

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 et seq.

2 DUTIES AND FUNCTIONS

Proposed Addition: (DGS)

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

Proposed Addition: (Advisory Only)

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

- 2.1 The CCDA shall:

Proposed Language:

2.3 The CCDA shall:*

Proposed Addition: (Relevant Code/Appendix A)

2.3.1 Comply with the relevant code sections outlined in Appendix A.*

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: (Other Function and Duties)

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

Proposed Addition: (Relationship with Executive Director)

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

2.3.4.1 Only the Executive Director has the ability to communicate on behalf of the Commission, at the discretion of the authorized entities.*

Proposed Addition: (Body v. Individual)

2.3.5 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 2.3.1 (Appendix A).*

- 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 in 2.3.1 (Appendix A).*

- 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 2.3.1 (Appendix A).*

- 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 2.3.1 (Appendix A).*

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

Proposed Language:

2.1.5 Strikethrough/Remove – Information is previously stated in 2.3.1 (Appendix A).*

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 2.3.1 (Appendix A).*

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

Proposed Language:

2.1.7 Strikethrough/Remove – Information is previously stated in 2.3.1 (Appendix A).*

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 2.3.3.*

3 RULES OF CONDUCT GOVERNING FULL COMMISSION AND COMMITTEE 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: (Meetings of the Commission and Standing Committees)

4.1.1 Designated and appointed members of the CCDA shall be required to attend meetings of the Commission and any committee(s) of which they are a member.

4.1.1.2 Each member of the CCDA may join a standing committee or ad hoc committee at any time, subject to the approval of the CCDA chair in consultation with the standing committee chair and 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 for the upcoming year.*

- 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), including, if applicable, any quorum requirements pertaining to teleconferences.

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 standing or Ad Hoc committees.

Proposed Addition: (Public Comment Period)

4.7 Public comment on matters not on a meeting's agenda is taken either at the beginning or the end of the designated meeting. Public comment on matters on the agenda will be heard as the Commission or committee takes up agenda items for discussion. Members are precluded from discussing matters not on a meeting's agenda.

Proposed Addition: (Reasonable Accommodations)

4.8 The members of the CCDA will follow the CCDA Reasonable Accommodation Policy.

Proposed Addition: (Travel Arrangements)

4.9 The members of the CCDA shall adhere to 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.

Proposed Addition: (Ex-officio)

5.2 Non-voting, ex-officio members of the CCDA, including a representative for the State Architect or the Attorney General, may serve and vote as a member of a standing or ad hoc committee.

Proposed Addition: (Public Stakeholder Membership)

5.3 Additional public stakeholders may be appointed to serve on and vote on a standing committee or ad hoc committee, subject to the approval of the CCDA chair in consultation with the chair of the standing committee or ad hoc committee and the Executive Director.

5.3.1 At the discretion of the CCDA chair in consultation with the standing committee chair and the Executive Director, 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. An individual may serve consecutive terms on a standing or ad hoc committee or may serve on more than one committee.

Proposed Addition: (Public Stakeholder Vacancies)

5.3.2 If a public stakeholder position becomes vacant, the CCDA chair and the chair of the standing committee or ad hoc committee and 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 Language:

5.4 In the event that a publicly appointed Commissioner fails to attend three consecutive meetings of the full commission and/or their assigned standing committee, 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 Commission meeting of each calendar year.

- 6.3 The Chair shall:

- 6.3.1 Preside at all meetings of the Commission.

- 6.3.2 Appoint the members of all standing or Ad Hoc 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 standing or Ad Hoc committees, 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 2.3.4.1. Relationship with Executive Director.~~

6.3.7 Serve as liaison to the public.

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: (Standing Committee Chairs)

6.6 A Standing Committee shall:

6.6.1 Preside over meetings of their standing committee.

6.6.2 Ensure that the specified scope assigned to the chosen standing committee 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 standing committee and shall be comprised of the elected officers of the CCDA, the immediate past chair and the chairs of the standing committees.

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 any 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 by the Commission.

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

Proposed Language:

~~7.4* Strikethrough/Remove – Information is previously stated in 6.5.2 (Appendix A).~~

8 STANDING, AD HOC AND SUB-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 standing or Ad Hoc committees as are deemed necessary from time to time to carry out the Commission's mandate. The CCDA chair may dissolve standing committees, except for the Executive Committee, if they have determined that the dissolution is in the best interests of the Commission and no longer necessary.

Proposed Addition: (Standing Committee Definition)

8.2 Standing committees are considered a permanent part of the organization. A standing committee's function is to perform duties that are essential to the 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 consists of the work of a standing committee, it may refer it to the standing committee, who will make recommendations to the Commission.

Proposed Addition: (CCDA's Standing Committees Breakdown & Purpose)

8.2.1 Standing committees 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. It functions as an advisory body, offering recommendations to its parent/decision-making body, the Commission.

8.2.1.3 the Checklist Committee. The Checklist Committee was created to work on technical documents and special projects related to the Commission. It functions as an advisory body, offering recommendations to its parent/decision-making body, 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. It functions as an advisory body, offering recommendations to its parent/decision-making body, the Commission.

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 undertake a task that is within the designated function of a standing committee.

- 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 Standing committees will convene on the dates specified by the Commission.*

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 standing 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 standing 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 standing committee(s). These individuals may join a standing committee at any time, subject to the approval of the CCDA chair and the standing committee chair in consultation with the Executive Director.*

8.6 Except for the Executive Committee, additional members of standing 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 Except for the Executive Committee, additional public stakeholders may be selected to serve on and vote as members of a standing committee, subject to the approval of the CCDA chair and standing committee 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. An individual may serve consecutive terms and participate in different standing committees or ad hoc committees.

Proposed Addition: (Ex-officio)

8.7 Except for the Executive Committee, non-voting, ex-officio members of the CCDA, or their representative, may serve or vote as a member of their standing committee.*

- 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 committee being created as well as the appointees. No appointee shall serve on any committee 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 8.3.

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

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

Proposed Language:

8.8 Strikethrough/Remove – Information is previously stated in 8.2 and 8.3.

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 publicly noticed as required by the Bagley-Keene Open Meeting Act.

Proposed Addition: (Appendices)

Appendix A to California Commission on Disability Access Bylaws

1. Purpose and Scope

This Appendix describes the relevant code sections that apply to the body. The provisions of the body's duties and obligations as detailed in Appendix A shall govern the matters outlined in Section 2 Duties and Functions of these bylaws.

2. Duties and Functions

- a.** *Collect, review and report data as set out in California Civil Code Section 55.32 and California Government Code Section 14985.8.*
- b.** *Provide information, materials, and educational outreach in accordance with California Government Code Sections 14985.5 and 148985.6, including, but not limited to, conducting studies, providing technical assistance, 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.*
- c.** *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 pursuant to pursuant to California Government Code Sections 14985.6.*
- d.** *Pursuant to California Government Code Section 14985.7 and in accordance with Government Code Section 9795 annually report to the Legislature on or before March 31 its efforts to carry out California Government Code Sections 14985 et seq.*