



**TRI-COUNTIES REGIONAL CENTER
TCADD BOARD POLICY**

Policy Title: Transparency and Public Information Policy

Policy Number: B0010

Date Approved: July 8, 2011

BOARD COMMITTEE RESPONSIBLE FOR THIS POLICY:

Administrative Committee

PURPOSE:

The purpose of the Transparency and Public Information Policy is to establish guidelines for timely public access to information and records in accordance with Welfare and Institutions Code (WIC), Section 4629.5, 4640.6(k), 4639, the Internal Revenue Service (IRS), and the state's contract with the regional center.

POLICY:

The center's Chief Information Officer shall have the overall responsibility to monitor compliance of the Transparency and Public Information Policy.

1. To promote transparency, TCRC shall include on its Internet Website the following information:
 - a. Annual independent audits. WIC 4629.5(b)(1)
 - b. Bi-annual fiscal audits conducted by the Department of Developmental Services (DDS). WIC 4629.5(b)(2)
 - c. Annual reports pursuant to WIC Section 4639.5:
 1. Current salary schedule for all personnel classifications WIC 4639.5(a)
 2. Prior fiscal year expenditures from the regional center operations budget for all administrative services, including managerial, consultant, accounting, personnel, labor relations, and legal services, whether procured under a written contract or otherwise. WIC 4639.5(b)
 - d. Contract awards, including the organization or entity awarded the contract, and the amount and purpose of the award. WIC 4629.5(b)(4)

- e. Purchase of service policies. WIC 4629.5(b)(5)
 - f. The names, types of service, and contact information of all purchase of service vendors, except persons served or family members of persons served. WIC 4629.5(b)(6)
 - g. Board meeting agendas and approved minutes of open meetings of the board and all committees of the board. WIC 4629.5(b)(7)
 - h. Bylaws of the regional center governing board. WIC 4629.5(b)(8)
 - i. The annual performance contract and year-end performance contract entered into with the department. WIC 4629.5(b)(9)
 - j. The biannual Home and Community-Based Services Waiver program review conducted by DDS and the State Department of Health Care Services. WIC 4629.5(b)(10)
 - k. The board approved Transparency and Public Information Policy. WIC 4629.5(b)(11)
 - l. The board approved Conflict-of-Interest Policy. WIC 4629.5(b)(12)
 - m. The board approved Procurement Policy. DDS Contract.
 - n. The board approved Whistleblower Policy. DDS Contract.
2. TCRC shall provide timely public access to information, upon written request by a member of the public, that includes but is not limited to:
- a. Requests for proposals and contract awards. WIC 4629.5(a)
 - b. Service provider rates. WIC 4629.5(a)
 - c. Documentation related to establishment of negotiated rates for service providers. WIC 4629.5(a)
 - d. Department of the Treasury Internal Revenue Service (IRS) Return of Organization Exempt From Income Tax, Form 990, for the past three (3) years. WIC 4629.5(a) & IRS
 - e. Management letter issued to TCRC by TCRC's independent accounting firm. WIC 4639
 - f. Employment contracts with regional center staff or contractors. WIC 4640.6(k)
 - g. Articles of Incorporation. IRS
 - h. IRS determination letter that established TCRC as a non-profit corporation. IRS
 - i. Tax Exemption Application (if organization was formed after July 1, 1987). IRS

PROCEDURE:

1. Public records maintained by TCRC are available for inspection in its Santa Barbara office by members of the public during TCRC's regular business hours or on TCRC's website at www.tri-counties.org.
2. Requests by the public for inspection or copying of public records shall be made in writing unless the request involves records that are maintained on TCRC's website for the purpose of immediate public inspection.
3. TCRC shall maintain the most current document or records required by Welfare and Institutions Code, Section 4629.5 on its website. All prior documents and records will be available on request by the public.
4. Written and email requests for records shall be directed to the following at TCRC:

Records Coordinator
Tri-Counties Regional Center
520 East Montecito Street
Santa Barbara, CA 93103
webmaster@tri-counties.org

5. Written or e-mail requests may take up to ten (10) business days for TCRC to review the request and inform the requestor whether or not the records are available and whether or not the records may be provided. All notifications by TCRC will either be made in writing or by e-mail to the requestor. Additionally, TCRC will notify the requestor, in TCRC's written response, of the amount of any applicable photocopying fees.
6. If the records are available on TCRC's website, the requestor shall be directed to TCRC's website to obtain the records.
7. If the records are available and not on TCRC's website, TCRC will, at TCRC's discretion either: 1) provide a copy (electronic or paper copy) of the records to the requestor; or 2) notify the requestor, in writing, the date that the records will be available. In some cases, TCRC will require an extension of time to make the records available to the requestor due to "unusual circumstances." Unusual circumstances may include, but are not limited to, the following:
 - a. The need to search for and collect the requested records from off-site storage.
 - b. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request.
 - c. The need for consultation, which shall be conducted with all practicable speed, with another agency or legal counsel.
 - d. The need to compile data.

8. If the records are not available or maintained, TCRC will notify the requestor, in writing or e-mail, of the reasons for not providing the records requested.
9. TCRC shall not disclose any records or information which is exempt from disclosure by statute or regulation or the disclosure of records or information violates Welfare and Institutions Code, Section 4514.
10. TCRC shall not disclose to a member of the public the Social Security number reported in the employment contract between regional center and an employee or contractor. WIC 4640.6(k)(2). Therefore, Social Security numbers shall be redacted by TCRC personnel from all employment contracts prior to inspection by the public.
11. TCRC shall not disclose any records or information to a member of the public that contains confidential information about persons served or family members of persons served.
12. Requests by the public for inspection of records shall not interfere with the ordinary business of TCRC.
13. The operational functions of TCRC shall not be suspended to permit public inspection of records during periods in which such records are reasonably required by TCRC personnel in the performance of their duties.
14. If the request requires review of numerous records, a mutually agreeable time will be established for the inspection of the records.
15. Requests by the public must be specific. The request shall sufficiently describe records so that the identification, location, and retrieval of the records can be achieved by TCRC personnel.
16. In those cases where the records exist in an electronic format, and TCRC determines to e-mail such records rather than photocopy, TCRC will not charge a photocopying fee to the requestor for the records.
17. TCRC will charge a rate of \$0.20 per page for photocopying of records. A minimum charge of \$10.00 will apply for photocopying fees. Payment must be received by TCRC in advance from the requestor prior to photocopying the records. WIC 4725(a)
18. When data compilation involving an electronic record is required, the requesting party must pay full costs, which will be estimated before the information is prepared by TCRC. Payment of fees must be received by TCRC in advance from the requestor prior to producing the records.

Approved by TCADD Board Administrative Committee: June 21, 2011

Approved by TCADD Board of Directors: July 8, 2011