental Disabilities  
Department of Developmental Services

# KERN REGIONAL CENTER



February 25, 2013

Area Board XII  
Attn: Vicki Smith, Director  
650 E. Hospitality Lane  
San Bernardino, CA 92408

Dear Ms. Smith:

Enclosed, please find a Conflict of Interest Reporting Statement for Kern Regional Center Board of Directors member David Marcus. Mr. Marcus is also a client of Kern Regional Center. He does receive POS funded services through Kern Regional Center. As a Board Member, Mr. Marcus does vote on contracts in excess of \$250,000.00.

Based on his Conflict of Interest Reporting Statement, Mr. Marcus does not have a present or potential conflict of interest. If you have any questions regarding the enclosed statement, please feel free to contact me at your convenience.

Sincerely,

  
Susan Lara, President  
Kern Regional Center Board of Directors

SL:rj

Enclosure

cc: Area Board VIII  
State Council on Developmental Disabilities  
Department of Developmental Services

**MARGOT MADSEN**



## Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson  
Executive Director

February 28, 2013

Brian Winfield  
Department of Developmental Services  
1600 Ninth Street, Room 300 (MS 3-9)  
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –  
FNCC Board Member Margot Madsen

Dear Mr. Winfield:

FNCC Board member **Margot Madsen** (who is also a FNRC consumer) has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500, *et seq.* She is requesting a conflict waiver.

Specifically, Ms. Madsen recently became a volunteer peer mentor with Bethesda Lutheran, a FNRC vendor. Bethesda provides services that include residential care and day services.

Ms. Madsen will not receive any wage or salary in connection with her volunteer work as a mentor with Bethesda Lutheran. However, as a mentor she will travel to speak at a few out-of-town events during the year and expects to be reimbursed for my travel/per-diem expenses.

Although she is not employed by Bethesda Lutheran, and does not stand to receive any financial gain through her volunteer work, there may be circumstances under which a perceived or actual conflict could arise. As a result, Ms. Madsen has proposed a plan to avoid and/or mitigate any conflict. (*See Proposed Conflict of Interest Resolution Plan, attached.*)

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

[www.farnorthernrc.org](http://www.farnorthernrc.org)

Brian Winfield  
February 28, 2013  
Page 2

Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,

  
\_\_\_\_\_  
LAURA L. LARSON  
Executive Director

  
\_\_\_\_\_  
STEPHEN BELL  
Chairperson, FNCC Board of Directors

Encls: Margot Madsen Plan re: Potential Conflict of Interest  
Conflict of Interest Reporting Statement – Margot Madsen

cc: Area II Board  
State Council  
FNCC Executive Committee  
Margot Madsen

**CONFLICT OF INTEREST REPORTING STATEMENT**

**DS 6016** (New 08/2012)

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Margaret Madison Regional Center: FWRC

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): \_\_\_\_\_  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

Consumer Board Member

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

*I volunteer as a mentor for Bethesda, a FVRC provider. I do not receive a salary, but am reimbursed for per diem expenses for approximately 2-5 events per year.*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member? ~~yes~~  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers:

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

As we understand it, this question pertains to regional center employees.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

---

**B. ATTESTATION**

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I Margot Madson (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Margot Madson Date 1-24-13

<b>INTERNAL USE ONLY</b>	
Date this Statement was received by Reviewer: _____	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input type="checkbox"/> present <input checked="" type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>James Lais</u>	Date Review Completed <u>2-7-13</u>

February 27, 2013

Board of Directors and  
Laura Larson, Executive Director  
Far Northern Regional Center  
P.O. Box 492418  
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –  
Board Member Margot Madsen

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I am a member of Far Northern Regional Center's Board of Directors. I am also a Far Northern Regional Center ("FNRC") consumer.

On January 24, 2013, I completed a Conflict of Interest Reporting Statement that disclosed a potential conflict of interest I may have as a member of the Board of Directors. The purpose of this letter is to propose a plan to resolve the potential conflict, and to seek approval of a conflict waiver.

I recently became a volunteer peer mentor with Bethesda Lutheran, a FNRC vendor. Bethesda provides services that include residential care and day services.

I do not receive any wage or salary in connection with my volunteer work as a mentor with Bethesda Lutheran. However, as a mentor I will be traveling to speak at a few out-of-town events during the year and will be reimbursed for my travel/per-diem expenses.

Although I am not employed by Bethesda Lutheran, and do not stand to receive any financial gain through my volunteer work, there may be circumstances under which a perceived or actual conflict could arise. As a result, I propose the following plan to avoid and/or mitigate any conflict:

1. In my capacity as a FNRC Board member, I do not currently, nor will I in the future, make any recommendation, participate in any discussion or vote on any contract or matter regarding Bethesda Lutheran;
2. I will leave the room during discussion of any matter regarding Bethesda Lutheran.
3. I will not promote Bethesda Lutheran's services to FNRC staff or consumers.
4. I will not discuss FNRC business, activities, or consumers with any employee of Bethesda Lutheran.

5. I will not access any files kept by FNRC relating to Bethesda Lutheran.
6. I will not make, participate in making, or in any way attempt to use my position as a Board member to influence a decision regarding Bethesda Lutheran.
7. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations pertaining to Bethesda Lutheran.

I believe that this plan will eliminate or mitigate any perceived or potential conflict of interest.

Thank you for your assistance,

MARGOT MADSEN  
Member, FNRC Board of Directors

A handwritten signature in cursive script that reads "Margot Madsen".

**COLLEEN RYBURG**



## Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson  
Executive Director

February 28, 2013

Brian Winfield  
Department of Developmental Services  
1600 Ninth Street, Room 300 (MS 3-9)  
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –  
FNCC Board Member Colleen Ryberg

Dear Mr. Winfield:

Newly-appointed FNCC Board member **Colleen Ryberg** has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500, *et seq.* She is requesting a conflict waiver.

Ms. Ryberg's daughter-in-law, Stacey Neill-Wiseman, is an occupational therapist who is also a vendor with Far Northern Regional Center. Ms. Neill-Wiseman provides occupational therapy services to consumers in Trinity County ages 0-3, averaging fewer than five consumers per month.

Ms. Neill-Wiseman is an independent adult who does not reside with Ms. Ryberg. Ms. Ryberg does not receive any financial benefit as a result of her daughter-in-law's employment as an occupational therapist.

As a FNCC Board member, Ms. Ryberg does not have opportunity or authority to approve any contract with her daughter or with any other provider of occupational therapy services. Nevertheless, there may be circumstances under which a perceived or actual conflict could arise. As a result, Ms. Ryberg has proposed a plan to avoid and/or mitigate any conflict. (*See Proposed Conflict of Interest Resolution Plan, attached.*)

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

[www.farnorthernrc.org](http://www.farnorthernrc.org)

Brian Winfield  
February 28, 2013  
Page 2

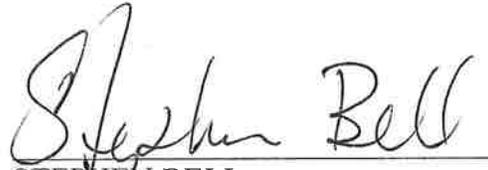
Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,



LAURA L. LARSON  
Executive Director



STEPHEN BELL  
Chairperson, FNCC Board of Directors

Encls: Colleen S. Ryberg Plan re: Conflict of Interest  
Conflict of Interest Reporting Statement – Colleen S. Ryberg

cc: Area II Board  
State Council  
FNCC Executive Committee  
Colleen Ryberg

**CONFLICT OF INTEREST REPORTING STATEMENT**

**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Colleen S. Ryberg Regional Center: FNRC

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): 01-24-2013  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

NA

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

*My daughter-in-law is a  
 Provider of Occupational  
 Therapy Services. Vendor. For North*

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain. *NA*

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

*NA*

As we understand it, this question pertains to regional center employees.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

<input type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I Colleen Ryberg (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Colleen D. Ryberg Date 01-24-2013

<b>INTERNAL USE ONLY</b>	
Date this Statement was received by Reviewer:	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input checked="" type="checkbox"/> present <input checked="" type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>Laura Lars</u>	Date Review Completed <u>2-7-13</u>

February 25, 2013

Board of Directors and  
Laura Larson, Executive Director  
Far Northern Regional Center  
P.O. Box 492418  
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –  
Board of Directors’ Member Colleen S. Ryberg

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I was appointed to Far Northern Regional Center’s Board of Directors on January 24, 2013, as a representative from Trinity County.

On that date I completed a Conflict of Interest Reporting Statement that disclosed a potential conflict of interest I may have as a member of the Board of Directors. The purpose of this letter is to propose a plan to resolve the potential conflict, and to seek approval of a conflict waiver.

My daughter, <sup>(in-law)</sup> Stacey Neill-Wiseman, is an occupational therapist who is a long-time vendor with Far Northern Regional Center (“FNRC”). Stacey provides occupational therapy services to consumers ages 0-3 in Trinity County, averaging fewer than five consumers per month.

My daughter <sup>(in-law)</sup> is an independent adult. She does not live with me, and I do not receive any financial benefit as a result of her employment as an occupational therapist.

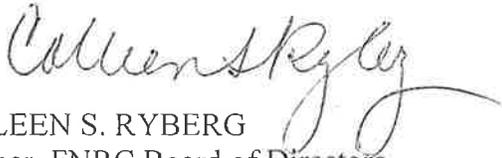
In my capacity as a FNRC Board Member, I do not have opportunity or authority to approve any contract with my daughter, or with any other provider of occupational therapy services. Nevertheless, there may be circumstances under which a perceived or actual conflict could arise. As a result, I propose the following plan to avoid and/or mitigate any conflict:

1. I do not currently, nor will I in the future, make any recommendation, participate in any discussion or vote on any vendor contract with FNRC regarding occupational therapy services provided to consumers;
2. Should the issue of occupational therapy services arise during the course of a FNRC Board of Directors’ meeting, I will excuse myself from the room;
3. I will not promote my daughter to FNRC staff or consumers.
4. I will not discuss FNRC business, activities, or consumers with my daughter.
5. I will not access any files kept by FNRC relating to my daughter’s vendorization, nor will I access any files relating to other providers of occupational therapy services.

6. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of reports, plans, policies, analyses, opinions or recommendations pertaining to my daughter, or to any other FNRC vendor of occupational therapy services..

I believe that this plan will resolve or mitigate any perceived or potential conflict of interest.

Thank you for your assistance,

A handwritten signature in cursive script that reads "Colleen S. Ryberg". The signature is written in black ink and is positioned above the printed name and title.

COLLEEN S. RYBERG  
Member, FNRC Board of Directors

**SUSAN HESS**



## Far Northern Regional Center

Providing services and supports that allow persons with developmental disabilities to live productive and valued lives.

Laura Larson  
Executive Director

February 28, 2013

Brian Winfield  
Department of Developmental Services  
1600 Ninth Street, Room 300 (MS 3-9)  
Sacramento, CA 95814

Re: Request for Waiver of Potential Conflict of Interest –  
FNCC Board Member Susan Hess

Dear Mr. Winfield:

Newly-appointed FNCC Board member **Susan Hess** (who is also a FNRC consumer) has disclosed a potential conflict of interest under California Code of Regulations, Title 17, section 54500, *et seq.* She is requesting a conflict waiver.

Specifically, Mrs. Hess is employed as a receptionist for the Rowell Family Empowerment Center in Butte County (“Rowell”). Rowell is a designated California Family Resource Center that provides support, education and advocacy for families of children with disabilities.

Mrs. Hess works only 10 hours per week for Rowell. Her duties are entirely clerical.

Mrs. Hess further disclosed that her husband, Ted Hess, who is also a FNRC consumer, is employed by ARC of Butte County. ARC is a FNRC vendor that is a provider of employment services to consumers (*see* Welfare & Institutions Code section 4626(c)). Ted Hess works at ARC as part of his day program.

Mrs. Hess has proposed a plan to mitigate any conflict that this might pose. (*See* Proposed Conflict of Interest Resolution Plan, attached.)

The Board Chairperson, with support from the remaining Board members, shall be responsible for ensuring that the conditions stated in the plan are applied.

This letter, with its attachments, serves as a Request for Waiver as prescribed by California Code of Regulations, Title 17, section 54533.

[www.farnorthernrc.org](http://www.farnorthernrc.org)

REDDING MAIN OFFICE: P. O. Box 492418 Redding, CA 96049-2418 1900 Churn Creek Rd. Suite 319 Redding, CA 96002-0277 (530) 222-4791 Fax (530) 222-8908

CHICO OFFICE: 1377 East Lassen Ave. Chico, CA 95973-7824 (530) 895-8633 FAX (530) 332-1497

REGIONAL OFFICES in: Lake Almanor and Mount Shasta

Brian Winfield  
February 28, 2013  
Page 2

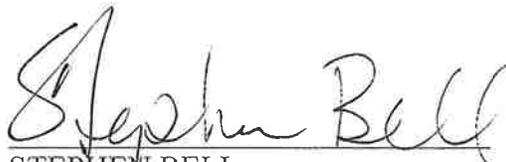
Please contact Executive Director Laura Larson if you have any questions concerning this matter.

Thank you for your assistance.

Sincerely,



LAURA L. LARSON  
Executive Director



STEPHEN BELL  
Chairperson, FNCC Board of Directors

Encls: Susan Hess Plan re: Potential Conflict of Interest  
Conflict of Interest Reporting Statement – Susan Hess

cc: Area II Board  
State Council  
FNCC Executive Committee  
Susan Hess

**CONFLICT OF INTEREST REPORTING STATEMENT**  
**DS 6016 (New 08/2012)**

The duties and responsibilities of your position with the regional center require you to file this Conflict of Interest Reporting Statement. The purpose of this statement is to assist you, the regional center and the Department of Developmental Services (DDS) to identify any relationships, positions or circumstances involving you which may create a conflict of interest between your regional center duties and obligations, and any other financial interests and/or relationships that you may have. In order to be comprehensive, this reporting statement requires you to provide information with respect to your financial interests.

A "conflict of interest" generally exists if you have one or more personal, business, or financial interests, or relationships that would cause a reasonable person with knowledge of the relevant facts to question your impartiality with respect to your regional center duties. The specific circumstances and relationships which create a conflict of interest are set forth in the California Code of Regulations, title 17, sections 54500 through 54530. You should review these provisions to understand the specific financial interests and relationships that can create a conflict of interest.

Please answer the following questions to the best of your knowledge. If you find a question requires further explanation and/or there is not enough space to thoroughly answer the question, please attach as many additional sheets as necessary, and refer to the question number next to your answer. If the regional center identifies a conflict involving you, it will be required to prepare a conflict resolution plan. Some relevant definitions have been provided in the footnotes to assist you in responding to this statement.

You are required to file this Reporting Statement within 30 days of beginning your employment with the regional center or from the date that you are appointed to the regional center board or advisory committee board. You are then required to file an annual Reporting Statement by August 1st of every year while you remain employed with the regional center or while you are a member of the regional center board or advisory committee board. You must also file a Reporting Statement within 30 days of any change in your status that could result in a conflict of interest. Circumstances that can constitute a change in your status that can require you to file an updated Reporting Statement are described below in footnote one.

**A. INFORMATION OF REPORTING INDIVIDUAL**

Name: Swan Herb Regional Center: FNRC

Regional Center Position/Title:  Governing Board Member  Executive Director  
 Vendor Advisory Committee sitting on Board  Employee  
 Contractor  Agent  Consultant

Reporting Status:  Annual  New Appointment (date): 4/24/13  
 Change of Status<sup>1</sup>

If a change in status, date and circumstance of change in status:

1. Please list your job title and describe your job duties at the regional center.

<sup>1</sup> Change of status includes reporting a previously unreported activity that should have been reported, change in the circumstance of a previously reported activity, change in financial interest, familial relationship, legal commitment, change in regional center position or duties, or change to outside position or duties. See California Code of Regulations, title 17, sections 54531(d) and 54532(d).

<input checked="" type="checkbox"/>	Governing Board Member
<input type="checkbox"/>	Vendor Advisory on Board
<input type="checkbox"/>	Executive Director
<input type="checkbox"/>	Employee/Other

2. Do you or a family member<sup>2</sup> work for any entity or organization that is a regional center provider or contractor?  
 yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers. If the provider or contractor is a state or local entity, provide the specific name of the state or local entity and describe your job duties at the state or local entity.

ROWELL FAMILY / Hushan  
 EMPOWERMENT receptionist ARC Butte  
 10 hr/week

3. Do you or a family member own or hold a position<sup>3</sup> in an entity or organization that is a regional center provider or contractor?  yes  no -- If yes, provide the name of the entity or organization, describe what services it provides for the regional center or regional center consumers, and describe your or your family member's financial interest.

4. Are you a regional center advisory committee board member?  yes  no -- If yes, are you a member of the governing board or owner or employee of an entity or organization that provides services to the regional center or regional center consumers?  yes  no -- If yes, provide the name of the entity or organization and describe what services it provides for the regional center or regional center consumers.

5. If you are a regional center advisory committee board member and answered yes to all the questions in Question 4 above, do any of the following apply to you: (a) are you an officer of the regional center board; (b) do you vote on purchasing services from a regional center provider; or (c) do you vote on matters where you might have a financial interest?  yes  no -- If yes, please explain.

MA

<sup>2</sup> Family member includes your spouse, domestic partner, parents, stepparents, grandparents, siblings, stepsiblings, children, stepchildren, grandchildren, and in-laws. See California Code of Regulations, title 17, sections 54505(f).

<sup>3</sup> For purposes of this question, hold a position generally means that you or a family member is a director, officer, owner, partner, employee, or shareholder of an entity or organization that is a regional center provider or contractor. For a specific description of positions that create a conflict of interest in a regional center provider or contractor see the California Code of Regulations, title 17, sections 54520 and 54526.

<input type="checkbox"/> Governing Board Member
<input type="checkbox"/> Vendor Advisory on Board
<input type="checkbox"/> Executive Director
<input type="checkbox"/> Employee/Other

6. Do any of the decisions you make when performing your job duties with the regional center have the potential to financially benefit you or a family member<sup>4</sup>?  yes  no -- If yes, please explain.

As we understand it, this question pertains to regional center employees.

7. Are you responsible for negotiating, making,<sup>5</sup> executing or approving contracts on behalf of the regional center?  yes  no -- If yes, please explain.

Pursuant to Welfare & Institutions Code section 4625.5 and related provisions.

8. Do you have a financial interest in any contract<sup>6</sup> with the regional center?  yes  no -- If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no -- If yes, please explain.

9. Do any of your family members have a financial interest in any contract with the regional center?  yes  no  
 If yes, did you negotiate, make, execute or approve the contract on behalf of the regional center?  yes  no  
 If yes, please explain.

<sup>4</sup> Generally, a decision can financially benefit you or a family member if the decision can either directly or indirectly cause you or a family member to receive a financial gain or avoid a financial loss. For a specific description of the types of decisions that can result in a financial benefit to you or a family member see the California Code of Regulations, title 17, sections 54522 and 54527.

<sup>5</sup> California Code of Regulations, title 17, sections 54523(b)(2) and 54528(b)(2) describes the types of conduct which constitute involvement in the making of a contract.

<sup>6</sup> For purposes of questions 8 and 9, a financial interest in a contract generally means any direct or indirect interest in a contract that can cause you or a family member to receive any sort of financial gain or avoid any sort of financial loss irrespective of the dollar amount. California Code of Regulations, title 17, sections 54523 and 54528 define when financial interests in a contract will occur.

- Governing Board Member
- Vendor Advisory on Board
- Executive Director
- Employee/Other

10. Do you evaluate employment applications or contract bids that are submitted by your family member(s)?  
 yes  no -- If yes, please explain.

11. Your job duties require you to act in the best interests of the regional center and regional center consumers. Do you have any circumstances or other financial interests not already discussed above that would prevent you from acting in the best interests of the regional center or its consumers?  yes  no -- If yes, please explain.

**B. ATTESTATION**

I Susan Hess (print name) HEREBY CONFIRM that I have read and understand the regional center's Conflict of Interest Policy and that my responses to the questions in this Conflict of Interest Reporting Statement are complete, true, and correct to the best of my information and belief. I agree that if I become aware of any information that might indicate that this statement is not accurate or that I have not complied with the regional center's Conflict of Interest Policy or the applicable conflict of interest laws, I will notify the regional center's designated individual immediately. I understand that knowingly providing false information on this Conflict of Interest Reporting Statement shall subject me to a civil penalty in an amount up to fifty thousand dollars (\$50,000) pursuant to Welfare and Institutions Code section 4626.

Signature Susan Hess Date 1-24-13

INTERNAL USE ONLY	
Date this Statement was received by Reviewer: _____	
The reporting individual <input checked="" type="checkbox"/> does <input type="checkbox"/> does not have a <input checked="" type="checkbox"/> present <input type="checkbox"/> potential conflict of interest	
Signature of Designated Reviewer <u>Laura Lais</u>	Date Review Completed <u>2-7-13</u>

February 26, 2013

Board of Directors and  
Laura Larson, Executive Director  
Far Northern Regional Center  
P.O. Box 492418  
Redding, CA 96049-2418

Re: Proposed Conflict of Interest Resolution Plan –  
Board of Directors Member Susan Hess

TO THE BOARD OF DIRECTORS AND EXECUTIVE DIRECTOR OF FAR NORTHERN REGIONAL CENTER:

I was appointed to Far Northern Regional Center's Board of Directors on January 24, 2013. I am a Far Northern Regional Center ("FNRC") consumer and a representative of Butte County.

On January 24, 2013, I completed a Conflict of Interest Reporting Statement that disclosed a potential conflict(s) of interest I may have as a member of the Board of Directors. The purpose of this letter is to propose a plan to resolve the potential conflict(s), and to seek approval of a conflict waiver.

I work ten hours per week as a receptionist for the Rowell Family Empowerment Center in Butte County ("Rowell"). Rowell is a designated California Family Resource Center that provides support, education and advocacy for families of children with disabilities. My job at Rowell is entirely clerical.

My husband, Ted Hess, is also a FNRC consumer and is employed by ARC Butte, a FNRC vendor. ARC Butte is a provider of employment services (see Welfare & Institutions Code section 4626(c)). My husband works in ARC's thrift store as part of his day program.

Under the circumstances, there may be circumstances under which a perceived or actual conflict could arise. As a result, I propose the following plan to avoid and/or mitigate any conflict:

1. In my capacity as a member of FNRC's Board of Directors I will not make any recommendation, participate in any discussion or vote on any contract regarding Rowell or ARC;
2. Should these issues arise during the course of a FNRC Board of Directors' meeting, I will excuse myself from the room;
3. I will not access any files kept by FNRC relating to Rowell or ARC.

Proposed Conflict of Interest Resolution Plan – Susan Hess

February 26, 2013

Page 2

4. I will not participate individually, or as part of a group, in the preparation, presentation, formulation or approval of plans, policies, analyses, or recommendations pertaining to Rowell or ARC.

I believe that this plan will resolve or mitigate any perceived or potential conflict of interest.

Thank you for your assistance,

A handwritten signature in cursive script that reads "Susan Hess".

SUSAN HESS

Member, FNRC Board of Directors

# State Council on Developmental Disabilities



## BY-LAWS

REVISED ON: February 12, 2013  
CERTIFIED BY SCDD ON: March 20, 2013

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**CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES**

**BY-LAWS**

(Revised – January 2013)

**ARTICLE I. NAME & DEFINITIONS**

The name of this organization shall be the State Council on Developmental Disabilities.

**ARTICLE II. RESPONSIBILITIES**

The responsibilities of the State Council on Developmental Disabilities are set forth in 42 United States Code Section 51001 et. seq. and Sections 4433.5 and 4520 et. seq. of the California Welfare and Institutions Code.

**ARTICLE III. PRINCIPAL OFFICE**

The principal office of the Council shall be located in the County of Sacramento, California. The Council may change the principal office from one location to another within the county.

**ARTICLE IV. AREA OF SERVICE**

The area of service shall be the State of California.

**ARTICLE V. MEMBERSHIP**

Appointment to the Council requires each member to fully discharge his/her duties consistent with the responsibilities of representing persons with developmental disabilities. The membership of the Council shall consist of the categories of people in accordance with state and federal law.

**SECTION 1. Appointments:**

Pursuant to Division 4.5, Chapter 2, Article 1, Section 4521 (b)(1), (2), and (3) of the Welfare and Institutions Code, there shall be thirty-one (31) voting members on the Council appointed by the Governor, as follows:

- (a) Twenty (20) members of the Council shall be persons with a developmental disability (self-advocates) or parents, siblings, guardians or conservators (family-advocate) of these persons. In these By-laws these persons are referred to as self-advocates and family-advocates. Of the 20 members, thirteen (13) shall each be current members of the 13 Area Boards, one member from each board and representing consumers and families in their local catchment area; and, seven (7) shall be members at large that are comprised as follow: three (3) persons with developmental disabilities; one (1) person who is a parent, immediate relative, guardian, or conservator of a resident in a developmental center; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community; one (1) person who is a parent, immediate relative, guardian, or conservator of a person with a developmental disability living in the community nominated by the Speaker of the Assembly; and,

one (1) person with a developmental disabilities nominated by the Senate Committee on Rules.

- (b) Eleven (11) members of the Council shall include: directors or members, as appropriate, of State departments or agencies or of local agencies as prescribed in state and federal laws. These persons are referred to as agency representatives in these By-laws and shall include three (3) members appointed to represent the University Centers for Excellence (UCE) programs funded by the Administration on Developmental Disabilities as the three California UCEs.
- (c) Prior to appointing the thirty-one (31) members, the Governor shall request and consider recommendations from organizations representing or providing services, or both, to persons with developmental disabilities and shall take into account socioeconomic, ethnic, and geographic considerations of the state. The Council may, at the request of the Governor, coordinate Council and public input to the extent feasible to the Governor regarding recommendations for membership.

**SECTION 2. Term of Office:**

The term of office on the State Council shall be in accordance with state law. The term of each self or family advocate member shall be for three years. In no event shall any self or family advocate member serve for more than a total of six years.

**SECTION 3. Conflict of Interest:**

Pursuant to California Welfare and Institution Code Section 4525 the Council's approved Conflict of Interest Policy, is incorporated by reference into these By-laws.

**SECTION 4. Vacancies:**

A vacancy on the Council exists if any of the following events occur before the expiration of the term:

- (a) The death of the member.
- (b) An adjudication pursuant to a legal proceeding declaring that the member is physically or mentally incapacitated due to disease, illness, accident, or other condition and there is reasonable cause to believe that the member will not be able to perform the duties of office for the remainder of his/her term.
- (c) The member's resignation.
- (d) The member's removal from office.
- (e) The member's ceasing to be a legal resident of the state or the area the member was appointed to represent.
- (f) The member's absence from the state without the permission required by law beyond the period allowed by law.
- (g) The member's ceasing to discharge the duties of his/her office for the period of three consecutive meetings, except when prevented by sickness, or when absent from the state with the permission required by law. After three (3) consecutive

unexcused absences, a member shall be considered as having ceased to discharge the duties of Council membership. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Council Chair or Committee Chair and to the Executive Director by telephone, email, or mail.

- (h) The member's conviction of a felony or any offense involving a violation of his/her official duties. A member shall be deemed to have been convicted under this section when trial court judgment is entered.
- (i) The member's refusal or neglect to file his/her required oath, or declaration of conflict of interests within the time prescribed after being provided notice of non-compliance and a reasonable time to comply.
- (j) The decision of a competent tribunal declaring void the member's election or appointment.
- (k) The making of a vacating order or declaration of vacancy.
- (l) The member assumes a position or responsibility that violates the Council's conflict of interest policy.

The Governor shall be notified when a vacancy occurs and shall appoint a person to serve the unexpired term of the member being replaced.

#### **SECTION 5. Resignations:**

Members shall serve a designated term unless they resign, or are otherwise disqualified to serve, or until successors have been appointed, up to the maximum years allowed by State law. Any member may resign at any time by giving written notice to the Chairperson and to the Executive Director. Such resignation shall take effect on the date of receipt of such notice or any later time specified therein; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

#### **SECTION 6. Compensation and Expenses:**

Self-advocate and family advocate members of the State Council shall receive honoraria pursuant to Government Code 11564.5, and Welfare and Institution Code Section 4550 not to exceed fifty (50) days in any fiscal year. All members shall be reimbursed for authorized actual and necessary expenses incurred in connection with the performance of their duties as Council members, in accordance with state regulations in the State Administrative Manual.

### **ARTICLE VI. MEETINGS**

#### **SECTION 1. Parliamentary Authority:**

- (a) All meetings of the Council and its committees are public meetings governed by the Bagley-Keene Open Meeting Act (Government Code Section 11120, et. seq.).
- (b) Robert's Rules of Order shall be utilized as the rules for all Council and committee meetings except in instances of conflict with these By-laws, or provisions of State

or federal law or regulations. The Vice-Chairperson shall serve as Parliamentarian.

- (c) The Council may adopt, from time-to-time, such policies and rules for the conduct of its meetings and affairs as may be required.

**SECTION 2. Meetings:**

- (a) There shall be no less than six (6) and no more than twelve (12) meetings of the Council per year.
- (b) Special meetings of the Council may be called by the Chairperson or, in case of absence or inability to act by the Chairperson, by the Vice-Chairperson. In case of a refusal to act by the Chairperson, a special meeting may be called by written request of nine (9) members of the Council. Only matters specified in the written notice of the meeting shall be considered at such a meeting.
- (c) Regular or special meetings of the Council shall be held at a place, date, and time designated by the Council or selected by the Chairperson.

**SECTION 3. Quorum:**

- (a) A quorum for the Council shall be a simple majority of the statutory required membership.
- (b) A quorum for each Council committee and sub-committee shall be a simple majority of the appointed members of that committee.

**SECTION 4. Voting Rights of Members:**

- (a) Each member shall be entitled to one vote, to be exercised in person. Proxy voting shall not be permitted.
- (b) Except as otherwise specifically provided in State law or these By-laws, all matters submitted for determination shall be decided by a majority vote.

**SECTION 5. Chairperson Pro Tem:**

If neither the Chairperson nor Vice-Chairperson is present to preside at a Council meeting, a chairperson pro tem shall be elected by the majority vote of the Council members present.

**ARTICLE VII. OFFICERS**

**SECTION 1. Officers:**

The officers of the Council shall be a Chairperson and a Vice - Chairperson elected from among the self and family advocate members. These officers shall perform the duties described in these By-laws.

**SECTION 2. Election of Member Officers:**

Election of officers shall occur once every two years. The election shall be held during the last meeting of the appropriate calendar year. Only self and family advocate members shall be eligible to hold office.

**SECTION 3. Voting Procedure:**

Council officers shall be elected by a majority vote. Recommendations for officers shall be in the form of nominations from the Nominating Committee. Nominations may also be received from the floor prior to the election, but subsequent to the report of the Nominating Committee.

**SECTION 4. Term of Office:**

The Chairperson and Vice-Chairperson shall be elected for a term of two years. Individuals may be elected to these positions for no more than two consecutive terms. Their term of office shall begin the first day of the new calendar year.

**SECTION 5. Vacancies:**

If the Chairperson resigns or is permanently unable to serve during the term of office pursuant to Article V Section 4, the Vice-Chairperson shall become the Chairperson for the remainder of such term. Upon the vacancy of the Vice-Chairperson's term of office or if the Vice-Chairperson resigns or is permanently unable to serve during the term of office, the Chairperson shall appoint an interim Vice-Chairperson to serve until an election is conducted. The Chairperson shall also appoint a nominating committee of at least three (3) but not more than five (5) Council members that will provide a slate of nominations for the election of Vice-Chairperson during the next appropriate Council meeting.

The voting procedure established in Article VII, Section 3 shall be used for the election process of the permanent Vice-Chairperson.

**SECTION 6. Duties of the Officers:**

- (a) Chairperson - The responsibilities of the Chairperson are: to preside at all meetings of the Council; to appoint chairpersons and members to all Council committees, except the Nominating Committees, to appoint Council representatives in relation to other agencies and consumer groups; and to represent the Council as needed. The Chairperson shall have full voting rights on all Council actions.
- (b) Vice-Chairperson - The responsibilities of the Vice-Chairperson are to perform all the duties of the Chairperson if the Chairperson is absent or if the Chairperson requests the Vice-Chairperson to do so. When acting in the capacity of the Chairperson, the Vice-Chairperson has the same authority as the Chairperson. The Vice-Chairperson also serves as Chair of the Executive Committee and as Parliamentarian.

**SECTION 7. Removal from Office:**

Action to remove an officer shall be in accordance with the following procedure:

- (a) Written notification must be submitted by registered mail to the Executive Director from Council member(s) describing the specific cause for which removal is sought.
- (b) The Executive Director shall notify the officer charged by registered mail within two (2) working days of receiving the charges. Any member so notified shall have ten (10) days to respond to the group or individual responsible for notification. Following this ten (10) day period, the responsible parties shall notify the Executive Director within ten (10) days as to whether or not they wish to request removal of the officer. If the responsible parties are satisfied by the officer's response that no sufficient cause exists, the matter will be closed with written notice to the Executive Director and to the officer.
- (c) If the group or individual requesting removal is not satisfied by the response of the officer or if the officer fails to respond in ten (10) days, the Executive Director shall put the issue on the agenda at the beginning of the next Council meeting and inform the Council members as to the purpose of the agenda item.
- (d) Written charges shall be distributed and reviewed at the specified meeting of the Council.
- (e) A majority vote shall be required to remove a chairperson or vice-chairperson from office. If removal of the Chairperson is under consideration, the vice-chairperson shall preside.

## **ARTICLE VIII. EXECUTIVE DIRECTOR**

### **SECTION 1. Appointment:**

- (a) The Executive Director of the Council shall be appointed by and serve at the will of the Council in a position exempt from all civil service requirements pursuant to the California Constitution, Article 7, section 4(b) and Welfare and Institutions Code Section 4551(a)(2). The appointment of the Executive Director shall occur during a regular or special meeting of the Council.
- (b) A performance review of the Council Executive Director shall be coordinated by the Executive Committee and conducted annually by the full Council.

### **SECTION 2. Responsibilities and Duties:**

- (a) The Executive Director shall be the chief administrative officer of the Council and shall have all the authority and responsibility assigned to the director of a state agency including budget, personnel, and contractual transactions. These include authority for entering into and execution of agreements on behalf of the Council in order to implement the policies of the Council.

- (b) The Executive Director shall be under the direction and control of the Council and shall do and perform such other duties as may be assigned by the Council.
- (c) The Executive Director shall serve as clerk to the Council.

**SECTION 3. Removal:**

- (a) Action to remove the Executive Director of the Council shall be conducted in accordance with Government Code Section 11120, et. seq.
- (b) The Executive Committee of the Council may recommend removal of the Executive Director during a regular or special meeting. This recommendation shall be taken to the Council during a regular or special meeting for discussion and action.
- (c) A majority vote, during a regular or special Council meeting, shall be required to remove the Executive Director from his or her exempt appointment.

**ARTICLE IX. COMMITTEES**

**SECTION 1. Authority:**

- (a) Subject to the provision of these By-laws, all committees, with the exception of the Executive Committee, shall be advisory and shall not have the power to bind the Council except when specifically authorized by the Council to do so. Recommendations made by advisory committees shall be presented to the Council for adoption in the form of a motion.
- (b) Subject to provision of these By-laws, a vacancy in the membership of a committee, except the Nominating Committee, may be filled by the Council Chairperson.
- (c) A committee may meet upon call of the chairperson of the committee or the Council Chairperson.
- (d) Unless otherwise specified in these By-laws, the Chairperson and the Executive Director of the Council shall serve ex officio, without vote, on all committees, except the Nominating Committee.
- (e) A committee member may be removed from the committee by the Council Chair after three (3) consecutive unexcused absences. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Committee Chair or Executive Director or appropriate Deputy Director by telephone, e-mail or mail.

**SECTION 2. Standing Committees:**

- (a) There shall be six (6) standing committees of the State Council:
  - (1) Executive
  - (2) Administrative
  - (3) Legislative and Public Policy
  - (4) Program Development
  - (5) Self-Advocates Advisory
  - (6) Employment First
  
- (b) The Chairperson and members of each of the standing committees shall be appointed by the Council Chairperson. In the event of a vacancy for any reason in membership or the Chairperson, a successor may be appointed by the Council Chairperson. The Chairpersons and Vice-Chairpersons of the State Council and of its standing committees shall be individuals with a developmental disability, or the parent, sibling, guardian, or conservator of an individual with a developmental disability (WIC 4535(b)). The All committee chairperson appointments shall be announced to the Council at the next available Council meeting.
  
- (c) The membership of all standing committees, except the Executive Committee, shall be open to non-members of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.
  
- (d) All members of the Council shall be expected to serve on at least one standing committee of the Council.
  
- (e) The charge of each of these committees shall be as follows:
  - (1) Executive Committee

The Executive Committee shall serve as the coordinating body to the Council. The Committee shall:

    - [a] Consist of the Council Chairperson, Vice-Chairperson, chairperson of the Legislative and Public Policy Committee, chairperson of the Program Development Committee, chairperson of the Strategic Planning Subcommittee, chairperson of the Self-Advocates Advisory Committee, chairperson of the Employment First Committee and two (2) other Council members.
    - [b] Be chaired by the Council Vice-Chairperson.
    - [c] Act on behalf of the Council between meetings, but shall not modify any action taken by the Council unless authorized by the Council to do so. The full Council at the next regular or special meeting shall receive a report of all Executive Committee actions taken between Council meetings.

- [d] Administrative matters shall be a standing agenda item at every meeting and shall include but not be limited to, budget reports, expenditure reports and other major administrative issues.
- [e] Make recommendations to the Council regarding approval of Community Program Development Grants (CPDG) projects to be funded, and allocations.
- [f] Appoint members of CPDG Grant Review team as needed.
- [g] Provide direction to the Executive Director regarding all matters pertaining to Council responsibilities.
- [h] Make recommendations to the Council regarding amendments to the By-laws, changes in committee structure or responsibilities.
- [i] Make recommendations to the Council regarding Council member training.
- [j] Make recommendations to the Council regarding the presentation of awards on behalf of the Council.
- [k] Make recommendations to the Council regarding matters assigned by the Council or the Council Chairperson.
- [l] Make recommendations to the Council regarding the appointment, evaluation, or removal of the Executive Director.
- [m] Monitor and evaluate California State Strategic Plan on Developmental Disabilities implementation and submit findings to the Council.
- [n] Review and make recommendations to the Council regarding area boards' requests to initiate litigation per Welfare and Institution Code Section 4548(g)(4) and (6).
- [o] Coordinate the Council's litigation activities, as needed, and make recommendations to the full Council.
- [p] Make appointments to and receive recommendations from the Strategic Planning Sub-Committee.
- [q] Present a slate of nominees to be elected to the Nominating Committee. Election to the Nominating Committee shall occur at the

September Council meeting during election years.

1. Strategic Planning Sub-Committee

The Subcommittee shall:

- (a) Advise the Executive Committee on the collection and reporting of information on needs, including unmet needs, priorities and emerging issues
- (b) Make recommendations to the Executive Committee regarding policy priorities for the California State Strategic Plan on Developmental Disabilities
- (c) Assist the Council in the implementation and reporting of the goals and objectives of the Council's California State Strategic Plan on Developmental Disabilities.
- (d) Coordinate planning implementation with the other Committees of the Council.

(2) Administrative Committee

The Administrative Committee shall assist with monitoring the administrative and budgetary activities of the Council. The Committee shall:

- [a] Be composed of at least three (3) Council Members
- [b] Make recommendations to the Council regarding allocation of discretionary fiscal resources and other budgetary issues.
- [c] Make recommendations to the Council regarding budgeting for anticipated fiscal resources among Council operations and specific service priorities for inclusion in the California State Strategic Plan and the Governor's budget.
- [d] Make recommendations to the Council regarding monitoring and evaluating administrative contracts and agreements.
- [e] Make recommendations to Council regarding all contracts and agreements.
- [f] Monitor and evaluate administrative contracts and agreements; and take actions authorized in all Council contracts and agreements.

- [g] Make recommendations to the Council regarding administrative matters and policies including organizational charts and structure.

(3) Legislative and Public Policy Committee

The Legislative and Public Policy Committee shall implement the California State Strategic Plan on Developmental Disabilities objectives as assigned by the Council. The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Review, comment and recommend positions on significant proposed legislation and/or proposed regulations.
- [c] Recommend legislation consistent with Council's responsibilities and objectives.
- [d] Recommend initiatives and policies consistent with Council responsibilities and objectives.
- [e] Provide testimony and recommendations to the Legislature with regard to matters pertaining to people with developmental disabilities.
- [f] Respond to other responsibilities as assigned by the Council or Council Chairperson.

(4) Program Development Committee

The Program Development Committee shall advise the Council in the development of services and projects designed to improve the quality of life for individuals with developmental disabilities and their families

The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Make recommendations to the Council regarding the Community Program Development Grant (CPDG) application process and suggested priorities/criteria for proposals.
- [c] Develop methods to market and implement successful CPDG projects throughout the State.
- [d] Carry out other responsibilities as assigned by the Council or the Council Chairperson.

(5) Self-Advocates Advisory Committee

The Self-Advocates Advisory Committee shall advise the Council as a voice for all Californians with disabilities, by promoting State Council participation and peer advocacy that advances independence and inclusion. The Committee shall:

- [a] Be composed of all self-advocate members of the Council.
- [b] Advise the Council regarding self-advocate needs related to serving the Council including manners in which to ensure participation and inclusion in all meetings.
- [c] Advise the Council regarding policies, programs and any other area affecting self advocates in California.
- [d] Review materials and other Council produced information to evaluate and make recommendations regarding plain language approaches.
- [e] To have a standing representative to the Statewide Self-Advocacy Network (SSAN.)

(6) Employment First Committee

The Employment First Committee is responsible for ensuring the development of an Employment First Policy which has the intended outcome of significantly increasing the number of individuals with developmental disabilities who engage in integrated, competitive employment. The Committee shall:

- [a] Be composed of a representative from each of the following:
  - (1) The Department of Developmental Services
  - (2) The Department of Rehabilitation
  - (3) The California Department of Education
  - (4) One from each of the three University Centers of Excellence in California
  - (5) Disability Rights California
  - (6) Employment Development Department
  - (7) Family Resource Center Network
  - (8) Association of Regional Center Agencies
  - (9) Service Employees International Union
  - (10) The ARC
  - (11) Four self-advocates
  - (12) Four family advocates
  - (13) Such others as deemed needed to implement the

responsibilities of the Council.

- [b] Identify the respective roles and responsibilities of state and local agencies in enhancing integrated, competitive employment for people with developmental disabilities.
- [c] Identify strategies, best practices, and incentives for increasing integrated, competitive employment opportunities for people with developmental disabilities, including, but not limited to, ways to improve the transitional planning process for students 14 years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.
- [d] Identify existing sources of employment data and recommend goals for, and approaches to measuring progress in, increasing integrated, competitive employment for persons with developmental disabilities.
- [e] Recommend legislative, regulatory, and policy changes for increasing the number of individuals with developmental disabilities in integrated, competitive employment, self-employment, and microenterprises and who earn wages at or above minimum wage.
- [f] Provide an annual report to the Governor and Legislature by July 1 of each year that describes the work and recommendations of the Committee.

**SECTION 3. Nominating Committee:**

The Nominating Committee shall provide advice to the Council relative to the bi-annual election of Council officers. The Committee shall:

- (a) Be composed of at least three (3) and not more than five (5) Council members.
- (b) Be elected by the Council at the September Council meeting from a slate of nominations presented by the Executive Committee.
- (c) Serve for one year. Be elected at least forty-five (45) days prior to the annual election.

**SECTION 4. Committees, Sub-Committees and Ad-Hoc Committees and Task Forces:**

- (a) Committees, Sub-committees, Ad-Hoc committees and Task Forces may be established by the Council to carry out specified California State Strategic Plan on Developmental Disabilities objectives and purposes of the Council.

- (b) The term of office and, qualifications of these groups' chairpersons and members shall be established by the Council. The membership of Sub-Committees and Ad-Hoc committees shall be open to non-members of the Council and shall be appointed by the Chairperson of the Council. The expenses of non-Council members may be reimbursed on the same basis as a Council member with the exception of the honorarium.

## **ARTICLE X. COUNCIL GENERAL PROVISIONS**

### **SECTION 1. Certification and Inspection:**

The original or a copy of the By-laws, as amended or otherwise altered to date, certified by the Council shall be recorded and kept in a book that shall be kept in a location in the principal office of the Council, and such book shall be open to public inspection at all times during office hours.

### **SECTION 2. Records, Reports and Inspection:**

- (a) The Council shall maintain adequate and correct accounts, books and records of all its business and properties.
- (b) Such records shall be kept at its principal place of business. All books and records shall be open to inspection by the Council and the general public, except those records or data regarding an employee, if such disclosure would constitute an unwarranted invasion of personal privacy, or records of the Council relating to its participation in a judicial proceeding.
- (c) An annual financial report and budgets shall be available for inspection at the Council's principal place of business.

## **ARTICLE XI. AMENDMENTS OF BY-LAWS**

Subject to the limitations of federal and state law, these By-laws shall be reviewed annually. The Executive Committee shall be responsible for the annual review of the By-laws, submitting recommendations for adoption of new By-laws and amendments or repeal of existing By-laws to the Council. These By-laws may be amended, repealed or adopted by a two – thirds majority during any regular or special meeting of the Council so long as a draft of the proposed action was submitted in writing to the Council at least ten (10) days prior to the meeting.

## **ARTICLE XII. INDEMNIFICATION**

### **SECTION 1. Definitions:**

For the purposes of this Article XII, "agent" means any person who is or was a director or member as appropriate, officer, employee, or other agent of the Council. Proceeding means any threatened, pending, or completed action or proceeding, whether civil, criminal, administrative, or investigative; and expenses include without limitation attorney's fees and any

expenses of establishing a right to indemnification under Section 4 or 5(b) of this Article XII.

**SECTION 2. Indemnification in Actions by Third Parties:**

The Council shall have power to indemnify any person who was or is a party or is threatened to be made a party to any proceeding (other than an action by or in the right of the Council to procure a judgment in its favor, by reason of the fact that such person is or was an agent of the Council, against expenses, judgments, fines, settlements, and other amounts actually and reasonably incurred in connection with such proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Council and, in the case of a criminal proceeding, has no reasonable cause to believe the conduct of such person was unlawful. The termination of any proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent shall not, of itself, create a presumption that the person did not act in good faith and in a manner which the person reasonably believed to be in the best interests of the Council or that the person had reasonable cause to believe that the person's conduct was unlawful.

**SECTION 3. Indemnification in Actions by or in the Right of the Council:**

The Council shall have the power to indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending, or completed action by or in the right of the Council, to procure a judgment in its favor by reason of the fact that such person is or was an agent of the Council, against expenses actually and reasonably incurred by such person in connection with the defense or settlement of such action if such person acted in good faith, in a manner such person believed to be in the best interests of the Council, and with such care, including reasonable inquiry as an ordinarily prudent person in a like position would use under similar circumstances. No indemnification shall be made under this Section 3:

- (a) In respect of any claim, issue, or matter as to which such person shall have been adjudged to be liable to the Council in the performance of such person's duty to the Council, unless and only to the extent that the court in which such proceeding is or was pending shall determine upon application that, in view of all the circumstances of the case, such person is fairly and reasonably entitled to indemnity for the expenses which such court shall determine;
- (b) Of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval; or
- (c) Of expenses incurred in defending a threatened or pending action, which is settled or otherwise disposed of without court approval, unless it is settled with the approval of the Attorney General.

**SECTION 4. Indemnification Against Expenses:**

To the extent that an agent of the Council has been successful on the merits in defense of any proceeding referred to in Section 2 or 3 of this Article XII or in defense of any claim, issue, or matter therein, the agent shall be indemnified against expenses actually and reasonably

incurred by the agent in connection therewith.

**SECTION 5. Required Determinations:**

Except as provided in Section 4 of this Article XII any indemnification under this Article XII shall be made by the Council only if authorized in the specific case, upon a determination that indemnification of the agent is proper in the circumstances because the agent has met the applicable standard of conduct set forth in Section 2 or 3 of this Article XII, by:

- (a) A majority vote of a quorum consisting of directors or members as appropriate, who are not parties to such proceeding; or
- (b) The court in which such proceeding is or was pending upon application made by the Council or the agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the agent, attorney, or other person is opposed by the Council.

**SECTION 6. Advance of Expenses:**

Expenses incurred in defending any proceeding may be advanced by the Council prior to the final disposition of such proceeding upon receipt of an undertaking by or on behalf of the agent to repay such amount unless it shall be determined ultimately that the agent is entitled to be indemnified as authorized in this Article XII.

**SECTION 7. Other Indemnification:**

No provision made by the Council to indemnify its or its subsidiary's directors or members as appropriate, or officers for the defense of any proceeding, whether contained in the Articles, Bylaws, a resolution directors or members as appropriate, or an agreement, or otherwise, shall be valid unless consistent with this Article XII. Nothing contained in this Article XII shall affect any right to indemnification to which persons other than such directors or members as appropriate, and officers may be entitled by contract or otherwise.

**SECTION 8. Forms of Indemnification Not Permitted:**

No indemnification or advance shall be made under this Article XII, except as provided in Section 4 or 5(b), in any circumstances where it appears:

- (a) That it would be inconsistent with a provision of the Articles, these By-laws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the proceeding in which the expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or
- (b) That it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

**State of California  
State Council on Developmental Disabilities  
Office of the Executive Director  
Executive Director  
DUTY STATEMENT**

Employee Name:	Classification: Executive Director	Exempt Level: G	Position Number: 792-100-5090-001
Unit: Office of Executive Director		Division: Headquarters	
Position Appointment Date:			

The State Council on Developmental Disabilities (SCDD) is an independent state agency mandated by federal and state law to pursue systemic change, capacity building, advocacy to promote a consumer and family-based system of services, and supports for people with developmental disabilities. The goal of the federal law is to enable individuals with developmental disabilities (self-advocates) to maximize their self-determination, independence, productivity, and community integration and inclusion. The State Council (Council) consists of 31 voting members, all of whom are appointed by the Governor. The Executive Director, as the leader of SCDD's Executive Management Team, helps the Council fulfill its specific mandates under the Federal Developmental Disabilities Assistance and Bill of Rights Act (Title 42, USC 15001 *et seq.*) and the Lanterman Developmental Disabilities Act (Welfare and Institutions Code 4500 *et. seq.*).

The Executive Director serves as the chief advisor to the State Council (Council). The Executive Director is responsible for overseeing the implementation of Council policy. The Executive Director provides leadership and direction to ensure necessary support for the Council in developing policies, adopting plans, conducting system monitoring, systemic change and capacity building, and generally advocating for persons with developmental disabilities. The Executive Director represents the Council with the Governor's Office, the Legislature and other State, Federal and local agencies. The Executive Director serves as Clerk of the Council. The Executive Director oversees the statewide operations of SCDD which includes staff located in a headquarters office and 13 regional offices. The Executive Director is appointed by and serves at the will of the Council.

**A. Job Duties:**

- 30% Policy Development, Planning and Coordination - Serves as chief executive advisor to the 31 member Council. Keeps the Council informed regarding Council statutory responsibilities. Develops, recommends, coordinates with and represents the Council's positions regarding policy development and implementation. Provides oversight and direction for development of the SCDD Strategic Plan, California Developmental Disabilities State Plan and all other Council responsibilities.
- 30% Policy Implementation and Advocacy - Provides leadership and direction to ensure policies and practices are consistent with statutory rights and responsibilities, including the implementation and administration of Division 4.5 of the Welfare and Institutions Code and Public Law 106-402. Coordinate with Protection and Advocacy, Inc., the University Centers for Excellence and other agencies and organizations.
- 30% General Administration and Management– Provides overall guidance and leadership to staff of the SCDD.
- 10% Clerk of the Council - Provides leadership and ensures the business of the Council is conducted in accordance with open meeting and other state and federal laws.

**B. Supervision Received:**

The Executive Director is appointed by and reports to the Council. The Executive Director receives general guidance from the Council. Unlike the typical department that has an Agency Secretary, the Council reports directly to the Governor. The Executive Director must exercise the judgment of a Cabinet level position.

**C. Supervision Exercised:**

The Executive Director provides general direction to a Chief Deputy Director/Deputy Director of Administration, Deputy Director of Area Board Operations, a Deputy Director of Policy and Planning, a Senior Legal Counsel, an Executive Assistant, and a Staff Services Manager I on matters pertaining to equal employment opportunity and labor relations.

**D. Administrative Responsibility:**

The Executive Director has overall responsibility for all Council operations.

**E. Personal Contacts:**

The Executive Director interacts with the Governor's Office, high level governmental officials, members and staff of the California Legislature, Council Members, State Agencies, vendors, contractors, interested individuals and organizations, and the media and general public.

**F. Actions and Consequences:**

The Executive Director is critical to the success of the organization, since this position assumes overall responsibility for Council operations. Without this service, the Council would not have a single position to coordinate its responsibility to ensure compliance with State and Federal laws.

**G. Other Information:**

The Executive Director must provide direction to the Council in compliance with all State and Federal laws and requirements applicable to the Council. The Executive Director must have general understanding of organizational theory and general understanding of fiscal, administrative, and personnel management of a State agency. The Executive Director must be able to effectively lead, coordinate, review and evaluate staff efforts to implement Council directives. The Executive Director must be able to monitor, research, analyze, develop and promote strategic public policy and long range plans; articulate policy and plans in writing and orally for logical persuasion; develop effective and constructive working relationships with the Governor's office, State and Federal departments, key legislators and legislative staff, and other public officials. The Executive Director must be able to accurately represent and implement the Council's policy directions and maintain a professional staff relationship with the Council Members. The Executive Director must be able to represent the Council and the Council's official positions/actions to a variety of agencies, organizations, groups and individuals. The Executive Director must have a broad knowledge of the system of services and supports for individuals with developmental disabilities and their families. The Executive Director must have the ability to comprehend programmatic and fiscal policy issues related to persons with developmental disabilities and their families. The Executive Director

**G. Other Information - continued:**

must have general knowledge of major federal and state laws affecting services for persons with developmental disabilities; have general knowledge of the federal and state legislative process; work professionally and effectively with consumers, families, and consumer groups; facilitate consensus among diverse interest groups. The Executive Director must demonstrate respect for and the ability to communicate effectively with individuals who are developmentally disabled and their families. The Executive Director must be free to work extended hours and travel.

**State Council On Developmental Disabilities  
2013-14 Governor's Budget & Ongoing  
FEDERAL SEQUESTER IMPACT SUMMARY  
Programs 10, 20, and 40**

<u>Position #'s*</u>	<u>Classification</u>	<u>Time Base</u>	<u>Fiscal Year Expenditure Impact</u>		
			<u>Governor's Budget</u>		<u>Ongoing</u>
			<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>
<b>Area Board's:</b>					
792-103-8352-008	Community Program Spec. II	-1.0	\$0	(\$64,000)	(\$64,000)
792-107-8352-001	Community Program Spec. II	-1.0	\$0	(\$61,000)	(\$61,000)
792-108-8352-008	Community Program Spec. II	-1.0	\$0	(\$64,000)	(\$64,000)
792-108-8352-009	Community Program Spec. II	-1.0	\$0	(\$56,000)	(\$56,000)
Subtotal Area Board's		-4.0	\$0	(\$245,000)	(\$245,000)
<b>Headquarters:</b>					
Exempt Position Savings		0.0	(\$27,000)	\$0	\$0
Total Salary and Wages		-4.0	(\$27,000)	(\$245,000)	(\$245,000)
Staff Benefits (42.03 %)			(\$11,000)	(\$104,000)	(\$104,000)
Total Personnel Services			(\$38,000)	(\$349,000)	(\$349,000)
<b>Special Items Of Expense:</b>					
Grants To Community-Based Organizations			(\$222,000)	(\$204,000)	(\$273,000)
<b>Total Federal Sequester Reduction</b>			<b>(\$260,000)</b>	<b>(\$553,000)</b>	<b>(\$622,000)</b>
<b>Program Impact:</b>					
Program 10		0.0	(\$38,000)	\$0	\$0
Program 20		0.0	(\$222,000)	(\$204,000)	(\$273,000)
Program 40		-4.0	\$0	(\$349,000)	(\$349,000)
Total		-4.0	(\$260,000)	(\$553,000)	(\$622,000)

**State Council On Developmental Disabilities  
2013-14 Governor's Budget  
FEDERAL SEQUESTER IMPACT  
Program 20 (Grant Administration)**

	<b>Fiscal Year Expenditure Impact</b>		
	<b>Governor's Budget</b>		<b>Ongoing</b>
	<b><u>2012-13</u></b>	<b><u>2013-14</u></b>	<b><u>2014-15</u></b>
Grants To Community-Based Organizations*	<b>(\$222,000)</b>	<b>(\$204,000)</b>	<b>(\$273,000)</b>

\* **Note!** Workload and services previously performed by grant recipients to implement State Plan objectives will now be accommodated in part by staff.

**State Council On Developmental Disabilities**  
**2013-14 Governor's Budget & Ongoing**  
**FEDERAL SEQUESTER IMPACT**  
**Program 40**  
**"Community Program Specialist II (CPS II) Position Savings"**

<u>Position #'s</u>	<u>Classification</u>	<u>Time Base</u>	<u>Expenditure Impact</u>	
			<u>Fiscal Year 2012-13</u>	<u>Fiscal Year 2013-14 &amp; Ongoing</u>
<b>Area Board's:</b>				
792-103-8352-008	Community Program Spec. II	-1.0	\$0	(\$64,000)
792-107-8352-001	Community Program Spec. II	-1.0	\$0	(\$61,000)
792-108-8352-008	Community Program Spec. II	-1.0	\$0	(\$64,000)
792-108-8352-009	Community Program Spec. II	-1.0	\$0	(\$56,000)
	Subtotal Salaries and Wages	-4.0	\$0	(\$245,000)
	Staff Benefits (42.3 %)		\$0	(\$104,000)
	<b>Total Personnel Services (Program 40)</b>		<b>\$0</b>	<b>(\$349,000)</b>

**Note!** As part of the plan to achieve the estimated 9% Federal Sequester savings identified for Fiscal Year 2013-14 and ongoing, these positions are being targeted for reduction. In that regard, a Form 607 will be processed and they will be abolished effective June 30, 2013 cob.

**State Council On Developmental Disabilities  
2013-14 Governor's Budget & Ongoing  
FEDERAL SEQUESTER IMPACT  
Program 10  
"VACANT EXEMPT POSITION SAVINGS"**

<u>Location / Classification</u>	<u>Time Base</u>	<u>Expenditure Impact</u>	
		<u>Fiscal Year 2012-13</u>	<u>Fiscal Year 2013-14 &amp; Ongoing</u>
<b><u>Personnel Services</u></b>			
<b>Headquarters:</b>			
Vacant Exempt Position Savings	0.0	(\$27,000)	\$0
Staff Benefits (42.03 %)		(\$11,000)	\$0
Total Personnel Services (Program 10)		(\$38,000)	\$0

**Note!** One-time savings related to vacant Exemp positions is one componet of the savings identified in Fiscal Year 2012-13 that is needed to offset the Federal Sequester budget reduction impact on SCDD's federally funded programs.

**State Council On Developmental Disabilities  
2013-14 Governor's Budget & Ongoing  
FEDERAL SEQUESTER IMPACT  
CALCULATION**

	<b>Fiscal Year Expenditure Impact</b>		
	<b>Governor's Budget</b>		<b>Ongoing</b>
	<b><u>2012-13</u></b>	<b><u>2013-14</u></b>	<b><u>2014-15</u></b>
<b><u>Sequester Impact By Federal Fiscal Year</u></b>			
October 1, 2012 to September 30, 2014*	(\$260,000)	(\$86,000)	\$0
October 1, 2013 to September 30, 2015**	\$0	(\$467,000)	(\$166,000)
October 1, 2015 to September 30, 2016***	\$0	\$0	(\$467,000)
<b>Total</b>	<b>(\$260,000)</b>	<b>(\$553,000)</b>	<b>(\$622,000)</b>

\*The current Federal base allotment for SCDD of \$6,904,064 x 5 % = \$346,000 rounded up.  
The impact of the \$346,000 reduction by State Fiscal Year is as reflected above.

\*\*The current Federal base allotment for SCDD of \$6,904,064 x 9 % = \$622,000 rounded up.  
The impact of the \$622,000 reduction by State Fiscal Year is as reflected above.

\*\*\*The current Federal base allotment for SCDD of \$6,904,064 x 9 % = \$622,000 rounded up.  
The impact of the \$622,000 reduction by State Fiscal Year is as reflected above.

## 2012-13 EXPENDITURE REPORT

4100 State Council on Developmental Disabilities  
 July 1, 2012 thru December 31, 2012

	Personal Services			Operating Expenses & Equipment			Total Expenditures		
	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended
<b>Council Operations &amp; Administration</b>		\$554,938			\$307,252		\$1,792,000	\$862,190	48%
<b>Community Program Development Grant</b>					\$110,285	11%	\$997,372	\$110,285	11%
<b>Area Board 1</b>									
* BSG	\$180,704	\$82,591	46%	\$55,780	\$17,569	31%	\$236,484	\$100,160	42%
* QA	\$132,546	\$69,388	52%	\$42,520	\$5,264	12%	\$175,066	\$74,652	43%
<b>Area Board 2</b>									
* BSG	\$226,398	\$113,920	50%	\$53,997	\$28,378	53%	\$280,395	\$142,298	51%
<b>Area Board 3</b>									
* BSG	\$281,639	\$174,283	62%	\$82,187	\$40,282	49%	\$363,826	\$214,565	59%
* QA	\$132,945	\$51,674	39%	\$53,880	\$21,029	39%	\$186,825	\$72,703	39%
<b>Area Board 4</b>									
* BSG	\$210,144	\$117,522	56%	\$62,641	\$19,428	31%	\$272,785	\$136,950	50%
* CRA	\$229,519	\$129,623	56%	\$30,595	\$24,861	81%	\$260,114	\$154,484	59%
<b>Area Board 5</b>									
* BSG	\$284,399	\$146,656	52%	\$88,469	\$28,252	32%	\$372,868	\$174,908	47%
* QA	\$134,127	\$71,919	54%	\$51,429	\$12,965	25%	\$185,556	\$84,884	46%
<b>Area Board 6</b>									
* BSG	\$198,703	\$94,817	48%	\$69,491	\$11,909	17%	\$268,194	\$106,726	40%
* QA	\$134,127	\$86,428	64%	\$48,439	\$9,538	20%	\$182,566	\$95,966	53%
<b>Area Board 7</b>									
* BSG	\$280,329	\$174,348	62%	\$90,086	\$37,471	42%	\$370,415	\$211,819	57%
* QA	\$134,127	\$68,702	51%	\$52,122	\$5,006	10%	\$186,249	\$73,708	40%
<b>Area Board 8</b>									
* BSG	\$273,631	\$107,093	39%	\$69,368	\$29,110	42%	\$342,999	\$136,203	40%
* CRA	\$342,048	\$165,339	48%	\$45,675	\$48,217	106%	\$387,723	\$213,556	55%
<b>Area Board 9</b>									
* BSG	\$244,475	\$141,024	58%	\$90,000	\$27,200	30%	\$334,475	\$168,224	50%

	Personal Services			Operating Expenses & Equipment			Total Expenditures		
	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended	Budgeted	Year-to-Date Expenditures	Percentage Expended
<b>Area Board 10</b>									
* BSG	\$312,222	\$169,127	54%	\$99,430	\$47,185	47%	\$411,652	\$216,312	53%
* QA	\$339,440	\$175,838	52%	\$189,682	\$37,957	20%	\$529,122	\$213,795	40%
* CRA	\$222,198	\$129,357	58%	\$27,913	\$6,846	25%	\$250,111	\$136,203	54%
<b>Area Board 11</b>									
* BSG	\$257,235	\$131,408	51%	\$88,011	\$26,606	30%	\$345,246	\$158,014	46%
* CRA	\$200,005	\$109,319	55%	\$22,838	\$9,615	42%	\$222,843	\$118,934	53%
<b>Area Board 12</b>									
* BSG	\$144,487	\$73,253	51%	\$69,000	\$27,676	40%	\$213,487	\$100,929	47%
* QA	\$120,270	\$65,890	55%	\$56,800	\$16,166	28%	\$177,070	\$82,056	46%
* CRA	\$162,245	\$70,396	43%	\$20,300	\$4,962	24%	\$182,545	\$75,358	41%
<b>Area Board 13</b>									
* BSG	\$241,552	\$129,851	54%	\$117,730	\$36,841	31%	\$359,282	\$166,692	46%
* QA	\$134,127	\$71,401	53%	\$65,685	\$29,169	44%	\$199,812	\$100,570	50%
<b>All Area Boards</b>									
* BSG	\$3,135,918	\$1,655,893	53%	\$1,036,190	\$377,907	36%	\$4,172,108	\$2,033,800	49%
* QA	\$1,261,709	\$661,240	52%	\$560,557	\$137,094	24%	\$1,822,266	\$798,334	44%
* CRA	\$1,156,015	\$604,034	52%	\$147,321	\$94,501	64%	\$1,303,336	\$698,535	54%

# Legislative and Public Policy Committee

## Report to Council

### March 20, 2013

## Employment Bills

**AB 1041 (Chesbro) Employment First Policy – RECOMMEND SUPPORT.** Sponsored by SCDD, AB 1041 would establish an Employment First Policy in statute.

**SB 577 (Pavley), Employment Pilot Project – RECOMMEND SUPPORT IN PRINCIPLE, IF AMMENDED.** The bill would pilot two innovations aimed at increasing the availability of employment for people with autism. Details of both proposals are not yet in print. (1) A service category for employment preparation; and (2) an incentive system to encourage employment support providers to assist people to obtain integrated competitive employment, including jobs with health benefits. At its January 25, 2012 Council meeting, the Council expressed support for a similar incentive system.

Recommendation to support in principle, IF bill is amended to address employment for people with all developmental disabilities, not just autism.

**SB 349 (Walters), Time Limit on Sheltered Work – RECOMMEND WATCH.** Would require that sheltered workshops transition 20% of its clients to integrated employment each year, or lose funding. The committee discussed that the legislation is trying to do the right thing by moving services towards supporting people in integrated individualized employment. However, there was concern that the method used in the bill may not be practical.

## Autism only legislation

**RECOMMED:** Council will oppose, as a matter of policy, legislation that creates services within the Lanterman Act for any one developmental disability at the exclusion of other developmental disabilities.

## **SB 946 Implementation**

**SB 126 (Steinberg) – RECOMMEND SUPPORT.** Would extend the sunset of SB 946 to 2019.

**Trailer Bill Language on Regional Center Financial Responsibility for Co-pays and Deductibles – RECOMMEND AMENDING.** For services covered by a parent's private insurance AND is included in the IPP/IFSP, the TBL proposed by the Administration would *allow* regional centers to pay co-pays. It would require regional centers to means test the reimbursement of any co-pays. The TBL also forbids regional centers from paying deductibles. **RECOMMEND:** Amend the proposed TBL to *require* regional centers to pay insurance co-pays and deductibles without means testing; and where "parents" are mentioned in the TBL, also include guardians, conservators, caregivers, and authorized representatives.

**SB 163 (Hueso) – RECOMMEND CO-SPONSOR.** As an alternative to the TBL above, the bill would clarify regional center financial responsibility for co-pays and deductibles. The bill currently has only spot language, but if we are co-sponsors we have greater control over the language developed. This bill is offered as an alternative to the TBL discussed earlier. Autism Speaks and the California Autism Alliance are also seeking to co-sponsor.

## **Equity and Diversity Legislation (Autism Task Force)**

Several bills were discussed. With the exception of SB 155 the committee required more time and information and will continue its review at the April 4 meeting: AB 1232 (Perez) on modifications to the quality assessment system; SB 158 (Correa) best practices demonstration; SB 208 (Lara) regional center RFPs; SB 319 (Price) DDS reports on progress; SB 321 (Price) regional center performance contracts; SB 367 (Block) regional center annual strategic plans; and SB 555 (Correa) IPPs and IFSPs.

**SB 155 (Correa) – RECOMMEND SUPPORT.** DRC sponsored legislation which would require IPPs and IFSPs to consider the cultural and linguistic needs of the consumer and family, in order to provide services in a linguistically and culturally appropriate manner.

## **Self-Determination Legislation (SB 468)**

**RECOMMEND SUPPORT** - SB 468 (Emmerson and Beall) is sponsored by Autism Society of LA and DRC. It would expand the Self-Determination Pilots by establishing a statewide Self-Determination program which will be capped at 2500 participants in the first three years. The program would be cost neutral, represent the ethnic diversity of the state, and increase flexibility in services. The bill is bare bones now and will be filled out. Lapin stated that the self-determination program cap of 2500 individuals would be amended to allow open enrollment in the program after 3 years. Lapin clarified that the program will allow individuals to hire their own workers and purchase non-vendored services. A recommendation was made to include the requirement in the legislation that all regional centers shall offer the program. The committee directed Council staff to work with the sponsors and authors on developing content of the legislation.

## **Housing Legislation**

**SB 550 (Jackson) – RECOMMEND SUPPORT.** Sponsored by DRC, the bill would require that accessibility requirements for state financed affordable housing be elevated to be consistent with federal requirements. Additionally, the minimum percentage of required accessible units be increased from 5% to 10%.

## **Abuse and Neglect Legislation**

Leslie Morrison, Director of the Disability Rights California (DRC) Investigations Unit, presented on the following three pieces of legislation.

**SB 651 (Pavley and Leno) – RECOMMEND SUPPORT.** Sponsored by DRC, the bill would require that a suspected victim of sexual assault at developmental centers and state hospitals be provided a medical evidentiary exam performed at an appropriate external facility. Failure to report specified assaults, deaths and injuries to external law enforcement would result in a Class B Citation.

**SB 961 (Levine) – RECOMMEND SUPPORT.** Sponsored by DRC, the bill would require that certain licensing citations at developmental centers and state hospitals be redacted only for name and personal identifying information. The bill would also require, in these facilities, that Department of Public Health complete its investigation of death, serious injury and other incidents within specified times. The bill will be amended to require that misconduct of licensed staff in these facilities be reported to the licensing agency.

**SB 602 (Yamada) – RECOMMED SUPPORT.** This bill would require the Commission on Peace Officer Standards and Training (in the Department of Justice) to establish and keep updated a continuing education classroom training on law enforcement intervention with mentally disabled persons. The bill would require that law enforcement personnel with jurisdiction over state hospitals and developmental centers receive this training. These facilities would be required to immediately (instead of as soon as practically possible) report specified incidents, including death and sexual assault to local law enforcement, and to coordinate its investigations with them.



## **Media Release**

**Jay Nolan Community Services (JNCS) is a not-for-profit organization and has been providing services to people with autism and other developmental disabilities for over thirty-seven years. Our Board is comprised of parents and relatives of people with autism and other developmental disabilities. We are one of the only organizations in the United States that has converted from group home settings to striving to provide personalized support services to each and every one of the 465 people we support.**

**Each JNCS support employee is vetted and thoroughly trained before they begin providing support services at JNCS, including background checks, classroom-based instruction, shadowing more seasoned staff, and the best supervision we can provide to ensure that all new as well as existing support staff receive the guidelines and assistance that they need to be successful in supporting our clients.**

**JNCS is associated with the MANDT program, which is internationally acclaimed as one of the best methods for quality intervention of “difficult clients.” All support staff are trained by MANDT-certified trainers and all support staff receive a strong dose of values-based training in our Foundations program.**

**We understand that incidents are being reported that certain conduct fell below the high standards that we hold. Any such claim is taken very seriously by JNCS, and this reported conduct was immediately communicated to adult protective service and the police. JNCS is actively cooperating with the authorities in this matter. In addition, JNCS is currently working to review all of our procedures to insure we meet the continuing high standards we set regarding the recruitment and review of candidates, and the training and supervision of all of our employees.**

**In respect of privacy concerns and to allow the process to move forward, there will be no additional information available regarding this matter.**

# Mom Sickened After She Claims Hidden Cameras Captured Caregivers Physically Abuse 31-Year-Old Autistic Son

**March 18, 2013 11:06 PM**

**STUDIO CITY (CBSLA.com)** — A mother is devastated after she said hidden cameras captured caregivers of a Mission Hills-based autistic services organization physically abuse her 31-year-old disabled son.

Kathy Coleman said her and her husband took care of Cameron, their autistic son who is non-verbal and has the mental capacity of a 3-year-old, until they realized their age prevented them from giving him the full-time care he needed.

Last year, Coleman said Jay Nolan Community Services helped find Cameron a home in Northridge and provided him with 24-hour in-home care.

Coleman, however, grew concerned about her son's living situation when she started to notice bruises on his body.

The mother said she immediately took her concerns to management.

"When I asked them (about the bruises), (they said), 'We don't know.' Then the next week when I came, (the bruises) got worse. Every week (it) got worse. Then my son showed me signs that he's afraid of the staff," she said.

Coleman decided to take matters into her own hands and installed hidden cameras inside Cameron's home.

After a few days, she was horrified by what she saw the workers do to her son.

The recordings showed a caretaker kick Cameron in the face on the toilet, kick him on the floor, hit him with a towel, and then spit on him before walking away.

"I could not believe one human being, even the bad person, would attack a disabled person," said Coleman.

Another camera captured a different caretaker kick Cameron repeatedly, grab a chain and point a pellet gun in his face, all while a female staffer watched.

"I ask God is there a way I (can go back in time) to stop one kick, one slap, one chain," said Coleman. "I want to pay anything...to make it stop, but I couldn't. It's already passed. I put my son in Jay Nolan...thinking he'd be protected in good hands."

Coleman said when she told management she had proof of the beatings, they began looking for cameras.

Attorney Steve Gambardella, who is representing the Coleman's in a civil suit against Jay Nolan Community Services and individual staffers, said, "A couple of managers went to Cameron Coleman's private residence in Northridge and began to destroy evidence by removing cameras."

Gambardella continued, "This is such a striking example of physical abuse, it's tantamount to torture and unacceptable. The company is not training their personnel correctly or at all. The people they're hiring are not fit to be in a position of care or trust of a dependent adult who deserves the utmost care and attention."

Jay Nolan eventually let go of two staffers because of the reported abuse.

One of the employees, Oscar Espinosa, was arrested and criminally charged after the Los Angeles Police Department was notified.

An arrest is pending for the other worker.

Police said a warrant is likely to be issued for a third staffer.

Jeff Strully, Jay Nolan's executive director, initially agreed to an on-camera interview, but ultimately declined.

Instead, the company released a **statement** which said, in part, "Each employee is vetted and thoroughly trained before they begin providing support services...including background checks (and) classroom-based instruction. We understand that incidents are being reported that certain conduct fell below the high standards we hold. Any such claim is taken very seriously...JNCS is currently working to review our procedures to ensure we meet the high continuing standards we set."

In January, Coleman said the family parted ways with Jay Nolan and Cameron moved back in with her and her husband.

Coleman now wants to make sure other families don't trust their loved ones to an organization she claims hasn't lived up to their reputation.

"Right now, at this moment, somebody is being abused. Maybe this (will give a voice) to some mothers and fathers or guardians...they (can) do something about it," she said.