

# **BY-LAWS** for Advisory Council on Services to Persons with Intellectual/Developmental Disabilities for the Department of Behavior Health and Developmental Disabilities

## **ARTICLE I**

### **NAME**

The name of this Advisory Council shall be the Advisory Council on Services to Persons with Intellectual/Developmental Disabilities, hereafter referred to as the Council.

Hereafter, the Department of Behavior Health and Developmental Disabilities shall be referred to as the Department and the Division of Developmental Disabilities shall be referred to as the Division

## **ARTICLE II**

### **AUTHORITY AND PURPOSE**

The Council and its authority is created by the Board of Behavioral Health and Developmental Disabilities pursuant to that Board's by-laws.

The purpose of the Council shall be to advise the Department on matters relating to the care, services and supports offered to people with intellectual/developmental disabilities served by the Department. These purposes shall be:

1. To assist the Division in assuring the Department's services to people with intellectual/developmental disabilities reflect adherence to the standard of "best practice."
2. To assist the Division in assuring the Department's programs for people with intellectual/developmental disabilities provide quality services in a cost effective manner.
3. To recommend improvements to the Division for existing programs serving people with intellectual/developmental disabilities.
4. To recommend development and implementation of additional programs for people with intellectual/developmental disabilities in Georgia.

5. To review the Department's policy, policy revisions, and make recommendations regarding the adherence to the Department's mission, the cost of proposed policies and amendments and the potential implications of implementation of the policies/revisions.
6. To facilitate communication among Department and Division staff, providers of services, service recipients, parents/guardians/advocates of people with intellectual/developmental disabilities, and other public and private entities involved in delivering services to people with intellectual/developmental disabilities.

### **ARTICLE III**

#### **OFFICERS**

1. Officers of the Council shall be Chairperson, Vice-Chairperson, and Secretary.
2. The Chairperson shall be appointed by the Commissioner of the Department.
3. The Vice-Chairperson and Secretary shall be elected annually by the Council membership at its last meeting of the calendar year and shall serve a term of one year.
4. Members may serve in one officer position for a maximum of two consecutive one-year terms.
5. The Chairperson shall preside at all regular and special meetings and will confer with the designated liaison for the Division in preparing an agenda; setting dates of meetings; appointing members of sub-committees and serve as ex-officio member of all sub-committees.
6. The Chairperson shall serve as the spokesperson for the Advisory Council with the Department and the Division.
7. The Vice-Chairperson shall serve as acting chairperson in the event of the Chairperson's absence and perform other duties deemed appropriate by the Chairperson.
8. The Secretary shall call the roll and take vote counts with the assistance of Division staff assigned to the Council as necessary.
9. If the office of Chairperson becomes vacant, the Commissioner of the Department shall appoint a new Chairperson within one (1) month of the vacancy.
10. If the office of Vice-Chairperson or Secretary becomes vacant, the Council membership shall elect a new Vice-Chairperson or Secretary at the next scheduled meeting immediately following the creation of the vacancy.

### **ARTICLE IV**

#### **MEMBERSHIP**

The Council will be comprised of no more than 15 members. Council members shall be appointed by the Chairperson who will ensure that the Council membership reasonably represents the stakeholders in the state.

Up to five members of the Council must be persons receiving intellectual/developmental disability services, family members and legal representative of persons with intellectual/developmental disabilities or self-advocates.

Up to three members must represent advocacy organizations focused on intellectual/developmental disabilities.

Up to seven members must represent Georgia public or private providers of intellectual/developmental disability services.

Every effort will be made to ensure representation from all Regions of the state.

Appointments for Council members will be for two (2) calendar years. Members can be reappointed to additional terms.

Any Council member who misses three consecutive meetings unexcused may be requested to resign his/her appointment by the Chairperson.

No member of the Council shall cast a vote in any matter which would provide direct financial benefit to that member or otherwise give the appearance of a conflict of interest.

The Chairperson shall appoint a new Council member to fill any member vacancy. The vacancy shall be filled within three (3) months of when the vacancy arises. Any applications for vacant positions received by the Division will be forwarded to the Chairperson for review. The Chairperson will review the qualifications of the applicants and make the appointment(s), ensuring that there is adequate representation from the various stakeholder groups.

## **ARTICLE V**

### **MEETINGS**

1. Meetings shall be held at least four times a year. Special meetings will be called as the Chairperson deems necessary.
2. Copies of all materials to be reviewed, as well as minutes of the last meeting, shall be provided to each Council member prior to the next regularly scheduled meeting.
3. Once approved, the minutes shall be distributed to Council members, the Board of Directors for the Department and the liaison for the Division.
4. A quorum necessary to conduct business shall consist of a simple majority of the appointed membership of the Council present at the meeting either in-person or via phone or video conferencing.
5. Reasonable notice of each special meeting shall be given to Council members.
6. The meetings will be open and accessible to the general public. A time for public comments will be provided during each meeting of the advisory Council as announced by the Chairperson.
7. Executive sessions may be held as determined by the Chairperson or Vice-Chairperson.

## **ARTICLE VI**

### **SUB-COMMITTEES**

The Advisory Council may form ad-hoc sub-committees as needed. Due to the technical nature of the sub-committee's mission, subject-matter experts may be recruited to serve in addition to the official membership.

## **ARTICLE VII**

### **DUTIES OF THE DEPARTMENT AND STAFF**

The Department agrees that for the advisory Council to operate and perform necessary functions, the Division will provide the following staff support and cooperation. A staff member appointed by the Division Director shall serve as the liaison between the Department and the Council. The liaison for the Division will:

1. Provide sufficient staff support and assistance to assure efficient and effective functioning of the Council. The liaison for the Division will assign additional staff when requested by the Chairperson or when additional support functions are necessary. Meeting minutes and all other official documents and actions of the Council shall be made available to the liaison for the Division and the Department.
2. Request that DBHDD Division of DD program managers coordinate with the Council to establish an annual calendar for policy review and revision, with recommendations for public forums, and procedures for providing an expedited review of policies.
3. Provide orientation and training to Council members as requested by the chairperson of the Council.

## **ARTICLE VIII**

### **USE OF FUNDS BY THE COUNCIL**

The Council may use funds under this part to conduct public meetings and forums.

Reimburse members of the Council for reasonable and necessary expenses, as per approved State of Georgia travel reimbursement policy, for attending Council meetings.

Council members shall serve without compensation.

## **ARTICLE IX**

### **AMENDMENTS TO BYLAWS**

The Department approves the bylaws and amendments of the Council. Amendments of these bylaws at any meeting shall require a vote of at least two-thirds of the membership present

provided that at least 21 days notice stating the proposed amendment has been submitted in writing to the Council members. In addition, the Chairperson shall notify the Department in writing of the proposed amendment(s) no less than 15 days prior to Council action regarding such amendment(s) for comment and for determination whether the proposed amendment(s) are consistent with applicable laws, regulations, or policy determinations. Amendment(s) in conflict with laws, regulations, or policy shall be null and void.