Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

<table>
<thead>
<tr>
<th>A. GENERAL INFORMATION</th>
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<tbody>
<tr>
<td>1. Date</td>
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<tr>
<td>March 10, 2022</td>
</tr>
<tr>
<td>3. Organizational Placement (Division/Branch/Office Name)</td>
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<tr>
<td>4. CEA Position Title</td>
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<td>5. Summary of proposed position description and how it relates to the program's mission or purpose. <em>(2-3 sentences)</em></td>
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The Department of Developmental Services (DDS) requests to establish a Deaf Access Specialist, Career Executive Assignment (CEA) Level A. The Deaf Access Specialist will provide statewide leadership and subject matter expertise on the provision of services and supports for individuals who are deaf and have intellectual or developmental disabilities, referred to as Deaf Plus (Deaf+). This position will serve as a high-level advisor and cultural specialist working with Executive management, control agencies, the Legislature, 21 Regional Centers (RCs), community groups, advocacy organizations, families and individuals to inform and develop policies, resources, and best practices that remove cultural and linguistic barriers, improve the service delivery system and better meet the needs of the Deaf+ community.

<table>
<thead>
<tr>
<th>6. Reports to: <em>(Class Title/Level)</em></th>
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<tr>
<td>Deputy Director, Service Access and Equity Division</td>
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<th>7. Relationship with Department Director <em>(Select one)</em></th>
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<tr>
<td>☐ Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.</td>
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<tr>
<td>☑ Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.</td>
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*(Explain):* Serve as a high-level policy advisor and cultural specialist for the Directorate to inform policy and operational directives, legislative and fiscal issues, laws and regulations impacting area of expertise; inform on the development, expansion, and integration of services and supports for the Deaf+ community through the DDS service delivery system, and provide training and expertise to DDS programs and the 21 RCs.

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<tr>
<th>8. Organizational Level <em>(Select one)</em></th>
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<td>☐ 1st</td>
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9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

The DDS is responsible for administering the Lanterman Developmental Disabilities Services Act (Lanterman Act). The Lanterman Act provides for the coordination and provision of services and supports to enable people with developmental disabilities to lead more independent, productive, and integrated lives. The DDS carries out its responsibilities for more than 385,000 persons with intellectual or developmental disabilities through contracts with 21 community-based, non-profit corporations known as RCs, as well as state-operated facilities, including Stabilization, Training, Assistance, and Reintegration (STAR) homes.

For several years, the DDS has been addressing service equity issues that exist within the developmental services system, with a focus on learning how to serve diverse populations within the service system with cultural and linguistic sensitivity. To that end, the DDS recognizes the need to evaluate supports for individuals who are Deaf+ and work with RCs to identify and develop resources to provide improved services and supports. Individuals who are deaf and hard of hearing represent a highly diverse population with a wide range of communication preferences and cultural and ethnic backgrounds that shape their interactions with their environment. Deafness alone is not a qualifying diagnosis for RC services, nor does it inhibit an individual’s ability to live independently.

However, individuals who are deaf and have an intellectual or other developmental disability (referred to as Deaf Plus (Deaf+) within the deaf community) may qualify for RC services and supports to assist them in living as independent lives as possible. Individuals who are deaf and have intellectual or developmental disabilities enter the developmental services system at varying ages and with differing support needs. Currently there are approximately 14,300 individuals served within the service system who have moderate to profound hearing loss with about 510 of those individuals reportedly using American Sign Language (ASL) as their primary means of communication (based on Client Development Evaluation Report and Client Master File as of December 2019.)

This position will develop policies, resources, training, and supports consistent with communication and access requirements under Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Civil Rights of Institutionalized Persons Act, California Disability Rights law, and other federal and state statutes and regulations and inform broader Department equity efforts.

The specific duties and responsibilities of the Deaf Access Specialist will include, but not limited to:

Serve as a high-level advisor and cultural specialist for the Directorate to inform on current and future policy, operational directives, legislative and fiscal issues, laws and regulations impacting area of expertise. Informs on the development, expansion, and integration of access to services and supports for the Deaf+ community in the DDS service delivery system. As the subject matter expert, conducts research based on current trends, literature, and data to develop, prepare and present on topics in this specialized field to the Directorate, executive staff, and others on trends and issues that may inform current and future service needs.

Prepares, presents, and participates on committees, task forces and workgroups, such as the Deaf+ Steering Committee, Developmental Services Task Force (DS Task Force) Community Resources Workgroup, and in DS Task Force meetings. Works with the Deaf+ Steering Committee and DS Task Force Community Resource Workgroup to develop initiatives to increase the pool of professionals and provider staff who have the skills needed to support the Deaf+ community. Serves as single point of contact and coordinator of DDS’ goals and initiatives for individuals who are Deaf+.

Oversees development of assessment processes, tools, person-centered communication profiles, and initiatives to increase access to appropriate services for individuals who are Deaf+. Works with RCs to increase opportunities for individuals who are Deaf+ to reside in living options and communities of their choosing, including identifying providers with the cultural and skill capacity to support the Deaf+ community, develops resource list and housemate profile template and other tools or resources as determined.

Oversees development of and participates in trainings for professionals supporting the Deaf+ community. Develops RC contract language regarding assessment requirements, incorporates language, revises language as needed, and oversees RC compliance in areas of expertise.

Participates in review of Service Access & Equity grant and Community Resource Development Plan proposals. Provides consultation and recommendations in areas of expertise.

Develops and communicates directives to RCs detailing actions RCs must take to further meet the needs of the Deaf+ community, newly developed policies, and reinforce compliance with federal and state statutes, regulations, and Americans with Disabilities Act (ADA) requirements.
B. SUMMARY OF REQUEST (continued)

10. How critical is the program’s mission or purpose to the department’s mission as a whole? Include a description of the degree to which the program is critical to the department’s mission.

☑ Program is directly related to department’s primary mission and is critical to achieving the department’s goals.

☐ Program is indirectly related to department’s primary mission.

☐ Program plays a supporting role in achieving department’s mission (i.e., budget, personnel, other admin functions).

Description: In April 2020, a lawsuit was filed in the Northern District of California under Title II of the ADA, Section 504 of the Rehabilitation Act of 1973, and California disability rights law. The lawsuit alleges DDS has failed to address the systematic discrimination against Deaf+ individuals who have been denied the accommodations they need for effective communication, such as interpreters, staff fluent in ASL, or communication devices. As a result of this allegation, DDS recognizes the critical need to develop policies and issue directives to ensure that the services it funds and oversees are accessible to people who are Deaf+, they understand their choices so they can make informed decisions, and that they are not isolated from social interaction or denied the opportunity to communicate and meaningfully engage in the community. This lawsuit aims to ensure that the DDS provides equal access to programs, services, activities, and opportunities, in accordance with longstanding federal civil rights laws.

A high level subject matter expert is necessary to provide the leadership, oversight, and coordination with DDS’ programs and the 21 RC’s toward an inclusive service delivery system that effectively serves and supports the diverse needs of individuals who are Deaf+ living and working in our communities and residential living programs.
B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

Advocates have challenged the Department to address what they view as systemic issues related to the service and supports provided to deaf individuals by the 21 RCs and state-operated facilities. Soon after hearing about these concerns in 2018, the DDS held a stakeholder meeting in Northern California to learn more from deaf individuals and their families. The overarching concern was access to effective communication across service categories, but especially residential and day services.

In January 2020, the DDS had a focused conversation with advocates and RCs to address ongoing concerns about this population within the developmental services system. The primary area of concern was the lack of a formal communication assessment when deaf individuals enter the system so that services are developed and delivered in a person-centered way and that rights to effective communication are upheld. A stakeholder focus group, also in January 2020, was held in Southern California to gather input from deaf individuals and their families about RC funded services and supports. Input focused on the need for the DDS to provide statewide leadership to address barriers to accessing appropriate services, such as the limited availability of interpreters, lack of general resources in this community, and dissemination of best practices.

As previously highlighted, on April 30, 2020, Disability Rights California and Disability Rights Advocates filed a class action lawsuit against the DDS on behalf of Deaf+ individuals. The lawsuit charges the state agency with discrimination against deaf people who depend on RC programs and services funded and administered by DDS. This lawsuit aims to ensure that the DDS provides equal access to programs, services, activities, and opportunities, in accordance with longstanding federal civil rights laws. Plaintiffs are not seeking money. They want DDS to do more to help individuals who are Deaf+. For example, they want DDS to ensure each individual receives a communication assessment to determine the best way to communicate with them and has access to communication supports like interpreters, staff fluent in ASL, or communication devices.

The current service delivery system is not nimble at identifying the unique cultural needs of individuals who are deaf. Factors that must be considered when serving this population include the availability of deaf service coordinators, adequate training of service coordinators, availability of ASL interpreters with experience in developmental disabilities, effective assessment of need for individual service planning, and availability of providers with experience working with individuals who have developmental disabilities and who are deaf. Additionally, to effectively support an individual, RCs must enhance their understanding of the varied and preferred communication methods of this group of individuals. Misunderstanding about preferred communication methods impacts an individual’s ability to make both big picture and daily life decisions that affect their quality of life. Although some individuals may know and use ASL, others may have developed a unique signing system within their family or prefer to communicate in writing. Assessing an individual’s communication style is a crucial first step to providing services and supports that meet individual needs.

DDS has heard from these individuals, their families, and advocates about the unmet or under-served needs of this community. While a few RCs have focused efforts on developing internal and external resources to more effectively serve this group of individuals, the DDS recognizes its leadership role in developing policies, sharing promising practices, providing technical assistance, and monitoring the RCs’ efforts to develop sufficient services and supports to meet the unique needs of this population. To do so, the DDS must have a better understanding and knowledge of the deaf culture, which comes through guidance and expertise from the deaf community itself.

The DDS continues to learn more about the culture of the deaf community and how individuals who are Deaf+ are supported within that community and through the RC system. As the DDS works to provide equal access to services for all individuals served by the developmental services system, it is apparent that recruiting a subject matter expert in the deaf community is an important and necessary step in this endeavor.
C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

For several years, the DDS has been addressing service equity issues that exist within the developmental services system, with a focus on learning how to serve diverse populations within the service system with cultural and linguistic sensitivity. To that end, the DDS recognizes the need to evaluate supports for individuals who are deaf and have intellectual or developmental disabilities Deaf+ and work with RCs to identify and develop resources to provide improved services and supports.

The primary role of the Deaf Access Specialist is to provide executive leadership, high-level subject matter expertise, and serve as the single point of contact on all matters regarding services and supports for individuals who are Deaf+. This position will collaborate and coordinate department-wide efforts with DDS staff, 21 RCs, individuals receiving services and their families, and other stakeholders, including other state agencies, to identify areas in which individuals who are Deaf+ experience barriers to accessing RC services. This position will inform, develop and implement policies and procedures to reduce barriers in communication and access to DDS funded supports and services; and ensure DDS and RC compliance with Title II of the ADA, the ADA, Section 504 of the Rehabilitation Act of 1973, and California disability rights law, and other federal and state regulations to avoid discrimination against deaf people who depend on RC programs and services funded and administered by DDS.

The Deaf Access Specialist will be responsible for collaboration with partners in the development and implementation of policies, methodologies, and procedures of formal communication assessment tools when Deaf+ individuals enter the system. These deliverables will assist DDS and the RCs in understanding the scope and complexity of individual needs, assist in matching services and supports, identify deficiencies or concerns and areas to enhance services, and determine the appropriate delivery of essential services and supports to individuals who are Deaf+.

The conditions in which individuals live, learn, work, play, worship, and age affect a wide range of health, functioning, and quality-of-life outcomes. The Deaf Access Specialist will work with RCs to increase opportunities for Deaf+ individuals to reside in living options and communities of their choosing, including identifying providers with cultural and skill capacity to support the Deaf+ community, and develop resources, models or templates based on outcomes of collaboration with partners, research, and needs of the Deaf+ community.

The Deaf Access Specialist will serve as a cultural specialist and consult on innovative methods of service, recommend solutions to improve an array of services and supports for individuals who are Deaf+, including those with the most challenging needs; and advise and inform on trends, literature, and research that may impact current and future DDS policies, operational directives, or inform future service needs.

As a high level advisor, the Deaf Access Specialist will represent DDS on the Deaf+ Steering committee, the DS Task Force Community Resource Workgroup, and in DS Taskforce meetings; prepare and provide materials, presentations, and trainings on topics in this specialized field to the Directorate, executive staff, RCs, community groups, advocacy organizations, legislative staff, and other state entities; and serve in a policy influencing capacity for DDS programs or services in relation to compliance, reducing health disparity, and promoting health equity for individuals who are Deaf+.

This position will also be responsible for overseeing the development of a Deaf+ web page on DDS’ public website, determining direction and selection of content, resources, accessibility, and maintenance of the website; development of and implementation of RC contract language for Deaf+ assessment requirements, oversee RC compliance; and participate in reviews of Service Access & Equity grant and Community Resource Development Plan proposals.
C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Deaf Access Specialist will be responsible for the DDS' statewide efforts to promulgate policies and procedures to assess individuals who are Deaf+, develop and inform on polices that impact access to and expansion of services and supports for individuals who are Deaf+ receiving services through the RC delivery system. This CEA will be expected to have a statewide impact and it will be imperative for this individual to have to be responsive to a variety of inquiries from the legislature, stakeholders and the community.

This CEA's decision making authority will be within the area of expertise, providing consultation to and inform Directorate on current and future service needs impacting area of focus, and as determined advise, develop or revise department-wide policies or operational directives that may crossover into other service and program areas.

The decisions made by this CEA will have a substantial impact on Californians who are Deaf+, receiving assessment and services through the 21 RCs, comprised of a network of 20,000 community service providers.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The CEA will serve as subject matter expert to inform and advise on current and future policy. In collaboration with the Deaf+ community, committees, task forces, stakeholders, and others, the CEA will promulgate and implement new policy, and interpret and implement existing policy. The DDS has existing policies for RC governance and performance, monitoring, and quality assurance. However, new policies are required to improve and address equity and access issues in the RC system for individuals who are Deaf+. Specific areas of concern requiring new policies include determination of assessment methodologies, eliminating barriers in communication access and expansion of services and supports to individuals who are Deaf+, determine appropriate training of professionals supporting the Deaf+ community, and developing contract language specific to services for Deaf+, revision of contract language, and ensuring RC compliance with federal and state statues, laws, and policy directives. Failure to act to address and develop policy in the aforementioned policy areas will limit individuals who are Deaf+ in fully accessing and being integrated into the community.