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**POLICY**

**TITLE:** Board – Staff Relationships

**POLICY NO.** A-1

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To state the relationship between KRC Board and staff.

**POLICY:**

1. The Board of Directors may, at its discretion, inquire of the Chief Executive Officer to provide information relevant to the Board's Governance oversight of the organization.
2. The Chief Executive Officer is empowered by the Board to determine the relevance of the request and the level of operational detail required to satisfy the Board of Director's oversight. The ultimate discretion is at the Board, as a whole, or represented by the Executive Committee.
3. Regular departmental reports will provide sufficient information to assure the Board of Director's oversight governance. Individual Board of Director member's request for additional information beyond departmental reports shall be forwarded through the chair of the designated committee through which such information is considered. In the absence of a committee chair the request shall be routed through the President of the Board of Directors.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
**Approval Date:**

**POLICY**

**TITLE:** Board – Staff Contacts

**POLICY NO.** A-2

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To establish a protocol for Board of Directors to obtain information from staff members.

**POLICY:**

1. Individual Board members must receive approval through the Chair of the Committee which provides oversight to the operational department or through the Board President prior to initiating any direct contact with KRC staff for purposes of acquiring operational information.
2. The Board Chair of the Committee, which provides oversight to the operational department, or the Board President must arrange for official meetings through the Chief Executive Officer of KRC or designee prior to initiating any direct contact with KRC staff for the purposes of acquiring operational information.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
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**POLICY**

**TITLE:** Outreach

**POLICY NO.** A-3

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** KRC shall comply with the standards in the Lanterman Developmental Disabilities Services Act, Article 2, Section 4641, which states, “All Regional Centers shall conduct casefinding activities, including notification of availability of services in English and such other languages as may be appropriate to the service area, outreach services in areas with a high incidence of developmental disabilities, and identification of persons who may need services.”

**POLICY:** KRC shall engage in identifying individuals in need of services and assist eligible clients in entering the service delivery system. A systematic approach will be employed to identify geographic regions of high incidence with particular attention to minority populations. Outreach activities will include, but not necessarily be limited to: continual improvement in methods of referral; organized dissemination of information; and, planned outreach activities.

1. At the direction of the Board of Directors, the Executive Director will assure a bi-annual demographic assessment/review is conducted to identify areas of potential underserved populations in the catchment area.
2. The Executive Director or designee will develop plans to respond to these identified areas (if any) and activate case-finding activities, within the limitations of available resources, in accordance with the Lanterman Act.
3. KRC, through the Executive Director or designee, will seek to utilize the demographic data to develop a planned outcome-based approach with regard to this outreach effort. The Board of Directors will be notified by report of the Executive Director or designee of the findings and plans for implementation and remedy on a bi-annual basis.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
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**POLICY**

**TITLE:** Interagency Coordination of Referrals

**POLICY NO.** A-4

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 of 1

**PURPOSE:** The primary source of identification of persons with special developmental needs is through interagency referral processes.

**POLICY:** Kern Regional Center will take a leadership role in the community to ensure that persons suspected of having a developmental disability be referred promptly for diagnosis and assessment. "Referral" in this context of this chapter involved only those individuals being referred to the Regional Center for diagnosis and assessment.

1. Kern Regional Center will seek to optimize communication among Regional Center departments and with existing community agencies to ensure identification of all clients in need of Regional Center services.
2. Kern Regional Center shall maintain agreements with relevant agencies (schools, probation, rehabilitation, habilitation services, etc.) to establish channels for interagency referrals.

**Review Date:** 5/8/13  
**Revision Date:** 9/2/97  
**Approval Date:**

**POLICY**

**TITLE:** Anti-Discrimination Policy

**POLICY NO.** A-5

**DATE SUBMITTED:** \_\_\_\_\_

**PAGE** 1 **of** 1

**PURPOSE:** Kern Regional Center will enforce a zero tolerance policy to address illegal discrimination, harassment and retaliation in the workplace.

**POLICY:** The Executive Director of Kern Regional Center is charged with the responsibility to provide proactive implementation of a Zero Tolerance policy designed to protect people and to prevent illegal discrimination, harassment and retaliation. The policy will address both federal civil rights laws enforced by the Equal Employment Opportunity Commission (EEOC) and state civil rights laws enforced by the Department of Fair Employment and Housing (DFEH).

The policy will apply to all employees, agents, vendors, independent contractors, Board members and others doing business with Kern Regional Center.

The Board of Directors charges the Chief Executive Officer (CEO) with the responsibility for oversight of the agency's policies related to zero tolerance of harassment, discrimination and retaliation. The CEO may appoint a designee for implementation of these policies.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
**Approval Date:**

**POLICY**

**TITLE:** Zero Tolerance Policy

**POLICY NO.** A-6

**DATE SUBMITTED:** 9/24/13

**PAGE** 1 of 2

**PURPOSE:** Kern Regional Center will enforce a zero tolerance policy to address client abuse or neglect.

**DEFINITION:** abuse includes physical abuse, neglect, financial abuse, abandonment, isolation, abduction or other treatment which results in physical harm, pain or mental suffering; or deprivation, by a person providing care and supervision of goods and services which are necessary to avoid physical harm or mental suffering.

- **Physical Abuse:** means the use or attempt to use force on the person of another, unreasonable physical constraint or prolonged or continual deprivation of food, water, or sexual abuse. It also means the use of isolation, physical or chemical restraint, or psychotropic medication without medical authorization for punishment.
- **Mental Suffering:** is defined as fear, agitation confusion, severe depression or other forms of emotional distress that is brought about by threats, harassment or other forms of intimidating behavior.
- **Neglect:** is defined as the negligent failure of a person(s) having care or custody of a client to exercise a reasonable degree of care including, but not limited to, a failure to assist in personal hygiene and the provision of food, clothing and shelter or failure to provide medical care or protect the client from health and safety hazards.

**POLICY:** Client abuse committed by Kern Regional Center employees or employees of service providers or long term care facilities will not be tolerated. All such abuse or allegations of such abuse will be thoroughly investigated. Any Kern Regional Center employee found to have engaged in abuse against a client will be subject to severe discipline, up to and including discharge. Any abuse found to have been committed by a service provider or long term care facility employee will be referred to the appropriate authorities and the service provider may also be subject to sanctions up to and including removal from the list of those authorized to provide service for regional center clients.

All Kern Regional Center employees who are “mandated reporters” pursuant to the California Penal Code and all employees of service providers and long-term health care facilities who are mandated reporters shall strictly comply with the reporting laws at all times. A mandated reporter must (unless exempt under law) report all client abuse to the applicable governmental authorities immediately or as soon as practicable after his or her discovery or reasonable belief that client abuse has occurred.

Kern Regional Center and all Kern Regional Center service providers and long term health care facilities serving Kern Regional Center clients shall ensure their employees are fully informed upon hire and annually thereafter regarding Kern Regional Center’s Policy on Client Abuse and Neglect and

**Review Date:** 9/24/13

**Revision Date:**

**Approval Date:** 9/24/2013

the mandatory abuse and neglect reporting laws. Each employee must be knowledgeable of their responsibility to protect clients from abuse and neglect, the signs of abuse and neglect, the process for reporting suspected abuse or neglect, and the consequences of failing to follow the law and enforce this policy.

If Kern Regional Center or a Kern Regional Center service provider or long-term health care facility becomes aware of client abuse, it shall take immediate action to the extent permitted by law, to ensure the health and safety of the affected client and all other clients receiving services and supports from Kern Regional Center. This obligation is in addition to those obligations required of mandated reporters to report client abuse under the reporting laws.

**Review Date: 9/24/13**  
**Revision Date:**  
**Approval Date: 9/24/13**



**POLICY**

**TITLE:** Active Vendor Review

**POLICY NO.** C-1

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 **of** 1

**PURPOSE:** To familiarize the Board with vendors' programs from which KRC purchase services.

**POLICY:** The Board members may make occasional visits to vendored programs. Arrangements will be made for Board members to make such visits, through the Executive Director or his/her designee.

The Board shall schedule time at a regular meeting, for the vendor to make a presentation concerning their program(s).

**Review Date: 11/1/2013**  
**Revision Date: 11/1/2013**  
**Approval Date:**

**POLICY**

**TITLE:** Living Arrangements Policy

**POLICY NO.** C-2

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** All people have the need for caring and supportive families. It is the responsibility of all parents to support their minor sons and daughters emotionally and socially. Minors/adults with developmental disabilities often require additional supports that many families do not have the resources to provide. The role of KRC is to assist families in arranging for these additional supports to meet the needs of the developmentally disabled, in accordance with laws and regulations.

**POLICY:**

**A. GENERAL LIVING ARRANGEMENTS POLICY**

KRC recognizes that when a client/family chooses a living arrangement other than his/her family home, several considerations are of critical importance in accordance with the Lanterman Act:

- the living arrangement should provide him/her with optimal comfort and safety;
- the living arrangement should include quality care and supervision consistent with his/her need, or with appropriate services and supports when care and supervision are not needed;
- the supported living arrangement shall be affordable with the client's budgets (i.e. SSI, POS);
- the living arrangement should be a typical home or apartment with few, if any, clients residing there – unless the client chooses otherwise;
- the living arrangement should include opportunities to grow, learn and socialize with members of the community;
- the living arrangement should offer reasonable access to his/her family and friends; and if the client chooses a licensed home, the staff should demonstrate sensitivity to cultural differences by such accommodations as: (a) providing meals identified with the culture of the clients; (b) celebrating the cultural/religious holidays of the clients; and (c) providing opportunities for the clients to worship in the church/temple of their choice.

**B. LIVING ARRANGEMENTS FOR CHILDREN BIRTH TO 18 YEARS OF AGE**

1. KRC places a high priority on providing opportunities for children with developmental disabilities to live with their families by advocating for and developing a comprehensive pattern of services to assist families in caring for their children at home.

**Review Date:** 11/1/2013

**Revision Date:** 11/1/2013

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2. KRC shall develop and purchase appropriate out-of-home residential programs for developmentally disabled children who, for medical, behavioral, or emotional reasons, are unable to reside in their natural homes.

- Parents/guardians shall take an active role in the choice of out-of-home residential placement.
- Specific parental responsibilities and opportunities for continued parental interaction with the child shall be included in a plan for out-of-home placement.
- The out-of-home placement plan shall include a specific statement/plan regarding the feasibility and, as appropriate, time line of returning the child to his/her home.
- Parents/guardians of minors in out-of-home placement shall provide financial support for their children as required by the State of California.
- The preferred out-of-home living option for children is the foster home model with 2 or 3 non-disabled children. The preferred maximum number of children living in a single out-of-home placement setting is six or fewer.

3. When parents abandon their child or indicate and demonstrate their inability to maintain contact with their child, provide emotional support to the child, or respond to requests for permission for service, surgery, etc., KRC shall explore other avenues to secure the health emotional, social and financial support for the child. This exploration shall include seeking nuclear and extended family support for needed action that includes guardianship, family visits, adoption, etc. After documenting specific efforts to stimulate or maintain parental contact, and the subsequent lack of such contact, KRC shall refer the child to the Superior Court for dependency proceedings for provision of an interested custodian.

### **C. LIVING ARRANGEMENTS FOR ADULTS 18 YEARS OF AGE AND OLDER**

1. KRC assists adult developmentally disabled persons and their families to determine the most appropriate alternative that will enhance their growth as an adult individual as follows:

- Remaining in the home with a specific plan to move the client from dependence on the parents to interdependence with them.
  - This plan will include a mutually agreed upon day and/or work program and activities to provide the adult client with a “life of his/her own.”
  - Education for both parents and client around the issues of adult responsibilities within a household.
- Moving to appropriate out-of-home residential programs which encourage interaction between the parents and their adult sons and daughters.
- Assisting the client to move into a supported living arrangement which such a plan is the client’s choice.

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- Supporting the assumption of independent living responsibilities for adults who are in the process or have acquired such skills.

2. KRC will provide information and advice on the responsibilities associated with the conservatorship of adults.

**D. CONSIDERATIONS REGARDING RESOURCE DEVELOPMENT OF LIVING ARRANGEMENTS**

1. Living options should be developed only in response to identified needs of service.

2. Living options should be developed throughout the KRC catchment area rather than concentrated in a few neighborhoods.

3. Living arrangements for a small number of residents living together are preferable. A person living in his/her own bedroom is preferable.

**POLICY**

**TITLE:** Client Questionnaire

**POLICY NO.** C-3

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 **of** 1

**PURPOSE:** To establish a method to maintain client satisfaction.

**POLICY:** KRC shall maintain an ongoing program for assessing client satisfaction. That program shall be consistent with satisfaction assessment programs implemented by the Department of Developmental Services.

**Review Date:** 11/1/13  
**Revision Date:** 10/25/97  
**Approval Date:**

**POLICY**

**TITLE:** Right to Assessment

**POLICY NO.** C-4

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 **of** 1

**PURPOSE:** To issue the right to Assessment as established within the Lanterman Act.

**POLICY:** KRC shall accept for an initial intake interview and assessment services, any person believed to have a developmental disability, any person believed to be at a high-risk of parenting an infant with a developmental disability or infants or toddlers ages 0 – 3 who are believed to meet the California Early Start criteria.

Intake and Assessment shall performed in accordance with procedures and timelines stipulated in State law and/or regulation.

**Review Date:** 11/1/13

**Revision Date:** 10/26/97

**Approval Date:** 8/87

**POLICY**

**TITLE:** Technical Assistance for Program Development

**POLICY NO.** C-5

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 **of** 1

**PURPOSE:** To encourage and facilitate innovative and quality program development in the KRC catchment area. To stimulate the development of programs to satisfy existing client needs by utilizing additional resources.

**POLICY:** KRC shall assist providers of service and potential providers of service in the development of programs designed to satisfy existing client needs. This technical assistance shall be provided upon request and may be utilized for purposes of grant application and development of alternate funding sources.

**Review Date:** 11/1/13

**Revision Date:** 10/26/97

**Approval Date:** 7/87

**KERN REGIONAL CENTER**

**BOARD OF DIRECTORS**

**POLICY**

**TITLE:** Purchase of Service Guidelines

**POLICY NO.** C-6

**DATE SUBMITTED:** 10/27/87

**PAGE** 1 **of** 1

**PURPOSE:** To maintain guidelines and criteria for using Purchase of Service funds for client service purchases as required by the Lanterman Act.

**POLICY:** The Purchase of Service Guidelines are incorporated into the Board Policies and shall be treated as Board Policy effective on the approval date.

**Review Date:** 11/1/13

**Revision Date:** 10/26/97

**Approval Date:** 7/87

KRC-110 (6/89)



**KERN REGIONAL CENTER**

**BOARD OF DIRECTORS**

**POLICY**

**TITLE:** Residential Camps-Monitoring Requirements

**POLICY NO.** C-7

**DATE SUBMITTED:** 2/27/92

**PAGE** 1 **of** 1

**PURPOSE:** To maintain monitoring of residential camps for which it is the vendoring agency. This monitoring shall be consistent with State regulations.

**POLICY:** KRC shall conduct a program evaluation of each camp for which it is the primary vendoring agency. KRC is not expected to conduct a program evaluation of camps vendored by other Regional Centers.

**Review Date:** 11/1/13

**Revision Date:** 10/26/97

**Approval Date:** 3/90

KRC-110 (6/89)

**POLICY**

**TITLE:** Conservatorships

**POLICY NO.** C-8

**DATE SUBMITTED:** 7/7/92

**PAGE** 1 **of** 1

**PURPOSE:** To maintain policy for KRC on conservatorship for clients.

**POLICY:** KRC believes we are to serve as advocates for persons with developmental disabilities. As such we believe that adult individuals with developmental disabilities shall have the same rights of self-determination as those held by non-disabled persons. However, when there are compelling reasons which affect a client's health and safety for example, due to an inability to protect oneself from exploitation or being placed in harm's way, conservatorship may be considered.

When it is necessary for an adult client to have a conservator, input from all resources such as the client, family, service coordinator, court investigator and other individuals as appropriate should be considered when the court seeks to appoint an individual to serve as conservator. Should there be no individual available to serve as conservator as a means to protect the client, a nonprofit organization or government organization which is set up to serve as conservator should be selected. Such an organization shall have no conflict of interest in terms of making decisions for the client.

**Review Date:** 11/1/13  
**Revision Date:** 11/1/13  
**Approval Date:**

**POLICY**

**TITLE:** Financial Reporting

**POLICY NO.** F-1

**DATE SUBMITTED:** 8/3/87

**PAGE** 1 of 1

**PURPOSE:** To provide financial information to the Board.

**POLICY:** The Executive Director, the Chief Financial Officer, or their designee shall present a finance report to the Board at each regular Board meeting. The finance report shall present an accurate portrayal of the Center's financial position on a monthly basis. The financial report shall present other financial data as the Board deems appropriate.

1. The Kern Regional Center current independent auditor shall be required to present the annual audited financial reports of Kern Regional Center at the Board meeting no later than 45 days of its final completion.
2. The Kern Regional Center independent auditors report and annual audited financials shall be made available to any interested party who contacts Kern Regional Center and requests a copy from any one of its current Officers or may be obtained by accessing Kern Regional Center's website.

**Review Date:** 5/8/13

**Revision Date:** 10/25/97

**Approval Date:**

**POLICY**

**TITLE:** Borrowing Funds

**POLICY NO.** F-3

**DATE SUBMITTED:** 10/12/90

**PAGE** 1 **of** 1

**PURPOSE:** To establish operation parameters for borrowing monies to operate KRC.

**POLICY:**

1. No monies shall be borrowed without Board approval.
2. The Kern Regional Center Board shall authorize the Kern Regional Center Officers to Obtain, Secure, and Draw on Credit, concerning the borrowing funds. Authorization shall be certified by the current KRC Board Secretary and KRC Board President thru a signed Certificate of Secretary of the Business.
3. A report on borrowed monies along with the state of KRC's cash flow position shall be communicated in the financial reporting to the Board.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
**Approval Date:**

**POLICY**

**TITLE:** Board Policy Formulation

**POLICY NO.** O-1

**DATE SUBMITTED:** 7/28/87

**PAGE** 1 of 2

**PURPOSE:** To establish definitions and procedures for the formulation of KRC Board Policy.

**POLICY:** All official statements of policy shall be incorporated into the Board Policy Manual. Policies are to be developed and approved as follows:

1. Types of Directives. Material to be published and placed in the Policy and Procedure Manual will be categorized as one of the following two types:
  - a. Policies. Policies direct what is to be done and who is responsible. They are statements of requirements and objectives with guiding principles governing action. Policies relating to KRC functions will be operationalized through staff developed KRC Procedures.
  - b. Resolutions. Specific actions that give approval or support that need to be retained for ready reference.
2. Originating Policy Directives.
  - a. Responsibility for initiating policy directives rests with all Board members.
    - 1) Staff or the public may recommend policy directives for Board consideration.
  - b. The Board President will request a Board members and/or Center staff to draft a proposed policy directive for review by the Board.
    - 1) Staff and/or legal counsel will review each proposed policy directive for compliance with all laws and regulations.
3. Final Approval and Authentication of Policy Directives
  - a. Policy Directives. Proposed policy directives and revised policy directives shall be presented to the Board for approval at a regularly scheduled meeting. The Board must approve a policy prior to implementation. At the time of approval, the Policy Statement shall be appended to the Minutes of the Board meeting. This requirement applies to both the initial approval of a new policy as well as to the revision of any existing policy.
  - b. Policy Reviews. All Board policies shall be reviewed every two years or as deemed necessary by changes. The review will be completed by an appointed Board Policy Review Task Force. During the review, any need for changes, additions or deletions shall be

considered. After the review has been reported to a meeting of the Board, the review date on the policies shall be changed.

- c. All approved policy statements shall be distributed to Board members and other interested parties.

#### 4. Directive Heading and Numbering System

- a. Each directive included in this file will be published under one of the following headings:

- 1) Board Operations
- 2) KRC Administration
- 3) Finance
- 4) Personnel
- 5) Client Services

- b. Each policy directive will bear a unique alphanumeric identifier, the first unit indication the major heading and a second unit indication a straight sequence of publications of directives within that area of concern.

The first unit indicators:

- 1) Board Operations is **O**
- 2) KRC Administration is **A**
- 3) Finance is **F**
- 4) Personnel is **P**
- 5) Client Services is **C**

For example, the first Board operational policy will be numbered 0-1.

- c. The format of this policy statement shall be the format for all policy statements.
- d. Board resolutions shall in general follow the same rules of nomenclature and formatting as policies with the word “resolution” replacing “policy” on the form. However, resolutions will have the alphanumeric identifier referenced as the Resolution Number. Resolutions will also include the word “Resolutions” in the title.

**Review Date: 2/8/13**  
**Revision Date: 9/2/97**  
**Approval Date: 4/2/13**

**POLICY**

**TITLE:** Location of Board of Directors' Meeting

**POLICY NO.** O-2

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To insure all clients in the KRC service area have an opportunity to meet with the Board of Directors.

**POLICY:** Board of Directors' may schedule a meeting each year that could be held in its service area other than the Greater Bakersfield area. The Board may elect to meet frequently in outlying areas as deemed necessary and with budgetary issues considered.

**Review Date: 2/8/13**  
**Revision Date: 2/8/13**  
**Approval Date: 4/2/13**

**KERN REGIONAL CENTER**

**BOARD OF DIRECTORS**

**POLICY**

**TITLE:** Conference Attendance Summaries

**POLICY NO.** O-3

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To keep all Board members apprised of current information relevant to persons with developmental disabilities and KRC functions.

**POLICY:** Any Board member who attends a conference or meeting relevant to the operations of the Center and/or its clients and who has been reimbursed by KRC shall give to all Board members a written or oral summary of said conference or meeting.

**Review Date:** 2/8/13

**Revision Date:** 9/2/97

**Approval Date:** 4/2/13

KRC-110 (6/89)



**POLICY**

**TITLE:** Expenses of Board Members

**POLICY NO.** O-4

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To establish the amount and the occasion when a Board member involved in Board related business will be reimbursed or have expenses paid.

**POLICY:** Legitimate expenses of the Board of Directors shall be pad or reimbursed where authorized in advance by the Executive Director in accordance with existing State policies.

1. Expenses for attending Board meetings, official Board dinners, Board training, conferences and/or meetings relevant to Center and/or clients or for officially representing the Board at approved functions or an approved travel shall be considered as legitimate Board business expenses. If the expense was for Board conferences and/or meetings, please refer to Policy 0-3.
2. The amount of reimbursement shall be the same as for KRC employees. See KRC Policies for expense limitations.
3. Claim for reimbursement of such expenses shall be submitted on the standard KRC form.
4. Claims shall be submitted within 30 days after expenses are incurred.
5. Claims shall be submitted through, and assistance in completing forms provided by, the Executive Director's office.

**Review Date:** 2/8/13  
**Revision Date:** 2/8/13  
**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Association for Regional Center Agencies (ARCA)

**POLICY NO.** O-5

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To establish the Board's relationship and participation in ARCA.

**POLICY:** KRC may participate in the Association for Regional Center Agencies. Participation may be as follows:

1. The Executive Director of the Center and one representative of the Board will be KRC's voting representatives.
2. The representatives must reflect the consensus of the Board.
3. KRC may pay annual dues to ARCA in accordance with approved ARCA policy.
4. KRC may pay annual dues to ARCA in accordance with approved ARCA policy.
5. Any extraordinary ARCA assessments or dues shall be approved by the KRC Board prior to payment.

**Review Date:** 2/8/13

**Revision Date:** 9/2/97

**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Regular Schedule of Board Meetings

**POLICY NO.** O-6

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To establish a regular schedule of Board meetings.

**POLICY:** The Board shall have regularly scheduled meetings. The Board shall meet each month except July and January. With approval of the Board, the May meeting may be combined with the Annual Dinner Meeting.

Special meetings of the Board may be scheduled as necessary. Scheduling and related posting of notices shall be done in accordance with current California open meeting laws.

**Review Date:** 2/8/13  
**Revision Date:** 2/8/13  
**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Conflict of Interest

**POLICY NO.** O-7

**DATE SUBMITTED:** 5/3/11

**PAGE** 1 of 1

**PURPOSE:** To establish a policy to assure that KRC Board members, KRC employees, and others acting on behalf of the regional center shall be free from conflict of interest that could adversely influence their judgment, objectivity, or loyalty to the regional center, its consumers, or its mission.

**POLICY:** All KRC Board Members and all KRC employees shall at least annually submit and have on record at KRC a Conflict of Interest Disclosure Statement. These statements shall be formatted and processed consistent with current law (Lanterman Act, Sections 4626 and 4626.5), regulation (California Code of Regulations, Title 17, Division 2, Chapter 3, Sections 54500-54535) and Department of Developmental Services policies and guidelines.

All new KRC Board members and employees shall complete and submit the required statement prior to or within 10 days after starting Board membership and employment. The statements for Board members shall be maintained by the Clerk of the Board. The employee statements shall be maintained by KRC Human Resources Department. All statements shall be reviewed within 10 days of submission.

The KRC Board shall comply with conflict of interest regulations as put forth in CCR, Title 17, Section 54500-54535. The KRC Human Resources Department shall provide assistance to any board member or employee as appropriate in completing disclosure statements.

The KRC Human Resources Department shall facilitate the processing of completed statements and forward any requests for waivers to the Department of Developmental Services, Area Boards, and State Council as required by law (Lanterman Act, Section 4626) and regulation (CCR, Title 17, Section 54500-54535).

The KRC Board recognizes the importance of maintaining, an environment that is free from conflict of interest. Consequently, this Board Policy requires the regional center and its governing Board to regularly and consistently monitor and enforce compliance with this conflict of interest policy. Any observations of violations or questionable practices may be reported to the KRC Executive Director, the KRC Director of Human Resources, or the KRC Board President without any fears of reprisal or retaliation.

This Board Policy is to be posted and maintained on the KRC website.

**Review Date:** 2/11/13

**Revision Date:** 2/11/13

**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Absences and Tardiness

**POLICY NO.** O-8

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** To prevent absence and tardiness from becoming a barrier to the conduction of Board business.

**POLICY:** Any Board member who has two consecutive unexcused absences from Board meetings or who is excessively tardy may be removed by majority vote of the Board. Unexcused absences are those absences not approved in advance by the Board President. Excessive tardiness is lateness to Board meetings which cause a delayed starting time due to the lack of a quorum.

**Review Date:** 2/8/13  
**Revision Date:** 9/2/97  
**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Community Concerns

**POLICY NO.** O-9

**DATE SUBMITTED:** 6/23/87

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**PURPOSE:**

- A. To maximize KRC's responsiveness to the needs of its clients, vendors and the community.
- B. To direct KRC staff to promote "client satisfaction."
- C. To delineate a process to achieve these goals.

**POLICY:**

- A. Operational Concerns:
  - 1. All operational questions and concerns shall be handled by appropriate staff members.
  - 2. When the concern is not resolved to the satisfaction of the party initiation the concern, appeal through the following chain of command shall apply.
    - a. If a concern remains unresolved through the level of the Executive Director, the Director shall forward the issue to the Board for their recommendation.
    - b. The decision of the Board shall be final.
- B. Policy Concern:
  - 1. All questions or concerns relating to KRC policies may be addressed to the Executive Director of the Board.
  - 2. The issue will be forwarded to the Executive Committee for a recommendation to the Board.
  - 3. The Board shall act on the recommendation at its next regularly scheduled meeting.
  - 4. The decision of the Board shall be final.
- C. Methodology:
  - 1. It is the express intention of the Board, that concerns brought to KRC staff or volunteers be handled in a positive and helpful manner.
  - 2. The party bringing the concern shall be kept informed of the current status of the issue, at each step of the process.
- D. Reporting:

Community Concerns will be presented to the Board.

**Review Date:** 2/8/13

**Revision Date:** 9/2/97

**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Board Meeting Protocol

**POLICY NO.** O-10

**DATE SUBMITTED:** 7/1/97

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**PURPOSE:** To promote Board business being completed in a timely, efficient and orderly manner.

**POLICY:** All KRC Board and committee meetings shall comply with the following rules:

1. *Roberts Rules of Order* in general, specifies parliamentary procedure to be followed at Board meetings.
2. Board members shall maintain confidentiality of client, personnel and other sensitive information. We all must be aware that our meetings are open. Consequently, we need to exercise appropriate discretion in what we say. In general, we should not make unnecessary comments of a personal nature about others.
3. The Board may go into executive or closed session only for purposes of discussing any matter dealing with real estate negotiations; the appointment, employment, evaluation of performance or dismissal of KRC employees; employee salaries or benefits, labor contract negotiations; or pending litigation. Also the discussion of any matter or issue dealing with a particular KRC clients except when 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. Going onto an executive or closed session for those purposes requires a motion which passes. Once such a motion has passed, only voting Board members and relevant KRC staff requested by the Chair shall remain in the meeting.

During the executive or closed session matters are to be discussed but no actions can be taken. Any action must be brought back to open session to be voted on by the Board. Minutes on executive or closed sessions are to be maintained by the Secretary of the Board. Such notes may be sealed before they are filed. Any actions taken when the Board returns to open session are to be reported in regular Board meeting minutes.

4. Proper conduct requires all attendees and Board members to seek and receive recognition from the Chair prior to speaking.
5. Only voting Board members, officers of the Corporation and designated record keeper are invited to sit at the Board table during meetings.
6. These rules are intended to apply to all meetings of the Board and its committees, task forces and work groups.

**Review Date:** 2/8/13

**Revision Date:** 2/8/13

**Approval Date:** 4/2/13

**POLICY**

**TITLE:** Transparency and Access to Public Information

**POLICY NO.** O-11

**DATE SUBMITTED:** 5/3/11

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**PURPOSE:** To establish a policy to promote transparency and access to information.

**POLICY:** To promote transparency and access to information, KRC shall include and maintain at least all of the following on its Internet Website ([www.kernrc.org](http://www.kernrc.org)):

1. Regional center annual audits;
2. Biannual fiscal audits conducted by DDS;
3. Regional center annual reports pursuant to Lanterman Act, Section 4639.5;
4. Contract awards, including the organization or entity awarded the contract and the amount and purpose of the award (including but not limited to operations contracts and any “start-up” contracts;
5. Purchase of services guidelines/policies;
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 the board and all committees of the board;
8. Bylaws of the regional center governing board;
9. The annual performance contract and year-end performance contract entered into with DDS pursuant to this division;
10. The biannual Home and Community Services Waiver program review conducted by DDS and the California Department of Health Care Services;
11. The Board-approved transparency and public information policy;
12. Reports required pursuant to Section 4639.5 of the Lanterman Act.

All of the above items are as required by the Lanterman Act, Section 4629.5(b). KRC’s policy shall require addition or modification to our website postings to maintain compliance with statute, regulations, and DDS policies.

In the spirit of transparency, this policy shall also require the following items to be maintained on the KRC website:

13. All KRC approved board policies;
14. A calendar listing upcoming KRC activities;
15. Issues of the KRC *Vendor Voice*
16. New and notes of interest to the regional center community and the community at large;
17. A listing of KRC employees, their positions and their office telephone numbers;
18. A listing of KRC Board members;
19. KRC Prevention Plan;
20. Information on regional center eligibility and regional center services



21. Information on the regional center's mission and organization;
22. Information on appeal rights and appeal procedures
23. Information on the KRC Foundation and its supportive relationship to the regional center

In addition to all of the above, KRC shall maintain links to the DDS website and other websites as appropriate. The website shall be monitored on an ongoing basis to ensure that information is there and current and that all linkages continue to work. Postings are to be updated as new or revised information becomes available.

This Board policy is to be posted and maintain on the KRC website.

**Review Date: 2/8/13**  
**Revision Date: 2/8/13**  
**Approval Date: 4/2/13**

**POLICY**

**TITLE:** Board Approval of Contracts over \$250,000

**POLICY NO.** O-12

**DATE SUBMITTED:** 5/3/11

**PAGE** 1 **of** 1

**PURPOSE:** To establish policy ensuring board review and approval of any regional center contract of two hundred fifty thousand dollars (\$250,000) or more, before entering into the contract.

**POLICY:** The KRC board shall review and approve any contract for \$250,000 or more prior to KRC entering into the contract. This action is to be consistent with statute (Lanterman Act, Section 4625.5) and regulation and policies as set by DDS. It must be noted that this requirement does not apply to vendor approval letters issued by regional centers pursuant to Section 54322 of Title 17 of the California Code of Regulations.

Contracts to be approved shall be placed on the agenda for the next regularly scheduled board meeting occurring 15 or more days after the contract has been submitted. This 15 day time lag is to allow for staff analysis to be completed and the item placed on the agenda so the agenda can be circulated consistent with open meeting requirements.

KRC staff shall prepare a brief summary of the agenda item which shall include (at a minimum) an indication of the action requested, title and subject of the contract, brief description/discussion, financial summary, staff recommendation and identification of the preparer of the summary.

KRC staff shall complete a contract checklist which at a minimum includes vendor, vendor contact information, term, contract monitor, compliance with KRC insurance requirements, compliance with administrative provisions in accordance with Title 17 (CCR) requirements and KRC requirements, projected annual cost, scope of work summary, date item is to appear on KRC board agenda, and who has reviewed and recommended approval of contract.

This Board policy is to be posted and maintained on the KRC website.

**POLICY**

**TITLE:** Board Member Election and Term Limits

**POLICY NO.** O-13

**DATE SUBMITTED:** 11/6/12

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**PURPOSE:** To ensure the Kern Regional Center Board of Directors membership is composed of individuals with experience, unique skills and/or knowledge of developmental disabilities in accordance with the criteria defined in Section 4622 of the Welfare and Institutions Code.

**POLICY:** Election and Term Limits

1. Criteria: The Board of Directors shall have representation that fully reflects the defined catchment area of Kern, Inyo, Mono Counties and the unique characteristics that are reflective of our community which is served by the Kern Regional Center. Former vendors or employees of Kern Regional Center must take a one year hiatus before applying to serve as a KRC Board delegate. The Board shall follow conflict of interest regulations as cited in Title 17, Section 54500-54528.
2. Nominating Committee: The Nomination Committee of the Board, through the Kern Regional Center, will accept all letters of interest to serve on the Board or as that interest is expressed during a regularly scheduled Board meeting. All potential Board candidates, after submitting a letter of interest, may be asked to meet with the Nominating Committee for an interview process. The Nominating Committee is looking for candidates with unique skills, experience and talents that will benefit and enhance the Board composition and fully represent the best interest of the individuals served by Kern Regional Center.

The Nominating Committee will address assisting all newly recommended Board members in their understanding of the complexities of the system, and to facilitate the needs and goals of ensuring the Board is reflective of our population and the diversity of our community.

3. Election: The Nominating Committee will present their recommendations for elections of Directors to the full Board at a regularly scheduled meeting. The full Board will vote on the recommended nominations and the results of this election process will be communicated to all prospective Board members by email.
4. Term Limits: The term of office for all Directors shall be three (3) years for the first term and four (4) years for the second term beginning with the month of election. No Director shall serve for more than seven (7) consecutive years in an 8-year period.

**Review Date:** 2/8/13

**Revision Date:**

**Approval date:** 4/2/13

**POLICY**

**TITLE:** Job Description and Salary Review

**POLICY NO.** P-1

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** Kern Regional Center will maintain a job description and salary scale for each position within the agency.

**POLICY:** Job descriptions will be maintained for each position. Job descriptions will be updated, as needed, within 30 days, to reflect salary changes in job functions, regulations and contract negotiations.

A salary scale will be maintained for each position. The scale can be amended, as needed, to reflect salary changes by approval of the Board of Directors.

The Board of Directors may review salary scales and/or job descriptions but charges the Chief Executive Office (CEO) with the responsibility for oversight of the salary scale and job descriptions. The CEO may appoint a designee for implementation of a designee.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
**Approval Date:**

**POLICY**

**TITLE:** Review of Personnel Policies

**POLICY NO.** P-2

**DATE SUBMITTED:** 7/28/87

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**PURPOSE:** Kern Regional Center will maintain an Employee Handbook which includes the personnel policies of the agency.

**POLICY:** An Employee Handbook will be maintained and distributed to all employees. The handbook will be updated, as needed, to reflect changes in governance, regulations, benefits, and/or the union contract.

The Board of Directors charges the Chief Executive Officer (CEO) with the responsibility for oversight of the Employee Handbook. The CEO may appoint a designee for implementation of this policy.

**Review Date:** 5/8/13  
**Revision Date:** 5/8/13  
**Approval Date:**

**POLICY**

**TITLE:** Executive Director

**POLICY NO.** P-3

**DATE SUBMITTED:** 8/3/87

**PAGE** 1 of 1

**PURPOSE:** To provide financial information to the Board.

**POLICY:** The Executive Committee with input from the Board shall evaluate the performance of the Executive Director on an annual basis.

This evaluation will be submitted to the Board of Directors by the Executive Committee for approval.

The Executive Director's evaluation interview shall be conducted by the Executive Committee or its designee after evaluation approval by the Board. The Executive Director's salary is to be established in conjunction with the review process. The Executive Committee shall review the Executive Director's and other management staff salaries as salary studies conducted within the system become available.

**Review Date:** 5/8/13

**Revision Date:** 10/25/97

**Approval Date:**

**POLICY**

**TITLE:** Whistleblower

**POLICY NO.** P-4

**DATE SUBMITTED:** 10/26/10

**PAGE** 1 **of** 1

**PURPOSE:** To be consistent with the State’s directive entitled “Department of Developmental Services Whistleblower Complaint Process” dated July 28, 2010.

**POLICY:** This Kern Regional Center Policy addresses “whistleblower” complaints and reporting of alleged improper regional center and/or vendor/contractor activities. The intent of this policy is to be consistent with the State’s directive entitled “Department of Developmental Services Whistleblower Complaint Process” dated July 28, 2010.

An “improper regional center activity” is defined as 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/contract, in the provision of State 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.

Any employee, consumer or other related person, or any member of the general public may make a complaint or report. The following apply to all such complaints:

1. Any complaint or report addressing “improper activities defined as above may be made to any Kern Regional Center (KRC) manager or to the Board of Directors. The KRC Human Resources Director will coordinate investigation of the complaint unless such action would pose a conflict. If there were to be such a conflict, any other senior manager may coordinate the investigation. If that still leaves a conflict, the President of the Board of Directors shall coordinate the investigation. Appropriate actions shall be taken following the investigation. All complaints and reports including those of retaliation shall be investigated.

Complaints made to the Board of Directors may be made to the Board as a whole or to any officer of the Board individually.

2. There shall be no retaliation by the regional center or any of its employees or Board members against anyone who files a complaint or report.

**Review Date:**

**Revision Date:** 12/7/2010

**Approval Date:**

3. Kern Regional Center 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 KRC is unable to maintain confidentiality due to its statutory responsibilities (including ensuring the health and safety of consumers and regional center contract compliance), KRC 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.

4. Filing a complaint with KRC:

We will need a clear and concise statement of the improper activity and any evidence you have to support the allegation. If you do not provide a name or other information (witnesses or documents) that clearly identifies the person you are alleging has acted improperly, and the regional center or vendor/contractor where that person works, we may not have sufficient information to investigate. Copies of documents, rather than originals, should be submitted, as they cannot be returned.

Although complaints may be filed anonymously, if insufficient information is provided and we have no means to contact you, we may not be able to investigate your allegations.

5. This KRC Board Policy becomes effective December 31, 2010. It, along with the State's Whistleblower Policy, shall be distributed to employees, board members, consumers/families and the vendor community within 30 days of the effective date and annually thereafter.
6. This KRC Board Policy along with the State's Whistleblower Policy shall be posted on the KRC website by January 15, 2011.
7. In addition to the provisions of this KRC policy, complainants may also utilize the State's Whistleblower Policy which is accessible on either the KRC website ([kernrc.org](http://kernrc.org)) or the Department of Developmental Services website ([dds.ca.gov](http://dds.ca.gov)).

**Review Date:**

**Revision Date: 12/7/2010**

**Approval Date:**