

STATE OF DELAWARE
COUNCIL ON SERVICES FOR AGING AND ADULTS WITH PHYSICAL DISABILITIES
BY-LAWS

As Amended October 6, 2021

Article I

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

Article II

The Council on Services for Aging and Adults with Physical Disabilities (the Council) shall serve in an advisory capacity to the Director of the Division of Services for Aging and Adults with Physical Disabilities and shall consider matters relating to the formation of local community councils for the aging and for adults with physical disabilities, programs and projects in this State to benefit the aging and adults with physical disabilities and such other matters as may be referred to it by the Governor, the Secretary of the Department or the Director of the Division of Services for Aging and Adults with Physical Disabilities. The Council may study, research, plan and advise the Director, the Secretary and the Governor on matters it deems appropriate to enable the Division to function in the best possible manner.

Article III

The objectives of the Council include:

- a. To increase public understanding of and promote public support for programs serving the interests of people who are aging 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 aging 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 aging 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

The Council on Services for Aging and Adults with Physical Disabilities shall be composed of 15 members. Members shall be appointed by the Governor for terms of up to three (3) years. The terms of the Council members shall be staggered in such a manner so that the terms of no more than seven (7) members expire in one (1) year. Pursuant to 29 *Del.C.* § 7915. The Council shall consist of the following:

- (1) Three members, each being a resident from a different county in this State and an aging or elderly person or a caregiver of an aging or elderly person as defined in 29 *Del.C.* § 7920.
- (2) Four members, each being from a public or nonprofit agency that provides services to aging persons.
- (3) Three members, each being a resident from a different county in this State and an adult with a physical disability or a caregiver of an adult with a physical disability as defined in 29 *Del.C.* § 7920.
- (4) Four members, each being from a public or nonprofit agency that provides services to persons with physical disabilities.
- (5) One member who represents veterans' issues.

The Council membership shall be composed of representatives in the following areas: aging persons, representatives of public and/or nonprofit agencies that serve aging persons, persons with a physical disability, low-income older persons, low income persons with a physical disability, minority older persons, minority persons with a physical disability, veterans' affairs, and representatives of public and/or nonprofit agencies that serve adults with physical disabilities. Each Council member can be representative of more than one (1) area, but no Council member shall be representative of more than three (3) areas.

Membership on this Council is by appointment of the Governor. Members of the Council shall serve without compensation, except that they may be reimbursed for reasonable and necessary expenses incident to their duties as members of the Council.

A Chairperson of the Council shall be elected annually by the members of the Council from among its members, except that the office shall rotate between representatives of the aging community and representatives of adults with physical disabilities. The chairperson shall alternate and shall serve a two (2)-year term. A chairperson shall be eligible to serve two (2) nonconsecutive terms.

Any replacement appointment to the Council to fill a vacancy prior to the expiration of a term shall be filled for the remainder of the term.

Members who are absent from more than three (3) consecutive meetings, unless excused by the Council, shall be discharged from the Council by the Council Chairperson.

Article V

There shall be no less than seven (7) 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.

Council meetings may be conducted using electronic means of communication (e.g., Skype, Zoom, conference call, etc.) as long as all Council members, and the public, have been notified at least two weeks in advance.

Meeting agenda, place of meeting and minutes shall be posted on the State of Delaware website, as required by 29 *Del.C.* §10004. The place of each meeting shall be determined by the Council. A draft of the minutes will be made available to the Chairperson within ten (10) working days. All meetings shall be held in accordance with the Delaware Freedom of Information Act.

Article VI

The Council may establish subcommittees and make appointments to any such subcommittees with the approval of all members of the Council. DSAAPD staff assistance shall be given to the Council and any subcommittees.

A quorum of the Council consists of a majority of the council members.

All decisions made by the Council relative to policy and budget shall be made by a majority of the members present at a meeting, provided there is a quorum.

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

Article VII

Robert's Rules of Order will govern the conduct of this Council.