

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES

STATE ADVISORY COMMITTEE BY-LAWS

Article I TITLE

Section 1 The Committee shall be titled the Office for Citizens with Developmental Disabilities State Advisory Committee and is hereinafter called the State Advisory Committee.

Article II AUTHORITY

Section 1 The State Advisory Committee is established pursuant to the L.R.S. 28:451.3 as amended during the regular session of the Louisiana Legislature, 2005.

Article III FUNCTION AND RESPONSIBILITIES

Section 1 Mission Statement: The State Advisory Committee, established by legislative act, ensures public input, in an advisory capacity, in the development and implementation of policies, procedures, and the allocation of resources to the Office for Citizens with Developmental Disabilities. This input shall be derived from communication with, but not limited to, individuals with disabilities and their families, and other concerned groups or individuals.

Section 2 The State Advisory Committee shall promote the coordination among the office, human service authorities and districts, and state and regional advisory committees. The State Advisory Committee shall promote responsiveness by the office to input from persons who receive developmental disabilities services and family members and providers regarding the delivery of services.

Section 3 The State Advisory Committee shall coordinate with all regional advisory committees and shall use data provided by the regional advisory committees in deliberation of the committee.

The State Advisory Committee shall provide public input into the state planning process.

It shall review and comment on regulations proposed by the Office for Citizens with Developmental Disabilities (OCDD).

Section 4 The State Advisory Committee shall submit necessary reports to the OCDD.

Section 5 The State Advisory Committee shall receive staff support for its activities from the Office for Citizens with Developmental Disabilities. The Office for Citizens with Developmental Disabilities shall arrange and provide for ordinary and reasonable meeting supports such as video conferencing, teleconferencing, meeting rooms, photocopying, and record keeping in support of the Americans with Disabilities Act (ADA) Accessibility (Accessibility (LAC 4: XXIII, Chapter 3) and Title 4 ADMINISTRATION,

Part XXIII. ADA Accessibility, Chapter 3, Department of Health, Subchapter A, Public Participation via Teleconference or Videoconference.

ARTICLE IV MEMBERSHIP

Section 1 The State Advisory Committee members shall consist of at least two (2) people from each Regional Advisory Committee. Sixty percent (60%) of the committee members shall be comprised of people with developmental disabilities and parents and family members representing a cross section of developmental disabilities services. The State Advisory Committee shall include at a minimum, but not be limited to the following:

- i. Persons with developmental disabilities.
- ii. Parents and family members representing persons who receive a cross section of developmental disabilities services.
- iii. Private providers.
- iv. A representative of the American Federation of State, County, and Municipal Employees Council # 17.
- v. Representatives of advocacy organizations representing a cross section of developmental disabilities services.
- vi. Public providers and administrators of regional administrative units and human service authorities and districts may be appointed as ad-hoc, non-voting members of the State Advisory Committee.

Section 2 A completed State Advisory Committee Membership Application shall be submitted by Regional Advisory Committee membership to the OCDD and Officers of the State Advisory Committee. The OCDD shall review and confirm the required membership composition before the new member's application may be accepted. Membership application form(s) for the State Advisory Committee shall be maintained on the OCDD website and submitted by the RAC chairperson.

Section 3 Members shall serve three (3) year terms on the State Advisory Committee. A member may serve consecutive terms if re-appointed not to exceed two (2) consecutive terms (6 years). A member is eligible for re-appointment after rotating off the State Advisory Committee for one (1) year. For regions which are historically under-represented, area RACs may petition the State Advisory Committee to allow for an interim re-appointment of a member after six (6) months of rotating off the committee. A majority vote of the SAC is required. A maximum of two interim appointments is permitted, then the member must rotate off for a one (1) year period. The reappointment must be approved by the OCDD to ensure the proper membership composition criteria is maintained.

Section 4 The State Advisory Committee by majority vote of the Committee may recommend to OCDD removal of a Committee member for failure to carry out responsibilities in acceptance of Committee membership. Upon recommendation of the State Advisory Committee Chairperson or their designee, a member of the State Advisory Committee may be removed by a committee of the State Advisory Committee, if approved by the OCDD, under the following conditions:

- i. The member no longer qualifies to be a member of the Advisory Committee; or
- ii. The member misses three (3) consecutive regular meetings in a twelve (12) month period, that period begins with the first (1) absence.

Section 5 A new member "orientation packet" shall be provided to all first-time members of the State Advisory Committee. The packet should include but not be limited to information on the DD law, by-laws, policies and procedures. It should also include information on accessing the OCDD website, SAC Email Account and Document Storage, the SAC reporting template used to report individual RAC activities, and Roberts Rules of Order (revised edition).

Section 6 Any member may resign by filing a written resignation with the OCDD, Office for Citizens with Developmental Disabilities, with notification to the Chairperson of the State Advisory Committee.

Section 7 Any vacancy in the State Advisory Committee may be filled for the remainder of the unexpired term through appointment by the OCDD based on recommendations from the Regional Advisory Committees.

ARTICLE V OFFICERS

Section 1 The officers on the State Advisory Committee shall be Chairperson, a Vice-Chairperson, and Secretary. This will constitute the Executive Committee. The OCDD or his/her designee will be an Ex-officio member of this committee.

Section 2 The Chairperson shall call and preside over all State Advisory Committee meetings in accordance with these by-laws, may sign or authorize all letters, reports, other communications of the State Advisory Committee, and communicates with OCDD. The Chairperson appoints chairpersons and membership of all committees and is an ex-officio member in all committees.

In the absence of the Chairperson, the Vice-Chairperson shall substitute for and shall have all the powers and duties of the Chairperson, and automatically succeeds the chairperson in the event the chair is relinquished.

The Secretary shall be responsible for keeping accurate records of all meetings, storing the records on the SAC electronic storage, and shall perform duties as assigned by the Chairperson. The SAC records should not be limited to but also include:

- vii. Maintaining SAC meeting minutes and attendance, committee roster to include a list of contact information (names, email addresses and phone numbers, appointment terms).
- viii. Written reports received from each RAC (for inclusion in the official minutes of the SAC).

- ix. Informing the State Advisory Committee and the general public of all scheduled meetings.

Section 3 The officers shall be elected at the last regular meeting of the fiscal year, by a majority vote of the membership present, and shall serve for one (1) year. As a transition from calendar year to fiscal year, the officer terms for the most recently elected officers shall be extended for six months until the end of the fiscal year.

Nominations for officers should be made at the second to last meeting of the fiscal year, with the final election made during the last meeting of the fiscal. Officers may serve in the same office no more than two (2) consecutive terms except as outlined in the preceding paragraph to allow for transition to fiscal year from calendar. An officer may be reelected to an officer position after a one (1) year absence.

Section 4 Any officer of the State Advisory Committee may be removed by a two-thirds (2/3) vote of the membership of the State Advisory Committee, whenever, in the judgment the State Advisory Committee, the best interests of the State Advisory Committee or the OCDD would be served thereby.

Section 5 Vacancies in any office, because of death, resignation, removal, disqualification, or otherwise shall be filled by the Committee through election from existing membership for the remaining unexpired portion of the term.

ARTICLE VI MEETING PROCEDURES

Section 1 All meetings shall be conducted in accordance with the Louisiana Public Meeting Act and business transacted in accordance with Robert's Rules of Order, Newly Revised. Video teleconferencing services shall be made available through coordination with the administrative support of OCDD for general access of the public, members and ad hoc members of the committee and in accordance with Americans with Disabilities Act (ADA) Accessibility (LAC 4: XXIII. Chapter 3) and Title 4 ADMINISTRATION, Part XXIII. ADA Accessibility, Chapter 3, Department of Health, Subchapter A, Public Participation via Teleconference or Videoconference. The meeting shall be recorded by the OCDD, and the recording placed on the OCDD website by the administrative staff of the OCDD for reference by the general public.

Section 2 Individualized accommodations necessary for the active participation and involvement of members with disabilities on the State Advisory Committee shall be made available.

Section 3 The State Advisory Committee shall limit discussion and actions to items contained on the approved agenda.

- i. Proposed agenda items shall be transmitted by committee members to the Chairperson fifteen (15) days prior to a scheduled meeting who shall then,
- ii. Determine a proposed agenda. Additional items may be placed on the agenda if

approved by a majority vote of the members present, during the acceptance of the proposed agenda at the beginning of the meeting.

Section 4 The State Advisory Committee shall meet at least quarterly and then as necessary to conduct its business. The State Advisory Committee will establish meeting times.

Section 5 Special Meetings may be called by either the Chairperson, the OCDD, or by a majority of the committee.

Section 6 The State Advisory Committee shall hold its regular meetings virtually. Hybrid meetings can be held at the discretion of the SAC, provided that the in-person location is ADA compliant.

Section 7 All State Advisory Committee meetings and agenda items will be announced no later than 7 calendar days prior to the meeting. All meetings are open to the public.

Section 8 The State Advisory Committee members must be notified of all regular and special meetings. Any change to the established date, time or location must be given special notice.

Section 9 The minutes of each meeting and the responsiveness of the office to the committee recommendations, if needed, shall be kept by the Committee Secretary or designee(s) and sent to all members. Copies of the minutes shall be posted on the OCDD website and made available to the public on request.

Section 10 The State Advisory Committee meetings are open to the public. Participation by the public is encouraged. A public comment period shall be held at the beginning (after review and approval of the minutes) and the end of each meeting. Oral comments shall be limited to five (5) minutes per person. Written comments may be submitted. This time may be shortened at the discretion of the Chairperson. Individuals may speak twice (2), once during the beginning comment period and once during the end comment period. Written comments may be submitted. This is not intended to be an interaction time with the committee. The committee will listen to the remarks of the public.

ARTICLE VII QUORUM AND VOTING

Section 1 A quorum is necessary for the conduct of official business. A simple majority of the membership shall constitute a quorum. If a quorum is not present, no official business may be conducted.

Section 2 All decisions of the State Advisory Committee shall be made only after an affirmative vote of a majority of its members in attendance. Election of officers shall be by roll call. If more than two members are up for election to the same office and a winner is not selected by simple majority, the members with the two top vote totals will compete in a run-off election.

Section 3 Proxy membership and voting are not allowed.

ARTICLE VIII COMMITTEES

Section 1 The Chairperson shall establish such sub-committees as deemed necessary or desirable to perform the duties and responsibilities of the State Advisory Committee to each sub-committee.

Reports by sub-committees shall be made at each State Advisory Committee meeting to keep all members informed of progress being made.

Section 2 The State Advisory Committee shall be aided in its operation, when necessary, by ad hoc committees. **Recommended ad-hoc committees may include a By-law and a Budget committee.**

Members of these committees shall consist of at least one (1) Advisory Committee Member who chairs the committee, and other appointed persons. Ad hoc committees shall perform all tasks as assigned by the Advisory Committee and shall report all results to the State Advisory Committee.

ARTICLE IX OPERATING YEAR

Section 1 The operating year of the State Advisory Committee will be the state's **fiscal year, i.e. (July 1st to June 30th).**

ARTICLE X AMENDMENTS

Section 1 The Chairperson of the State Advisory Committee shall ensure that the committee's by-laws are reviewed by the committee membership at the first scheduled meeting of each fiscal year. The chairperson shall work with OCDD and the State Advisory Committee membership to ensure that the by-laws are updated at least every seven (7) years.

Section 2 The by-laws may be amended at any regular meeting of the State Advisory Committee by a two-thirds (2/3) vote of those present, providing that a notice of the proposed amendments has been sent to all members at least fifteen (15) days prior for consideration for approval.