

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2018-039
April 10, 2018

SUBJECT: Amendment: Establishment of the District of Columbia Commission on Persons with Disabilities

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(6) and (11) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(6) and (11) (2016 Repl.), and in accordance with the Disability Rights Protection Act of 2006, effective March 8 2007, D.C. Law 16-239; D.C. Official Code § 2-1431.01 *et seq.* (2016 Repl.), and section 125 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, approved October 30, 2000, 114 Stat. 1696; 42 U.S.C. § 15025, it is hereby **ORDERED** that:

I. AMENDMENT TO MAYOR'S ORDER 2009-165

- A. Section 4 of Mayor's Order 2009-165, dated September 25, 2009, is repealed and replaced with new sections 4A and 4B to read as follows:

4A. COMMISSION MEMBERSHIP AND MEETINGS

- A. The Commission shall consist of a minimum of twelve (12) and a maximum of fifteen (15) public members who shall be appointed by the Mayor.
- B. The public members of the Commission shall be District of Columbia residents and should include representation from the following communities:
1. Persons with disabilities.
 2. Representatives of the District of Columbia business community

3. Representatives of the service provider community who serve persons with disabilities in the District.
 4. Representatives of advocacy organizations that serve persons with disabilities in the District, and
 5. Other individuals in the District who have a demonstrated interest in enhancing the self-determination, productivity, integration, and valued participation of people with disabilities in all facets of community life.
- C. The Mayor shall also appoint at least two (2) members of the DD Council, not including the DD Council Chairperson, to serve as members of the Commission.
- D. At least fifty-one percent (51%) of Commission members shall at all times consist of persons with disabilities, and the remaining members shall have experience with, or a demonstrated interest in, issues that impact persons with disabilities.
- E. Each member of the Commission, or a designated representative, shall attend all meetings of the full Commission and all meetings of the subcommittees on which the member serves. The Commission's bylaws may permit public members to take excused absences.
- F. Any member who, without receiving an excused absence, fails to attend three (3) consecutive Commission meetings shall be deemed to be removed from the Commission, and a vacancy shall be created.

4B. DD COUNCIL MEMBERSHIP

- A. The DD Council shall consist of nineteen (19) members appointed by the Mayor.
- B. Twelve (12) members of the DD Council shall be consumer members appointed as follows:
- i. Four (4) shall be District residents with developmental disabilities;
 - ii. Four (4) shall be District residents who are parents or guardians of persons with developmental disabilities or immediate relatives or guardians of adults with mentally

impairing developmental disabilities who cannot advocate for themselves (collectively, “**representatives**”); and

- iii. Four (4) shall be either District residents with developmental disabilities or representatives.
- C. At least one (1) of the DD Council consumer members shall be an immediate relative or guardian of an institutionalized on previously institutionalized person with a developmental disability or shall be an individual with a developmental disability who resides or previously resided in an institution.
- D. None of the DD Council consumer members shall be employees of a District government agency that receives funds or provides services under the Federal Assistance to State Developmental Disabilities Councils grant program, managing employees of any other entity which receives such funds or provides such services, or persons with an ownership or controlling interest with respect to any such entity.
- E. Three (3) members of the DD Council shall be organizational members, appointed as follows:
- i. One (1) representative from a District-designated protection and advocacy organization;
 - ii. One (1) representative from the District's designated University Center for Excellence on Developmental Disabilities Education, Research, and Service; and
 - iii. One (1) representative from a local, non-governmental agency or not-for-profit organization concerned with services for District residents with developmental disabilities.
- F. Four (4) government members, appointed as follows:
- i. One (1) representative from the Department on Disability Services;
 - ii. One (1) representative from the Office of the State Superintendent of Education or the District of Columbia Public Schools;
 - iii. One (1) representative from the Office on Aging;

- iv. One (1) representative of a District government agency that administers funds under Titles V and XIX of the Social Security Act.
- G. A governmental or organizational member of the DD Council shall have sufficient authority to engage in policy planning and implementation on behalf of the department, agency, or program the member represents and shall recuse himself or herself from any discussion of grants or contracts for which the member's department, agency, or program are grantees, contractors, or applicants and shall comply with the conflict of interest assurance requirement under section 124(c)(5)(D) of the Developmental Disabilities Assistance and Bill of Rights Act of 2000, approved October 30, 2000, 114 Stat. 1696, 42 U.S.C. § 15024(c)(5)(D).
- H. All DD Council members shall be District residents.
- I. The membership of the Council shall be geographically representative of the District and reflect the diversity of the District with respect to race and ethnicity.
- B. Section 5 is amended by striking the sentence "The date on which a majority is sworn in shall serve as the anniversary date for all subsequent appointments." and inserting the sentence "The anniversary date for appointments to both the Commission and DD Council shall be January 1." in its place.

**II. CURRENT MEMBERS OF THE DISTRICT OF COLUMBIA
COMMISSION ON PERSONS WITH DISABILITIES AND THE
DEVELOPMENTAL DISABILITIES STATE PLANNING COUNCIL**

- A. Current members of the District of Columbia Commission on Persons with Disabilities ("**Commission**") and the Developmental Disabilities State Planning Council ("DD Council") shall continue to serve, for the remainders of their terms, pursuant to the authority under which they were appointed.
- B. The term of appointment of each current member of the Commission and DD Council is extended to January 1 of the year after which the term would otherwise expire.

III. EFFECTIVE DATE: This Order shall become effective immediately.


MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA