

# **VBPD BY-LAWS**

## **ARTICLE I**

### **NAME**

The name of this body is the Virginia Board for People with Disabilities, hereinafter to be referred to as “the Board”.

## **ARTICLE II**

### **PURPOSE**

The Board serves as the Commonwealth’s Developmental Disabilities Planning Council under the Developmental Disabilities Bill of Rights and Assistance Act of 2000. The Board shall concern itself with those issues which impact on persons with disabilities and shall be responsible for the statutory duties set forth in Virginia Code Section 51.5-33.

## **ARTICLE III**

### **MEMBERSHIP**

#### **Section 1: Membership**

The Board shall be composed of forty (40) members appointed by the Governor or serving ex-officio, and shall include persons with disabilities, family members, service providers, and representatives of the public and private sectors as enumerated in Virginia Code Section 51.5-31 as amended.

## **By-laws Page 2**

### **Section 2: Term of Office**

Each member appointed by the Governor shall be appointed for a four (4) year term and shall be subject to removal at the pleasure of the Governor. No person appointed by the Governor shall serve for more than two (2) successive terms.

### **Section 3: Attendance at Meetings**

If a member or authorized designee fails to attend two (2) consecutive Board meetings, the matter shall be brought to the attention of the Executive Committee. If a member or authorized designee fails to attend three (3) consecutive meetings, the Chairperson, on behalf of the Board, shall notify the Governor of these absences.

## **ARTICLE IV**

### **ORGANIZATION**

#### **Section 1: Officers**

The officers of the Board shall consist of a Chairperson, Vice-Chairperson, and Secretary who shall be elected by the Board.

#### **Section 2: Terms of Office**

The Board shall elect its officers each year with term of office beginning on July 1. Officers are eligible for re-nomination and re-election to successive terms. No member may be eligible for election to an office in the year in which his/her term as a Board member expires.

#### **Section 3: Nominations**

Nominations for the positions of Chairperson, Vice-Chairperson, Secretary and three (3) at large members to serve as members of the Executive Committee shall be presented to the Board by a Nominating Committee in writing at least ten (10) days prior to the meeting at which the vote will be taken. (See Article VII, Section 2 for rules governing the Nominating Committee).

#### **Section 4: Vacancies**

Should the office of Board Chairperson become open, the Vice-Chairperson shall assume the duties of the Chairperson until a new Chairperson is elected. In the event the

## **By-laws Page 3**

office of Chairperson, Vice-Chairperson or Secretary become open, the Executive Committee shall convene a Nominating Committee to make nominations to the Board at its next regularly scheduled meeting.

### **Section 5: Duties of Officers**

**Chairperson:** The Chairperson shall preside at all meetings of the Board and of the Executive Committee, and shall be an ex-officio member of all committees except the Nominating Committee. The Chairperson shall appoint committee chairs. The Chairperson shall be the official representative of the Board but may delegate this responsibility. The Chairperson, in consultation with the Executive Committee, shall provide general supervision of the Board's director.

**Vice-Chairperson:** In the absence of the Chairperson and at his/her direction, the Vice-Chairperson shall preside at meetings and fulfill the duties of the Chairperson. The Vice-Chairperson shall routinely report to the Executive Committee the status of the Board's financial resources, obligations, and expenditures, and perform other duties as assigned by the Chairperson.

**Secretary:** The Secretary shall be responsible for overseeing the taking of minutes at Board and Executive Committee meetings to assure a true and accurate record is presented to the Board for action. The Secretary shall present the Executive Committee report at Board meetings, and perform other duties as assigned by the Chairperson.

## **ARTICLE V**

### **CONDUCT OF MEETINGS**

#### **Section 1: Meetings**

The Board shall meet at least once per calendar quarter. Special meetings may be called by the Chairperson in consultation with the Executive Committee.

#### **Section 2: Voting and Quorum**

Each Board member shall have one (1) vote. Agency heads may assign their vote to a designee as provided for in Section 51.5-31 of the Code of Virginia. In order to establish a quorum and conduct Board business, a majority of the Board members must be present. If a quorum exists, an affirmative vote of a majority of the Board members present is required for the Board to act.

## **By-laws Page 4**

### **Section 3: Reimbursement of Expense**

Necessary expenses incurred by Board members in performance of their Board duties shall be reimbursed in accordance with the requirements of Virginia State Travel Regulations. All such reimbursements shall be subject to the limitations of funds available to the Board.

## **ARTICLE VI**

### **REPORTS**

Consistent with *Code of Virginia*, Section 51.5-33, the Board through the Chairperson shall provide periodic reports to the Secretary of Health and Human Resources. The Board shall, consistent with *Code of Virginia*, Section 51.5-33 and the Developmental Disabilities Assistance and Bill of Rights Act, P.L. 104.183, Section 124, submit a five (5) year state plan, annual updates and reports to the federal Administration on Developmental Disabilities.

## **ARTICLE VII**

### **COMMITTEES**

#### **Section 1: Executive Committee**

The Executive Committee shall consist of the Chairperson, Vice-Chairperson, Secretary, the Standing Committee Chairpersons, and three (3) at large members of the Board.

In emergency situations, the Executive Committee shall conduct Board business and shall keep the Board fully informed of its actions. The Executive Committee shall oversee the annual Board budget, staff operations, and assure performance of the Board's statutory duties.

The quorum required for an Executive Committee meeting shall be a majority of the members. Any two (2) members of the Executive Committee may petition for a meeting to the Chairperson. All meetings of the Executive Committee will be announced prior to the meeting. Minutes of Executive Committee meetings shall be kept and distributed to the Board.

## **By-laws Page 5**

### **Section 2: Nominating Committee**

The Nominating Committee shall be appointed by the Executive Committee. The Nominating Committee shall consist of three (3) members. No member of the Executive Committee may serve on the Nominating Committee. The Nominating Committee shall consider the requirements of the office to be filled and shall present in writing the name and qualifications of one (1) nominee to the Board at least ten (10) days prior to the meeting at which the election will take place.

### **Section 3: Standing Committees**

The Chairperson shall make appointments to all Standing Committee positions in consultation with the Executive Committee. Four (4) Standing Committees shall be formed from the Board membership and assigned to the following areas: Community Integration, Community Living/Transportation, Education/Early Intervention, and Employment. The Chair of a Standing Committee may appoint a Vice-Chair to provide assistance in conducting meetings and reporting meeting results. The quorum for all Standing Committee meetings shall be a majority of the assigned membership.

The responsibilities of each Standing Committee, in relation to its subject area, shall be to (1) collect and analyze information regarding the needs of people with disabilities and the effectiveness of service programs in meeting those needs, (2) solicit the opinions and participation of people with disabilities and their family members regarding disability issues, (3) develop policies, positions, and initiatives intended to enhance the delivery of disability services, (4) initiate and oversee grant projects and sponsored programs to carry out the priorities of the Board, and (5) conduct activities to raise public awareness regarding the needs and issues of people with disabilities. The Standing Committees shall report the results of their meetings to the full Board to keep the Board informed and to bring forward items requiring Board action.

### **Section 4: Subcommittees**

The Chairperson of any committee described above may assign subcommittees to develop information for consideration by the committee. There is no quorum requirement for subcommittees.

### **Section 5: Ad hoc Committees**

The Chair may appoint an ad hoc committee to address specific, time-limited issues of the Board. The ad hoc committee shall be dissolved when its purpose has been

achieved or at the discretion of the Chair. There is no quorum requirement for ad hoc committees.

## **ARTICLE VIII**

### **FINANCE**

Consistent with its fiduciary responsibility under the P.L. 104,183 Section 125 c(8), the Board shall prepare, approve and implement a budget to fund and implement programs, projects and activities funded under the Act. The Board shall receive and approve quarterly budget reports on expenditures.

## **ARTICLE IX**

### **POLICY**

The Board shall develop and approve Operating Policies and Procedures consistent with the Board's mission and in compliance with state and federal law and regulations. The Board shall review policies annually and revised as necessary.

## **ARTICLE X**

### **RULES OF PROCEDURE**

The rules of procedure for the Board and its committees shall be *The Standard Code of Parliamentary Procedure, Fourth Edition*.

**ARTICLE XI**

**AMENDMENTS**

These By-laws may be modified, amended, repealed, or adopted during any regular or special Board meeting provided that written notice of proposed amendments has been distributed to all Board members ten (10) days prior to the Board meeting.

**ARTICLE XII**

These By-laws shall become effective when approved by the Board.

Adopted: 7/15/92  
Amended: 7/28/93  
9/29/94  
3/29/95  
11/29/95  
5/08/96  
12/02/98  
9/23/04