



# **COUNCIL POLICIES & PROCEDURES**

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## I. Background

Developmental Disabilities Councils were started in 1970 because of the passage of [the Developmental Disabilities Assistance and Bill of Rights Act](#) (DD Act). There is a DD Council in every U.S. state and territory. The Louisiana Developmental Disabilities Council (Council) is a group of 28 Louisiana citizens. They are appointed by the governor. That means the Governor makes the final decision about who becomes a Council member. The Council is funded by the federal government.

## II. Mission

### Council Mission

The Louisiana Developmental Disabilities Council's mission is to ensure people with developmental disabilities have the support and opportunities they need to live the lives they choose.

### Values in the DD Act

Values are what the Council believes is right and important. Values guide the Council's work. These are values in the DD Act and what they mean:

- Individuals with developmental disabilities, including those with the most severe developmental disabilities, are capable of self-determination, independence, productivity, and integration and inclusion in all facets of community life, but often require the provision of community services, individualized supports, and other forms of assistance.

This means: People with developmental disabilities can make choices, be independent, work, and be part of the community. But they often need support and services to help make that possible.

- Individuals with developmental disabilities and their families have competencies, capabilities, and personal goals that should be recognized, supported, and encouraged, and any assistance to such individuals should be

provided in an individualized manner, consistent with the unique strengths, resources, priorities, concerns, abilities, and capabilities of such individuals.

This means: People with developmental disabilities and their families have skills, abilities, and goals that should be respected and supported. Each person and family should get support that fits their needs.

- Individuals with developmental disabilities and their families are the primary decision makers regarding the services and supports they receive, including where they choose to live from available options, and play decision-making roles in policies and programs that affect their lives.

This means: People with developmental disabilities and their families should decide what services and support they get. They should decide where they live. They should help make decisions about policies and programs that affect them.

- Services, supports, and other assistance should be provided in a manner that demonstrates respect for individual dignity, personal preferences, and cultural differences.

This means: Services and supports should respect each person's dignity, choices, and differences.

- Communities are enriched by the full and active participation and contributions of individuals with developmental disabilities and their families.

This means: Communities are better when they include people with developmental disabilities and their families.

- Specific efforts must be made to ensure that individuals with developmental disabilities from racial and ethnic minority backgrounds and their families enjoy increased and meaningful opportunities to access and use community services,

individualized supports, and other forms of assistance available to other individuals with developmental disabilities and their families.

This means: The Council must work to make sure people with developmental disabilities from minority groups and their families have fair chances to get good services and support like others do.

### **III. Council Membership**

Council membership is defined in the bylaws.

*Procedures (steps):*

The Council accepts membership applications anytime.

Each year new members are needed, the Council sets and announces an application deadline for people who want to be considered.

Before there are vacancies, the Council announces it is looking for new members in its newsletter and asks other groups to help find applicants.

People who want to join the Council must fill out an application. They can get the application from the Council office or website. They can mail it in or send it through the Council website.

The Council Chair forms a membership committee when needed. The membership committee reviews the applications and interviews people. If an applicant needs any accommodations to fully participate in the application process, they can ask Council staff. The committee makes recommendations to the full Council about who should become a member. The Council sends the names of the people it approves to the Governor's Office of Boards and Commissions. They are called "nominees." The Governor makes the decision about who to appoint. The State Senate must confirm all appointments in the next regular legislative session or the nominees may be removed from the Council.

After appointment by the Governor, a new Council member begins serving on the Council. Council member terms are four years. The Council's bylaws explain how to fill empty spots when a member resigns before their term is over.

The Council sends a letter to let people know they were not chosen to be members. The Council keeps their applications and contacts them the next year to see if they are still interested in becoming a member.

Each year, the Council holds an orientation for new members and nominees recommended to the governor.

Nominees waiting for appointment by the Governor are invited to attend and participate in Council and committee meetings as special guests. This gives them helpful "on the job" training to help them get ready for Council membership. They are included at Council meetings so they can watch, listen, and join in discussions as guests when the Chairperson allows.

Staff share information with Council members about the new members they will mentor, like any needed accommodations.

#### **IV. Council Member Responsibilities**

Council members:

##### Plan, Implement, and Monitor the Plan

Actively participate in planning, carrying out, and monitoring the Five Year Plan and Annual Action Plans.

- Listen to people in the state who live with developmental disabilities or support people who do.
- Include input and ideas from people with developmental disabilities into the Council plan and actions.

- Attend Council meetings and committee meetings. A Council member must attend the business and voting part of the meeting to count as present. The Executive Committee takes action if a member misses:
  - Three quarterly Council meetings and/or committee meetings in a twelve-month period, or
  - Two quarterly Council meetings and/or committee meetings in a row in a twelve-month period.

The Executive Committee *may* ask the member to resign if they cannot improve their attendance. Please see the bylaws for more information on unexcused absences.

- Let the Council staff know as soon as possible if you cannot attend a meeting. The Council and its committees can only make decisions when more than half the members are there. That is called a quorum.
- Actively participate in Council and committee meetings.
  - Approve and monitor contract budgets.
  - Follow the progress of Council initiatives.
  - Prepare for Council and committee meetings by reading the agendas and meeting materials before the meeting.
  - Participate in discussions and voting during Council and committee meetings.
  - Use cell phones and other electronic devices only when necessary during meetings to stay focused and help the Council get its work done.
  - Help develop the Council's positions on public policy issues.

#### Build a Strong, Effective, and Active DD Council

The Council needs strong, independent, and active members -- led by people with developmental disabilities and trusted by the public -- for the DD Act's goals to succeed. The Council's effectiveness depends on its members.

- Recruit members for Council vacancies.
- Participate in orientation and training sessions.

- Mentor new members.
- Provide input on issues with programs and develop recommendations to help agencies address them.
- Set an example for other advocates by:
  - being an active member of the Louisiana Council's Advocacy Network (LaCAN), and
  - participating in local activities supported by the Council, LaCAN, or other Council initiatives.

Our goal is for all parent and self-advocate Council members to participate.

- Serve on Council ad hoc committees, as needed. Ad hoc committees are committees that are formed to focus on specific issues or projects when needed. When their work is done, they stop meeting.
- Serve on other statewide groups. Council staff tells members about these opportunities.

#### Follow Rules and Keep the Public's Trust

- Council members must follow the law, act honestly, and avoid conflicts of interest. Members should support and build the Council's reputation by sharing the Council's mission, values, and successes. Send financial disclosures to the Louisiana Board of Ethics by May 15<sup>th</sup> each year for the previous year.
- Complete Louisiana Ethics training by December 31<sup>st</sup> every year.
- Complete and return the Senate confirmation questionnaire to the senate boards and commissions office, and file tax returns for the past five years. If you do not send back the notarized and witnessed questionnaire, or if you do not fix your tax problems, The Senate will not approve you for Council membership if you do not:
  - Return the questionnaire, witnessed and notarized, and
  - Fix any tax problems you may have.

- Follow the conflict of interest policy to avoid real or perceived conflicts of interest. For more information, see the conflict of interest policy below (Section XII) and the bylaws.
- Be open and honest about all funding, activities, accomplishments, and challenges.
- Monitor the Council's budget.
- Support and advocate for the Council's mission and belief in self-determination, independence, productivity, integration, and inclusion of people with developmental disabilities in the community.
- If you are speaking as a Council member or for the Council, stick to the Council's approved positions. Do not share your own opinions as if they are the Council's.

Officer duties are described in the Council bylaws.

#### Transition Period

To help with a smooth transition, the current Chairperson should give the new Chairperson information that will help them carry out their responsibilities. This should be done at least two months before the new Chairperson leads a meeting.

## **V. Selecting the Executive Director**

1. When the Executive Director leaves the Council, the Executive Committee will name an interim (temporary) Executive Director. They will be responsible for the budget.
2. These are the steps the Council follows to hire an Executive Director:
  - a. The Louisiana Department of Health Human Resources posts the Executive Director position and collects applications.
  - b. The Search Committee, appointed by The Council Chairperson appoints a Search Committee. The committee develops a detailed plan, including updating the job description and setting a salary range and deadlines for hiring the Executive Director. The full Council must approve the plan.

- c. The Search Committee reviews the applications, interviews the applicants, and recommends the top candidates to the Council.
- d. The Council meets and interviews the candidates recommended by the Search Committee. All Council members are invited to the meeting. They can attend and vote in-person or by video call.
- e. The Council Chairperson offers the Executive Director Job to the candidate who gets the most votes at the meeting.

## **VI. Evaluating the Executive Director**

1. The Executive Director will review the job responsibilities every year and recommend updates or changes if needed.
2. The Executive Committee develops evaluation questions based on the job description and gets approval from the full Council. Each job responsibility is rated using this scale: Exceeds Expectations (4) Meets Expectations (3)  
Needs Improvement (2) Unsatisfactory (1)
3. The Executive Committee evaluates a new Executive Director quarterly (every three months) the first year. The Executive committee completes an anonymous survey about the Executive Director's performance. The Chair gives the Council a summary of the survey results. After the first year, the Executive Committee decides if quarterly evaluations are necessary.
4. Each year the Executive Committee sends a survey to the full Council to get input about the Executive Director's performance. The survey is sent before the January Council meeting. The Executive Committee uses the survey results during its evaluation of the Executive Director. The survey is anonymous, but members can choose to identify themselves. The survey is updated or changed when needed.
5. In January, the Executive Committee evaluates the Executive Director based on the job description and feedback from Council members. The Chairperson presents the results and recommendations (including salary increase) to the full Council for approval at the January meeting.

6. In July, the Executive Committee completes a mid-year evaluation, and gives the Executive Director feedback. The Chairperson presents the results to the full Council at the July meeting.

## **VII. Council Meetings**

The Council is committed to running meetings that are organized, make good use of members' time, and get things done. To support this, the Council makes sure meetings run well, follow all rules, and meet members' needs. The Council makes changes when needed,

The Council meets every three months to carry out its work.

### *Procedures (steps):*

Council meetings are usually held over a two-day period beginning on Wednesday and ending on Thursday. Standing Committees usually meet the last Wednesday of the month in each quarter (January, April, July and October). On the following Thursday, the full Council meets. Attendance is recorded at committee and Council meetings. A yearly attendance record is shared with members along with Council meeting materials and is posted on the Council website.

Council meeting announcements are emailed to the Council's listserv. The meeting agenda is posted on the Council's website and outside the meeting room. This is required by the state Open Meetings Law.

The staff emails a packet of materials to Council members for their review before each Council meeting. Staff also posts the materials on the Council's website. Members get a hard copy of the materials at the meeting. Members who plan to attend meetings virtually can ask for a hard copy be mailed to them.

The Executive Director, Administrative Assistant, and professional staff attend Council meetings. Council staff provide information to Council members when needed. They share their opinion on an issue when asked by a Council member.

Guests who attend Council meetings in-person are seated away from the Council meeting table. During the meeting, guests can speak before all votes and during times noted on the agenda. This is called public comment. The Council Chair may also let guests speak at other times during the meeting. The Chair decides how long guests can speak. Staff will keep track of the time by using a timer. Guests will also have an opportunity to speak for five minutes at the end of each meeting at a time noted on the agenda. People who want to speak at the end of the agenda should let the Chairperson know. Members of the public may also send written comments through the Council's website.

### Expenses

Council members can get reimbursed (paid back) for travel expenses when they attend Council meetings. Reimbursement is based on the policies of the state's Division of Administration and the Council's Designated State Agency.

If a support person attends a Council meeting to help a self-advocate Council member participate, the Council reimburses their travel costs and pays an hourly rate. The Council Executive Director must approve the support and expenses ahead of time.

The Council reimburses people who serve on committees but are not Council members for expenses related to attending meetings.

The Council does not reimburse Council members who represent state agencies.

## **VIII. Calendar**

The Council must meet certain deadlines and wants to use everyone's time well. To help with this, the Council keeps a Master Calendar with important dates and tasks. This calendar is posted on the website and shared at each quarterly Council meeting.

## **IX. Committees**

The Council has Standing and Ad Hoc committees to work on state plan objectives and help the Council run. Standing committees are the committees the Council always has. Ad hoc committees are committees that are formed to focus on specific issues or projects when needed. When their work is done, they stop meeting. Standing committees usually meet every three months (quarterly), but can meet more often if needed. Ad Hoc committees meet when needed. The Council's bylaws have more information about committee membership and duties.

Notices about Standing and Ad Hoc committee meetings are sent by email through the Council's listserv. The meeting agenda is also posted on the Council's website and outside the meeting room. State law requires this.

Any two members can ask a Committee Chair and Chair of the Council to schedule a committee meeting. They should do this in writing. The Chair of the committee should schedule the meeting. If they do not, the Chair of the Council should do it.

## **X. Council Funding**

The Council is funded by the federal government.

### The Council:

Works to make sure people with developmental disabilities have the support and opportunities they need to live the lives they want. This is done through advocacy, capacity building, and systemic change activities.

- Advocacy – Taking action to support or oppose something. Advocacy means speaking up for something you believe in to help make a change.
- Capacity Building – Helping people, organizations, and communities develop the skills, knowledge, and resources they need to be more effective and successful.
- Systems Change – Improving laws, policies, programs, services, and other things that affect people with developmental disabilities and their families.

Guided by the DD Act and our mission, the Council identifies the needs of people with developmental disabilities and their families in Louisiana. Each year the council uses a planning process to decide how to use funding (money) to meet the council's goals and objectives.

Process:

- Ask the public for input about the experiences and needs of people with developmental disabilities and their families, before developing the Five Year State Plan.
- Share information with different groups and the public so they understand the experiences and needs of people with developmental disabilities and their families.
- Review plans from state agencies and other organizations to understand their views and what they are doing -- or planning to do -- about the needs in Louisiana.
- Let people know in LaDDC News when the Council is accepting proposals for the Five Year Plan. The Council reviews these proposals during the planning process to decide what to include.

- After the plan is approved, the Council may ask for proposals to help work on objectives in the plan. The committee responsible for that objective reviews the proposals.
- Unsolicited proposals are saved. Unsolicited proposals are ones that organizations send to the Council without being asked for them. The full Council reviews them if and when it has more funding.

The Council follows all state and federal fiscal requirements (rules about money).

Approving Spending:

1. The Executive Director may change operating budget line-item amounts, as long as each change is \$5,000 or less. If the change is over \$5,000, they must get written permission from the Council Chairperson.
2. The Executive Director can obligate up to \$1,000 for non-operating expenses without asking for approval. To spend between \$1,000 and \$5,000 on non-operating expenses, they need approval from the Council Chairperson. To spend over \$5,000 on non-operating expenses, they must get approval from the full Council.  
  
“Obligating funds” means making a promise to spend money for something, even if the money has not been paid yet. Staff can explain the difference between “operating” and “non-operating” expenses.

## **XI. Collaboration**

Collaborating with (working with) other organizations can help the Council reach its goals. The Council looks for and supports opportunities to collaborate with Disability Rights Louisiana (DRLA), the Human Development Center (HDC), and other organizations so all benefit.

To make this happen:

- The Council participates in state level coalitions, task forces, committees, and other groups.
- The Council office keeps a list of Council members and staff with their memberships and connections to disability-related organizations. Council members review and update this list at every quarterly Council meeting.
- The Council invites DRLA, the HDC, and other organizations to participate in Council-sponsored groups when their partnership makes sense.
- Staff and Council members gather important information from national and local groups and share it with all Council members when needed.

## **XII. Conflict of Interest**

A “conflict of interest” for a Council member is when their personal interests could get in the way of doing what is best for the Council. Personal interests are things like making money, helping family or friends, or making decisions that benefit their job or business.

All members must follow the Council bylaws and the following procedures whenever they know they have a conflict of interest related to Council business. They must also follow these procedures when they think there is a possibility they have a conflict of interest:

1. Council members must inform the Council about all possible conflicts of interest. This includes any connections or relationships with individuals or organizations that might benefit from the Council’s activities and decisions.

2. Members may not participate in choosing or funding Council grants or contracts when they have a conflict of interest related to it. Members also may not advise or influence a vote on grants and contracts when they have a conflict of interest.
3. Members may not accept anything of value from anyone or any organization that is currently receiving or being considered for a contract or funding by the Council. This includes money, services, gifts, loans, travel, entertainment, or in anything else that they do not pay for.
4. Council members may not be related to the Council staff by blood or marriage.
5. Members may not receive money from the Council or through a Council grant or contract during their term on the Council and for two years after their term ends. This does not apply to approved reimbursement for travel or other Council-related expenses,
6. Members may not work for a private company that has a contract with the Council, even if the member is paid from a different source, The only exception is to meet the collaboration requirements of agencies funded through the Developmental Disabilities Assistance and Bill of Rights Act (PL 106-402).
7. Members who work for or serve on the board of a national or state organization may not take part in choosing or funding a grant or contract if an affiliated (related) local or regional organization is applying for or receiving it. They also may not influence a decision or vote related to the grant or contract.
8. Members may not use any part of their salary as a match for a Council grant or contract.

9. Members running for or holding an elected or appointed office may not use their Council position to support their election, re-election, appointment, or reappointment.
  
10. The Executive Director must immediately inform the Executive Committee in writing about any offer of outside work, income, or honoraria that comes from a state agency, organization, or facility that serves people with developmental disabilities. The notice must include the type of work and income. The Executive Committee will review the situation and give the Executive Director written advice about accepting or rejecting the offer.

Council members must inform the Council Chairperson or the Executive Committee about all conflicts of interest. This includes conflicts they know they have and conflicts they think they might have. The Council Chairperson must inform the Executive Committee about all conflicts of interest they have or might have.

The Executive Committee will review conflicts and make sure all procedures in this policy, the Council bylaws, and the state Code of Governmental Ethics or applicable federal law are followed. The Executive Committee may request a ruling from the State Board of Ethics.

The Executive Committee informs the member in writing about its (or the State Board of Ethics') findings and decision. Their decision is final.

The Executive Director keeps all conflict of interest disclosures and findings, and provides them to the public when requested.

1. Any member who has a conflict of interest because their salary is or will be used as a match for a Council grant or contract must resign from the Council after receiving written notice from the Council Chairperson.

2. Any member who takes a job with a private company that has a contract with the Council must resign from the Council immediately after receiving written notice from the Council Chairperson. This applies even if their salary does not come from Council funds.
3. Members may not participate in decisions or actions about any Council matter if they have a conflict of interest with it.
4. If a Council member is suspected of breaking the State Ethics Law and refuses to resign, the Council Chairperson will report them in writing to the State Ethics Commission.
5. If any official action taken by the Council involved a member who had a conflict of interest or violated this policy, the Council bylaws, or any related state or federal laws (even unintentionally) must be brought back to the Council for a new vote.

Each member must sign a conflict of interest statement when appointment or reappointment to the Council. This states that they reviewed, understand, and agree to follow by the policy.

### **XIII. Confidentiality**

Members may not share confidential Council information with anyone who is not approved to know it before the Council shares it publicly.

### **XIV. Executive Director Authority**

The Executive Director may take or change a position on policy issues when quick action is needed and the Executive Committee cannot meet, as long as the position supports the Council's mission and values. The Deputy Director may also do this if the Executive Director is not available.

## **XV. Council Member Stipends**

The Council offers stipends to help cover the cost of travel and other Council-related expenses. Stipends are available to members who do not represent an agency on the Council. They help Council members participate in conferences, workshops and meetings related to the Council's mission and goals.

Council members can ask for a stipend by filling out a stipend request form and sending it to the Council office. The Executive Director and Council Chairperson review and approve stipend requests. The Executive Committee reviews and approves out-of-state stipend requests unless they are not meeting in time. In that case, the Executive

Director and Council Chairperson decides and immediately informs the Executive Committee.

Council members' attendance at committee and Council meetings is considered when making stipend decisions. All decisions are final.

Council members who get a stipend to participate in an event must report about it at the next Council meeting. The Council Chair gives an update on the stipend fund in the Chairperson's report at each Council meeting.