

**DEPARTMENT OF DEVELOPMENTAL SERVICES**

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August 23, 2021

TO: REGIONAL CENTER EXECUTIVE DIRECTORS AND  
BOARD PRESIDENTS

SUBJECT: CALENDAR YEAR 2022 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) 2022 annual performance contract.

For fiscal year 2021-2022, the enacted Developmental Services Budget Trailer Bill, AB 136, added W&I Code section 4519.10(e) which requires the Department to implement a quality incentive program. The Department is required to convene a stakeholder workgroup that will make recommendations on the development of standard performance improvement indicators and benchmarks to incentivize high-quality regional center operations. Based on the recommendations received through the stakeholder process, regional centers may be required to amend their CY 2022 performance contract and objectives at a later time.

**GUIDELINES**

Regional centers must adhere to relevant statute and the Department's guidelines below when developing their CY 2022 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.

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 2022 Performance Contract to the Department for review and approval.

**“Building Partnerships, Supporting Choices”**

See Enclosure B, Statement of Assurances, for additional required components of the public process. 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.

**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.

**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, the Department required regional centers to previously 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 2022 performance contracts must continue using the two previously selected disparity measures. 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:** W&I Code section 4629 requires regional centers to include annual performance objectives that measure progress and report outcomes in implementing the Employment First Policy. These performance objectives may include, but are not limited to, measures addressing both of the following:

- Establishment and continued collaboration on 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 services and 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 2021 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.

**Requirement for Public Meetings:** Per W&I Code section 4629(f), 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.

**Timelines:**

- December 1, 2021: Regional centers submit their CY 2022 Performance Contract to the Department.
- January 31, 2022: Regional centers submit their locally developed public policy measures listed in the CY 2021 Year-End report to the Department, if applicable.
- February 28, 2022: Department provides draft CY 2021 Year-End reports to regional centers.
- Spring 2022: Department and regional centers post final CY 2021 Year-End reports on their websites.
- After May 1, 2022: Regional center governing board shall hold one or more public meetings regarding its prior year's (e.g., CY 2021) contract performance objectives and outcomes.

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

[oco@dds.ca.gov](mailto:oco@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), and Client Development Evaluation Report (CDER) 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, and all other non-locally developed 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.

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.

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If you have questions regarding performance contracts and/or the performance contract process, please contact Danielle Hurley, Office of Community Operations, at (916) 654-3228, or by email, at [danielle.hurley@dds.ca.gov](mailto:danielle.hurley@dds.ca.gov).

Sincerely,

*Original signed by:*

ERICA REIMER SNELL  
Deputy Director  
Community Services Division

Enclosures

cc: Regional Center Administrators  
Regional Center Directors of Consumer Services  
Regional Center Community Services Directors  
Amy Westling, Association of Regional Center Agencies  
Aaron Carruthers, State Council on Developmental Disabilities  
Brian Winfield, Department of Developmental Services  
Jim Knight, Department of Developmental Services  
LeeAnn Christian, Department of Developmental Services  
Ernie Cruz, Department of Developmental Services  
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Aaron Christian, Department of Developmental Services  
Danielle Hurley, Department of Developmental Services