

California Commission on Disability Access

DRAFT PROPOSED

By-Laws

1. NAME AND AUTHORIZATION

- 1.1. The name of this organization is the California Commission on Disability Access, herein referred to as CCDA.
- 1.2. The CCDA shall have the authority set forth in California Government Code Sections 14985 – 14985.11

2. DUTIES AND FUNCTIONS

- 2.1. The CCDA shall:
 - 2.1.1. Study and make reports to the Legislature on issues regarding compliance with state laws and regulations relative to disability access, including recommendations that would promote compliance with state laws and regulations relative to disability access and whether public and private inspection programs, training and continuing education requirements are meeting the needs of both the business and the disability communities.
 - 2.1.2. Act as an information center on the status of compliance in California with state laws and regulations providing persons with disabilities full and equal access to public facilities.
 - 2.1.3. Coordinate with other state agencies and local building departments to ensure that information provided to the public on disability access requirements is uniform and complete.
 - 2.1.4. Recommend, develop, prepare, or coordinate materials, projects, or other activities, as appropriate, relating to any subject within its jurisdiction.
 - 2.1.5. Provide, within its resources, technical information and educational outreach to the business and disability community.
 - 2.1.6. Recommend programs to enable persons with disabilities to obtain full and equal access to public facilities.
 - 2.1.7. Advise the Legislature on its activities, findings, and recommendations.

- 2.1.8. Perform other functions and duties as authorized by statute or resolution.

3. MEMBERSHIP

- 3.1. The members of the CCDA shall be those individuals designated in and appointed pursuant to California Government Code 14985.1.
- 3.2. The terms of office of CCDA members shall be as set forth in California Government Code 14985.1.
- 3.3. Vacancies shall be filled pursuant to California Government Code 14985.1.
- 3.4. If a Commissioner fails to attend three consecutive meetings (Full Commission, Standing and/or Ad Hoc meetings for which they serve) within a calendar year, without good cause in writing to the CCDA Chair, the CCDA Chair shall make a recommendation to the board at the next Full Commission meeting to notify the appointing authority to declare the position vacant.
- 3.5. Appointed members of the Commission shall receive one hundred dollars (\$100.00) per diem when attending official CCDA Commission meetings, not to exceed 12 days per year. You are identified as having attended a Commission meeting if it has been noted that you were in attendance in person or at a previously publicized Public Meeting location(s).

4. OFFICERS AND DUTIES

- 4.1. The officers of the CCDA Commission shall be the Chair and Vice-Chair, as provided in California Government Code 14985.2.
- 4.2. Officers shall be elected by the Commissioners at the last Full Commission meeting of the calendar year and shall assume office January 1 of the impending year.
- 4.3. The Chair shall:
 - 4.3.1. Preside at all meetings of the Commission.
 - 4.3.2. Appoint members of all standing or Ad Hoc committees of the Commission.
 - 4.3.3. Designate the chair and vice-chair of each committee, except the Executive Committee.

- 4.3.4. Provide leadership in fulfilling the Commission's mandate.
 - 4.3.5. Work regularly with the Executive Director.
 - 4.3.6. Serve as liaison to the Legislature and Governor.
 - 4.3.7. Serve as liaison to the public.
 - 4.3.8. Serve as the Chair of the Full Commission and Executive Committee and as ex-officio, non-voting member of all committees.
 - 4.3.9. The Chair shall provide the Executive Director with an annual review.
- 4.4. The Vice-Chair shall:
- 4.4.1. In the absence of the Chair, the Vice-Chair shall preside at the Full Commission and Executive Committee meetings and perform such additional duties as are required by the Commission and necessitated by the absence of the Chair.
 - 4.4.2. Serve as acting Chair in the event of a vacancy in the office of Chair until such time a new chair is duly elected by the Commission.
 - 4.4.3. Serve as Vice-Chair of the Executive Committee.
 - 4.4.4. Perform other duties as the Chair may deem necessary.

5. EXECUTIVE COMMITTEE

- 5.1 The Executive Committee is a standing committee and shall be comprised of the elected officers of the CCDA and the Chairs of the standing committees, the immediate past chair, a Senate legislative commissioner or their representative, and an Assembly legislative commissioner or their representative.
- 5.2 The Executive Committee shall make recommendations to the CCDA and shall implement policies set by the CCDA.
- 5.3 The Executive Committee shall meet three times per year (or as determined) at a time and place designated by the Chair.
- 5.4 The immediate past Chair shall serve as an ex-officio voting member of the Executive Committee.

6. STANDING, AD HOC AND SUB-COMMITTEES

- 6.1. The CCDA Chair may create standing or Ad Hoc committees as deemed necessary from time to time to carry out the Commission's mandate.
- 6.2. Standing or Ad Hoc committees shall meet upon the call of the committee Chair at a time and place designated by the Chair.
- 6.3. The Chair and membership of each Standing or Ad Hoc committee shall be appointed by the CCDA Commission Chair. The Chair of any Standing or Ad Hoc committee shall be a member of the CCDA. Additional Standing or Ad Hoc committee(s) members may be appointed by the Chair of the applicable committee(s) subject to the concurrence of the CCDA Commission Chair. Non-voting, ex-officio members of the CCDA, or their representative, may vote as a member of any standing, Ad Hoc or subcommittee.
- 6.4. Subcommittees of a standing or Ad Hoc committee shall be appointed by the Chair(s) of the applicable committee(s). The CCDA Officers and Executive Director shall be informed of any subcommittee being created as well as the appointees. No appointee shall serve on any subcommittee without the concurrence of the CCDA Chair.
- 6.5. Standing Committees are considered a permanent part of the organization. A standing committee functions to perform duties that are essential to the harmonious operation of the CCDA. Members of a standing committee may change when new officers are elected or appointed, but the purpose of the committee and its functions and duties do not change. When the CCDA receives business that is connected with the work of a standing committee, it may refer that business to the committee.

Ad Hoc Committees are created to perform a specific task and is dissolved when the task is completed and the final report is given. Ad Hoc committees are not created to do a task that is within the designated function of a standing committee. Ad Hoc committees have two functions; one is to investigate and the other is to carry out what the Commission has adopted. For example, if the CCDA moves to set up a law student program to help carry out CCDA's mission, the chair could create an Ad Hoc committee to define the actual service they would provide the commission.

Subcommittees are created to perform a specific task for a standing or Ad Hoc committee and are dissolved when the task is completed.

- 6.6. Standing or Ad Hoc committees shall make recommendations to the CCDA.
- 6.7. Each CCDA Commissioner shall serve on at least one Standing or Sub-committee.

7. MEETING OF THE COMMISSION

- 7.1. The Commission shall hold regularly scheduled meetings at a time and place designated by the Commission. Meetings shall be open to the public and all persons shall be permitted to attend, except for closed sessions, as required and permitted by applicable law.
- 7.2. Notices of meetings with agendas shall be released to the Commission and posted on the CCDA website, no later than ten (10) days prior to regular meetings.
- 7.3. One more than fifty percent of the voting members of the CCDA Commission shall constitute a quorum. The only action that may be taken in the absence of a quorum is to fix the time in which to adjourn.
- 7.4. Committee members shall publicly disqualify themselves from voting if there is a conflict of interest.

8. RULES OF CONDUCT GOVERNING FULL COMMISSION AND COMMITTEE MEETINGS

- 8.1. The CCDA and all committees shall adhere to the requirements of the Bagley-Keene Open Meeting Act (California Government Code, Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) pursuant to California Government Code 14985.3.
- 8.2. The Rules contained in Robert's Rules of Order, as revised from time to time, shall govern meetings of the CCDA and its committees in all cases in which they are applicable and in which they are not inconsistent to these bylaws and the Bagley-Keene Open Meeting Act.
- 8.3. The CCDA and its committees may adopt additional standing rules provided they do not conflict with the bylaws.

9. AMENDMENTS

- 9.1. These bylaws may be amended by a majority vote of a quorum of the CCDA at any Full Commission meeting provided that the amendments have been submitted to the Commissioners, in writing, at least 10 days prior to the meeting.