

WRC BOARD TRAINING, on Wednesday JULY 21st at 6 PM.  
Each have 5 Minutes Total - Everyone will have a turn to share.

---

JOSEPH ALLEN and TODD RUBIEN, CAC (Consumer Advisory Committee)  
What Lanterman Act means to me; more about CAC;  
Self Advocacy calendar and many groups  
Clients Rights Attorney, Kristen Evans is located in the building  
Insights; Something about your yourselves, your jobs, your hobbies.

JOAN ELAINE ANDERSON, SPAC REPRESENTATIVE (Vendor/Empowertech)  
How Service providers impacted; What will help going forward;  
HCBS and effect on vendors; WRC Website; Facebook, Instagram;  
Insights; Something about yourself.

ELIZABETH ESPINOSA - (Sibling)  
Role of Advocacy; Representing Hispanic and other communities;  
Being a Sibling; Sibling supports; Insights; Something about yourself.

ZOEY GIESBERG - ARCA REPRESENTATIVE, (Person served; works for Vendor)  
Importance of Legislators; Importance of Political Action; Advocacy  
vs. lobbying; Role of ARCA; Insights; Something about yourself.

BETTY PEARSON GRIMBLE - (Parent)  
Diversity, equity and Inclusion; Self Determination Advisory and rollout;  
Person Centered Planning; Insights; Something about yourself.

DAVID WYLES - (Parent)  
Type of Service Standards worked on; Committees, importance of;  
Example of Rio; Insights; Something about yourself.

VANDA YUNG - (Parent)  
State DDS Core workgroup; Experience as Chair of Chinese Parents Group;  
Parent of daughter in community; Insights; Something about yourself.

NILO CHOUDHRY - (Parent)  
DDS and Special Contract Language; Strategic Planning; Role of State Council,  
Finance; Insights; Something about yourself.

GODWIN ORKEH - Own insights; Something about yourself

KYLE JONES - Own insights; Something about yourself

JENNIFER COHEN - Own insights; Something about yourself



**Westside Regional Center  
BOARD TRAINING #5 – Board’s Role in Strategic Planning;  
Role of Committees; Board Evaluation System  
Conducted by Strategy Matters**

**Wednesday, August 4, 2021  
6:00PM – 8:00PM**

**Summary:**

A review for Westside Regional Center (WRC) Board of Board’s role in the strategic planning process that WRC is currently engaged in. During the training, Felicia Ford, was present as facilitator to those who we support who serve on our Board. The training included information about where WRC is in the process of strategic plan development and a facilitated discussion about how the board can continue to engage throughout the implementation phase of the plan.

Currently, there are 12 members of WRC’s Board of Directors. The following board members were present at the Board Training held via Zoom video conferencing on August 4, 2021:

Joseph Allen, Jr, Director  
Nilo Choudhry, Treasurer  
Zoey Giesberg, Director  
Vanda Yung, Director  
Betty Pearson-Grimble, President  
Todd Rubien, Secretary  
Elizabeth Espinosa, Director  
Joan Elaine Anderson, SPAC Rep  
David Wyles, Vice-President  
Godwin Orkeh, Director  
Jennifer Cohen, Director

The following board members were not present at the training held via Zoom video conferencing on August 4, 2021:

Kyle Jones, Director

## Westside Regional Center

### Board of Directors Training

August 4, 2021

Members of the Board of Directors of the Westside Regional Center (WRC) met on August 4 to discuss the forthcoming strategic plan and their role in supporting successful implementation. The proceedings are summarized below.

### Meeting Agenda

1. Work progress update
  - a. Where are we in the process? What is expected from now until the final presentation?
2. Presenting the Draft Strategic Plan
  - a. The consulting team will brief the Board on draft elements of the strategic plan, including the development of updated mission and vision statements, and draft goals and objectives.

### Work Progress Update

## Timeline



## Summary of Draft Strategic Plan

Members of the WRC team, including staff, board, people who receive services, and family members, attended a strategic planning retreat on June 29, 2021. During the retreat, meeting participants developed draft goals and objectives to guide WRC's work in the coming years. The goals address four broad areas of critical importance to WRC's future success. They include:

- A focused effort to address disparities and ensure equity regarding services provided by WRC and its vendors
- The Development of a broader range of services to meet the current and future needs of people WRC serves
- A commitment to ensure transparency regarding WRC's work
- A commitment to ensure the organizational sustainability and high performance of WRC

Each of these broad areas has been, and will continue to be, developed in more detail.

During the meeting with the Board of Directors, these goal areas and associated objectives were introduced and discussed. The Board indicated broad support for the content of the emerging strategic plan, and offered helpful guidance to the consulting team and WRC staff to support the development of a final version of the plan in the coming weeks. The Board's comments and guidance will be reflected in a subsequent draft of the strategic plan.



**Westside Regional Center  
BOARD TRAINING #6 – WRC Department Overview  
Conducted by WRC Executive Team**

**Wednesday, October 20, 2021  
6:00PM – 8:00PM**

**Summary:**

A review for Westside Regional Center (WRC) Board of the departments within WRC and their functions. During the training, Felicia Ford, was present as facilitator to those who we support who serve on our Board. The training included information about the roles within each departments and a high level overview of the day-to-day operations that occur with each of the WRC Executive Team members presenting on their respective departments

Currently, there are 12 members of WRC's Board of Directors. The following board members were present at the Board Training held via Zoom video conferencing on October 20, 2021:

Joseph Allen, Jr, Director  
Nilo Choudhry, Treasurer  
Zoey Giesberg, Director  
Vanda Yung, Director  
Betty Pearson-Grimble, President  
Todd Rubien, Secretary  
Elizabeth Espinosa, Director  
Joan Elaine Anderson, SPAC Rep  
David Wyles, Vice-President  
Godwin Orkeh, Director  
Jennifer Cohen, Director

The following board members were not present at the training held via Zoom video conferencing on October 20, 2021:

Kyle Jones, Director

*Committed To Providing Support And Services To People With Developmental Disabilities*

5901 Green Valley Circle, Suite 320, Culver City, CA 90230-6953 ■ (310)258-4000 FAX: (310)649-1024 [www.westsiderc.org](http://www.westsiderc.org)

# Human Resources: Roles & Responsibilities



**WESTSIDE**  
REGIONAL CENTER



# Human Resources: Roles & Responsibilities

**WELCOME!**

# Human Resources:

HR plays a role of the important business partner, which has a significant impact on business performance and outcomes.

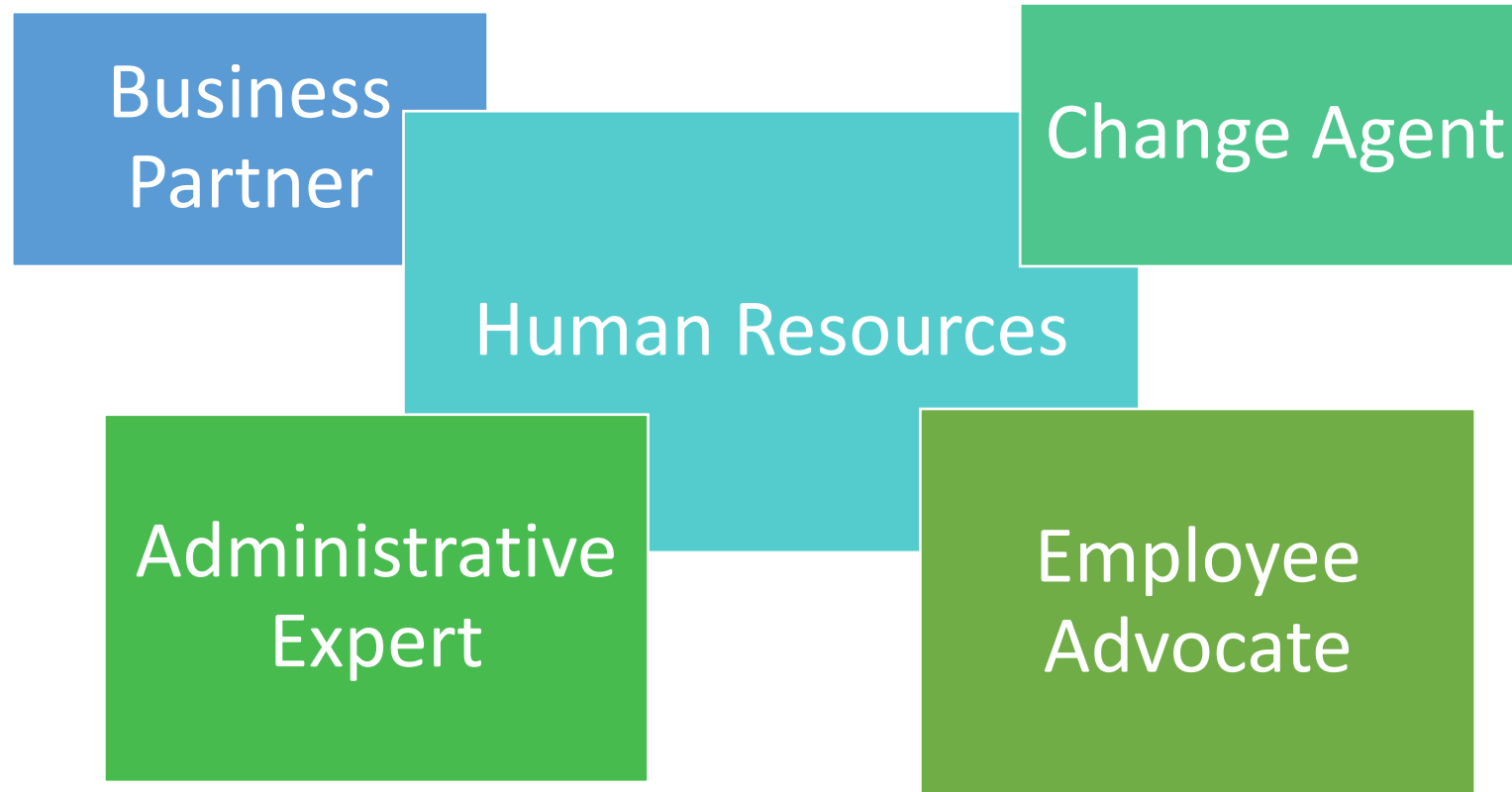
Human Resources supports every area of the organization and takes ownership and leadership of change management projects along with the ELT.

HR Introduces policies and practices focused on the increase of performance of staff, maintaining the high level of employee satisfaction, and re-designing the culture to become person-centered.

HR leads and manages projects that maintains Federal, State and Local government compliance and meets employment/labor law regulations.



# Human Resources: Roles & Responsibilities



# HR Roles & Responsibilities: Drive Performance

## **Business Partner**

- Builds, maintain and develop the managers and employees
- Single point of contact for management – Recruitment, Training, employee relations guidance, etc.
- Share goals with ELT and owns the strategic HR agenda
- Drive employee and performance related agenda

## **Change Agent**

- Leads complex projects & initiatives with the aim to change the agency culture
- Engages Managers in the change management process
- Plans and executes programs to ease and expedite adaptation
- Acts as the contributing project team member, who is responsible for the people agenda

# HR Roles & Responsibilities: Engage Employees

## **Administrative Expert:**

- Implements modern HR processes
- Monitors, analyses & implements all regulatory changes
- Implement all necessary processes and changes resulting from the legal framework
- Day-to-day HR administration including recruitment, compensation, LOAs, etc.

## **Employee Advocate:**

- Protects and acts in the name of employees
- Recommends and implements best practices in change management projects
- Defines clear job profiles and systems of roles & responsibilities
- Introduces and maintains the complaint/grievance process



# HR Roles & Responsibilities: Key Strategic Responsibilities

Drive	Drive strategic workforce planning
Set	Set simple and performance driven compensation strategies and compensation policies
Identify	Identify rich recruitment sources and utilize the full recruitment potential of the Agency
Build	Build a diverse culture that is inclusive and equitable to engage ALL employees; where being different is the acceptable standard
Build	Build direct communication channels and support honest and quick information flow
Build	Build an environment, which recognizes top talent and top performers.
Support	Support employees' innovation and ideas that align with our mission, vision and values
Establish	Establish an environment and Agency culture that is Person-Centered

*Questions?*



# CLIENT SERVICES DEPARTMENT



# Client Services

Client Services is the largest department at Westside Regional Center. Some have described this department as the “heart” of the agency.





# What do we do?

The focus of Client Services is **Case Management** and the **Coordination of Services** for almost **10,000** individuals and their families in our community.





# Early Start Program



**WESTSIDE**  
REGIONAL CENTER

# Early Start Program

The Early Start Program seeks to promote and enhance a coordinated, family-focused service system for infants and toddlers from birth to two years and eleven months of age with a

- **Developmental Delay**
- **High Risk**
- **Established Risk**





# Lanterman Act Program



To be eligible for services under the Lanterman Act, you must have one of the following developmental disabilities:

- **Cerebral Palsy**
- **Epilepsy - Uncontrolled Seizure Disorder**
- **Intellectual Disability**
- **Autism**
- **Other conditions closely related to intellectual disability or that require similar treatment.**



**WESTSIDE**  
REGIONAL CENTER

# Self-Determination

Self-Determination is all about the person. It is another way of receiving Regional Center Services. Its about having a CHOICE in all areas of your life –

- How you will spend your time each day
- What type of services and supports you will buy
- Who you will choose to support you
- Where you will choose to go and live in the community
- How you will spend the money allocated for your supports

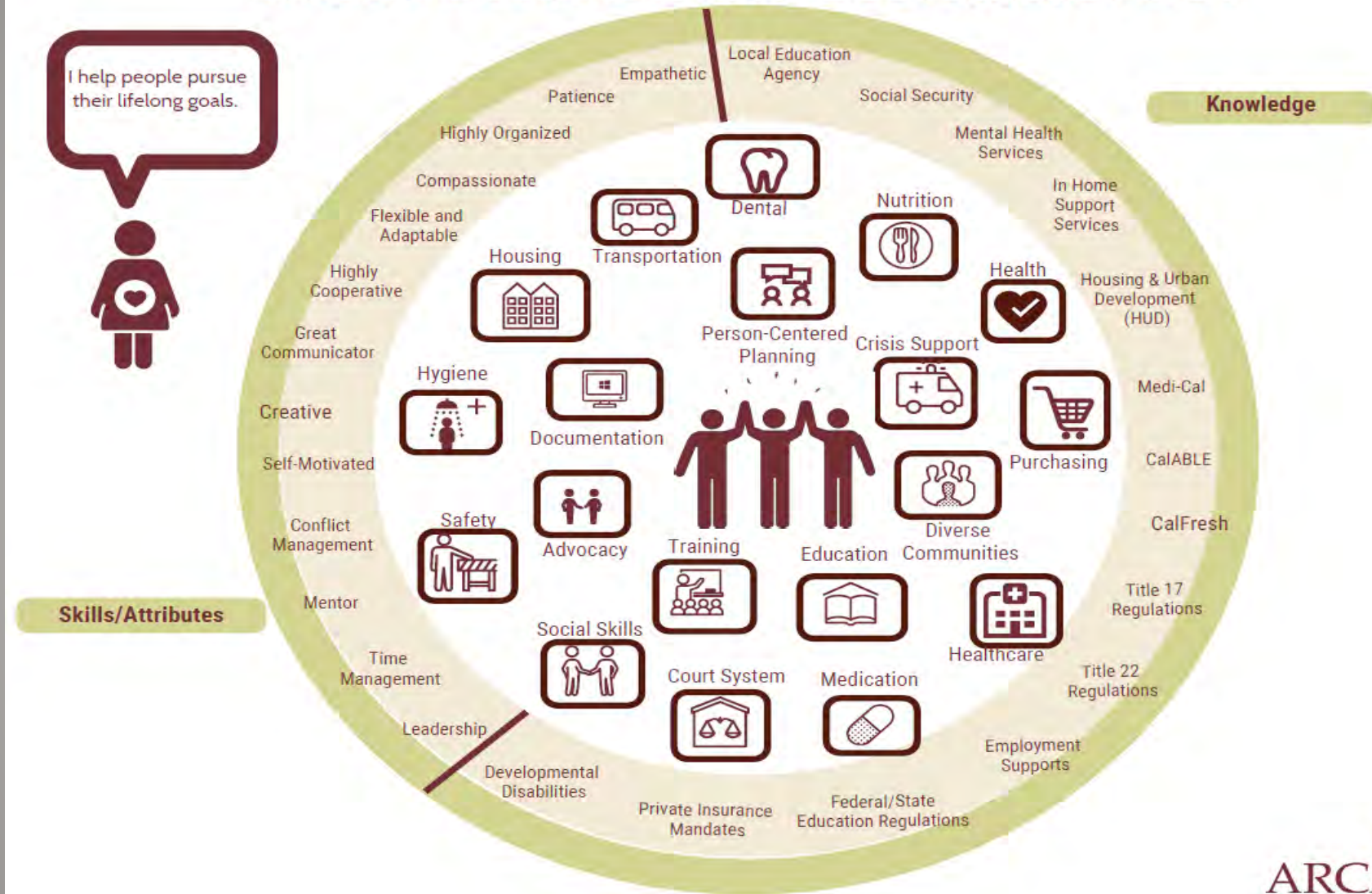
# Client Services Staff

- Two Early Start Program Managers
  - 10 service coordinators each
- Seven Unit Managers and One Assistant Manager
  - 13 service coordinators each
  - Children's Caseloads
  - Adult Caseloads
  - Residential Caseloads

**Approximately 125 Services Coordinators total**



# What Does A Service Coordinator Do?



# Specialists

- Court and Forensic
- Deflection Caseload
- Enhanced Caseload
- Placement Coordinator
- Fair Hearing and Appeals
- Medicaid Waiver

# Client Services



**WESTSIDE**  
REGIONAL CENTER





# WRC Community Services Department

WHO WE ARE AND WHAT WE DO

# Quality Assurance/Resource Development:

- ▶ Westside believes that quality assurance is vital in the development of Services and supports for our community. For this reason, quality assurance specialists are also resource development specialists.
- ▶ WRC has 3 Quality Assurance/Resource Development Specialists for Residential Services
  - ▶ 1 QA Specialist for Supported Living and Independent Living.
  - ▶ 1 QA Specialist for Adult Services and Transportation
  - ▶ 1 QA Employment Specialist
  - ▶ 1 QA specialist for Children and Early Start Services
  - ▶ 1 FHA Specialist
  - ▶ 2 QA Board Certified Behavior Analysts
  - ▶ 2 QA Registered Nurses

# Quality Assurance/Resource Development:

- ▶ Quality Assurance Specialists monitor WRC's service providers annually, with the exception of EBSH, ARFPSHN homes and CCH homes which are monitored monthly. QA staff are responsible for monitoring service providers, completing contracts for required service providers and responding to all inquiries, complaints and Special Incident (SIR) reports.
- ▶ Additionally, QA Specialists also develop new resources for WRC. This involves working closely with providers in their development of the providers service design, verification that the provider is Medi-Cal eligible, checking licenses and other business responsibilities.
- ▶ QA Specialist also provide training and technical assistance to service providers, provide training during semi-annual Vendor Orientations and in developing Corrective Action Plans (CAP)

# Self Advocacy Coordinator

- ▶ WRC has one full time Coordinator of Self Advocacy who is the Liaison to the WRC CAC Committee. The Self Advocacy Coordinator attends all Self-Advocacy meetings in the community. She is very active with all of the self-advocacy groups and brings their issues to Community Services for information or assistance



# Educational Supports

- ▶ WRC has 3 Educational Advocates to support our individuals and families with IEPs, school problems and advocacy for full inclusion.
- ▶ WRC's Educational Support Team assists families and individuals with Individual Education Plans (IEP) and working with school districts

# Housing and Community Placement/Community Development

- ▶ WRC has a CPP/Housing Manager who oversees the acquisition of housing and housing development.
- ▶ WRC's Community Placement Plan/Community Resource Development Plan (CPP/CRDP) Housing Manager coordinates all housing development for our CPP/CRDP Plan. WRC has purchased 24 residential homes, 5 Family teaching duplexes and 12 units in a low-income housing project – Vista Ballona. The Housing manager works with 3 Non-Profit Housing developers who lease the homes to providers. The Housing Manager is also involved in all purchases, construction and lease up with providers and with the individuals who will be moving into Vista Ballona in December. In addition to these duties, The CPP/CRDP Housing Manager oversees the CPP/CRDP plans for the agency.
- ▶ She is also a Certified Person-Centered Thinking Trainer who is assisting WRC staff and community as WRC is a Person-Centered Thinking Agency.

# Training and Community Education Coordinator

- ▶ WRC's Training and Community Education Coordinator is responsible for developing, overseeing and implementing training for WRC staff, service providers and the community. An annual training calendar is established, and a Training Committee meets every month to address new training needs and opportunities. He is also a Certified Person-Centered Thinking Trainer who is assisting WRC staff and community as WRC is a Person-Centered Thinking Agency.

# Home and Community Based Services (HCBS)

- ▶ WRC's Home and Community Based Services Manager directs and is bringing the agency into compliance with the Final Rule by 2023. The HCBS manager is tasked with evaluating services to bring them in line with final rule, evaluating services requested under Self Determination for compliance and coordinating Person Centered Planning in our community.
- ▶ She is also a Certified Person-Centered Thinking Trainer who is assisting WRC staff and community as WRC is a Person-Centered Thinking Agency



# Risk Management and Mitigation/SIR Coordinator

- ▶ WRC's Risk Management & Mitigation Coordinator is responsible for overseeing the WRC Risk Management Team, reviews and coordinates follow-up for all SIRs received. Works closely with Mission Analytics (DDS risk management contractor) reviewing trends and formulating training/technical assistance to all staff and service providers to protect the health and safety of our individuals.

# Vendorization

- ▶ WRC has a Vendorization Manager, a Transportation & Values Coordinator. Community Services is responsible for the rate table (UFS system), which is the program that is used to pay our vendors. Both staff input rates into the rate table very carefully so that vendors are funded correctly. WRC also has 2 Vendor Specialist and 2 Assistant Vendor Specialists.

# Vendorization

- ▶ WRC also has 2 Vendor Specialist and 2 Assistant Vendor Specialists.
- ▶ Vendor Specialists obtain and input all of the necessary forms, insurance records, workers compensation records, credentials, licenses and other documents into the SANDIS system which builds data regarding the vendor. Files are updated constantly. All services that we fund must be approved and in the SANDIS system before an individual's service can be funded. The SANDIS system and UFS are the tools used to monitor and fund services.

# Clinical Services Department

# Overview

- The Clinical Services Department, once known as “health and medical” is comprised of twenty regional center employees and up to fifty vendored consultants that work to help support our community and staff with a variety of services including medical, psychiatric , psychological, dental and eligibility. There is also an equipment and vision and hearing clinic and several different positions including a health and wellness, equity and disparity, behavioral and mental health and crisis specialists.

# Intake and eligibility services

- The under three intake and eligibility team is comprised of a program manager and three staff intake coordinators. In addition intake services relies on a number of vendors; including intake counselors, occupational, physical and speech therapists to complete psychosocial and developmental assessments to determine eligibility for early start services and make recommendations for ongoing services and supports
- The over three intake and eligibility team is also comprised of a program and assistant program manager. three intake coordinators and well as a number of vendored providers including intake counselors and psychologists.

# Equity and Disparity Services

- The Cultural and Disparity Specialist is in clinical services. The specialist is a DDS funded position meant to assist Westside to assess and reduce potential disparities in our system. This position is responsible for overseeing cultural disparity grant projects to reduce Purchase of Service disparities particularly within our black and latino population. The current grants projects involve Motivational interviewing trainings for service coordinators. Online resources for educating families about early start and ongoing services and creating an online library to inform families about regional center and generic resources.

# Specialist Support Services

- Health and wellness manager oversees grant projects and health initiatives as well as our psychiatry clinic which includes four contracted psychiatrists to support individuals with complex medical needs that are not able to access generic psychiatric resources.
- Mental Health and Crisis Specialist works closely with service coordinators to help provide additional support around individuals that are at risk of developing or are currently experiencing psychiatric or behavioral crises.
- Autism and Behavioral Specialist reviews behavioral reports and does quality assurance with vendored behavioral programs as well as also assisting Service Coordinators to support individuals with unique behavioral needs.





# Westside Family Resource and Empowerment Center

LIZ SPENCER

DIRECTOR

OCTOBER 20, 2021



## Who We Are:

Established in 1993, the Westside Family Resource and Empowerment Center (WFREC) is open to the entire Los Angeles community and staffed by experienced parents and family members of individuals with special health care and/or developmental needs. We provide support and guidance from birth through the life cycle.



# Family Resource Center

As a part of the California Early Start program, we provide parent-to-parent support and information for families of infants and toddlers who have been recently diagnosed and considered eligible for Early Start services.

# Early Start Plus

Early Start Plus is designed as a “Safety Net” program for infants and toddlers at a greater risk for developmental delay who do not, currently, qualify for services through the Early Start Program.

# Family Empowerment Center

Funded by the Department of Education, this grant allows us to provide specialized training and peer-to-peer support to parents of children (age 3 to 22) who have an Individual Education Plan (IEP), a 504 plan, receive mental health services or who may be eligible for any of these program. The student does not have to qualify for Regional Center services to receive FEC supports and services.



## Who We Support

We support families, individual and professionals working with, and for, infants, children and adults who have different abilities and challenges.

# What We Offer

- ▶ Bilingual Parent-to-Parent Support
- ▶ Community Outreach and Child Find
- ▶ Systems of Care Navigation Support
- ▶ Multi-Media Lending Library
- ▶ Parent Education
- ▶ Resources and Referral
- ▶ Support Groups
- ▶ Training and Conference Opportunities
- ▶ Transition Assistance
- ▶ Warmline

# What We Do

- ▶ We listen
- ▶ We inform
- ▶ We support
- ▶ We encourage
- ▶ We motivate
- ▶ We guide
- ▶ **WE EMPOWER**





# Accounting

# Overview

Accounting Department Sections & Functions:

- a. Accounting, Financial Reporting & Audits
- b. Purchase of Service (POS)
- c. Trust & Money Management
- d. Payroll & Operations (OPS)

# Accounting, Financial Reporting & Audits

- Preparation of Financial Reporting and Filing of Returns.
- Budgeting and Forecasting.
- Support Regional Center Compliance with Federal and State regulation.
- Coordinate audits with DDS, Independent Auditor, and other State and Federal agency audits.
- Perform Staffing and Billing Service Provider Audits.
- Support regional center departments in data and financial information gathering.

# Purchase Of Service (POS)

The Purchase of Service Team provides authorization and billing support to the Service Providers, and Individuals and Families we support. This fiscal year we will process over \$300 Million in payments.

- Review and post authorizations.
- Prepare invoices for Service Provider billing
- Review and process Service Provider billing
- Assist Service Providers, Individuals and Family Members with their billing and payments.

# Trust & Money Management

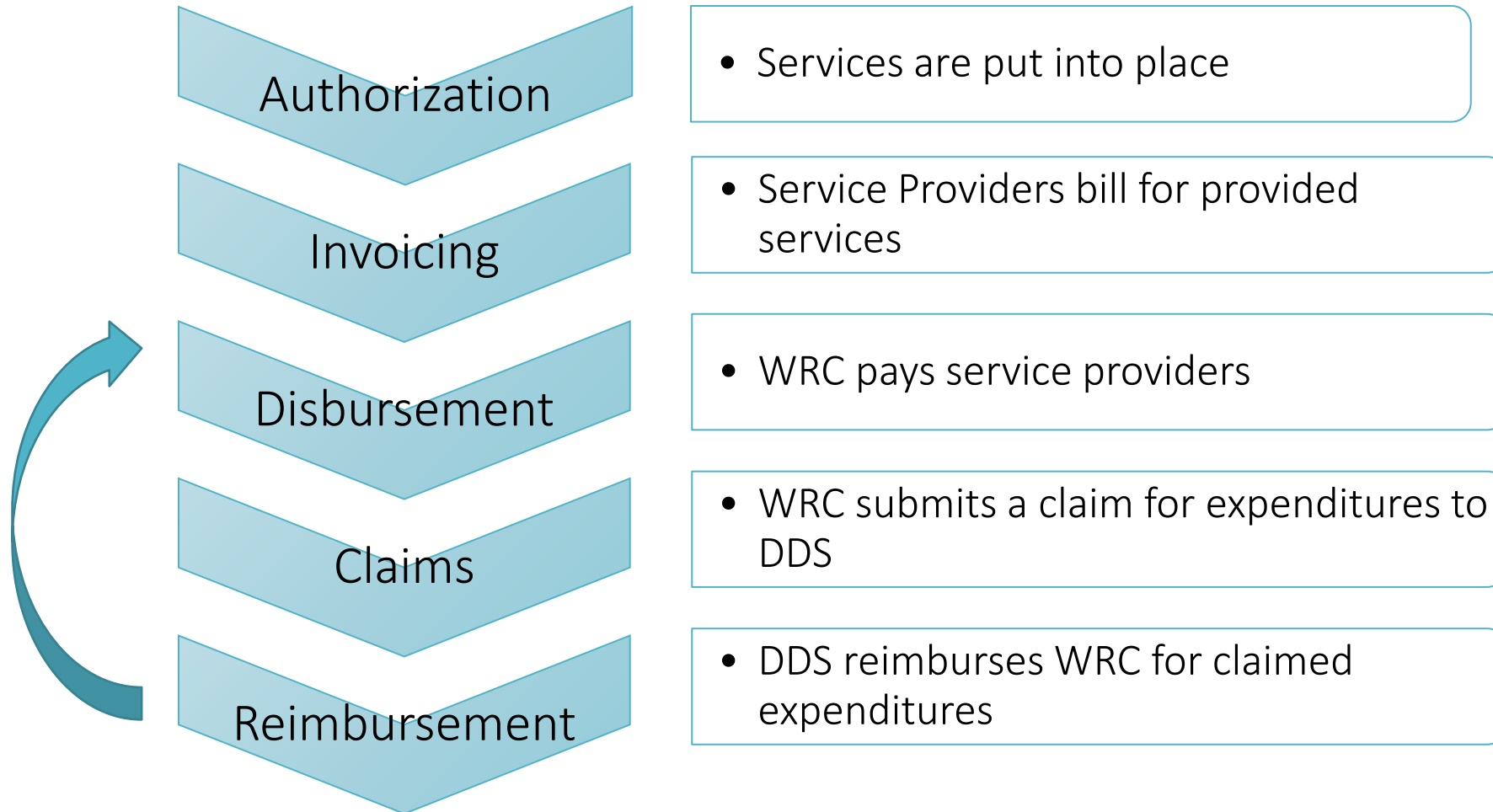
- Management of approximately 500 client trust accounts where the regional center serves as representative payee.
- Tracks and reconciles benefit revenues and manages board and care and incidental payments on behalf of individuals we support.
- Provides support to Residential Unit in client services.
- Coordinates Social Security Audits.

# Payroll & Operations (OPS)

- This fiscal year we will process over \$25 Million in Operations expenditures.
- Process payroll for over 230 employees.
- Track operations expenditures and prepare reconciliations of general ledger accounts.



# How the Money Flows...



Thank You.



## **IT Department Overviews**



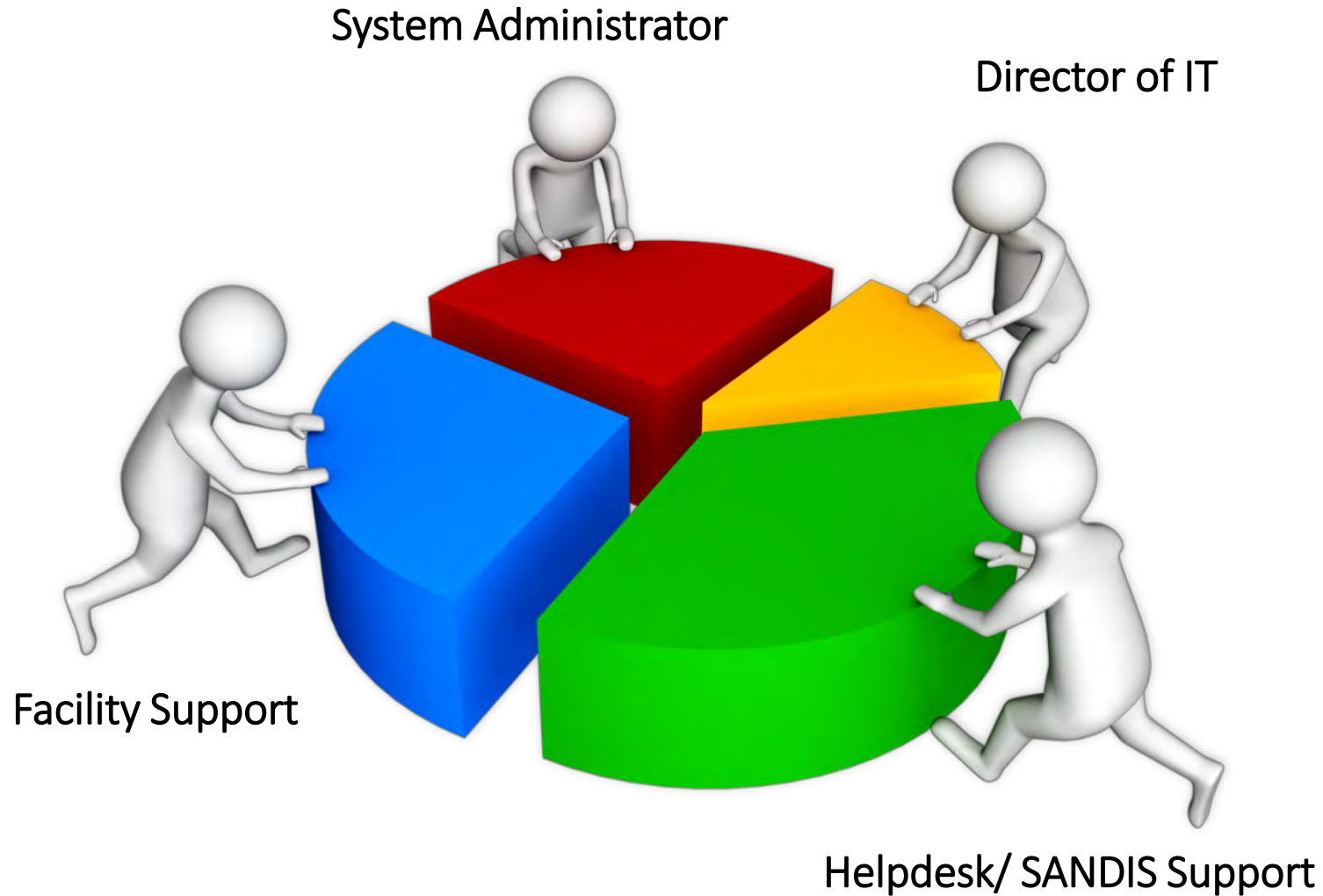
The WRC IT department always functioned successfully as a “small business/agency” and staff preference are always taken into consideration before changes are implemented. This is especially true for modern technology. Before any new technology or policy changes are introduced, WRC first considers the ease of use for staff and how to incorporate these with our budget.



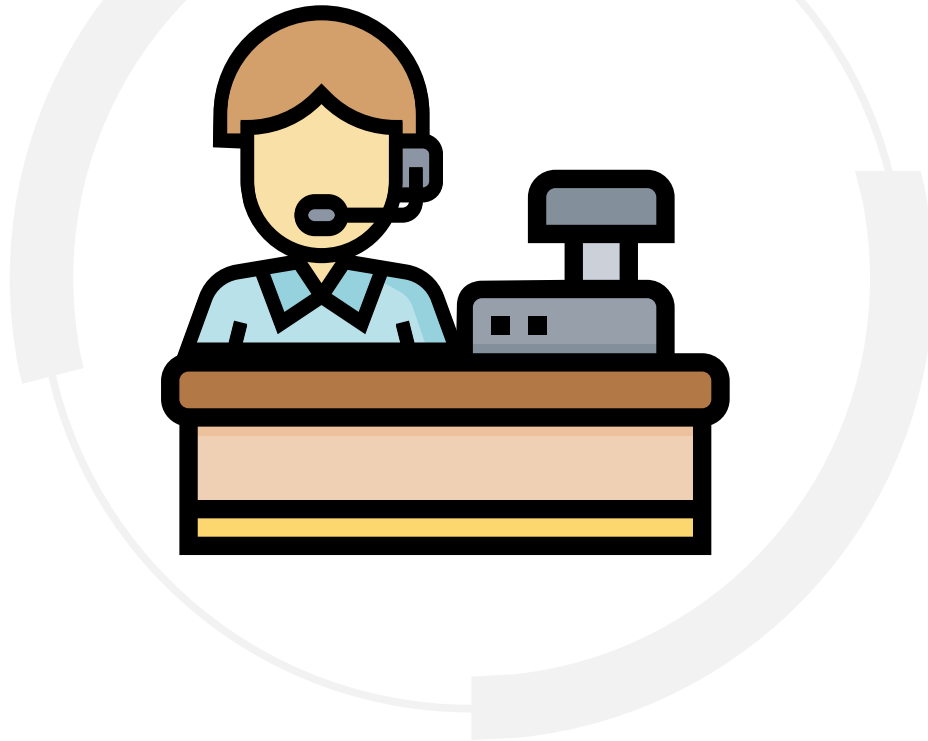
## Introduction



# IT Department Team Members



# What does IT really do?



## 3 Major Areas

01

Deploys and maintains agency applications, services and infrastructure (servers, networks, storage, etc.)

02

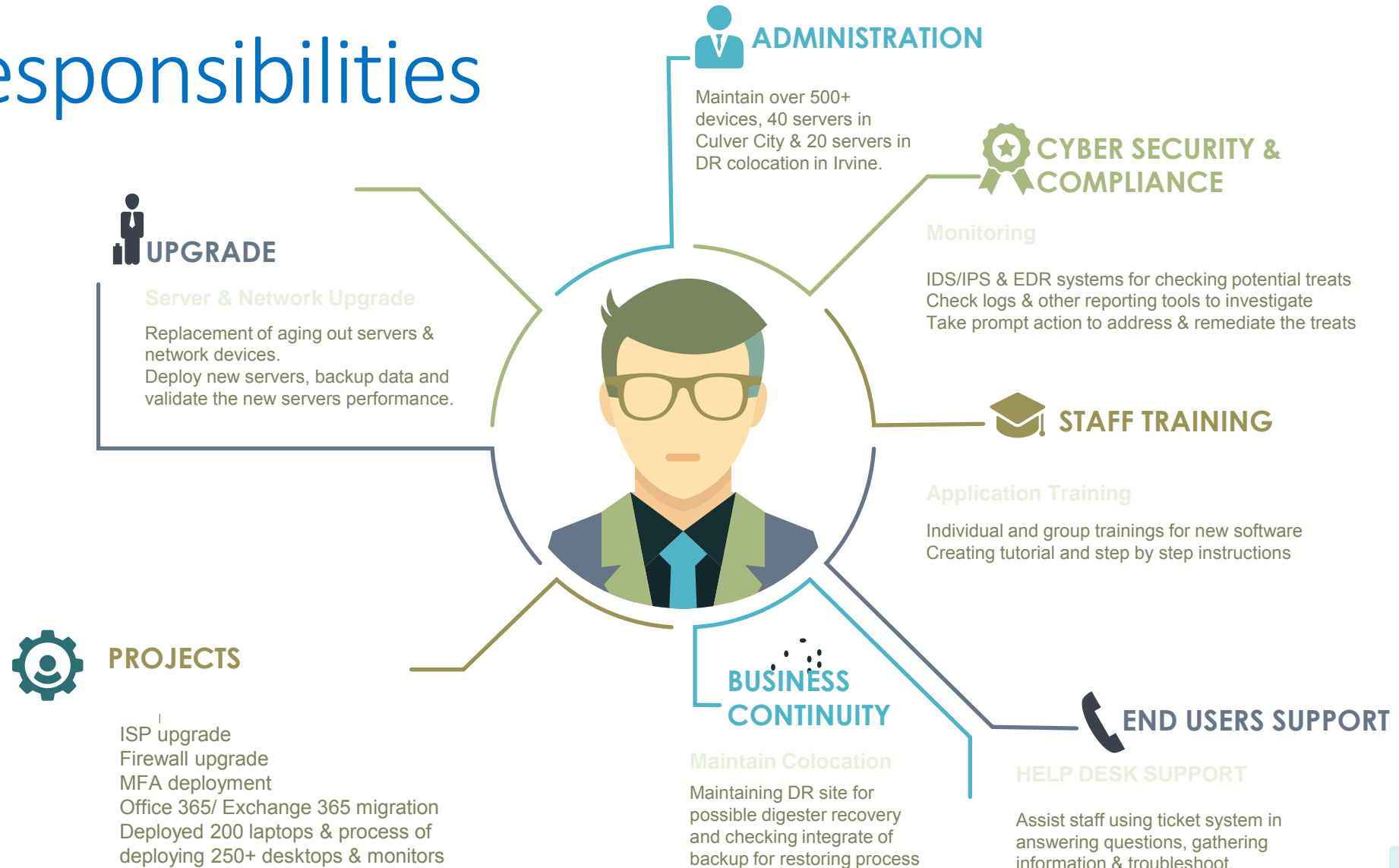
Monitors, optimizes and troubleshoots the performance of applications, services

03

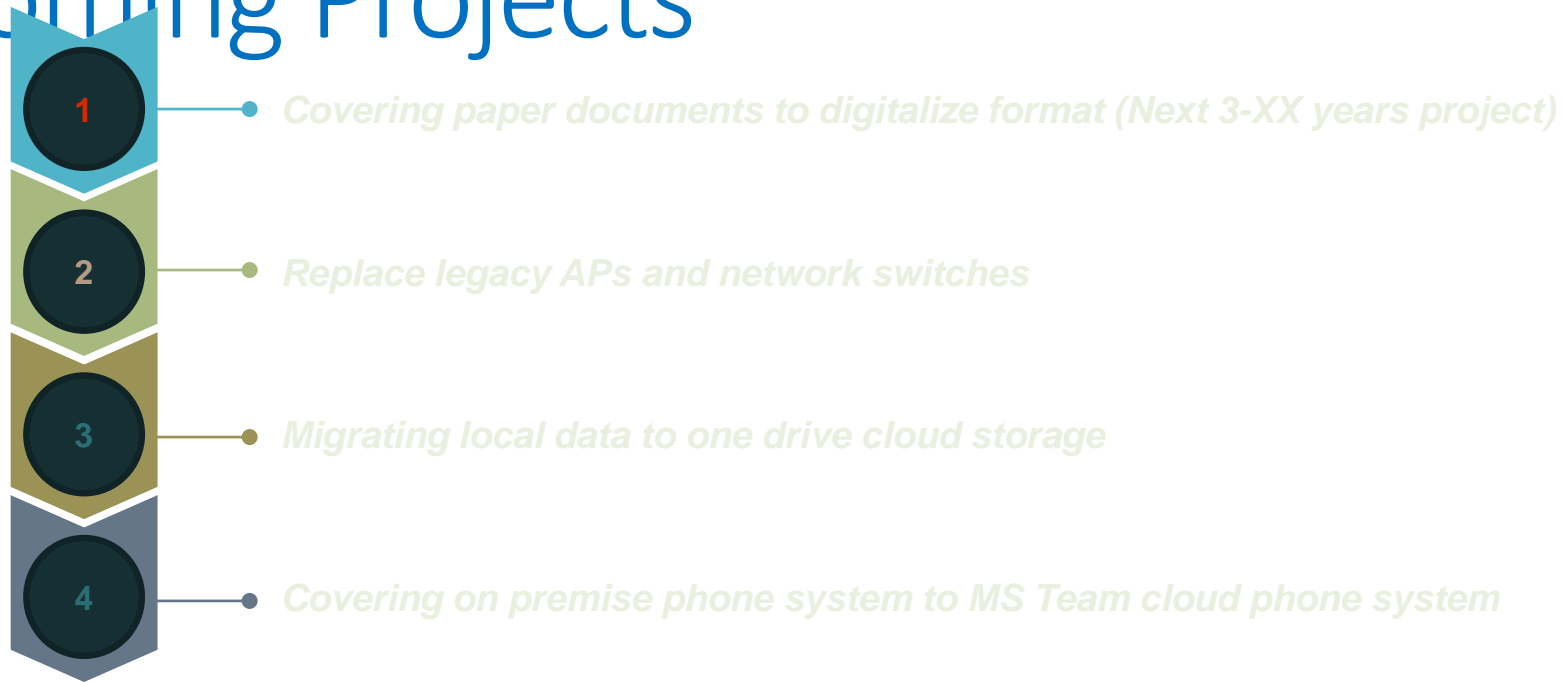
Oversees the security and governance of applications, services and infrastructure



# IT Responsibilities



# Upcoming Projects



# Questions?





**WESTSIDE**  
REGIONAL CENTER

## Westside Regional Center

**BOARD TRAINING # – #**

**@** **†** **h** .....

**Conducted by U O † o**

**Wednesday, K , 202**

**6:00PM – 8:00PM**

### Summary:

A review for Westside Regional Center (WRC) Board # @ †

Currently, there are 1 members of WRC's Board of Directors. The following board members were present at the Board Training held via Zoom video conferencing on K :

Joseph Allen, Jr, Director

Nilo Choudhry, Treasurer

Zoey Giesberg, Director

Vanda Yung, Director

) † h

Todd Rubien, Secretary

Elizabeth Espinosa, Director

Godwin Orkeh, Director

Jennifer Cohen, † h

K - ° ##

The following board members were not present at the training held via Zoom video conferencing on K , 202 :

M K )

*Committed To Providing Support And Services To People With Developmental Disabilities*

5901 Green Valley Circle, Suite 320, Culver City, CA 90230-6953 (310)258-4000 FAX: (310)649-1024 [www.westsiderc.org](http://www.westsiderc.org)





# Conflict of Interest

Welfare & Institutions Code 4626



The background features a large, faint magnifying glass with a question mark inside its lens. Numerous other question marks of varying sizes are scattered across the background. The overall color scheme is a gradient from dark blue at the top to orange at the bottom.

# What is a Conflict of Interest?

+  
•  
○

+  
•  
○



In order to prevent potential conflicts of interest, a member of the governing board or member of the program policy committee of a regional center shall not be any of the following:

- (1) An employee of the State Department of Developmental Services or any state or local agency that provides services to a regional center consumer, if employed in a capacity which includes administrative or policymaking responsibility, or responsibility for the regulation of the regional center.
- (2) An employee or a member of the state council or a state council regional advisory committee.
- (3) Except as otherwise provided in subdivision (h) of Section 4622, an employee or member of the governing board of any entity from which the regional center purchases consumer services.
- (4) Any person who has a financial interest, as defined in Section 87103 of the Government Code, in regional center operations, except as a consumer of regional center services.
- (5) A person with a developmental disability who receives employment services through a regional center provider shall not be precluded from serving on the governing board of a regional center based solely upon receipt of these employment services

DDS has a standard conflict-of-interest reporting statement. The conflict-of-interest statement shall be completed by each regional center governing board member and each regional center employee specified in regulations, including, at a minimum, the executive director, every administrator, every program director, every service coordinator, and every employee who has decision making or policymaking authority or authority to obligate the regional center's resources.

Every new regional center governing board member and regional center executive director shall complete and file the conflict-of-interest statement with his or her respective governing board within 30 days of being selected, appointed, or elected. Every new regional center employee and every current regional center employee accepting a new position within the regional center shall complete and file the conflict-of-interest statement with his or her respective regional center within 30 days of assuming the position.

Every regional center board member and regional center employee shall complete and file the conflict-of-interest statement by August 1 of each year.

Every regional center board member and regional center employee referenced in subdivision (e) shall complete and file the conflict-of-interest statement by August 1 of each year.

Every regional center board member and regional center employee shall complete and file a subsequent conflict-of-interest statement upon any change in status that creates a potential or present conflict of interest. A change in status includes, but is not limited to, a change in financial interests, legal commitment, regional center or board position or duties, or both, or outside position or duties, or both, whether compensated or not.

The governing board shall submit a copy of the completed conflict-of-interest statements of the governing board members and the regional center executive director to the department within 10 days of receipt of the statements.

A person who knowingly provides false information on a conflict-of-interest statement required shall be subject to a civil penalty in an amount up to fifty thousand dollars (\$50,000), in addition to any civil remedies available to the department. An action for a civil penalty may be brought by the department or any public prosecutor in the name of the people of the State of California.

The director of the regional center shall review the conflict-of-interest statement of each regional center employee within 10 days of receipt of the statement. If a potential or present conflict of interest is identified for a regional center employee that cannot be eliminated, the regional center shall, within 30 days of receipt of the statement, submit to the department a copy of the conflict-of-interest statement and a plan that proposes mitigation measures.

DDS and the regional center governing board shall review the conflict-of-interest statement of the regional center executive director and each regional center board member to ensure that no conflicts of interest exist. If a present or potential conflict of interest is identified for a regional center director or a board member that cannot be eliminated, the regional center governing board shall, within 30 days of receipt of the statement, submit to the department and the state council a copy of the conflict-of-interest statement and a plan that proposes mitigation measures, including timeframes and actions the regional center governing board or the individual, or both, will take to mitigate the conflict of interest.

Mitigation measures and Waivers of a Conflict of Interest are only approved for one year at a time.



The background is a solid blue gradient. Overlaid on this are several sets of thin, white, curved lines that flow from the left side towards the right. These lines create a sense of motion and depth, resembling stylized waves or a digital data stream. The lines are more densely packed in some areas, creating a 3D effect.

REGIONAL CENTER OR  
VENDOR/CONTRACTOR  
WHISTLEBLOWER COMPLAINTS



# DEFINITION OF REGIONAL CENTER OR VENDOR/CONTRACTOR WHISTLEBLOWER COMPLAINTS

Regional Center or Vendor/Contractor Whistleblower complaints are defined as the reporting of an “improper regional center or vendor/contractor activity.”

- An “improper regional center activity” means an activity by a regional center, or an employee, officer, or board member of a regional center, in the conduct of regional center business, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.
- An “improper vendor/contractor activity” means an activity by a vendor/contractor, or an employee, officer, or board member of a vendor/contractor, in the provision of DDS funded services, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

## CONFIDENTIALITY

DDS will do everything possible to maintain the confidentiality of a complainant making a whistleblower complaint if the complainant requests confidentiality. However, in the rare circumstances where DDS is unable to maintain confidentiality due to its statutory responsibilities (including ensuring the health and safety of consumers and regional center contract compliance), the Department will attempt to inform the complainant of its need to disclose certain information prior to releasing identifying information. Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation.

# HOW TO FILE A WHISTLEBLOWER COMPLAINT

**A complaint may be filed by  
contacting:**

**Community Services Division**

1215 O Street (MS 8-30)

Sacramento, CA 95814

Voice: 916-651-6309

Fax: 916-654-3641



**Wednesday, 7 3, 202**  
**6:00PM – 8:00PM**

# *Board of Directors Training* *WRC – A Person Centered* *Organization*



---

MEGAN MENDES  
STEPHEN BROWNING  
RHIANNON MAYCUMBER

# Background

---

- ❑ WRC engaged Helen Sanderson Associates in 2018 to begin the organizational shift towards person-centered practices
- ❑ Multi-year project – Mary Beth Lepkowsky lead Mentor
- ❑ Person Centered Thinking skills at all levels in the organization





## **The Learning Community for Person Centered Practices**

envisions a world where all people have positive control over the lives they have chosen for themselves. Our efforts focus on people who have lost or may lose positive control because of society's response to the presence of a disability. We foster a global learning community that shares knowledge for that purpose.

# PCT Beyond Requirements

---

It's the right thing to do AND

It is the foundation for meeting the Centers for Medicare and Medicaid Services (CMS) requirements for residential settings and service planning

Person-centered service plans must be developed through a person-centered planning process

---

**But, it is about better lives**  
***Not just better paper...***

# Helping people get better lives requires:

---

A good balance between Important To and Important For

Experience and the ability to make choices

Supportive relationships

Clarity of roles and expectations

Capturing the learning

Realize it's not about the form

Respecting the values and culture of those we support

Introducing the Core Concept:

---

**IMPORTANT TO**  
**AND**  
**IMPORTANT FOR**  
**AND**  
**THE BALANCE BETWEEN THEM**

# Important *TO*

---

What is important to a person includes those things in life which help us to be satisfied, content, comforted, fulfilled, and happy. It includes:

- People to be with /relationships
- Culture & Identity
- Purpose and Meaning
- Status and control
- Things to do and Places to go
- Rituals or routines
- Rhythm or pace of life
- Things to have

# Important TO

---

- Includes what matters the most to a person – their own definition of quality of life
- What is important to a person includes only what people “say”:
  - with their words
  - with their behavior

*When words and behavior are in conflict,  
pay attention to the behavior and ask “why?”*



# Important *FOR*:

---

- **Issues of *health*:**
  - **Prevention of illness**
  - **Treatment of illness / medical conditions**
  - **Promotion of wellness (e.g.: diet, exercise)**
- **Issues of safety:**
  - **Environment**
  - **Well being ---- physical and emotional**
  - **Free from Fear**
- **What others see as necessary for the person to:**
  - **Be valued**
  - **Be a contributing member of their communities**

# Important To and For are Connected

---

- Important To and Important For influence each other
- It's not Important To **VS** Important For. Both are important
- No one does anything that is “important for” them (willingly) unless a piece of it is “important to” them

*Balance is dynamic (changing) and always involves tradeoffs:*

- *Among the things that are “important to”;*
- *Between important to and for*

# Health & Safety Dictate Lifestyle

---



# All Choice No Responsibility

---

**Important  
For**

**Important  
To**

- **People**
- **Purpose & Meaning**
- **Culture & Identity**
- **Status & Control**
- **Things To Do**
- **Routines**
- **Places To Go**
- **Thing To Have**

# Balance

---

**Important  
For**

- **Health & Safety**
- **Being Valued**

**Important  
To**

- **People**
- **Purpose & Meaning**
- **Culture & Identity**
- **Status & Control**
- **Things To Do**
- **Routines**
- **Places To Go**
- **Thing To Have**

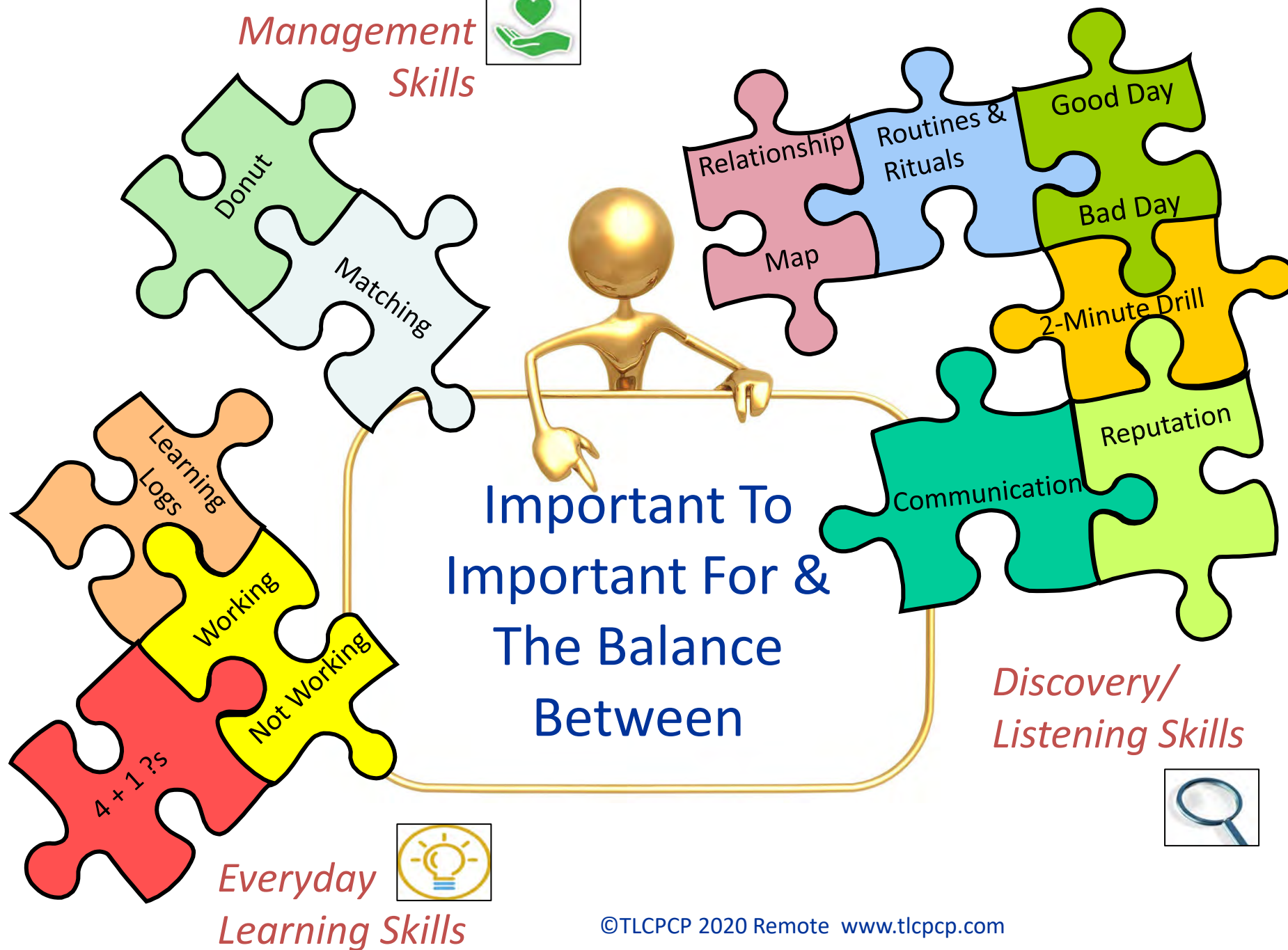
# What are Person Centered Thinking skills?

---

- A set of value based skills that reinforce continuous learning and practices that:
  - Help us support rather than fix
  - Build the culture of learning, partnership, and accountability
  - Work for humans
  - Work at every 'level' in the organization, team, group, family...
  - Affirm our belief that everyone can learn



*Management Skills*







# Liam's One Page Introduction

For **Medical** Appointments



What people **love** and **admire** about Liam:

- Silly -Goes with the flow
- Eager to learn -A good hugger
- Bright, good, sweet, and loving boy
- Likes an adventure -Great memory



**SUPPORT** Liam needs to help him stay happy, healthy, and safe:

- Liam needs help knowing his surroundings to get around. Assist him in new environments so he does not get hurt. Ex: watch so he does not hit his head, get 'into stuff' he shouldn't, hold his hand.
- Liam uses his hands to communicate. It is important to be attentive to what he is saying or he will become frustrated. He uses tactile American Sign Language. (feels signs with his hands).
- Liam needs to know what is happening first before any procedure or task begins. For example: before you listen to his heart, let him feel the stethoscope and touch his chest where you are going to listen. Another example: if you want to weigh him, allow him to feel the scale.
- If he seems to be getting frustrated he may need a break. A break may include the following: walking in the hallway (assisted), checking out new toys/books, or introducing him to new friends.
- Liam is happiest and most cooperative, when he is not kept waiting long.



Things that are **IMPORTANT TO** Liam:

- Know where Mom and Dad are😊
- Meeting new friends
- It is important to Liam to know who you are by feeling your identifier (a watch, ring, necklace, bracelet, name tag, etc..) and also letting Mom or Dad introduce you.
- Liam likes going to medical appointments. He likes to say hi to the doctors/nurses and feel new things.
- Liam likes to be heard and responded to. For example: if he signs something, he will expect an answer back.
- He enjoys toys that are cause and effect (push a button and they do something), shape sorter toys, a random collection of toys that are placed in a bin, books that have Braille or parts you can touch...
- snacks/drinks: Liam likes drinks of water (Dixie cups work great) and all different kinds of snacks or treats (crackers, cookies, suckers, fruit snacks, fruit etc.)





**IT'S ALL ABOUT ME**  
**Elizabeth Kane**

**What we love about Elizabeth!**  
(see pages 4-5 for more info)

- She's a determined self-advocate – ask her about her rally speeches
- A gutsy gal
- Talk about organized!
- A true blue friend
- She lights up a room!
- She's a Fashionista

**A Few Things That Are Important TO Me...**

(Please see pages 6-10 for more information)

- My independence
- A thriving social life
- Being organized and prepared
- School – Graduation in May 2011!
- Taking good care of myself
- Routines
- Planning for the future – including a job, an apartment, and a boyfriend
- Everything Michael Jackson
- Diet Coke
- Singing at church
- Fun with friends & family
- Writing in my journals
- Avoiding conflict
- Fashion
- Close relationships with Family & Friends

**...And A Few Things That Are Important FOR Me:**

(Please see pages 11-13 for more information)

- CPap machine, plenty of sleep (may include naps)
- Seizure medications
- Healthy diet and exercise
- Writing in my journals
- Conflict free environments & relationships
- Avoiding a "fireball"

**Here's How You Can Support Me:**

(Please see pages 12-14 for more information)

- Help me with time, money, cooking, shopping & some cleaning
- Help me find a job and job training
- Assist me to fix my hair & pick out cute outfits
- Help me make healthy food choices and to exercise
- Understand if I'm upset, I'm probably tired.
- Talk to me nicely & quietly. No bad words.
- When people around me are angry or there is conflict, help me get away
- Help me understand what's going on, what to expect

## *Tammy's One Page Description*

### What People Like and Admire about Tammy (Pg 6)

- Is always smiling
- Totally accepts people
- WONDERFUL personality
- Stylish
- Accepting and forgiving
- Resilient
- Great sense of humor
- Friendly and social



### What is Important to Tammy (Pg. 7-8)

- Being a part of things
- Having eye contact with everyone
- Looking stylish and having her hair and nails done
- Being comfortable and not having her tubes underneath her
- No roughness in personal care

### Supports Tammy Needs to be Happy, Healthy and Safe (Pg. 10-14)

- Always have her head elevated
- To be suctioned frequently (5-6 times per shift). Gurgling noises means she needs to be suctioned
- To have people be kind, sensitive, loving and have a gentle touch
- Be gentle with brushing her hair (she doesn't like it, but wants it to always look nice)
- Always make sure her clothes match and make sure it's not sweat clothes
- Tammy needs to be repositioned every two hours
- Always follow through with a promise or give an explanation of what is going on and when you can keep the promise if something comes up
- Be sure to have Tammy use her body to keep flexible

### Tammy's Picture Of A Life (Pg. 19-21)

- Live in a big wheelchair accessible home with extra wide doors, close to her family
- Have a fun and social housemate
- Have a beautician she can go to regularly
- Have a social medical day program close to home
- Have specialized medical services and medical equipment (including backup generator)



# WESTSIDE PCT TRAINER TEAM PROFILE



## GREAT THINGS ABOUT OUR TEAM

- Similar Vision
- Supportive of One Another
- Great Sense of Humor
- Passionate about PCT
- Open to Learning
- Desire to Share

## IMPORTANT TO OUR TEAM

- Utilizing culturally relevant/inclusive examples and being willing to constantly evolve them in our training practices
- Being heard – Representation and Visibility for the LGBTQ+ Community
- Challenging assumptions – not all identities are visible
- Reflecting Intersectionality in the PCT Curriculum and our delivery
- Transformation at all levels reflecting these values

## HOW TO BEST SUPPORT US

- Offering space for discussions about LGBTQ+ issues at the PCT Gathering and remaining open to the possibility of change
- Expansion of the curriculum to include examples that are relevant to the LGBTQ+ community
- Thinking about ways you can take your learning about this topic and incorporate it into your training and organizational practices
- Commitment to learning how you can be an ally to the community
- List your preferred pronouns in your email signature and ask others their pronouns before assuming
- Use gender neutral language whenever possible (i.e. Hi folks instead of Hi guys)
- Don't be afraid to make mistakes while you're learning and ask for help when you need it.

# A One Page Description:

---

Descriptions are used for a specific purpose to introduce someone (i.e. new job, at the front of personal records, etc.)

They are an *at-a-glance*, *positive* source of information about at least 3 things –

1. What people like and admire
2. What is most important to
3. How to best support the person

## *Breakout Activity*

---

### Start to draft YOUR Board of Directors TEAM One Page Description

- In breakout groups, discuss what you ***like and admire*** about your work together as a Board of Directors. What have you heard from others that they ***like and admire*** about the WRC Board?
- What is ***important to*** you as the WRC Board?
- What can others know or do to ***best support*** the WRC Board?

# WESTSIDE PCT TRAINER TEAM PROFILE



## GREAT THINGS ABOUT OUR TEAM

- Similar Vision
- Supportive of One Another
- Great Sense of Humor
- Passionate about PCT
- Open to Learning
- Desire to Share

## IMPORTANT TO OUR TEAM

- Utilizing culturally relevant/inclusive examples and being willing to constantly evolve them in our training practices
- Being heard – Representation and Visibility for the LGBTQ+ Community
- Challenging assumptions – not all identities are visible
- Reflecting Intersectionality in the PCT Curriculum and our delivery
- Transformation at all levels reflecting these values

## HOW TO BEST SUPPORT US

- Offering space for discussions about LGBTQ+ issues at the PCT Gathering and remaining open to the possibility of change
- Expansion of the curriculum to include examples that are relevant to the LGBTQ+ community
- Thinking about ways you can take your learning about this topic and incorporate it into your training and organizational practices
- Commitment to learning how you can be an ally to the community
- List your preferred pronouns in your email signature and ask others their pronouns before assuming
- Use gender neutral language whenever possible (i.e. Hi folks instead of Hi guys)
- Don't be afraid to make mistakes while you're learning and ask for help when you need it.



# Person-Centered Organizational Development

---

## ☐ Completed Activities

- Initial Retreat and Stakeholder Engagement
- Certification process for 3 PCT Trainers over the course of two years
- All WRC staff trained in Person-Centered Thinking curriculum
- Board members, individuals served, families, and service providers have all attended PCT training sessions
- PCT curriculum integrated into vendor orientation
- Positive and Productive Meetings Trainings
- PCT Trainers certified in Planning Live Curriculum – person-centered plan facilitation
- Strategic Plan

# Person-Centered Organizational Development

---

## □ Ongoing Activities

- Community of Practice – Third Tuesday at 1PM
- PCT Committee Meeting Monthly
- Development of person-centered plan facilitation and documentation training ongoing in Strategic Plan Goal #3
- Person-Centered HR practices – 360 reviews, One Page Descriptions in teams and employee/manager relationships
- Utilization of person-centered thinking skills and positive and productive meeting techniques in team meetings

# *Thank You and Questions?*

---

Person-Centered Thinking Trainers

Megan Mendes – HCBS Transition and Employment Manager

[MeganM@westsiderc.org](mailto:MeganM@westsiderc.org)

Stephen Browning –Community Education and Training Specialist

[StephenB@westsiderc.org](mailto:StephenB@westsiderc.org)

Rhiannon Maycumber – CPP Housing Manager

[RhiannonM@westsiderc.org](mailto:RhiannonM@westsiderc.org)





**WESTSIDE**  
REGIONAL CENTER

**Westside Regional Center**  
**BOARD TRAINING #3 – WRC -**  
**Board Governance Roles and Responsibilities**  
**Conducted by Christofer Arroyo, Regional Manager,**  
**State Council on Developmental Disabilities (SCDD)**  
**Wednesday, March 23, 2022**  
**6:00PM – 8:00PM**

**Summary:**

A review for Westside Regional Center (WRC) Board Governance Roles and Responsibilities. Also, the DD universe and the players along with bonus background information, materials, including WIC Regional Center Contracts; WIC Board Meetings; Simplified Parliamentary Procedures; Calling the Question; and Roberts Rules.

Currently, there are 11 members of WRC's Board of Directors. The following board members were present at the Board Training held via Zoom video conferencing on Wednesday, March 23, 2022:

David Wyles, President  
Joseph Allen, Jr. Director  
Nilo Choudhry, Treasurer  
Elizabeth Espinosa, Director  
Godwin Orkeh, Director  
Todd Rubien, Secretary  
Vanda Yung, Director

The following board members were not present at the training held via Zoom video conferencing on March 23, 2022:

Joan Elaine Anderson, SPAC Rep  
Jennifer E. Cohen, Vice - President  
Zoey Giesberg, Director  
Kyle Jones, Director

# The Universe Around You: the DDS System and Players Closest to Us

Christofer Arroyo

State Council on Developmental Disabilities

Los Angeles Office

818/543-4631 • [www.scdd.ca.gov](http://www.scdd.ca.gov)

# What Is This Presentation?



- An explanation of the alphabet soup
- Some of the various agencies in the DDS universe and their relation to each other
- Where you can go for help to access these services and create systemic change
- How to participate in the improvement of these services

# Agencies in the DDS Universe





# Association of Regional Center Agencies (ARCA)



- Like a trade organization, ARCA is a private organization that serves the interests of the regional centers
  - Dues are paid by the RCs to join
- Must balance the needs of diverse regional centers
- White papers; annual budget process; proposed legislation

# Department Developmental Services (DDS)



- Funds the regional centers, ensures compliance with applicable laws and regulations; performance contracts
  - ARC v. DDS
- Runs the developmental centers (DCs) and mini-DCs
- Annual budget process; proposed legislation; performance contracts; workgroups

# Regional Center



- Lanterman Act
  - Services provided to individuals with qualifying developmental disabilities in accordance with the Lanterman Act
    - Self-Determination, HCBS new rules, person centered planning, Employment First, disparities
- Early Start
  - Special education services provided by the regional centers for children and infants aged 0-3

# Department of Rehabilitation (DOR)



- Provides services and supports to enable people to achieve their career goals, including assistance to successfully attend institutions of higher education
  - Funds the Independent Living Centers (ILCs)
- WIOA, Employment First, supported employment

# **Advocacy and Beyond, etc.**

Places where you can go for help  
to access services and create  
systemic change

# Self-Advocacy Groups



- Groups organized by individuals with developmental disabilities for individuals with developmental disabilities to engage in grass roots advocacy
- Voting, emergency preparedness, adult bullying

# Parent Support Groups



- Typically groups for parents organized by parents to share resources, learn how to obtain services, and discuss shared experiences
  - By child's age, diagnosis, language, culture, gender, etc.
- Alternatives to conservatorship



# State Council on Developmental Disabilities



- Advocacy from a systemic perspective; systemic change and improvement; legislative work; technical assistance; training; publications; provides grants; referrals
- Regional center; early, special, and higher education; self-advocacy and support groups; health care; IHSS; social security
  - Quality assurance surveys; clients' rights advocacy/volunteer advocacy services at state developmental centers
  - Employment First Committee, Statewide Self-Determination Advisory Committee; Statewide Self-Advocacy Network
- [www.scdd.ca.gov](http://www.scdd.ca.gov); 818-543-4631

# Disability Rights California



- Advocacy from the perspective of the individual; legislative work; technical assistance; training; publications; referrals
- Regional center; early, special, and higher education; self-advocacy and support groups; health care; IHSS; social security; fair employment and housing
  - Includes OCRA – contract to provide clients' rights advocacy at regional centers; other contracts and grants
- [disabilityrightscalifornia.org](http://disabilityrightscalifornia.org); 800-776-5746 or 213-213-8000

# University Centers for Excellence on Developmental Disabilities



- Academic institutions affiliated with universities and, as such, address the training of future leaders; develop, field-test, and/or evaluate innovative community services and policies, conduct research and evaluation to inform evidence-based practices and policies, and disseminate information to inform policy and practice
- Three UCEDDs in CA – UCLA, USC, UC Davis MIND Institute
- Often acquire grants to do additional work and further their mission
- Regional center; early, special, and higher education; and self-advocacy and support groups

# Public Participation

How to participate and improve  
the system

# Governing Boards & Advisory Committees



- Many nonprofits (including regional centers) are run by a board of directors
- Many public agencies have advisory committees
- Brown Act and Bagley-Keene Open Meetings Act

# Providing Input



- Discuss your issue in terms appropriate for the body
- Comments can be provided on any agenda item or during public input for issues not on the agenda
- Usually a time limit of 1-3 minutes
  - Ceding time
- In writing!
- Accountability
- Legislative Advocacy
  - CDCAN.US – CA Disability Community Action Network

# Questions?

Alphabet soup or others?

# **Thank you for attending!!!**

L'Shana Tova!

Happy New Year!



# Simplified Parliamentary Procedure

Based on  
*Robert's Rules of Order  
Newly Revised*

League of Women Voters

*The application of parliamentary law is the best method yet devised to enable assemblies of any size, with due regard for every member's opinion, to arrive at the general will on a maximum number of questions of varying complexity in a minimum time and under all kinds of internal climate ranging from total harmony to hardened or impassioned division of opinion.*

From the Introduction to  
*Robert's Rules of Order  
Newly Revised.*\*

\**Robert's Rules of Order Newly Revised*, the most commonly used parliamentary manual, is published by Scott, Foresman and Company, Glenview, Illinois, and can be obtained through most bookstores.

© 1979 League of Women Voters of the United States

## Organizations

An organization and the way it functions are governed by its charter (if it is incorporated), its bylaws, and parliamentary rules or rules of order. Nothing in the bylaws may conflict with the corporate charter; the bylaws, in turn, supersede the rules of order. Bylaws are considered so important that special requirements are set for changing them. These usually include advance notice and a larger-than-majority vote for the adoption of amendments.

Most organizations use as their parliamentary authority a published manual, such as *Robert's Rules of Order Newly Revised*, which they may modify to meet their particular needs by adopting special rules of order.

## Governing an organization

In any organization, final authority rests with the members assembled in regular or annual meetings or conventions, though they may not, of course, take any action that conflicts with the charter or bylaws.

The business of most organizations is managed by a board of directors that is responsible to the membership and acts under its general instructions and guidance. The officers and members of the board are usually elected at an annual meeting, although the board is sometimes empowered to choose some of its own members. Other members may serve *ex officio* because of another position they hold. *Ex officio* members have all privileges, including the right to vote and make motions.

Work is often carried on by committees that are either provided for in the bylaws (**standing committees**) or appointed for a special purpose (**ad hoc committees**). Their powers are limited to those specifically given them by the bylaws or by direction of the board or the members. Usually they report to the

board or to the membership meeting and are not authorized to act on their own in the name of the organization.

## Officers

### The president

- ☐ supervises the conduct of the organization's business and activities;
- ☐ serves, *ex officio*, on all but the nominating committee; and
- ☐ presides at meetings.

### The vice-president

- ☐ acts in place of the president when necessary and presides at meetings when the president temporarily vacates the chair. In the absence of the president, the vice-president should not change rules, cannot fill vacancies required to be filled by the president and does not serve as an *ex officio* member of committees;
  - ☐ upon the death or retirement of the president, assumes all the duties and privileges of the president, unless the bylaws provide another method of filling the vacancy.
- In organizations with more than one vice-president, these duties and responsibilities are assumed by the first vice-president.

### The secretary

- ☐ is the recording officer;
- ☐ handles correspondence;
- ☐ issues notices of meetings;
- ☐ informs those elected or appointed to office or committees;
- ☐ receives and files committee reports; and
- ☐ keeps the minutes of meetings.

At each meeting the secretary should have the minute book, a copy of the bylaws, a book on parliamentary procedure and a list of the unfinished business from the previous meeting.

### The treasurer

- ☐ receives funds;

Minutes should reflect what was *done*, not what was *said*, at a meeting. The common tendency is to report in too much detail. Minutes should contain:

- the date, place, time and type of meeting (regular, special);
- the names of the presiding officer, the secretary and, in boards and committees, the names of those present;
- action taken on the minutes of the previous meeting and corrections, if any;
- exact wording of each motion, the name of the maker and the disposition;
- the name and topic of guest speakers (their speeches need not be summarized);
- time of adjournment.

- ☐ deposits them in banks approved by the board; and
- ☐ pays bills for expenses that have been authorized.

If any appreciable sums of money are involved, the treasurer should be bonded to protect the organization from loss. It is customary for the treasurer to report to the board at each of its meetings and to make a full financial report to the annual meeting or convention. (In larger organizations this report should be reviewed by an independent auditor. If the auditor's report is available at the time of the annual meeting or convention, it should be presented immediately after the treasurer's report. Adoption of the auditor's report, on motion, signifies acceptance of the treasurer's report.)

## Meetings

At all meetings (referred to in *Robert's Rules* as "assemblies") it is up to the presiding officer to use the rules of parliamentary procedure appropriately so that good order and reasonable decorum are maintained and the business of the meeting goes forward. At times, the technical rules of parliamentary

procedure may be relaxed as long as the meeting accomplishes its purpose and the rights of absentees and minorities are protected. Conventions and large meetings are conducted more formally than the meetings of small boards and committees.

## The role of the presiding officer

The presiding officer (chair) should:

- ☐ Be ready to call the meeting to order at the time set.
- ☐ Follow the agenda and clarify what is happening and what is being voted on at all times.
- ☐ Deal firmly with whispering, commotion and frivolous or delaying debate and motions.
- ☐ See that debate is confined to the merits of the question and that personal comments are avoided. No one should speak more than twice on a subject, and no one should speak a second time until all who wish to speak have had a chance to do so.
- ☐ Talk no more than necessary. Except in small boards and committees, the presiding officer should not enter the debate without giving up the chair to a substitute until the motion under debate has been voted on.
- ☐ Remain calm and deal fairly with all sides regardless of personal opinion. To preserve this impartiality, the presiding officer abstains from voting except by ballot or to cast the deciding vote on an issue.

## Order of business

A minimum number (*quorum*), as prescribed in the bylaws, must be present before business can be legally transacted. The presiding officer should determine that there is a quorum before beginning the meeting. Every organization is free to decide the order in which its business will be conducted, but most agendas follow a standard pattern:

1. Call to order.

2. Minutes are read by the secretary and corrections requested. The presiding officer says: *If there are no corrections the minutes stand approved as read.*

3. **Treasurer's Report** is given and questions called for: *The Treasurer's Report will be filed.*

4. **Reports of officers, the board and standing committees.** Recommendations in reports should be dealt with as motions at this point.

5. **Reports of special committees.**

6. **Unfinished business.** Items left over from the previous meeting are brought up in turn by the presiding officer.

7. **New business:** *Is there any new business?*

8. **Program.** The program chairperson is called upon to introduce a speaker, film or other presentation.

9. **Announcements.**

10. **Adjournment:** *Is there any further business? (Pause) The meeting is adjourned.*

## Motions

Business is conducted by acting on motions. A subject is introduced by a **main motion**. Once this has been seconded and stated by the presiding officer, nothing else should be taken up until it is disposed of. Long and involved motions should be submitted in writing. Once a motion has been stated, the mover may not withdraw it without the consent of the meeting. Most motions must be seconded.

While a main motion is being considered, other **parliamentary motions**, which affect either the main motion or the general conduct of the meeting, may be made. The ones most frequently used are described in general below, but it should be noted that there are exceptions and modifications that cannot be included in this brief text.

1. **Amend.** Debatable; majority vote  
Used when the intention is to change, add or



omit words in the main motion.

**Amend the amendment:** Used to change, add or omit words in the first amendment. This motion *cannot* itself be amended.

**Method:** The *first* vote is on the amendment to the amendment. The *second* vote is on the first amendment either as changed or as originally proposed, depending on the first vote. The *third* vote is on the main motion either as introduced or as amended.

**2. Refer.** **Debatable; majority vote**  
If a motion becomes too complicated through amendments or if more information is needed, a motion may be made to refer it to a committee for study or redrafting. This committee must report back or act as instructed.

**3. Postpone.** **Debatable; majority vote**  
Consideration of a motion can be delayed until a more suitable time, until other decisions have been made or until more information is available by a motion to postpone to a stated future time.

**4. Lay on the table.** **Not debatable; majority vote**  
*I move that we table this motion.* This postpones consideration in such a way that the motion can be taken up again in the near future if a majority decides to "take it from the table."

**5. The previous question.** **Not debatable; two-thirds vote**  
*I move the previous question.* This motion is used to end debate that has become lengthy or repetitious. When it is seconded, the presiding officer immediately puts the question on closing debate. If this receives a two-thirds vote, the pending motion is voted on at once without further discussion.

**6. Reconsider.** **Usually debatable; majority vote**  
A vote may be reconsidered through this

motion, which must be made on the same day or the day following the vote by someone who voted on the prevailing side. A motion can be reconsidered only once. The *first* vote is on whether the motion should be reconsidered. If this passes, the *second* vote is on the motion itself.

**7. Point of order and appeal.**  
A member who feels the rules are not being followed may call attention to the breach by rising and saying: *Point of order.* The chair says: *State your point of order.* Upon hearing it, the chair may say: *Your point is well taken,* or *Your point is not well taken.*

One dissatisfied with the ruling may appeal to the meeting for a final decision: *Shall the decision of the chair be sustained?* This appeal is debatable, and the presiding officer may enter the debate without giving up the chair. A majority of *no* votes is necessary to reverse the ruling; a tie sustains it.

**8. Questions and inquiries.**  
Whenever necessary, advice may be asked as to correct procedures (*parliamentary inquiry*), facts may be requested (*point of information*), or a change may be sought for comfort or convenience (*question of privilege*). The presiding officer responds to the question or refers it to the proper person.

**9. Adjourn.** **Usually not debatable; majority vote**  
If the time set for adjournment has arrived or there is no further business, the presiding officer declares the meeting adjourned without waiting for a formal motion. A member may move to adjourn at any time except when a speaker has the floor or a vote is in process. If the motion carries, the meeting is immediately adjourned.

## Voting

The vote needed to pass a motion or elect an official is based on the votes actually cast,

unless the bylaws or rules provide otherwise. Thus, a majority is more than half of those voting; abstentions and blank ballots are disregarded.

☐ By using **general consent**, a formal vote can be avoided on routine matters where there is no opposition. The presiding officer says: *If there is no objection* (pause) . . . and declares the decision made.

☐ A **voice vote** (aye and no) is common practice but should not be used where more than a majority is needed.

☐ A **show of hands** is a good alternative in small groups.

☐ If unsure of the result, the presiding officer should order a **rising vote** or an **actual count**. If this is not done, a member can insist upon a rising vote by calling out "**division**"; a count can be forced only by a motion made, seconded and approved by a majority vote.

☐ A motion for a **ballot** (secret written vote) can be made if the bylaws do not already require one. This motion is not debatable and requires a majority vote.

## Nominations and elections

Normally, a nominating process is used for elections, although any eligible member may be elected whether nominated or not. Most organizations use a **nominating committee** to prepare a slate of nominees for the offices to be filled. Service on a nominating committee does not prevent a member from becoming a nominee.

After presentation of the nominating committee's report to the assembly, the presiding officer calls for nominations from the floor. Many organizations require that the consent of the nominee be obtained in advance to avoid a futile election. Seconds are not necessary for either committee nominations or nominations from the floor.

When all nominations appear to have been made, the presiding officer declares that nominations are closed—or a motion to this effect may be made. It is not debatable and requires a two-thirds vote. A motion to reopen nominations requires a majority vote.

The method of voting is usually fixed in the bylaws. A ballot is the normal procedure if there is more than one nominee for an office. If there are several nominees and the bylaws do not provide for election by a plurality vote (that is, the largest number, but not necessarily more than half of the votes cast), several ballots or votes may be needed before one candidate achieves a majority.

Where election is by ballot, the presiding officer appoints tellers (or an election committee) to collect and count the votes. The tellers' report, giving the number of votes cast for each nominee, is read aloud and handed to the presiding officer. The presiding officer rereads the report and declares the election of each official separately.

**A postscript to the presiding officer:**  
The rules of parliamentary procedure are meant to help, not hinder. Applied with common sense, they should not frustrate the meeting or entangle it in red tape. Retain control at all times, give clear explanations, and keep things as simple as possible. Good advice from the chair as to the wording of motions and the best way to proceed will avoid needless complications. When in doubt, your rule should be: Respect the wishes of the majority, protect the minority and do what seems fair and equitable.

**Order from League of Women Voters of the United States, 1730 M Street, NW, Washington, DC 20036. Pub #138, \$1.00 (50¢ for members).**

### 3. Parliamentary Procedures

#### GENERAL PRINCIPLES OF PARLIAMENTARY PROCEDURE



Every member of an organization should be familiar with the following simple rules and customs:

All members have equal rights, privileges, and obligations; rules must be administered impartially.

The minority has rights which must be protected.

Full and free discussion of all motions, reports, and other items of business is a right of all members.

In doing business the simplest and most direct procedure should be used.

Logical precedence governs introduction and disposition of motions.

Only one question can be considered at a time.

Members may not make a motion or speak in debate until they have risen and been recognized by the chair and thus have obtained the floor.

No one may speak more than twice on the same question on the same day without permission of the assembly. No member may speak a second time on the same question if anyone who has not spoken on that question wishes to do so.

Members must not attack or question the motives of other members. Customarily, all remarks are addressed to the presiding officer.

In voting, members have the right to know at all times what motion is before the assembly and what affirmative and negative votes mean.

### Parliamentary Procedure chart

TO DO THIS	YOU SAY THIS	May you interrupt the speaker?	Must you be Seconded?	Is the motion debatable?	What vote is required?
INTRODUCE business (a primary motion)	"I move to...."	No	Yes, unless the motion comes from a committee	Yes	Majority
AMEND a motion	"I move to amend this motion by...."	No	Yes, unless the amendment is minor and the person who made the primary motion is agreeable to the change	Yes	Majority
AMEND an amendment* <u>NOTE:</u> Roberts allows only 1 amendment to an amendment. If that does not resolve the issue, the main motion should be withdrawn or defeated and a new motion introduced.	"I move to amend the amendment by...."	No	Yes, unless as above. <u>NOTE:</u> An amendment to an amendment may only seek to change the amendment and not the main motion.	Yes	Majority
CALL for a vote <u>NOTE:</u> This motion, by itself, does not end debate. A 2/3 majority vote in the affirmative is required to end debate.	"I move the previous question"	No	Yes	No	2/3 Majority

TO DO THIS	YOU SAY THIS	May you interrupt the speaker?	Must you be Seconded?	Is the motion debatable?	What vote is required?
TABLE a motion for consideration at the next meeting* NOTE: A tabled motion not taken up during the meeting is unfinished business and dies as unfinished business	"I move to table this motion"	No	Yes	No	Majority
STUDY an issue	"I move to refer this motion to committee"	No	Yes	Yes	Majority
RECONSIDER a motion already disposed* NOTE: To make this motion, one must have voted on the prevailing side. This motion must occur before the meeting at which the motion was made and disposed is adjourned. This motion only reopens debate, another vote must be taken to dispose of the matter again.	"I move we reconsider our action relative to...."	Yes	Yes	Yes	Majority

TO DO THIS	YOU SAY THIS	May you interrupt the speaker?	Must you be Seconded?	Is the motion debatable?	What vote is required?
RESCIND a decision made at a previous meeting*	"I move to rescind the motion previously made relative to...."	No	Yes	Yes	Majority
VERIFY a voice vote	"I call for a division of the house"	No	No	No	No vote
SUSPEND the rules	"I move to suspend the rules and consider...."	No	Yes	No	2/3 Majority
OBJECT to a procedure or personal affront*	"Point of order"	Yes	No	No	No vote
REQUEST information*	"Point of information"	Yes	No	No	No vote
RECESS the meeting	"I move that we recess until...."	No	Yes	No	Majority
ADJOURN the meeting	"I move that we adjourn"	No	Yes	No	Majority

\* these motions are not amendable





# Parliamentary Procedure

## Definitions and Examples of Motions

### A. Privileged Motions:

Motions which do not relate to the pending question but have to do with matters of such urgency or importance that, without debate, they are allowed to interrupt the consideration of anything else.

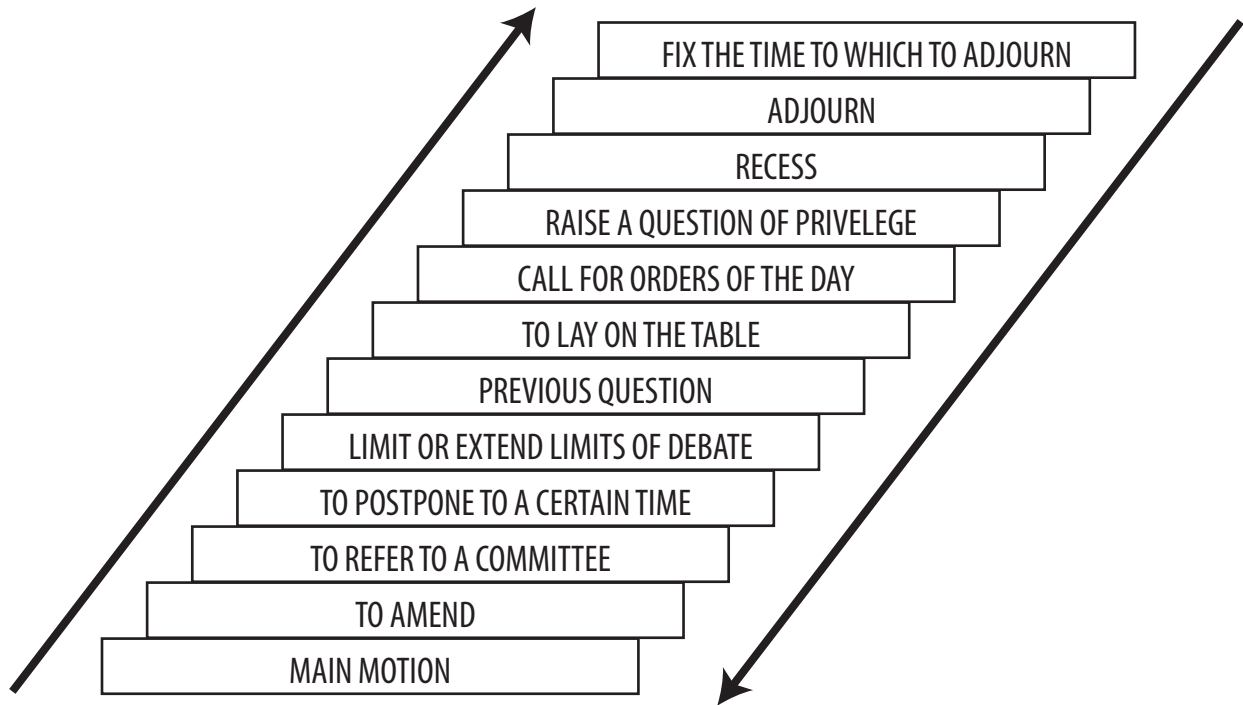
- a. **Adjourn:** Terminates the meeting. "I move that we adjourn."
- b. **Recess:** Permits a short intermission in a meeting. "I move that we recess for 10 minutes" or "... until 2:00" or "... until called to order by the chair."
- c. **Raise a question of privilege:** Permits a request or main motion relating to the rights and privileges of the assembly or any of its members to be brought up for immediate consideration because of its urgency. "I rise to a question of privilege affecting the assembly."
- d. **Call for the orders of the day:** Requires that the adopted agenda or order of business be followed. "Mr. Chairman, I call for the orders of the day" or "Madam President, I demand the regular order."

### B. Subsidiary Motions:

Motions which assist the assembly in treating or disposing of a main motion. They have the effect of hastening action upon, delaying action upon, or modifying the main motion.

- a. **Lay on the table:** Lays a pending question aside temporarily when something more urgent has arisen. "I move to lay the question on the table" or "I move that the motion be laid on the table."
- b. **Previous question:** Ends debate and orders an immediate vote. "I move the previous question" or "I move we vote immediately on the motion."
- c. **Limit or extend debate:** Modifies debate by limiting or extending the number or length of speeches. "I move that debate be limited to one speech of two minutes for each member" or "I move that the speaker's time be extended three minutes."
- d. **Postpone to a certain time:** Defers consideration to a definite day, meeting, or hour, or until after some particular event. "I move that the question be postponed until the next meeting" or "I move to postpone the motion until after the address by our guest speaker."
- e. **Refer to a committee:** Gives a motion more detailed attention or permits it to be handled in privacy. "I move to refer the matter to the Program Committee."

# Ranking of Parliamentary Motions



*Thirteen ranking motions from Robert McConnell Productions (1999). Webster's New World Robert's rules of order: simplified and applied. New York: Macmillan General Reference.*

# What Parliamentary Motion is Needed?

Meeting objectives and the parliamentary motions used to fulfill them

Objective	Appropriate motion
Present an idea for consideration or action	Main motion or Resolution; Consider subject informally
Improve a pending motion	Amend; Division of the question
Regulate or cut-off debate	Limit or extend debate; Previous question (vote immediately)
Delay a decision	Refer to committee; Postpone definitely ; Postpone indefinitely (kills motion)
Suppress a proposal	Object to consideration; Postpone indefinitely; Withdraw a motion
Meet an emergency	Question of privilege; Suspend rules; Lay on the table
Gain information on a pending motion	Parliamentary inquiry; Request for information; Question of privilege; Request to ask member a question
Question the decision of the chair	Point of order; Appeal from decision of chair
Enforce rights and privileges	Division of assembly; Division of question; Parliamentary inquiry; Point of order; Appeal from decision of chair
Consider a question again	Resume consideration; Reconsider; Rescind
Change an action already taken	Reconsider; Rescind; Amend motion previously adopted
Terminate a meeting	Adjourn; Recess

This table was based on a table in Alice Sturgis's *The Standard Code of Parliamentary Procedure* (3rd edition), but modified for motions in *Robert's Rules of Order Newly Revised*.

- f. **Amend:** Modifies a main motion by inserting, adding, striking, striking and inserting, striking and adding, or substituting some specific language. "I move to amend by adding the words . . ." or "by striking . . ." or "I move to substitute for the pending motion the following: ...."
- g. **Postpone indefinitely:** Disposes of a question without bringing it to a direct vote. "I move that the motion be postponed indefinitely."

### **C. Main Motion:**

A motion which brings business before the assembly and which can be made only while no other motion is pending. "I move we have a banquet."

### **D. Motions that Bring a Question Again Before the Assembly:**

Motions which bring up a previously considered question.

- a. **Reconsider:** Allows a question previously disposed of to come again before the assembly as if it had not previously been considered. The motion to reconsider can be made only by a member who voted on the prevailing side and only on the same day the original vote was taken. The motion is debatable only if the motion to be reconsidered is itself debatable. "I move to reconsider the vote on the motion relating to the annual banquet."
- b. **Discharge a committee:** Takes a matter out of a committee's hands and places it again before the assembly as a whole. "I move that the committee considering what band to hire for the benefit dance be discharged."
- c. **Rescind a motion previously adopted:** Voids a motion previously passed. "I move to rescind the motion passed at the last meeting relating to where we will go on the ski trip."
- d. **Take from the table:** Allows the assembly to resume consideration of a motion previously laid on the table. "I move to take from the table the motion relating to presenting plaques to graduating members."

### **E. Incidental Motions:**

Motions which deal with questions of procedure and arise out of another pending motion or item of business. With the exception of the motion to appeal from the ruling of the chair, they are not debatable.

- a. **Point of information:** Inquires as to the facts affecting the business at hand and is directed to the chair or, through the chair, to a member. "I rise to a point of information" or "A point of information, please."
- b. **Parliamentary inquiry:** Requests the chair's opinion-not a ruling-on a matter of parliamentary procedure as it relates to the business at hand. "I rise to a parliamentary inquiry" or "A parliamentary inquiry, please."
- c. **Division of the assembly:** Calls for a verification when a member doubts the accuracy of a voice vote or show of hands. "Division!" or "I call for a division."

- d. **Division of a question:** Permits a motion to be divided into two or more parts in order that they may be considered separately. "I move to divide the motion so that the question of purchasing decorations can be considered separately."
- e. **Withdraw a motion:** Permits a member to remove his or her question from consideration even after the motion has been restated by the chair. "Mr. Chairman, I move that I be allowed to withdraw the motion."
- f. **Objection to consideration:** Suppresses business that is undesirable or that might prove damaging to the organization. "Madam President, I object to the consideration of the question."
- g. **Suspend the rules:** Temporarily sets aside a rule to permit the assembly to take an action it could not otherwise take. "I move to suspend the rules which interfere with considering the motion to hold a get-acquainted happy hour for new members."
- h. **Appeal from the ruling of the chair:** Challenges a ruling of the chair. A majority vote sustains the ruling. "I appeal from the decision of the chair."
- i. **Point of order:** Challenges an error in procedure and requires a ruling by the chair. "I rise to a point of order" or "Point of order!"

[Home](#)[Bill Information](#)[California Law](#)[Publications](#)[Other Resources](#)[My Subscriptions](#)[My Favorites](#)Code: Section: [Up^](#)[Add To My Favorites](#)**WELFARE AND INSTITUTIONS CODE - WIC****DIVISION 4.5. SERVICES FOR THE DEVELOPMENTALLY DISABLED [4500 - 4885]** (*Division 4.5 added by Stats. 1977, Ch. 1252.*)**CHAPTER 5. Regional Centers for Persons With Developmental Disabilities [4620 - 4669.75]** (*Chapter 5 added by Stats. 1977, Ch. 1252.*)**ARTICLE 3. Regional Center Board Meetings [4660 - 4669]** (*Article 3 added by Stats. 1986, Ch. 577, Sec. 2.*)

**4660.** All meetings of the board of directors of each regional center shall be scheduled, open, and public, and all persons shall be permitted to attend any meeting, except as otherwise provided in this section. Regional center board meetings shall be held in accordance with all of the following provisions:

(a) Each regional center shall provide a copy of this article to each member of the regional center governing board upon his or her assumption of board membership.

(b) As used in this article, board meetings include meetings conducted by any committee of the governing board which exercises authority delegated to it by that governing board. However, board meetings shall not be deemed to include board retreats planned solely for educational purposes.

(c) At each regional center board meeting, time shall be allowed for public input on all properly noticed agenda items prior to board action on that item. Time shall be allowed for public input on any issue not included on the agenda.

(d) Any person attending an open and public meeting of a regional center shall have the right to record the proceedings on a tape recorder, video recorder, or other sound, visual, or written transcription recording device, in the absence of a reasonable finding of the regional center governing board that such recording constitutes, or would constitute, a disruption of the proceedings.

(Amended by Stats. 1997, Ch. 414, Sec. 21. Effective September 22, 1997.)

**4661.** (a) Regional centers shall mail notice of their meetings to any person who requests notice in writing. Notice shall be mailed at least seven days in advance of each meeting. The notice shall include the date, time, and location of, and a specific agenda for, the meeting, which shall include an identification of all substantive topic areas to be discussed, and no item shall be added to the agenda subsequent to the provision of this notice. The notice requirement shall not preclude the regional center board from taking action on any urgent request made by the department, not related to purchase of service reductions, for which the board makes a specific finding that notice could not have been provided at least seven days before the meeting, or on new items brought before the board at meetings by members of the public.

(b) The regional center shall maintain all recordings and written comments submitted as testimony on agenda items for no less than two years. These materials shall be made available for review by any person, upon request.

(c) Any action taken by a board that is found by a court of competent jurisdiction to have substantially violated any provision of this article shall be deemed null and void.

(Amended by Stats. 1997, Ch. 414, Sec. 22. Effective September 22, 1997.)

**4662.** In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of regional center services, an emergency meeting may be called without complying with the advanced notice requirement of Section 4661. For the purposes of this article, "emergency situation" means any activity which severely impairs public health, safety, or both, as determined by a majority of the members of the regional center board. In these situations, advance notice shall be provided if practicable. In addition, the state council shall be notified by telephone of each emergency meeting. The minutes of an emergency meeting, including a description of any actions taken at the meeting, shall be mailed immediately to those persons

described in Section 4661.

*(Amended by Stats. 2014, Ch. 409, Sec. 50. (AB 1595) Effective January 1, 2015.)*

**4663.** (a) The governing board of a regional center may hold a closed meeting to discuss or consider one or more of the following:

- (1) Real estate negotiations.
- (2) The appointment, employment, evaluation of performance, or dismissal of a regional center employee.
- (3) Employee salaries and benefits.
- (4) Labor contract negotiations.
- (5) Pending litigation.

(b) Any matter specifically dealing with a particular regional center client must be conducted in a closed session, except where it is requested that the issue be discussed publicly by the client, the client's conservator, or the client's parent or guardian where the client is a minor. Minutes of closed sessions shall be kept by a designated officer or employee of the regional center, but these minutes shall not be considered public records. Prior to and directly after holding any closed session, the regional center board shall state the specific reason or reasons for the closed session. In the closed session, the board may consider only those matters covered in its statement.

*(Added by Stats. 1986, Ch. 577, Sec. 2.)*

**4664.** The governing board of a regional center may hold a closed session regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the regional center in the litigation. Litigation shall be considered pending when any of the following circumstances exist:

- (a) An adjudicatory proceeding to which the regional center is a party has been initiated formally.
- (b) A point has been reached where, based upon existing facts and circumstances and the advice of legal counsel, it is determined that there is a significant exposure to litigation against the regional center.
- (c) Based on existing facts and circumstances, the regional center has decided to initiate or is deciding whether to initiate litigation.

Prior to holding a closed session pursuant to this section, the regional center governing board shall state publicly to which subdivision it is pursuant.

*(Amended by Stats. 1997, Ch. 414, Sec. 23. Effective September 22, 1997.)*

**4665.** Agendas and other writings or materials distributed prior to or during a regional center board meeting for discussion or action at the meeting shall be considered public records, except those materials distributed during, and directly related to, a closed session authorized under Section 4663. Writings which are distributed prior to commencement of a board meeting shall be made available for public inspection upon request prior to commencement of the meeting. Writings which are distributed during a board meeting shall be made available for public inspection at the time of their discussion at the meeting. A reasonable fee may be charged for a copy of a public record distributed pursuant to this section.

*(Added by Stats. 1986, Ch. 577, Sec. 2.)*

**4666.** No regional center shall conduct any meeting, conference, or other function in any facility that prohibits the admittance of any person, or persons, on the basis of ancestry or any characteristic listed or defined in Section 11135 of the Government Code.

*(Amended by Stats. 2007, Ch. 568, Sec. 48. Effective January 1, 2008.)*

**4667.** All regional center board meetings shall be held in facilities accessible to persons with physical disabilities.

*(Added by Stats. 1986, Ch. 577, Sec. 2.)*

**4668.** (a) Any action taken by a regional center governing board in violation of this article is null and void. Any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of obtaining a judicial declaration that an action taken in violation of this article is null and void.

(b) A court may award court costs and reasonable attorney's fees to the plaintiff in an action brought pursuant to this section where it is found that a regional center board has violated the provisions of this article.

(c) This section does not prevent a regional center governing board from curing or correcting an action challenged



pursuant to this section.

*(Added by Stats. 1986, Ch. 577, Sec. 2.)*

**4669.** The provisions of this article shall not apply to the corporate affairs of the governing board of a regional center which have no relationship to the role and responsibility of a regional center set forth in this chapter.

*(Added by Stats. 1986, Ch. 577, Sec. 2.)*



State Council on Developmental Disabilities

## How To Do Things<sup>1</sup> UNDER ROBERT'S RULES OF ORDER PLAIN LANGUAGE

### 1. You want to bring up a new idea before the group.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- Take a New Action (“Make a Motion”):

After being called on by the chair, tell people what you think the Council should do and what action it should take.

Be specific. Sometimes it helps to write out the motion and read it.

- A Second Person Must Agree:

A second person must agree with you and say that he or she “**seconds**” your idea or motion in order for the group to talk about and consider your motion.

---

<sup>1</sup> Adapted from Cornell University Faculty publication: <http://theuniversityfaculty.cornell.edu/meetings/RobertsRulesSimplified.pdf>

## 2. You want to change some of the wording in a motion already being discussed.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- Suggest a Change (“Move to Amend”):

After being called on by the chair, suggest a change by saying “I move to amend,” AND

- Tell How Your Change Will Be Made

Tell the group, you wish to amend by:

- adding words,
- removing words, or
- removing and inserting words.

- A Second Person Must Agree:

Another person must “second” your idea.

### 3. You want more study and/or investigation given to the idea being discussed.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.
- “Move to refer to a committee.” Try to be specific and explain exactly what you think the responsibility of the committee should be.
- A Second Person Must Agree: Another person must “second” your idea.

### 4. You want more time personally to study the proposal being discussed.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.
- “Move to postpone” to a definite time or date. Provide an *exact time* later on during the meeting, or at a future meeting on a *specific date*, to continue discussion on the proposal.
- A Second Person Must Agree: Another person must “second” your idea.

## 5. You have heard enough discussion.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- “Move the previous question.”

This cuts off discussion and brings the group to a vote on the question being discussed **only**.

★ ★ Robert’s Rules of Order require a 2/3rds vote for this motion. However, your Bylaws may say that **only a majority vote is necessary**. You should follow your Bylaws

- Or “move to close the debate” in order to end the discussion.

★ ★ Robert’s Rules of Order require a 2/3rds vote for this motion. However, your Bylaws may say that **only a majority vote is necessary**. You should follow your Bylaws.

- A Second Person Must Agree:

Another person must “second” each of the above motions.

## **6. You believe the discussion has drifted away from the agenda and want to bring it back.**

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- **“Call for orders of the day.”**

This motion asks the group to follow its agenda or order of business. It does not require a second. The Chair may then go back to the scheduled business.

➡ No second is required.

## **7. You are confused about what is being discussed and want clarification.**

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- **“Call for a point of information.”**

The Chair will ask you what your question is and attempt to clarify the situation.

➡ No second is required.

## 8. You want to take a short break.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- “Move to recess” for a set period of time.

Tell the group how long of a recess you are requesting.

The Chair must call on you before you make this motion. The motion requires a second and a majority vote. If the group votes for a recess, it goes into effect immediately.

- A Second Person Must Agree:

Another person must “second” this motion.

## 9. You want to end the meeting before the scheduled end time or before agenda is finished.

- ☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- “Move to adjourn.”

If the Chair has called on you, you make a motion to close the meeting even if there is still business pending. This motion requires a second and a majority vote. The Chair announces adjournment.

- A Second Person Must Agree:

Another person must “second” this motion.

**10. You have changed your mind about something that was voted on earlier in the meeting *and* you were on the winning side.**

☒ In order to make a motion or talk during the discussion, you must be “given the floor” by being called on by the Chair.

- “Move to reconsider.”

You can make a motion to reconsider a decision made by the group, but **only if you were on the winning side.**

If this motion is approved by a majority vote, the decision can be discussed and voted on again as though a vote had not been taken before.

- A Second Person Must Agree:

Another person must “second” this motion.

**You may INTERRUPT a speaker for these reasons only:**

- To get information about business – **point of information**
- To get information about rules – **parliamentary inquiry**
- If you can't hear, safety reasons, comfort, etc. – **question of privilege**
- If you see a breach of the rules – **point of order**



# **INFORMATION ABOUT THE CITY OF BELL SCANDAL OF THE LATE 2000S**

## **City of Bell Scandal**

Source: Wikipedia

[https://en.wikipedia.org/wiki/City\\_of\\_Bell\\_scandal](https://en.wikipedia.org/wiki/City_of_Bell_scandal)

## **Why the Bell Scandal Happened and What Can Be Done**

Source: Voice of OC, Orange County's Nonprofit Newsroom

<https://voiceofoc.org/2010/07/why-the-bell-scandal-happened-and-what-can-be-done/>

## **Timeline Bell: 'Corruption on Steroids'**

Source: Los Angeles Times

<https://timelines.latimes.com/bell/>

Code: Section: [Up^](#)[Add To My Favorites](#)**WELFARE AND INSTITUTIONS CODE - WIC****DIVISION 4.5. SERVICES FOR THE DEVELOPMENTALLY DISABLED [4500 - 4885]** ( *Division 4.5 added by Stats. 1977, Ch. 1252.* )**CHAPTER 5. Regional Centers for Persons With Developmental Disabilities [4620 - 4669.75]** ( *Chapter 5 added by Stats. 1977, Ch. 1252.* )**ARTICLE 1. Regional Center Contracts [4620 - 4639.75]** ( *Article 1 added by Stats. 1977, Ch. 1252.* )

**4620.** (a) In order for the state to carry out many of its responsibilities as established in this division, the state shall contract with appropriate agencies to provide fixed points of contact in the community for persons with developmental disabilities and their families, to the end that these persons may have access to the services and supports best suited to them throughout their lifetime. It is the intent of the Legislature in enacting this division that the network of regional centers for persons with developmental disabilities and their families be accessible to every family in need of regional center services. It is the further intent of the Legislature that the design and activities of regional centers reflect a strong commitment to the delivery of direct service coordination and that all other operational expenditures of regional centers are necessary to support and enhance the delivery of direct service coordination and services and supports identified in individual program plans.

(b) The Legislature finds that the service provided to individuals and their families by regional centers is of such a special and unique nature that it cannot be satisfactorily provided by state agencies. Therefore, private nonprofit community agencies shall be utilized by the state for the purpose of operating regional centers.

(*Amended by Stats. 1992, Ch. 1011, Sec. 5. Effective January 1, 1993.*)

**4620.1.** The Legislature recognizes the ongoing contributions many parents and family members make to the support and well-being of their children and relatives with developmental disabilities. It is the intent of the Legislature that the important nature of these relationships be respected and fostered by regional centers and providers of direct services and supports.

(*Added by Stats. 1992, Ch. 1011, Sec. 6. Effective January 1, 1993.*)

**4620.2.** (a) The State Department of Developmental Services, after consultation with stakeholder groups, shall develop a system of enrollment fees, copayments, or both, to be assessed against the parents of each child between the ages of three and 17 years who lives in the parent's home and receives services purchased through a regional center. This system shall be submitted to the Legislature on or before April 1, 2004, immediately prior to the fiscal year in which the system is to be implemented, and as a part of the Governor's proposed 2004-05 budget or subsequent legislation.

(b) The department, after consultation with stakeholder groups, shall submit a detailed plan for implementing a parental copayment system for children receiving services purchased through a regional center. This plan shall be submitted to the Legislature by April 1, 2004.

(c) The plan submitted on or before April 1, 2004, pursuant to subdivision (b), and any resources requested in the 2004-05 Governor's Budget and related authority may be subsequently modified during the legislative review process.

(d) The parental copayment system shall only be applicable to families that have adjusted gross family incomes of over 200 percent of the federal poverty level and that have a child who meets all of the following criteria:

- (1) The child is receiving services purchased through a regional center.
- (2) The child is living at home.
- (3) The child is not otherwise eligible to receive services provided under the Medi-Cal program.

- (4) The child is at least three years of age and not more than 17 years of age.
- (e) The department's plan shall address, at a minimum all of the following components for the development of a parental copayment system:
- (1) Description of the families and children affected, including those families with more than one child as described under subdivision (d).
  - (2) Privacy issues and potential safeguards regarding the families' income, the children's regional center clinical records, and related matters.
  - (3) Schedule of parental copayments and any other related assessments, and criteria or service thresholds for which these copayments and assessments are based.
  - (4) The options for a sliding scale for the schedule of parental copayments based on family income and family size.
  - (5) Proposed limits on parental cost sharing.
  - (6) An exemption process for families who are experiencing financial hardships and may need deferral or waiver of any copayments or assessments.
  - (7) An appeal process for families who may dispute the level of copayment or assessments for which they are billed.
  - (8) The specific methods and processes to be used by the department, regional centers, or other responsible party, for the collection of all parental copayments and assessments.
  - (9) Any potentials for the disruption of services to applicable regional center consumers due to the implementation of a parental copayment system.
  - (10) The estimated amount of revenues to be collected and any applicable assumptions made for making this determination.
  - (11) Any estimate related to a slowing of the trend in the growth for regional center services due to the implementation of a parental copayment system.
  - (12) A comparison to how the State Department of Health Services and other state agencies utilize personal information to manage the delivery of benefits and assessment of copayments.
  - (13) A recommendation on whether the parental copayment system should be centralized at the department or decentralized in the regional centers and the basis for this recommendation.
  - (14) The estimated cost for implementing a parental copayment system, including any costs associated with consultant contracts, state personnel, revenue collection, computer system processing, regional center operations, or any other cost factor that would need to be included in order to capture all estimated costs for implementation.
  - (15) The timeframe for which the parental copayment system is to be implemented.
- (f) (1) In order for the department to develop a detailed plan for the implementation of a parental copayment system, the department shall collect information from selected families. In order to be cost efficient and prudent regarding the collection of information, the department may conduct a survey of only those families known to have children not eligible for the Medi-Cal program. The survey instrument may only be used for the sole purpose of obtaining information that is deemed necessary for the development of a parental copayment system, including the following:
- (A) A family's annual adjusted gross family income.
  - (B) The number of family members dependent on that income.
  - (C) The number of children who meet the criteria specified in subdivision (d).
- (2) Results of the survey in the aggregate shall be provided to the Legislature as part of the department's plan as required by subdivision (a).

*(Added by Stats. 2003, Ch. 230, Sec. 47. Effective August 11, 2003.)*

**4620.3.** (a) To provide more uniformity and consistency in the administrative practices and services of regional centers throughout the state, promote appropriateness of services, maximize efficiency of funding, address the state budget deficit, ensure consistency with Lanterman Act values, maintain the entitlement to services, and improve cost-effectiveness, the department, in collaboration with stakeholders, shall develop best practices for the administrative management of regional centers and for regional centers to use when purchasing services for consumers and families.

(b) In developing regional center administrative management best practices, the department shall consider the establishment of policies and procedures to ensure prudent fiscal and program management by regional centers; effective and efficient use of public resources; consistent practices to maximize the use of federal funds; detection

and prevention of fraud, waste, and abuse; and proper contracting protocols.

(c) In developing purchase of services best practices, the department shall consider eligibility for the service; duration of service necessary to meet objectives set in an individual program plan; frequency and efficacy of the service necessary to meet objectives in an individual program plan; impact on community integration; service providers' qualifications and performance; rates; parental and consumer responsibilities pursuant to Sections 4646.4, 4659, 4677, 4782, 4783, and 4784 of this code and Section 95004 of the Government Code; and self-directed service options.

(d) The department shall ensure that implementation of best practices that impact individual services and supports are made through the individual program planning process as provided for in this division or an individualized family service plan pursuant to Section 95020 of the Government Code, and that consumers and families are notified of any exceptions or exemptions to the best practices and their appeal rights established in Section 4701.

(e) Purchase of services best practices developed pursuant to this section may vary by service category and may do all of the following:

(1) Establish criteria determining the type, scope, amount, duration, location, and intensity of services and supports purchased by regional centers for consumers and their families.

(2) Modify payment rates.

(3) Reflect family and consumer responsibilities, pursuant to Sections 4646.4, 4659, 4677, 4782, 4783, and 4784 of this code and Section 95004 of the Government Code.

(f) Purchase of services best practices shall include provisions for exceptions to ensure the health and safety of the consumer or to avoid out-of-home placement or institutionalization.

(g) Best practices developed pursuant to this section shall not do either of the following:

(1) Endanger a consumer's health or safety.

(2) Compromise the state's ability to meet its commitments to the federal Centers for Medicare and Medicaid Services for participation in the Home and Community-Based Services Waiver or other federal funding of services for persons with developmental disabilities.

(h) The department shall submit the proposed best practices to the fiscal and applicable policy committees of the Legislature by no later than May 15, 2011. This submission shall include a description of the process followed to collaborate with system stakeholders; the anticipated impact of the best practices, coupled with prior reductions on consumers, families, and providers; estimated cost savings associated with each practice; and draft statutory language necessary to implement the best practices. Implementation of the best practices shall take effect only upon subsequent legislative enactment.

*(Added by Stats. 2011, Ch. 9, Sec. 1. (SB 74) Effective March 24, 2011.)*

**4620.4.** (a) (1) The Legislature finds and declares that more than a quarter of Californians are foreign born, and more than 10 percent of the state's population speaks English "not well" or "not at all." Access to accurate, timely, understandable, and culturally sensitive and competent information and referral services for these communities is a critical need. A review of 2018-19 purchase of service expenditures reflects the following average per capita expenditures for all age groups by ethnicity, illustrating existing disparity gaps in the developmental services system:

(A) Twenty-seven thousand nine hundred thirty-one dollars (\$27,931) for individuals who are White.

(B) Twenty-two thousand nine hundred fourteen dollars (\$22,914) for individuals who are Black or African American.

(C) Fourteen thousand eight hundred thirty-six dollars (\$14,836) for individuals who are Asian.

(D) Eleven thousand seven hundred sixty dollars (\$11,760) for individuals who are Latinx or Hispanic.

(2) Language access and culturally competent services are critical components to advance health and human services equity and improve outcomes for all Californians served under the Lanterman Act.

(b) The State Department of Developmental Services shall administer an enhanced language access and cultural competency initiative for individuals with developmental disabilities, their caregivers, and their family members. The department shall require regional centers to implement this initiative through its contracts pursuant to Section 4640.6. The primary goal is to improve quality and facilitate more consistent access to information and services.

(c) Allowable uses of the funds provided to regional centers include, but are not limited to, all of the following:

(1) Identification of vital documents and internet website content for translation, as well as points of public contact in need of oral and sign language interpretation services.

(2) Orientations and specialized group and family information sessions with ample and publicized question and



answer periods, scheduled at times considered most convenient for working families and in consultation with community leaders.

(3) Regular and periodic language needs assessments to determine threshold languages for document translation.

(4) Coordination and streamlining of interpretation and translation services.

(5) Implementation of quality control measures to ensure the availability, accuracy, readability, and cultural appropriateness of translations.

(d) The use of these funds shall not supplant any existing efforts or funds for similar purposes, but are intended to augment and provide maximum additional benefit to the greatest number of persons served, their caregivers, and their families.

(e) The department shall report annually, beginning January 10, 2022, as part of the Governor's Budget and the May Revision, how these funds are being utilized and what remaining needs for language access and culturally competent services are identified by people served, the community, and regional centers as the initiative implements.

(f) Regional centers shall receive specialized funding allocations to facilitate applications for payments authorized to protect the health and safety of consumers, pursuant to paragraph (1) of subdivision (a) of Section 4681.6, for non-English speaking individuals served. Funded activities shall include specialized outreach and case management services toward identifying which individuals might have an unaddressed need for a health and safety waiver and assisting with guiding individuals through the application process to meet those needs. Regional centers shall track the number of individuals served through this effort and provide this information to the department on at least an annual basis.

*(Amended by Stats. 2021, Ch. 85, Sec. 16. (AB 135) Effective July 16, 2021.)*

**4620.5.** (a) Beginning as early as possible after July 1, 2021, but no later than September 1, 2021, the department shall convene a workgroup, which shall be composed of individuals described under subdivision (b), to make recommendations to the department for the development of standard performance improvement indicators and benchmarks to incentivize high-quality regional center operations.

(b) The director shall appoint members to the stakeholder group and shall consider all of the following individuals to serve as members of that group:

(1) Individuals or consultants with expertise in developing performance indicators and incentive programs within developmental disability systems or community-based long-term services and supports systems.

(2) Consumers and families across different geographic regions of the state, who have diverse racial and ethnic backgrounds, diverse consumer age groups, and disabilities.

(3) Regional center representatives.

(4) Service providers.

(5) Representatives of other state agencies or entities with whom the department routinely collaborates for the coordination of services for people with developmental disabilities, and who additionally have expertise in setting or reporting indicators and benchmarks, including reporting to the federal Centers for Medicare and Medicaid Services.

(6) Representatives of California's University Centers for Excellence in Developmental Disabilities, the State Council on Developmental Disabilities, the protection and advocacy agency specified in Division 4.7 (commencing with Section 4900), and consumer and family advocacy groups.

(c) By January 10, 2022, as part of the Governor's Budget, the department shall provide a status update based on recommendations provided by the stakeholder workgroup, with an additional status update at the time of the Governor's May Revision. These recommendations may include all of the following:

(1) Priority areas for performance indicators and benchmarks, including, but not limited to, all of the following:

(A) Equity in service access and purchase of services.

(B) Consumer employment and associated metrics.

(C) Integration of consumers in the community.

(D) Person-centered planning.

(E) Compliance with federal home and community-based standards.

(F) Consumer and family experience and satisfaction.

(G) Innovation in service availability and delivery.

(2) Surveys or other measures to assess consumer and family experience, satisfaction, and recommendations, in addition the use of data available through the National Core Indicators.

- (3) Benchmarks, and a method for establishing benchmarks, to create meaningful comparisons and understanding of variation in performance within and between regional centers.
- (4) Measures under development or already implemented by federal funding agencies for long-term services and supports, home and community-based services, incentive payments, required reporting, and the efficient and effective implementation of performance improvement systems.
- (5) Additional criteria for demonstrating performance improvement, including improvement beyond benchmarks.
- (6) The methodology, structure, and types of incentives to be used, including, if appropriate, a payment schedule and implementation timeline, for incentive payments to regional centers to achieve or exceed performance benchmarks. This methodology and structure shall include how the department shall take into consideration variations among regional centers, expectations for regional center community engagement activities, and any significant demographic, including economic or other differences, impacting a regional center's performance and how the department might build the identified benchmarks into regional center performance contracts.
- (7) A process, based on the input from regional centers and other stakeholders, the department shall use on at least an annual basis to evaluate the success of a quality improvement process, including any incentive payment program.

*(Added by Stats. 2021, Ch. 76, Sec. 27. (AB 136) Effective July 16, 2021.)*

**4621.** The department, within the limitations of funds appropriated, shall contract with appropriate private nonprofit corporations for the establishment of regional centers.

Notwithstanding any other provision of law, any contract entered into pursuant to this section may provide for periodic advance payments for services to be performed under such contract. No advance payment made pursuant to this section shall exceed 25 percent of the total annual contract amount.

*(Added by Stats. 1977, Ch. 1252.)*

**4621.5.** Notwithstanding subdivision (c) of Section 1 of Chapter 501 of the Statutes of 1971, the department shall, within the limitations of funds appropriated, contract with an appropriate private nonprofit corporation or corporations to operate regional centers as follows:

- (a) One regional center to serve the Counties of Inyo, Kern, and Mono.
- (b) One regional center to serve the Counties of Riverside and San Bernardino.

*(Added by Stats. 1993, Ch. 364, Sec. 1. Effective January 1, 1994.)*

**4622.** The state shall contract only with agencies, the governing boards of which conform to all of the following criteria:

- (a) The governing board shall be composed of individuals with demonstrated interest in, or knowledge of, developmental disabilities.
- (b) The membership of the governing board shall include persons with legal, management or board governance, financial, and developmental disability program expertise. Board governance expertise may not be acquired solely by serving on a regional center board. The governing board of the regional center shall include members with financial expertise and members with management or board governance expertise by August 15, 2020.
- (c) The membership of the governing board shall include representatives of the various categories of disability to be served by the regional center.
- (d) The governing board shall reflect the geographic and ethnic characteristics of the area to be served by the regional center.
- (e) A minimum of 50 percent of the members of the governing board shall be persons with developmental disabilities or their parents or legal guardians. No less than 25 percent of the members of the governing board shall be persons with developmental disabilities.
- (f) Members of the governing board shall not be permitted to serve more than seven years within each eight-year period.
- (g) (1) The regional center shall provide necessary training and support to these board members to facilitate their understanding and participation, including issues relating to linguistic and cultural competency.
- (2) As part of its monitoring responsibility, the department shall review and approve the method by which training and support are provided to board members to ensure maximum understanding and participation by board members.

(3) Each regional center shall post on its internet website information regarding the training and support provided to board members.

(h) The governing board may appoint a consumers' advisory committee composed of persons with developmental disabilities representing the various categories of disability served by the regional center.

(i) The governing board shall appoint an advisory committee composed of a wide variety of persons representing the various categories of providers from which the regional center purchases client services. The advisory committee shall provide advice, guidance, recommendations, and technical assistance to the regional center board in order to assist the regional center in carrying out its mandated functions. The advisory committee shall designate one of its members to serve as a member of the regional center board.

(j) (1) The governing board shall annually review the performance of the director of the regional center.

(2) The governing board shall annually review the performance of the regional center in providing services that are linguistically and culturally appropriate and may provide recommendations to the director of the regional center based on the results of that review.

(k) No member of the board who is an employee or member of the governing board of a provider from which the regional center purchases client services shall do any of the following:

(1) Serve as an officer of the board.

(2) Vote on any fiscal matter affecting the purchase of services from any regional center provider.

(3) Vote on any issue other than as described in paragraph (2), in which the member has a financial interest, as defined in Section 87103 of the Government Code, and determined by the regional center board. The member shall provide a list of the member's financial interests, as defined in Section 87103, to the regional center board.

Nothing in this section shall prevent the appointment to a regional center governing board of a person who meets the criteria for more than one of the categories listed above.

*(Amended by Stats. 2019, Ch. 28, Sec. 12. (SB 81) Effective June 27, 2019.)*

**4622.5.** By August 15 of each year, the governing board of each regional center shall submit to the department detailed documentation, as determined by the department, demonstrating that the composition of the board is in compliance with Section 4622. If the composition of the governing board is not in compliance with Section 4622, the governing board shall submit a plan to the department with its board composition documentation setting forth how and, in as expeditious a manner as possible, when the board will come into compliance, in part or in whole, with Section 4622.

*(Amended by Stats. 2019, Ch. 28, Sec. 13. (SB 81) Effective June 27, 2019.)*

**4623.** In the event that the governing board of the regional center is not composed of individuals as specified in subdivisions (a) to (f), inclusive, of Section 4622, such governing board shall establish a program policy committee which is composed of such individuals. The program policy committee shall appoint one of its members to serve as an ex officio member of the governing board.

*(Added by Stats. 1977, Ch. 1252.)*

**4624.** When the governing board of the regional center is not composed of individuals as specified in subdivisions (a) to (f), inclusive, of Section 4622, the program policy committee to the regional center shall be responsible for establishing the program policies of the regional center. All program policies adopted by a program policy committee shall conform to the provisions of this division and the contract between the department and the governing board.

*(Added by Stats. 1977, Ch. 1252.)*

**4625.** The department shall not contract with any new regional center contracting agency unless the governing board of the agency is composed of individuals as specified in subdivisions (a) to (f), inclusive, of Section 4622.

This section shall become operative on July 1, 1999.

*(Repealed (in Sec. 14) and added by Stats. 1997, Ch. 414, Sec. 14.5. Effective September 22, 1997. Section operative July 1, 1999, by its own provisions.)*

**4625.5.** (a) The governing board of each regional center shall adopt and maintain a written policy requiring the board to review and approve any regional center contract of two hundred fifty thousand dollars (\$250,000) or more, before entering into the contract.

(b) No regional center contract of two hundred fifty thousand dollars (\$250,000) or more shall be valid unless

approved by the governing board of the regional center in compliance with its written policy pursuant to subdivision (a).

(c) For purposes of this section, contracts do not include vendor approval letters issued by regional centers pursuant to Section 54322 of Title 17 of the California Code of Regulations.

*(Added by Stats. 2011, Ch. 9, Sec. 3. (SB 74) Effective March 24, 2011.)*

**4625.6.** To ensure the delivery of independent legal advice, an attorney retained or employed by the governing board of the regional center to provide legal services shall not be an employee of the regional center.

*(Added by Stats. 2019, Ch. 28, Sec. 14. (SB 81) Effective June 27, 2019.)*

**4625.7.** The governing board of a regional center shall meet with representatives of the department upon a request by the Director of Developmental Services, and, if requested, the board shall exclude regional center employees from the meeting. The governing board shall meet with the department's representatives without preconditions for the meeting and at a time and date determined by the department. Not infringing on the department's authority otherwise provided in this section, at the department's discretion, efforts shall be made to meet with a governing board of a regional center at a mutually agreed-upon time, date, and place, with the goal of promoting attendance by board members.

*(Added by Stats. 2019, Ch. 28, Sec. 15. (SB 81) Effective June 27, 2019.)*

**4626.** (a) The department shall give a very high priority to ensuring that regional center board members and employees act in the course of their duties solely in the best interest of the regional center consumers and their families without regard to the interests of any other organization with which they are associated or persons to whom they are related. Board members, employees, and others acting on the regional center's behalf, as defined in regulations issued by the department, shall be free from conflicts of interest that could adversely influence their judgment, objectivity, or loyalty to the regional center, its consumers, or its mission.

(b) In order to prevent potential conflicts of interest, a member of the governing board or member of the program policy committee of a regional center shall not be any of the following:

(1) An employee of the State Department of Developmental Services or any state or local agency that provides services to a regional center consumer, if employed in a capacity which includes administrative or policymaking responsibility, or responsibility for the regulation of the regional center.

(2) An employee or a member of the state council or a state council regional advisory committee.

(3) Except as otherwise provided in subdivision (h) of Section 4622, an employee or member of the governing board of any entity from which the regional center purchases consumer services.

(4) Any person who has a financial interest, as defined in Section 87103 of the Government Code, in regional center operations, except as a consumer of regional center services.

(c) A person with a developmental disability who receives employment services through a regional center provider shall not be precluded from serving on the governing board of a regional center based solely upon receipt of these employment services.

(d) The department shall ensure that no regional center employee or board member has a conflict of interest with an entity that receives regional center funding, including, but not limited to, a nonprofit housing organization and an organization qualified under Section 501(c)(3) of the Internal Revenue Code, that actively functions in a supporting relationship to the regional center.

(e) The department shall develop and publish a standard conflict-of-interest reporting statement. The conflict-of-interest statement shall be completed by each regional center governing board member and each regional center employee specified in regulations, including, at a minimum, the executive director, every administrator, every program director, every service coordinator, and every employee who has decisionmaking or policymaking authority or authority to obligate the regional center's resources.

(f) Every new regional center governing board member and regional center executive director shall complete and file the conflict-of-interest statement described in subdivision (e) with his or her respective governing board within 30 days of being selected, appointed, or elected. Every new regional center employee referenced in subdivision (e) and every current regional center employee referenced in subdivision (e) accepting a new position within the regional center shall complete and file the conflict-of-interest statement with his or her respective regional center within 30 days of assuming the position.

(g) Every regional center board member and regional center employee referenced in subdivision (e) shall complete and file the conflict-of-interest statement by August 1 of each year.



(h) Every regional center board member and regional center employee referenced in subdivision (e) shall complete and file a subsequent conflict-of-interest statement upon any change in status that creates a potential or present conflict of interest. For the purposes of this subdivision, a change in status includes, but is not limited to, a change in financial interests, legal commitment, regional center or board position or duties, or both, or outside position or duties, or both, whether compensated or not.

(i) The governing board shall submit a copy of the completed conflict-of-interest statements of the governing board members and the regional center executive director to the department within 10 days of receipt of the statements.

(j) A person who knowingly provides false information on a conflict-of-interest statement required by this section shall be subject to a civil penalty in an amount up to fifty thousand dollars (\$50,000), in addition to any civil remedies available to the department. An action for a civil penalty under this provision may be brought by the department or any public prosecutor in the name of the people of the State of California.

(k) The director of the regional center shall review the conflict-of-interest statement of each regional center employee referenced in subdivision (e) within 10 days of receipt of the statement. If a potential or present conflict of interest is identified for a regional center employee that cannot be eliminated, the regional center shall, within 30 days of receipt of the statement, submit to the department a copy of the conflict-of-interest statement and a plan that proposes mitigation measures, including timeframes and actions the regional center or the employee, or both, will take to mitigate the conflict of interest.

(l) The department and the regional center governing board shall review the conflict-of-interest statement of the regional center executive director and each regional center board member to ensure that no conflicts of interest exist. If a present or potential conflict of interest is identified for a regional center director or a board member that cannot be eliminated, the regional center governing board shall, within 30 days of receipt of the statement, submit to the department and the state council a copy of the conflict-of-interest statement and a plan that proposes mitigation measures, including timeframes and actions the regional center governing board or the individual, or both, will take to mitigate the conflict of interest.

*(Amended by Stats. 2014, Ch. 409, Sec. 39. (AB 1595) Effective January 1, 2015.)*

**4626.5.** Each regional center shall submit a conflict-of-interest policy to the department 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:

(a) Contain the elements of this section and be consistent with applicable law.

(b) Define conflicts of interest.

(c) Identify positions within the regional center required to complete and file a conflict-of-interest statement.

(d) Facilitate disclosure of information to identify conflicts of interest.

(e) Require candidates for nomination, election, or appointment to a regional center board, and applicants for regional center director to disclose any potential or present conflicts of interest prior to being appointed, elected, or confirmed for hire by the regional center or the regional center governing board.

(f) Require the regional center and its governing board to regularly and consistently monitor and enforce compliance with its conflict-of-interest policy.

*(Added by Stats. 2011, Ch. 9, Sec. 5. (SB 74) Effective March 24, 2011.)*

**4627.** (a) The director of the department shall adopt and enforce conflict-of-interest regulations to ensure that members of the governing board, program policy committee, and employees of the regional center make decisions with respect to the regional centers that are in the best interests of the center's consumers and families.

(b) The department shall monitor and ensure the regional centers' compliance with this section and Sections 4626 and 4626.5. Failure to disclose information pursuant to these sections and related regulations may be considered grounds for removal from the board or for termination of employment.

(c) The department shall adopt regulations to develop standard conflict-of-interest reporting requirements.

(d) The department shall adopt emergency regulations to implement this section and Sections 4626 and 4626.5 by May 1, 2011. The adoption, amendment, repeal, or re adoption of a regulation authorized by this section is deemed to be necessary for the immediate preservation of the public peace, health and safety, or general welfare, for purposes of Sections 11346.1 and 11349.9 of the Government Code, and the department is hereby exempted from that requirement. For purposes of subdivision (e) of Section 11346.1 of the Government Code, the 120-day period, as applicable to the effective period of an emergency regulatory action and submission of specified materials to the Office of Administrative Law, is hereby extended to 180 days.

(e) The department shall adopt regulations to implement the terms of subdivision (d) through the regular

rulemaking process pursuant to Sections 11346 and 11349.1 of the Government Code within 18 months of the adoption of emergency regulations pursuant to subdivision (d).

*(Amended by Stats. 2011, Ch. 9, Sec. 6. (SB 74) Effective March 24, 2011.)*

**4628.** If, for good reason, a contracting agency is unable to meet all the criteria for a governing board established in this chapter, the director may waive those criteria for a period of time, not to exceed one year, with the approval of the state council.

*(Amended by Stats. 2014, Ch. 409, Sec. 40. (AB 1595) Effective January 1, 2015.)*

**4629.** (a) The state shall enter into five-year contracts with regional centers, subject to the annual appropriation of funds by the Legislature.

(b) The contracts shall include a provision requiring each regional center to render services in accordance with applicable provision of state laws and regulations.

(c) (1) The contracts shall include annual performance objectives that the department determines are necessary to ensure each regional center is complying with the requirement specified in subdivision (b), including, but not limited to, objectives that do both of the following:

(A) Be specific, measurable, and designed to do all of the following:

(i) Assist consumers to achieve life quality outcomes.

(ii) Achieve meaningful progress above the current baselines.

(iii) Develop services and supports identified as necessary to meet identified needs, including culturally and linguistically appropriate services and supports.

(iv) Measure progress in reducing disparities and improving equity in purchase of service expenditures.

(v) Measure progress, and report outcomes, in implementing the Employment First Policy, which may include, but are not limited to, measures addressing both of the following:

(I) Establishment of local partnership agreements between regional centers, local educational agencies, and the Department of Rehabilitation districts.

(II) The provision of information to consumers regarding the Employment First Policy, opportunities for employment, and available supports to achieve integrated competitive employment.

(B) Be developed through a public process as described in the department's guidelines that includes, but is not limited to, all of the following:

(i) Providing information, in an understandable form, to the community about regional center services and supports, including budget information and baseline data on services and supports and regional center operations.

(ii) Conducting a public meeting where participants can provide input on performance objectives and using focus groups or surveys to collect information from the community.

(iii) Circulating a draft of the performance objectives to the community for input prior to presentation at a regional center board meeting where additional public input will be taken and considered before adoption of the objectives.

(2) In addition to the performance objectives developed pursuant to this section, the department may specify in the performance contract additional areas of service and support that require development or enhancement by the regional center. In determining those areas, the department shall consider public comments from individuals and organizations within the regional center catchment area, the distribution of services and supports within the regional center catchment area, and review how the availability of services and supports in the regional area catchment area compares with other regional center catchment areas.

(d) Each contract with a regional center shall specify steps to be taken to ensure contract compliance, including, but not limited to, all of the following:

(1) Incentives that encourage regional centers to meet or exceed performance standards.

(2) Levels of probationary status for regional centers that do not meet, or are at risk of not meeting, performance standards. The department shall require that corrective action be taken by any regional center that is placed on probation. Corrective action may include, but is not limited to, mandated consultation with designated representatives of the Association of Regional Center Agencies or a management team designated by the department, or both. The department shall establish the specific timeline for the implementation of corrective action and monitor its implementation. When a regional center is placed on probation, the department shall provide the state council and the clients' rights advocacy contractor identified in Section 4433 with a copy of the correction plan, timeline, and any other action taken by the department relating to the probationary status of the regional center.

(e) In order to evaluate the regional center's compliance with its contract performance objectives and legal obligations related to those objectives, the department shall do both of the following:

(1) Annually assess each regional center's achievement of its previous year's objectives and make the assessment, including baseline data and performance objectives of the individual regional centers, available to the public. The department may make a special commendation of the regional centers that have best engaged the community in the development of contract performance objectives and have made the most meaningful progress in meeting or exceeding contract performance objectives.

(2) Regularly monitor the activities of the regional center to ensure compliance with the provisions of its contracts, including, but not limited to, reviewing all of the following:

(A) The regional center's public process for compliance with the procedures set forth in paragraph (2) of subdivision (c).

(B) Each regional center's performance objectives for compliance with the criteria set forth in paragraphs (1) and (2) of subdivision (c).

(C) Any public comments on regional center performance objectives sent to the department or to the regional centers, and soliciting public input on the public process and final performance standards.

(f) (1) Beginning May 1, 2020, and annually thereafter, each regional center's governing board shall hold one or more public meetings regarding its prior year's contract performance objectives and outcomes. The meetings may be held separately from meetings held pursuant to Section 4660. The regional center shall provide individuals attending these meetings with data and any associated information to facilitate discussion and community input. Regional centers shall inform the department that a meeting has been scheduled at least 30 days prior to the meeting. Notice of the meetings shall also be posted on the regional center's internet website at least 30 days prior to the meeting and shall be sent to regional center consumers and families and individual stakeholders at least 30 days prior to the meeting. Each regional center, in holding the meetings required by this subdivision, shall ensure that the meetings and meeting materials provide language access, as required by state and federal law, and shall schedule the meetings at times and locations designed to promote attendance by the public. To encourage participation by diverse language, racial, and ethnic communities, the regional center shall consider strategies to promote opportunities for public comment.

(2) Each regional center governing board shall report to the department regarding the outcomes of each public meeting held pursuant to paragraph (1) within 90 days of the meeting. The report shall include, but shall not be limited to, both of the following:

(A) Copies of minutes from each meeting and comments obtained from other strategies utilized to provide opportunities for public comment from diverse language, racial, and ethnic communities.

(B) The regional center's recommendations and a plan to address areas where improvement is needed.

(g) The renewal of each contract shall be contingent upon compliance with the contract, including, but not limited to, the performance objectives and achievement of sufficient progress towards meeting the requirements of any corrective action plan imposed by the state, as determined through the department's evaluation.

*(Amended by Stats. 2019, Ch. 28, Sec. 16. (SB 81) Effective June 27, 2019.)*

**4629.5.** (a) In addition to the requirements set forth in Section 4629, the department's contract with a regional center shall require the regional center to adopt, maintain, and post on its internet website a board-approved policy regarding transparency and access to public information. The transparency and public information policy shall provide for timely public access to information, including, but not limited to, information regarding requests for proposals and contract awards, service provider rates, documentation related to establishment of negotiated rates, audits, and IRS Form 990. The transparency and public information policy shall be in compliance with applicable law relating to the confidentiality of consumer service information and records, including, but not limited to, Section 4514.

(b) To promote transparency, each regional center shall include on its internet website, as expeditiously as possible, at least all of the following:

(1) Regional center annual independent audits.

(2) Biannual fiscal audits conducted by the department.

(3) Regional center annual reports pursuant to Section 4639.5.

(4) Contract awards, including the organization or entity awarded the contract, and the amount and purpose of the award.

(5) Purchase of service policies and any other policies, guidelines, or regional center-developed assessment tools

used to determine the transportation, personal assistant, or independent or supported living service needs of a consumer.

(6) The names, types of service, and contact information of all vendors, except consumers or family members of consumers.

(7) Board meeting agendas and approved minutes of open meetings of the board and all committees of the board.

(8) Bylaws of the regional center governing board.

(9) The annual performance contract and yearend performance contract entered into with the department pursuant to this division.

(10) The biannual Home and Community-based Services Waiver program review conducted by the department and the State Department of Health Care Services.

(11) The board-approved transparency and public information policy.

(12) The board-approved conflict-of-interest policy.

(13) Reports required pursuant to Section 4639.5.

(14) A link to the page on the department's internet website, specified in subdivision (d).

(15) The salaries, wages, and employee benefits for all managerial positions for which the primary purpose is the administrative management of the regional center, including, but not limited to, directors and chief executive officers.

(16) Regional center-specific reports generated pursuant to, and for the purposes of, subdivision (h) of Section 4571.

(c) The department shall establish and maintain a transparency portal on its internet website that allows consumers, families, advocates, and others to access provider and regional center information. Posted information on the department's internet website transparency portal shall include, but need not be limited to, all of the following:

(1) A link to each regional center's internet website information referenced in subdivision (b).

(2) Biannual fiscal audits conducted by the department.

(3) Vendor audits.

(4) Biannual Home and Community-based Services Waiver program reviews conducted by the department and the State Department of Health Care Services.

(5) Biannual targeted case management program and federal nursing home reform program reviews conducted by the department.

(6) Early Start Program reviews conducted by the department.

(7) Annual performance contract and year-end performance contract reports.

(d) The department shall establish and maintain a page on its internet website that includes both a list of services purchased by regional centers or provided directly to consumers by regional centers and a brief description of those services.

*(Amended by Stats. 2019, Ch. 28, Sec. 17. (SB 81) Effective June 27, 2019.)*

**4629.7.** (a) Notwithstanding any other provision of law, all regional center contracts or agreements with service providers in which rates are determined through negotiations between the regional center and the service provider shall expressly require that not more than 15 percent of regional center funds be spent on administrative costs. For purposes of this subdivision, direct service expenditures are those costs immediately associated with the services to consumers being offered by the provider. Funds spent on direct services shall not include any administrative costs. Administrative costs include, but are not limited to, any of the following:

- (1) Salaries, wages, and employee benefits for managerial personnel whose primary purpose is the administrative management of the entity, including, but not limited to, directors and chief executive officers.
- (2) Salaries, wages, and benefits of employees who perform administrative functions, including, but not limited to, payroll management, personnel functions, accounting, budgeting, and facility management.
- (3) Facility and occupancy costs, directly associated with administrative functions.
- (4) Maintenance and repair.
- (5) Data processing and computer support services.
- (6) Contract and procurement activities, except those provided by a direct service employee.
- (7) Training directly associated with administrative functions.
- (8) Travel directly associated with administrative functions.
- (9) Licenses directly associated with administrative functions.
- (10) Taxes.
- (11) Interest.
- (12) Property insurance.
- (13) Personal liability insurance directly associated with administrative functions.
- (14) Depreciation.
- (15) General expenses, including, but not limited to, communication costs and supplies directly associated with administrative functions.

(b) Notwithstanding any other provision of law, all contracts between the department and the regional centers shall require that not more than 15 percent of all funds appropriated through the regional center's operations budget shall be spent on administrative costs. For purposes of this subdivision, "direct services" includes, but is not limited to, service coordination, assessment and diagnosis, monitoring of consumer services, quality assurance, and clinical services. Funds spent on direct services shall not include any administrative costs. For purposes of this subdivision, administrative costs include, but are not limited to, any of the following:

- (1) Salaries, wages, and employee benefits for managerial personnel whose primary purpose is the administrative management of the regional center, including, but not limited to, directors and chief executive officers.
- (2) Salaries, wages, and benefits of employees who perform administrative functions, including, but not limited to, payroll management, personnel functions, accounting, budgeting, auditing, and facility management.
- (3) Facility and occupancy costs, directly associated with administrative functions.
- (4) Maintenance and repair.
- (5) Data processing and computer support services.
- (6) Contract and procurement activities, except those performed by direct service employees.
- (7) Training directly associated with administrative functions.
- (8) Travel directly associated with administrative functions.
- (9) Licenses directly associated with administrative functions.
- (10) Taxes.
- (11) Interest.
- (12) Property insurance.
- (13) Personal liability insurance directly associated with administrative functions.
- (14) Depreciation.
- (15) General expenses, including, but not limited to, communication costs and supplies directly associated with administrative functions.

(c) Consistent with subdivision (a), service providers and contractors, upon request, shall provide regional centers

with access to any books, documents, papers, computerized data, source documents, consumer records, or other records pertaining to the service providers' and contractors' negotiated rates.

*(Added by Stats. 2011, Ch. 9, Sec. 8. (SB 74) Effective March 24, 2011.)*

**4630.** The contract between the state and the contracting agency shall not:

- (a) Require information that violates client confidentiality.
- (b) Prevent a regional center from employing innovative programs, techniques, or staffing arrangements which may reasonably be expected to enhance program effectiveness.
- (c) Contain provisions which impinge upon the legal rights of private corporations chartered under California statutes.
- (d) Prevent the right of employees of a regional center to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection. Nothing in this subdivision shall be construed to limit the state's authority to contract within available funds pursuant to Section 4621 or to obligate the state to appropriate funds in excess of those appropriated in the then current Budget Act.

*(Amended by Stats. 1979, Ch. 931.)*

**4631.** (a) In order to provide to the greatest extent practicable a larger degree of uniformity and consistency in the services, funding, and administrative practices of regional centers throughout the state, the State Department of Developmental Services shall, in consultation with the regional centers, adopt regulations prescribing a uniform accounting system, a uniform budgeting and encumbrancing system, a systematic approach to administrative practices and procedures, and a uniform reporting system which shall include:

- (1) Number and costs of diagnostic services provided by each regional center.
- (2) Number and costs of services by service category purchased by each regional center.
- (3) All other administrative costs of each regional center.

(b) The department's contract with a regional center shall require strict accountability and reporting of all revenues and expenditures, and strict accountability and reporting as to the effectiveness of the regional center in carrying out its program and fiscal responsibilities as established herein.

(c) The Director of Developmental Services shall publish a report of the financial status of all regional centers and their operations by February 28 of each year. At a minimum, the report shall include each regional center's budget and actual expenditures for the previous fiscal year and each center's budget and projected expenditures for the current fiscal year.

*(Amended by Stats. 2001, Ch. 171, Sec. 23. Effective August 10, 2001.)*

**4632.** If the department and a regional center are unable to resolve any contract dispute, including disputes between the regional center and the department over whether a contract should be renewed or continued, either party may request the state council to review and advise with regard to the issues in dispute. The state council shall review and shall provide its advice in writing within 30 days of receiving a request for such review and advice. Copies of the state council's advice shall be transmitted to the Director of Developmental Services and the governing board of the regional center. The state council's advice shall not be binding upon either party.

*(Amended by Stats. 1982, Ch. 399, Sec. 1. Effective July 7, 1982.)*

**4633.** If the department or any regional center intends to adopt any material change in policy which will have a direct effect upon the contract between the state and the regional center, the department or the regional center shall give at least 30 days' notice of an intent to change policy, and, if necessary, the contract between the state and such regional center shall be amended. The department shall not require regional centers to provide or purchase any services beyond the level of the funding appropriation for such services. If the department should alter the rates of payments to providers, the regional center budget shall be adjusted accordingly.

*(Added by Stats. 1977, Ch. 1252.)*

**4634.** Contracts between the department and regional center shall be presented for final negotiation to regional center governing boards at least 90 days' prior to the effective date of such contracts. A regional center shall not be expected to perform functions not specified in the contract without a revision of such contract.

*(Added by Stats. 1977, Ch. 1252.)*

**4635.** (a) If any regional center finds that it is unable to comply with the requirements of this division or its contract with the state, the regional center shall be responsible for informing the department immediately that it does not expect to fulfill its contractual obligations. Failure to provide the notification to the department in a timely manner shall constitute grounds for possible revocation or nonrenewal of the contract. If any regional center makes a decision to cancel or not renew its contract with the department, the regional center shall give a minimum of 90 days' written notice of its decision.

(b) (1) If the department finds that any regional center is not fulfilling its contractual obligations, the department shall make reasonable efforts to resolve the problem within a reasonable period of time with the cooperation of the regional center, including the action described in paragraph (2) of subdivision (b) of Section 4629 or renegotiation of the contract.

(2) If the department's efforts to resolve the problem are not successful, the department shall issue a letter of noncompliance. The letter of noncompliance shall state the noncompliant activities and establish a specific timeline for the development and implementation of a corrective action plan. The department shall approve the plan and monitor its implementation. Letters of noncompliance shall be made available to the public upon request. The letter of noncompliance shall not include privileged or confidential consumer information or information that would violate the privacy rights of regional center board members or employees. The department shall notify the state council and shall provide the state council with a copy of the corrective action plan, the timeline, and any other action taken by the department relating to the requirements for corrective action.

(c) If the department finds that any regional center continues to fail in fulfilling its contractual obligations after reasonable efforts have been made, and finds that other regional centers are able to fulfill similar obligations under similar contracts, and finds that it will be in the best interest of the persons being served by the regional center, the department shall take steps to terminate the contract and to negotiate with another governing board to provide regional center services in the area. These findings may also constitute grounds for possible nonrenewal of the contract in addition to, or in lieu of, other grounds.

(d) If the department makes a decision to cancel or not renew its contract with the regional center, the department shall give a minimum of 90 days' written notice of its decision, unless it has determined that the 90 days' notice would jeopardize the health or safety of the regional center's consumers, or constitutes willful misuse of state funds, as determined by the Attorney General. Within 14 days after receipt of the notice, the regional center may make a written protest to the department of the decision to terminate or not renew the contract. In that case, the department shall: (1) arrange to meet with the regional center and the state council within 30 days after receipt of the protest to discuss the decision and to provide its rationale for the termination or nonrenewal of the contract, and to discuss any feasible alternatives to termination or nonrenewal, including the possibility of offering a limited term contract of less than one fiscal year; and (2) initiate the procedures for resolving disputes contained in Section 4632. To the extent allowable under state and federal law, any outstanding audit exceptions or other deficiency reports, appeals, or protests shall be made available and subject to discussion at the meeting arranged under clause (1).

(e) When terminating or not renewing a regional center contract and negotiating with another governing board for a regional center contract, the department shall do all of the following:

(1) Notify the State Council on Developmental Disabilities, all personnel employed by the regional center, all service providers to the regional center, and all consumers of the regional center informing them that it proposes to terminate or not renew the contract with the regional center, and that the state will continue to fulfill its obligations to ensure a continuity of services, as required by state law, through a contract with a new governing board.

(2) Issue a request for proposals prior to selecting and negotiating with another governing board for a regional center contract. The state council shall review all proposals and make recommendations to the department.

(3) Request the state council and any other community agencies to assist the state by locating or organizing a new governing board to contract with the department to operate the regional center in the area. The state council shall cooperate with the department when that assistance is requested.

(4) Provide any assistance that may be required to ensure that the transfer of responsibility to a new regional center will be accomplished with minimum disruption to the clients of the service program.

(f) In no event shall the procedures for termination or nonrenewal of a regional center contract limit or abridge the state's authority to contract with any duly authorized organization for the purpose of service delivery, nor shall these procedures be interpreted to represent a continued contractual obligation beyond the limits of any fiscal year contract.

*(Amended by Stats. 2014, Ch. 409, Sec. 42. (AB 1595) Effective January 1, 2015.)*

**4636.** If necessary, to avoid disruption of the service program, the department may directly operate a regional



center during the interim period between the termination of its contract with one governing board and the assumption of operating responsibility by a regional center contract with another governing board. In no event shall the department directly operate a regional center program for longer than 120 days before contracting with a new governing board. The department may, if requested by the new governing board, continue to provide additional assistance to avoid disruption of the service program, until such time as the governing board has assumed full responsibility for the operation of the program.

*(Added by Stats. 1977, Ch. 1252.)*

**4638.** Non-profit corporations operating regional centers shall not use state funds allocated to the corporation for operating the center for activities directly related to influencing employees of the center regarding their decision to organize or not to organize and to form a union or to join an existing union because these activities are not directly related to the purchase of services to clients. State funds shall not be used for these activities by the officers or employees of the corporation itself, by the officers or employees of the regional center, or by an independent contractor, consultant or attorney.

State funds shall not be used to litigate the issue of the application of the National Labor Relations Act to, nor the jurisdiction of the National Labor Relations Board over, non-profit corporations operating regional centers.

Nothing in this section shall be construed as limiting the employers rights under Section 8(c) of the National Labor Relations Act. Nothing in this section shall be construed as limiting the use of state funds by the regional center in the employment of, or for contracting for, assistance in good faith collective bargaining or in handling employee grievances, including arbitration, under an employee-employer contract.

*(Added by Stats. 1982, Ch. 327, Sec. 200. Effective June 30, 1982.)*

**4639.** (a) The governing board of a regional center shall annually contract with an independent accounting firm for an audited financial statement. The audit report and accompanying management letter shall be reviewed and approved by the regional center board and submitted to the department within 60 days of completion and before April 1 of each year. Upon submission to the department, the audit report and accompanying management letter shall be made available to the public by the regional center. It is the intent of the Legislature that no additional funds be appropriated for this purpose.

(b) For the 2011–12 fiscal year and subsequent years, the audit specified in subdivision (a) shall not be completed by the same accounting firm more than five times in every 10 years.

*(Amended by Stats. 2011, Ch. 9, Sec. 9. (SB 74) Effective March 24, 2011.)*

**4639.5.** (a) By December 1 of each year, each regional center shall provide a listing to the State Department of Developmental Services a complete current salary schedule for all personnel classifications used by the regional center. The information shall be provided in a format prescribed by the department. The department shall provide this information to the public upon request. From February 1, 2009, to June 30, 2010, inclusive, the requirements of this subdivision shall not apply.

(b) By December 1 of each year, each regional center shall report information to the department on all prior fiscal year expenditures from the regional center operations budget for all administrative services, including managerial, consultant, accounting, personnel, labor relations, and legal services, whether procured under a written contract or otherwise. Expenditures for the maintenance, repair, or purchase of equipment or property shall not be required to be reported for purposes of this subdivision. The report shall be prepared in a format prescribed by the department and shall include, at a minimum, for each recipient the amount of funds expended, the type of service, and purpose of the expenditure. The department shall provide this information to the public upon request. Regional centers shall not be required to prepare or submit the report required by this subdivision in 2009.

(c) Beginning July 1, 2016, and to the extent funds are appropriated in the annual Budget Act for this purpose, the department shall allocate thirty-one million one hundred thousand dollars (\$31,100,000), plus any associated matching funds, to provide a salary increase, benefit increase, or both, excluding unfunded retirement liabilities, for regional center operations. Of this amount, twenty-nine million seven hundred thousand dollars (\$29,700,000) shall be used for salary, benefit increases, or both, for regional center staff, and shall not supplant funding currently scheduled to be used for this purpose. These funds shall not be used to provide salary or benefit increases to regional center executive staff or for unfunded retirement liabilities. The remaining one million four hundred thousand dollars (\$1,400,000) shall be used for an increase for administrative costs, consistent with those specified in subdivision (b) of Section 4629.7, for both regional centers and clients' rights advocates contracts pursuant to subdivision (b) of Section 4433. Regional centers shall maintain documentation, subject to audit, on how this funding was allocated.

(d) By March 10, 2017, and again by October 1, 2017, and in a format prescribed by the department, each regional



center shall report the following information to the department:

- (1) The total amount provided to staff for purposes of subdivision (c).
  - (2) The position titles of staff receiving the increase and amounts of increases by title.
  - (3) The number of service coordinators receiving the increase.
  - (4) Data on staff turnover.
  - (5) The classification of expenditures and amount for each of the administrative costs outlined in subdivision (b) of Section 4629.7.
  - (6) The allocation methodology used by a regional center to distribute the funding.
  - (7) Any other information determined by the department.
- (e) In its 2017–18 May Revision fiscal estimate, the department shall describe the implementation of the increase provided in subdivision (c), including, but not limited to, the data described in subdivision (d), aggregated by regional center and statewide, and the impact of the increase on caseload ratios.
- (f) Any regional center that fails to report the information required by subdivision (d) to the department shall forfeit the increases described in subdivision (c).

*(Amended by Stats. 2016, 2nd Ex. Sess., Ch. 3, Sec. 3. (AB 1 2x) Effective June 9, 2016.)*

**4639.6.** The Director of Developmental Services may issue directives to the regional centers as the director deems necessary to protect consumer rights, health, safety, or welfare, or in accordance with Section 4434. The regional center shall comply with any directive issued by the director pursuant to this section. The directive shall not be in conflict with existing statutes or regulations.

*(Added by Stats. 2019, Ch. 28, Sec. 18. (SB 81) Effective June 27, 2019.)*

**4639.75.** (a) On an ongoing basis, and as necessary, the State Department of Developmental Services shall provide to regional centers, and make available on the Internet, up-to-date information about work incentive programs for persons with developmental disabilities and other information relevant to persons with developmental disabilities in making informed choices about employment options. This information may include, but not be limited to, the access and retention of needed benefits, the interactions of earned income, asset building, and other financial changes on benefits, employment resources and protections, taxpayer requirements and responsibilities, training opportunities, and information and services available through other agencies, organizations, or on the Internet.

(b) The department, in consultation with regional centers, shall assess the need for, and develop a plan for, training of regional center staff on employment issues facing persons with a developmental disability. The department shall not be required to implement training pursuant to this section if implementation cannot be achieved within existing resources, unless additional funding for this purpose becomes available.

*(Added by Stats. 2006, Ch. 397, Sec. 3. Effective January 1, 2007.)*

# Boardsmanship 101: The Role of a Regional Center Board & How to Conduct Business

Christofer Arroyo

State Council on Developmental Disabilities • Los Angeles Office

818/543-4631 • [www.scdd.ca.gov](http://www.scdd.ca.gov)

Wednesday, March 23, 2022

# What is the Lanterman Act?



- Defines the right and responsibilities of people with developmental disabilities and their families
- Establishes a network of regional centers and identifies the role of regional centers
  - To provide community services for people with developmental disabilities
- Identifies the role of the Council

# Basic Principles of the Lanterman Act

- **Entitlement** to services
- Identifies the role of regional centers – service coordination, advocacy, interagency collaboration, specialists, etc.
- Services based on **individual** needs
- Services focused on helping people to be more independent and participate in their communities
- Services to help children remain with their families

# Role of the Board

- Strategic planning
- Supervision, hiring, and termination of the Executive Director
- Review financials and approve contracts over \$250k
- Review and/or set policies
- Performance contracts
- Engage with the public and public relations
- Ensure the quality of services WRC provides

# Role of the Board (cont.)

- Review and ensure WRC staff are providing linguistically and culturally appropriate services
- Self-governance
  - Operate transparently, recruitment, ethics
- Report conflicts of interest
- Recruit and train new board members
  - Submit to DDS that the composition of the board is in compliance with the law
- The bylaws are current and followed

# Board Vs. Staff Responsibilities

## Board

- Be inclusive
- Make and review policies
- Ensures the law and bylaws are being followed, agency properly managed
- Evaluates, hires, & fires ED
- Strategic planning
- Represents agency to public

## Staff

- Be inclusive
- Implements policies, provides info to the board to make & revise them
- Compiles info, regularly reports to the board, alerts board if illegal or unethical issues may occur
- Hires & evaluates all other personnel
- Helps and participates with strategic planning
- Represents agency to public

# Board Member Obligations

- Make sure the regional center is following all rules and laws
- Attend meetings
- Read your packets, get the information you need
  - Ask questions
- Share your ideas, opinions, and feelings
- Know the WRC Bylaws
  - <http://tinyurl.com/zwyjd88>



# Avoiding Conflicts

- Ethics
- Conflicts of Interest
- How to handle it
  - Disclose it
  - Recuse yourself
  - Leave the room
  - Do not vote
- What if you are unsure?

# Committees

- The job of committees
- Standing committees
- Advisory committees
- Executive committees
- Set goals and action plans
- How many committees?

# Complaints

- Fair hearings
  - DRC's Fair Hearing Packet:  
<http://tinyurl.com/h3ba6gu>
- §4731 Complaints
  - <http://tinyurl.com/zcyp68t>
- Whistleblower Complaints
  - <http://tinyurl.com/zepvbww>
- Grievances

# Officers

- Board Chair
  - Chairs the meetings, enforces bylaws, ensures board receives training, recognizes those who wish to speak
  - Works closely with the ED, works with the board to evaluate the ED
  - The face to the community
  - Appoints committee members, ensures they work effectively
- Vice Chair
  - Helps the Chair, serves as Chair in their absence
  - Succession planning
- Secretary
  - Maintains records, agenda, board attendance

# A Note on Working with Others



- Make expectations clear
- Start with self-advocates
- Be nice!
- Embrace respectful disagreement
  - Focus on the issues, don't personalize debate
- Be inclusive
- Summarize choices, actions, discussions
- Parliamentary procedure is supposed to serve the interest and work of the board

# A Note on Working with Others (cont.)

- Gain consensus
- Advocate for EVERYONE
- Onboarding
- When you speak, try to be:
  - Dignified
  - Logical
  - Accurate
  - Useful
  - Short
- Choose your tone carefully
- Clear and concise

# (Open) Meeting Requirements

- WIC §4660-4669
- All meetings must be open to the public
  - Except retreats [§4660(b)]
- Public must be given the opportunity to give input before any board action
  - Also, for any item **not** on the agenda during public input
- Keep a mailing list of those who want the agenda sent to them

# (Open) Meeting Requirements

- All materials distributed at or prior to the meeting are public documents and must be made available to the public
- Recording the meeting must be permitted
  - What if it's disruptive?
- Can do emergency meetings
  - Any activity which severely impairs public health, safety, or both as determined by a majority of the members of the regional center board
  - Must notify SCDD Los Angeles



# (Open) Meeting Requirements

- Closed sessions are permitted only for:
  - Real estate negotiations
  - The appointment, employment, evaluation of performance, or dismissal of a regional center employee
  - Employee salaries and benefits
  - Labor contract negotiations
  - Pending litigation
  - Any matter specifically dealing with a particular regional center client except when it is requested that the issue be discussed publicly by the client/client's conservator/parent if the client is a minor

# (Open) Meeting Requirements

- Closed session procedures
  - Must indicate before and after the closed session for what purpose was the closed session held
  - Must keep minutes, but they're not public

# Parliamentary Principles

- Order – there must be orderly procedure
- Equality – all members are equal before the rule or law
- Justice – that is, "justice for all"
- Right of the minority to be heard
- Right of the majority to rule the organization
  - Consensus, respect, & differing opinions

# Parliamentary Procedure

- Provides the right to know what will be discussed in advance
- Motions are used to make decisions and take formal action
- Nothing else can be done until the motion is considered

# Parliamentary Procedure

- Must be seconded before any action can be taken
  - Take public comment before voting on a motion
- Motion should include who, what, and when
- Should be precise
- Motions should always be in the affirmative

# Resources

- WRC Governance Page
  - <http://tinyurl.com/gs8yvtz>
- WRC Bylaws
  - <http://tinyurl.com/zwyjd88>
- WRC Staff!



**STATE COUNCIL ON  
DEVELOPMENTAL DISABILITIES**

# **THE END THANK YOU FOR JOINING US!**

Please feel free to join our email newsletter list by contacting us at [losangeles@scdd.ca.gov](mailto:losangeles@scdd.ca.gov). Thank you again!

---

July 2003

## CLOSING DEBATE (aka “Calling the Question”)

**Situation:** When a member or members of a group feel that debate on a pending motion is unproductive or that the group needs to move to other pressing issues, they may desire to end the debate and vote immediately on the pending motion. However, if debate is ended prematurely, the group might fail to consider relevant information or some members might not have had a fair chance to have their views heard. Thus, correct procedures to close debate need to balance the need to move ahead efficiently with the need to deliberate the matter fully and fairly.

**Misconception:** A belief has somehow developed that if a member wishes to end debate, s/he need only call out “question!” or “I call the question” and that such utterance requires the group to end debate and vote immediately on the pending motion. Such practice in giving one member the right to curtail deliberations increases the risk of an ill-thought out decision and may infringe on others’ rights of participation. This practice has no basis in Robert’s Rules of Order.

**Correct Procedures:** Closing debate on a pending motion can be done properly only with the consent of the group – not on the demand of a single member. The group decision to close debate can be made either informally through unanimous consent or through a formal motion process.

Closing debate informally begins with the suggestion from a member or from the chair that, for whatever reason, the group should come to closure on the pending motion. The chair can then ask if the group is ready to vote on the pending motion. Assuming that all members of the group agree that it is time to vote and that no member still wishes to speak to the motion, the chair can indicate that debate has ended and that the group will now vote on the pending motion.

If unanimous consent is not obtained, it is still possible to close debate through a formal motion that, like most other motions, would need to be seconded and voted on. A member could say either, “I move the previous question,” or “I move to close debate.” Under the Robert approach, this motion requires two-thirds of the votes cast for adoption. However, an individual group may have its own rule on closing debate that calls for some other vote requirement. If the motion to close debate passes, the group then votes on the motion that was immediately pending. The process of closing debate may be initiated by a formal motion without first attempting to use unanimous consent.

*Prepared by: Larry Larmer, Professor Emeritus, University of Wisconsin-Extension. Reviewed by: Dan Elsass, Dan Hill, David Hinds, and James Schneider, Local Government Specialists, University of Wisconsin-Extension.*