

**LOUISIANA
DEVELOPMENTAL DISABILITIES
COUNCIL**



**COUNCIL
BYLAWS**

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LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL

Bylaws

Bylaws are the rules the Council follows. They guide how the Council works.

Part 1: Name

The name of this organization is the Louisiana Developmental Disabilities Council. It is also called the Council.

Part 2: Authority

The Council was created through the Developmental Disabilities Assistance and Bill of Rights Act¹ (DD Act) and Louisiana state law.² The Council follows all state and federal laws and regulations related to its work.

Part 3: Purpose

The Council advocates for people with developmental disabilities. The Council's mission is to ensure people with developmental disabilities have the support and opportunities they need to live the lives they choose. The Council works to increase self-advocacy, self-determination, independence, and inclusion in the community.

Part 4: Responsibilities

The Council:

- A. Develops a state plan every five years to guide its work. The plan describes the Council's goals and major activities.

¹ P.L. 106-402, et.seq

² R.S. 28:750-758, as amended

- B. Monitors and evaluates progress on the state plan.
- C. Reviews and comments on state agency plans that affect programs for people with developmental disabilities.
- D. Sends the state plan and progress reports each year to the U.S. Department of Health and Human Services. Sends other reports when requested.
- E. Leads and supports activities that:
 - 1. Help the public better understand developmental disabilities,
 - 2. Improve programs, policies, laws, and services,
 - 3. Increase opportunities for people with developmental disabilities, and
 - 4. Empower people to bring about change.
- F. Reviews how programs and services are meeting the needs of people with developmental disabilities and their families. Makes recommendations to the Governor, state agencies, and the legislature.
- G. Completes other responsibilities described in the DD Act, federal regulations (rules), and instructions.

Part 5: Council Membership

A. Members

- 1. The Council has 28 Council members.
- 2. Membership of the Council is based on requirements in the DD Act.
- 3. The Governor appoints the members. That means people the Governor approves become Council members.

B. Types of Members

At least 60% of Council members must be:

- 1. People with developmental disabilities;
- 2. Parents or guardians of children with developmental disabilities; and
- 3. Close family members or guardians of adults with developmental disabilities who cannot advocate for themselves. Close family members include spouses, parents, grandparents, brothers, and sisters.

In this membership category, at least one-third (1/3) must be people with developmental disabilities. At least one-third (1/3) must be parents and other close family members or guardians of people with developmental disabilities. The other one-third (1/3) may be a combination of both.

Council members include:

1. People with developmental disabilities and family members.

At least one of these members must be:

- A person with a developmental disability who lives or used to live in an institution; or
- A close family member or guardian of a person with a developmental disability who lives or used to live in an institution.

These members cannot be employees of a state agency that provides services or funding to people with intellectual and/or developmental disabilities.

2. Representatives of these state agencies:

- a. Louisiana Rehabilitation Services
- b. Louisiana Department of Education
- c. Governor's Office of Elderly Affairs
- d. Bureau of Health Services Financing
- e. Office of Public Health
- f. Office of Aging and Adult Services
- g. Office of Citizens with Developmental Disabilities
- h. Governor's Office of Disability Affairs

These members must be able to participate in the Council's work and make decisions for the state agencies they represent.

3. One representative from:
 - a. LSU Human Development Center, and
 - b. Disability Rights Louisiana.

4. One representative of local, non-governmental, and non-profit agencies concerned about services for people with developmental disabilities in Louisiana. A non-profit organization is an organization that works to help people rather than to make money.

A. How Long Members Serve

1. Council members serve for four years. This is called a “term.”

2. When a member is appointed to replace someone who left the Council before serving all four years, they complete the term of the person they replace.

3. A member stays on the Council when their term is over until a replacement is appointed.

4. Members must wait a year after their term ends to be appointed for another term by the governor. This rule does not apply to members representing the LSU Human Development Center, Disability Rights Louisiana, or state agency representatives. They can serve more than one term in a row (consecutive terms).

The Council chairperson, vice chairperson, and elected committee chairs may serve two consecutive terms in their leadership roles. The Governor must reappoint them for this to happen.

5. The Council fills vacancies when they happen. Council members and the public can nominate people. Some new members are appointed to complete the term of a member who left before they served four years. If a new member starts with a term that is one year or less, they can be appointed to a consecutive term without waiting.

Part 6 : Officers

A. Number of Officers

1. The Council has two officers: A chairperson and vice chairperson.

B. Electing Officers

1. The Council elects the officers at the July Council meeting. A member becomes an officer if more than half the Council members vote for them. Their term starts on October 1.
2. Officers serve a two-year term. They can serve two terms in a row in the same position.
3. If the vice chair resigns before their term ends, the chairperson picks another Council member to take their place and finish the term. If the chairperson resigns, the vice chairperson becomes chairperson for the rest of the term. If the vice chairperson cannot complete the chairperson's term or does not want to, the Council holds a special election to fill the remainder of the chairperson's term. The election is held at the next Council meeting after the chairperson resigns. Nominations are made from the floor. That means members recommend who should be the next chair at the meeting. When possible, members are told about the election at least two weeks before the Council meeting.

4. The Council or Executive Committee elects a Nominating Committee. The committee includes the chairperson. The election is held at the April Council meeting every two years, or sooner if needed. The committee emails its nominees to all Council members at least 21 days before the July meeting. Members may make other nominations at the meeting.

C. Chairperson

The chairperson has the following responsibilities:

1. Leads all Council and Executive Committee meetings.
2. Can serve on other committees and task forces if they choose to. Can serve on the Nominating Committee if not seeking an officer role.
3. Appoints (chooses) the membership of all standing and ad hoc committees. This does not apply to the Executive Committee or Nominating Committee. The Council elects those members. Standing committees are the committees the Council always has that meet throughout the year. 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.
4. Makes recommendations to the Council staff.
5. Serves as the official spokesperson for the Council.
6. Makes sure the Council carries out the responsibilities required by the DD Act and its regulations (rules).
7. Chooses who represents the Council at NACDD events and other events.
8. Oversees the Executive Director's evaluation each year.
9. Contacts Council members when they do not meet attendance requirements.

10. Appoints experienced Council members as mentors to new Council members.

D. Vice chairperson

The vice chairperson has the following responsibilities:

1. Covers the chairperson's duties when they are absent.
2. Takes over the chairperson's position if they leave. Serves as chairperson for the rest of the term or until a special election is held.
3. Handles other duties requested by the chairperson.
4. Coordinates and oversees the selection of new Council members.

Part 7: Voting

- A. Each Council member has one vote. Proxy voting is not allowed. Proxy voting is when a member asks another member to vote for them when they cannot be at a meeting.
- B. All votes are done verbally. Votes are recorded in the meeting minutes.
- C. Council or committee members who join a meeting virtually (by computer) are allowed to participate and vote. To do this, they must have their video feed on, their face must be seen, and their first and last name must show on the screen.

Part 8: Conflict of Interest

- A. Members may not have a conflict between their private interests and their Council member responsibilities.
- B. A conflict of interest happens when a Council member or a member of their family could benefit personally from their position on the Council. Council

members must not participate in any discussion or votes related to Council projects, activities, or other business when they have a conflict of interest.

- C. Members must always follow the Council's Conflict of Interest Policy and all state and federal laws about conflict of interest.

Part 9 : Meetings

- A. The Council meets quarterly. A meeting can be held in a different month or on a different date if the majority of the Executive Committee decides that is necessary.
- B. The Council and committees can only do business when more than half the members are present. That is called a quorum. All members participating in the meeting are counted. That includes members at the meeting location, at the anchor location, and those joining by electronically (using Zoom).
- C. All Council meetings are open to the public. The Council follows the state's open meetings law.
- D. The Executive Committee will take action if a member misses:
 - 1. Three quarterly Council meetings and/or committee meetings in a twelve-month period, or
 - 2. 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. If the member does not resign, the committee can ask the Governor's Office of Boards and Commissions to remove the member. The Council chairperson reports the Committee's action at the next quarterly Council meeting.

- E. All official meetings of the Council must be accessible to people with disabilities who need reasonable accommodations to participate. The Council focuses on mostly on disability issues, so the Louisiana Open Meetings Law does not limit the number of meetings the Council can hold electronically. So, all Council meetings are accessible via Zoom and livestreamed on YouTube.

- F. All meetings are recorded. They are available on the Council's YouTube channel for at least two years.

Part 10: Executive Committee

- A. Executive Committee includes the Council chair, vice chairperson, chairpersons of the Self-Determination/Community Inclusion and Education/Employment Committees, and one other member (at-large member).

- B. The Executive Committee meets at least quarterly (four times each year).

- C. The Executive Committee:
 - 1. Makes decisions that the full Council would usually make when the decisions cannot wait until the next Council meeting. When doing so, the committee must always act the way it thinks the Council's would want it to. The committee must immediately inform the Council about the action it took and why.
 - 2. Reviews committee activities related to State Plan goals and objectives.
 - 3. Picks issues for the Council to study.
 - 4. Reviews and approves position papers before they go to the Council.

5. Reviews quarterly budget reports developed by staff.
6. Reviews the Executive Director's performance every year. Sends the review and recommendations to the full Council for consideration.

D. The At-Large Executive Committee member:

1. Represents all Council members on the Executive Committee.
2. Attends Executive Committee meetings.

Part 11: Committees

- A. The Council has three standing (regular) committees: Executive Committee, Self-Determination/Community Inclusion Committee, and Education/Employment Committee.

The Act 378 Subcommittee, Nominating Committee, and Membership Committee meet as needed.

- B. The Council elects committee chairpersons at the July Council meeting. A member becomes a chairperson if more than half the Council members vote for them. Their term starts on October 1.
- C. Committee chairpersons appoint members to their committees. They consider members' interests and desire to serve.
- D. Standing committees are responsible for Council goals and objectives related to what they focus on.
- E. The chairpersons of the Self-Determination/Community Inclusion and Education/Employment Committees:
1. Develop committee agendas and lead committee meetings,
 2. Give committee reports at Council meetings, and

3. Attend Executive Committee meetings.

- F. The Bylaws committee reviews the bylaws every year and makes recommendations to the Council.
- G. The Council Chairperson may form ad hoc committees, caucuses, and task forces as needed.
- H. The Council Chairperson can appoint members who are not on the Council to subcommittees, ad hoc committees, caucuses, and task forces. They can also serve as officers of these groups. They serve as long as the chair allows them to.

If non-Council members are included in a subcommittee, ad hoc committee, caucus, and/or task force), a 60% parent/self-advocate majority should be maintained.

These committee members may not participate in Council business when they have a conflict of interest. See Part 7.

Part 12: Meeting Rules

The Council follows Robert's Rules of Order (Newly Revised) for all its business, unless those rules conflict with these bylaws

Part 13: Amendments (Changes)

The Council can make changes (amendments) to these bylaws at any full Council meeting where there is a quorum. Amendments are made if at least two-thirds (2/3) of the Council members at the meeting vote in support of the changes.

The Council must email proposed amendments to members at least two weeks before the meeting where they will be voted on. The email must include the date of the meeting.