

MT Council on Developmental Disabilities
Policy # 1.1
June 19, 2008

MISSION OF THE
MONTANA COUNCIL ON DEVELOPMENTAL DISABILITIES

POLICY

The Montana Council on Developmental Disabilities

is committed to a consumer-driven service delivery system that improves independence, productivity and integration of people with developmental disabilities in all aspects of life and community.

This Mission Statement is developed and adopted by the Council membership and is reviewed and updated on a regular basis by the Council.

MT Council on Developmental Disabilities
Policy # 1.2
June 19, 2008

PURPOSE OF MONTANA COUNCIL ON DEVELOPMENTAL DISABILITIES

The purpose of the Montana Council on Developmental Disabilities is:

1. Engage in advocacy, capacity building and systematic change activities that are consistent with the purpose of Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, codified at 42 U.S.C. 15001, et seq., also known as "The Developmental Disabilities Assistance and Bill of Rights Act of 2000", hereinafter referred to as the "DD Act".
2. Contribute to a coordinated, consumer and family-centered/directed, comprehensive system of community services, individualized supports and other forms of assistance that enable individuals with developmental disabilities to exercise self-determination, be independent, be productive and be integrated in all facets of community life.
3. Educate and advocate for innovative change in programs and policies affecting persons with developmental disabilities.
4. Review, monitor and provide input on programs and policies pertaining to persons with developmental disabilities.
5. Promote public awareness and public understanding regarding issues pertaining to developmental disabilities.
6. Monitor and disseminate council funds.
7. Submit state and federal reports as required by law.
8. Respond to other matters that the Council feels lie within the intent of the directives and guidelines of the federal law.
9. Create a five-year state plan of action, based upon public input, which guides the Council in its allocation of resources.

MT Council on Developmental Disabilities
Policy # 2.1
Adopted June 19, 2008

COUNCIL MEMBERSHIP

Council Membership shall consist of the Council members authorized by § 2-15-1869(1)-(4) of the Montana code, and § 125(b) of the DD Act, and shall be appointed by the Governor of the State of Montana.

MT Council on Developmental Disabilities
Policy # 2.2
Adopted June 19, 2008
Amended March 12, 2009

DUTIES AND RESPONSIBILITIES OF MEMBERS

Council members shall be active members and shall actively involve themselves in the business of the Council.

As active members of the Council, Council members have duties of care and loyalty to the Council and responsibilities which include the following:

- Determining the Organization's Mission and Purpose
- Selecting the Executive Director
- Supporting the Executive Director and Review of His or Her Performance
- Ensuring Effective Organizational Planning
- Ensuring the Council Maintains Adequate Resources
- Managing the Council's Resources Effectively
- Determining and Monitoring the Organization's Programs and Services
- Enhancing the Organization's Public Image
- Assessing Its -Own Performance.

The Council shall adopt all policies which it deems necessary for its members to fulfill their duties and responsibilities and for the Council to fulfill its legal responsibilities as those responsibilities are detailed in:

- § 125(c) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Public Law 106-402, codified at 42 U.S.C. 15001, et seq., also known as "The Developmental Disabilities Assistance and Bill of Rights Act of 2000", hereinafter referred to in the Council's policies as the "DD Act", and
- Montana Law as set forth in § 2-15-1869(6)(a)-(b), MCA.

Montana Council on Developmental Disabilities
Policy # 2.3
Adopted January 19, 2008
Amended June 19, 2008

CONFLICT OF INTEREST POLICY

This policy attempts to deal with the issue of Conflict of Interest in ways that are fair to members and employees of the Montana Council on Developmental Disabilities and that enable the Council to function while protecting the integrity of the Council.

Principles:

Montana Council on Developmental Disabilities (MCDD) members and employees, must enter into participation with the Council intending to further the mission of the Council.

This policy recognizes that both real and apparent conflicts of interest or dualities of interest sometimes occur in the course of conducting the Council's daily affairs. A conflict refers only to personal, established interest of the persons covered by this policy and their immediate families, and not to philosophical or professional differences of opinion.

Through this policy, the Council intends to ensure with reasonable prudence that no member or employee creates the appearance of realizing financial gain of any nature or amount from Council actions.

Members and employees shall not engage in any conduct or activity that might reasonably be interpreted by the general public as tending to adversely affect the performance of their duties.

Each member and employee of the Council shall follow the procedures of this policy.

Definitions:

Definitions are intended to be illustrative rather than exhaustive

- i. Potential Conflict: A Council member/employee has a potential conflict of interest if he or she is required to take official action which would affect a financial interest of (a) the Council

- member/employee as a member of a profession or agency, or (b) the Council member/employee's immediate family or business.
- ii. Family member of employee is the spouse or a dependent of the employee.
 - iii. Family member of a council member is the spouse, a dependent, an adult child and his/her spouse, a parent, a spouse's parents, a sibling and his/her spouse of the Council member.
 - iv. Substantial Conflict: A Council member/employee has a substantial conflict of interest if there is reason to believe that Council member will derive monetary gain by his or her official action.
 - v. Undue influence: The misuse of a position of confidence to change improperly the actions or decisions of an individual or group for the purpose of obtaining an unfair advantage.

Individuals and Organizations Covered

Conflicts of Interest should be avoided with the following:

1. Council members and employees;
2. Immediate family members of Council members and employees;
3. Partners or business associates of Council members and employees;
4. Organizations in which Council members and employees are officers, directors, employees, or consultants; and
5. Person's or organizations with whom Council members and employees have any arrangement concerning prospective employment.

Actions Prohibited

- A. No Council member or employee shall:
 1. participate in the discussion, selection or award or influence a decision or vote, regarding a grant/contract in which the Council member/employee of the Council is known to have a conflict of interest;
 2. accept anything of value (e.g. money, service, gift, travel, entertainment, promise) from a grantee or a prospective grantee;
 3. advise a contractor or participate in an application for Council funding for a project if the Council member participated in designing or developing the Call for Investment;
 4. use the Council to sell goods or services;
 5. hire family members;
 6. represent his or her personal opinion as that of the Council;
 7. use the Council for purposes related to their election to public office;

8. appear before the Council to seek funding for a period of one year after termination of employment or expiration or termination of Council membership.
- B. Any Council member or employee of the Council who has a conflict of interest must not,
 1. participate on the Council or committee while the details and specifications of Calls for Investments are being developed;
 2. participate in the discussion, screening, or selection process for grants/contracts;
 3. vote on funding decisions;
 4. participate in the evaluation of grants/contracts.

Exceptions

Agencies with which Council members are associated are not prohibited from presenting to the Council, or receiving grants from the Council, so long as Council members do not share in the profits or receive compensation from those agencies.

- A. A member or employee who has a developmental disability or who has a relationship or association with someone with a developmental disability shall not be construed as having a conflict of interest because of that disability, relationship or association.

Disclosure

- A. Each Council member or employee of the Council shall disclose publicly all conflicts of interest, potential and substantial, and shall specify how the individual or organization might benefit from activities and decisions of the Council.
- B. Each member and employee shall annually sign the Conflict of Interest Statement attached to this policy. Refusal to sign the Conflict of Interest Statement will be interpreted as an intentional violation of this Policy and will be subject to the applicable penalties stated below.

Determination of Conflicts

The Council's Governance Committee shall determine whether or not a conflict of interest exists after reviewing all documentation submitted by the member or employee. The findings of the Governance Committee are final.

Intentional Violations and Penalties

In addition to any penalties defined by state or federal law, the following penalties shall apply to Council members and employees of the Council for intentional violations of these policies:

1. In the case of a Council member, the Executive Director shall initiate termination of Council membership with the Governor's office.
2. In the case of an employee of the Council, the Executive Director shall initiate disciplinary action in accordance with state law and regulations.
3. In the case of the Council Executive Director, the Chair shall contact the Council's attorney who shall initiate disciplinary action in accordance with state law and regulations.
4. In the case of a grantee/contractor, it shall be sufficient cause for termination of the contract and elimination of the grantee or contractor from future grant or contract considerations.
5. In the case of the Chair, the Vice-Chair, in collaboration with the Council's Governance Committee, shall request that the Executive Director initiate termination of council membership with the Governor's office.

CONFLICT OF INTEREST STATEMENT

I _____ have read, understand, agree to adhere to and freely sign the Montana Council on Developmental Disabilities Conflict of Interest Policy attached to this Statement.

Council Member/Employee Name

Date

Montana Council on Developmental Disabilities
Policy # 2.4
Adopted June 19, 2008

COUNCIL MEMBER PARTICIPATION POLICY

Active and consistent participation in Council, Committee and Workgroup meetings is the responsibility of all members.

Montana Council on Developmental Disabilities
Policy # 2.5
Adopted June 19, 2008
Revised June 17, 2009

MEMBER ATTENDANCE POLICY

Each Council member is expected to attend all regularly scheduled meetings of the full Council, unless the member is excused by the Council. Member attendance shall be recorded each time a meeting is called to order and Council staff will maintain documentation of attendance for Council members.

Attendance at a meeting of the Council is defined as being present when the meeting is called to order and remaining at the meeting until its conclusion. Members are expected to be present for the entirety of the meeting.

To be excused by the Council, the Council Member being excused, or, if the Council Member is incapacitated, his/her family member or surrogate, must provide the Council notice in advance of the regularly scheduled meeting that the Council Member will not be in attendance. Notice may be given by informing the Council staff of the Council Members upcoming absence through the following means: (1) telephoning the Council staff, (2) sending an email to the Council staff, or (3) mailing a written notice to the Council offices. The Notice must explain the Members reason for nonattendance.

The business of the Council is performed by the Governor-appointed members or liaison members appointed by the Council. No proxies or alternate members shall be permitted.

Members are considered inactive when they have missed more than two (2) consecutive Council meetings without being excused, two (2) consecutive committee meetings without being excused or five successive regular Council Meetings with or without being excused by the Council. The Executive Director will send a "Notice of Inactive Status" to each inactive member within fourteen (14) days of the member becoming inactive.

Inactive members will not be permitted to actively participate or vote at Council meetings until their inactive status is removed through the process described below.

An inactive member must respond to the "Notice of Inactive Status", in writing, within thirty (30) days of the date of the Notice in order to remain on the Council. The inactive members response must contain a statement of the

inactive member's desire to remain on the council and must fully explain the member's unexcused absences.

An inactive member's response complying with the above-stated requirements will be reviewed by the Governance committee at its next regular meeting. At that meeting, the Governance committee will draft a formal recommendation to the full Council stating whether or not the inactive member should be reinstated as an active member of the Council. During the next regularly scheduled full council meeting, the Governance committee's recommendation will be reviewed and the Council may, by a majority vote, accept the recommendation of the Governance committee or the Council may choose not to accept the Governance committee's recommendation.

If the Council declines to reinstate the active status of an inactive Council Member, the Executive Director of the Council shall notify the Governor, within ten (10) days after the conclusion of the Council's decision, that the Council recommends that the member be replaced.

The Executive Director will also notify the member of the Council's recommendation for replacement to the Governor and the reason for the recommendation.

Montana Council on Developmental Disabilities
Policy # 2.6
Adopted June 19, 2008

Council Member Values and Expectations

As a Member of the Council, I will:

- Listen carefully to my Council colleagues.
- Respect the opinion of my fellow Council colleagues.
- Engage in respectful debate on the issues without entering into personal attack, name calling or foul language.
- Respect and abide with majority decisions of the Council and to speak with one voice in relaying those decisions.
- Recognize that although I may be a member of or participate in other groups my role on the Council is to work for the best outcomes for the Council, and not for the needs of those other groups.
- Recognize that all authority is vested in the full Council only when it meets in legal session.
- Keep well-informed about developments relevant to issues that may come before the Council.
- Actively participate in Council meetings.
- Bring to the attention of the Council any issues, I believe will have an adverse effect on the Council or those we serve.
- Resolve conflicts at the lowest, most appropriate level possible.
- Recognize that my job is to ensure the Council is well managed, not to manage the Council.

- Respect all those the Council serves, not just a particular geographic area or interest group.
- Do my best to ensure the Council is well managed, financially sound, appropriately staffed, growing and always operated consistent with the Developmental Disabilities Assistance and Bill of Rights Act (Public Law 106-402), as amended.
- Declare conflicts of interest between my personal/professional life and my position as a Council Member and abstain from voting or discussion as directed by the Council's Conflict of Interest Policy.
- Recognize the duties of the Executive Director and support his/her authority with staff members when acting within that authority.
- Recognize the duties and respect the role of the Council Chair.

I agree with these values and expectations:

Signed: _____

Date _____

Montana Council on Developmental Disabilities
POLICY # 2.7
ADOPTED June 19, 2008

COUNCIL MEMBER COMMITTEE AND WORKGROUP ASSIGNMENTS

It is the policy of the council that each Council member is required to serve on one Committee and one Workgroup.

Annually the Council Chair, through the Executive Director, sends a memo to all Council members requesting their choice for Committee and Workgroup assignments. An attempt will be made to honor the first request of appointment to each Committee and Workgroup, however in order to maintain equal numbers of members on each Committee and Workgroup the Chair and Vice-Chair may need to move members from one Committee or Workgroup to another. After review of the requests by the Chair and Vice Chair an announcement of Committee and Workgroup assignments is made and complete roster of Council Committees and Workgroups is sent to each member.

In order to provide appropriate representation, membership on the Committee or Workgroups shall include fair representation from each of the three categories of membership (governmental, nongovernmental organization and consumer).

The term of service on a Committee or Workgroup is one (1) year. There is no limit on the number of terms that a member may serve on a particular Committee (in accordance with their specific term limit). However, members are encouraged to request changes in their committee membership during their term.

MT Council on Developmental Disabilities
Policy # 2.8
Adopted June 19, 2008

COUNCIL MEMBER DISCHARGE POLICY

A Council member may be voluntarily discharged from his/her position as Council Member as follows:

A. Resignation

1. In order to resign as a Council Member, the Council Member shall send a letter of resignation to the Governor and Council Chair.

A Council Member may be discharged from his/her position as Council Member as follows:

A. Expiration of Membership Terms

1. If a member does not wish to be considered for reappointment the member shall inform the Council Chair and the Executive Director of the Council in writing.

B. Failure to Attend Council Meetings

1. Council Members may be involuntarily discharged for failure to attend Council Meetings, Committee Meetings and Workgroup Meetings as is set forth in the Council Member Attendance Policy.

C. Failure to Comply with Council Policies

1. Council Members are expected to Comply with the Policies of the Council. The Council, by a majority vote, may remove Council Members who routinely or grossly violate one or more Council Policies.

COUNCIL MEMBERS SERVING ON OTHER BOARDS, COMMITTEES, TASK FORCES

The Council encourages its members to participate in community activities and to participate on outside Boards, Committees and Task Forces.

A Council Member shall not indicate through word or deed that they are representing the Council in such activities or on outside Boards, Committees and/or Task Forces unless the Council as a whole has expressly provided the Council Member authority to make such representations.

The Council, at its discretion, may at times appoint Council Members to represent the Council on Boards, Committees, and/or Task Forces outside of Council activities. An example would be a Council member representing the Council on the Department of Public Health and Human Services Quality Council. If the Council makes such an appointment of a Council Member, travel, per diem and professional services will be covered for the Council Member to participate in such an appointment as necessary. In such a case, the appointed Council Member may identify himself/herself as representing the Council.

If a Council Member participates in a community activity or on an outside Board, Committee, or Task Force, that Council Member represents only his/her personal interest and he/she may not represent, through words or deeds, that he/she represents or "speaks for" the Council.

COMPLAINT AND DISPUTE RESOLUTION PROCEDURE

What is a complaint?

It goes without saying that conflicts and disagreements will occur between people. It is the Council's intent that such conflicts be worked out on a one-to-one, individual basis, with the help of a mediator, if necessary.

The Council acknowledges that sometimes such conflicts cannot be worked out, even given the good faith of the parties. A party may still seek resolution if the conflict or disagreement rises to the level of a complaint.

A complaint which comes before the Council must be based on facts which allege a violation of federal law (e.g., the ADA or the DD Act), state law or authority or Council Policy.

For example, a complaint is not simply a disagreement between two parties (i.e., one person thinks another talks too much at a meeting.) A complaint is more serious in nature (i.e., one feels that reasonable accommodation is not provided to allow him/her to participate fully at the meeting.)

Procedure

Any member may make a complaint to the Council offices. The Complaint shall be written or recorded and delivered to the Council offices through the US mail. The complaint shall include information regarding an alternative format for communication if there is such a need. The request for an alternative format will be honored by the Council, unless it constitutes a financial hardship as defined in the Americans with Disabilities Act.

Within ten (10) working days of receipt of the complaint the Executive Director shall acknowledge in writing or alternative format if requested, receipt of the complaint to the person filing the complaint.

The Executive Director shall begin the investigation by consulting with Council Legal Counsel to determine any potential legal issues. The Executive Director shall then outline a proposed "Course of Action" for Council Governance Committee consideration.

At the next scheduled Council Governance Committee meeting the “Course of Action” plan will be presented. The Governance Committee shall accept or modify the “Course of Action”. Upon the Governance Committee reaching agreement, the Governance Committee shall present the “Course of Action” to the parties and seek their mutual agreement.

Once agreement is reached, the Governance Committee Chair shall order the “Course of Action” implemented .

The “Course of Action” shall at a minimum, contain a timeline, a date when resolution is expected, who is to be involved, how information is to be collected, due process procedures for the parties and the format to be used to present the final report.

The Governance Committee, when examining the complaint, shall conduct all sessions in Executive Session.

All actions shall be consistent with existing policy, if such exists pertaining to the area in question. In some cases, the Committee may refer the complaint to the properly appointed authority in accordance with state law.

A report shall be presented by the Governance Committee consistent with the timeline in the course of action. If the Committee is called upon to make a determination, the members shall consider the grounds of the complaint and the facts of the case as presented by both parties. Once the committee has rendered its decision, it shall be transmitted to all parties concerned within ten working days after the meeting.

Montana Council on Developmental Disabilities
POLICY # 2.11
ADOPTED June 19, 2008, Amended March 12, 2009

REIMBURSEMENT OF MEMBER EXPENSES

It is the policy of the Council that members appointed by the Governor that are consumers, Legislators and representatives of nongovernmental organizations are entitled to reimbursement of expenses reasonably incurred in service as a member, including expenses for child care/respite and personal assistance services. -Council members (excluding state agency representatives) and attendants shall be compensated for travel expenses in accordance with prevailing federal rates.

PROCEDURES

Reimbursement for Council members for expenses incurred is available for the following activities:

- a. Council Meetings
 - b. Committee Meetings
 - c. Travel time related to meeting attendance
 - d. Specific Council Assignments (conferences, task force Membership, etc)
1. Obtain a Travel Voucher reimbursement form and worksheet from Council Staff and complete as per instructions.
 2. The member must sign the Travel Voucher form. Only original signatures are acceptable; no photocopies.
 3. Receipts for hotels and transportation must be included with the Travel Voucher. Meals are reimbursable based on federal travel regulations; no receipts are necessary. Any incidental expense over \$25.00 must be accompanied by a receipt, i.e., parking, taxis, etc.
 4. If a Travel Voucher appears unreasonable, the Executive Director will discuss the claim with the member filing the voucher.

Montana Council on Developmental Disabilities
Policy # 2.12
Adopted June 19, 2008

**ADVANCEMENT OF TRAVEL FUNDS AND COMMERCIAL
TRANSPORTATION FOR COUNCIL MEMBERS**

Council members who need financial assistance to attend a Council meeting may request an advance of travel funds.

In order to obtain financial assistance for travel in advance of participating in a Council activity, the Council Member shall contact the Council staff by telephone or in writing, and the Council Member shall inform the staff of his/her need for an advancement. Such notice to the Council Staff should be made as soon as possible after the Council Member realizes his/her need for an advancement. Following the Council Activity for which the Council Member received an advancement, the member will be required to complete a travel voucher detailing the members expenses, less the advanced amount.

Commercial Transportation

The Council will use, when appropriate, commercial transportation to assist members in attending Council meetings. If a member needs commercial transportation (air, train, bus) to attend a Council meeting, the Council Offices must be notified **not less than three-weeks prior to the Council Meeting**. Members requesting commercial transportation after the three-week time limit will be advised that the Council may not be able to facilitate commercial transportation due to limited availability or Council budget restraints.

Upon notification of the need for a travel advance Council staff will contact the Council member to determine their needs for transportation to and from the meeting, lodging arrangements and meal allowances. Council staff will order commercial transportation tickets and mail them directly to the Council member or another entity as designated by the member.

Lodging

Council staff will make lodging arrangements for the member on a direct bill back to the Council offices. Only lodging and bed tax are allowed on the direct bill arrangement, long distance phone calls, room service, movie rentals, etc., are the responsibility of the Council member.

Meal Allowance

Council staff will work with the member to determine the meal allowance based upon the date and time the member left their home, and anticipated date and time the member will return home. Using the accepted federal rates for per diem, Council staff will process a check for the total meal allowance and mail the advance to the member prior to the scheduled Council meeting.

Montana Council on Developmental Disabilities
POLICY # 2.13
ADOPTED June 19, 2008

REASONABLE ACCOMMODATION POLICY

It is the policy of the Council to provide all reasonable accommodations that create equal opportunities for access to and participation in Council meetings, workgroups, committees, executive sessions and Council sponsored activities.

GENERAL ACCOMMODATIONS

The Council provides the following general accommodations:

- Meeting room accessibility – all council meetings will be held in accessible sites
- Council meeting agenda will include a scheduled 15-20 minute break every 3 hours of meeting time and additional breaks, as needed.
- Safe and accessible overnight lodging is available in accordance with the ADA (Americans with Disabilities Act PO 101-336).
- Equal access to transportation is provided for all Council members

REQUESTING OTHER ACCOMMODATIONS

Requests for other accommodations must be communicated orally, in writing, or by email to Council offices a minimum of two weeks prior to the Council meeting or activity. Accommodations are based on individual needs.

Examples of other Accommodations

- Communication Assistance – including interpreters, reader assistance, large type, computer disk materials, teleconference call meetings
- Personal Assistance – including assistance with dressing, toileting, eating, preparing for and participating in Council meetings and activities
- Special dietary needs – including vegetarian meals or other special meals.

Montana Council on Developmental Disabilities
Policy # 2.14
Adopted June 19, 2008

PAYMENT OF COUNCIL PROFESSIONAL SERVICES STIPEND

The Montana State Statutes, Section 2-15-1869, sets forth:
“A council member, unless the member is a full-time salaried officer or employee of this state or any of the political subdivisions of this state, is entitled to be paid in an amount to be determined by the council, not to exceed \$25, for each day in which the member is actually and necessarily engaged in the performance of council duties. A council member is also entitled to be reimbursed for travel expenses incurred while in the performance of council duties as provided for in [2-18-501](#) through [2-18-503](#). Members who are full-time salaried officers or employees of this state or any political subdivisions of this state are not entitled to be compensated for their service as members but are entitled to be reimbursed for travel expenses as provided for in [2-18-501](#) through [2-18-503](#).”

Each Council member who is eligible to receive the Professional Services Stipend will receive it as part of his/her travel reimbursement from the Council.

Montana Council on Developmental Disabilities
Policy # 2.15
Adopted June 19, 2008

RELEASE OF COUNCIL MEMBER INFORMATION

The Council will not release personal information of Council Members, past or current. The Council will not release Council Members' addresses, home numbers or email addresses to anyone outside the Council requesting such information.

If a person or entity outside the Council would like information to be disseminated to the Council Membership, such persons or entities shall contact the council offices and provide such information with a request to the Council Staff.

**TERMS FOR MEMBERS APPOINTED TO FULFILL THE TERM OF A
COUNCIL MEMBER WHO RESIGNED OR WAS REMOVED FROM THE
COUNCIL**

PURPOSE

When a Consumer Member of the Council leaves the Council prior to the end of his/her term, that Member will be replaced by another Consumer Member who will fulfill the remainder of the original Consumer Member's current four (4) year term. In the past a question has arisen as to whether the newly appointed Consumer Member may serve twelve (12) additional years or eight (8) additional years after the end of that term. The applicable Montana statutes do not answer this question, and the Council adopts this policy to address the question

POLICY

The Consumer Member appointed to fulfill the original Consumer Member's term may be appointed for only two additional four (4) year terms for a total of eight (8) additional years following the end of the term for which they were originally appointed to fill the spot of the Consumer Member who left the council prior to the expiration of his/her term.

The following are examples of the application of this policy:

1) Original Consumer Member retires with one (1) year remaining on her term. New Consumer Member is appointed. New Consumer Member completes final year of original Consumer Member and may be reappointed to two additional four (4) year terms.

2) Original Consumer Member is removed by Council with three (3) years remaining on his term. New Consumer Member is appointed. New Consumer Member completes the three years remaining on the original Consumer Member's term and may be reappointed to two additional four (4) year terms.

DUTIES OF THE CHAIR

The Chair serves as the presiding officer of meetings and activities of the Council.

The Chair must know and understand Robert's Rules of Order and conduct the council meetings in accordance with Roberts Rules of Order and Montana's Open Meeting laws.

The Chair may appoint any member of the Council or staff to serve as parliamentarian at each meeting. The parliamentarian shall be responsible for providing technical assistance and procedural clarification during Council meetings.

The Chair, with input from the Council will direct, supervise and annually evaluate the Council Executive Director.

The Chair provides leadership and direction at Council Meetings and in all undertakings of the Council.

The Chair, through the Executive Director advises the Governor of any recommended changes in membership.

PROHIBITION:

An officer of the Council shall not make public statements, or advocate a position to Council members, legislators, department directors and staff, sister program directors and staff and other policy makers, which is contrary to the final action approved by the Council.

Montana Council on Developmental Disabilities
Policy # 3.1.2
Adopted June 19, 2008, Revised October 15, 2009

DUTIES OF THE VICE CHAIR OF THE COUNCIL

The Vice-Chair presides over Council meetings in the absence of the Chair.

The Vice-Chair assists the Chair in the discharge of the Chair's Council responsibilities.



**Montana Council on developmental Disabilities
Policy #3.2**

**Adopted June 19, 2008, Amended March 12, 2009,
Amended October 13, 2013**

**ELECTION OF COUNCIL OFFICERS, TERM OF SERVICE,
VACANCIES AND REMOVAL**

At least one of the Officers of the Council, either Chair or Vice-Chair shall be a person with a disability or a representative of a persons with a disability.

Election procedure

At the next to last meeting of the federal fiscal year, the Governance Committee shall solicit nominations in written form from Council Member for candidates to be considered for Council Chair and Vice-Chair.

Prior permission of the Council Member must be obtained from anyone who would like to submit a name for candidate consideration. If a member has been nominated as a candidate for office, and the member did not grant prior permission, the nomination is voidable by the candidate.

Receipt of written nomination forms must be received in Council offices at a date determined and announced by the Governance Committee. The Governance Committee shall review the nominations and an announcement of candidates will be mailed to the full Council two weeks prior to the Council meeting at which the election will be held.

At the last meeting of the federal fiscal year the election of officers will be held. No nominations will be accepted from the floor during the Council meeting. All candidates will be given the opportunity to address the Council regarding their candidacy for office. An election will be held utilizing paper ballots for the offices of Chair and Vice-Chair. If a member is unable to attend the Council meeting during which the election is held, he or she may request an Absentee Ballot from the Council.

The Chair or a member of the Governance Committee and the Executive Director of the Council will count the ballots. The election results will be

announced to the membership prior to the closing of the last meeting of federal fiscal year.

Term of Service

Members elected to Council offices will take office at the first scheduled meeting of the new federal fiscal year, and serve one term of two years.

Vacancies

If the office of the Chair becomes vacant, the Vice-Chair shall assume the duties of the Chair until the next regularly scheduled Council meeting, and the vacancy shall be filled by an election held during the next Council meeting.

If the office of the Vice-Chair becomes vacant, the Chair shall assume the duties of the Vice Chair until the next regularly scheduled Council meeting, and the vacancy shall be filled by an election held during the next Council meeting.

Removal of an Officer(s)

Any Council member may recommend removal of an officer, or request the Council recommend the removal if the officer is the Chair, by making the request in writing to the Chair of the Governance Committee. The request shall include the reason for the recommendation to remove the officer and all supporting documentation.

After receiving the request for removal, the Governance Committee shall inform the officer in question of the request and the reason for the request. The officer in question shall be asked to present written information to the Governance Committee on their own their own behalf. Additionally, the officer in question shall abstain from participation on the Governance Committee, if they are a member of that committee, until resolution.

After receiving information from the officer in question, the Governance Committee shall meet (either physically or via telephone conference call) and decide upon their recommendation for removal. The recommendation shall be determined by a majority vote of the Governance Committee members.

At the first regularly scheduled Council meeting after the request for removal is submitted, the Chair of the Governance Committee shall present the written request for removal and supporting documentation along with the written information from the officer in question to full Council for their consideration. The Chair of the Governance Committee shall also present the recommendation of the Governance Committee regarding the request.

The person making the request for removal and the officer in question may request an opportunity to address the full Council. Each party shall be granted no more than fifteen (15) minutes to address the Council.

After reading written reports and hearing testimony, Council members shall be asked to vote on the request for removal. The ballot shall be written and confidential. The officer conducting the proceedings shall appoint two (2) Council members to gather the ballots and tally the results. The vote shall be provided privately to the officer in question before any Council announcement.

That portion of any Council meeting involving consideration of removal of an Elected officer shall be convened as an executive session. All Council liaison members and non-Council members, excluding the Executive Director, shall be excused from the meeting.

With the consent of two-thirds (2/3) of the current, full member status membership, the officer in question shall be removed from office.

In addition to removal from office, the Council may also recommend to the Governor that the officer in question be removed from the Council.

Montana Council on Developmental Disabilities
POLICY # 4.1
ADOPTED June 19, 2008

DELEGATION TO THE EXECUTIVE DIRECTOR

All Council authority delegated to staff is delegated through the Executive Director so that all authority and accountability of staff – as far as the Council is concerned – is considered to be the authority and accountability of the Executive Director.

1. The Council will direct the Executive Director to achieve certain results, for certain recipients, at a certain cost through the establishment of Ends policies. The Council will limit the latitude the Executive Director may exercise in practices, methods, conduct and other “means” through the establishment of Executive Limitations policies.
2. As long as the Executive Director uses any reasonable interpretation of the Council’s End and Executive Limitation policies, the Executive Director is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities.
3. The Council may change its End and Executive Limitations policies, there by shifting the boundary between Council and Executive Director domains. By doing so, the Council changes the latitude given to the Executive Director. So long as any particular delegation is in place, the Council members will respect and support the Executive Director’s choices.
4. Only decisions of the Council acting as a body are binding upon the Executive Director.
5. Decisions or instructions of individual Council members, officers or committees are not binding on the Executive Director except in rare circumstances when the Council has specifically authorized such exercise of authority.
6. In the case of Council members or committees requesting information or assistance without Council authorization, the Executive Director can refuse such requests that require – in the Executive Director’s judgement – a material amount of staff time or funds or are disruptive.

JOB DESCRIPTION FOR THE EXECUTIVE DIRECTOR

Manage and Facilitate the Council Activities:

- Operate within the annual budget as approved by the Council;
- Provide the necessary accommodations to give council members the opportunity to fully participate in council-related activities;
- Chair council workgroups;
- Hire and supervise staff to provide assistance and other support to the Council;
- Obtain professional services to enable the Council to maintain good standing as a nonprofit corporation;
- Ensure that the Council rather than the Executive Director assumes the policy-setting role where appropriate;
- Comply with all applicable laws, statutes, rules and regulations;
- Fulfill obligations delegated by the Council to the Executive Director.

Represent the Council:

- Speak on behalf of the Council or authorize staff or council members to do the same in accordance with the adopted positions of the Council;
- Engage in advocacy activities that are in accordance with the adopted positions of the Council;
- Develop and maintain effective working relationships with the members of the media;
- Serve as the representative from the Council to the National Association of Councils on Developmental Disabilities as well as other appropriate organizations;
- Provide information to policy makers on issues which impact people with developmental disabilities and/or their families.

Montana Council on Developmental Disabilities
Policy # 4.3
ADOPTED June 19, 2008, Amended March 12, 2009

EXECUTIVE DIRECTOR JOB PERFORMANCE EVALUATION FORMAT

Executive Director Evaluation

Executive Director _____
Time Period Evaluation Covers: _____

Instructions for use of this document:

Each member of the Council shall provide a performance evaluation of the Executive Director as indicated by MCDD Policy.

Council members shall complete the evaluation tool following the last scheduled Council meeting each federal fiscal year.

Evaluation forms and stamped self-addressed envelopes will be provided to each council member. Members will submit their evaluation forms to the council chair who shall compile the information received and meet with the Executive Director to review the evaluation information.

Members are asked to send their completed evaluation form to the Chair by August 31.

Job Performance Evaluation Form for The MCDD Executive Director

Does the Executive Director operate within the annual budget as approved by Council?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director provide the necessary accommodations to give council members the opportunity to fully participate in council-related activities?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director chair council workgroups?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director hire and supervise staff to provide technical assistance and other support to the Council?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director obtain professional services to enable the Council to maintain good standing as a nonprofit corporation?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director ensure that the Council rather than the Executive Director assumes the policy-setting role where appropriate?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director comply with all applicable laws, statutes, rules and regulations?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director fulfill obligations delegated by the Council to the Executive Director (as described in policy 4.1)?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director speak on behalf of the Council or authorize staff or council members to do the same in accordance with the adopted positions of the Council?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director engage in advocacy activities that are in accordance with the adopted positions of the Council?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director develop and maintain effective working relationships with members of the media?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director serve as the representative from the Council to the National Association of Councils on Developmental Disabilities as well as other appropriate organizations?

Please circle appropriate answer. Yes No

Comments_____

Does the Executive Director provide information to policy makers on issues which impact people with developmental disabilities and/or their families?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director maintain effective partnerships with the Department of Public Health and Human Services and other organizations in order to support and promote the goals of the council's 5-year Plan of Action; decline involvement in those organizations which do not further the goals of the Plan?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director provide information and other assistance to council officers, committees, and workgroups?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director inform council members about pending deadlines and potential impacts of options being considered?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director contract with outside individuals and/or agencies to accomplish desired outcomes and performance targets?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director supervise staff activities to accomplish desired outcomes and performance targets?

Please circle appropriate answer. Yes No
Comments _____

Does the Executive Director provide timely intervention when contract compliance issues are discovered?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director meet deadlines established by the Council, and by state and federal entities?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director assure that the required federal report/s accurately reflect/s the activities of the Council?

Please circle appropriate answer. Yes No

Comments _____

Does the Executive Director keep council members well informed by providing reports which include, but are not limited to the following? Staff activities; Council budget; Contractor activities; Legislative and public policy matters; Progress of the 5-year Plan-of-Action implementation; Emerging issues; Other items as determined by the Council?

Please circle appropriate answer. Yes No

Comments _____

Your name: _____

Date: _____

Montana Council on Developmental Disabilities
Policy # 4.4
Adopted June 19, 2008, Revised October 15, 2009

EXECUTIVE DIRECTOR JOB PERFORMANCE EVALUATION PROCESS

Council annually approves the “do” and “don’t” policies related to the job performance evaluation.

Council revises and approves the job performance evaluation form.

Executive Director reports at each Council meeting on progress with opportunity for questions, comments and answers.

Council members complete job performance evaluation form following the last scheduled Council meeting of any given federal fiscal year.

Members submit completed job performance evaluation forms to the Council Chair, who compiles scores and summarizes comments. Chair meets with Executive Director to review.

After meeting with the Executive Director to discuss the job performance evaluation scores and comments, the Chair prepares an oral report to present to the Council at the first regularly scheduled meeting of the new federal fiscal year. The report shall contain the averaged scores for each section of the form as well as a summary of commendations and recommendations found in member’s evaluation form. A written report including the above and the Executive Directors response will be submitted to MCDD offices to be maintained in Executive Directors personnel file by November 15.



Montana Council on Developmental Disabilities

Executive Director/CEO MCDD Policy #4.5 Succession Policy

Introduction

A change in executive leadership is inevitable for all organizations. It is a time of both risk and opportunity. It is a period in an organization's history when the Council Chair must increase his/her level of engagement. It is also a time when some may seek assurance of the organization's viability and long-term sustainability.

A succession policy for the Executive Director position is a routine risk management and sustainability planning tool. The Policy ensures organizational sustainability by providing a proactive, orderly plan for executive leadership transitions.

The Montana Council on Developmental Disabilities conducts its operations under the Policy Governance model, and as such, the full Council will make the final hiring decision for the Executive Director position.

To that end, the Montana Council on Developmental Disabilities is adopting this succession policy for purposes of:

Establishing principles, role clarity and procedures to support a positive leadership transition that foster good endings and beginnings with departing and arriving leaders and build organizational capacity when a planned or unplanned executive leadership change occurs

The Council Chair shall be responsible for implementing this policy and its related procedures, and for annually reviewing and updating the policy as needed.

In the event of a planned or unplanned leadership transition, the Council shall immediately appoint a Transition Committee which shall plan and manage the transition, including the search for a new Executive Director. Final candidates for the Executive Director position will be presented to the Council for an in-person meeting and interview with the final hiring decision to be made by the full Council.

The Transition Committee shall be comprised of at least five and no more than seven Council members. Ideally these Council members will represent past, present and prospective future leaders of the Council. The Council may also consider appointing a staff member(s) to the Transition Committee.

Guiding Principles

- MCDD is open to and will consider both internal and external candidates when filling the Executive Director position. As a matter of policy, the board believes that its due diligence responsibility, as well as the interests of the organization and its clients, will be best served by a robust, competitive search process that involves both internal and external candidates. Therefore, we will conduct a vigorous national search for the chief executive vacancy. A national search will be conducted unless the board concludes that a current staff member is appropriate and available for the job.
- In organizations such as MCDD, the Executive Director's position is often shaped by the incumbent's talents and areas of specialized interest. That person's departure might necessitate other organizational changes including the creation of new positions and/or realignment of current positions.
- The preeminent goal of a transition to a new Executive Director is maintaining continuity of MCDD's mission-related work. A transition also presents an opportunity for the organization to continue to grow and develop.

Lines of Authority

1. The selection of the Executive Director is the responsibility of the Council.
2. The current Executive Director has the responsibility to continuously identify, encourage, and help to develop staff within the organization who are qualified to meet future leadership needs, whether that be on

a temporary or permanent basis.

3. The current Executive Director has the responsibility to plan for the orderly transition of staff.

Board Action in the Event of Vacancy in the Executive Director Position

1. Organizational Assessment: The Transition Committee shall take time to assess the leadership needs of the organization before the search for a new Executive Director is conducted. The assessment shall include a review and update (if needed) of the organization's strategic plan. The assessment will be designed to help assure the selection of a qualified and capable leader who fits well with the organization's mission, vision, values, culture, goals, and objectives, and who has the necessary skills to lead the organization.
2. Option of appointing an Acting or Interim Executive Director: To assure the organization's operations are not interrupted while the Council assesses the leadership needs and recruits a new Executive Director, the Council may appoint an Acting Executive Director from senior staff or hire an Interim Executive Director from outside the organization.
3. Duties of the Acting/Interim Executive Director: Among such duties will be to ensure that the organization continues to operate without disruption and that all organizational commitments previously made are appropriately executed, including but not limited to, speaking engagements, grant and contract obligations, reports, licenses, certifications, membership renewals, and other obligations to funders and other stakeholders.

Preparation Time Frame for Replacement of the Executive Director

1. The optimal period for the Executive Director to announce his/her departure from that role - or proposed commencement of a new role in the organization - is at least six to twelve months before the date of departure.
2. The Council understands that the time required for successfully completing a planned leadership transition is approximately eight to twelve months.

Role of the Outgoing Executive Director in Planned Transitions

The departing Executive Director, unless otherwise directed by the Transition Committee, will be involved in some transition activities such as: fundraising, communicating with funders and other stakeholders, and briefing the incoming Executive Director. The departing Executive Director's role during the transition and after the new Executive Director starts shall be developed in consultation with the Council Chair and/or Transition Committee and communicated to the Council.

Initial Implementation of the Transition Plan

1. Within fifteen (15) days of the announcement of a planned departure, the Council Chair shall appoint a Transition Committee. This Committee shall be comprised of at least three, but not more than seven members of the Council.. Other external stakeholders and/or staff may be recruited to advise or assist the Committee at the discretion of the Council Chair and Transition Committee.
2. The Transition Committee shall be responsible for implementing this transition plan and further developing the plan as needed.

At its first meeting, the Transition Committee shall determine its role, including responsibilities related to conducting the search process. The Committee shall also discuss and decide on how the senior staff will be substantively involved in the transition planning process and consulted in the selection process.

3. The Transition Committee shall also determine the need for consulting assistance (i.e., transition management consultant and/or executive search firm) based on the circumstances.
4. As needed, the Council Chair shall authorize an organizational assessment and schedule a Board Retreat to review and/or refresh the organization's strategic plan.

MCDD's Commitment Regarding Diverse Candidates and Staff Leader Development

1. In order to support the Council's due diligence and ensure that the best possible candidate is hired, the Council shall implement a search and selection process that is open to internal and external candidates.

-
- 2. In order to develop a finalist pool that is reflective of the community, the organization shall work proactively to develop a diverse pool of candidates for the Executive Director position.**

Montana Council on Developmental Disabilities
Policy # 5.1
Adopted June 19, 2008

5-YEAR PLAN-OF-ACTION DEVELOPMENT PROCESS

The Council will, according to State and Federal Law, create a five (5) year Plan-of-Action for Persons with Developmental Disabilities and create annual updates of that Plan.

The Council shall develop goals, activities and objectives within the five (5) year plan-of-action that are consistent with the Mission Statement of the Council and all state and federal requirements.

Montana Council on Developmental Disabilities
POLICY # 5.2
ADOPTED June 19, 2008, Revised January 15, 2009,
Amended March 12, 2009

CONTRACT FUNDING

It is the policy of the Council to expend funds to advance the quality, creativity and innovation of the services for advocacy, capacity building and systemic change in the Areas of Emphasis, and in the developmental disabilities system. As required by federal law, not less than 70% of the federal funds received by the Council will be expended for these purposes.

Funds will be made available to public or private entities.

The Council has in place appropriate authority to engage in all subcontracting activities that are deemed necessary by the Council.

It is the policy of the Council to decline from consideration any proposal that includes sending Montana contractors to out-of-state locations for specific training opportunities. The Council takes a more inclusive approach and would consider funding proposals which involve bringing training opportunities to Montana for all persons to be afforded the opportunity of participation.

It is the policy of the Council to decline from consideration any proposal in which the proposed project is already in existence at the time the application has been submitted to the Council.

Funding decisions made by a majority vote of the Council members present at the funding meeting are final.

PROCEDURE

Notification of Fund Availability

At the start of each federal fiscal year the Council will announce the availability of funds by distributing the announcement to the following:

1. Providers Statewide
2. Regional Managers
Department of Corrections
3. Office of Public Instruction
4. Department of Public Health &
Human Services
5. Department of Commerce
6. Developmental Disabilities Program

- | | |
|-------------------------|------------------------------------|
| 7. | Vocational Rehabilitation Division |
| 8. | Governor's Education & Human |
| Services Policy Advisor | |
| 9. | Montana University Center for |
| Excellence | |
| 10. | Montana Advocacy Program |
| 11. | Others as Requested |

Additionally, an announcement of the availability of funds will be placed in the legal notices of the five (5) major daily newspapers to run two consecutive Sundays in October.

Priorities for Funding

The Council will determine its priorities for making funding allocations based upon the results of public input and information-gathering activities conducted every other year.

Council Executive Director is directed to develop Calls for Investment in the areas identified by the Council. Upon review and approval of the Calls for Investment by the Council, copies of the Calls will be distributed to the same mailing list as indicated above, and the availability of the Calls will be announced through the Legal section of the five (5) major daily newspapers as detailed above.

All Council funds must be allocated within two years of the year in which they were received, and expended within the third year.

All Target Plans submitted for Council funding consideration must contain a match rate of 25%.

**COUNCIL CONTRACTING PROGRAM
TARGET PLAN PROCESS AND REVIEW BY STAFF/SCREENING GROUP**

All Target Plans (applications) are received at Council offices by the date determined and announced in the Call for Investment, typically two months prior to the scheduled funding meeting.

An initial review of the Target Plans is made by Council staff, and within five days of receipt in Council offices copies of all Target Plans are sent to the specified screening group with supporting review sheets and all other references.

A meeting date is scheduled for one week, five (5) business days, after receipt of the Target Plans by the Screening group to come together and review as a group, the Target Plans. The group will review the Plans for clarification questions, overall completeness and responsiveness to the Call for

Investment. Review forms are completed and telephone interviews may be performed between the Screening Group and potential contractors for purposes of clarification.

Based upon the review and rating of the Screening Group some proposals may be removed from going forward to full Council funding consideration.

The screening group will direct the Council Director to notify, in writing, any entity whose Target Plan has been screened out of consideration.

FULL COUNCIL CONSIDERATION

One month prior to the scheduled Council funding meeting copies of all Target Plans for full Council consideration will be sent to Council members for their review and development of questions they may have about the Target Plan. Council members will send their questions to Council staff one week prior to the scheduled Council funding meeting and Council staff will work with applicants to secure answers for members prior to the meeting. An agenda detailing the Target Plans to be reviewed and their presentation/interview times will be included in this mailing.

Presenters will be notified of their presentation time both by phone and in writing and a copy of the agenda will be distributed to presenters at least one week prior to the funding meeting.

The Council reserves the right to not fund a Call for Investment if it is not satisfied with the responses received. The Council reserves the right to take a different approach on a project after the Call for Investment has been released.

The Call for Investment identifies the outcome statement the council wishes to achieve. The entity completing the work may either be an outside contractor or at Council discretion it may establish the project in-house or bring a project in-house to Council offices.

At the funding meeting (typically the scheduled June meeting), Council members will hear from each applicant a brief (10 minute) overview of their proposed project; a brief (10 minute) personal interview done by members of the Screening Group and have 10 minutes for general question and answers from Council members.

Council members will complete the Council Score Sheet on each of the applications and turn into Council staff at the end of day. The Council Score Sheet contains a series of four questions, which carry a rating scale between 1 and 5, with 1 being the lowest and 5 being the highest score.

In order for a Council members' Score Sheet to be counted they must be physically present at the Council funding meeting. If the meeting is a two day meeting and the member can be present for only one of the two days, the member can submit a Score Sheet on only those applications they were physically present to hear and score. No member can submit a Score Sheet for an application that they were not present to hear and review.

Council Staff will determine the average rank score based on the numerical total of the Score sheet divided by the number of Council members submitting Score Sheets.

Final scores for all applications will be referenced to the Call for Investment the applications responded to, and will be presented to the full Council for final voting.

Voting will take place by Call area, and then by the numerical ranking of each application under that Call. For example, all applications responding to a Call for Investment in the Area of Housing will be grouped together by rank order. The Council will consider each application separately and in the rank order under each Call. A motion to decline funding, approve funding or table the application for further information must be made on each application before going to the next one in rank order.

Council staff will maintain a running balance of the available grant program funds less Council decisions on each application for Council information.

A final listing will be presented to the full Council prior to adjournment of the funding meeting. Council members are reminded that the actions of the Council are not official until the minutes of the meeting are distributed to all members. Council members are reminded discretion is advised in communicating Council actions until the minutes are published.

GRANT FUNDING DECISIONS OF THE FULL COUNCIL

All materials for consideration by the full Council shall be received in Council offices, and distributed to Council members at least one month prior to the scheduled meeting. An agenda detailing the proposals to be reviewed for the meeting shall be included in the full Council agenda created by staff and included in that mailing. Presenters will be notified of their presentation time and a copy of the agenda will be distributed to presenters at least one week prior to the meeting.

Funding decisions made by a majority vote of the Council members present at the funding meeting are final.

CONTRACTING

The Council has in place appropriate authority to engage in all subcontracting activities that are deemed necessary by the Council.

Council Executive Director will contact the successful applicants by phone and with follow-up with confirmation letter advising them of the Council's decision. The Council's Contract Manager will then schedule a meeting with the contractor, Executive Director and themselves to refine and define items such as outcome measures for the contract.

The Grant and Contract Manager will proceed with contract preparation. The contract, with all supporting attachments, will be sent first to the contractor for review, signature and return to Council offices. Contract start dates will coincide with the federal fiscal year, October 1 through September 30.

CONTRACTOR REPORTING

Contractors will provide written quarterly reports and one in-person presentation before the Council each year. All contractors will follow the same format for both written and in-person reports, utilizing the staff supplied Contractor Reporting Format.

CONTRACT PAYMENTS

Contracts will be paid from the approved contract budget at monthly intervals based upon invoices received at Council offices, and approved by the Grant and Contract Manager and Executive Director.

Contract funds may be "frozen" or "embargoed" if there is a performance issue on the contract. The Executive Director will update the Council on any contracting issues during scheduled meetings via the Executive Directors Report.

Montana Council on Developmental Disabilities
POLICY # 5.3
ADOPTED June 19, 2008

POLICY ON UNUSED CONTRACT DOLLARS

PURPOSE

This policy addresses funds allocated to but not spent in the course of in-house projects and Council funding allocated but not spent through Council projects contracted to outside contractors.

POLICY

Council funding allocated but not utilized during the course of an in-house project or during the course of a Contract between the Council and an outside contractor prior to the termination of the in-house project or the contract will immediately revert back to the Council. All unused dollars which revert back to the Council pursuant to this policy will be reapplied to the Council's funds within thirty (30) days of the termination of the in-house project or contract.

Montana Council on Developmental Disabilities
Policy No. 6.1

Adopted June 19, 2008, Revised October 15, 2009, Revised January 14, 2010

COUNCIL MEETINGS AND AGENDA DEVELOPMENT

The full Council will begin its meeting on the first day (Thursday) and will continue its meeting through the second day (Friday).

Annual Meeting Schedule

The Council shall approve an annual schedule of meetings at the last scheduled meeting of a federal fiscal year by majority vote when a quorum of members is present.

Agenda Development

The Council Chair and Executive Director will develop an agenda based upon input from the Council. Agendas should include but not be limited to the following:

- Council Chair's Report
- Executive Director's Report
- Action items and vital information from committee, workgroups and/or the Executive Director
- Agency updates
- In-service training, information or education beneficial to the Council as a whole.
- Council direction or action

COMMITTEE AND WORKGROUP AGENDAS

All agendas shall be developed by the respective committee and workgroup chairs and the Executive Director. The committee and workgroup chairs will seek committee and workgroup membership input prior to development of the agendas.

Meeting Packet Distribution

The Executive Director shall prepare and assure distribution of meeting packets at least two weeks prior to the meeting date.

Meeting by Alternative Format

Regular and special meetings of the Council may be conducted on a face-to-face basis or by alternative means such as conference call or video conference depending upon financial or other considerations.

Cancellation of a Meeting

The Executive Director will call a special meeting of the Governance Committee to discuss the cancellation of a meeting. A meeting can be cancelled by a majority vote of the Governance Committee. The special meeting may be held electronically or by phone.

MT Council on Developmental Disabilities
 Policy #6.2
 Adopted June 19, 2008

**MINIMUM GUIDELINES FOR FOLLOWING PARLIMENTARY
 PROCEDURE IN COUNCIL MEETINGS**

In order to conduct orderly meetings, the Council Chair and/or appointed parliamentarian should assure that certain minimum procedures are observed as the following chart outlines.

To do this:	You Say this:	May You Interrupt Speaker?	Must You be Sec-onded?	Is the Mo-tion De-batable?	Is the Mo-tion Amend-able?	What vote is Required?
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority vote re-quired
Amend a motion	"I move that this motion be amend-ed by..."	No	Yes	Yes	Yes	Majority vote re-quired
End debate	"I move to end debate ..."	No	Yes	Yes	Yes	Majority vote re-quired
Suspend fur-ther consid-eration of something	"I move we ta-ble it."	No	Yes	No	No	Majority vote re-quired
Ask for a vote by actu-al count to verify a voice count	"I call for a vote count"	No	No	No	No	No vote re-quired un-less some-one objects
Adjourn the meeting (be-fore all busi-ness is com-plete)	"I move that we ad-journ."	No	Yes	No	No	Majority vote re-quired

The following chart outlines other procedures, which a member may choose to use:

To Do This:	You Say:	May You Interrupt Speaker?	Must You be Sec-onded?	Is the Motion Debat-able?	Is the Mo-tion Amend-able?	What Vote is Re-quired?
Recess the meeting	"I move that we recess un-til..."	No	Yes	No	Yes	Majority vote re-quired
Complain about noise, room tem-perature, lack of order etc.	"Point of privilege"	Yes	No	No	No	No vote re-quired
Postpone considera-tion of some-thing	"I move we post-pone this matter until..."	No	Yes	Yes	Yes	Two-thirds vote re-quired
Have some-thing studied further	"I move we refer this mat-ter to a commit-tee."	No	Yes	Yes	Yes	Majority vote re-quired
Object to procedure or to a personal affront	"Point of order."	Yes	No	No	No	No vote needed, chair de-cides
Request in-formation	"Point of informa-tion."	Yes, if urgent	No	No	No	No vote re-quired
Object to considering some undiplomatic or improper matter	"I object to consid-eration of this ques-tion."	Yes	No	No	No	Majority vote re-quired
Take up a matter previ-	"I move we take	No	Yes	No	No	Majority Vote

ously tabled	from the table..."					Required
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Yes, if original motion is debatable	No	Majority Vote required

Montana Council on Developmental Disabilities
Policy # 7.1
ADOPTED June 19, 2008, Amended October 17, 2008,
Amended March 12, 2009

COUNCIL COMMITTEES & WORKGROUPS

It is the policy of the Council to use a committee structure to complete its work and to conduct all other business of the Council outside of meetings of the full Council. Committees and workgroups develop recommendations for Council consideration and adoption.

GOVERNANCE COMMITTEE

The Governance Committee shall be composed of one-half of the membership of the Council. The committee members shall elect a Committee Chair and Vice Chair annually. The responsibilities of the Governance Committee are to review and revise bylaws, policies and procedures and recommend changes to the full Council for action as appropriate.

These duties are in addition to duties delegated to the Governance Committee through Council policies.

PUBLIC POLICY COMMITTEE

The Public Policy Committee shall be composed of one-half of the membership of the Council. The Committee members shall elect a Committee Chair annually and Vice Chair annually. This committee shall be responsible for activities associated with legislation and information dissemination of Council public policy and programmatic position statements. The Public Policy Committee has the responsibility to review public policy issues, develop public policy positions, prepare legislative agendas and make recommendations to the full Council.

These duties are in addition to duties delegated to the Public Policy Committee through Council policies.

The Executive Director shall be responsible for ongoing monitoring and reporting of activities of legislative action/issues pertinent to the council. The Executive Director shall compile relevant legislative information and present it to the committee. Legislative issues that do not emerge until the legislative session and that may be appropriate for Council involvement, will be identified and analyzed by the Executive Director and referred to the Committee for action.

WORKGROUPS

Each year the Council shall establish two (2) workgroups, chaired by the Executive Director, to support and advise the full Council on specific life goal areas set forth in the Council's 5-year Plan-of-Action. The workgroups deal with 5-year Plan-of-Action development, oversight of implementation and the budget allocated to the plan activities. Each Council member shall serve on one workgroup of their choosing.

Montana Council on Developmental Disabilities
POLICY # 8.1
Adopted January, 2008, Amended March 12, 2009

SUPPORT PERSON'S CODE OF CONDUCT

The Montana Council on Developmental Disabilities (Council) must ensure all Council members have the supports needed to fully and meaningfully participate in all Council meetings and Council activities.

Supports are based on the needs of, and directed by, each Council member. The supports that may be provided include, but are not limited to, assistance with:

- Transferring
- Dressing and other personal hygiene tasks
- Arranging transportation and driving when necessary
- Meals
- Understanding the written materials and oral communications, before, during and after meetings
- Orientation to meeting space, restaurant and overnight rooms

The Council member receiving the supports evaluates the support person's performance on an ongoing basis and may direct any changes in supports. Support persons sit at the table with the Council members to assist the Council member, but not participate in Council business.

The Council requires support persons to respect all Council members':

- Self-determination
- Independence
- Inclusion and integration in all Council meetings and Council sponsored events

The Support Person's Code of Conduct applies to all persons providing support to Council members and must be complied with at all times. Support persons must immediately withdraw from any activities or encounters that are violations of this policy. Violations of the policy will result in termination of the agreement for the support person's services.

Support persons must adhere to the following performance expectations in providing support to members of the Council:

- **Accuracy** – The support person must assist the member to understand written and oral information accurately. If the support person does not understand the information, the support person

must inform the member and find knowledgeable sources to assist in interpreting.

- **Cultural Appropriateness** – The support person must be sensitive to and respectful of the cultural background, abilities and disabilities of the individuals they serve and all members of the Council.
- **Confidentiality** – Support persons must keep the details of supports provided to Council members confidential. Support persons shall not divulge any information obtained through their assignments, including information gained through access to documents or other written materials.
- **Conflict of Interest** – Support persons must disclose any real or perceived conflict of interest that would affect their objectivity in the delivery of service.
- **Non-discrimination** – Support persons must provide supports without any discrimination on the basis of gender, disability, race, color, national origin, age, socio-economic or educational status, religious, political or sexual orientation.
- **Professional Demeanor** – Support persons must be punctual, prepared and dressed in a manner that is appropriate and not distracting from the situation. Support persons must refrain from alcohol or illegal drugs while providing supports to Council members.
- **Inability to Perform Duties** – Support persons must assess their ability to do their assigned tasks assigned by the member. If a support person has any reservations about his/her competency, they must immediately notify the member and offer to withdraw as their support person.

SUPPORT PERSONS MUST NOT DO ANY OF THE FOLLOWING:

- Support persons must not accept additional money, consideration, gifts or favors for services from the member or other outside entities above the amount of compensation provided by the Council for providing supports to Council members.

- Support persons must not use the Council facilities, equipment or supplies for private or other's gain or advantage, and/or attempt to use their position to secure privileges or exemptions.
- Support Persons must not express personal opinions or give advice about Council members or staff or about issues being discussed or considered by the Council before, during or after Council meetings, Committee meetings and Council sponsored activities.
- Support Persons who are observed attempting to influence the member through prompting or guiding will be removed from the meeting. Support persons do not address the Council other than they may in an identified public comment period.

I have read, understand and agree to the above stipulations on what a support person to a Council member agrees to do and not to do.

Signed

Date

Print Name

Montana Council on Developmental Disabilities
POLICY # 8.2
ADOPTED June 19, 2008, Amended March 12, 2009

REIMBURSEMENT FOR COUNCIL MEMBER ATTENDANTS

It is the policy of the Council that a Council member who has the need for an attendant, has the discretion to hire and pay individuals who perform support services necessary to allow the member to serve in their appointed capacity. Examples of services performed include, but are not limited to drivers, readers and personal services attendants.

PROCEDURE

1. Hourly rates allowed by the Council range from \$6.50 to \$8.50 per hour.
2. If a person providing support services such as those mentioned above needs to be available to the member upon demand, it is the policy of the Council that the person should be paid for all time spent waiting to provide services. If, however, the person does not need to be in the immediate vicinity to provide service but is simply waiting for the Council member to complete their business, the person would not be eligible for reimbursement for that time period.
3. Lodging, meal allowances and reimbursement for miscellaneous cost will be at the same rate as that paid to Council members.
4. Support services other than those mentioned above can be paid at different rates depending upon the complexity of the level of support staff. For example, interpreters are paid in accordance with existing interpreter fee schedules. Other categories of support services, which have other degrees or skill levels necessary, may warrant higher wages.
5. The individual Council member is responsible for making his/her own arrangements and accommodations regarding support services that will be necessary for them. They will employ the personal service attendants and will pay them for their services in accordance with this policy. The Council will reimburse the individual Council member for these costs.

6. It is permissible under Council policy for the individual member to utilize the services of a family member if that person is the most appropriate one to provide the services. In order to be reimbursed with Council funds for payment to support staff, the Council member must submit records for the attendant expenses as a part of their travel claim for the Council meeting.

Montana Council on Developmental Disabilities
POLICY # 8.3
ADOPTED June 19, 2008

Guidelines for Presentations and Speakers

When a speaker is invited to make a presentation at Committee or full Council meetings, the following procedures will be used:

1. The purpose of the presentation is clearly identified. Questions will be developed to be answered during the presentation. For example, how many individuals with developmental disabilities have benefited as a result of this contract? What recommendation do you have for future Council action? What did you learn as a result of this contract? Presentation requests can be made by either members or staff.
2. Staff will invite the speaker and let the speaker know how much time has been allotted to them for the presentation and for questions.
3. Staff will prepare a summary of the presentation and this summary will be added to the minutes of the Committee/Council meeting. Staff will complete the "Background for Council Presentation" form.
4. During presentations by invited speakers, Council members will hold questions until the end of the presentation and avoid conversations.

BACKGROUND FOR COUNCIL PRESENTATION FORM

Audience: _____
Council or Committee

Name of Group/Project/Contract _____

Date: _____ Time allotted _____

Purpose _____

Connection to State Plan _____

Invited Speaker, Name, Address, Phone, Email

Montana Council on Developmental Disabilities
POLICY # 8.4
ADOPTED June 19, 2008

GUIDELINES FOR VISITORS

It is the policy of the Council to hold its meetings in accordance with Montana's open meeting laws and to provide the opportunity for public comment at identified specific meetings.

- The work of the Council is performed by Council members
- Visitors are welcome to attend the meeting
- If public comment is being accepted at the specific meeting, visitors will wait until the Public Comment portion of the meeting agenda and abide by the time limits identified on the agenda

Montana Council on Developmental Disabilities
Policy #8.6
Adopted June 19, 2008

**MONTANA COUNCIL ON DEVELOPMENTAL DISABILITIES
PUBLIC COMMENT AND PUBLIC PARTICIPATION POLICY**

Members of the public are invited to address The Council in accordance with the guidelines below. This policy applies only to those members of the public that have not been formally invited by the Council as guest speakers.

Purpose:

The purpose of this policy is to encourage public comment in a fair, consistent, and informative manner.

Background:

The Council recognizes the importance of remaining open to the receipt of public comment on issues of concern to the Council. Comments from the public very often prove invaluable as the Council deliberates upon specific matters and general issues which come before it in the course of business. On the other hand, in certain circumstances, uncontrolled or ill-timed public comment has the potential to interfere with the conduct of the Council's business. As a result, it is necessary for the Council to establish a consistent method for receiving public comment which provides for adequate access by the public and does not give rise to uncontrollable circumstances of public comment.

Policy:

Oral Comments - The Council will provide approximately 10 minutes total for public comment at or near the end of the final day of the first and third Council meetings of the fiscal year. Each individual speaker will be afforded a maximum of two minutes to speak.

Written Comments - Written communications to The Council are always welcome and can be mailed to the Council Offices at PO Box 526, Helena, Montana 59624.

Montana Council on Developmental Disabilities
Policy # 9.1
Adopted June 19, 2008

RELATIONSHIP WITH STATE AGENCIES

It is the policy of the Council to maintain effective, working relationships with appropriate state agencies in carrying out the work of the Council. These effective, working relationships are in addition to the Liaisons representing state agencies at the Council.

Montana Council on Developmental Disabilities
Policy # 9.2
Adopted June 19, 2008

**MEMORANDUM OF UNDERSTANDING WITH THE
DESIGNATED STATE AGENCY**

The DD Act requires the Council to maintain a fiduciary relationship with a designated Montana state agency.

The Council shall maintain a Memorandum of Understanding with the Montana state agency designated, pursuant to Section 2—15-1870 of the Montana Codes Annotated, which details the relationship between the Council and that agency.

The Council shall periodically review the Memorandum of Understanding and its relationship with designated state agency in order to ensure the fulfillment of the directives in this policy. The Council shall maintain a copy of the Memorandum of Understanding on file in the Council offices.