



State Council on Developmental Disabilities

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STATE OF CALIFORNIA

FACT SHEET

February 12, 2014

MONITORING AND TECHNICAL ASSISTANCE REVIEW SYSTEM REPORT (MTARS)

INTRODUCTION

The California State Council on Developmental Disabilities (SCDD) is an independent state agency that is funded by the federal **Administration on Intellectual and Developmental Disabilities (AIDD)** to increase the independence, productivity, self-determination, and inclusion and integration of individuals with developmental disabilities into their communities. State Councils are expected to adhere to and comply with the provisions of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402 (the DD Act). Each State Council is required to develop and implement a State Plan that lays out its activities to advance the purpose of the DD Act. To review California's State Plan, click here: www.scdd.ca.gov/res/docs/pdf/state%20plan/hq-scddstplanpublicversion.pdf

In order to ensure that the missions and functions of State Councils are carried out in accordance with the DD Act, AIDD staff may periodically conduct a site visit to monitor the activities of a Council. This is known as a Monitoring and Technical Assistance Review System Report site visit (MTARS). The AIDD conducted an MTARS of the California State Council on January 14—17, 2013. The AIDD released its MTARS report of the California State Council on November 22, 2013 with findings of noncompliance in four distinct areas of the DD Act.

MTARS FINDINGS

The 2013 MTARS report noted that AIDD teams had previously visited the California Council in 1994 and 2006 and had cited issues of noncompliance following those visits. They found that the noncompliance findings in 2013 were similar to and consistent with the 1994 and 2006 findings.

The AIDD found that these historical compliance issues centered primarily around conflicting provisions between California's Lanterman Act and the federal DD Act.

The AIDD found that the Lanterman Act includes provisions and requirements for the Council that are inconsistent with the requirements of the DD Act. An outline of the noncompliance issues are as follows:

"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."

- **Budget**
 - Council Funding of Area Boards
 - Clarity with the use of Federal vs. State Funds
 - Budget Development Process
 - Budget Execution Process

- **Hiring Authority**
 - Deputy Director Staff positions
 - Governor's Office role in Council Hiring Process

- **Membership**
 - Long-Term Unfilled Vacancies
 - Nomination Process

- **State Council Leadership and Activities**
 - State Council Control of Area Board Activities
 - Overlap of P&A and Area Board Duties
 - Council versus Area Board Roles & Responsibilities
 - Council Accountability over Area Board Activities

NEXT STEPS

The SCDD is required to develop and submit a Corrective Action Plan (CAP) to AIDD by February 14, 2014. The Council expects that some of the changes that are required to respond to the MTARS findings will require revisions to the Lanterman Act. These changes will have no impact at all on people's access to or eligibility for regional center services. The Council recognizes that the developmental disability community --- self-advocates, family members, service providers, and public officials --- need to have their voices heard while we engage in such a sensitive undertaking. Accordingly, during the coming months there will be many opportunities available for the public to weigh in. Starting in February, 2014, the Council will host listening sessions, public meetings and provide an email address for input and questions.

FURTHER INFORMATION

Please refer to the SCDD web site MTARS page for background information and upcoming events: www.scdd.ca.gov/mtarsadhoc.htm. Questions may be directed to Roberta Newton, Interim Executive Director at (916) 322-8481 or (866) 802-0514.