

State Council on Developmental Disabilities



BYLAWS

Adopted by Council: March 21, 2023

Table of Contents

- ARTICLE I. NAME & DEFINITIONS.....4
- ARTICLE II. RESPONSIBILITIES4
- ARTICLE III. PRINCIPAL OFFICE4
- ARTICLE IV. AREA OF SERVICE4
- ARTICLE V. MEMBERSHIP4
 - SECTION 1. Appointments4
 - SECTION 2. Term of Office5
 - SECTION 3. Conflict of Interest5
 - SECTION 4. Vacancies5
 - SECTION 5. Removal6
 - SECTION 6. Resignations7
 - SECTION 7. Compensation and Expenses7
- ARTICLE VI. MEETINGS7
 - SECTION 1. Parliamentary Authority7
 - SECTION 2. Council Meetings8
 - SECTION 3. Quorum8
 - SECTION 4. Voting Rights of Members8
 - SECTION 5. Chairperson Pro Tempore9
- ARTICLE VII. OFFICERS.....9
 - SECTION 1. Officers9
 - SECTION 2. Election of Member Officers9
 - SECTION 3. Voting Procedure9
 - SECTION 4. Term of Office10
 - SECTION 5. Vacancies10
 - SECTION 6. Duties of the Officers:10
 - SECTION 7. Removal of Officers:11
- ARTICLE VIII. EXECUTIVE DIRECTOR.....12
 - SECTION 1. Appointment:12
 - SECTION 2. Responsibilities and Duties:12
 - SECTION 3. Removal13
- ARTICLE IX. COMMITTEES.....13
 - SECTION 1. Authority13
 - SECTION 2. Standing Committees.....14

SECTION 3. Committees, Sub-Committees and Ad-Hoc Committees and Task Forces.....21

ARTICLE X. COUNCIL ORGANIZATION.....22

SECTION 1. Regional Operations of the Council:22

ARTICLE XI. COUNCIL GENERAL PROVISIONS.....23

SECTION 1. Certification and Inspection:.....23

SECTION 2. Records, Reports, and Inspection:23

ARTICLE XII. AMENDMENTS OF BY-LAWS.....23

CALIFORNIA STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

BYLAWS

ARTICLE I. NAME & DEFINITIONS

The name of this organization shall be the State Council on Developmental Disabilities.

ARTICLE II. RESPONSIBILITIES

The responsibilities of the State Council on Developmental Disabilities are set forth in the Developmental Disabilities Assistance and Bill of Rights Act of 2000 ("DD Act"), Public Law 106-402, and the California Lanterman Act, Welfare and Institutions Code Section 4400 et seq.

ARTICLE III. PRINCIPAL OFFICE

The principal office of the Council shall be located in the County of Sacramento, California. The Council may change the principal office from one location to another within the county.

ARTICLE IV. AREA OF SERVICE

The area of service shall be the State of California.

ARTICLE V. MEMBERSHIP

Appointment to the Council requires each member to fully discharge their duties consistent with the responsibilities of representing persons with intellectual and/or developmental disabilities. The membership of the Council shall consist of the categories of people in accordance with state and federal law.

SECTION 1. Appointments

- (a) There shall be thirty-one (31) voting members on the Council appointed by the Governor as specified by Division 4.5, Chapter 2, Article 1, Sections 4521 (b) (1) and (2) of the Welfare and Institutions Code.
- (b) To assist the Governor in carrying out appointments under Welfare and Institutions Code Section 4521, the Council may coordinate Council and public input to the Governor, to the extent feasible, regarding recommendations for membership to help ensure that members of the Council reflect the socioeconomic, geographic, disability, racial, ethnic, and language diversity of the state.

(c) In accordance with Section 125(b) of the DD Act, the Council will work through its Membership Committee and with the Governor and concerned organizations to ensure that:

- (1) Recommendations for appointments to the Council are solicited from organizations representing a broad range of individuals with intellectual and/or developmental disabilities and individuals interested in individuals with intellectual and/or developmental disabilities, including the non-State agency members of the Council;
- (2) Membership of the Council shall be geographically representative of the State and reflect the diversity of the State with respect to race and ethnicity;
- (3) Membership of the Council is rotated, except that members may serve until members' successors are appointed; and
- (4) The Council will notify the Governor regarding membership requirements of the Council, vacancies, recommendations for appointments, and when vacancies of the Council remain unfilled for a significant period of time.

SECTION 2. Term of Office

The term of office on the State Council shall be in accordance with state law. As specified in Section 4521(d) of the Welfare and Institutions Code, the term of each self or family advocate member and representative of a non-governmental organization shall be for three years, with the term beginning on the date of appointment to the first term. These members may serve no more than two terms. A member may continue to serve following the expiration of their term until the Governor appoints that member's successor.

SECTION 3. Conflict of Interest

Pursuant to California Welfare and Institutions Code Section 4525, the Council's approved Conflict of Interest Policy, is incorporated by reference into these bylaws. Each member must recuse themselves from discussion and votes on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest and as required by Section 125(b)(4)(B)(ii) of the DD Act. In addition, each member is responsible for complying with all state conflict of interest rules, including rules of Government Code Sections 87100 et seq. and 1090 et seq.

SECTION 4. Vacancies

Members of the Council shall be deemed to have resigned from their position on the Council if any of the following events occur before the expiration of the term:

- (a) The member's unexcused absence from three consecutive meetings. Absences from Council meetings may be excused by the Council Chair; or absences from

Committee meetings may be excused by the Committee Chair for good cause, such as illness or unforeseen circumstances that prevent a member from attending a meeting. Requests to be excused from attending shall be requested and approved in writing to the appropriate Chair, with a copy provided to the Executive Director.

- (b) The member's conviction of a felony or any offense involving a violation of the member's official duties. A member shall be deemed to have been convicted under this section when a trial court judgment is entered.
- (c) The member assumes a position or responsibility that violates the Council's conflict of interest policy.
- (d) The death of the member.
- (e) An adjudication pursuant to a legal proceeding declaring that the member is physically or mentally incapacitated due to disease, illness, accident, or other condition and there is reason to believe that the member will not be able to perform the duties of office for the remainder of their term.
- (f) The member's resignation.
- (g) The member's ceasing to be a legal resident of the state or the area the member was appointed to represent.
- (h) The making of a vacating order or declaration of vacancy.
- (i) The Council votes to remove a member for specific, compelling reasons as described in Section 5, including, but not limited to, violating Council policies.

The Council shall notify the Governor regarding membership requirements of the Council and shall notify the Governor in writing immediately when a vacancy occurs prior to the expiration of a member's term, at least six months before a member's term expires, and when a vacancy on the Council remains unfilled for more than 60 days.

SECTION 5. Removal

- (a) A member of the Council shall not be removed, except for specific, compelling reasons.
- (b) The Executive Committee of the Council may recommend removal of a member of the Council during a regular or special meeting. The written charge shall be provided to the member in question no later than 10 days before any action is taken.
- (c) Action to remove a member of the Council shall be conducted in accordance with Government Code Section 11120, et seq.

- (d) Should the Executive Committee find cause to remove the member, the recommendation shall be taken to the Council during a regular or special meeting for discussion and, if necessary, action by the full Council.
- (e) A majority vote, during a regular or special Council meeting, shall be required to remove a member.
- (f) Within 15 days of the Executive Committee's finding that a member should be removed, the Executive Director shall notify the Governor.

SECTION 6. Resignations

Members shall serve a designated term unless they resign or are otherwise disqualified to serve due to the events set forth in Section 4. Any member may resign at any time by giving written notice to the Chairperson and to the Executive Director. Such resignation shall take effect immediately the acceptance of such resignation shall not be necessary to make it effective.

SECTION 7. Compensation and Expenses

Self-advocate and family advocate members of the State Council shall receive honoraria pursuant to Welfare and Institution Code Section 4550 not to exceed fifty (50) days in any fiscal year. All members shall be reimbursed for authorized actual and necessary expenses incurred in connection with the performance of their duties as Council members, in accordance with state regulations in the State Administrative Manual.

ARTICLE VI. MEETINGS

SECTION 1. Parliamentary Authority

- (a) All meetings of the Council and its committees are public meetings governed by the Bagley-Keene Open Meeting Act (Government Code Section 11120, et seq.).
- (b) Robert's Rules of Order shall be utilized as the rules for all Council and committee meetings except in instances of conflict with these bylaws, or provisions of State or federal law or regulations.
- (c) The Vice-Chairperson, or their designee, shall serve as Parliamentarian. The Parliamentarian may advise the Chair or the Council on applying the Robert's Rules of Order when requested, or as necessary to aid the Council in orderly execution of its agenda.
- (d) The Council may adopt, from time-to-time, such policies and rules for the conduct of its meetings and affairs as may be required.

SECTION 2. Council Meetings

- (a) There shall be no less than six (6) meetings of the Council per year and the Council shall meet as often as necessary to fulfill its duties pursuant to Welfare and Institutions Code Section 4535(a).
- (b) Special meetings of the Council may be called by the Chairperson or Executive Committee, in case of absence or inability to act by the Chairperson, by the Vice-Chairperson. In case of a refusal to act by the Chairperson, a special meeting may be called by written request of nine (9) members of the Council. Only matters specified in the written notice of the meeting shall be considered at such a meeting.
- (c) Regular or special meetings of the Council shall be held at a place, date, and time designated by the Council or selected by the Chairperson.
- (d) All Council meetings will provide an opportunity for members of the public to address the Council before or during the Council's discussion for each item on the meeting agenda. The Chair may limit comment to three minutes for each individual who wishes to engage in public comment, or for more or less time as determined and announced by the Chair prior to the beginning of public comment, or contained in the meeting agenda.
- (e) The Council recognizes the value of meetings held in person, and also recognizes that virtual meetings allow for greater engagement for members in some instances. The Council reaffirms that whether a meeting is held in person or virtually, the meeting should be held entirely in person, or virtually. Hybrid meetings with some members in person and others attending virtually diminish full engagement and therefore should be discouraged.

SECTION 3. Quorum

- (a) A quorum for the Council shall be a simple majority of the statutory required membership which is sixteen (16) members per California Attorney General Opinion No. 10-901 (2011) (94 Ops. Cal. Atty. Gen. 100).
- (b) A quorum for each Council committee and sub-committee shall be a simple majority of the appointed members of that committee.

SECTION 4. Voting Rights of Members

- (a) Each member shall be entitled to one vote, to be exercised in person. "In person" is defined as physically present at a meeting conducted at one physical location. "In person" may include presence by teleconference or videoconference only if the meeting is a teleconference meeting within the meaning of Government Code

section 11123.5. Proxy voting shall not be permitted. (68 Ops. Cal. Atty. Gen. 65 (1985)).

- (b) Except as otherwise specifically provided in State law or these bylaws, all matters submitted for determination shall be decided by a majority vote.

SECTION 5. Chairperson Pro Tempore

If neither the Chairperson nor Vice-Chairperson is present to preside at a Council meeting, the Executive Director as Clerk of the Council, or their designee, shall call the meeting to order and establish a quorum. Then a chairperson pro tem shall be elected by the majority vote of the Council members present to preside over that meeting only.

ARTICLE VII. OFFICERS

SECTION 1. Officers

The officers of the Council shall be a Chairperson and a Vice-Chairperson elected from among the self and family advocate members pursuant to Welfare and Institutions Code Section 4535(b). These officers shall perform the duties described in these bylaws.

SECTION 2. Election of Member Officers

Election of officers shall occur once every two (2) years. The election shall be held during the last meeting of the appropriate calendar year. Only self and family advocate members shall be eligible to hold office pursuant to Welfare and Institutions Code Section 4521(b)(1). The roles of Chair and Vice Chair shall be held by one self-advocates and one family advocates, with each a family advocate and self-advocate in either officer role, but not both, as elected by the Council. An Officer shall not be elected if there is less than one year remaining in their second term and/or they still sit on the Council pursuant to Welfare and Institutions Code Section 4521(e).

SECTION 3. Voting Procedure

Council officers shall be elected by a simple majority vote. At the second to last meeting of the second year of the two-year Chairperson cycle, the Council will take nominations from all members for Officers for the next chairperson cycle.

At the last meeting of the two year-Chairperson cycle, the Council will vote for Council Officers from among the members nominated at the prior meeting. The Vote for Chairperson will be first, followed by the vote for Vice-chairperson. The Council will hold a run-off election between the nominees who received the two (2) highest number of votes. The Council may waive this run-off requirement with a majority vote to waive.

SECTION 4. Term of Office

- (a) The Chairperson and Vice-Chairperson shall be elected for a term of two (2) years. Individuals may be elected to these positions for no more than two consecutive terms. Their term of office shall begin the first day of the new calendar year.

SECTION 5. Vacancies

- (a) If the Chairperson resigns or is permanently unable to serve during the term of office pursuant to Article V, Section 4, the Vice-Chairperson shall become the Chairperson for the remainder of such term. Upon the vacancy of the Vice-Chairperson's term of office or if the Vice-Chairperson resigns or is permanently unable to serve during the term of office, the Chairperson shall appoint an interim Vice-Chairperson to serve until an election is conducted at the next available Council meeting. In that meeting, the Chair shall also take nominations from the floor among all Councilmembers.
- (b) If both the Chairperson and the Vice-Chairperson at the same time resign or are otherwise permanently unable to serve in their respective offices:
 - (1) The Council shall appoint by a simple majority vote an interim Chairperson and an interim Vice-Chairperson from among the remaining self and family advocate members pursuant to Welfare and Institutions Code Section 4535(b) at the next Council meeting.
 - [a] The interim Chairperson and interim Vice-Chairperson shall serve as the officers of the Council until the voting procedure established in Article VII, Section 3 can be carried out to elect a permanent Chairperson and permanent Vice-Chairperson.
 - (2) The Council shall direct that the voting procedure established in Article VII, Section 3 and Article IX, Section 3 be carried out immediately and according to an appropriate timeline, which may be different from what is specified in those sections.
 - (3) The Council shall resume the voting procedure and timeline outlined in Article VII, Section 3 and Article IX, Section 3 after the permanent Chairperson and permanent Vice-Chairperson are elected under this Subsection (b).
- (b) The voting procedure established in Article VII, Section 3 shall be used for the election process of a permanent Chairperson and/or permanent Vice-Chairperson.

SECTION 6. Duties of the Officers:

- (a) Chairperson - The responsibilities of the Chairperson are: to preside at all meetings of the Council; set the agenda for Council meetings, to appoint chairpersons and members to all Council committees, as specified in these bylaws, to appoint Council representatives in relation to other agencies and consumer groups; and to represent the Council as needed. The Chairperson shall have full voting rights on all Council actions. The Chairperson shall not serve as the chair of any of the Committees established by the Council as described in Article IX. Under extenuating circumstances, if in the opinion of the Chair it is in the best interest of the Council, the Chair may temporarily appoint either the Chair or Vice-Chair to chair no more than one committee as necessary until the conclusion of the extenuating circumstance.
- (b) Vice-Chairperson - The responsibilities of the Vice-Chairperson are to perform all the duties of the Chairperson if the Chairperson is absent or upon request of the Chairperson. When acting in the capacity of the Chairperson, the Vice-Chairperson has the same authority as the Chairperson. The Vice-Chairperson also serves as Chair of the Executive Committee and as Parliamentarian. The Vice-Chairperson may serve as the Chair of the Executive Committee, but shall not serve as the chair of any of the other Committees established by the Council as described in Article IX, except for as described in section 6, subdivision (a), above.

SECTION 7. Removal of Officers:

Action to remove an officer shall be in accordance with the following procedure:

- (a) A Councilmember or group of Councilmembers must submit written notification in person or by registered mail to the Executive Director from Council member(s) describing the specific reasons why they seek removal of the officer in question.
- (b) The Executive Director shall notify the officer charged by registered mail within two (2) working days of receiving the charges. Any officer so notified shall have ten (10) calendar days following notification of the charges to respond to the group or individual seeking removal. The officer shall provide a copy of the response to the Executive Director. Within ten (10) calendar days of receiving the response from the officer, the responsible party or parties shall notify the Executive Director as to whether or not they still wish to request removal of the officer. If the responsible parties are satisfied by the officer's response that no sufficient cause exists, the matter will be closed with written notice to the Executive Director and to the officer.
- (c) If the group or individual requesting removal notifies the Executive Director in writing that they still wish to seek removal of the officer within ten (10) calendar days of receiving the response from the officer, or if the officer fails to respond in ten (10) calendar days of being notified of the charges, the Executive Director as Clerk of the Council shall put the issue on the agenda at the beginning of the next

Council meeting and inform the Council members as to the purpose of the agenda item. If no written notice from the group or individual requesting removal is provided to the Executive Director within 10 calendar days after the officer provides their response to the charges, the matter will be deemed closed and no further action will be taken.

- (d) Written charges shall be distributed and reviewed at the specified meeting of the Council.
- (e) A majority vote shall be required to remove a chairperson or vice-chairperson from office. If removal of the Chairperson is under consideration, the vice-chairperson shall preside.

ARTICLE VIII. EXECUTIVE DIRECTOR

SECTION 1. Appointment:

- (a) The Executive Director of the Council shall be appointed by and serve at the will of the Council in a position exempt from all civil service requirements pursuant to the California Constitution, Article 7, section 4(e) and Welfare and Institutions Code Section 4551. The appointment of the Executive Director shall occur during a regular or special meeting of the Council.
- (b) An annual evaluation of the Council Executive Director shall be coordinated by the Executive Committee and conducted by the full Council.

SECTION 2. Responsibilities and Duties:

- (a) The Executive Director shall be the chief administrative officer of the Council and shall have all the authority and responsibility assigned to the director of a state agency including budget, personnel, and contractual transactions. The Executive Director represents Council positions and interests to other agencies, stakeholders, and the public on all Council matters. These duties and responsibilities include authority for entering into and execution of agreements on behalf of the Council in order to implement the policies of the Council. The Executive Director shall hire, supervise, and annually evaluate the staff of the Council.
- (b) The Executive Director is responsible for ensuring that:
 - (1) For the purposes of administration, Council directives are carried out by Council staff through the proper assignment and conduct of Council work, including but not limited to State Plan, grant, and other contracted work.

- (2) Council members and staff receive training on the federal mandate of the DD Act to conduct and support advocacy, capacity building and systemic change on a statewide level;
 - (3) There is adequate supervision over the development and implementation of standard orientation tools for staff, policy manuals, and trainings addressing program and administrative requirements; and
 - (4) Federal funds shall only be utilized for activities permissible under the DD Act.
- (c) The Executive Director shall be under the direction and control of the Council and shall do and perform such other duties as may be assigned by the Council.
 - (d) The Executive Director shall serve as clerk to the Council. The clerk shall aid the Council in conducting orderly and productive Council meetings.

SECTION 3. Removal

- (a) Action to remove the Executive Director of the Council shall be conducted in accordance with Government Code Section 11120, et seq.
- (b) The Executive Committee of the Council may recommend removal of the Executive Director during a regular or special meeting. This recommendation shall be taken to the Council during a regular or special meeting for discussion and action.
- (c) A majority vote, during a regular or special Council meeting, shall be required to remove the Executive Director from their exempt appointment.

ARTICLE IX. COMMITTEES

SECTION 1. Authority

- (a) Subject to the provision of these bylaws, all committees, with the exception of the Executive Committee, shall be advisory and shall not have the power to bind the Council except when specifically authorized by the Council to do so. Recommendations made by advisory committees shall be presented to the Council for adoption in the form of a motion.
- (b) All Committee meetings will provide an opportunity for members of the public to address the Committee. The Chair may limit comment to three minutes for each individual who wishes to engage in public comment, or for more or less time as determined and announced by the Chair prior to the beginning of public comment. Public comment will not be made available if the agenda item is one that will be considered in closed session.

- (c) Committee members who attend meetings by teleconference shall be subject to the provisions of Government Code section 11123.
- (d) Subject to provision of these bylaws, a vacancy in the membership of a committee may be filled by the Council Chairperson at the next available meeting.
- (e) A committee may meet upon call of the chairperson of the committee. In the absence of a committee chairperson, the Council Chairperson may call upon a committee to meet.
- (f) Unless otherwise specified in these bylaws, the Chairperson and the Executive Director of the Council shall serve ex officio, without vote, on all committees, except the Nominating Committee.
- (g) A committee member may be removed from the committee by the Council Chair after three (3) consecutive unexcused absences. An unexcused absence is an absence of a member when previous notice of absence has not been given to the Committee Chair or Executive Director or appropriate Deputy Director by telephone, e-mail or mail.

SECTION 2. Standing Committees

- (a) There shall be eight (8) standing committees of the State Council:
 - (1) Executive Committee
 - (2) Administrative Committee
 - (3) Legislative and Public Policy Committee
 - (4) Self-Advocates Advisory Committee
 - (5) Employment First Committee
 - (6) Membership Committee
 - (7) State Plan Committee
 - (8) Statewide Self-Determination Advisory Committee
- (b) The Chairperson, Vice-Chairperson, and members of each of the standing committees shall be appointed by the Council Chairperson and serve at the pleasure of the Chairperson. In the event of a membership vacancy for any reason, a successor may be appointed by the Council Chairperson. The Committee Chairperson shall set the agenda of each committee meeting. The Chairpersons and Vice-Chairpersons of standing committees shall be members of the Council who are individuals with intellectual and/or developmental disabilities, or the parent, sibling, guardian, or conservator of an individual with an intellectual and/or developmental disability. All committee appointments shall be announced to the Council at the next available Council meeting.
- (c) The membership of, the Employment First Committee, Legislative and Public Policy Committee and Statewide Self-Determination Advisory Committee, shall be

open to non-members of the Council. The expenses of non-Council members may be reimbursed in accordance with State of California reimbursement rules on the same basis as a Council member with the exception of the honorarium.

- (d) All members of the Council shall be expected to serve on at least one standing committee of the Council. However, the Chairperson may excuse a member from serving on a committee.
- (e) The charge of each of these committees shall be as follows:

(1) **Executive Committee**

The Executive Committee shall serve as the coordinating body to the Council. The Committee shall:

- [a] Consist of the Council Chairperson, Vice-Chairperson, the chair of each standing committee, and up to two (2) other Council members.
- [b] Be chaired by the Council Vice-Chairperson.
- [c] Have delegated authority to act on behalf of the Council between meetings, but shall not modify any action taken by the Council unless authorized by the Council to do so. The full Council at the next regular or special meeting shall receive a report of all Executive Committee actions taken between Council meetings.
- [d] Administrative matters shall be a standing agenda item at every meeting and shall include but not be limited to, budget reports, expenditure reports and other major administrative issues.
- [e] Make recommendations to the Council regarding amendments to the bylaws, changes in committee structure or responsibilities.
- [f] Make recommendations to the Council regarding Council member training.
- [g] Make recommendations to the Council regarding matters assigned by the Council
- [h] Make recommendations to the Council regarding the appointment, evaluation, or removal of the Executive Director.
- [i] Coordinate the Council's litigation activities, as needed, and make recommendations to the full Council.

- [k] Consider the conduct of Council Members such that the conduct interferes with the Council's duties.

(2) Administrative Committee

The Administrative Committee shall assist with monitoring the administrative and budgetary activities of the Council. The Committee shall:

- [a] Be composed of at least three (3) Council Members.
- [b] Make recommendations to the Council regarding allocation of discretionary fiscal resources and other budgetary issues.
- [c] Make recommendations to the Council regarding budgeting for anticipated fiscal resources among Council operations and specific service priorities for inclusion in the State Plan and the Governor's budget.
- [d] Make recommendations to the Council regarding monitoring and evaluating administrative contracts and agreements.
- [e] Make recommendations to Council regarding contracts and agreements in accordance with the Council's contracting rules.
- [f] Monitor and evaluate administrative contracts and agreements; and take actions authorized in all Council contracts and agreements.
- [g] Make recommendations to the Council regarding Councilmember administrative matters and policies, as needed.

(3) Legislative and Public Policy Committee

The Legislative and Public Policy Committee shall be responsible for recommending and monitoring the public policy priorities of the State Plan as assigned by the Council. The Committee shall:

- [a] Be composed of at least seven (7) members.
- [b] Review, comment, and recommend positions on significant proposed legislation and/or proposed regulations, policies, procedures, and/or practices.
- [c] Recommend legislation, regulations, policies, procedures, and/or practices consistent with the Council's responsibilities and

objectives.

- [d] Identify and recommend potential Council projects and/or coordinated action on issues consistent with Council responsibilities and objectives.
- [e] Provide testimony and recommendations to the Legislature on matters pertaining to people with intellectual and/or developmental disabilities on positions taken by the Council.
- [f] Respond to other responsibilities as assigned by the Council.

(4) Self-Advocates Advisory Committee

The Self-Advocates Advisory Committee shall serve as a voice for people with intellectual and/or developmental disabilities by advising the Council on matters that affect all self-advocates in California. The Committee shall promote State Council participation and peer advocacy to advance independence and inclusive practice. The Committee shall:

- [a] Be composed of self-advocate members of the Council who wish to participate on the committee.
- [b] Advise the Council about the needs of self-advocates who are serving on the Council, including best practices that ensure participation and inclusion in all meetings.
- [c] Advise the Council regarding policies, programs and issues affecting self-advocates in California. .
- [d] Review training materials, resources, and documents to evaluate and make recommendations regarding plain language approaches.
- [e] Nominate a standing representative to the Statewide Self-Advocacy Network (SSAN).
- [f] Engage in other activities as approved by the Council.
- [g]- Make recommendations to the Council regarding possible agenda items related to the above.

(5) Employment First Committee

The Employment First Committee is responsible for identifying and promoting strategies that increase the number of individuals with intellectual

and/or developmental disabilities who engage in integrated, competitive employment. The Committee shall:

- [a] Be composed of a representative from each of the following as well as up to five(5) additional subject matter experts to provide technical assistance towards accomplishing the Committee's goals:
- (1) The Department of Developmental Services;
 - (2) The Department of Rehabilitation;
 - (3) The California Department of Education;
 - (4) Each one of the three University Centers of Excellence in California;
 - (5) Disability Rights California; and
 - (6) A member of the Council's Self-Advocates Advisory Committee.
 - (7) Such advisory members as deemed necessary to implement the priorities and responsibilities of the Council. These members are non-voting members.
- [b] Identify the respective roles and responsibilities of state and local agencies in enhancing integrated, competitive employment opportunities for people with intellectual and/or developmental disabilities.
- [c] Identify strategies, best practices, and incentives for increasing integrated, competitive employment opportunities for people with intellectual and/or developmental disabilities, including, but not limited to, ways to improve the transition planning process for students fourteen (14) years of age or older, and to develop partnerships with, and increase participation by, public and private employers and job developers.
- [d] Identify existing sources of employment data and recommend goals and approaches to measuring progress to increase integrated, competitive employment for persons with intellectual and/or developmental disabilities.
- [e] Identify existing sources of consumer data that can be used to provide demographic information for individuals, including, but not limited to, age, gender, ethnicity, types of disability, and geographic location of consumers, and that can be matched with employment data to identify outcomes and trends of the Employment First Policy.
- [f] Recommend goals for measuring employment participation and outcomes for various consumers within the developmental services

system.

- [g] Recommend legislative, regulatory, and policy changes for increasing the number of individuals with intellectual and/or developmental disabilities in integrated employment, self-employment, and microenterprises and who earn wages at or above minimum wage, including, but not limited to, recommendations for improving transition planning and services for students with intellectual and/or developmental disabilities who are fourteen (14) years of age or older.
- [h] Provide an annual report to the Governor and Legislature each year that describes the work and recommendations of the Committee.
- [i] Meet and consult, as appropriate in carrying out the Committee's responsibilities, with other state and local agencies and organizations, including, but not limited to, the Employment Development Department, the Association of Regional Center Agencies, one or more supported employment provider organizations, an organized labor organization representing service coordination staff, and one or more consumer family member organizations.
- [j] Advise the Council on other issues related to integrated employment opportunities for persons with intellectual and/or developmental disabilities.

(6) Membership Committee

The Membership Committee shall recruit and vet potential candidates for appointment to the Council and advise the Governor on Council appointments and vacancies. The Membership Committee is responsible for coordinating Council and public input to the Governor regarding all recommendations on behalf of the Council. The Membership Committee is also responsible for the recruitment, vetting, and appointment of the Council's Regional Advisory Committees and one-half of the Regional Centers' local Self-Determination Committees. The Executive Director, in consultation with the Committee Chairperson, is charged with submitting Councilmember recommendations to the Governor. The Committee shall:

- [a] Be comprised of self-advocates and family advocates within the meaning of Welfare and Institutions Code section 4520.
- [b] Coordinate Council and public input regarding appointments to the Governor.

- [c] Solicit recommendations for candidates via social media, email/web alerts, from among self-advocacy groups, family support groups, non-agency Councilmembers, Federal Partners and service providers for the purpose of identifying multiple candidates recommended for appointment and ensuring that membership composition requirements of Section 125(b) of the DD Act and Section 4521 of the Welfare and Institutions Code are met including those pertaining to socioeconomic, geographic, disability, racial, ethnic, and language diversity and in an effort to solicit recommendations from organizations representing a broad range of individuals with intellectual and/or developmental disabilities and individuals interested in individuals with intellectual and/or developmental disabilities.
- [d] While maintaining confidentiality of names, make a report of submissions to the Governor's Office to the Council during the next regular meeting following any submissions.
- [e] In the interest of interagency collaboration and coordination, at least every sixty (60) calendar days, provide written notification to the Council or its Executive Committee, the Designated State Agency, and the Governor's Office of 1) the expiration date of each member's term, and 2) any vacancy existing on the Council that remains unfilled for more than sixty (60) days. Such notification may be made by electronic mail or as part of a Council agenda item, as appropriate.
- [f] Notify the Governor's Office in writing immediately when a vacancy occurs prior to the expiration of a member's term.
- [g] Solicit support from the Designated State Agency for appointments when a vacancy occurs for more than four (4) months.

(7) State Plan Committee

The State Plan Committee shall be responsible for developing the Council's strategic 5-year State Plan and monitoring its implementation and progress. The Committee shall:

- [a] Be comprised of at least three (3) members;
- [b] Advise the Council on the collection and reporting of information on needs, including unmet needs, priorities and emerging issues.

- [c] Make recommendations to the Council regarding priorities, goals, and objectives for the State Plan.
- [d] Inform the Council of progress in meeting the goals and objectives of the Council's State Plan.
- [e] Make recommendations to the Council on suggested priorities and criteria for grant cycles, proposals, and applications .
- [f] Review grant proposals and make funding recommendations to the Council.
- [g] Carry out other responsibilities as assigned by the Council.

(8) Statewide Self-Determination Advisory Committee

The Statewide Self-Determination Advisory Committee is a volunteer advisory committee that is set up to advise and make recommendations on ways to increase the effectiveness of the Self-Determination Program related to regional center consumers to the Council. The Committee shall:

- [a] Be comprised of one chair from each of the 21 local advisory committees or their designees and one Councilmember appointed by the Council Chair. The Councilmember will serve as Co-Chair along with another member elected by the committee.
- [b] Meet at least twice each year but not more than four times a year
- [c] Identify self-determination best practices, effective consumer and family training materials, implementation concerns, systemic issues, ways to enhance the Self-Determination Program, and recommendations regarding the most effective method for Self-Determination Program participants to learn of individuals who are available to provide services and supports.

SECTION 3. Committees, Sub-Committees and Ad-Hoc Committees and Task Forces

- (a) Committees, Sub-committees, Ad-Hoc committees and Task Forces may be established by the Council to carry out specified State Plan objectives and purposes of the Council.
- (b) The term of office and, qualifications of these groups' chairpersons and members

shall be established by the Council. The membership of Sub-Committees and Ad-Hoc committees shall be open to non-members of the Council and shall be appointed by the Chairperson of the Council. The expenses of non-Council members may be reimbursed in accordance with State of California reimbursement rules on the same basis as a Council member with the exception of the honorarium.

- (c) Any body created under this section shall report back to Council periodically as required by the Council.

ARTICLE X. COUNCIL ORGANIZATION

SECTION 1. Regional Operations of the Council:

- (a) The Council is responsible for engaging in advocacy, capacity, and systemic change activities statewide that implement mandates of the DD Act so that individuals with intellectual and/or developmental disabilities have access to all available services and supports. In order to carry out its federal mandates in a manner consistent with the access, use, and community based principles of Section 101(c) of the DD Act, the Council exercises its authority to establish Regional Offices and Regional Advisory Committees to perform Council work. Pursuant to Welfare and Institutions Code Section 4544(d), such offices and committees shall be constituted and operated according to policies and procedures of the Council. (See Appendix 1, "Policy Questions About the Regional Advisory Committees (RAC).")
- (b) Regional Offices and Regional Advisory Committees, being part of the Council, are subject to the Bagley-Keene Act, the Public Records Act, and any other laws applicable to a state governmental entity.
- (c) Public notice shall be provided at least 120 days before any changes in the number or boundaries of Regional Offices.
- (d) The bylaws, membership composition, terms of members, and membership eligibility in addition to other rules of the Regional Advisory Committees shall be determined by the Council except as provided by Welfare and Institutions Code Section 4546.
- (e) At the request of the Council, and according to the policy and procedures of the Council, Regional Advisory Committees will advise, provide input, be a source of data, and perform other activities as described in Welfare and Institutions Code Section 4548.

ARTICLE XI. COUNCIL GENERAL PROVISIONS

SECTION 1. Certification and Inspection:

The original or a copy of the bylaws, as amended or otherwise altered to date, certified by the Council shall be recorded and shall be kept in a location in the principal office of the Council, and shall be always open to public inspection during office hours. A copy of the current bylaws should also be posted on the Council's website.

SECTION 2. Records, Reports, and Inspection:

- (a) The Council shall maintain adequate and correct accounts, books and records of all its business and properties.
- (b) Such records shall be kept at its principal place of business. All books and records shall be open to inspection by the Council and the general public, pursuant to the provisions of the Public Records Act and the Information Act.
- (c) An annual financial report and budgets shall be available for inspection at the Council's principal place of business.

ARTICLE XII. AMENDMENTS OF BY-LAWS

Subject to the limitations of federal and state law, these bylaws shall be reviewed at least every two years. The Executive Committee shall be responsible for the biennial review of the bylaws, submitting recommendations for adoption of new bylaws and amendments or repeal of existing bylaws to the Council. These bylaws may be amended, repealed or adopted by a majority of the Council during any regular or special meeting of the Council so long as a draft of the proposed action was submitted in writing to the Council at least ten (10) days prior to the meeting.