

By-Laws

Developmental Disabilities Advisory Council

(Adopted June 2, 1993)

I. NAME: DEVELOPMENTAL DISABILITIES ADVISORY COUNCIL

II. DEFINITIONS:

"Council" refers to the Developmental Disabilities Advisory Council of the Arizona Department of Economic Security.

"Department" refers to the Arizona Department of Economic Security.

"Division" refers to the Division of Developmental Disabilities.

"Assistant Director" refers to the Assistant Director of the Arizona Department of Economic Security, Division of Developmental Disabilities.

"Director" refers to the Director of the Arizona Department of Economic Security.

III. STATUTORY AUTHORITY: A.R.S. SECTION 36-553

IV. PURPOSE, SCOPE AND MISSION:

- A. The council is a special Purpose advisory council to the Assistant Director of the Division on Developmental Disabilities on matters relating to developmental disabilities.
- B. The scope of the council is to review and make recommendations to the Division; provide the public with an opportunity to address the council at regularly publicized meetings; and submit an annual written report of activities to the Director, the Governor, the President of the Senate and the Speaker of the House of Representatives by December 31 of each year.
- C. The Mission of the Developmental Disabilities Advisory Council is to provide, in partnership with the Division of Developmental Disabilities, advisory oversight on behalf of members, families and providers by:
 - Defining appropriate services from the member's perspective;
 - Providing realistic and practical recommendations for implementation of the 9 duties in statute A.R.S. 36-553.(I) 1-9;
 - Assisting in the design of a clear and responsive system that promotes access and matches member needs to service delivery; and
 - Serving as a forum to seek input from the public. (Adopted April 7, 1993)

V. RESPONSIBILITIES REQUIRED BY STATUTE:

- A. The Council shall review and make recommendations to the Division regarding:
1. Coordinating and integrating services provided by state agencies and providers that have contracted with state agencies to provide developmental disability programs.
 2. The health, safety, welfare and legal rights of persons with developmental disabilities.
 3. The Division's plan for service delivery and improvement. The council will inform that plan and advise on strategies for implementation.
 4. Establishing and reviewing Division policies and programs.
 5. The cost effectiveness of Division services. Participation in any rate setting methodology or other rate setting strategies prior to implementation.
 6. Assessing the Division's annual needs.
 7. Selecting the Assistant Director of the Division.
 8. Monitoring the Division's annual budget.
 9. The sale or lease of any real property improvement used by the department of economic security for the training program facilities in Coolidge and throughout the state.

VI. STRUCTURE:

- A. The council shall consist of up to seventeen members: fifteen voting members appointed by the Governor, and two non-voting members comprised of the Director of the Arizona Health Care Cost Containment System (AHCCCS) administration or that person's designee and the Assistant Director of the Division of Developmental Disabilities.
- B. The council members are as follows:
1. One parent or guardian of a child who is under the age of eighteen years and who is developmentally disabled.
 2. One parent or guardian of a child who is eighteen years of age or older and who is developmentally disabled.
 3. One parent of a Child Served through the Arizona Early Intervention Program (AzEIP)
 4. One person from the private sector who represents an agency that is certified to provide in home services to persons with developmental disabilities.
 5. Two persons from the private sector who are contracted with the Division to deliver services to persons with developmental disabilities, one who represents a provider of residential services and one who represents a provider of adult day services including employment services.

6. Two members with a developmental disability who receive services from the Division.
 7. Two persons each representing a different developmental disability advocacy organization.
 8. One person from the designated protection and advocacy organization.
 9. A person representing a nonprofit organization providing direct advocacy to families with developmentally disabled children.
 10. The director of Arizona Health Care Cost Containment System (AHCCCS) Administration or this person's designee. This person is a non-voting member.
 11. The Assistant Director of the Division of Developmental Disabilities. This person is a non-voting member.
 12. One member from the Developmental Disabilities Planning Council.
 13. One member representing foster parents of children with Developmental Disabilities.
 14. One member of the human rights committee on the developmentally disabled established by A.R.S. section 41-3801.
- C. The Governor shall appoint all voting members. Voting members and their families shall not be employees of the Department of Economic Security. In making these appointments the Governor shall select at least five members who are members or guardians, parents or other family members of persons with developmental disabilities. Two of these five voting members shall represent a person who is eligible for long-term care services pursuant to A.R.S. Chapter 29, article 2 of Title 36. The Governor shall also consider geographic representation in making these appointments.
- D. Council members shall serve staggered three-year terms. Beginning the effective date of appointment, no member may serve more than two full terms. If a member is brought on to complete another appointment they shall be eligible for the partial appointment plus no more than two full terms subsequent.
- E. Initial terms of public members are:
1. 5 terms ending January 1, 1995
 2. 5 terms ending January 1, 1996
- F. A vacancy occurring on the Council shall be filled by the Governor appointing another qualified person to serve the remainder of the term. Terms will be filled by the existing member until the appointment is made.
- G. The Council Chairperson shall be chosen annually by a majority vote of the Council. A majority of council members constitutes a quorum. (Date of vote)
(Length of leaderships service)

- H. Council members are not eligible to receive compensation, but Council members are eligible to receive reimbursement of expenses pursuant to A.R.S. Title 38, Chapter 4, Article 2.

VII. PROCEDURES:

- A. Recommendations:
 - 1. The council shall review and make recommendations to the Division. (See A.R.S. section 36-553(I) 1-9)
 - 2. Council members are assigned to represent a certain constituency. These members will be provided opportunity to report and provide updates at each regularly scheduled and properly noticed, open council meeting. Updates and reports will be submitted for consideration and review.
 - 3. Recommendations are from individual council members or committees, in order for a recommendation to become an action item it must first receive due process following Robert's Rules Process for Handling a Main Motion.
- B. Action Items:
 - 1. Recommendations that receive an affirmative vote by the majority of the council become action items.
 - 2. Action items are adopted by the council and inform the decisions of the Division and/or other entities.
- C. Statutory requirements:
 - 1. Priority of the council will be defined by statutory requirements as identified in A.R.S. section 36-553.
- D. Voting:
 - 1. Each member shall have one vote.
 - 2. Voting, either verbal or written, will be used for action items and election of officers.
 - 3. All decisions shall be made by a majority vote of the members in attendance either in person or through technology not limiting technology to telephone.
 - 4. Absentee voting is not allowed.
- E. Quorum:
 - 1. A quorum is constituted by at least half of currently appointed members. A.R.S. section 1-216
- F. Election Process:
 - 1. Submit nomination (by self or other appointed council members).
 - 2. Nominating committee (appointed by Chair) shall review, consider and process all nominations.
 - 3. Secret ballot (optional) tallied by staff.
 - 4. If nominated, may decline.

- G. Criteria for Officers:
 - 1. Time commitment
 - 2. Duties/facilities
 - 3. Volunteer
 - 4. Must be a voting member
 - 5. One year commitment
- H. Duties of Officers:
 - 1. Chairperson
 - a. Presides over regular and special meetings of the Council.
 - b. Provides overall direction to the activities of the Council.
 - c. Appoints committees of the Council when appropriate.
 - d. Works with DDD staff assigned to the Council in developing agendas, arranging meeting locations and facilitating other Council activities.
 - e. Serves as spokesperson to present the Annual Report and/or other formal presentations.
 - f. Clarifies /represents the "single voice" of the Council.
 - 2. Vice-Chairperson
 - a. Acts in the place of and in concert with the chairperson to perform the duties of the Chairperson as needed.
 - b. Performs other duties as assigned by the Chairperson.
- I. Committees:
 - 1. Appointed by the Chairperson when deemed necessary and appropriate.
 - 2. Committee members are not empowered to adopt and send forward recommendations to the Director; only the full Council may do so.
- J. Meetings:
 - 1. The Council shall meet at least four times each year. The Council may also hold additional meetings as deemed necessary by the members.
 - 2. The Council may choose to hold some meetings at different locations throughout the state.
- K. Attendance:
 - 1. A member is considered present if their attendance is in person or virtual (via telephone or other electronic means).
 - 2. If a member is absent for two consecutive meetings (job conflict, emergencies are excusable absences) or is absent three times in a year, the Chairperson will notify the member, in writing, that his/her membership on the Council has been terminated.
 - 3. Council staff will notify the Governor of the vacancy.
 - 4. Council members will RSVP with staff as soon as possible prior to the next meeting. This will allow the Chairperson to reschedule the meeting in the event that a quorum will not be present.

L. Time Commitment:

1. Member

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| • Meeting | Committee | Homework |
| 1 day/mon. | 4-8 hours/mo | 4-6 hours/mo |

2. Vice Chair

- Same as above plus 2-3 day/mo prep time.

3. Chair:

- Same as above plus 2-3 days/mo prep time.

M. Agenda:

1. The Council will propose agenda items throughout their discussion and review them at the end of the meeting to decide which items will appear on the next meeting's agenda. Council members may contact the Chairperson at least two weeks prior to the next meeting to request an item(s) be placed on the agenda.
2. Other agencies, groups, organizations, and individuals desiring to place items on the agenda may present them, with statements of purpose, to the Chairperson at least two weeks prior to the date of the meeting.

N. Minutes:

1. Minutes of all Council meetings will be kept and posted in accordance with the open meeting laws.
2. Minute records are open to the public in the office of Assistant Director of the Division.