

STATE OF DELAWARE

GOVERNOR'S ADVISORY COUNCIL ON SERVICES FOR AGING
AND ADULTS WITH PHYSICAL DISABILITIES

BY-LAWS

As Amended January 19, 2016

Article 1

The Governor's Advisory Council on Services for Aging and Adults with Physical Disabilities is established by 29 Del.C. § 7915.

Article II

The purpose of the Council is to protect, promote and advocate for the establishment and preservation of programs and services that benefit people who are elderly, adults with physical disabilities, and caregivers in Delaware, and to serve in an advisory capacity to the State Division of Services for Aging and Adults with Physical Disabilities.

Article III

The objective of the Council includes:

- a. To increase public understanding of and promote public support for programs serving the interests of people who are elderly and adults with physical disabilities.
- b. To solicit information from the service population and prepare recommendations concerning existing or new programs and projects.
- c. To promote research and planning of projects and activities benefiting people who are elderly and adults with physical disabilities.
- d. To advise on program and activity standards and to propose corrective action where standards are not met.
- e. To initiate, advise and develop, in cooperation with the aging and disability networks, and the Division of Services for Aging and Adults with Physical Disabilities, priorities, strategies and proposed legislation benefiting people who are elderly and adults with physical disabilities.

- f. To advise the Director of the Division of Services for Aging and Adults with Physical Disabilities, the Secretary of the Department of Health and Social Services, and/or the Governor on matters it deems appropriate to assist people who are elderly and adults with physical disabilities.
- g. To support implementation of the Older Americans Act, and to periodically advise and make recommendations regarding the State Plan on Aging.

Article IV

Membership on this Council is by appointment of the Governor.

The Council is composed of a maximum of 22 members with only a bare majority representing one major political party.

Term of office is three years, with replacements filling the office for the remainder of a term, when required.

The Chairperson is chosen from the Council, for a term of two years or until replaced, according to 29 Del.C. § 7915. The Chairperson, with consent of the majority of the Council, has the authority to appoint ad hoc or standing subcommittees as necessary to address specific concerns of the Council. The subcommittees may solicit input and participation from individuals outside of the Governor's Advisory Council on Services for Aging and Adults with Physical Disabilities. Subcommittees may be asked to prepare formal written reports or progress updates for the full Council.

The Vice-Chairperson is chosen from the Council for a term of two years or until replaced, to serve in the absence of the Chairperson. When possible, it is preferred that the Chairperson be from one group and Vice-Chairperson be from the other group (aging/disabilities).

The Council membership shall be composed of representatives who are elderly and individuals with a physical disability and shall include those of racial and ethnic minorities.

Members of the Council serve without compensation incident to their duties as members of the Council.

The Director attends all full Council meetings ex-officio. The Director may designate the Deputy Director to attend the Council meetings if the Director is unable to attend. The Director may request or be invited to attend ad hoc or standing subcommittee meetings.

The Chairperson may request that the Director present the Council with information on individual programs, service levels, waiting lists and any pending legislative or regulatory changes affecting current programs or services.

Parliamentarian may be appointed by the Chairperson for the period of the Chairperson's term of office.

Members who are absent from three consecutive meetings shall be removed from the Council with notification by letter from the Chairperson with concurrence of the Council.

Article V

There shall be no less than seven regular meetings per council year consisting of [September, October, November, March, April, May and June]. Special meetings may be called by the Chair, if required.

Meeting agenda, place of meeting and minutes are posted on the State of Delaware website, as required by 29 Del.C., §10004. Place of each meeting is determined by the Council. A draft of the minutes will be made available to the Chairperson within 10 working days. Meetings are held in accordance with the Delaware Freedom of Information Act.

Article VI

By-Laws may be amended by 2/3 vote of members present. All members must be provided copies of the proposed changes at least two weeks prior to the vote.

A simple majority vote of those members present is needed for passing motions provided a quorum is met.

A Council body of 5 constitutes a quorum.