

California Commission on Disability Access Bylaws

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 8299-8299.11.

Proposed Language:

1.2 The CCDA shall have the authority set forth in California Government Code Sections 14985 – 14985.11.

2 DUTIES AND FUNCTIONS

Proposed Addition: (DGS)

2.1 The CCDA shall reside within the Department of General Services (DGS).*

Proposed Addition: (Advisory Only x2)

2.2 The CCDA shall be an advisory commission as set forth in California Government Code Section 14985.9. and California Government Code Section 11123.5.*

- 2.1 The CCDA shall:

Proposed Language:

2.3 The CCDA shall:*

Proposed Addition: (CA Civil Code 55.32 and Government Code Section 14985.8)

2.3.1 Collect, review and report data as set out in California Civil Code Section 55.32 and California Government Code Section 14985.8.*

Proposed Addition: (CCDA's Jurisdiction)

2.3.2 Within its jurisdiction and as appropriate, recommend, produce, prepare, or coordinate documents, projects, or other activities relevant to any issue under its jurisdiction.*

Proposed Addition: (CA Government Code Sections 14985.5 and 14985.6.)

2.3.3 Provide information, materials, and educational outreach in accordance with California Government Code Sections 14985.5 and 14985.6. Including, but not limited to, conducting studies, providing technical assistance, and preparing reports for the Legislature on issues pertaining to compliance with state laws and regulations pertaining to disability access, developing and disseminating educational materials that would promote compliance with state laws and regulations pertaining to disability access, meeting the needs of both the business and disability communities, and recommending programs to enable people with disabilities to obtain full and equal access to public facilities.*

Proposed Addition: (Other Agencies and CA Government Code Sections 14985.6.)

2.3.4 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.*

Proposed Addition: (Other Function and Duties)

2.3.5 Perform other functions and duties as authorized by statute or resolution.*

Proposed Addition: (Annual Report to Legislature CA Government Code Section 9795)

2.3.6 Pursuant to California Government Code Section 9795 annually report to the Legislature its efforts to carry out California Government Code Sections 14985.5 and 14985.6.*

Proposed Addition: (Relationship with Executive Director)

2.3.7 Work regularly with the Executive Director to carry out its authority.*

2.3.7.1 Only the Executive Director has the authority to engage with the Governor and the Legislature about Commission matters, at the discretion of the authorized entities.*

Proposed Addition: (Body v. Individual)

2.3.8 Only the Commission, as a whole, has authority. An individual should never act alone to set choices and policies for the body.*

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.

Proposed Language:

2.1.1* Strikethrough/Remove – Information is previously stated in 2.3.3.

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.

Proposed Language:

2.1.2* Strikethrough/Remove – Information is previously stated in 2.3.3.

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.

Proposed Language:

2.1.3* Strikethrough/Remove – Information is previously stated in 2.3.4.

2.1.4 Recommend, develop, prepare, or coordinate materials, projects, or other activities, as appropriate, relating to any subject within its jurisdiction.

Proposed Language:

2.1.4* Strikethrough/Remove – Information is previously stated in 2.3.3.

2.1.5 Provide, within its resources, technical information and educational outreach.

Proposed Language:

2.1.5* Strikethrough/Remove – Information is previously stated in 2.3.3.

2.1.6 Recommend programs to enable persons with disabilities to obtain full and equal access to public facilities.

Proposed Language:

2.1.6* Strikethrough/Remove – Information is previously stated in 2.3.3.

2.1.7 Advise the Legislature on its activities, findings, and recommendations.

Proposed Language:

2.1.7* Strikethrough/Remove – Information is previously stated in 2.3.3.

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

Proposed Language:

2.1.8 Strikethrough/Remove – Information is previously stated in 2.3.5.*

3 RULES OF CONDUCT GOVERNING FULL COMMISSION AND SUBCOMMITTEE MEETINGS

3.1 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).

3.2 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.

Proposed Language:

3.2 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 instances where they are appropriate and are not conflicting with these bylaws and the Bagley-Keene Open Meeting Act.

3.3 The CCDA and its committees may adopt additional standing rules provided they do not conflict with the bylaws.

4 MEETING OF THE COMMISSION.

4.1 The Commission shall hold regularly scheduled meetings at a time and place designated by the Commission.

Proposed Addition: (Full Commission & Subcommittee)

4.1.1 Designated and appointed members of the CCDA shall be required to attend Full Commission meetings and their designated subcommittee meetings.

4.1.1.1 Full Commission meetings shall consist of those individuals designated in and appointed pursuant to California Government Code Section 14985.1.

4.1.1.2 Subcommittee meetings shall consist of those individuals designated in and appointed pursuant to California Government Code Section 14985.1. and additional stakeholder subcommittee members.

4.1.1.3 Designated and appointed members of the CCDA pursuant to California Government Code Section 14985.1 shall determine their assigned subcommittee preference(s). These individuals may join a subcommittee at any time, subject to the approval of the CCDA chair and the designated subcommittee chair in consultation with the Executive Director.

Proposed Addition: (Calendar Vote)

4.2 At its final Full Commission meeting of each calendar year, the Commission shall establish the time and location for its regularly scheduled sessions, which shall begin on January 1.*

- 4.2 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.
- 4.3 Notices of meetings with agendas shall be mailed to Commissions and posted on the CCDA website, at least ten (10) days prior to regular meetings.

Proposed Language:

4.3 Notices of meetings with agendas shall adhere to 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).

- 4.4 A majority of appointed, voting members of the CCDA 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.

Proposed Language:

4.4 A majority of appointed, voting members of the CCDA shall constitute a quorum. If less than a majority of the voting members are present at said meeting, a majority of the voting members present may adjourn the meeting.

4.4.1 Quorum requirements shall be consistent with 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).

Proposed Addition: (Majority/Quorum Definition)

4.5 Pursuant to Robert's Rules of Order, a majority is defined as a majority of the votes cast, unless specified differently in the bylaws. Quorum for a meeting is defined as more than half, or more than 50%, of the voting members.

Proposed Addition: (Public Members included in Quorum)

4.6 Ex-officio and Public Committee Members are included in the calculation of the quorum and roll call votes in subcommittees.

Proposed Addition: (Public Comment Period)

4.7 Public comment on matters not on a meeting's agenda is taken at the beginning of the designated meeting. Public comment on matters on the agenda will be heard as the Commission takes up agenda items for discussion. The CCDA is precluded from discussing matters not on a meeting's agenda; however, CCDA members may ask questions for clarification purposes.

Proposed Addition: (Reasonable Accommodations)

4.8 Requests for accommodations for individuals with disabilities (sign-language interpreter, assistive listening device, Braille, or any other accommodation needed by an individual) should be made to the Commission no later than five (5) working days prior to the day of the [designated] meeting.

Proposed Addition: (Travel Arrangements)

4.9 The members of the CCDA shall adhere with the DGS travel policy.

5 MEMBERSHIP

- 5.1 The members of the CCDA shall be those individuals designated in and appointed pursuant to California Government Code 8299.01.

Proposed Language:

5.1 The members of the CCDA shall be those individuals designated in and appointed pursuant to California Government Code Section 14985.1.

5.1.1 Designated and appointed members of the CCDA shall be required to attend Full Commission meetings and their designated subcommittee meetings.

Proposed Addition: (Ex-officio)

5.2 Non-voting, ex-officio members of the CCDA, or their representative, may serve or vote as a member of their designated subcommittee.

Proposed Addition: (Public Stakeholder Membership)

5.3 Subject to the approval of the CCDA chair and designated subcommittee chair in consultation with the Executive Director, additional public stakeholders may be appointed to serve on and cast votes as members of a designated committee.

5.3.1 The term for each public stakeholder committee member of any committee will be up to two years in length unless notated at the time of appointment.

Proposed Addition: (Public Stakeholder Vacancies)

5.3.2 If a public stakeholder position becomes vacant, the CCDA chair and designated subcommittee chair, in consultation with the Executive Director, will identify a new individual to fill the role.

- 5.2 The terms of office of CCDA members shall be as set forth in California Government Code 8299.01.

Proposed Language:

5.2 The terms of office of CCDA members shall be as set forth in California Government Code Section 14985.1.

- 5.3 Vacancies shall be filled pursuant to California Government Code 8299.01.

Proposed Language:

5.3 Vacancies of appointed and designated members shall be filled pursuant to California Government Code Section 14985.1.

Proposed Addition: (Additional CA Government Code on Vacancies)

5.3.1 Pursuant to California Government Code Section 1302, designated and appointed members of the CCDA shall continue to discharge the duties of their office until their successor has qualified.

- 5.4 In the event that a publicly appointed Commissioner fails to attend three consecutive meetings of the full commission and/or their assigned subcommittee, without having given a written excuse acceptable to the CCDA Chair, the Executive Director shall notify the appointing authority, who may declare the position vacant.

Proposed Addition: (Per Diems)

5.5 In accordance with California Government Code Section 14985.2, designated and appointed members of the CCDA shall receive one hundred dollars (\$100) per diem while on official business of the commission, not to exceed 12 days per year.

6 OFFICERS AND DUTIES.

- 6.1 The officers of the CCDA shall be the Chair and Vice-Chair, as provided in California Government Code 8299.02.

Proposed Language:

6.1 The officers of the CCDA shall be the Chair and Vice-Chair, as provided in California Government Code Section 14985.2.

6.2 Officers shall be elected by the CCDA at the last meeting of each calendar year and shall assume office January 1.

Proposed Language:

6.2 Officers shall be elected by the CCDA at the last Full Commission meeting of each calendar year and shall assume office January 1.

6.3 The Chair shall:

6.3.1 Preside at all meetings of the Commission.

Proposed Language:

6.3.1 Preside at all Full Commission meetings.

6.3.2 Appoint the members of all standing or Ad Hoc committees of the Commission.

Proposed Language:

6.3.2 Appoint the members of all committees of the Commission.

6.3.3 Designate the chair and vice-chair of each committee, except the Executive Committee.

Proposed Language:

6.3.3 Designate the chair of each committee, except the Executive Committee.

6.3.4 Provide leadership in fulfilling the Commission's mandate.

6.3.5 Work regularly with the Executive Director.

6.3.6 Serve as liaison to the Legislature and Governor.

Proposed Language:

6.3.6 Strikethrough/Remove – Information is stated in 2.3. Relationship with Executive Director.*

6.3.7 Serve as liaison to the public.

Proposed Language:

6.3.7 Strikethrough/Remove – Information is stated in 2.3. Relationship with Executive Director.*

6.3.8 Serve as the chair of the Executive Committee and as ex-officio, non-voting member of all committees.

Proposed Language:

6.3.8 Serve as the chair of the Executive Committee.

6.4 The Vice-Chair shall:

6.4.1 In the absence of the Chair, preside at Commission meetings and perform such additional duties as are required by the Commission and necessitated by the absence of the Chair.

6.4.2 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.

6.4.3 Serve as vice-chair of the Executive Committee.

6.4.4 Perform other duties as the Chair may deem necessary.

Proposed Addition: (Immediate Past Chair)

6.5 The Immediate Past Chair shall:

6.5.1 Provide historical perspective and mentorship to the Commission.

6.5.2 Serve on the Executive Committee as ex-officio, non-voting member.

Proposed Addition: (Subcommittee Chairs)

6.6 A Subcommittee Chair shall:

6.6.1 Preside over meetings of their designated subcommittees.

6.6.2 Ensure that the specified scope assigned to the chosen subcommittee is carried out in order to meet the Commission's mandates.

6.6.3 Serve on the Executive Committee.

7 EXECUTIVE COMMITTEE

7.1 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.

Proposed Language:

7.1 The Executive Committee is a subcommittee and shall be comprised of the elected officers of the CCDA, the immediate past chair and the chairs of the subcommittees.

- 7.2 The Executive Committee shall make recommendations to the CCDA and shall implement policies set by the CCDA. The Committee will perform reviews every other year of the CCDA bylaws and provide recommendations for updates to the Full Commission.

Proposed Language:

7.2 The Executive Committee shall make recommendations to the CCDA and shall implement policies set by the CCDA.

7.3 The Executive Committee was created to discuss and act on operational and management level topics regarding the Commission.*

7.4 The Committee will perform reviews every other year of the CCDA bylaws and provide recommendations for updates to the Full Commission.*

- 7.3 The Executive Committee shall meet every month or as determined by the Chair at a time and place designated by the Chair.

Proposed Language:

7.3 The Executive Committee will convene on the dates specified in the voted-on calendar.*

- 7.4 The immediate past Chair shall serve as ex-officio voting member of the Executive Committee.

Proposed Language:

7.4 The immediate past Chair shall serve on the Executive Committee as ex-officio, non-voting member.*

8 STANDING, AD HOC AND SUB-COMMITTEES

Proposed Language:

8 SUBCOMMITTEES AND AD HOC COMMITTEES

- 8.1 The CCDA Chair may create standing or Ad Hoc committees as are deemed necessary from time to time to carry out the Commission's mandate.

Proposed Language:

8.1 In consultation with the Executive Director, the CCDA Chair may create subcommittees or Ad Hoc committees as are deemed necessary from time to time to carry out the Commission's mandate.

Proposed Addition: (Subcommittee Definition)

8.2 Subcommittees are considered a permanent part of the organization. A subcommittee's function is to perform duties that which are essential to the harmonious operation of the CCDA. Members of a subcommittee 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 relates to the work of a subcommittee, it may refer that business to the designated committee which they shall make recommendations to the CCDA.

Proposed Addition: (CCDA's Subcommittees Breakdown & Purpose)

8.2.1 Subcommittees considered a permanent part of the organization shall be:

8.2.1.1 the Executive Committee. The Executive Committee was created to discuss and act on operational and management level topics regarding the Commission.

8.2.1.2 the Legislative Committee. The Legislative Committee was created to discuss disability access related legislation and policy matters.

8.2.1.3 the Checklist Committee. The Checklist Committee was created to work on technical documents and special projects related to the Commission.

8.2.1.4 the Education and Outreach Committee. The Education and Outreach Committee was created to discuss and advise on education and outreach topics for the business and disability communities.

Proposed Addition: (Ad Hoc Committee Definition)

8.3 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.

- 8.2 Standing or Ad Hoc committees shall meet upon the call of the committee chair at a time and place designated by the chair.

Proposed Language:

*8.2** Subcommittees will convene on the dates specified in the voted-on calendar.

*8.3** Ad Hoc committees shall meet upon the call of the committee chair at a time and place designated by the chair and Executive Director.

8.3 The chair and membership of each standing or Ad Hoc committee shall be appointed by the CCDA chair. The appointed chair of any standing or Ad Hoc committee shall be among the publicly appointed members of the CCDA. Additional standing or Ad Hoc committee(s) members may be appointed by the chairperson of the applicable committee(s) subject to the concurrence of the CCDA chair. Non-voting, ex-officio members of the CCDA, or their representative, may vote as a member of any standing, Ad Hoc or subcommittee. The term for each stakeholder committee member of any committee will be up to two years in length unless notated at the time of appointment.

Proposed Language:

8.3* *The chair and membership of each subcommittee or Ad Hoc committee shall be appointed and approved by the CCDA chair in consultation with the Executive Director.*

8.4* *The appointed chair of any subcommittee or Ad Hoc committee shall be among the publicly appointed members of the CCDA pursuant to California Government Code Section 14985.1.*

8.5* *Upon their initial appointment, designated and appointed members of the CCDA pursuant to California Government Code Section 14985.1 shall determine their preference for an assigned subcommittee(s). These individuals may join a subcommittee at any time, subject to the approval of the CCDA chair and the designated subcommittee chair in consultation with the Executive Director.*

8.6* *Additional members of subcommittees or Ad Hoc committees may be appointed by the chairperson of the relevant committee(s), with the approval of the CCDA chair and in consultation with the Executive Director.*

Proposed Addition: (Public Stakeholder Membership)

8.6.1 *Additional public stakeholders may be selected to serve on and vote as members of a designated committee, subject to the approval of the CCDA chair and designated subcommittee chair in consultation with the Executive Director.*

8.6.2 *The term for each public stakeholder committee member of any committee will be up to two years in length unless notated at the time of appointment.*

Proposed Addition: (Ex-officio)

8.7* *Non-voting, ex-officio members of the CCDA, or their representative, may serve or vote as a member of their designated subcommittee.*

- 8.4 Subcommittees of a standing or Ad Hoc committee shall be appointed by the chairperson(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 sub-committee without the concurrence of the CCDA chair.

Proposed Language:

8.4* Strikethrough/Remove – Information is previously stated. [1st Sentence]
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 and Executive Director.

- 8.5 Standing Committees are considered a permanent part of the organization. A standing committee functions to perform duties that which 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.

Proposed Language:

8.5 Strikethrough/Remove – Information is previously stated.

- 8.6 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.

Proposed Language:

8.6 Strikethrough/Remove – Information is previously stated.

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

Proposed Language:

8.7 Strikethrough/Remove – Information is previously stated.

8.8 Standing or Ad Hoc committees shall make recommendations to the CCDA.

Proposed Language:

8.8 Strikethrough/Remove – Information is previously stated.

9 AMENDMENTS

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

Proposed Language:

9.1 These bylaws may be amended by a 2/3 majority vote of a quorum of the CCDA at any regular meeting provided that the amendments have been submitted to the Commissioners, in writing, at least 10 days prior to the meeting.