

# BYLAWS

## IOWA DEVELOPMENTAL DISABILITIES COUNCIL

### Article I

#### Name, Vision, Mission, Purpose

##### Section I.

**Name:** This Council shall be known as the Iowa Developmental Disabilities (DD) Council.

##### Section II.

**Council Mission:** To create change with and for persons with developmental disabilities so they can live, work, learn and play in the community of their choosing.

Adopted March 14, 2019

##### Section III.

**Council Vision:** People with developmental disabilities and their families are fully included in communities they choose.

Adopted July 20, 2006

##### Section IV.

**Authorization:** The DD Council is established in accordance with Developmental Disabilities Assistance and Bill of Rights Act ~~42~~ 42 USC section 15001 et seq. and 42 USC Chapter 144. The Iowa Department of Human Services serves as the Designated State Agency of the DD Council pursuant to 441 Iowa Administrative Code 1.7.

##### Section V.

**Purpose:** The purpose of the DD Council is to assure that individuals with developmental disabilities and their families participate in the design of and have access to needed community services, individualized supports, and other forms of assistance that promote self-determination, independence, productivity, and integration and inclusion in all facets of community life through culturally competent programs. ~~The~~ DD Council achieves this by engaging in advocacy, capacity building and systemic change activities.

### Article II

#### Membership

##### Section I.

**Composition:** The DD Council shall consist of up to 26 members appointed by the governor in accordance with the requirement set forth in the DD Act. This includes:

- A. At least 60 percent of the members shall be persons who experience developmental disabilities, parents or guardians of children with developmental disabilities or immediate relatives or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves, who are not officers or directors of an entity, or employees of a state agency that receives funds or provides services under the DD Act, one-third must be individuals who experience developmental disabilities; one-third must be parents or guardians of children with development disabilities or immediate relatives or guardians of adults with developmental disabilities who cannot advocate for themselves; and one-third shall be any combination of the two groups. At least one individual shall be an immediate relative or guardian of an individual with a developmental disability who resided or previously resided in an institution.

Adopted 7/2003

Revised 7/29/2010, 3/10/2011, 3/14/19

- B. Representatives of relevant State entities, including State entities that administer funds provided under Federal laws related to individuals with disabilities including, Iowa Vocational Rehabilitation, Iowa Department of Education, Iowa Department of Aging, Maternal and Child Health programs, Iowa Medicaid Department, University Center of Excellence on Developmental Disabilities (Center of Developmental Disabilities) and Protection and Advocacy (Disabilities Rights Iowa).
- C. Representatives of local and non-governmental agencies, and private nonprofit groups concerned with services for individuals with developmental disabilities in the State in which such agencies and groups are located.

## Section II.

**Duties:** Council members shall:

- A. Govern the activities of the DD Council and provide direction.
- B. Support, supervise, make the recommendation to hire or terminate the Executive Director.
- C. Actively participate in the overall planning process for the DD Council five year state plan.
- D. Assist with implementing and monitoring of the DD Council five-year state plan.
- E. Approve and provide financial oversight of the DD Council Budget.
- F. Recruit new council members and assist with orientation of new council members.
- G. Adhere to the DD Council Conflict of Interest Policy and ensure legal and ethical integrity
- H. Positively represent the DD council mission, goals and accomplishments to the public and within their own communities.
- I. Actively participate, within their maximum potential, in council meetings, initiatives and events.
- J. Bring forth any emerging issues or concerns that the DD Council should consider or address.

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## Section III.

**Terms:** Members shall be appointed for three-year terms Members may serve two consecutive three-year terms at the pleasure of the Governor, but will need to reapply for the second three-year term. Members may be reappointed by the Governor after an absence from the Council for one year Member terms begin on July 1 of the year of appointment and end June 30 of the third year after appointment. Members who have applied for a second three-year term but have not been reappointed by the Governor by the July 1 term beginning, will be considered members of the Council with voting privileges until the appointment has been confirmed or denied.

## Section IV.

**Termination:** Membership shall cease by a written resignation to the governor, by action of the Governor, or when absent for three consecutive Council Meetings or by missing more than one-half of all regular Council meetings during a federal fiscal year. -A member who experiences unusual circumstances that affect the member's attendance should notify the Council's Executive Director. -The Governor's Office may choose not to accept the written or implied resignation of a member.

## Article III Executive Committee

### Section I.

**Membership:** The Executive Committee shall be composed of at least 5 members as follows: the chairperson, vice-chairperson, and three members-at-large. The Executive Committee must consist of a majority of people with disabilities and/or family members.

### Section II.

**Election:** Each March, the Executive Committee shall appoint an Election Committee. The Election Committee will be responsible for developing a slate of candidates to serve on both the Executive Committee and the Reasonable Accommodation Committee for the following State Fiscal year. The slate of candidates for both committees will be voted upon at the May Council meeting. The Reasonable Accommodation Committee will be responsible for determining the status of reasonable accommodation requests made by Council members with disabilities.

### Section III.

**Duties:** The Executive Committee shall:

- A. Act on behalf of the Council between meetings on matters requiring immediate decisions and shall take no actions inconsistent with the bylaws and policies established by the full Council. Actions of the Executive Committee shall be reported to the full Council. All actions of the Executive Committee are subject to action by the full Council and shall not conflict with action taken by the full Council.
- B. Approve an unanticipated expenditure up to \$5,000.
- C. Establish, as needed, ~~Special sub-~~Committees such as the Policy Committee, and workgroups and set and review expectations and accept recommendations from the committees for approval.
- D. Assure that the Council conducts strategic planning and formulates the five-year state plan.
- E. Monitor implementation of the five-year plan and make recommendations to annual work plans.
- F. Review Council operating budget and make recommendations to the full Council
- G.H. Monitor financial statements
- H.I. Review request for proposals and special projects and make recommendations to the full council.
- I.J. Recruit new Council members and assist with orientation of new members.
- J. Encourage engagement and participation from all council members.
- K Conduct a yearly performance evaluation, following the Department of Administrative Services guidelines of the Executive Director with input from the full Council.
- L. Review the DD Council website yearly to determine if revisions are needed.

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#### **Section IV.**

**Terms:** Members of the Executive each serve one-year terms. Any Executive Committee member may be elected to additional one-year terms.

#### **Section V.**

**Vacancy:** A vacancy in the Executive Committee shall be filled by Council election.

#### **Section VI.**

**Regular Meetings:** Regular meetings of the Executive Committee are six times a year; a minimum of four is required.

#### **Section VII.**

**Special Meetings:** Special meetings may be called by the chair or upon request of two members of the committee or at the request of the executive director with approval by the chair.

#### **Section VIII.**

**Notice Agendas:** Notice agendas of the Executive Committee meetings will be prepared prior to regular meetings and will be distributed to Council members at the same time they are distributed to Executive Committee members.

#### **Section IX.**

**Quorum:** Three (3) members of the Executive Committee shall constitute a quorum.

### **Article IV Officers**

#### **Section I.**

**Officers:** There shall be the following officers: Chairperson and Vice-Chairperson.

#### **Section II.**

**Terms/Eligibility:** Chairperson and Vice-Chairperson are elected annually by the full council and serve for one year. After the once year term for chair is up, the Chair will serve as past chair on the Executive Committee if they still serve on the Council. Either may choose to run for reelection, there are no term limits. -To be eligible for these positions, the person shall be a member of the Council with consistent attendance and currently serves or have previously served on the Executive committee. -Officer's terms commence July 1 and end June 30 of the following year.

#### **Section III.**

**Vacancy:** The vice-chairperson shall fill a vacancy in the office of Chairperson. -The Council shall fill the resulting vacancy or any other vacancy on the Executive Committee through an emergency election at the next regularly scheduled Council meeting. No member shall simultaneously hold two positions as officer.

### **Article V Duties of Officers**

#### **Section I.**

**Chairperson:** The Chairperson shall preside over Council meetings and meetings of the Executive Committee. -The Chairperson may designate the vice-chairperson as a temporary

Adopted 7/2003

Revised 7/29/2010, 3/10/2011, 3/14/19

chairperson; appoint standing and special committee chairs with the approval of the Executive Committee, coordinate the duties of officers and committees; and serve as an ex officio member of all committees. -The Chairperson works closely with the executive director to conduct the business of the Council, assigns representation of the Council across the state, works with the executive director to assure the Council is meeting its fiduciary responsibilities, and represents the Council at state and national meetings. The Chairperson may appoint as needed members and chairs of special committees.

#### Section II.

**Vice Chairperson:** The Vice-chairperson in the absence or incapacity of the chairperson, shall perform the duties of the chairperson. -The Vice-chairperson serves on the Executive Committee.

### Article VI Executive Director

#### Section I.

**Title:** The Council shall employ an ~~E~~xecutive ~~D~~irector to manage the Council office.- The executive director may hire additional staff as needed within the allowances approved in the annual budget.

#### Section II.

**Duties:** The duties of the Executive Director shall be detailed in the job description approved by the Executive Committee and such other duties as the Executive Committee may delegate.

#### Section III.

**Responsibility:** The Executive Director shall report to and consult with the Executive Committee between meetings of the Executive Committee and of the Council.

#### Section IV:

**Authority:** The Executive Director has the discretion to approve expenses up to \$30,000 for sponsorships, small grants, and emergency purchases. \$1,000 conference sponsorships within the approved council budget. All Department of Administration Services Contracting Guidelines must be followed. A summary of approved sponsorships will be provided to the full council.

**Commented [LB1]:** Previously, We had a \$10,000 budget for \$1,000 sponsorships and a \$20,000 for other mini projects such as our Covid grants. This is just combining the funds into one pot

### Article VII Meetings

#### Section I.

**Regular Meetings:** Regular meetings of the Council are six times a year; a minimum of four is required.

#### Section II.

**Special Meeting:** A special meeting of the Council may be called by the chair or with approval of a majority of Council members.

#### Section III.

**Open Meetings:** All full meetings of the Council shall be open to the public per Chapter 21 of the Iowa Code, unless closed sessions are expressly permitted by law. Ambiguity will be resolved in favor of openness. Public notice giving time, date, and place of each meeting with a tentative agenda will precede meetings. The Council will keep minutes of all meetings showing the date, time and place, the members present, and the action taken at each meeting with vote of each

member present. Minutes are public records open to public inspection.

#### **Section IV.**

**Attendance:** ~~It is the expectation that all members must attend meetings in-person; however, members with disabilities may request a reasonable accommodation to Council staff at least 3 days before the meeting if they cannot attend meetings in person. The Reasonable Accommodation Committee will evaluate the request and determine whether to provide the accommodation.~~ In case of emergencies, concern for the health and safety of council members or unusual circumstances, the Executive Committee may approve, in advance, for the full council meeting to be held virtually via conference call. Council members may request an exemption to the in-person attendance requirement from the Executive Committee. Members granted exemptions may attend virtually.

#### **Section V.**

**Reasonable Accommodation Committee:** ~~The reasonable accommodation committee shall consist of three Council members. It will be elected annually, in the same manner as the Executive Committee as stated in Article III, Section II.~~

#### **Section VI.**

**Quorum:** A quorum shall consist of two-thirds of appointed members. Where a quorum is present, a position is carried by a majority of the members eligible to vote.

#### **Section VII.**

**Proxy:** The use of proxies shall not be allowed.

#### **Section VIII.**

**Accessible Meeting Places:** All Council meetings, and meetings or events supported by the Council or its contractors shall be held in facilities accessible to all people. Materials shall also be made available in alternate formats upon request.

### **Article VIII Bylaws and Policies**

#### **Section I.**

**Adoption:** Bylaws of the Council shall become operative upon their ratification by a simple majority vote at the meeting at which they are considered. They will govern the Council within the framework of Iowa law.

#### **Section II.**

**Suspension:** Any bylaw of the Council may be suspended at any meeting by a two-thirds vote of appointed members present and voting at that meeting.

### **Article IX Amendment**

#### **Section I.**

**Amendment of Bylaws, Mission & Vision:** Bylaws, Mission and Vision of the Council may be amended by a two-thirds vote of the members present and voting at any regular or special meeting of the Council. Proposed amendments to Council bylaws, vision or mission shall be distributed to membership of the Council at least thirty days prior to the meeting at which they are to be voted upon.

## **Section II.**

**Origin of Amendments:** Amendments to the Bylaws may be originated by one of the following methods: 1) an act of the Executive Committee and/or 2) a recommendation from Council staff in response to changes in Iowa Code or 3) changes/corrections made in accordance with Federal Law or Regulations for Councils.- All amendments shall be referred to the Executive Committee for review.

## **Section III.**

**Bylaws and Rules:** The Bylaws and rules shall be reviewed at least every five years by the full Council or by a special committee appointed by the chairperson. Recommendations for proposed amendments to the Bylaws shall be submitted to the Council and require approval by two-thirds of the membership.