

Bylaws for a Council on Developmental Disabilities

What are bylaws?

- "Bylaws are the rules adopted by an organization chiefly for the government of its members and the regulation of its affairs."

Webster's Ninth New Collegiate Dictionary

bylaws cont'd

- bylaws should accurately reflect changes in the organization as they occur

Why make changes to bylaws?

Change in constituent demands

- One of the most important reasons to change bylaws is that the organization's stakeholders see a need for change. The bylaws must remain responsive to the changing demands of the people it serves.

Changes cont'd

Change in organization mission

- The mission is the organization's guiding beacon. However, the beacon can waver or even cast its light in a new direction upon occasion. When an organization changes its mission, the bylaws must change to stay on course with that mission

Changes cont'd

Change in direction

- organizations that engage in strategic long-range planning may find that their bylaws must change to stay in harmony with the new directions.

Changes cont'd

Change in organization operation.

- Every governing body seeks to operate in a manner that reaps the greatest benefit for the people it serves. To do this, the body must frequently re-evaluate the rules by which it governs. These operating issues make up the bulk of most bylaws.

Operating issues that may result in bylaw changes can be divided into those that affect:

- Organization governance and meeting procedures
- Standing committees

Changes cont'd

Common changes that arise in response to specific situations include:

- Annual meeting time and procedures
- Resignations
- Definitions of constituents served

Council bylaws should:

Include language to describe the responsibilities of the Governor regarding:

- appointments to the Council
- membership rotation policies
- term limits

Council bylaws should:

- Include language relative to the Council and the Designated State Agency

Common components of Council bylaws:

- Name
- Purpose
- Authority
- Mission
- Responsibility

Components cont'd

- Membership
 - Eligibility
 - Resignation, termination and absences
 - Non-voting membership (if applicable)
 - Vacancies

Components cont'd

- Meetings
 - Regular meetings
 - Annual meetings
 - Special meetings
 - Notice of meetings
 - Quorum . any requirements specified by your state?
 - Voting

Components cont'd

Conflict of Interest

- must be reflected in State Plan assurances as well as conform to individual State ethics laws

Components cont'd

- Committee structure
 - Committees are assigned by the Board of Directors or Executive Committee to work on special issues facing a Council. Standing committees such as the Executive Committee, or Finance Committee should be outlined in the bylaws. Ad Hoc committees would not be detailed in the by-laws as they can be created for a time period set by the Executive Committee

Components cont'd

- Amendments

- It is necessary for bylaws to detail how they are to be amended. Bylaws should be updated and changed in accordance with the Council's growth and change.

Components cont'd

- Staff

- It is not required, but highly recommended that the executive director be required to attend all Council meetings. This will ensure the ED is aware of all Council decisions and the board is aware of the ED's activities.

Components cont'd

- Rules of Order
- Officers and duties (what does your state require?)

Other items

- Review the by-laws regularly: many Councils review annually to determine if changes need to be made
- Provide a date of amendment on the document so that members can easily determine the date of the last revision