



DRAFT

Roadmap

Background

At the July 30, 2014, MTARS Committee meeting there was discussion of developing a “Roadmap” for the things we need to do to provide leadership for systems change in California and complete our requirements consistent with our Corrective Action Plan and the MTARS process.

As the work in moving AB 1595 through the legislature and getting the Governor’s signature draws to a close, the purpose of this document is to help us move forward with a focus on the myriad of activities that need to be completed in the next two years. The following statement is intended to further our discussion and planning. This is also intended to be an evolving document reflecting our collective thoughts and agreement on moving ahead. Changes resulting from this document will likely lead to an internal review of the Council in order to create an organization that is focused on capacity building, systematic advocacy and systems change consistent with the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act). This “roadmap” will only serve as a guide in helping us to achieve what needs to be done.

Ultimately, the California State Council on Developmental Disabilities (SCDD) should be recognized as a leader in our state in promoting systems change that affects the lives of people with developmental disabilities and their families. We also need to demonstrate that we are functioning consistently with the requirements of the DD Act. We will truly be judged on our work in developing and implementing the next five-year plan in 2016. We suggest that we start working in the following three areas:

1. Setting a priority for demonstrating as much progress as we can on a subset of goals in our current State Plan;
2. Analyzing the work and state plans of several other state council’s and utilizing assistance from ITACC and NACDD; and
3. Keeping the commitments that we made in our Corrective Action Plan (CAP).

Prioritizing a Subset of Goals

We should direct Council staff (including regional offices) to focus on the following six goals contained in our current State Plan:

1. Individuals with developmental disabilities have the information, skills, opportunities and support to advocate for their rights and services and to achieve self-determination, independence, productivity, integration and inclusion in all facets of community life.
2. Public safety agencies, other first responders, and the justice system get information and assistance to be knowledgeable and aware of the needs of individuals with developmental disabilities so they can respond appropriately when individuals with developmental disabilities may have experienced abuse, neglect, sexual or financial exploitation or violation of legal or human rights.
3. Individuals with developmental disabilities and their families get the information to be prepared for emergencies.
4. Working age adults with developmental disabilities have the necessary information, tools, and supports to succeed in inclusive and gainful work opportunities.
5. Individuals with developmental disabilities understand their options regarding health services and have access to a full range of coordinated health, dental, and mental health services in their community.
6. Public policy in California promotes the independence, productivity, inclusion and self-determination of individuals with developmental disabilities and their families.

We need to document as much progress toward these goals as we can possibly achieve in the next two years. We want to make sure that our efforts meet the federal expectation of statewide efforts. We want to truly impact the lives of people in these goal areas.

Other States Work and Plans

We will start our analysis of work and plans in other states by examining information from Florida, New York, Texas, Tennessee, Washington, Wisconsin, and Kansas. We will follow up with discussion with executive directors, staff members, and Council leaders as appropriate.

We will work with Sheryl Matney of NACDD (ITACC) and develop a plan for receiving appropriate technical assistance and consultant help.

Corrective Action Plan Requirements

<u>MTARS Finding</u>	<u>Task</u>	<u>Due Date</u>
The Council's membership nomination and appointment process has been historically inhibited by state bureaucracy. It is unclear if and how membership recommendations are solicited from a broad range of DD/ID organizational sources and non-state agency members of the Council.	<p>The Membership Committee will:</p> <ul style="list-style-type: none"> • Solicit candidates for Council chair. • Submit Council member candidate recommendations to the Governor's Office. • Work with Governor's Office to fill vacancies. 	<p>Quarterly</p> <p>Quarterly</p> <p>ASAP</p>
The Council did not provide evidence of a policy for allowing the continuation of Council membership until a replacement member could be appointed.	Update Bylaws – SCDD members can serve until new member is appointed.	After 1595
The Council did not provide evidence of a transparent and effective process to notify Governor regarding membership vacancies.	<p>Bylaw change to reflect the following formalized process:</p> <ol style="list-style-type: none"> 1. Six (6) month advance notification to Governor's Office. 2. Submitting multiple recommendations to Governor's Office. 3. Solicit support from DSA after 4 month vacancy. 4. Report persistent vacancies to AIDD through the PPR process. 5. Solicit technical assistance from AIDD when persistent vacancies exist. 	<p>After 1595</p> <p>ASAP</p>
	The Council will conduct ongoing calls with the Governor's Office at a minimum of bi-monthly, follow-up emails to	ASAP

	confirm meeting outcomes. AIDD will track vacancies through CAP calls.	
<p>There was inadequate evidence that the:</p> <ul style="list-style-type: none"> • Council engages in data-driven strategic planning to develop the State Plan and takes the primary role in the planning process. • State Plan is the Council’s Plan and that activities are undertaken by the Council versus the State Plan being one that is configured by and for the Area Boards. <p>Council is free from state interference in the development of the State Plan. The state’s DD agency awarded the Council two contracts: (1) Client Rights Advocacy and (2) Volunteer Advocacy Services. This state supported work is documented in the Goal 2 in the Council’s State Plan which states: “local offices provide assistance that include systems navigation, technical assistance, attendance to Individualized Education Plan meetings and assistance with due process”. The review team heard more about these two projects during interviews and public forum testimony than any other Council supported activity. While AIDD does not question the merit of the projects and the quality of the work being done by Council staff, it raises serious questions about whether the state is directing the Council's State Plan or whether the Council is developing the State Plan.</p>	<p>The State Plan Committee will continue doing its work. The MTARS Committee provides broad direction and oversight.</p>	<p>Ongoing</p>
<p>The Council did not provide adequate evidence that the plan is supported by the assurances in Section 125(c)(5)(B - D) and (K - L).</p>	<p>State Plan: B – Use of funds How do we resolve? C – State financial participation How do we resolve? D – Conflict of Interest Resolved by AB 1595 K – Staff Assignments Remove CRA/VAS contract from the</p>	

	State Plan. L – Noninterference	
<p>The Council's 5-year plan implementation does not promote advocacy, capacity building, and systemic change at the <u>state level</u>. As discussed above, the review team heard more about the two state funded projects implemented by the Area Boards. Since so much attention was paid to the two state funded projects, the review team did not hear about a coherent set of activities implemented by the Council at the <u>state level</u>.</p> <p>The Council is providing direct services through the two state contracts. This type of activity is outside the purview of the Council's responsibilities and appears to overlap with P&A functions.</p>	<p>State Plan Committee to develop template for data on local and statewide activities and provide to Council quarterly.</p>	<p>ASAP</p>
<p>Overall the Council's Program Performance Report does not specifically describe how each Area Board is contributing to State Plan implementation. Because there are 13 regional offices implementing different parts of the Council State Plan, it is difficult to determine how State Plan achievement is being measured and evaluated. Some Area Boards referenced using "mini-plans" to document which parts of the Council State Plan they were implementing. Other Area Boards did not provide evidence of having "mini-plans". Without consistent use of Area Board "mini-plans" or some other tool it is unclear how the Council can assess progress made in achieving goals.</p>	<p>The State Plan Committee and Janet Fernandez will develop a chart that shows progress in implementing the State Plan statewide and regionally and submit to Council at least quarterly to be used by State Plan Committee to help in determining priorities for grants and by the Administrative Committee to guide fiscal priorities.</p>	
<p>The Council did not provide adequate evidence on how it developed or implemented its budget to fund programs, projects, and activities. Council members expressed a strong need for more fiscal transparency</p>	<ul style="list-style-type: none"> • Passage of AB 1595 into law • MOU with DSA 	<p>Jan 2015? Nov 2014</p>

and training on state versus federal fiscal policy and the Council's budget development/implementation process.

In addition, the Lanterman continues to include language that is inconsistent with the DD Act, posing challenges for the Council to be in compliance with the federal law:

- The Lanterman Act requires the Council to provide funding to Area Boards.

The Lanterman Act provisions require the Council to hire staff at the deputy director level thereby interjecting a line item in the Council's budget and limiting its authority to develop a budget.

The Council did not provide adequate evidence of that it has accurate financial accounting and record keeping:

- At the time of the on-site visit, the Administrative Services Manager position was vacant and the Council did not have a staff person dedicated to managing the Council's finances.
- The Council could only provide limited information on the Council's fiscal policies during the on-site visit pertinent to the requirements in the DD Act.
- The Council experienced fiscal impropriety under the previous Executive Director (Board Resource contract)
- The state auditor's findings substantiate the immediate need for financial management systems. (Reference: *California Department of Finance Management Letter dated August 17, 2012*)

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| • Hire Chief Deputy Director | Done |
| • Complete Policy and Procedure Manual | Dec 2014 |
| • Contracting and Purchasing Manual | Done |
| • Council's decision about having a Deputy Director over regional operations. | Nov Council Meeting |

As mentioned above the Council's Council approval of new MOU with DSA Nov 2014

recent experience with fiscal impropriety under the previous Executive Director (Board Resource contract) and the state auditor's findings substantiates the DSA's need to establish processes, policies, and procedures that promote:

- Accurate receipt, accounting, and disbursement of funds
- Provision of appropriate fiscal control and fund accounting procedures necessary to assure proper disbursement of, and accounting for, funds paid
- Access to records as the Secretary and Council may determine necessary
- Timely development and dissemination of financial reports regarding status of expenditures, obligations, and liquidation by agency or Council, and use of Federal and non-Federal shares

The Council does not have a Memorandum of Understanding with the DSA.

There was no evidence that the Council has conducted a formal evaluation of the DSA at any point and time.

Several Council staff positions and DSA functions appear duplicative. Several DSA functions are performed by Council staff at the central office, specifically in the areas of: contracting, budget, fiscal, and personnel.