Background:

What is being proposed is a new article to the DAC Bylaws, which will establish the Commission’s authority to create internal operational and administrative policies, procedures, and guidelines, such as Confidentiality, Conflict of Interest, DAC Expectations/Service, and others as needed.

If this new Article V (5) is adopted, then the existing Article V (5) will be renumbered Article VI (6), and all existing following articles would have to be renumbered upwards by one (1) number.

Proposed Article V (5):

**Begin New Text ARTICLE V – INTERNAL OPERATIONAL AND ADMINISTRATIVE POLICIES, PROCEDURES, AND GUIDELINES**

**Section 1 – Purpose**

Policies are specific procedures and guidelines that address various operational and administrative aspects of the DAC. They are detailed and focused on particular areas of the Commission’s activities. Policies, procedures, and guidelines (PPG) shall be developed and drafted by DAC members, Policies, Procedures, and Guidelines Taskforce (PPGT), or designated Disability Compliance Office (DCO) staff. These PPG shall be updated as needed to reflect and adapt to changes in the Commission, its environment, or new best practices.

**Section 2 – Internal Operational and Administrative Policies, Procedures, and Guidelines Manual**

Policies, procedures, and guidelines (PPG) reflect the tenets of the Commission on which current and future decisions are to be based on. PPG are adopted on an individual basis and are compiled into an internal operational and administrative PPG manual, which is maintained by the DCO. The PPG manual shall be maintained separate and apart from the DAC bylaws.

**Section 3 – Internal Operational and Administrative Manual Contents**

3.1. The PPG manual must be maintained as an official governance document, and individual PPG shall conform to the Ralph M. Brown Act; DAC bylaws; current edition of Robert's Rules of Order; Americans with Disabilities Act of 1990, as amended; Rehabilitation Act of 1973, as amended; and other federal, state, and local disability civil rights laws and accessibility regulations.

3.2 The PPG manual shall include but not be limited to:

* 1. Policy on Prohibited Conduct, and Applicable Complaint Resolution Procedures
	2. Confidentiality policy
	3. Nominations Committee Procedures and Eligibility Guidelines
	4. DAC Officer Election Procedures

**Section 4 –Compliance**

Members of the DAC shall adhere to all PPG adopted by the Commission.

**Section 5 – Policies, Procedures, and Guidelines Taskforce Mission**

The DAC Chair shall appoint a Policies, Procedures, and Guidelines Taskforce (PPGT) during the January DAC meeting of every even year or when there is a need to convene the Taskforce. The PPGT will have the responsibilities to:

1. Review the PPG manual to determine if they need to be updated.
2. Interpret existing PPG when there is a need to do so.
3. Develop and draft changes to existing PPG
4. Develop and draft new PPG
5. Propose updates to the PPG manual for DAC members’ consideration

**Section 6 – Vote**

A majority of votes cast during a properly called meeting of members of the DAC is required to adopt, amend, or disapprove any PPGT recommended PPG. The adopted PPG are to be forwarded to County Counsel for their final approval.

**Section 7 – Storage of Policies, Procedures, and Guidelines**

7.1. PPG and other governance DAC documents shall be digitally saved through cloud storage.

7.1.2. The PPG, as well as all other official DAC documents requiring a signature, shall be signed and dated by each member of the Commission within thirty (30) calendar days of the commencement of each term served by each Commissioner.

7.1.3. All signed documents that shall be saved should be either:

1) printed in hard copy and kept in the appropriate file in the DCO; or

2) preferably downloaded onto the cloud through the DCO, whichever is more expedient.

7.1.4. All digitally saved documents requiring a signature shall have an electronic signature, complying with the Sacramento County Policy #3001, Electronic Signature Policy. End New Text

**ARTICLE ~~Begin Deleted Text V End Deleted Text~~ Begin New Text VI End New Text - MEMBERSHIP**

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**ARTICLE ~~Begin Deleted Text VI End Deleted Text~~ Begin New Text VII End New Text - TERM OF SERVICE**

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**ARTICLE ~~Begin Deleted Text VII End Deleted Text~~ Begin New Text VIII End New Text - OFFICERS**

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**ARTICLE ~~Begin Deleted Text VIII End Deleted Text~~ Begin New Text IX End New Text - NOMINATION, ELECTION, AND REMOVAL OF OFFICERS**

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**ARTICLE ~~Begin Deleted Text IX End Deleted Text~~ Begin New Text X End New Text - MEETINGS**

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**ARTICLE ~~Begin Deleted Text X End Deleted Text~~ Begin New Text XI End New Text - SUBCOMMITTEES**

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**ARTICLE ~~Begin Deleted Text XI End Deleted Text~~ Begin New Text XII End New Text - AMENDMENTS OF THE BYLAWS**

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**ARTICLE ~~Begin Deleted Text XII End Deleted Text~~ Begin New Text XIII End New Text - RULES OF ORDER**

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Rationale:

The development of the proposed new Article V (5) is a short-term solution of giving the DAC the authority to create its own internal operational and administrative policies, procedures, and guidelines (PPG), such as Nominations Committee Procedures and Eligibility Guidelines, and DAC Officer Election Procedures. First would be the adoption of the Article, and if it is finally approved by County Counsel, the next would be the creation of PPG that are needed. It is my plan that early next year, 2026, a bylaw task force will be created to look at the updating of our existing bylaws, regardless if the proposed new Article V (5) is adopted and approved.

It is important to understand “**Key Differences Between Bylaws and Policies**

* Scope and Purpose: Bylaws provide a broad framework for governance and organizational structure, while policies offer detailed guidelines for specific operational areas.
* Permanence: Bylaws are foundational and typically change infrequently, whereas policies can be updated more regularly to adapt to new circumstances or best practices.
* Adoption and Amendment: Bylaws require formal adoption and amendment procedures, often involving a vote by the board of directors or some percentage of membership. Policies can be adopted and amended by the board or designated staff members, depending on the organization’s governance structure.
* Legal Standing: Bylaws have a legal standing and are often required by state law when incorporating a nonprofit. Policies, while important for internal governance, do not have the same legal weight but help ensure compliance with laws and regulations.” ([“Bylaws vs. Policies and Procedures”, Nonprofit Ops Pro](https://nonprofitopspro.com/bylaws-vs-policies-and-procedures/))

The above quote pertains to nonprofit organizations but also pertains to government advisory bodies. Thus, keeping the key differences in mind should help in deciding on whether to approve of disapprove the new proposed Article V (5).