

441—1.7(17A) Governor’s developmental disabilities council (governor’s DD council). Pursuant to the Developmental Disabilities Assistance and Bill of Rights Act (DD Act), 42 U.S. Code, Section 6000 et seq., each state shall establish a state planning council to serve as an advocate for people with developmental disabilities. The department shall act as the council’s designated state agency for the purposes of receiving funds under the DD Act.

1.7(1) Governor’s DD council responsibilities. The governor’s DD council shall:

- a. Develop a state plan which meets the requirements of the DD Act.
- b. Prepare and approve a budget to fund all activities and to hire staff and obtain services necessary to carry out its functions under the DD Act.
- c. Hire after conferring with the director, supervise, and evaluate an executive director who shall hire and supervise council staff.
- d. Prepare, submit and maintain all records and reports required by the Secretary of Health and Human Services.

1.7(2) Governor’s DD council membership. The governor’s DD council shall consist of up to 26 members appointed by the governor.

a. The principal state agencies, including, at a minimum, the departments of education, human services, and elder affairs, higher education training facilities, the university affiliated program, Iowa Protection and Advocacy Services, Inc., local agencies and nongovernmental agencies and private, nonprofit groups concerned with services to people with developmental disabilities in the state, shall be represented.

b. Consumers. At least one-half of the membership of the governor’s DD council shall consist of people with developmental disabilities or their parents or guardians, or immediate relatives or guardians of people with mentally impairing developmental disabilities, and who are not employees of a state agency which receives funds or provides services under the provisions for state planning councils under the DD Act, who are not managing employees of any other entity which receives funds or provides services under the provisions for state planning councils under the DD Act, and who do not have an ownership or control interest with respect to such an entity.

(1) At least one-third of the consumer representatives shall be people with developmental disabilities.

(2) At least one-third of the consumer representatives shall be immediate relatives or guardians of people with mentally impairing developmental disabilities.

(3) At least one person shall be an immediate relative or guardian of an institutionalized or previously institutionalized person with a developmental disability.

1.7(3) Governor’s DD council terms. Members shall be appointed for three-year terms.

a. Appointments shall be staggered so that at least one-third of the members are appointed each year.

b. Governor’s DD council members shall be appointed for a maximum of two consecutive, full terms. Members who have been reappointed for more than two consecutive terms on July 1, 1993, may complete the full term of their last appointment.

c. Governor’s DD council members are not eligible to receive a per diem during their term. They shall receive reimbursement for expenses, including individual and family supports necessary for participation, subject to the limitations set for state boards and commissions.

1.7(4) Governor’s DD council action.

- a. A quorum shall consist of two-thirds of the members eligible to vote.
- b. Where a quorum is present, a position is carried by a majority of the members eligible to vote.
- c. The use of proxies shall not be allowed.
- d. Any council member representing the council before any legislative committee, public body, governmental agency or media representative shall support the council’s mission, guiding principles, goals, objectives and strategies approved by the council in its state plan and other policy positions adopted by the council.

1.7(5) Governor’s DD council minutes. Copies of the minutes are kept on file in the office of the Governor’s DD Council, 617 E. Second Street, Des Moines, Iowa 50309.

1.7(6) Governor's DD council meetings. The governor's DD council will meet at least four times a year. Dates will be determined by the governor's DD council. Special meetings may be called by the chair or upon the written request of a majority of governor's DD council members.

a. Any person wishing to make a presentation at a governor's DD council meeting shall submit a request to the executive director of the governor's DD council. The request shall be considered by the governor's DD council chair in setting the next meeting agenda.

b. The governor's DD council shall coordinate activities with the mental health and mental retardation commission in accordance with Iowa Code chapter 225C.

1.7(7) Attendance.

a. A member shall be considered to have submitted a resignation when absent for three consecutive, regular governor's DD council meetings or a total of more than one-half of all regular governor's DD council meetings during a calendar year in accordance with Iowa Code section 69.15.

b. The governor's office shall be immediately notified by the governor's DD council executive director of a resignation under this subrule.

1.7(8) Organization. No later than October 1 of each year, the governor's DD council shall organize by electing a chair, vice-chair, and executive committee.

a. The executive committee shall consist of the governor's DD council chair, vice-chair and three members at large, one of whom shall be the immediate past chair if a current member of the governor's DD council.

b. The executive committee may exercise the power of the governor's DD council between regular governor's DD council meetings but may not override a decision of the governor's DD council.

c. The governor's DD council has the authority to create other standing and special committees and task forces as deemed necessary and to create terms of office for officers, committees, and committee chairs.

(1) The members and chairs of standing and special committees shall be appointed by the chairperson from the governor's DD council's membership. Appointments shall be approved by the governor's DD council.

(2) Noncouncil members may serve as voting members of committees if approved by the governor's DD council and shall be subject to terms as determined by the governor's DD council.

(3) Committees may act based on a simple majority of those present.

(4) Committees may create temporary task forces to assist them in their work.

1.7(9) Procedure. In cases not covered by this rule, Robert's Rules of Order shall govern.

This rule is intended to implement Iowa Code sections 217.6 and 225C.3.