

DEVELOPMENTAL DISABILITIES COUNCIL OF CONTRA COSTA COUNTY
BOARD OF DIRECTORS MEETING
2/25/15

Board and Liaison Members Present: Caroline Ortiz, Vice-Chair (presiding), Heather Hackett, Vi Ibarra, Karen Lingenfelter-Carmen, Heidi Spaulding, Dan Denis, Peggy Black, Elvia Osorio-Rodriguez, Pam Perls, Krista Loomis, Craig Rose, Barbara Maize, Ken Talken, Will Sanford, Jim Burton, and Gabriel Rogin.

Josh Sullivan, Staff.

Board and Liaison Members Excused: Suzanne Anthony, Chair, Nichole Bouslog, Kim Williams, and Carl Tolentino.

Guests: Carol Anne McCrary, Contra Costa ARC; Donna Feingold, Adaptive Learning Center; Betty Jo DuBois, Contra Costa ARC; Claudia Lam, Contra Costa ARC; Nina Vincent, Contra Costa Childcare Council; Ramsay Mashy, CA Autism Foundation; Ronke Sodipo, RCEB; Daniel Hogue, Las Trampas, Inc.; Greg Simons, Las Trampas, Inc.; **Jennalee Wilson, RCEB; Tahira "Ty" Neckles,** Thrive Support Services; Stephanie Russell, Anka Behavioral Health; Michele Ternes, Contra Costa ARC; Kelly Kramer, Toolworks; Michelle Palmer, Contra Costa ARC; Jason Parks, Futures Explored; Shirley Obiome, RCEB; Liz Carvalho, Futures Explored; Barbara Townsend, Futures Explored; Stephen Dale, Dale Law Firm; Pam Thomas, RCEB; and Paula Senigar, Parent.

Welcome and Introductions

The meeting was called to order at 10:00 a.m. by Caroline Ortiz, Vice-Chair, and everyone was welcomed. Introductions were made.

- The January 28, 2015 meeting minutes were approved as written, unanimously (M/Peggy Black; S/Dan Denis).
- There were no additions to today's agenda.

Presentation: Employment and the DD Community: A Look at WIOA and the Recent MOU on Employment

Speaker: Will Sanford, Executive Director of Futures Explored

Will described the *Workforce Innovation and Opportunity Act* (WIOA) that was signed by President Obama on July 22, 2014. The main focus of WIOA is to increase opportunities to transition from school to Competitive Integrated Employment (full or part time employment at minimum wage or higher) for youth with disabilities.

While portions of WIOA go into effect July 2016, the creation of rules and regulations is behind schedule. The Notice of Rulemaking to implement WIOA was due January 18, 2015, but has yet to be published. When the regulations are published, there will be a public comment period.

Highlights of WIOA:

- Focuses on youth with disabilities, ages 14 to 24 years.
- Requires Department of Rehabilitation (DOR) to provide job exploration counseling, work-based learning opportunities, counseling on post-secondary educational opportunities, workplace readiness training and instruction in self-advocacy.....all without additional funding (must use 15% of DOR's current funds).
- A "14C" certificate allows agencies to pay a person based on his/her productivity, which may or may not result in a wage lower than minimum wage. WIOA states that after July 2016, people under the age of 24 can only work under the 14C certificate if they are currently employed under a valid certificate, if they have been determined ineligible for

Department of Rehabilitation services or the DOR case has been closed. (This may impact Workability Programs in schools).

- For adult programs that operate under a 14C certificate and serve people over the age of 24, another agency must provide career counseling, information and referral services, self-advocacy, self-determination and peer mentor training opportunities every 6 months for the first year and annually thereafter. Again, there is no new money to fund this.

Other federal legislation that will have an impact on employment services in California includes new regulations from the Center for Medicare and Medicaid Services (CMS). These regulations also focus on competitive integrated employment, ensuring that people with developmental disabilities have access to their communities.

And finally, at the State level, 3 State Departments have entered into a Memo of Understanding (MOU):

- Department of Rehabilitation
- Department of Developmental Services
- California Department of Education

These agencies **are developing a "blueprint" for California to increase competitive integrated employment** for people with developmental disabilities. This MOU is planned to be finished mid-June 2015. Concerns have been raised that this blueprint recommends phasing out the 14C certificates completely, while WIOA puts restrictions on them only. This blueprint seems in **conflict with California's Employment First law, as well.**

Discussion/Comments:

- Last year in California, over 700 people with developmental disabilities lost their jobs in Supported Employment due to inadequate support/funding.
- Out of 4000 school graduates, only 80 (2%) went to community integrated employment.
- Futures Explored has stopped offering Supported Employment services, due to poor funding.
- There is controversy over the 14C certificates:
 - Some people want them eliminated completely, as they feel they are an abuse of labor;
 - Others feel that eliminating the 14C certificates will take away employment opportunities for many people with severe disabilities.
- In California, the community had input into the Employment First law that stressed that employment be **the first consideration in someone's IPP. It states that** opportunities for employment are the priority **and honors a person's choice and own decision making.** **WIOA doesn't eliminate the 14C certificates, but does put limitations** on their use.
- The MOU, on the other hand, is being driven by Disability Rights California (DRC), who wants to eliminate 14C certificates. DRC is threatening to sue the State on this, but is not talking to the thousands of people that will lose their jobs if the 14C certificates are eliminated.
- Will commented that the MOU cannot supersede law, so to eliminate the 14C certificates; they will have to go through the legislative process, and then **get the Governor's** approval.

It was agreed that public input into the regulations is key and we need to keep an eye on all the pieces of this puzzle. Will stated that his concerns, along with others in the room, involve wanting to expand employment opportunities, while not taking opportunities away.

In a moment of levity.....Daniel Hogue revealed that the initials for the MOU for Supported Employment spell:

M-O-U-S-E!

RCEB Update by Jim Burton:

Jim stated that a lot is happening in Sacramento:

- Santi Rogers was confirmed for the DDS top job by the legislature. In the confirmation hearings, deep concerns were raised about the health and safety of people living in the State Developmental Centers. Concerns were also raised regarding the disparity of funding for 1000 people in the Developmental Centers vs. the 280,000 in the community.
- The Budget hearings in Sacramento on our issues are scheduled:
 - Assembly hearing, March 4th at 1:30
 - Senate hearing, March 12th in the morning
 - Watch the website for changes in these dates and times.
 - We need big turnouts for these hearings with a unified voice to support the **Lanterman Coalition's 10 for 10** and to support the creation of a closure plan for the developmental centers.
- Jim also commented that the Town Hall meeting planned for this Friday at the State Building in Oakland is an important event to impress upon our local legislators our message.
- Self Determination for 150-155 people at RCEB is moving forward. Jim and Gabriel are putting together an advisory committee for this project.
- **A new report from ARCA (Association of Regional Center Agencies), titled, "On the "Brink of Collapse: The Consequences of Underfunding California's Developmental Services System" is out. Josh will send out a link to this report.**

Barbara Maizie added that this is a very important and timely report, complete with data on service closures, including day programs and residences.

Jim added that this is a critical time for our service system and we need to seize this opportunity to move the system forward.

- Dan Denis asked about the status of the IHSS overtime issue. Jim responded that this was stopped by the courts and it is unclear what the next steps are. There will be court arguments on the topic in April 2015.
- Finally, a 3-year-old lawsuit has determined that the State did not have the authority to implement ½-day billings or forced-closure days for programs. The ruling favors the program providers and could be appealed. In the meantime, there has been no word from DDS about the upcoming March 31st forced-closure day.

State Council on Development Disabilities Bay Area Office: Update by Gabriel Rogin

Gabriel had no additional items to report, as they were well-covered in Jim Burton's report.

Committee Reports:

- Strategic Planning Committee: No report.
- Legislative Committee: Josh reported that the Town Hall Meeting will be February 27th at 10:00 a.m. at 1515 Clay Street in Oakland. Be sure to arrive early to go through the security screening. Flyers are on the back table.
 - **The theme is "We Are You" and the CAC is planning a very creative video for the meeting.**
 - **After the presentation, there will be time for a "Meet and Greet" with the legislators and/or their representatives.**

- Josh also reiterated the importance of the Sacramento hearings and suggested that people make time to visit their legislators. And, finally, Josh recommended that everyone look at the LantermanCoalition.org website and do at least one thing on that list.
- Assemblymember Bonilla, with input from the CAC, is sponsoring AB 622 to put adult changing facilities into new construction of large public facilities.
- Nominating Committee: Craig Rose stated that there are currently 5 openings on this Board. The Committee had 2 nominations for consideration today:
 - Nina Vincent was recommended by Ange Burnett and Caroline Ortiz. Nina described herself as an Inclusion Facilitator for the Contra Costa Childcare Council for kids ages 0-5. She is also the parent of a child with a rare chromosomal disorder.

A motion was made to nominate Nina to the DD Council Board (M/Craig Rose; S/Dan Denis) and passed unanimously.
 - Paula Senigar was also nominated and described herself as a parent of a 15-year-old with Autism and close to this population. She stated she was a strong advocate, as well.

A motion was made to nominate Paula to the DD Council Board (M/Vi Ibarra; S/Elvia Osorio-Rodriguez) and passed unanimously.

Both were welcomed to the DD Council Board. Their membership will meet the Strategic Planning **Committee's desire to have** more children's **advocates** represented on our Board.

- Transition Committee: Ken Talken reported that the West Contra Costa Special Education Resource and Transition Fair is planned for Saturday, April 25, 2015 at the Vista Hills Education Center in Richmond, starting at 10:00 a.m. Flyers are on the back table.

In addition, the Transition Task Force's next meeting is March 19th at 3:15 p.m. in this room. The main topic will be to discuss bringing back the Transition Conference. The committee is also looking at updating information for parents about transition opportunities.

Announcements:

- Caroline reminded everyone to sign-in on the sheets in the back, including Board members.
- CARE Parent Network staff, volunteers and **supporters will be your servers at Gianni's** Italian Bistro in San Ramon on Monday, March 2nd for dinner. Flyers are on the back table. All tips will benefit the great work of CARE Parent Network.
- Elvia voiced her appreciation of the work of CARE Parent Network, who is also sponsoring a local Congreso on April 25th in Oakley. (A conference for Spanish-speaking families).

Location: O'Hara Park Middle School, 1100 O'Hara Ave, Oakley, CA 94561.
 Date: April 25, 2015, 8:00 a.m. – 3:00 p.m.
 Angela Gattis of CARE Parent Network is a contact person for this event.
- CARE Parent Network is now on Facebook!
- Josh is still negotiating for validated parking at the CCCTA meeting room to host our meetings. Any other meeting room suggestions close to BART would be appreciated.

- The joint Alameda County and Contra Costa County Awards Banquet is in the planning stages. **Zio Fraedo's restaurant is being considered.**
- Save the date: April 11th for an Early Learning Conference on topics such as the brain and movement and conscious discipline for childcare providers. For more information, go to: www.cocokids.org.
- Peggy announced that Kaiser Oakland will be hosting a film on FASD (Fetal Alcohol Spectrum Disorders) and she will bring more information next month.

Upcoming Meetings for 2015 (Tentative Schedule):

March 25, 2015: RCEB Concord

April 22, 2015: El Cerrito City Hall

May 27, 2015: RCEB Concord

June 24, 2015: RCEB Concord

July 2015: No meeting scheduled

August 2015: No meeting scheduled

September 23, 2015: Antioch Police Dept., Community Room

October 28, 2015: RCEB Concord

November 18, 2015: RCEB Concord

December 2015: No meeting scheduled

The meeting was adjourned at 11:24 a.m.

**Our next meeting will be Wednesday, March 25, 2015
@ RCEB-Concord Conference Room
2151 Salvio Street
Concord, CA 94520**

Respectfully submitted electronically by,

Carol Anne McCrery

Contra Costa ARC