

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
ADMINISTRATION COMMITTEE
MEETING MINUTES**

March 26, 2010

1. CALL TO ORDER

Chair Johnson called the meeting to order at approximately 9:30 a.m. at 2525 Natomas Park Drive, Room 120, Sacramento, California.

ROLL CALL

Commissioners Present:

Margaret Johnson - Interim Chair
James Abrams - Interim Vice Chair
Rocky Burks
Peggy Collins - Representing Senator Ellen Corbett
Mark Martinez
Derrick Thomas – Representing Senator Harman
Betty Wilson (Teleconference)

Commissioners Absent:

Benjamin Cassady – Representing Senator Tom Harman

Also Present:

Stephanie Davis, Executive Assistant, CBSC
Dave Walls, Executive Director, CBSC

Present by Telephone:

Donald Fogg, Applied Technology, Inc.
Laura Williams, Californian's for Disability Rights
Deanna Lynn Panebianco, Disability Access Section, Department of Rehabilitation

Present at Meeting

Katrina Benny, CBSC
Rachel Kinney, SEIU UHW
John Handley, Independent Grocers Association
Laurel Brown, Senate Office of Research

2. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Chair Johnson explained that typically we don't get the names of everyone on the phone and present at the meeting, but because of the small number of people, did get names today. Chair Johnson asked for comments from the public on issues not on agenda.

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Public Comments on Non-Agenda Items

No comments.

3. FUTURE COMMITTEE MEETINGS

Chair Johnson stated that Committee meetings have been scheduled through December, but stated a need to change the June 24th meeting. Commissioner Abrams stated the June Commission meeting is June 17th, and this Committee wanted to meet as soon as thereafter as possible. The June meeting of this Committee has been moved to Tuesday, June 22, 10:00 a.m. to 12:00 noon. Ms. Davis stated she would verify this room available before end of meeting today.

Public Comments on this Agenda Item

No comments.

4. GENERAL BUSINESS ITEMS

a) Donald Parks, Applied Technology, Inc.

Donald Parks stated regarding California, as a whole, what the infrastructure needs to be in order to incorporate the whole range of persons with disabilities. Looking at the U.S. population – consisting of 1.3% of the population in wheelchairs, and 21.1% of disabled persons, and society having primarily, and quite often exclusively, acting to address only those issues that can be seen. But with those disabilities that haven't been apparent, there has not been an infrastructure that has been designed to acknowledge accessibility needs and address and developing plans for solutions. The documentation provided contains some hard data about the categories of disabilities, particularly communication impaired disabilities. As government moves from physical conduct to virtual through the web, what is being done in terms of looking at the delivery of services that are equitably and effectively accessible.

Chair Johnson stated that Commissioner Burks has joined the meeting, then asked Mr. Parks to continue.

Mr. Parks stated hard data was presented to this Committee today regarding the environment, the people, and an infrastructure that is needed. The State, as a whole, has an individual responsibility to do something. Mr. Parks stated the Governor's Office keeps referring out to commissions and departments that are supposedly responsible. This Committee seems to be a good point to start to see what can be done to develop some structure around, making sure that all categories of persons with disabilities are acknowledged, at least, and begin discussion on how public programs may need to be modified in order not to exclude certain classes of persons with disabilities from enjoying all the benefits of public services. That is a summary of documentation which has been provided.

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Chair Johnson stated that all persons with disabilities should be acknowledged and agreed that California should be responsible for ensuring that things are accessible for people with disabilities.

Commissioner Abrams had a long telephone conversation with Mr. Parks and would like to ask the Commissioners of this Committee that this be put on the agenda for the next full Commission meeting. Mr. Parks is talking about one piece of the overall challenge and process of making sure that everything in the State – public, private, government, non-government – is accessible to the fullest extent possible to people with all sorts of disabilities. Mr. Parks has focused his efforts on ensuring the “government” is accessible, which includes the legislature and the courts. All other government functions should be accessible, as well. Mr. Parks has asked what is it the State of California is doing or has done or plans to do that will ensure all government related functions are accessible, to the greatest extent possible, to all people with disabilities, regardless of the type of disability. The challenge is not that the government ignores him, but there is no place in government where this overall issue is residing and where there is an overall responsibility. In some cases, there are agencies in government that have appointed someone to be in charge of accessibility, as it relates to their particular functions, both in terms of policy making and delivering services to the public. But very few agencies have. Some agencies have said that facilities people will deal with this, or some agencies have appointed an access coordinator, but there is no uniformity or consistency in terms of what those individuals should do and it is done on an agency by agency, department by department, division by division basis, with no overall overarching government policy about how to accomplish this. This is not talking about Title 2 of the ADA, with respect to streets and highways. This is about government functions. About 15 years ago, several people, including building related and industry related and accessibility related groups, created a wish list of what people would like to see that would make the accessibility world better. One thing that was agreed upon was the need for a California state ombudsman for accessibility issues, not just accessibility rights. This Commission is really the legislature’s attempt to do that. This Commission is the ombudsman. For people like Mr. Parks, who have this kind of an issue, this Commission is the place to start. This is something this Commission should be working on – how can accessibility be enhanced. This is at the heart of what this Commission is about. This is something to be put on the agenda for the next Commission meeting in April.

Commissioner Martinez asked once this Commission has information, then how would that be communicated to the general public.

Commissioner Abrams stated didn’t know if this Commission would be the entity that would have overall responsibility to accomplishing what Mr. Parks wants to accomplish. This Commission should be the starting point, and this Commission was felt to be an integral part of the overall accessibility equation. One of the goals was to have a place where people with problems, questions, and/or concerns like Mr. Parks could come. This Commission would talk about it and determine

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whether what is being proposed is something that is within purview of the role that the Legislature has given the Commission. If the Commission agrees that it is something within the legislatively delegated tasks, then at some point, it would be discussed and researched and determination would be made as to what entity should handle and resolve the issue.

Chair Johnson stated that this is an issue that has been out in the disability community for a while - wanting more of a point person at the State government level, a person to go to for discussion on issues related to access. Also agreed that not just architectural access is needed, but program access for all people with disabilities, not just one particular set of people. There is currently no place in the State government to go to where these issues can be addressed. This Commission is where those kinds of things can be heard and discussed and researched, which could result in recommendations being made to the Governor's Office in terms of a new position that should be created. This Commission could wrestle with these issues, thoroughly investigate them, research them, and ultimately make a recommendation to someone that would have the power to implement it.

Peggy Collins stated strong support for the motion. Would suggest perhaps asking the Department of Rehab to come and report to the Commission about what that department's role would be in all of this. They are sort of the designated State agency to coordinate State and governmental access issues and it would be important for the Commission to hear what that department feels its role is.

Commissioner Abrams made a motion that the issue Mr. Parks is raising be placed on the agenda for the next full Commission meeting. Commissioner Burks seconded.

Commissioner Burks stated concerns, primarily on Mr. Parks footnote of number 6, regarding a document provided dated May 8, 1997 regarding administrative clerks in the United States. There is a particular element in the ADA, and it's 28 CFR, Section 35.130(b)(1) and there seems to be misunderstanding. Have had some difficulty in dealing with local jurisdictions to understand this section of federal law. It is applicable to ensuring that any aid, benefit, service, or activity shall be presented in a manner that does not discriminate against people with disabilities. The constant problem is cost, and yet cost is very clearly spoken to in federal and state regulations and statutes, and is not a factor when it comes to not discriminating against people with disabilities. But, people with disabilities become disenfranchised because if they speak up, they are being perceived as adversarial. If they are silent, they are perceived by the community as not caring. So a conflict is inherently set in play by not addressing things that should be addressed. So if not this Committee, who? And if not now, when?

Commissioner Martinez wanted clarification of how it would be presented at the full Commission meeting. Chair Johnson replied that Mr. Parks would probably be on agenda of Commission to make a similar presentation as was made today. And then members of this Committee could lead the discussion following the

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presentation. Commissioner Martinez stated that it should be ensured that this does not overstep or duplicate work by the Department of Rehabilitation. Chair Johnson stated that is a good idea to coordinate with Department of Rehabilitation. So the Committee member taking the lead on this task would coordinate with that agency and Mr. Parks, and communicate how it will be presented and structured.

Commissioner Abrams offered to take the lead and have further discussion with Mr. Parks and asked Deanna Lynn Panebianco, Department of Rehabilitation, to call so the presentation can be structured. While the Department of Rehabilitation seems to be the go-to agency, in talking to Mr. Parks, the Department of Rehab is restricted by certain policy and functional roles as to what services can be provided. So Commissioner Abrams will coordinate this and make the presentation at the April Commission meeting.

Commissioner Burks stated that the Department of Rehabilitation, over the last few years, has been greatly disseminated, just as the access unit in the Division of the State Architect had been. This Committee needs to be sure that the State agencies have been provided a charge and have received a disproportionate degradation of their accessibility programs. Asked Commissioner Abrams to ensure that, as this process is coordinated with the Department of Rehabilitation, the Department is be asked to be forthright and candid in terms of the dissemination of the access program, because they are a phenomenal people there charged with a tremendous task with a diminished capacity and ability, because of drastic reductions, as has happened with the DSA (Division of the State Architect).

Ms. Collins wanted to clarify that the role under consideration is appropriate for this Commission, and it will be important for this Commission to understand what is going on with other agencies and identify the gaps, and whether anyone thinks they are the point person on this.

Chair Johnson agreed and stated it is something the Commission should look at, but part of looking would be doing research and determining how things are working now in order to determine any gaps. The presentation at the full Commission meeting is just to lay it out and get agreement that one of the committees would then pursue in more depth before specific recommendation is made. There is a motion on floor.

Public Comments on this Agenda Item

Laura Williams asked for public comment. Chair Johnson replied that public comment waits until after item is closed. Ms. Williams asked if the vote would be before public comment. Chair Johnson stated that part of the discussion is part of the Committee, according to Robert's Rules, and then agenda item is opened up for public comment on it. Based on public comment, another motion can always be made.

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Chair Johnson noted that everyone is in favor of adding this issue as an agenda item to the next full Commission meeting. Since no one else volunteered to pull this agenda item together, Commissioner Abrams will do it. Commissioner Burks asked if assistance was needed and Commissioner Abrams replied not at this time and stated that this is not going to be a full blown presentation of all the realities that exist out there – positive, negative, gaps. This issue will be presented so the Commission can analyze and decide whether or not it is part of this Commission's purview, and if so, how to proceed.

Chair Johnson stated a note of caution, that shouldn't get too many people involved on working on the issue because then it pulls into question whether a meeting is taking place. All in favor say aye, response was all ayes, none opposed. **Motion Carried.** This will be an agenda item. Will open now for public comment.

Public Comments on this Agenda Item

Laura Williams stated happy to see this on the agenda, but stated did not see any documents on the website on this agenda item, and hopes that in the future, anything that is presented to the Commission be presented also to members of the public in a timely manner. Stated this is a very important issue. Sometime back, when first Department of Justice tool kits started coming out, one came on state and local governments, and the Department of Justice settlement with the State of Delaware was referenced, and included that it is a requirement for the State to have an ADA coordinator. Based on that, on behalf of Californians for Disability Rights, a request was issued – to the Governor's Office and also to various named agencies, including the Department of Rehabilitation – that the State of California should come into compliance with this portion of the ADA. No response was received from the Governor's Office. Was contacted by Mr. Xavier from the Department of Rehab. Contacted him and asked what the authority was that went along with the delegation and was informed that there was no authority. If there were problems or issues with other agencies that were not in compliance with the ADA, that the Department of Rehab could attempt to work with that agency and work problems out, but had not authority to enforce or compel. The process becomes a round robin of persons with disabilities being pushed from one place to another place to another place, with no resolution. And as Mr. Parks stated, still not able to get resolution. Within the disability community, there is some fear that an ADA coordinator might damage disability civil rights and would respectfully say to the entire community, need to fight hard to ensure every agency and localities abide by the law of the ADA, as well as State codes, and it is not up to the disability community to determine whether an ADA coordinator is wanted or needed, but hopefully this Commission can make certain that it is implemented in a way that benefits the disability community to the best advantage. So very happy this has been brought forward, but there are

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several issues outstanding with State agencies that have never been resolved.

Chair Johnson stated that in terms of the document provided by Mr. Parks, Committee just received it this morning, so it was not posted for meeting. Ms. Williams stated that violates the open meeting. Chair Johnson replied that it does not.

Commissioner Burks stated that this is a working paper and the motion that was made regarding the contributions of the materials provided by Mr. Parks was for information for the Committee's view. Mr. Abrams will make sure that this material information is made available for the public record at the time of the Commission meeting. This Committee simply took information based upon prior history and knowledge, with this being an agenda item on this meeting, and Mr. Parks provided some information and asked to be put on agenda in the future. Therefore, it is working paper material. Wanted to echo that Ms Williams is just asking for transparency and openness in what this Committee does. However, this Committee will have problems if people don't recognize that this Committee must be given an opportunity to receive information in order to make movement. This Committee has not yet acted on any of the materials provided. That was scheduled for a future meeting.

Chair Johnson stated that the materials provided by Mr. Parks will be put on the website right away, but the materials were given to this Committee as a point of reference for determination of whether it would become an agenda item. In the future, will ensure that if there are any materials to go with an agenda item, those materials will be put on website in sufficient time for meeting. Ms. Williams expressed appreciation and stated that even if as late as the evening before the meeting, just a notice on agenda that things may be posted before the meeting, then it is up to public to check the website before meeting.

Betty Wilson commented that in the City of Los Angeles that if someone needs a special accommodation, such as large print or Braille, the Commission in Los Angeles must be given prior notice because the agenda in posted 72 hours or more in advance of meeting.

Richard Skaff, Executive Director, Designing Accessible Communities, stated concern that the meetings of the Commission and the committees of the Commission aren't really accessible to people who are deaf and wonders what is happening with request for accommodations at each of the Commission's meetings. This request is based on concerns that the Commission is really a state wide Commission that affects and makes decisions on issues affecting the disability community on a state wide basis, which makes it a very important Commission. People affected by the Commission's decisions need to be able to participate in those meetings. Deaf people not living in or near Sacramento are left out of this

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process. So that is a concern, and the fiscal condition this Commission and Dave Walls is working under is understood and what the staff has done to date is appreciated. But wondering what Commission is doing to ensure these meetings are fully accessible, including all committee meetings.

Chair Johnson stated that item is coming up later for discussion. At this time, public comments were being heard on this item, about the issue that will be placed on the agenda for the next full Commission meeting.

d) Status of CCDA Conflict of Interest Code – CBSC Staff [taken out of order]

Chair Johnson stated taking next agenda item out of order for quick discussion, and Dave Walls will give an update.

Dave Walls stated Jim McGowan has been working on that and is out ill today so there will not be an update. But waiting to hear from FPC on whether this Commission would be exempt or whether would need to go forward with the full regulations. So regulations that have been seen in the past are ready to go once word is received.

Public Comments on this Agenda Item

No comments.

b) Travel – AMEX – CBSC Staff

Stephanie Davis stated this was regarding getting an American Express card for travel expenses which would be used for securing air fare, car rentals. But until the CCDA Commission is able to secure a permanent funding source it is not feasible, and will be put on hold. So will move forward in same way for now, with Commissioners paying travel costs out-of-pocket and then turning in receipts for reimbursement through the travel expense claim process.

Commissioner Burks asked the Chair and Vice-Chair to continue to be diligent and articulate the conflicts being encountered within efforts by issues that are beyond control and under the control of both the legislature and the Governor's Office. It is these little things that cause an inability to address the bigger things.

Commissioner Martinez stated that, looking at expenses, is there any way to use the CBSC AMEX card and then reimburse from this Committee's account.

Mr. Walls stated that the charge card is tied to a specific account and so that probably cannot be done, but it will be looked into.

Public Comments on this Agenda Item

No comments.

c) Access Accommodation at Commission and Committee Meetings – CCDA Policy

AND

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e) **Policy Memorandums/CCDA Orientation and Reference Handbook – CBSC Staff**

Ms. Davis stated this is something Jim McGowan is working on for this Committee. He took information in email from Chair Johnson and put it into a policy memorandum format. It will be handed out today, have an opportunity to look at it to make sure all needed information has been captured correctly. Upon approval, it will go into the handbook and on the website.

Chair Johnson stated that this Committee would have to move on this and say this was a policy document and then it would go into handbook and on website. Mr. Walls stated that this is a draft, so needs to be reviewed and considered by this Committee and then at some point voted on. Chair Johnson stated that the full Commission voted on much of this already. It just needed to be put into memo form so it could be memorialized somewhere and made available for the public.

Commissioner Abrams stated that, to address Mr. Skaff's point, the Commission has discussed at some length how to go about to ensure that all proceedings are fully accessible to people with disabilities, and this Committee has done the same. There is a draft policy memorandum that is entitled, "Meeting Protocols at CCDA and Committee Meetings," and will go over some quickly that are most pertinent to the issue that Mr. Skaff raised today and raised in the past. This is a work in progress, so if something appears to be missing or needs to be changed, please state that. This Committee will probably ask the full Commission in April to approve this as a full policy document. For meeting like this one today, the protocol states that each meeting will have the following accommodations: (1) teleconferencing for general public participation, (2) captioning, (3) some copies of documents being discussed during the meeting in large print, (4) wheelchair accessible, (5) access to public transit, (6) agenda and other documents will be provided online in PDF and Microsoft Word format. Further, the following accommodations may be provided, upon request only: (1) Braille, (2) sign language interpreters will be made available, and (3) any other accommodation needed by an individual. Won't go through information regarding full Commission meetings, but a couple of extra items would be webcasting and availability of public parking, and remainder of items are the same as listed above. That is product to date of what protocol for will be for all Commission meetings and committee meetings, with the goal being to provide the greatest degree of accessibility to everybody, in the reality of what can be done.

Chair Johnson stated that this meeting protocol also includes how facilitation will run, that Robert's Rules of Order will be followed, that people will need to raise hand or ask to be recognized by the Chair or the facilitator of the meeting. That Commissioners and Committee Members will be provided ten minutes to be heard. General public will be provided three to five minutes to be heard. In terms of the agenda, the public will be able to speak at the beginning and the end of the meeting on items not on the agenda, and then the general public can speak after each agenda item. Those are the other parts of the policy memorandum. Did

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have a motion at the last Commission meeting and approved the accessibility accommodations and the way the meetings would be run. Have not seen the minutes from that meeting. Do not think this will need to go back before the Commission for another vote and when the minutes are received, will ensure that is what the minutes reflect.

Commissioner Burks stated in terms of transparency which is paramount to this Committee's existence, believes some exception language should be at this Committee's disposal, in light of the fact of technology glitches that could occur. If this policy is adopted unilaterally the way it is now written, for example, if at the February 2nd meeting there would have been a failure of the webcasting capability, the meeting would have had to be terminated, which is why exception language is needed, to address technological anomalies that may occur.

Commissioner Martinez stated that that was good point made by Commissioner Burks. That would prohibit any business being conducted and since the full Commission meetings only occur once every three months, that would not be conducive to business.

Commissioner Wilson stated that the agenda language should include a time deadline for requesting accommodations for meetings. Otherwise, people may ask the day before a meeting for Braille or a sign language interpreter.

Chair Johnson stated that the agenda already does state that accommodations must be requested ten business days prior to a meeting, and will also include that information into the protocol, as well.

Public Comments on this Agenda Item

Richard Skaff thanked the Commission members that voted to include many of the issues that have been requested since the first Commission meeting in the policies for accessible meeting information. However, would ask that there be less than a ten day requirement for requesting accommodations. Typically, 72 hours is considered adequate. If it is too long before the meeting, it may be difficult for persons to deal with. Requested that time requirement be amended to 72 hour notice prior to meetings. All areas of concern that were raised have been responded to except for one. That area concerns what is happening during Commission committee meetings, where decisions are made to take to the full Board. Typically, most details are discussed during committee meetings and decisions are made at that point that are then taken to the full Board, and the full Board does not typically open discussion up so that all discussions that took place the committee level is again discussed at the full Board level. This puts people who are deaf, who are not able to use the telecommunication system to interact during committee meeting, in a very difficult situation. May not be able to change a decision already made at a committee level because adequate participation at the Commission level does not allow for extensive input by either Commission members or the full public. The budget constraints are appreciated, but requested that in

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the future, each of the committee meetings also be webcast, including sign language interpretation during the webcast.

Laura Williams stated that at one of the last committee meetings, had requested that an item be carried forward to the full Commission meeting, that there be something added in the agenda at the bottom that persons could schedule or use the 7-1-1 system, and for the Commission to verify that the 7-1-1 system could accommodate a two, four or six hour meeting and have adequate operators on hand so that a deaf person could utilize the telephone through the State's 7-1-1- system. Also stated that the requirement of committee meetings is that the agenda be posted ten days prior, and usually are earlier than that, but sometimes is quite close to the ten days. By having the accommodations on that same ten-day schedule, freezes out any effective utilization of the accommodations process. Stated support of Mr. Skaff's position and that requirement for requesting accommodations should be no more than five days prior, or 72 hours. Some people may only get these emails five days prior the meeting and there would be no time left to request accommodations, and those people feel very disenfranchised.

Commissioner Wilson added that if the language stated five working days prior notice, that would help to provide all needed accommodations. Sometimes, 72 hours is not enough time, but five working days would be adequate.

Commissioner Abrams stated Chair Johnson had to leave the room and so will be residing for a few minutes. These comments are the kind that are needed because if meetings are not accessible, then what is the point. Again stated this is a work in progress, and not cast in concrete. This Committee will look into how much time staff needs to react to things. At the local level, the Brown Act has a 72-hour notice requirement, as opposed to the ten days that the Bagley-Keene requires. The goal will be to do what is realistic for everyone.

Commissioner Wilson asked if real time captioning has been considered. Commissioner Abrams stated not sure of answer to that but will discuss that with staff.

Unidentified woman stated one consideration should be mandated furlough times. Commissioner Abrams stated that consideration would be made regarding State employees having mandated furloughs.

Chair Johnson stated that Ms. Davis has an update on the minutes of meetings. Ms. Davis stated that the transcriber vendor had been sent several audio files, everything from full Commission meeting, all of the Admin Committee meetings, as well as an Accessibility Checklist Committee meeting. Hope to have everything turned in by end of next week. Once over hurdle of backlog, should be able to keep up well with committee meetings and the full Commission meetings. Biggest push is to have the full Commission meeting minutes done and ready, fully proofed by next Commission

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meeting, which is April 23rd, which Commission will be voting on at that meeting. Those are goals for having minutes transcribed. The minutes will be reviewed and then they will be sent to Chair Johnson and Vice Chairs Abrams for final review. Once receive final okay, minutes will be distributed per Chair Johnson's instructions.

f) Need for "Bylaws"

Chair Johnson stated not sure if Commission will need bylaws.

Commissioner Burks stated Commission should have a set of bylaws. Believe that other commissions already have bylaws, so could use a guidance document and incorporate statutory languages that exists for this Committee. Bylaws would be a very good tool to operate by.

Ms. Collins concurred that bylaws are standard and helpful and looking at another example of bylaws will probably do 90% of the work.

Commissioner Martinez suggested utilizing the Attorney General's Office for oversight for some of the requirements would also be helpful.

Unidentified person stated was sure Senator Harman would provide some guidelines and help.

Commissioner Abrams stated that is assuming the bylaws would be dealing with how the Commission is going to operate and Chair Johnson stated that is correct and that Commissioner Burks had stated that the bylaws could reflect what the charge of the Commission is also. Commissioner Abrams stated that makes good sense. However, the goal is more to post bylaws and make available to public. The Commission presently has a document created from Senate Bill 1608 that lists the Commission's charges and tasks. This is information that should be available to people, including which committees which have which responsibilities. That can all be part of the bylaws.

Commissioner Burks stated that if this is treated as a committee action, committee could work to develop the bylaws, bring to the public's attention for comment, and then bring forward to the full Commission for approval. Asked if these should be presented at the April 23rd Commission meeting or for the June meeting.

Chair Johnson stated probably cannot have bylaws ready for the April meeting, and suggested the bylaws be prepared for presentation to the Commission at the June meeting.

Commissioner Abrams stated that this should be put on the agenda for the April meeting, in order to let the Commission know bylaws will be prepared, and also so the public will know, as well.

Commissioner Burks stated Ms. Collins is willing to work with Commissioner Burks in preparing bylaws, and possibly Commissioner Abrams involved as an attorney. Chair Johnson also offered help as an attorney, but stated must be aware of the Bagley-Keene and if more than two people committee members working

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the bylaws at the same time would have to have noticed meetings. Chair Johnson recommended that Ms. Collins and Commissioner Burks draft some bylaws for the next Admin Committee meeting, for discussion at that meeting. Ms. Collins stated that would begin by reviewing bylaws already out there.

Chair Johnson stated that Commissioner Burks and Ms. Collins have been assigned to work on the bylaws project, and will present a draft at the next Admin Committee meeting. It will be put on the agenda for the full Commission as an update that bylaws are being prepared. Stated no need for a motion because ultimately the Commission would have to approve.

Commissioner Burks stated appreciation to people attending this Committee's meetings in person and on the phone for patience and support while these mundane procedural practices, policies and procedures are discussed and handled, and asked for patience and eventually will get down to more "meat" issues of interest. First must have house in order administratively in order to be successful down the road. Chair Johnson seconded what Commissioner Burks said.

Public Comments on this Agenda Item

No comments.

Chair Johnson stated that the next item to be addressed was information provided by Commissioner Wilson regarding doing an internship recruitment letter and asked Commissioner Wilson to give overview of proposal.

Commissioner Wilson stated today is a perfect example of how an intern could be utilized. Interns could do virtual internship work from various parts of the State, such as research. Has heard the need for research during this entire meeting, and the time it takes to gather accurate information and data could be easily done by an intern. Proposes setting up a state wide internship. Has checked in the field and has already gotten two or three responses from heads of departments of universities about it being a wonderful idea. The interns would get academic credit only and could be supervised by staff in the Commission's office. Could write up a job description. This would help Commission more forward administratively and get some needed research done and be of great benefit to the student.

Ms. Collins stated it is a great idea. This Commission needs to understand what obligations are as a State agency for interns regarding workers comp issues, which come into play. Also need to wait to address this when there is staff to supervise the interns.

Commissioner Wilson stated a point of issue is that university or college is required because those requirements must be satisfied for what is called "field work." Also have to qualify supervisors, as credentials are usually required when supervising students in the areas of law, MSW specs and social work. It's important to have a PTY phone available, not sure if Commission has that available, which creates a virtual worksite and the site would be designated as an accommodation. It's a program all within itself. Perhaps this could be on one of the next Commission's agendas.

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Chair Johnson stated this is a great idea, and has worked with interns and students through another job and also the legislature knows how internships work. Agree with Ms. Collins that would need staff to supervise the interns and need to look into the issues about what workers comp obligations are, and other issues that go along with having interns. Recommended this be turned over to Stephanie Davis or Jim McGowan to look at and determine how such a program could be put into place. However, can't begin this until funds are available to staff the Commission and at that point, could begin offering internships. Would be a good idea to put this forward on the Commission agenda so the Commission will know this is being considered. However, recommendation is this cannot be moved forward on until have a better sense of how this would be managed internally, and also let the full Commission review and discuss. Chair Johnson stated one of most rewarding things has been working with interns and law clerks, helping to shape young lawyers so these issues are looked at. Can't get much change without getting people to look at disability issues. Not approaching interns as only wanting someone to work in disability field. If not, things learned can translate to other areas in other fields, and then could end up with the whole world having an understanding of disability access issues, not just a small community of people dealing directly with those issues. So, fully support idea of interns, but must investigate how it would work structurally for this Commission and must ensure that infrastructure in place to support the interns.

Commissioner Burks stated total agreement with Ms. Collins and Chair Johnson. However, not certain this should go to full Commission at this point. Perhaps more proper to vet out the necessary committee work and discuss the viability as a committee first. Should maximize Commission meetings with an end work product that has been researched, discussed and brought together. Could mention this is being looked at as a resource, and that even though don't have capability at this time. Asked staff if Ms. Davis and Mr. McGowan are in a position to look into this idea and do some research as to the obligations of assuming managerial functions of interns, and what that requires as a State agency. Sure there are policies and procedures already out there stating this is what must be in place in order to have interns.

Ms. Davis stated would talk to Mr. McGowan after first discussing with Mr. Walls, to determine what could be done, as far as internal procedures. Could possibly talk to DGS' human resources division to see if there is a written policy on the issue of internship programs. If Mr. Walls or Mr. McGowan have questions, will call Chair Johnson for clarification.

Chair Johnson stated that it was not meant that Commission would have full blown out presentation, but meant along the same lines as Commissioner Burks had stated. Ms. Collins stated that it could be referenced in this Committee's report to the Commission.

Public Comments on this Agenda Item

Laura Williams stated full agreement that this would be an excellent opportunity. In addition, would ask that this Committee consider taking the front end of it and ask for participation by the colleges because, for someone in the studies of policy to take on the task of describing and defining an intern program for the State of California and the Disability

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Commission could be an academic process, including folding in all requirements for the academic needs of a full supervised internship program and then comes to the Commission as a fully researched item that has been taken under academic supervision for an initial paper. So would ask this Committee to consider that as a potential use of students.

Chair Johnson stated Ms. Williams' idea was an excellent one and this Committee will pursue that also.

Chair Johnson thanked Commissioner Wilson for bringing the internship idea forward.

5. FINANCES/FUTURE FINANCING

Chair Johnson stated that a Spring finance letter was sent to the Department of Finance for \$100,000 for the Commission which was approved. A smaller working group of people that worked initially on 1608 are working with the Governor's Office to get that bumped up to \$500,000, and want to mention that it is through the leadership of the business community which enables this to be done since the disability community does not have a lot of clout in the Governor's Office, but the business community does, and have taken the lead on making sure this Commission receives enough funding to continue to function. So want to publicly, at this Committee meeting, state appreciation and thanks to the business community for willingness to partner with us in getting this Commission going so we can look, at issues that are of importance, not only to the business community but also to the disability community. This is one of the things that was part of 1608 that disability community was interested in seeing happen. This is an important way for this Commission to look at access in the State and make some recommendations regarding what needs to be done in order to make the State more accessible to people with disabilities. So, again, want to thank the business community for working with this Commission to move that forward.

Commissioner Abrams stated the letter that was sent came from the State and Consumer Services Agency to the Department of Finance asking for the \$100,000. The Commission did not recommend \$100,000, but instead recommended \$500,000 but the State and Consumer Services Agency stated just wanted to get something in to the process quickly, so the letter was put in asking for \$100,000, in order to have a place holder as the budget process moves forward. It was made clear that that was not intended to supersede any efforts by Commission to try to get a larger amount, just a starting point. There have been a number of efforts by a lot of people, such as the legislature, constituency groups, to get that number bumped up. Just had a phone call and will say that the chances of this Commission getting more than \$100,000 are quite good, that Chair Johnson and Vice-Chair Abrams have been asked to go over to the State and Consumer Services Agency on Monday so can tell us how this Commission can craft the budget documents and what is needed in order to put in place so it will be included in the May revise. Monday will find out who will be assigned to work with this Commission in doing this. Things are very, very uncertain in all aspects of government these days, but chances look better than they did a half hour ago. Mr. Walls will also be asked to attend on Monday.

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Public Comments on this Agenda Item

No comments.

6. LEGAL COUNSEL

No discussion, simply a placeholder on agenda.

Public Comments on this Agenda Item

No comments.

7. FUTURE AGENDA ITEMS

Chair Johnson stated can discuss set for action future agenda items on procedural of substantive issues relating to State regulatory programs, Commission policy and administrative matters.

Commission Abrams stated would like to ask that until further notice, all future agenda for this Committee include a report on the status of the various committees, so that each committee would make a report or provide a status report on what each of the committees has done. The Checklist Committee has met. The CASP & Education Committee is meeting Monday. Now that committees are starting to work, it should be a standard item on agenda until no longer needed, to have a status report from or on each of the committees.

Chair Johnson stated it was so noted.

Ms. Davis asked if Chairs of those committees should send a document that will be read into the record, or should someone from each committee come and make presentation.

Commissioner Abrams stated that intent is to make this process as easy and flexible as possible. If a committee is at a point where it has a report to make in writing, it could do that. But at the very least, the members of this committee who are liaisons to particular committees make a verbal report and/or written report at each Admin Committee meeting. The Administrative Committee needs to know what each committee is doing, what has been accomplished, what time lines are, what goals are.

Public Comments on this Agenda Item

No comments.

8. COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

Chair Johnson stated will now open to the public for discussion of any items not on the agenda.

Public Comments on this Agenda Item

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No comments.

8. ADJOURN

Chair Johnson asks for a motion to adjourn the meeting. Commissioner Abrams moved to adjourn the meeting, Commissioner Martinez seconded.

Chair Johnson adjourned the meeting at approximately 11:30 a.m.

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