



Colorado Developmental Disabilities Council

BYLAWS

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ARTICLE I. NAME, MISSION, PURPOSE, AND AUTHORITY [\[Back to Top\]](#)

Section 1: The name of this Council is the Colorado Developmental Disabilities Council (hereinafter the “Council”).

Section 2: The mission of the Council is to advocate for systems change by promoting meaningful person-centered participation, self-determination and inclusion for all individuals with developmental disabilities. The purpose of the Council is to ensure that persons with disabilities have every opportunity to be independent, productive, fully integrated, and included in all facets of community life. We achieve this purpose by engaging in advocacy, capacity building, and systems change activities that contribute to a coordinated, consumer- and family-directed, comprehensive system of community services, individualized supports, and other forms of assistance that enable individuals with developmental disabilities to exercise self-determination, and to be independent, productive, integrated, and included in all facets of community life.

Section 3: All activities of the Council shall be consistent with the Purpose and Policy contained in the Developmental Disabilities Assistance and Bill of Rights Act of 2000, 42 U.S.C. Sec. 15001 *Et. Seq.* (hereinafter the “DD Act”).

Section 4: The Council was established by the DD Act and by Colorado Revised Statutes (C.R.S. 27-10.5 (201-208)), and shall comply with the provisions contained therein.

ARTICLE II. RESPONSIBILITIES [\[Back to Top\]](#)

Section 1: The responsibilities of the Council include, but are not limited to, the following:

- (a) To advise the Governor and General Assembly on issues affecting people with developmental disabilities;
- (b) To advocate for individuals with developmental disabilities and conduct programs, projects, and activities that carry out the Council's purpose as stated in Article I.2 of these Bylaws;
- (c) To develop a State Plan consistent with requirements specified in the DD Act and to monitor and revise the State Plan as necessary, but not less than once every five years;
- (d) To implement the State Plan through activities the Council deems necessary, including but not limited to: grant making; outreach; training; support for communities; interagency cooperation, collaboration, and coordination; coordination with related councils, committees and programs; barrier elimination; systems design; citizen participation, public education and coalition development; informing policy makers;
- (e) To periodically assess the designated state agency's support of the Council and to report to the Governor any recommendations for changes to the agreement with, or the designation of, the designated state agency;
- (f) To submit to the Secretary of the United States Department of Health and Human Services periodic reports on the Council's activities as the Secretary may reasonably request;
- (g) To prepare, approve, and implement an annual budget of funds available to Colorado under provisions of the DD Act;
- (h) To develop and implement organizational policies and procedures to ensure the effective operations of the Council;
- (i) To recruit, hire, supervise, and evaluate, consistent with State and Federal Law, an Executive Director of the Council. When hiring, the Council shall submit a Council-approved candidate's name to the Executive Director, or designee, of the designated state agency.
 - (i) The Council, through its Chair and Executive Committee, shall supervise the Executive Director of the Council, consistent with State personnel rules and regulations.
 - (ii) Recommendations for performance awards, promotions, remediation, disciplinary action, evaluations or other similar personnel action shall be made by a majority vote of the Executive Committee, consistent with State law, and transmitted to the designated state agency for implementation.
 - (iii) Termination of the Executive Director shall only be made by a majority vote of the full Council, upon the recommendation of the Executive Committee, consistent with State law, and transmitted to the designated state agency for implementation.
- (j) To fulfill other duties as specified in Colorado Revised Statutes [\(C.R.S. 27-10.5-205\)](#).

ARTICLE III. MEMBERS AND MEMBERSHIP [\[Back to Top\]](#)

Section 1: Members shall be appointed for a specified term by Executive Order of the Governor of Colorado consistent with state statute.

Section 2: The Membership Committee of the Council shall annually submit the names of recommended or potential Council members to the full Council for approval, and then to the Governor's Office of Boards and Commissions for appointment.

Section 3: If a member resigns prior to the completion of their term, the Membership Committee will recommend another person with similar representation to the vacant position to the full Council for approval, and then to the Governor’s Office of Boards and Commissions for appointment.

Section 4: Any member desiring to resign from the Council shall submit a written resignation (e-mail is acceptable) to the Council Chair and Council Executive Director. Any member who has resigned will not be counted for quorum purposes.

Section 5: The composition of the Council shall comply with all requirements of the DD Act, as defined in section 1126(b) of the Social Security Act (42 U.S.C. 1320a–5(b)). The membership of the Council shall be geographically representative of Colorado and shall reflect the diversity of the State with respect to race and ethnicity.

Section 6: The Council shall adopt an Attendance Policy which is developed and administered by the Membership Committee to support attendance of all members, to provide for leave of absence of members under certain circumstances and to request that members resign if circumstances warrant.

Section 7: The Council shall timely advise the Governor’s Office of Boards and Commissions about vacancies and proposed nominations for members of the Council.

ARTICLE IV. OFFICERS [\[Back to Top\]](#)

Section 1: Officers of the Full Council

- (a) The officers of the full Council shall include a Chair and Vice-Chair. The Chair and Vice-Chair shall be elected by majority vote of the Council at the annual meeting.
- (b) The Chair and Vice-Chair each shall be either a person with a developmental disability or an immediate relative/guardian.
- (c) The Council shall maintain updated job descriptions for the officers of the Council, which are documented in the Council Membership Handbook.
- (d) An officer may be suspended or removed for cause, only after reasonable notice and opportunity to be heard by the full Council, by a vote of $\frac{3}{4}$ majority of the Council.

ARTICLE V. COMMITTEES [\[Back to Top\]](#)

Section 1: The Council shall have the following permanent committees: I) Executive, II) Planning and Grants, III) Legislative and Public Policy, and IV) Membership.

- (a) Each committee shall establish their duties and responsibilities and have final approval by the Executive Committee.
- (b) Each Committee shall elect a Chair or Co-Chairs, who also represent the committee on the Executive Committee.

Section 2: Committees of the Council shall work in their respective issue or subject area to implement goals and objectives as stated in the State Plan, the Council Mission, and/or as directed by the full Council.

- (a) Annually, each committee shall develop a priority list of their work and present it to the Council for approval.

- (b) Each standing committee shall from time to time, but no less than annually, provide the full Council a written report on the progress of goals, objectives, or tasks assigned to the committee.
- (c) Each committee may, from time to time, recommend that the Council take specific actions to advance the Council's mission and State Plan including, but not limited to, types of projects to be funded, new or revised policies, and new initiatives. No committee may bind the Council to any decision made by that committee.

Section 3: Committees shall meet no fewer than six (6) times a year.

Section 4: Each committee shall create minutes of each meeting and shall provide copies of approved minutes for public dissemination.

Section 5: The quorum for the transaction of business for each committee of the Council shall consist of fifty percent (50%) or more of the committee's members.

Section 6: Committees may invite guests to attend specific committee meetings and activities, as needed, to gain their expertise and support.

Section 7: The Council may establish written criteria for committee membership, which may include both appointed Council members and non-appointed community members.

Section 8: The Council Executive Committee may establish work groups, which are time-limited and for a specific purpose to accomplish a Council goal. Any established work group shall report on their work to the Council.

Section 9: All Council committee meetings are open to attendance by all Council members and/or members of the public as stated in the Colorado Open Meetings Act. Notice of the time and place and shall be posted in a public place and shall comply with the provision of C.R.S. 24-6-401, referred to as the "Open Meetings Law."

Section 10: The Executive Committee

- (a) The Executive Committee shall consist of the Council Chair and Vice-Chair; the Chair or one Co-Chair of the Planning and Grants Committee, the Legislative and Public Policy Committee, and the Membership Committee (one vote per committee); and two additional At-Large members elected by the Council. At least one of the two elected At-Large positions shall be a representative of a family member/guardian or person with a disability, and at least one At-Large position shall be a representative of a member of an agency, non-profit, or government.
- (b) The two (2) At-Large positions shall be elected by the membership of the Council at the annual meeting of the Council. Vacancies between annual meetings shall be filled by special election at the next Council meeting.
- (c) The Executive Committee is authorized to act on behalf of the Council between regularly scheduled Council meetings. Any decisions made by the Executive Committee between regularly scheduled Council meetings shall be reviewed and ratified or overturned with a 2/3

vote by full Council at their next regularly scheduled meeting. The Executive Committee shall, in good faith, communicate to the full Council of the decision as soon as possible, but no more than three (3) business days of the decision.

- (d) The Council shall maintain updated Executive Committee responsibilities and duties, which are documented in the Council Membership Handbook.

ARTICLE VI. COUNCIL MEETINGS [\[Back to Top\]](#)

Section 1: The Council shall meet as necessary, but shall have at least four (4) meetings in each calendar year.

Section 2: Council members may attend any meeting by participating in-person, via video-conferencing, phone-in services, or other accommodation that allows for active participation in discussion and debate.

Section 3: A quorum for regular and special meetings shall consist of one-half (50%) of Council members plus one (1). Voting items can only take place when quorum is present.

Section 4: The agenda and other meeting-specific documents shall be provided to each member at least seven (7) days prior to each scheduled meeting, with the rare exception of time-sensitive materials.

Section 5: Parliamentary authority for all Council meetings shall be *Rosenberg's Rules of Order*, current edition. If there is a conflict between the Rules of Order and Council Bylaws, these Bylaws shall govern.

Section 6: Annual Meeting

- (a) The Council shall designate its regular meeting in August as the annual meeting. If there is not a scheduled meeting in August, the Council shall designate the nearest meeting before August as the annual meeting.
- (b) The election of officers and the at-large members of the Executive Committee shall take place at the annual meeting.
- (c) The ratification by the full Council of duly elected Committees Chair or Co-Chairs shall take place at the annual meeting.
- (d) The Council shall review and approve an annual operating budget in advance of the new fiscal year at the annual meeting.
- (e) The meeting calendar for the subsequent year shall be established by the Executive Committee and communicated at the annual meeting.

Section 7: The Council Chair shall call special meetings upon the request of five (5) members of the Council, and such special meetings shall be held within ten (10) days. Special meetings require forty-eight (48) hours notice.

Section 8: All Council meetings are open to attendance by all Council members and/or members of the public as stated in the Colorado Open Meetings Act. Notice of the time and place and shall be

posted in a public place and shall comply with the provision of C.R.S. 24-6-401, referred to as the "Open Meetings Law."

Section 9: Voting by email is allowed when a decision needs to be made outside of regular or special meetings. The e-mail voting procedure is outlined in the Council Membership Handbook.

ARTICLE VII. COUNCIL MEMBER RESPONSIBILITIES AND EXPECTATIONS [\[Back to Top\]](#)

Section 1: The Council shall maintain updated job descriptions for the members of the Council, which are documented in the Council Membership Handbook. Council members are expected:

- (a) To share his/her/their perspective as an individual with a disability, an advocate, a provider, a state agency representative, or other role on issues before the Council. The input of a Council member who represents an agency or organization is not considered an official position or policy of that agency or organization unless such Council member specifically states that input represents the agency's position or policy;
- (b) To represent their views as personal unless specifically asked or instructed by the Council to represent the Council. No member of the Council or committee of the Council may use the name of the Council for any purpose other than one clearly authorized by the Council and consistent with Council policy;
- (c) To abide by the Council's policy on Conflict of Interest; and
- (d) To abide by the Council's Code of Conduct.

ARTICLE VIII. STAFF [\[Back to Top\]](#)

Section 1: Executive Director

- (a) There shall be an Executive Director who shall serve as the principal staff person of the Council.
- (b) The Council shall maintain an updated job description for the Executive Director, which is documented in the Council's personnel files and the Council Membership Handbook.
- (c) All requests from members and/or committees for staff support shall be directed to the Executive Director. The Executive Director will assign relevant duties and tasks to Council staff as needed.

ARTICLE IX. SUSPENSION AND AMENDMENT OF THESE BYLAWS [\[Back to Top\]](#)

Section 1. Suspension

The Council may temporarily suspend these bylaws, for a stated time frame during the meeting, by a $\frac{2}{3}$ (two-thirds) vote of those in attendance at a regularly scheduled Council meeting. The rules cannot be suspended to allow non-members to vote; to authorize absentee or cumulative voting; to waive the requirement of a quorum; or to waive the requirement for previous notice for a bylaws amendment.

Section 2: Amendments

- (a) The Bylaws may be amended by the adoption of proposed text, by a motion, at a regular Council meeting, and the ratification of the proposal at the next regular Council meeting.
- (b) The text of the proposed amendment shall appear as part of the minutes of the meeting at which it was adopted, and shall be provided to each member at least fourteen (14) days prior to the next regular Council meeting, at which its ratification will be considered.

(c) The proposed amendment must be ratified by a $\frac{2}{3}$ (two-thirds) vote. The motion to ratify shall be debatable and amendable; however, the amendments shall be limited to the relevant section(s). The amendment takes effect at the close of the meeting at which it is ratified, unless its text specifies a later time.

ARTICLE X. COUNCIL POLICIES [\[Back to Top\]](#)

Section 1: The Council shall adopt policies and procedures as required to conduct the business of the Council.

Section 2: The Council shall maintain a Conflict of Interest policy.

Section 3: The Council may, from time to time, adopt official positions or policy statements and those official positions or policy statements shall be used by members or committees of the Council when making public statements related to the Council's official positions.

Section 4: The Council shall maintain a Code of Conduct.

ARTICLE XI. RELATIONSHIP WITH THE DESIGNATED STATE AGENCY [\[Back to Top\]](#)

Section 1. The Department of Human Services is the designated state agency for the Council per C.R.S. 27-10.5 (201-208) and the designated state agency for the purposes of the DD Act of 2000, 42 U.S.C. Sec. 15001 *et. seq.*

Section 2: The Council may enter into and maintain a formal written agreement with the designated State Agency that specifies the roles, responsibilities, and understandings of each party to the agreement. This agreement shall be reviewed annually by the Council and in accordance with the DD Act of 2000, 42 U.S.C. Sec. 15001 *et. seq.*, with specific attention to Sections 125(c)(6) and 125(d)(1-4).

Adopted on this day: August 28. 2024

Amendment & Date Adopted: August 28. 2024