



BYLAWS

Article I. NAME

The name of this body shall be the Developmental Disabilities Council of Oklahoma, hereinafter referred to as the Council.

Article II. COUNCIL AUTHORIZATION

Section 1. The formation of the Council is authorized under the Developmental Disabilities Assistance and Bill of Rights Act, P.L. 106-402 and as subsequently amended and numbered.

Section 2. State authorization of the Council is by Executive Order of the Governor, which names the Designated State Agency (DSA) to which the Council is assigned for assistance with administrative activities of the Council.

Section 3. As provided in the Developmental Disabilities Assistance and Bill of Rights Act (Developmental Disabilities Act), the Council and its DSA may enter in an agreement that documents the rights and responsibilities of both the Council and the DSA.

Article III. COUNCIL PURPOSE

Individuals with intellectual and developmental disabilities and their families have competencies, capabilities, and personal goals that should be recognized, supported, and encouraged. Any assistance to such individuals should be provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of the individual. The purpose of the Council is to promote activities that are consistent with these principles.

The goal is to achieve independence, productivity, and integration and inclusion into the community for individuals with intellectual and developmental disabilities. This is done through activities promoting systemic change, capacity building, and advocacy. Activities developed are intended to be person- and family-centered, comprehensive, coordinated and culturally-competent in design and delivery of supports, services, and other assistance.

Article IV. COUNCIL RESPONSIBILITIES

The Council, through Council members, staff, consultants, contractors, or sub-grantees, shall have the following responsibilities:



1. Systemic Change, Capacity Building, and Advocacy Activities:

The Council shall serve as an advocate for individuals with developmental disabilities, as defined in the Developmental Disabilities Assistance and Bill of Rights Act, and conduct programs, projects and activities that carry out the purpose of the Council.

2. State Plan Development, Implementation, and Monitoring:

The Council, in consultation with its DSA, shall prepare the Developmental Disabilities Council Five-Year State Plan as described and required by federal law within the Developmental Disabilities Assistance and Bill of Rights Act. This plan will define programs, activities, and resources by which the Council will implement its systemic change, capacity building, and advocacy activities in selected areas of emphasis and will include information related to the Council's establishment and maintenance, identify its DSA, and provide a comprehensive review and analysis of programs and services available to Oklahomans with developmental disabilities and their family members. The state plan will also include assurances of compliance with the Developmental Disabilities Assistance and Bill of Rights Act, as described within the Act.

The Council will solicit public review and comment on the five-year plan before submission to the Governor or their designee for approval and submission to the Administration on Intellectual and Developmental Disabilities (AIDD).

The Council will monitor, review, and evaluate the implementation of the State Plan not less than annually. When necessary, the Council will amend the plan using the same review and approval processes described above.

In addition to the Executive Order, federal law provides the Council must annually submit its original or amended State Plan, as defined in the Developmental Disabilities Assistance and Bill of Rights Act, to the Governor or their designee for approval.

3. Reviewing and Reporting:

The Council shall submit to the AIDD or successor entity, the Governor, and/or the DSA such periodic reports on its activities as AIDD may reasonably request and will keep such records and afford access thereto.

4. Administrative Activities:

The Council shall prepare and approve a budget of all monies, federal and state, allocated to and received by the Council prior to February 28 of the upcoming federal fiscal year.



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The Council shall, consistent with federal and state laws, hire, supervise, and evaluate a Director of the Council. The Director will, consistent with federal and state laws, hire, supervise, and evaluate the staff of the Council.

The Council shall inform the Governor or his designee of all Council member terms which will expire at least three months prior to the Council term expiration date, and support the Governor's office to identify and screen applicants for Council membership.

5. Other Activities

The Council will review and act on other matters as may be deemed by the Council that fall within the intent of the federal law, guidelines, and directives.

Article V. MEMBERSHIP

Section 1. The Council will comply with the requirements of the Developmental Disabilities Assistance and Bill of Rights Act.

Section 2. All appointments to the Council shall be made by the Governor of the State of Oklahoma in accordance with the Developmental Disabilities Assistance and Bill of Rights Act, and upon the recommendation of the Council and/or other organizations, groups, and individuals.

Section 3. The maximum term of appointment, except for mandated representatives, shall be four years, and the appointments shall be staggered so that no more than one-third of the membership is appointed in any one year. Members may serve a maximum of eight consecutive years. After serving the maximum term, a member must have at least a one-year lapse in membership on the Council before he/she can be reappointed to the Council.

Should a Council member's appointment lapse, the member will continue to serve until such time as the Governor renews the term or makes a new appointment to that position.

Council members who wish to resign during a current term must notify the Governor's office in writing and send copies of this correspondence to the Council office.

Section 4. Mandated representatives shall be appointed by the Governor. Agency representatives shall appoint a single designee to represent the agency/entity, should the appointee be unable to attend a meeting. Each agency/entity



representative will inform the Council in writing of their designee. This designee will receive duplicate materials prior to Council meetings to assure their knowledge of timely Council issues, and will be allowed to vote at Council meetings at which they represent their agency.

Should the persons filling these mandated positions, or their designees discontinue their affiliation with the agency/entity, immediate notice will be forwarded to the Governor's office for the naming of a replacement. The agency/entity representative's designee will continue to serve as a voting member of the Council until such time as the agency's/entity's representative is replaced.

Section 5. The Council staff will notify the Governor's Office immediately should a vacancy arise due to death or disqualification. Disqualification shall be determined by Council vote as a result of a member's failure to attend three consecutive meetings.

Article VI. COUNCIL OFFICERS, THEIR DUTIES, AND COUNCIL COMMITTEES

Section 1. The Council shall have four officers: a Chair, Vice Chair, Secretary, and Parliamentarian. These four officers form the core of the Council's Executive Committee. Every member of the Council is eligible to serve as a Council officer.

Section 2. For the appointment of Chair and for the subsequent slating of the positions of Vice Chair and Secretary, a Nominating Committee shall be selected by consensus of the membership to serve a one-year term. The Nominating Committee will be composed of three members of the Council, at least one of whom shall be a person with a developmental disability.

Section 3. At the direction of the Governor's Office, or as a vacancy occurs in the office of Council Chair, the Nominating Committee may select three members who are qualified and willing to serve as Chair. These names shall be submitted to the Governor by the Council Chair and staff. The Governor will appoint the Chair. The Chair shall serve a two-year term and will be eligible for two consecutive two-year terms, consistent with the Chair's term limits as provided above.

Section 4. Following appointment of the Chair, the Nominating Committee will nominate one person each for the offices of Vice Chair and Secretary. This slate will be presented to the Council Chair provided that the nominee's consent has been given. If the Chair accepts the slate, no voting of the Council is necessary. If the Chair rejects the slate, nominations from the floor for the offices of Vice Chair and Secretary will be taken at the subsequent Council meeting, and voting will



take place consistent with the Open Meetings Act.

Section 5. Following the appointment or election of the Vice Chair and Secretary, the Parliamentarian will be appointed by the Council Chair.

Section 6. The offices of Vice Chair, Secretary, and Parliamentarian are for one year. These officers may serve in the same office three consecutive years.

Section 7. The duties of the Chair shall include the following: to call and preside over Council meetings and Executive Committee meetings; to be an *ex officio*, voting member of all Council committees except the Nominating Committee; to appoint the Chair, Vice Chair, and members of all standing and *ad hoc* Council committees except the Nominating Committee; to submit such reports as are necessary to appropriate federal and state agencies; to serve as the official spokesperson of the Council; to work in concert with the Council Director to ensure that the functions of the Council according to the Developmental Disabilities Act and its regulations are carried out; to supervise the Council Director; to sign all official reports submitted by the Council; and to perform other duties as the Council may select.

Section 8. The duties of the Vice Chair shall include the following: to carry out the duties of the Chair in their absence or through the remainder of their term if the office of Chair is vacated, and to carry out such other duties as the Chair may direct.

Section 9. The duty of the Secretary is to ensure minutes of each Council meeting and Council Committee meeting are written and approved by the Council or appropriate Council Committee. Minutes shall include a record of member attendance, documentation of all motions, seconds, and votes, and a narrative of all business conducted at the meeting.

The Secretary shall write a letter to any Council member who has missed two consecutive meetings to remind the member of the potential for disqualification if a third consecutive meeting is missed.

Section 10. The Parliamentarian shall be responsible for assuring that Council meetings are conducted in accordance with the Oklahoma Open Meetings Act.

Section 11. If neither the Chair nor Vice Chair of the Council is present to preside at a Council meeting, then the Council Director shall chair the meeting. Conduction of the meeting does not convey the right or privilege of making or seconding motions, or the right to vote to the Director.



Section 12. The Council shall have five standing committees: the Executive Committee, the Finance Committee, the Nominating Committee, the State Plan Committee, and the Advocacy, Training and Outreach Committee. In addition to these committees, the Council chair may appoint *ad hoc* committees that shall be disbanded upon completion of the task to which the committee is assigned.

All Council members are encouraged to serve on at least one of the committees per year. At the Council's last meeting of the calendar year, all Council members will select the committee(s) he/she wishes to serve for the following year.

Section 13. The Executive Committee shall consist of the four Council officers; and the chairs of the State Plan Committee; the Advocacy, Training and Outreach Committee; and the Finance Committee. Non-Council members are ineligible to serve on this committee.

The duties of the Executive Committee shall be as follows: approve requests for Consumer Involvement Fund, Professional Development Fund, and Conference Co-sponsorship funding; review and make recommendations to the Council for professional service contracts; provide day-to-day assistance to the Director and staff as requested; review and approve the Administrative Directions and Instructions to Staff; make decisions on behalf of the Council when deadlines prevent a meeting of the full Council; review the performance of the Executive Director; and other duties as assigned or delegated to the Executive Committee by the Council.

Although information may be exchanged, no action shall be taken at any Executive Committee meeting unless a quorum is present; a quorum being defined as a simple majority of the committee's membership.

Section 14. The Committee Chair, Vice Chair, and Committee members of all standing and *ad hoc* committees, with the exception of the Nominating Committee, shall be appointed by the Council Chair. Should the State Plan Committee or the Advocacy, Training and Outreach Committee wish to include non-Council

members on these committees, committee members may forward such recommendations to the Council Chair. Non-Council member committee appointments shall be made by the Council Chair.

Non-Council members serving on Council committees will not be permitted to vote within the committee, nor at any full Council meetings they may attend, nor may they serve as the Chair or Vice Chair of any Council committee.



Section 15. The Finance Committee shall consist of current members of the Executive Committee, and one or two additional Council members to serve “at large,” appointed by the Council Chair. The Council Chair shall appoint the Committee Chair from among the members of the Executive Committee or from the “at large” membership of the Finance Committee. If the appointed Chair is not already seated as a member of Executive Committee, the Finance Committee Chair will also be a member of the Executive Committee. Non-Council members are ineligible to serve on this committee.

The duties of the Finance Committee shall be as follows: work with the Executive Director and Staff to coordinate the development of the annual budget prior to the start of the state fiscal year; recommend the annual budget for approval by the Executive Committee and Council; review and preliminarily approve periodic changes to the annual budget for subsequent approval of the full Council; review and preliminarily approve periodic financial reports for subsequent approval of the full Council; serve as board representative to internal and external auditors; review and temporarily approve fiscal policies and guidelines for subsequent approval of the full Council; present and make recommendation to the Council for the approval of preliminarily approved actions; and other duties as assigned or delegated to the Finance Committee by the Council.

Although information may be exchanged, no action shall be taken at any Finance Committee meeting unless a quorum is present; a quorum being defined as a simple majority of the committee’s membership.

Section 16. The duties of the Nominating Committee are to slate the Vice Chair and Secretary on an annual basis, with the slate being presented to the Council at the fourth quarterly meeting each year. In addition, the Nominating Committee will meet as necessary to appoint Council representatives to outside committees, such as the Group Homes Advisory Committee and the Advisory Committee on Services to Persons with Developmental Disabilities. Non-Council members are not permitted to serve on the Nominating Committee.

Section 17. The duties of the State Plan and Advocacy, Training and Outreach (ATO) Committees are to: meet at least quarterly to review progress of current and planned Council activities in each committee’s workplan; approve any project scope of work to be done, work with staff to develop new agreements or invitations to bid as necessary; and develop and refine the Goals, Objectives and Activities in the State Plan and in the committee’s workplan.

Although information may be exchanged, no action shall be taken at any State



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Plan or ATO Committee meeting unless a quorum is present; a quorum being defined as a simple majority of the committee's membership.

Section 18. Properly-appointed Agency designees are authorized to participate and vote on the Council or Council committees on which their respective Agency representative is appointed, should that representative not be in attendance. Agency designees may not serve as the Chair or Vice Chair of a Council committee.

Should an Agency designee wish to serve on a Council committee that is not the committee to which their Agency representative is appointed, an appointment to a committee may be made by the Council Chair, consistent with these Bylaws. If such appointment is made, these Agency designees serve as non-Council members of a Council committee and thus may not vote within the committee, nor may they serve as a Committee Chair or Vice Chair.

Article VII. COUNCIL STAFF

In accordance with federal law, the Council may hire staff sufficient to properly support the implementation of the State Plan. Staff shall serve in the unclassified service and shall be consistent employees of the State of Oklahoma, at the pleasure of the Council.

At a minimum, the Council staff shall include an Executive Director, hired by the Council. The Executive Director, working with the Council, shall determine other staff positions necessary for the implementation of the State Plan and shall hire and supervise staff.

ARTICLE VIII. COUNCIL MEETINGS

Section 1. Regular and special Council meetings are called by the Council Chair, or, in their absence, the Vice Chair. Any eight Council members acting together may call a special Council meeting. Notice must be given to Council members in writing at least 48 hours before the scheduled time of the meeting and in such manner as to comply with the Oklahoma Open Meetings Act.

Section 2. The Council shall meet at least quarterly, and at such other times as the need arises in order to carry out its responsibilities. In addition to the quarterly meetings of the Council, the Council may meet over the course of a weekend annually for a planning retreat, at which time the State Plan will be written or amended. Council member attendance at all meetings is expected. Members are strongly encouraged to attend all regular and special meetings and the Council retreat. Members who fail to attend three consecutive meetings of the Council may be immediately disqualified by vote of the Council. Should a



member be disqualified, the Governor's office will be notified and a replacement sought.

Section 3. Although information may be exchanged, no business shall be transacted at a Council meeting unless a quorum is present; a quorum being defined as one-half of the current membership of the Council. Unfilled positions will not be considered part of the current membership. Within this quorum there must be at least one member with a developmental disability or an immediate family member or guardian of a person with a developmental disability.

Section 4. All regular quarterly and special meetings of the full Council shall be open to the public in accordance with Oklahoma law. The Council retreat and most Council committee meetings are planning functions of the Council and will be held in accordance with the Oklahoma Open Meetings Act.

Section 5. A simple majority of Council Members will determine the results of any vote taken in a meeting of the Council or Council Committee.

Section 6. In accordance with the Developmental Disabilities Act, a Council member who does not represent a required state agency may designate, in writing, an authorized representative to attend a Council meeting if unable to attend. Such representatives should meet the same membership qualifications of the Council member he/she will represent. The privilege of voting is not extended to these representatives. Authorized representatives do not count toward a quorum.

Article IX. COUNCIL'S OPERATING YEAR

The operating year of the Council shall correspond to the Federal Fiscal Year, October 1 - September 30, or other fiscal year as established by the federal government.

Article X. ROLE OF THE DESIGNATED STATE AGENCY

Section 1. Council Contracts:
In implementing its State Plan, the Council, with the assistance of the DSA, may enter into contracts with public or private agencies or organizations according to purchasing and contracting laws and regulations of the State of Oklahoma. A majority vote of the Council or designated Council Committee is necessary to pursue such contracts.

Section 2. Funding Controls:
All expenditure of funds under the Basic State Plan Grant shall be in compliance



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with the State Plan, written with the support of the DSA, and in compliance with the Developmental Disabilities Act. The DSA will assure compliance with state law and regulations pertaining thereto.

Section 3. Agreement between the DSA and the Council:

As permitted by federal law, the Council may enter into agreement for specific delineation of roles and responsibilities of both the DSA and the Council. Such agreement shall be signed by the Council Chair and the Director of the DSA.

Section 4. The Director of the DSA will appoint an official agency liaison to the Council. Such liaison shall have the authority to authorize action on behalf of the agency as requested by the Council.

Article XI. COUNCIL ADMINISTRATIVE DIRECTIONS AND INSTRUCTIONS TO STAFF

In addition to the Bylaws of the Developmental Disabilities Council of Oklahoma, the Council has several Administrative Directions and Instructions to Staff, including, but not limited to, staff positions, non-solicited proposals, grants, the preclusion of conflict of interest, contracting and payments procedure, cost reimbursement for Council members, travel assistance for non-council members, and conference sponsorship. These Administrative Directions and Instructions to staff provide further guidance for staff and Council members relative to Council business.

Article XII. AMENDMENTS TO THE BYLAWS

These Bylaws may be altered, amended, or repealed and new Bylaws adopted by the Council at any regular or called Council meeting by a 2/3 majority vote of the Council members present, provided a quorum has been established. Proposed amendments to the Bylaws shall be sent to the members at least thirty business days prior to the meeting at which the proposed revisions will be considered.

Approved April 29, 2022



AJ Griffin, Chair