

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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August 12, 2019

TO: REGIONAL CENTER EXECUTIVE DIRECTORS AND  
BOARD PRESIDENTS

SUBJECT: CALENDAR YEAR 2020 PERFORMANCE CONTRACT GUIDELINES

**INTRODUCTION**

Welfare & Institutions (W&I) Code section 4629(c) requires the contracts with regional centers to include annual performance objectives. Performance objectives must be developed through a public process as described in the Department of Developmental Services' (Department) guidelines. This document contains the guidelines and timelines for the calendar year (CY) 2020 annual performance contract.

**GUIDELINES**

Regional centers must adhere to relevant statute and the Department's guidelines when developing their CY 2020 performance contract.

- **Community Involvement:** Regional centers shall develop annual performance objectives through meaningful participation with their local communities. The regional center shall conduct at least one public meeting, with ten (10) calendar days advance notice, where participants can provide input on the performance objectives and shall use focus groups or surveys to collect information from the community. See Enclosure B, Statement of Assurances, for additional required components of the public process. Each regional center must provide a Statement of Assurances signed by the Executive Director, to confirm adherence to the public process requirements when submitting their CY 2020 Performance Contract to the Department for review and approval. Regional centers should also engage their local communities in the consideration and development of any optional locally-developed public policy measures. If the regional center decides to include a locally-developed public policy measure, a description of the baseline information or how it will be obtained must be included, as well as a description of how progress will be evaluated to ensure a positive impact on individuals and/or their families.

**“Building Partnerships, Supporting Choices”**

**Minimum Information Required:** The following information must be submitted for review before the Department's approval of the regional center's annual performance contract:

- Activities developed with input from the local community that address each of the required public policy measures identified in Enclosure A, Pages 1-5.
- Compliance measures as indicated in the Department's guidelines identified in Enclosure A, Page 6. The inclusion of activities is optional.
- Statement of Assurances, Enclosure B, signed by the Executive Director.
- Please note, the compliance measure "Accuracy of Purchase of Service Projections" is no longer required.

**Disparity Measures:** Regional centers' annual performance objectives must measure progress in reducing disparities and improving equity in purchase of service expenditures consistent with W&I Code section 4519.5. To address these efforts, for CY 2019, the Department required regional centers to choose two measures from the list provided in Enclosure A, Page 4. These measures rely on purchase of service data for the measurement methodology. For continuity in measuring progress, regional centers' CY 2020 performance contracts must contain the same two disparity measures used in their CY 2019 performance contracts. Regional centers may also choose one or more of the disparity measures that rely on data from National Core Indicators for the measurement methodologies in Enclosure A, Page 5.

**Employment Measures:** In 2017, W&I Code section 4629 was amended, requiring regional centers to include annual performance objectives that measure progress in implementing the Employment First Policy, pursuant to W&I Code section 4869. These performance objectives may include, but are not limited to, measures addressing both of the following:

- Establishment of local partnership agreements between regional centers, local educational agencies, and the Department of Rehabilitation districts.
- The provision of information to individuals regarding the Employment First Policy, opportunities for employment, and available supports to achieve integrated competitive employment.

Measures related to employment are included in Enclosure A, Pages 2 and 3. Regional center performance contracts must include all nine measures, as well as activities developed with input from the local community.

**CY 2019 Year-End Reports:** Regional centers are responsible for providing any locally-developed public policy measures and associated data, by which progress can be evaluated. Please specify the source of your performance data.

The Department will provide performance contract year-end reports to each regional center, displaying baseline and year-end data, for public policy measures and the regional center's status on compliance measures. Draft performance contract year-end reports will be provided to regional centers for input prior to finalizing.

Regional centers must review draft data and insert applicable regional center information on the draft performance contract year-end reports, then return the reports to the Department for final review and approval. Regional centers should not alter the Department-issued, year-end reports beyond inserting information where indicated.

**New Requirements in Developmental Services Budget Trailer Bill, Senate Bill 81:** Beginning May 1, 2020, and annually thereafter, each regional center's governing board must hold one or more public meetings regarding its prior year's contract performance objectives and outcomes. Regional centers must inform the Department that a meeting has been scheduled at least 30 days prior to the meeting. Notice of the meetings must also be posted on the regional center's internet website at least 30 days prior to the meeting and must be sent to regional center individuals and families and individual stakeholders at least 30 days prior to the meeting. Each regional center's governing board must report to the Department regarding the outcomes of each public meeting within 90 days of the meeting, per W&I Code section 4629 (f).

**Timelines:**

- |                    |  |
|--------------------|--|
| November 1, 2019:  | Regional centers submit their CY 2020 Performance Contract to the Department.  |
| January 31, 2020:  | Regional centers submit their locally-developed public policy measures listed in the CY 2019 Year-End report to the Department, if applicable. |
| February 28, 2020: | Department provides draft CY 2019 Year-End reports to regional centers.  |

March 17, 2020: Department and regional centers post final CY 2019 Year-End reports on their websites.

After May 1, 2020: Regional center governing board shall hold one or more public meetings regarding its prior year's (e.g., CY 2019) contract performance objectives and outcomes.

**Please email all performance contract correspondence to:**

**Maxine Milam**  
**Department of Developmental Services**  
[maxine.milam@dds.ca.gov](mailto:maxine.milam@dds.ca.gov)

**Revisions:** Revisions to an approved performance contract must be submitted to the Department in writing.

**Data Generation:** Semiannually, the Department provides Client Master File (CMF), Client Development Evaluation Report (CDER), and Employment Development Department (EDD) data for relevant public policy and compliance measures. Mid-year (June) data will be provided by July 15, and year-end (December) data will be provided by January 15. Draft data will be provided one month prior to the dates above to facilitate regional center input prior to finalizing. Data regarding the Paid Internship Program (PIP) and Competitive Integrated Employment (CIE) incentive payments will be collected during an annual survey of regional centers in October. PIP and CIE incentive payments data will be provided annually with the issuance of the draft year-end report by the end of February.

**Dispute Resolution:** Within ten (10) calendar days of receipt of the mid-year and/or year-end draft data, the regional center shall notify the Department of any data issues or disagreements with the data provided by the Department. The Department will review the information submitted by the regional center and inform the regional center of the outcome of the review within 30 days. If the regional center disagrees with the Department's determination, the regional center may take action as referenced in W&I Code section 4632.

**Evaluation Criteria for Regional Center Performance:** The Department will review each regional center's baseline and year-end performance data for the statewide public policy and compliance measures. There are two categories for assessing regional center performance: statewide indicators applicable to all regional centers, and local indicators developed by a regional center that are unique to that regional center.

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A regional center is considered to have successfully achieved a performance objective upon demonstrating the following:

- **Statewide Indicator:** When any one of the following three criteria is met for the respective objective:
  1. The performance objective has improved over the prior year's baseline;
  2. The performance objective exceeds the statewide average; or,
  3. The performance objective equals a standard that has been defined by the Department.
  
- **Local Indicator:** When the locally-developed public policy objective has improved over the prior year's baseline.

If you have questions regarding performance contracts and/or the performance contract process, please contact Maxine Milam, Assistant Chief, Office of Community Operations, at (916) 654-2177, or by email, at [maxine.milam@dds.ca.gov](mailto:maxine.milam@dds.ca.gov).

Sincerely,

*Original signed by:*

LEEANN CHRISTIAN  
Deputy Director  
Community Services Division

Enclosures

cc: Regional Center Administrators  
Regional Center Chief Counselors  
Regional Center Community Services Directors  
Association of Regional Center Agencies  
State Council on Developmental Disabilities  
Brian Winfield, Department of Developmental Services  
Patti Mericantante, Department of Developmental Services  
Ernie Cruz, Department of Developmental Services  
Mary Hernandez, Department of Developmental Services  
Rapone Anderson, Department of Developmental Services

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

*Public Policy Performance Measures (Required)*

<b>Measure</b>	<b>Measurement Methodology</b>
Number and percent of regional center caseload in Developmental Center.	CMF status code 8
Number and percent of minors residing with families.	CMF residence code data for status 1 and 2 minors (< 18 years old) residing: <ul style="list-style-type: none"> <li>• In own home</li> <li>• In foster home</li> <li>• With guardian</li> </ul>
Number and percent of adults residing in independent living.	CMF residence code data for status 2 adults (18 years old and above) residing in independent living.
Number and percent of adults residing in supported living.	CMF residence code data for status 2 adults (18 years old and above) residing in supported living.
Number and percent of adults residing in adult Family Home Agency homes.	CMF residence code data for status 2 adults (18 years old and above) residing in Adult Family Home Agency homes.
Number and percent of adults residing in family homes (home of parent or guardian).	CMF residence code data for status 2 adults (18 years old and above) residing in family homes (home of parent or guardian).
Number and percent of adults residing in home settings.	CMF residence code data for status 2 adults (18 years old and above) residing in: <ul style="list-style-type: none"> <li>• Independent living</li> <li>• Supported living</li> <li>• Adult Family Home Agency homes</li> <li>• Family homes</li> </ul>
Number and percent of minors living in facilities serving > 6.	CMF residence code data for status 1 and 2 minors residing in following facilities serving > 6: <ul style="list-style-type: none"> <li>• ICF/DD</li> <li>• ICF/DD-H</li> <li>• ICF/DD-N</li> <li>• SNF</li> <li>• CCF</li> </ul>
Number and percent of adults living in facilities serving > 6.	CMF residence code data for status 2 adults residing in following facilities serving > 6: <ul style="list-style-type: none"> <li>• ICF/DD</li> <li>• ICF/DD-H</li> <li>• ICF/DD-N</li> <li>• SNF</li> <li>• CCF (Residential Care Facilities for the Elderly not included)</li> </ul>

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

### *Public Policy Performance Measures – Employment (Required)*

<i>Measure</i>	<i>Measurement Methodology*</i>	<i>Frequency</i>
Number and percentage of individuals ages 16-64 with earned income.	Employment Development Department (EDD) data—changes in number and percentage of individuals ages 16-64 with earned income as reported to EDD.	Annual
Average annual wages for individuals ages 16-64.	EDD data—average annual wages as reported to EDD for individuals ages 16-64.	Annual
Annual earnings of individuals ages 16-64 compared to all people with disabilities in California.	EDD data—individuals wage data compared to all people with disabilities in California.	Annual
Number of adults who entered in competitive integrated employment following participation in a Paid Internship Program.	Data collected manually from service providers by regional centers.	Annual
Percentage of adults who entered in competitive integrated employment following participation in a Paid Internship Program.	Data collected manually from service providers by regional centers.	Annual
Average hourly or salaried wages and hours worked per week for adults who participated in a Paid Internship Program during the prior fiscal year.	Data collected manually from service providers by regional centers.	Annual
Average wages and hours worked for adults engaged in competitive integrated employment on behalf of whom incentive payments have been made.	Data collected manually from service providers by regional centers.	Annual

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

### *Continued Public Policy Performance Measures – Employment (Required)*

<b><i>Measure</i></b>	<b><i>Measurement Methodology*</i></b>	<b><i>Frequency</i></b>
Total number of \$1000, \$1250 and \$1500 incentive payments made for the fiscal year.	Data collected manually from service providers by regional centers.	Annual
Percentage of adults who reported having competitive integrated employment as a goal in their IPP.	National Core Indicators (NCI) Survey - <i>Yes/No/Don't Know</i> Individual has community employment as a goal in his/her IPP.	Three-year cycle

\* EDD data reflect wages reported to EDD for the purpose of unemployment insurance reporting. There is a limitation of the data, as some people have contract earnings that may be unreported.

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

### *Public Policy Performance Measures – Reducing Disparities and Improving Equity in Purchase of Service Expenditures (Two Required)*

<i>Measure</i>	<i>Measurement Methodology</i>
Indicator showing the relationship between annual authorized services and expenditures by individual's residence type and ethnicity.	Prior fiscal year (FY) purchase of service data and CMF; regional center generated data.
Percent of total annual purchase of service expenditures by individual's ethnicity and age: <ul style="list-style-type: none"> <li>• Birth to age two, inclusive</li> <li>• Age three to 21 years, inclusive</li> <li>• Age twenty-two and older</li> </ul>	Prior FY purchase of service data and CMF.
Number and percent of individuals receiving only case management services by age and ethnicity: <ul style="list-style-type: none"> <li>• Birth to age two, inclusive</li> <li>• Age three to 21 years, inclusive</li> <li>• Age twenty-two and older</li> </ul>	Prior FY purchase of service data and regional center caseload data.
Per capita purchase of service expenditures by individual's primary language (for primary languages chosen by 30 or more consumers only).	Prior FY purchase of service data and CMF.

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

### *Measures Related to Reducing Disparities and Improving Equity in Purchase of Service Expenditures (Optional)*

<b>Measure</b>	<b>Measurement Methodology*</b>
Number and percent of individuals, by race/ethnicity, who are satisfied with the services and supports received by the family and family member.	NCI data: Child Family Survey: FY 12/13, FY 15/16 and FY 18/19 Adult Family Survey: FY 10/11, FY 13/14, FY 16/17 and FY 19/20 Family Guardian Survey: FY 10/11, FY 13/14, FY 16/17 and FY 19/20
Number and percent of individuals, by race/ethnicity, whose IPP/IFSP includes all of the services and supports needed.	NCI data: Child Family Survey: FY 12/13, FY 15/16 and FY 18/19 Adult Family Survey: FY 13/14, FY 16/17 and FY 19/20 Family Guardian Survey: FY 10/11, FY 13/14, FY 16/17 and FY 19/20
Number and percent of families, by race/ethnicity, who report that services have made a difference in helping keep their family member at home.	NCI data: Child Family Survey: FY 10/11, FY 16/17 and FY 19/20 Adult Family Survey: FY 15/16, FY 18/19 and 21/22

\* Measurement Methodology: NCI data is specific to the FYs in which the surveys are conducted. It may take up to two years after the survey year for NCI data to become available. All other data is available annually for the prior FY.

## MEASUREMENT METHODOLOGY FOR PUBLIC POLICY AND COMPLIANCE MEASURES

**Compliance Measures**

<b>Measure</b>	<b>Measurement Methodology</b>
Unqualified independent audit with no material finding(s).	Yes/No—based on regional center independent audit findings.
Substantial compliance with the Department fiscal audit.	Yes/No—based on the Department internal document criteria.
Operates within operations budget.	Yes/No—actual expenditures plus late bills do not exceed OPS budget.
Certified to participate in Home and Community—Based Services Waiver.	Yes/No—based on most recent waiver monitoring report.
Compliance with Vendor Audit Requirements per contract, Article III, Section 10.	Yes/No—based on documentation regional center reports to the Department.
CDER/ESR Currency	Status 1 and 2 on CMF with current CDER or ESR.
Intake/assessment and IFSP timelines (ages 0-2).	Early Start Report.
Intake/assessment timelines for individuals ages 3 or older.	CMF—calculated by subtracting the status date from the CMF date.
IPP Development (W&I Code requirements)	Biennial the Department review per W&I Code section 4646.5(c)(3).
IFSP Development (Title 17 requirements)	Early Start Report.

**STATEMENT OF ASSURANCES**

This is to assure that \_\_\_\_\_ Calendar Year 2020 Performance Contract was developed in accordance with the requirements specified in Welfare & Institutions (W&I) Code section 4629 and the Department of Developmental Services' Year 2020 Performance Contract Guidelines.

The performance contract was developed through a public process which included:

- 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 [W&I Code section 4629 (c)(B)(i)];
- Conducting a public meeting where participants can provide input on performance objectives and using focus groups or surveys to collect information from the community [W&I Code section 4629 (c)(B)(ii)];
- Providing at least ten calendar days advance public notice of the date of the public meeting (guidelines); and,
- 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 [W&I Code section 4629 (c)(B)(iii)].

Regional Center Executive Director: \_\_\_\_\_

Date: \_\_\_\_\_