



Developmental Disabilities Planning Council

Governor Andrew M. Cuomo

Sheila M. Carey, Executive Director

NYS Developmental Disabilities Planning Council

By-Laws



Helping Individuals with Developmental
Disabilities Live Independently and
Participate Fully in the Community

DDPC.NY.GOV

Version 2.0 (08/2015)

TABLE OF CONTENTS

	PAGE
ARTICLE I: NAME/AUTHORITY/MISSION	1
ARTICLE II: MEMBERSHIP.....	1-2
ARTICLE III: CHAIRPERSON AND VICE-CHAIRPERSON.....	3
ARTICLE IV: MEETINGS.....	3
ARTICLE V: QUORUM AND ATTENDANCE	4
ARTICLE VI: COUNCIL COMMITTEES	4-6
ARTICLE VII: CONSUMER CAUCUS.....	6
ARTICLE VIII: TASK FORCES AND AD HOC GROUPS.....	6
ARTICLE IX: COUNCIL STAFF	7
ARTICLE X: DUTIES OF THE CHAIRPERSON	7
ARTICLE XI: DUTIES OF THE VICE-CHAIRPERSON.....	8
ARTICLE XII: DUTIES OF THE COMMITTEE CHAIRPERSON	8
ARTICLE XIII: DUTIES OF THE EXECUTIVE DIRECTOR.....	8
ARTICLE XIV: AMENDMENTS & CONTACT INFORMATION	9

About the DDPC By-Laws

These by-laws comprise the rules established by the New York State Developmental Disabilities Planning Council, which regulate the Council's structure and general rules of order. These by-laws conform to all New York State Codes, Rules, Regulations and Laws, as well as the Federal Developmental Disabilities Service and Bill of Rights Act.

If you have questions about these by-laws, please contact the NYS Developmental Disabilities Planning Council at:

Phone: 1-800-395-3372 or (518) 486-7505

FAX: (518) 402-3505

Email: information@ddpc.ny.gov

You can find additional information about the Council and its activities by visiting our website at www.ddpc.ny.gov.

DDPC By Laws

ARTICLE I: NAME/AUTHORITY/MISSION

- A.** The name of this body shall be the New York State Developmental Disabilities Planning Council (DDPC or Council).
- B.** The DDPC is established pursuant to Article 19-D, Section 450 of the New York State Executive Law to execute those duties and functions required by the Federal Developmental Disabilities Service and Construction Act of 1970 and the Federal Developmental Disabilities Service and Bill of Rights Act (DD Act) of 1975 any acts amendatory thereof or supplemental thereto.

ARTICLE II: MEMBERSHIP

- A.** The DDPC shall consist of at least twenty persons, appointed by the Governor, from among residents of New York State. Members shall be appointed for terms of three years in staggered terms. Vacancies shall be filled in the same manner as original appointments for the remainder of the unexpired term.
- B.** The DDPC shall include in its membership, representatives of the principal State agencies, including, but not limited to, the State agency designated under the New York State Mental Hygiene Law to administer services for people with intellectual and developmental disabilities, the State agency that administers funds provided under the Rehabilitation Act of 1973, the State agency that administers funds provided under the Individuals with Disabilities Education Act (IDEA), the State agency that administers funds provided under the Older Americans Act of 1965, and the State agency that administers funds provided under title XIX of the Social Security Act for persons with developmental disabilities, higher education training facilities, each University Center for Excellence program in the State, the State protection and advocacy system, local and non-governmental agencies and private not-for-profit groups concerned with services for persons with developmental disabilities.

DDPC By-Laws

ARTICLE II: MEMBERSHIP (Continued)

- C.** At least sixty percent (60%) of the membership of the DDPC shall consist of:
 - 1.** individuals with developmental disabilities;
 - 2.** Parents or guardians of individuals with developmental disabilities; and
 - 3.** Immediate relatives or guardians of persons with mentally impairing developmental disabilities, and who are not employees of a State agency which receives funds or provides services under the DD Act, who are not managing employees of any other entity which receives funds or provides services under this Act, and who are not persons with an ownership or control interest with respect to such entity.

- D.** Of the members of the DDPC described in Paragraph C, Article II: at least one-third shall be persons with developmental disabilities; and at least one-third shall be parents or guardians of children with developmental disabilities or immediate relatives or guardians of adults with developmental disabilities; the remaining one-third shall be comprised of a combination of 1. and 2. above.

- E.** Members appointed by virtue of their office may designate an alternate representative to attend council meetings and/or Standing Committees when a situation dictates the member being absent. The alternate shall be duly registered by the DDPC as an alternate and will enjoy all rights, privileges and responsibilities of the member. Each State agency member shall have one (1) vote at meetings of the full Council.

- F.** Members shall refrain from participating in voting procedures in instances where a potential conflict of interest may exist as defined under the Public Officers Law.

- G.** Members shall receive no compensation for their services, but shall be reimbursed for all allowable expenses actually and necessarily incurred by them in the performance of their duties.

DDPC By-Laws

ARTICLE III: CHAIRPERSON AND VICE-CHAIRPERSON

- A.** The Chairperson shall be appointed by the Governor from among the membership of the Council and shall serve at the pleasure of the Governor.
- B.** The Vice-Chairperson shall be appointed by the Council Chairperson from among its membership at the full Council Annual Meeting and shall serve for a term of two (2) years.

ARTICLE IV: MEETINGS

- A.** The DDPC shall conduct regular meetings at the call of its Chairperson or the Governor, but not less than three (3) times per year. One of such meetings shall be designated as the Annual Meeting of the Council. Each Standing Committee shall conduct regular meetings at the call of their chairperson, but not less than three (3) times per year.
- B.** Special meetings shall be held at the written request of at least eight (8) members of the Council to the DDPC Executive Director. These special meetings shall be held within fifteen (15) working days of the receipt of said written report.
- C.** All Council meetings require at least ten (10) days of written notice from staff and shall be open to the public except that the Council may, by a majority vote, set or schedule executive sessions in accordance with the requirements of Article VII of the New York State Public Officers Law.
- D.** All committee meetings require notification to members of the Council and to committee members by the Committee Chairperson in writing or by telephone, and shall be open to the public.
- E.** Procedures for all meetings shall be in accordance with Roberts Rules for Order (Revised) and with any applicable revisions of the New York State Law.

DDPC By-Laws

ARTICLE V: QUORUM AND ATTENDANCE

- A.** A quorum of any meeting of the DDPC shall consist of at least a majority of the applicable membership, where there are no vacancies and where there are no members disqualified from acting. At any meeting having at least one quorum, any questions that may come before the meeting shall be decided by an affirmative vote of a majority of the applicable members, where there are no vacancies and where there are no members disqualified from acting. In the absence of a quorum, any meeting may be adjourned by a vote of the majority of the members of the Council but no other business may be transacted. The members present at a duly called or held meeting at which a quorum was present may continue to do routine business not requiring a vote (other than adjournment) should a quorum no longer be maintained in the course of the meeting.
- B.** Each DDPC member shall have one vote.
- C.** Members shall notify the DDPC office when they find they are unable to attend any regular or special meeting.

ARTICLE VI: COUNCIL COMMITTEES

- A.** The DDPC shall at all times have an Executive Committee.

Executive Committee

- A.** There shall be an Executive Committee of the Council to be composed of the Chairperson of the DDPC, the Vice-Chairperson of the DDPC, and the Chairpersons of the Standing Committees of the DDPC, and two members if selected under Article VII or, if not so elected by the DDPC, who are persons with a developmental disability or immediate relatives or guardians of a person with a mentally impairing developmental disability, or the DDPC member appointed to represent the State agency designated to administer or supervise the administration of the State Plan. The Commissioner of the Administering Agency or his/her representative shall serve as the ex officio non-voting member. The Vice-Chairperson shall serve as Chairperson of the Executive Committee.

DDPC By-Laws

ARTICLE VI: COUNCIL COMMITTEES (Continued)

Executive Committee (Continued)

- B.** The Executive Committee shall be empowered to act on behalf of the full DDPC in all matters concerning the Council on such occasions if it is not possible for the full Council to meet, provided that any such action shall be subjected to ratification by the DDPC at the next regularly scheduled DDPC meeting.
- C.** The Executive Committee shall consider and recommend actions to the DDPC that will facilitate achievements of DDPC mandates expressed in the enabling legislation, or related State/Federal mandates related to the five-year goals appearing in the State Plan.
- D.** The Executive Committee Chairperson shall report the work of the committee at regularly scheduled DDPC meetings.
- E.** The Executive Committee shall meet at the call of its Chairperson or at the request of two (2) or more members of the Committee itself.
- F.** The DDPC may establish such Standing Committee as it deems appropriate to carry out its responsibilities.

Standing Committee

- A.** Standing Committees shall be established as necessary to perform activities undertaken by the DDPC in accordance with State and Federal Law. The DDPC Chairperson shall appoint the members of the Standing Committees from the membership of the DDPC. A member of each committee shall be appointed by the Council Chairperson at the DDPC Annual Meeting to serve as the Committee Chairperson for a term of two (2) years. The composition of each Standing Committee shall, to the maximum extent feasible, be reflective of the composition of the DDPC.
- B.** The role of the Standing Committees shall be to assist the DDPC in fulfilling its planning and advocacy mission on behalf of all people with developmental disabilities and their families.

DDPC By-Laws

ARTICLE VI: COUNCIL COMMITTEES (Continued)

Standing Committee (Continued)

- C.** Each Standing Committee Chairperson shall report on their work and activities to the Executive Committee and the DDPC at all regularly scheduled meetings for discussion and final determination.

- D.** Each Standing Committee Chairperson shall meet at the call of its Chairperson or at the request of five (5) or more members of the Committee.

ARTICLE VII: CONSUMER CAUCUS

- A.** Consumer members of the DDPC may meet in caucus to organize themselves and may elect a Chairperson and Executive Committee delegate.

- B.** The Executive Committee shall recognize these two members as voting members of the Executive Committee.

ARTICLE VIII: TASK FORCES AND AD HOC GROUPS

- A.** Upon a demonstration of need, the Chairperson of the Council may appoint such task forces and other ad hoc groups to provide technical and expert assistance to the Council for such periods of operation as may be required.

- B.** Membership of such task forces and ad hoc groups of the Council may include but not be limited to members of the Council.

- C.** The members, other than State employees, of such task forces and ad hoc groups shall receive no compensation for their services, but shall be reimbursed for all expenses actually and necessarily incurred by them in the performance of their duties.

- D.** Each task force and ad hoc group shall meet at the call of its Chairperson or the Chairperson of the Council.

DDPC By-Laws

ARTICLE IX: COUNCIL STAFF

- A.** The Executive Director shall be authorized to hire such staff and obtain the services of such professional, technical and clerical personnel consistent with State law as the Council determines to be necessary to carry out its functions in compliance with State and Federal Law.

ARTICLE X: DUTIES OF THE CHAIRPERSON

- A.** Promoting, leadership and implementation of the Council mission.
- B.** Assuring that Council members and the Executive Director carry out the mission, its purposes, objectives and requirements as defined in P.L. 106-402, Chapter 588 of the NYS Laws of 1981, Article 19-D, Section 450.
- C.** Presiding at all meetings of the full Council.
- D.** Appointing the Council vice-chairperson, committee members, and chairpersons of all committees, task forces and ad hoc groups.
- E.** Outlining the specific charges and responsibilities of all committees.
- F.** Assuring that appropriate communications takes place between governmental bodies, public and private agencies, consumers, Council members and staff.
- G.** Serving as a non-voting ex-officio member of all Standing Committees, task forces, and ad hoc groups.
- H.** Presiding at the Executive Committee in the absence of the Vice-Chairperson.
- I.** Serving as a member of the Executive Committee.

DDPC By-Laws

ARTICLE XI: DUTIES OF THE VICE-CHAIRPERSON

The Vice-Chairperson of the Council shall serve as the Chairperson of the Executive Committee and preside at such meetings. It shall be the duty of the Vice-Chairperson of the Council to preside in the absence of the Chairperson of the Council at all meetings of the Council and to carry out the other duties of the Chairperson should this be necessitated by the inability of the Chairperson to carry out such duties.

ARTICLE XII: DUTIES OF THE COMMITTEE CHAIRPERSON

The Chairperson of the Standing Committee shall preside at all committee meetings, and report on committee work and activities to the Executive Committee and the full Council. The Chairperson of a Standing Committee shall serve as an ex-officio member of any task force or ad hoc group relating to such committee. The Chairperson of a Standing Committee shall serve as a member of the Executive Committee.

ARTICLE XIII: DUTIES OF THE EXECUTIVE DIRECTOR

The Executive Director of the Council shall be responsible for:

- A.** Promotion of and implementation of Council plans, priorities and objectives as required under State and Federal Law.
- B.** Assuring appropriate administration of Council policies, procedures, and records in accordance with New York State Law.
- C.** Hiring, supervising, periodically evaluating and assigning responsibilities of subordinate personnel.
- D.** Preparing required reports and official notices of actions by the Council.
- E.** Serving as an ex-officio non-voting member of the Executive Committee.
- F.** Carrying out duties as assigned in Civil Service job description.

DDPC By-Laws

ARTICLE XIV: AMENDMENTS

These by-laws may be altered, amended or repealed and new by-laws may be adopted by a vote, including written assent of members not able to be present, of three-fourths (3/4) of the members of the Council at any regular or special meeting where a majority of the members of the Council are present, and the notice for the regular or special meeting was at least thirty (30) days in advance of the meeting and included the altered, amended or new by-laws to be brought before the members at such meeting.

Want More Information?

If you have questions or would like more information about the New York Developmental Disabilities Planning Council, please call or email us, 9:00am to 5:00pm, Monday through Friday.

You may also find more information by visiting our website at: www.ddpc.ny.gov.

Phone: (800) 395-3372

FAX: (518) 402-3505

Email: information@ddpc.ny.gov

Website: www.ddpc.ny.gov

Hours of Operation: 9:00am to 5:00pm, Monday - Friday



**Developmental
Disabilities
Planning Council**

One Commerce Plaza, Suite 1230, Albany, New York 12210 • (800) 395-3372

Copyright© 2015 New York State Developmental Disabilities Planning Council