

## Excerpts for 5-29-14 Council Meeting Captioning

### **Agency Representative Introductions**

JONATHAN: Jonathan Clarkson, Department of Healthcare Services.

DANIEL: Daniel Boomer, California Department of Education.

CHISOROM: My name is Chisorom Okwuosa, I am with the California Department of Aging

BILL: I represent the Department of Rehabilitation.

ERIC: Eric, Department of Developmental Services.

SANTI: Santi Rogers, Department of Developmental Services

KRISTOPHER, Health and Human Services Agency

### **MTARS FINDINGS DISCUSSION**

JORGE: Essentially the council gets to be independent of State interference. Kris?

KRISTOPHER: We had drafted legislation to the original MTARS finding. It's not -- AIDD gave us feedback yesterday telling us that our change didn't go quite enough to make California law match what they consider the DD Act in Federal law. So we didn't have time to hash out all the amendments that the amendment made but it's tweaking what was there to try to direct it towards the issues. They let us know that. It is an ongoing process and it's going to take time for us to go through the edits and make sure it's correct. The intent is to try to keep what we, as a council, felt was the direction we were making with the changes, and trying to make the legal changes. Is that helpful?

CARMELA: That ties us -- financially, week still -- I just don't understand. But I just don't understand like um -- in what way that's our benefit. It doesn't -- I thought that when like if the Feds mandated something or the State mandates something that's because they're giving you funding, correct?

So there are some just non-substantive changes, we've got to strike references, things like that, format clean-up that will need to happen. But other than that, that's really the proposal that's come to you as a council right now and it's continuing the progress --

JONATHAN: I'm involved it. That's why I'm abstaining.

### **DSA DISCUSSION**

MOLLY: I've already said, if you go to page 85, one thing that is required for State council is to have a designated State agency. The agency is used to do -- a responsibility to the State council does not have the capacity to do such as finding personnel, technology, whatever, that the State council can't do directly. We go into agreement right now that will be in review in the future with the State agency, it is the Department of Social Services, correct?

MOLLY: Okay. Health and Human Services. Can I ask you, would you mind?

KRISTOPHER: No, I don't mind. So under the NEEDY (ph) act, counsel appointed there, that is my agency, Health and Human Services, we do that through a contract through the department of Social Services which does -- dealing with state computers, employment, checks, bills, all the sort of administrative support that the council needs and is maintained by the state. So we've talked before about that contract. It is a fair amount of money although it doesn't actually cover the amount of services that the council uses. So part of that goes to the State match. So long story short, the designated savings responsible for the IT/admin support.

MOLLY: This is the annual review that we are required to do as the council, correct?

KRISTOPHER: Correct. We are required to do the annual review which hasn't been done ever. It is one of the things that the Feds pointed out to us. This is our attempt to fulfill that requirement. Roberta drafted it before she left and I think it does a pretty good job.

MOLLY: I'm going to ask Kris again to enlighten us. These are not the work of magicians.

OLIVIA: So what is the difference between an assumption and a recommendation.

MOLLY: Could you help?

KRISTOPHER: So when we had a discussion on assumptions, I think the thought was to show what the administrative committee was talking about and bring it up for discussion. I wasn't at the last admin meeting and I don't know what discussions were there. I think the goal here is to get it out there for everyone to talk about, think about and look at. As we look forward towards deficits, the idea is to try to get input from everybody about what could be cut, what could be cut back on, where some savings might be so the decisions might rest with us, we're trying to get input and make it be a collaborative process. The goal is to bring this forward and have a discussion about this.

### **LEGISLATIVE DISCUSSION**

JORGE: So is that a motion to approve the recommendations as provided by LPPC for the remaining bills?

ERIC: The amended versions that these are on are outdated, at least SB48 is now dead. It was held in the appropriations committee last week so you know that.

JORGE: So symbolic support for that one.

ERIC: Or eulogy.

Excerpts from July 16, 2014 Council Meeting Captioning Notes

**AGENCY REPRESENTATIVE INTRODUCTIONS**

Kris Kent. Health and Human Services Agency  
Santi Rogers. Department of Developmental Services  
Bill Moore. Department of Rehab  
Daniel Boomer. Department of Education.  
John Clarkson. Department of Health Care Services.  
Nicole Smith. Department of Aging

**STATE PLAN COMMITTEE UPDATE**

Kris Kent: We should talk about the state plan and what is going forward. Now that we have legislation moving with the feds and improving policies and feds talked about how they would be looking at our state plan going forward. This, I want things tweaked but the next iteration is where they will be looking to see that we adjusted our state plan. Feds state plan is the central document. I wanted to make sure this will be a very important thing to the council as it get created and I encourage everybody to create it.

Molly Kennedy: we still have two years on the plan. And we need to start working on the new state plan and between these two plans we need to look at it and see how we can improve our over-all structure and organization. So we are effective. And we are really making system change. One thing that I hope to do is also in the future is have someone from NACDD give a really good in depth review of the state plan to the full council. This is our job to develop through a good practice which we create a plan. Then we implement a plan. That is our job. So I think it will be to understand what the role from nuts and bolts to a real goal of this. So that will be in the near future.

**COMMUNITY GRANT ALLOCATION DISCUSSION**

- Kris Kent: What is the timeframe for granting these grants?

Mark Polit: We want to approve what we can today so then it can go forward and they can start on October 1 for grants and there are two area boards who do not have recommendations in here today. State plan committee would review those on August 25 when it meets again and make recommendations to the September council meeting. Those grants would probably not be able to start until potentially late November.

- Mark Polit: Do they address the issue of wages?

Dan boomer: About employment. You need to talk about employment and competitive employment with minimum wage.

Mark Polit: Both the gate path are to integrate competitive employment at least minimum wage.

Kris Kent: Two questions; if we approve these, some need clarification. Is it -- must understanding they go back and come to is council next meeting for approval?

Mark Polit: The clarification of the budget sheet is technical in nature. That can go back to staff and we can coordinate it with the committee chair. That is what I recommend on that. If we are recommending an increase in the value of the grant, just as area board 8, that considering the confusion I would suggest we that go back to council instead of going back to committee.

Kris Kent: If there is any other area board directors that want to add anything I think we should give them the opportunity to speak.

Molly Kennedy: Is there a motion to approve this?

Santi: I approve.

Molly Kennedy: Second. All in favor? Aye. Opposed? Abstention.

Area board 6. Vocational coaching. Is there a motion?

Santi, I motion for approval.

Molly Kennedy: Second?

Any questions, comments? All in favor? Aye. Opposed?

Jonathan: I move to clarify the amendment

Jonathan: Do we want to make a motion on the two that were rejected?

Molly Kennedy: No. Because you approved the ones -- you approved --

Jonathan: The Council needs to ratify the action.

Molly Kennedy: Let's go ahead and do that. So, what page are those on?

Jonathan: They are not numbered but 8.2.

### **CIVIL SERVICE RULES DISCUSSION**

Kris Kent: So, in our past discussions the desire was to transition everyone over. What Natalie has done here is bring to our attention a risk in that how the statute is proposed with the California constitution. So, I think what we need to decide is, if the council still wants to transition everyone over council would have to direct staff to figure out a way to work with the appropriate agencies to have those current exempt positions with the exception of Executive Director to transfer. Two entities that oversee state employment. My recommendation would be to give the council authority to work through those issues. Work with the language and work through a process whereby those current exempt positions transfer over and keep the status quo going.

Natalie is that a statute of limitations on the challenge to not lining up with the constitution?

Kris Kent: More on that point. It could be brought by an outside party or SPB who would say you don't have authority for those positions.

Catherine Blakemore: You think we should change the statutory language in this bill or leave it?

Kris Kent: We empower staff to work with the appropriate entities to craft language where necessary and develop other processes necessary to effect that change.

Kris Kent: May I suggest some language?

Catherine Blakemore: Please go.

Kris Kent: I was giving it thought here. Council -- reading -- with the exception of the council Executive Director be civil service positions.

Kris Kent: You are taking that as a motion? One more time.

The council authorizes the county staff to work with the appropriate entities to develop the necessary statutory language to effect wait the exempt positions of the Council with the exception of the council Executive Director to civil service positions.

Molly Kennedy: Okay.

Johnathan: When You look at exempt positions there are two kinds. Governor's appointees and directors, which is civil service appointees. I am appointee of my director but also exempt from civil service while I am serving as CEA. If I get disciplined I return back to civil service position. You are proposing that these exempt governors appointee being converted to quasi civil service positions? I am not civil service.

Natalie Bocanegra: That is part of what we need to look at. There may be different categories depending on the particular position. It could be that. It could be something additional depending on what the different positions that we have.

Johnathan: Intent it to do whatever is necessary to make this work?

Natalie Bocanegra: Yes.

Janelle Lewis: It is not the intent to change what we have already written in the bill?

Kris Kent: Unless it is needed.

Kris Kent: Intent is to enable staff to figure out a plan. If they for in theory can get it done and have it done right away. If they have a plan that is fine too. It is a technical area of the law. I would like to have that discussion with the staff to work on that issue.

Kris Kent: motion is; David second it, (reading) to develop the necessary statute story language in corresponding processes to effect wait the transition of the exempt positions of the council with the exception of the council DD to similar civil service positions.

Kris Kent: Do you want to do individual updates if you have anything to update?

## **Excerpts from September 16, 2014 Council Meeting Captioning Notes**

### **Agency Representative Introductions**

KRISTOPHER: Kris Kent, Health and Human Services Agency

BILL: Bill Moor, Department of Education.

DANIEL: Daniel boomer, California Department of Education.

CHISOROM: Chisorom, California Department of Aging.

JONATHAN: Jonathan Clarkson, Department of Health Care services.

ERIC: Eric Gelber, Department of Developmental Services.

### **SPONSORSHIP REQUESTS**

MIKE: On Page 6 and 7, the first is a request to sponsor -- "Respecting Choices, Creating Innovations and Fulfilling Dreams" workshop, and just kind of coincidental we have an information sheet and registration form to pass out for this conference.

KRISTOPHER: Can you talk about how this request would fit in with our budget in terms of the money we have?

MIKE: The council budget sets aside \$25,000 a year for conferences and activities such as this. As for this year, this would be the first request that we are granting, so this would be the first \$4,000 out of the \$25,000. We have one other request requesting \$999, so basically, we have requested in front of us totaling \$1 less than \$5,000 that would go against that \$25,000 budget item.

CHISOROM: I wanted to clarify in terms of making the motion, is it that before you give them the \$4,000, they will agree to the recommendation and if they do not, that the \$4,000 will not be given to them? I don't know if it is clear. If it a recommendation, and not a mandate, they can take the \$4,000 and may decide to take what you recommend. Is that okay if that happens that way?

CHISOROM: So if they choose not to follow the recommendation, it is okay for them to still use the \$4,000?

MOLLY: Correct. The way it's written, it's a recommendation.

CHISOROM: Okay.

MIKE: The second request is a request for \$999 to support the Support of Life Conference which is for disabilities, families, support agencies, Government and support agency directors, educators in the developmental disability fields. The conference provides topics on personal power, life, family supports, health and wellness, safety and abuse prevention, relationships, communications AAC, and community and assistive living. Exhibit fair, and you have three pages of information on pages 70 to 2. Actually, you have -- 72 to 76 in your packet.

CHISOROM: I see the budget for training is \$25,000. I want to be mindful that with the approval of this request, that would be \$5,000 already going to training. The fiscal training just started two -- three months ago, so I want the council to be aware that the budget now is only 80%.

MOLLY: Correct. In the past history -- in the past few years -- we haven't really spent half the budget. So yeah. So I appreciate that, but I think it would be good to present all of it -- you know, as Steven -- do you?

STEVEN: I would like to request that the funds primarily go towards scholarships for self-advocates to allow -- to ideally bring the costs to nothing if they do not have regional center funding if they need the money to allow low costs for people who are in the area and then the funding can mostly go toward people -- travel costs for people from outside the area -- self-advocates. And then the money could go towards family members if there are funds left over. I'm less concerned about that because they were projecting --

JENNY: The motion was firsted and seconded, the motion belonged to the floor. So in order to amend a motion, it would have to go through a separate motion as a minute.

ERIC: Just in terms of the amendment, I don't think the funds are being requested for travel costs, but only to reduce registration fees.

JONATHAN: Call to question (on the motion).

### **SSAN DISCUSSION**

MOLLY: So technically, there is nothing in writing that says that a non-profit has to be developed. That was something that was brought up by one staff person. So as of right now, it's not even a formal goal, so -- and so there is no motion -- there is no mandate to make SAN a non-profit at this time at all. It was brought up by someone, but it's not in the State plan, it's not a goal. No one has said this is a must. All I can say is does it sound like you want to use it? It could be part of the discussion of the next State plan that we create.

KRISTOPHER: This is the first I've heard of this. If we're going to consider this moving forward, I would like to know the rationale as to why this is necessary, and what the legal implications are, if this becomes a non-profit, how this effects the council. I don't think we have to do it today necessarily, but if the network want to investigate that, I would encourage you to engage with staff and attorneys and figure out what the benefit is, why we're doing it, what the consequences are.

DAVID: So there was a critical piece of evidence that you might be missing. There was a total -- to the members that was -- they did not even know.

## **Excerpts from the January 22, 2015 Council Meeting Captioning Notes**

### **DESIGNATED STATE AGENCY INTRODUCTIONS**

DANIEL: I'm Daniel Boomer. Department of Education

ERIC: Eric Gelber, Department of Developmental Services.

NICOLE: Nicole Smith representing the Department of Aging.

BILL: Bill Moore Representing the Department of Rehabilitation

JONATHAN: Jonathan Clarkson, Department of Health Care Services.

### **MTARS – Demographic Map Explanation**

AARON: So the north state region is shaded out to show it is represented. It shows that you're from a rural area, and disability. Does that answer your question?

DANIEL: There is a specific number of ethnicities because each of the groups -- we would like to know what is going on with those groups. So if you're Italian, or whatever, we're not going to track that because they are vulnerable group.

### **Excerpt from Promise Grant Update Given By Bill Moore, Department of Rehabilitation**

BILL MOORE: So briefly -- good afternoon, everyone. I just want to provide an update on the promise grant. The Department of Rehabilitation was awarded \$50 million over a 5-year grant period which started in October of 2013. And the Promise grant is a joint initiative that we share with the Department of Education, Social Security Administration, Department of Health and Human Services, the Department of Labor and it's really to promote positive outcomes for children who receive supplemental security income, SSI. What is the purpose of the Promise grant? The researched grant? It's really focused on early intervention. It's to improve the provision and coordination of services and support for child supplemental Social Security income. In order to achieve improved outcomes such as completing post-secondary education and job training to obtain competitive employment in an integrated setting.

### **Excerpt from 15-Page WIOA Presentation Given By Bill Moore, Department of Rehabilitation**

BILL MOORE: WIOA replaces the Workforce Investment Act of 1998. It also amends the Rehabilitation Act of 1973. One of the challenges I heard someone say earlier, is that WIOA provides opportunities and challenges. The major challenge is that there's no new funds associated with WIOA. It sets new funding formulas for administrative costs and programs.

## **BUDGET UPDATE**

AARON: Good afternoon Madam Chair and council members. We started this at the last council meeting to state as expenditures happen through the years -- through the budget year -- what looked like expenditures -- we would have projected future expenditures. As a reminder of our funding sources, the council receives \$6.4 million from its basic state grant. Those funds come through AIDD.

If we were to fill all positions, we would expect to be \$454,000 in the red. We know we have prior-year funds to cover these deficits, it is more of the next fiscal year that we have to take action to change the way we spend.

JONATHAN: Structural -- how do we address the structural deficit so that we fix it so that we don't continue to run deficits? Do we either eliminate some positions permanently so that we're not running the deficit, or do we somehow go back to the Feds and ask for additional monies to have cost-of-living increases that we can pay our employees what they deserve?

## **STATEPLAN**

NICOLE: I just want to make sure I'm clear. The motion is to direct staff to establish a formal relationship or to explore establishing a formal relationship based upon the information that we get in the future?

APRIL: You can use the word "explore."

NICOLE: He did use it or we could?

APRIL: He did. Explore. Like "research."

## **Excerpts from March 25, 2015 Council Meeting Captioning Notes**

### **Agency Introductions:**

JONATHAN: Jonathan Clarkson, Department of Health Care Services

ERIC: Eric Geller, Department of Developmental Disabilities

DANIEL: Daniel boomer, California Department of Education.

BILL: Bill Moore, Department of Rehabilitation.

KRISTOPHER: Kristopher Kent, Health and Human Services Agency

### **Vice-Chair Elections**

DANIEL: Is there a reason why Kecia is not here?

MIKE: As many of you know, Kecia has had some health problems of late. She is well on the road to recovery and I know that she is planning on being active with the council again on April 14th Employment First meeting but she could not be with us today.

DANIEL: What are the implications of her not being here? Can she still run?

### **MTARS Update**

AARON: Exciting is interesting, because that can work in two ways. It can be exciting good, and exciting bad. As the council knows, for about a year, year and a half, the council has been reimbursed in its status. We used to get the grant money up front. Then we were put on high-risk status. We spend the money first, then submitted all of our receipts to AIDD, they look at them, consider them and then they release the money.

KRISTOPHER: I wanted to highlight and thank Aaron. The fact that AIDD program side felt comfortable enough to make this switch to have the reimbursement advance represents the shift in how they view us and our relationship with them. I want to thank Aaron and his team and produce the work. We're not out of the woods. We are still high risk. I want to highlight that this is a very positive move forward.

DANIEL: Does AIDD find the California Council differently from other states

MIKE: I think that AIDD has viewed the California council somewhat differently, partly because there has been a -- if you will, have running feud between certain officials from California and certain officials from the Federal Government since 1974. And I think that in the last year, year and a half, we have come together, tried to take their guidance, tried to incorporate that into a new direction and I think that they are both pleased with the direction that we are taking and they certainly had a thorough review -- thorough vetting process of AB-1595 and the changes that made in California law. Now they're looking to make certain that we go ahead with full implementation of those changes.

DANIEL: The AIDD council --

MICHAEL: When we get off of high-risk status, they will take us back and begin paying us up front. Yes?

KRISTOPHER: I think Dan was asking, are there other states on high risk? Do we have any sense of that?

MICHAEL: I do not know that. Mr. Holen might know more about that than I do. And we can ask him as a part of his presentation. But Aaron, do you know?

AARON: No

### **SPONSORSHIPS**

APRIL: So the new -- the next request is from the Disability Action Coalition. They're requesting \$1,250 or \$2,750 and their request is for the Capitol Action Day and it's the 25th anniversary of the Americans with Disabilities Act. There is going to be a booth there and this money is going to go towards helping them lobby. So do we have any discussion? Kris?

KRISTOPHER: Yeah, I just want clarification. It says here that the request is from the California Foundation for Independent Living Centers and it requests all this money. Are we paying for their booth in addition to ours -- I don't understand where that booth money is going.

**Governance Training – Ed Holen, Washington DD Council**

AARON: Good afternoon, council members. We're a pretty good council in that we invited a guest from Washington state and one of his first pieces of advice is to make a policy, write it down, and vote on it. So that is exactly what we're doing. We take advice, we use it quickly, put it into effect and that is what we have today. The council's governance policy. Just as a reminder, the council saw this at its January's meeting. At the time they look at the policy, the recommendation by the council was to hold off on voting on this policy, to wait until MTARS had a chance to meet to discuss the matters that they had. The good news as you heard this morning is that MTARS met yesterday, they looked at the questions around individual advocacy, they voted on them and voted to move the questions to the executive committee. Because of that, the chair of the council, who is also the chair of MTARS felt the need to bring this governance policy back, felt that it was ready for the council's consideration, ready for the council's vote.

KRISTOPHER: Is it appropriate to adopt the policies or the policies that the executive committee is going to bring forward?

AARON: Two different sets of policies.

MIKE: But not incompatible.

KRISTOPHER: These are going to be the policies that over-marginalize them?

## **Grants**

AARON: There are state wide and regional grants. The council used to have both every year. They switched to alternating. We're currently in a cycle where there's a state-wide grant. Next year when it's regional grants, I think the spirit is still the same in getting the ideas from the region, but the council itself here will be the grant-making authority not the region advisory committee.

JANELLE: I was just going to say even though it was done that way, it still was the final say came from the program development committee at the council level so it wasn't really -- I mean, the area board mini grants -- they participated in the selection and all that, but the final say -- and then they submitted to the program development committee which submitted to the council for final approval.

JONATHAN: In fact we just turned down some this year.

## **Individual Advocacy Paper**

KRISTOPHER: Couple points real quick. I think the intent is to still have the regional advisory boards give input from their region and make recommendations. Now, because of what the Feds said, we had to take away the ability for them to spend and control funds. That was a conflict. That is also why you see members of the council cannot sit on those advisory boards. I think, you know, it's an adjustment. But I think the intent is to have information come in and be responsive. In terms of advocacy, we have to be careful what you mean. I think advocacy is part of -- general advocacy is part of an advisory board. If you're doing specific individual services that is when it becomes problematic. The council got in trouble with the Feds for providing individual advocacy services. If you say to me - - someone comes to the board with a problem and you, Feda, want to help them. There is no reason you can't help them personally. The State council can't go sit with that person or do services for them. Just to clarify that. We had a discussion about MTARS about that and how to draw that line. But it's to address your question, I think there's no one saying you shouldn't advocate, but when you get to personal advocacy --

JONATHAN: I was simply going to say there is a difference between systemic policy setting that may have the effect of advocacy and individual advocacy. I mean, and it would seem like it would be the role of a council to do the policy making to address systemic problems as opposed to advocating for individuals. So that's just my --

KRISTOPHER: Fedra, when you say is there a systemic problem, that is one of the value of the regional offices. They should be getting that information from the committee and bringing it back from the council -- I'm not saying they shouldn't be involved and talking with people. When you go with switching information and talking with people and helping them -- doing the work yourself as a State council employee. That is the line where looking at. You can still help people and talk to them. You can still watch the process but you can't go out -- especially the staff themselves -- sort of sit and be that advocate.

AARON: What are the mechanics of how regional advisory committee advises you all, the council, is something that we have in draft form, but we need to create at the staff level, and we're waiting for council member direction and policy so we can take steps to create those mechanisms.

KRISTOPHER: I wanted to talk about helping someone they call. You can give information, you can give them advice and point them in the right direction. It is more the issue of council staff going and sitting and being the direct advocate. So I don't think we're foreclosing at all, and not give advice. I don't have a position on the numbers. I think that is a good discussion to have.

KRISTOPHER: Whether you have the council member attending the meeting as a requirement, that's -- I'm open to discussion about that. I don't think you can have them sit on the RAC. I think that has an appearance of a conflict.

KRISTOPHER: Everyone here is committed to helping families. Normalizing things is the first step. We can talk about ratios, we can talk about how the council member interacts with that local body, you know, things like that are fine. But the general idea is to get something in place so we can have the regional advisory board in place so they can meet with the council.

ERIC: As I was going through this policy, it is my understanding that this policy was being essentially paralleling what is in statute, and I don't know whether the percentages of self-advocates is something that is required by statute and set in statute in which case there is not much flexibility. To the extent that all the policy is doing is reiterating statute, I'm not sure that it is necessary to have a policy because the statute already provides those things.

But within whatever the statute provides and set these basic parameters, there's then still a lot of room for flexibility and policy around how the various requirements are going to be implemented and it sounds like there's certainly a need for some more discussion around a lot of those issues. So partly my question is -- how much of this is statutorily required in the new state law and how much of it is in fact, policy?

AARON: The first two slides are the only two that are repeats of the statute. Every slide after that is policy being created by this council that is within their authority to create.

ERIC: Then I agree with what I heard Steven say. There's some need for some further consideration.

## **Excerpts from May 20, 2015 Council Captioning Notes**

### **AGENCY INTRODUCTIONS**

DAN: Dan Boomer, Department of Education

ERIC: Eric Gelber, Department of Developmental Services.

CHISOROM: Chisorom, Department of Aging.

BILL: Bill Moore, Department of Rehabilitation.

KRIS: Kris Kent, Health and Human Services.

### **CHAIR REPORT**

APRIL: June 24th and 25th, the executive committee will meet again to conduct interviews. And then we have July 14th and 15th. I'm just looking at the revised schedule here.

So we have some changes. We're moving along. Good thing -- I have a list up here. Feel free to look at my list of everywhere these resumes -- applications went out to. Okay.

DANIEL: Have we had any response yet?

APRIL: Significant response. And we reviewed -- we did a lot of reviewing for two days the past couple of days here. Yeah. Perfect. Thank you. And I think that goes to show the executive committee and Natalie have spent a lot of work -- and of course the staff at the office in preparing everything. It's just been great for the executive committee to have everything ready and good to go as soon as we walk in that door, we're working. All right.

### **BUDGET**

KRIS: Just a follow-up, October 1st -- gets those funds to start flowing. Real quick on the budget. I had to step outside. I don't know if it's been covered. In the over-all budget picture, I don't know if you heard the secretary last week, but we had a lot of revenues that is going to the schools and the rainy-day fund. There's little revenue for us to do much

with. We had to look at sort of a few high, high priorities and then leave the rest to legislature in terms of what should be done.

So it wasn't just this community that wasn't given a rate increase. It was across the board, the administration could not give rate increases. The legislators have prioritize. So just to put some context on that. It is important to know that things -- even though we have billions of dollars revenue, a lot of revenue is already spoken for and in terms of what there is, we felt it proper for the legislature to prioritize where it goes in California.

BOB: No. In the past -- somebody correct me if I'm wrong on this. When centers have closed, the money is back in the general fund. That's been a problem.

Also, even though an infusion of that money to regional centers would be great, it's a one-time funding system. It's not an ongoing continuous revenue stream. So while in fusion of that saying cash would be dandy, it's not a long-term solution in my view. It goes into the general fund.

KRIS: Can I clarify something?

KRIS: What happens during the closure is we -- there's the funding that goes to regional centers to help people move out. The general -- what's paid to the regional center for services, is determined by the needs of each clientele. The needs of the people it's serving.

The issue that happens with the money is something that the legislature is interested in. That money will be referred back to the general fund. They try to propose something different for that. Real quick on the closures themselves. Catherine is probably right. We have some tracking systems in place. These closures will be somewhat different. They're going to be more ambitious and they're going to involve intensive community planning for each regional center -- sorry, global center. We're going to be rolling out that plan and moving forward.

The goal ultimately is to work with each community to figure out what they need with the regional center, and have maybe a crisis center, clinic, medical -- things like that.

So the secretary wants to emphasize that, you know, we're not just going to shut them down and sell them off. There's going to be a community plan, possibly some housing development, and crisis centers, a safety net for this community.

So the developmental work with regional centers that fit into -- each DC will probably have -- I don't know, Eric, you can quote numbers, four or five regional centers that feed into it. They are going to develop the services and housing. So each consumer has an individual plan that will work towards figuring out what they need in the community and the development will work with centers through CPP funding. So that is what that big chunk of money is. To help get those services and homes started.

ERIC: Concerns that were raised are certainly legitimate concerns, but I point out that the department and regional centers have had recent successful experiences in closing developmental centers, mostly the Lanternman and others year as go. Part of that process is to ensure the health and well-being of every individual. Nobody is going to be required to move out of a developmental center without going through a comprehensive assessment, an individualized planning process and assurances that all the services and supports of that individual needs to be successful in the community are in place before that individual moves. I also want to point out that this closure process will follow existing law. The steps that proceed and follow the developmental plan -- that includes the extensive stakeholder input process of public hearing process that the department will be going through even before the plan is issued in October. So yes, all of the concerns that have been raised are being considered and will be taken into account in this process.

BILL: My question is, do we have staff who monitor the budget on a regular basis and track so that when it's determined that expenditures are not where they should be appropriate and timely actions can be taken?

>> AARON: Actually, I came to the council, I implemented a budget tracking process and I pointed that out to the administration committee every time we meet. I pointed it out to the council each time it meets. If you look at the presentations I've done this year, if you look at the budgets we've done this year, how much we've spent and how much we will have at the end of the year. Each time we've showed red. We projected being in the red. We have that again -- we will get to that point later in the meeting - - and what's been good is that we've managed very well.

While we have a \$674,000 deficit, the current projection for being in the red is about \$77,000.

The other important thing to remember is that we have resources from prior years we have not spent. We've been rolling forward to cover those shortfalls. So if we are in a deficit this year, we will still be fine because we have prior spending authority to cover those expenses.

KRIS: When I first came to this staff a couple years ago, I think this is by far the clearest, most effective presentation we've had yet. I want to thank staff members for that. You've kind of already answered it, Aaron, I was wondering if you could walk through timeframe. If we approve this budget, we have to make decisions in terms of start of deficit and how that relates.

AARON: If the council approves a budget, the decisions will need to be made between July 2015 through June of 2016. How soon can we see those ideas I think an optimistic schedule would be two years. I think the staff proposes we see the ideas over the next couple meetings, maybe September. The central meeting of November will give us time to start making decisions, make sure everything is in place by the next fiscal year.

### **MTARS/AIDD**

AARON: Thank you. The expenditures of council have stayed largely stagnant. So the Federal basic State grant we received has stayed the

same amount roughly within the -- you know -- there was a period where we had -- last time they ran the formula to distribute dollars to states was that element. We went through Federal sequestration, we lost about \$400,000 in that process. Since that time, it's stayed consistent. With the state grants, they adjust when there are changes state employees and salaries. So they do get adjusted for those changes.

KRIS: Yeah, I just want to add first off, you know, Bob's suggestion of meeting around the state, you know, we have meeting in San Diego, and I definitely urge that to happen. But in more serious things, I think AIDD is more concerned about how well we track our budget and what kinds of activities are spent -- I think this budget shows that we actually have learned to track our expenditures and budget better. I think we've made a lot of progress in areas we are concerned about.

My motion was to have the MTARS meet to discuss how the council's regional office in alignment with our purpose under the DD Act could assist families and consumers with individual advocacy needs. And I do understand that we cannot provide direct services. We cannot provide direct individual advocacy services. But I do believe -- and this is touched on in the paper -- that there are a lot of things that we can do. Individual advocacy services are a definite unmet need in our community. For many many years, I volunteered as a coach and a mentor and an advocate helping families at IEPs and IPP meetings, especially in special education, things have become extremely complex and litigious. Even though we do all this training and work with the families and go over paperwork, there are times families need someone to go with meetings them. They need someone to help them through the due-process hearings that they're forced into. And not all families can afford to pay for advocates and attorneys to help them with this.

So even though we cannot provide direct advocacy, I feel that we have to keep in mind that we need to keep discussing and looking at how we can make sure that people who need individual advocacy services -- no matter

how much money they have -- what language they speak, whatever, how these services are available to everyone.

So with that said, I would like to make a motion that the council adopt the individual advocacy paper and I will leave it at that.

JONATHAN: You can do that whether the answer is yes or no.

APRIL: So what I was telling Kris -- what I was asking Kris is what his thoughts were of what you proposed and to see if his thoughts are concurrent with your interpretation because we want to know how AIDD is going to look at it and see if they're going to review it as the same because we don't want it to affect our funding and we don't want them to come back and say, "Absolutely not because you're a part of MTARS." I'm in agreement with you. We want to make sure what it looks like as well and how we make it look like how we wanted to. That is why I ask you, Kris, what your thoughts are because you can read fast and you understand because you've been part of it.

KRIS: I think Catherine is correct because there are instances where you're going to have to be out in the community come an individual circumstance to gather the information and it is going to change. The question, I think, for the council is, how do we phrase that and put that into writing? This document came about because we have to give direction to council staff that they cannot engage in these activities solely as the point for individual advocacy as a major sticking point for AIDD. I think everyone should take a look at the language. I think Catherine's walking a fine line. I think she's done a good job of it here.

Basically, what we're try to go do here is decide how much we push back on AIDD in terms of what we feel is appropriate, and I would say maybe the worst-case scenario is we approve Catherine's version. We share with AIDD and they say, "No. That's wrong." Then we come back here and we modify what needs to be modified.

I want to add really quick though that this is her staff and this wouldn't apply to -- Carmela, if someone comes to you for help, that is not saying you couldn't help them or that council couldn't set up a program of volunteers throughout the state as well. It's just that we have to give direction to staff with what they can do with their staff time. I want to make that point, too. So people understand the genesis of this document.

CHISOROM: Is there a time line that we have to adopt this advocacy paper, and if so, what is that timeline? And secretary, my understanding is that AIDD does not approve the council in engaging in individual advocacy, but system advocacy is correct. So the direction I'm understanding the counsel I will be having is do system advocacy as opposed to using staff time to go to IEP. So I wanted Kris, actually, to clarify what you meant by, "You can help anyone who comes into the office." Does that mean you still want them to do individual advocacy?

CHISOROM: I wanted to make sure that wasn't the point. Assuming this is not approved, this advocacy paper, I would want maybe the council members to be reminded what the implication would be in terms of what our Federal funding and whether or not that would put it in jeopardy.

KRIS: The conversation is, for example someone comes into the state council office and says, "I'm having this problem." The person would probably try to refer them to someone who can do individual advocacy. I think what we're trying to create a window for is if someone in the regional center, or in the area, keeps hearing about a certain problem all the time, that they would say, "Okay. I need to go to five or six IPPs and see what's going on. Or I need to review a few plans to see if there's a systemic pattern here that I need to raise up." So I think that is what Catherine is trying to get at here. There are times you have to be involved with the individual circumstances. And then outside of that, if a council member wants to help somebody -- or the council decides that we're not -- we're going to do a volunteer program and that program will do individual advocacy, but it's not funded through Federal funds. People are

volunteers, but we're helping a program that does advocacy and systemic change, that can be possible as well. Does that clarify?

CHISOROM: It does. It does. It does. What about the timeline for this? Is it specifically approved?

JONATHAN: I motion that we assemble a small community to revamp the paper so it is clear and provides direction to council staff.

REBECCA: I second

JONATHAN: I will amend the motion to conduct a small staff workgroup.

JONATHAN: Right. So the motion then would be to refer it back to MTARS committee for revision but with the authority to bring this other people to provide direction to staff so that they can move forward with this.

ERIC: I'm willing to be an "other" as needed.

APRIL: I'll document it. Mr. Gelber as Needed.

ERIC: If you don't need me --

### **25th Anniversary of the Americans with Disabilities Act**

BILL: We recommend your participation and partnership. Our assistant deputy director Connie, has the leadership role and I can certainly bring that information to her and have her make contact with the appropriate council staff.

### **Legislative Actions**

NANCY: If I were to make a motion to accept the recommendation of the committee as a packet, and vote for it as a council member, am I free as a private citizen to go to my own legislator and oppose it if I have a personal disagreement with one of his -- or personal belief or disbelief in one of these bills? Yeah.

ERIC: Couple of things. First yes, you have the right as an individual to express your opinions.

NANCY: I thought so. If I had that question, I figured somebody else did and I just wanted it out there.

ERIC: I wanted to raise some process issues. I think it's really important for the council to be a presence in the legislature, express positions. I've had conversations with folks back when I was a committee consultant urging the same thing.

One of the issues is kind of a lag between the time the bills are analyzed and looked at and then brought before the counsel I will -- support recommendations. A lot of these bills -- a number that I just kind of scan -- have been amended since -- so they don't -- they're not exactly the way they are reflected in the analyses. So I don't know whether you might -- as a council -- want to consider some more expedited input. Things change rapidly in the legislature. Another thing is some of these bills are now two-year bills meaning they didn't make it out on time from committees and their house of origin. They may be dead. Some of them may be revived next January, but right now, they're just sitting there. So another reason to think about whether there's some kindly way of providing input on the bills.

The last thing -- based on Robin's comment on one bill -- is that I think it would be helpful if the analyses -- very briefly -- stated arguments in favor and in opposition to bills even opposition to bills.

KRIS: you're casting a vote as the Governor's appointee. That vote is registered and logged. For the council, you don't personally feel that way, that is fine and understandable. You are here voting as a Governor's appointee. If you change your mind or feel like you're doing it for the council but not for you, that is understandable.

Just to clarify, is the group voting for full support or is the group voting more for we want to work on these bills because they may be bills the council

wants to support with amendments that they change, they want to withdraw. I guess if you have clarity on what's actually -- this is the general slate of bills we want to work on, or is it that we're going to support these bills -- all of them now. I guess that's the question for clarity.

NING: Since the motion was firsted and seconded, the motion belongs to the body. So if you wish to pull one bill from the package, there will be an amendment for the motion. Or a separate motion.

KRIS: Can I clarify? Was the motion to support all the bills or the general package put forward because the general package includes the opposed.

ERIC: I'm going to ask a question I don't know the answer to. Are there restrictions -- maybe Natalie knows -- on the council taking positions other than legislation that directly impacts the council?

NATALIE: I don't know the answer to that question. If it's similar to California law, there would be no prohibitions if you aren't making any expenditures to publicize your position or to make contact with legislators. So that is something I can look at if there are any problems and we can make sure that we comply with the rules.

KRIS: Do we need a motion if we had a motion to adopt the slate?

ROBIN: I'd like to make a motion to amend to accept the slate except to withdraw the support on AB-796.

ERIC: I'm not sure what message a neutral position would put us in. In my world, a neutral position on a bill means that there are not sufficient concerns with the bill that warrants an opposition, nor is it something that is supported. Consider perhaps a "no position" position with an explanation as to why the council is taking a "no" position as opposed to setting up --

ERIC: We have no position one way or the other on the bill. We affirmatively are taking "no position" and the reason is -- and we give reasons for that.

ERIC: I want to say what I said before, a little more clearer. In the legislature -- this may be different because it's a State Council.

When a department takes an official neutral position on a bill, the author views that as good news because that's the most they can expect out of the department, otherwise the department -- State agencies will take an opposed position or oppose an amendment or something like that. A position of neutral means we're okay with this bill. And there are no sufficient concerns. Nothing that gives sufficient concern that we would be opposing the bill.

So I think the message you're sending if you say "the council is neutral" to a legislator, it's only presenting essentially one side of the argument that there are no significant concerns, when really the message you ought to convey is that the community is so split on this that we can take no position. So again, I would suggest that you may want to consider an able position versus a neutral position.

CHARLES: So what does that mean when you say "no position" on that bill?

KRIS: Does there need to be "no position" or does there need to be a reason as to why there is a "no position" or does that have to be filled by staff? Eric, do you have any thoughts on that?

ERIC: Certainly it needs an explanation. There are certainly good reasons for the council to not take position.

JANELLE: With a "no position" is it understood that there would be explanation, or is that something we need to vote on?

## **RAC Request to the Council**

AARON: what's before you is a request for you to send a letter to the Los Angeles metropolitan transportation board, that as they're developing their next transportation plan to add some specific considerations for people with disabilities.

It's pretty specific for developmental disabilities, there are some general pieces about disability in general, and there's a draft letter in the packet to review. Highlighted in those areas, it's about education. It's about accessibility on fixed-route transits. It's about funding for access in paratransit services and it's about enhanced safety and security for those who are riding their transportation systems.

Los Angeles area RAC brought this up and thought it was significant enough as Los Angeles was discussing it that the State should weigh in on this local matter. The staff perspective is yes, they do, but LA is in the middle of theirs right now. So that is the question before you. As to whether or not the council will add on to that.

KRIS: Yeah, I just want to kind of -- my perspective on this, I think it's a good exercise for the council to see how our RACs are contributing to our work. I think it's a good thing you brought this forward. But also to inform what the council is doing, and not only help that issue in that area, but bring it to the attention of all of the state. I think it's a good mechanism that is here, and I think it shows a good functioning sort of path forward as RACs have issues and wish for the council to take issue on this matter.

As a State representative, I will probably have to go with "no position" on this or "abstention" on this. I think it is a good model, and I want to say "good work."

ERIC: I was just going to *[Indiscernible]* what Kris said earlier. I think it's perfectly appropriate to be dealing with regional issues. The council's role is to address systemic issues which is not synonymous with state-wide

issues. It is not uniform throughout the state. So in terms of addressing an issue like this that is systemic, it's totally up in the air.

### **RAC Structure**

KRIS: We need to show that these structures have fundamentally changed. So I would ask us all to consider Wayne, if we have no subcommittees, is it simpler and it looks like a larger change.

I think the funnel question is: If you have an advisory body, what work will be done by the advisory body? I'm not sure of that question, so I put it to the members. Is there a practical pragmatic reason that the advisory body needs to have a subcommittee where that is worth maintaining in the life of the challenges we have had. They may very well be. So I would ask: What would that look like? What work would it do?

ROBIN: So I just wanted a nomenclature clarification. So we've changed the name of the area boards to "regional offices" which have staff and I think I was thinking that the RACs are the advisory committees to the regional offices in each region. Is that -- or the area boards are just called "RACs" now?

JONATHAN: I move that we accept the staff recommendation on the RAC structure.

APRIL: Do we have a second?

DAVID: Yes, we do.

### **Developmental Services Task Force**

KRIS: Our next full meeting will be June 5th. We will reconvene the full taskforce, so if you would like to come and listen, please do so. There is more information on the website. Thanks.