**North Carolina Council on Developmental Disabilities**

**Bylaws Revision-7/20/15**

**Adopted by Council 8/7/15**

**Article 1: Name and Purpose**

1. The name of the Council is the North Carolina Council on Developmental Disabilities (NCCDD).
2. The NCCDD is established to assist the State of North Carolina in carrying out Public Law 106-402, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (DD Act), and other responsibilities as assigned by North Carolina Statute (NCGS) 143B 177-179.
3. The purpose of the NCCDD is to engage in advocacy and leadership, community capacity building, and systems change activities that are consistent with the DD Act and that promote the development of a consumer- and family-centered and directed, comprehensive system and coordinated array of culturally competent, community services; individualized supports; and other assistance designed to promote self-determination, independence, productivity, integration and inclusion into all aspects of community life for individuals with intellectual and other developmental disabilities.

**Article 2: NCCDD Membership**

1. Members shall be appointed by the Governor for a term of four years. Members may serve up to two, consecutive terms. The Governor, in accordance with the provisions of NCGS 143B 179, may decide to remove a member or to reduce or extend his or her term of service. The composition of the NCCDD, as set out in federal and state law, shall represent the geographic, racial and ethnic diversity of the state.
2. During the term, a member shall be recommended for replacement or removal only for cause, including but not limited to: inactivity (Article 8), undisclosed conflict of interest (Article 7), or failure to comply with the requirements of the NC Board of Ethics. Before recommending the removal of any member during the term of appointment, the Executive Committee shall give reasonable, written notice and an opportunity for the member to be heard. The member may waive the opportunity to be heard.
3. State Agency Members may appoint a Designated Alternate representative to the NCCDD. The Designated Alternate must have sufficient authority to engage in policy, planning and implementation on behalf of the member organization. The Agency Member must submit the name of the Designated Alternate in writing to the Chair of the NCCDD. That Designated Alternate will serve until the Agency Member changes the designation in writing. Only the Agency Member or the Designated Alternate shall be a voting member of the NCCDD.

**Article 3: NCCDD Officers**

1. The officers shall include a Chair, two Vice-Chairs, and a Secretary. The Chair shall be appointed by the Governor, consistent with NCGS 143B 179, and serve at the pleasure of the Governor. The Vice-Chairs and Secretary shall be elected in accordance with the provisions of Article 5.
2. The Chair of the Council shall schedule and preside at all NCCDD and Executive Committee meetings; and perform the duties typically associated with a chair’s office
3. TheVice-Chairs shall aid the Chair in the performance of his or her duties and perform all duties of the Chair in his or her absence and assume other responsibilities as the Chair determines.
4. The Secretary shall ensure that minutes are kept and will perform other duties typically accomplished by a secretary.

**Article 4: Regular Meetings**

1. The NCCDD shall:
   1. Have four quarterly meetings a year.
   2. Comply with Article 33C of the North Carolina General Statutes, referred to as “The Open Meetings Law.”
   3. Transact business with a quorum, defined as a majority of the appointed NCCDD membership.
   4. Be guided in its meetings by the latest edition of Robert’s Rules of Order
   5. Designate the last meeting in the calendar year as the Annual Meeting and elect officers at this meeting.

**Article 5: Elections**

1. As an appointee of the Governor, the Chair is not elected from the membership.
2. The Officers, other than the Chair, shall be elected from among the membership at the Annual Meeting. These Officers are the two Vice-Chairs and the Secretary. Chairs of standing committees are not eligible to be officers.
3. Elected Officers will serve two-year terms. In the first year of voting for two year Officer terms, one Vice-Chair shall be elected for a two-year term. A second Vice-Chair will be elected for a one-year term and at the conclusion of the one-year term, election for the position will be for a two-year term. The Secretary will be elected for a two-year term.
4. If an elected Officer’s term on the NCCDD is up before the term is served, or if the position is vacated, the Chair will call a special election to fill the position for the remainder of the Officer’s term.
5. Nominations for Officers shall be made from the floor at the Annual Meeting, with the nominee’s agreement to serve if elected, prior to an open vote.

**Article 6: Committees**

1. The NCCDD shall have at least one standing committee, which shall be the Executive Committee.
2. The NCCDD Executive Committee may create and terminate other standing committees or ad hoc committees as needed. The committees shall provide reports and minutes to the Executive Committee and full Council as requested by the Executive Committee.
3. Prior to the Annual Meeting, the Executive Committee will designate chairs for the standing committees. The full Council will approve/disapprove the designations. The Executive Committee shall appoint members to the standing committees following the Annual Meeting. Committee members shall serve until the next Annual Meeting following their appointment or until a committee is disbanded.

D. The Executive Committee shall:

Be chaired by the NCCDD Chair. The members, in addition to the NCCDD Chair, shall be the officers and the chairs of any standing committees.

Have at least one member who is a person with an intellectual or other developmental disability. If no member of the Executive Committee is a person with an intellectual or other developmental disability, the Chair shall designate such member to serve on the Executive Committee.

Have as members only those serving in positions designated for people with intellectual or other developmental disabilities or family members or guardians of people with intellectual or other developmental disabilities.

Be empowered to act on behalf of the NCCDD between quarterly meetings.

Meet at the discretion of the Chair. These meetings may be by teleconference or held in person, at the discretion of the Chair.

Transact business through majority vote, if a quorum exists, and be guided by the latest edition Robert’s Rules of Order. Submit its minutes to the NCCDD at the next quarterly meeting. The NCCDD shall review, but is not required to approve, the minutes of the Executive Committee.

**Article 7: Conflict of Interest**

1. The NCCDD shall comply with conflict of interest requirements, consistent with the DD Act, the policies of the NCCDD and the laws (NCGS 138A) and policies of the State of North Carolina.
2. Each member shall annually submit a conflict of interest statement, as specified by the Executive Committee.
3. Each member shall at all times disclose publicly all conflicts of interest, including those which are potential.
4. Whenever a member has reason to believe that the actions of any member may be in violation of the above laws and policies, the member shall immediately notify the Chair, or in the case of the Chair, the Executive Committee.
5. The decision of the Chair or, in the case of the Chair, the Executive Committee, is final regarding a conflict of interest.

**Article 8: Inactivity**

Members shall be considered inactive when they have missed three consecutive quarterly meetings, as shown in the minutes. The Executive Committee will review inactive members in accordance with Article 2 and the policies of the Governor’s Office of Boards and Commissions.

**Article 9: Amendments**

1. The bylaws may be amended at any time when the NCCDD is in session, with the following conditions:
2. Proposed amendments shall be reviewed in advance by the Executive Committee.
3. The proposed amendment, following the Executive Committee’s review, shall be distributed to the NCCDD membership at least 14 calendar days prior to the quarterly meeting and consideration of the amendment shall be placed on the agenda for the quarterly meeting.
4. A quorum is present at the quarterly meeting and the amendment is approved by a two-thirds vote.
5. The bylaws shall specify the date of adoption of the amendment.