

DISTRICT OF COLUMBIA
COMMISSION ON PERSONS WITH DISABILITIES (DCCPD)
BY-LAWS

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Article I. NAME

The name of this body shall be the District of Columbia Commission on Persons with Disabilities (hereinafter DCCPD).

Article II. PURPOSES AND ACTIVITIES**Section 1. Legal Authority**

The DCCPD was established by Mayor's Order 2008-38, dated March 13, 2008. The Mayor's Order was in accord with the DC Disability Rights Protection Act of 2006, effective December 28, 2006, D.C. Law 16-239 (DC Official Code § 2-1431.01 et seq.).

Section 2. Purposes

Pursuant to the Mayor's Order, the purposes of the DCCPD include:

- (a) Enhancing the image, status, inclusion, and quality of life for all District of Columbia residents, visitors, and employees with disabilities, and ensuring that they have the same rights and opportunities as those without disabilities;
- (b) Serving as an advisory body to inform and advise the District on programs, services, facilities, and activities that impact the lives of residents with disabilities in the District of Columbia;
- (c) Advocating on behalf of persons with disabilities and/or families of such persons to promote inclusive communities and service delivery systems and to provide opportunities for public input, outreach, and education;
- (d) Working within the Office of Disability Rights (ODR) and in collaboration with the Office of Human Rights, Americans with Disabilities Act (ADA) compliance and training programs, the Department on Disability Services, and all other agencies, boards, and commissions of the District of Columbia that affect the lives of residents with disabilities;

Section 3. General Activities

Pursuant to the Mayor's Order, the DCCPD may undertake any activities that it determines advance the purposes of the DCCPD or that are otherwise assigned to it by the Mayor or his designee, and shall undertake to:

- (a) Advise the Mayor, the ODR, the Department on Disability Services and all District agencies that work directly and indirectly with persons with disabilities,

and work closely with District of Columbia community organizations on issues affecting persons with disabilities to recommend strategies and identify and address unmet needs;

- (b) Review, monitor, comment on, propose, design, and advocate for legislation, regulations, budgets, policies, programs, performance measures, state plans, and any other activities of District government agencies that may impact the lives of persons with disabilities;
- (c) Work cooperatively with the Statewide Independent Living Council, the Developmental Disabilities State Planning Council, the State Rehabilitation Council, the Special Education Advisory Taskforce, and any other councils, boards or commissions dealing with services, supports or rights of persons with disabilities;
- (d) Work with the ODR on the development and implementation of the District of Columbia ADA Compliance Program and the annual Olmstead Compliance Plan;
- (e) Promote services, supports, and initiatives to improve the quality of life and inclusion of persons with disabilities, including but not limited to public accommodations, accessible and affordable housing, education and transition from school to work, employment, health, emergency preparedness, and identifying barriers for public and private transportation and paratransit services for persons with disabilities;
- (f) Conduct public hearings and other forums to determine views of persons with disabilities and other members of the public on matters affecting the health, safety, and welfare of persons with disabilities in the District of Columbia;
- (g) Organize, represent, and publicize input from individuals and community stakeholders regarding sentiments, needs, gaps, and priorities for persons with disabilities;
- (h) In collaboration with relevant District agencies, conduct community outreach, education, and awareness, and information and referral activities to disseminate resource information for and about persons with disabilities and raise the profile of persons with disabilities in the District of Columbia;
- (i) Beginning in fiscal year 2009, produce a five-year strategic plan, an annual statement of goals and objectives;
- (j) Develop an annual report on the activities of the DCCPD.

Section 4. Additional Activities

Pursuant to the Mayor's Order, the DCCPD shall also:

- (a) Determine its own organization, establish appropriate committees or task forces, determine its own rules of procedure, and issue its own By-Laws in accordance with the Mayor's Order;
- (b) Assist the ODR with selecting candidates for any vacancies in the position of the Executive Director of the DCCPD provided by ODR for full DCCPD program support.

Article III. MEMBERS

Section 1. Membership and Composition

The DCCPD shall consist of a minimum of twelve (12) and a maximum of fifteen (15) voting members representing the general public, who are appointed by the Mayor. Voting members shall be those members serving current terms of appointment, or whose terms have expired but whose successors have not been appointed and sworn.

Section 2. Vacancies

Should a vacancy occur through death, incapacity, or resignation of a member or expiration of a member's term, the DCCPD shall notify the Mayor, through the Office of Boards and Commissions, of the vacancy in writing and submit a recommendation for a successor in accordance with the following criteria:

- (a) At least fifty-one percent (51%) of the members shall at all times consist of persons with disabilities;
- (b) Members shall have experience with or a demonstrated interest in issues that impact persons with disabilities;
- (c) Members shall be District residents or represent organizations based in the District.

Section 3. Meeting Attendance

- (a) Each member, or a designated representative, shall attend all meetings of the DCCPD.
- (b) Attendance shall include physical presence or participation by conference call, internet, web, or by use of other technology including teleconference.

- (c) A member who has a reasonable excuse not to attend a regularly scheduled meeting shall provide an explanation of the absence to the Chair prior to the meeting, unless prior notice was not possible.
- (d) Any member who, without offering a reasonable excuse, fails to attend three (3) consecutive meetings of the DCCPD shall be deemed to have resigned from the DCCPD, and a vacancy created.

Section 4. Compensation

Members of the DCCPD shall serve without compensation. However, members may be advanced or reimbursed for expenses incurred in the authorized execution of official DCCPD duties.

Section 5. Auxiliary Membership

At the discretion of the DCCPD, individuals may be selected to serve as Auxiliary Members of any standing or ad hoc committee of the DCCPD. Auxiliary Members shall be entitled to advise and participate with respect to the official activities of their assigned committee, and may attend and participate (but not vote) in regular and special meetings of the DCCPD subject to rules of procedure prescribed by the Chair or the DCCPD. Auxiliary Members shall be subject to all applicable qualifications and rules that apply to the voting members of the DCCPD.

Article IV. MEETINGS

Section 1. Annual Meeting

The Annual Meeting of the DCCPD shall be the last regularly scheduled meeting of each fiscal year.

Section 2. Regular Meetings

The DCCPD shall meet at least every other month. Regular meetings of the DCCPD shall be held at such time and place to be determined by the DCCPD.

Section 3. Special Meetings

Special Meetings of the DCCPD may be called by the Chair, the Vice Chair, or at the written request of one-third (1/3) of the members of the DCCPD to the Chair, with a minimum of three (3) days notice. (Chair shall consult Robert's Rules of Order Newly Revised.)

Section 4. Notice of Meetings

- (a) The annual schedule of DCCPD meetings stating the place, day, and hour of the meeting, shall be posted on the Internet.
- (b) Notice of annual and regular meetings, and the agenda for such meetings, shall be delivered in writing to each DCCPD member at least five (5) days before the meeting.
- (c) Special meetings may be held a minimum of three (3) days after notice of the meeting is delivered.
- (d) Delivery in writing may be accomplished in person or by email, fax, or mail using the contact information on file with the DCCPD. Delivery of notice of a special meeting may also be accomplished by telephone using the contact information on file. Delivery does not require proof that the person actually received the notice.

Section 5. Agenda/Order of Business

The Chair, in consultation with ODR and DCCPD members, shall determine the agenda. The agenda for each meeting shall set forth the order of business.

Section 6. Quorum

The attendance of one-third (1/3) of the voting members of the DCCPD shall constitute a quorum at a meeting. In the absence of a quorum at any meeting of the DCCPD, an officer and/or the DCCPD members in attendance may adjourn the meeting until a quorum is present.

Section 7. Minutes

Minutes of all meetings shall be prepared in summary form by the ODR Staff Special Assistant or designee, and delivered to DCCPD members prior to the next meeting, in accordance with the prescribed notice of meetings set forth in Section 4 above.

Section 8. Voting

Any proposed or required action to be taken at any meeting of the DCCPD shall be limited to the voting members of the DCCPD. Voting members of the DCCPD shall be those members serving current terms of appointment, or whose terms have expired, but whose successors have not been appointed and sworn. Non-voting members may provide only input and/or recommendations to be considered by voting members. Votes can be made electronically, by phone, in writing, or in person.

Section 9. Conflict of Interest

In the event an issue, proposal, or similar matter is presented to the DCCPD which involves a potential conflict of interest between the DCCPD and a member of the DCCPD, as determined by the affected member or as ruled by the Chair, the affected DCCPD member shall be recused from any discussion, except for points of clarification requested by the DCCPD or a committee, and shall not vote on that matter.

Section 10. Fiscal Year

The fiscal year term is October 1 to September 30, shall be the same for both the ODR and the DCCPD.

Article V. OFFICERS**Section 1. Officers**

The Officers of the DCCPD shall consist of a Chair and a Vice Chair. The DCCPD may advise the Mayor regarding the appointment of the Chair. Officers shall exercise such powers and perform such duties as may be provided by these By-Laws, or as determined from time to time by resolution of the DCCPD.

Section 2. Chair

The Mayor shall appoint one member of the DCCPD as Chair, who will serve in that capacity at the pleasure of the Mayor. The Chair of the DCCPD shall:

- (a) Preside at all meetings of the DCCPD;
- (b) Carry out the directives of the DCCPD;
- (c) Ensure that the officers of the DCCPD perform their assigned tasks;
- (d) Nominate Standing Committee members and Standing Committee Chairs;
- (e) Supervise the work of the Standing Committees and serve as an ex-officio member of each Standing Committee;
- (f) Conduct the affairs of the DCCPD in such a manner that will carry out the purposes and objectives of the DCCPD;
- (g) Speak, write and act on behalf of the DCCPD in a manner consistent with the purposes and objectives of the DCCPD;
- (h) Perform all other duties as are normal to the office of Chair.

Section 3. Vice Chair

The Vice Chair will be elected by the DCCPD at the Annual Meeting, will hold office for a term of one (1) year, and is eligible for re-election. The Vice Chair of the DCCPD shall:

- (a) Perform all tasks assigned by the Chair;
- (b) Assist the Chair in the supervision of the work of the Standing Committees;
- (c) Perform all duties of the Chair in the absence, inability, or incapacity of the Chair;
- (d) Perform all other duties as are normal to the office of Vice Chair.

Article VI. STANDING COMMITTEES

Section 1. Standing Committees

At all times there will be the following Standing Committees:

- (a) Policy and Planning

- (b) Events and Outreach
- (c) Evaluation and Monitoring

Section 2. Composition

- (a) Each Standing Committee shall be composed of at least three (3) but no more than seven (7) members. The Chair of each Standing Committee shall be selected from the voting members of the DCCPD. The remaining members of each Standing Committee shall be composed of voting members of the DCCPD and Auxiliary Members.
- (b) The Chair of the DCCPD shall nominate the Chair and members of each Standing Committee for confirmation by the DCCPD.
- (c) The Chair of the DCCPD may remove the Chair or any members of any Standing Committee. Such removal may be appealed to the DCCPD.
- (d) Each Standing Committee shall, at all times, contain at least one (1) DCCPD member who is not the Standing Committee Chair.
- (e) Each DCCPD member shall be a member of a least one (1) Standing Committee at all times.

Section 3. General Activities

- (a) Each Standing Committee shall advise and aid the DCCPD in all matters designated by the DCCPD.
- (b) Each Standing Committee shall meet at least quarterly each year, and shall record the proceedings of such meetings. The minutes of these proceedings shall be submitted to the Chair of the DCCPD, or a designee, within ten (10) days of the conduct of said meeting.
- (c) Each Standing Committee may prescribe rules and regulations for the call of and the conduct of meetings of the Standing Committee and other matters relating to its procedure, consistent with these By-Laws.
- (d) Each Standing Committee shall provide oral and/or written reports of its activities at regularly scheduled meetings of the DCCPD.

- (e) All Standing Committee meetings shall be open to all current members of the DCCPD, and to the public except when convened in Executive Session. Schedules of all Standing Committee meetings shall be disseminated to members of the DCCPD.

Section 4. Policy and Planning Committee

The Policy and Planning Committee shall be comprised of at least three (3) but no more than seven (7) members. Participation shall be based on interest and recommendations from the Chair and/or the DCCPD. The Committee Chairperson of the Policy and Planning Committee shall be appointed by the Chair of the DCCPD. The Policy and Planning Committee shall:

- a) Assist in the development of selected legislation of interest to the DCCPD using such vehicles as public forums, workshops, testimonies, public hearings and recommendations;
- b) Provide input to ODR staff for the development of testimony on issues that affect persons with disabilities, when appropriate; and
- c) Present oral or written testimony before the Council of the District of Columbia on legislation affecting persons with disabilities when requested by the DCCPD or the ODR;
- d) Work in conjunction with the DCCPD and ODR to coordinate any Legislation Updates and Legislative Symposiums;
- e) Serve as facilitators at Legislative-related activities;
- f) Recommend presenters, workshop topics and assist in the development of the workshop narratives.

Section 5. Events and Outreach Committee

The Events and Outreach Committee shall be comprised of at least three (3) but no more than seven (7) members. Participation shall be based on interest and recommendations from the Chair and/or the DCCPD. The Committee Chairperson of the Events and Outreach Committee shall be appointed by the Chair of the DCCPD.

The Events and Outreach Committee shall:

- a) Plan and conduct at least one (1) activity annually;
- b) Work in conjunction with ODR staff in planning and developing other activities as the DCCPD may deem appropriate with respect to matters affecting the population of persons with disabilities in the District of Columbia;
- c) Develop lists of potential speakers, panelists, and other resources;
- d) Develop outreach materials;
- e) Identify and attend community events;
- f) Serve as judges for any awards;
- g) Serve as hosts/hostesses during DCCPD activities planned by the Committee.

Section 6. Evaluation and Monitoring Committee

The Evaluation and Monitoring Committee shall be comprised of at least three (3) but no more than seven (7) members. Participation shall be based on interest and recommendations from the Chair and/or the DCCPD. The Committee Chairperson of the Evaluation and Monitoring Committee shall be appointed by the Chair of the DCCPD. The Evaluation and Monitoring Committee shall:

- a) Research, review and evaluate District of Columbia government systems serving the population of persons with disabilities, as identified by the DCCPD;
- b) Research, review and evaluate any programs or activities, public or private, that might relate to the provision of or a need for services to persons with disabilities within the District of Columbia, whether public or private and regardless of the source of funding.

- c) Work with ODR and the relevant agencies to recommend improvements and best practices to all programs, services and government systems serving persons with disabilities in the District of Columbia.

Article VII. EXECUTIVE COMMITTEE

The Executive Committee shall be comprised of the officers of the DCCPD, and the Chairs of each of the Standing Committees specifically created by these By-Laws. The Executive Committee shall act for the DCCPD on urgent business requiring action that cannot await the next DCCPD meeting in a manner consistent with its best determination of what the members of the DCCPD would decide under the circumstances.

All actions taken by the Executive Committee shall be reported to the DCCPD as soon as possible, and no later than the DCCPD's next regularly scheduled meeting, and are subject to revision, alteration or revocation by the DCCPD.

Article VIII. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the DCCPD in all cases to which they are applicable, and in which they are not inconsistent with these By-Laws and any special rule of order that the DCCPD may adopt or may be prescribed by law or Mayor's Order(s). The ruling of the Chair shall be final as to any contested procedure not clearly covered by the foregoing authority.

Article IX. AMENDMENTS

These By-Laws may be amended at any regular or properly called meeting of the DCCPD by a two-thirds (2/3) vote of the members present, provided a quorum of one-third (1/3) of the members are present, and provided any proposed amendment has been delivered previously in writing to the members at least thirty (30) days prior to the meeting at which the vote is to be taken. Amendments made to these By-Laws shall

become effective on the date on which the amendment is approved by vote of the DCCPD.

Approved by a unanimous vote of the members of the District of Columbia Commission on Persons with Disabilities on this 20th day of November, 2008.

Attested by:

A. Franklin Anderson
Commissioner

Donald Galloway
Commissioner

Charles Butler
Commissioner

Jon Mitchiner
Commissioner

Denise Decker
Commissioner

Erica Nash
Commissioner

Seth Galanter
Commissioner

Karen Wolf-Branigin
Commissioner

As witnessed by:

Eve Hill
Director, Office of Disability Rights

Christina Mitchell,
Special Assistant to the Commission,
Office of Disability Rights

