

GUIDING PRINCIPLES
AND
INTERNAL ORGANIZATION

ARTICLE I

Name and Authority

Section 1.1 Name.

The name of this body is the Mayor's Commission on People with Disabilities, hereinafter referred to as the "Commission." The principal office of the Commission is located in Rm 260D, City Hall, Philadelphia, PA 19107.

Section 1.2 Authority.

- (a) The Commission was established by the Mayor by virtue of the authority vested in them by the Section 3-100 of the Philadelphia Home Rule Charter and Executive Order 2-86, dated March 5, 1986, re-established under Executive Order 9-14 and re-organized under Executive Order 7-17, hereinafter referred to as the "Executive Order."
- (b) A copy of the Executive Order shall be attached to these guiding principles. The provisions of the Executive Order, and the provisions of the Philadelphia Home Rule Charter, shall be incorporated by reference herein.

Source: Section 3-100, Home Rule Charter

ARTICLE II

Purpose and Definitions

Section 2.1 Purpose

The purpose of the Commission, as set forth in the Executive Order, are:

- (a) advise the Mayor with respect to existing and proposed programs, services, and projects, and all other issues relating to the needs of people with disabilities.
 - b. aid in the development of programs for services to people with disabilities, in cooperation with the public and private sectors.
 - c. ensure the rights and privileges of full citizenship of people with disabilities by promoting compliance with legislation and policies pertaining to civil rights.

- d. promote self-advocacy, self-awareness, and independence; and
- e. assist people with disabilities through referral, information, and direct service.

Section 2.2 Definition of Disability:

The Commission aligns with the definition of disability set forth from the Developmental Disabilities Act, however it is not limited to those with developmental disabilities.

The [1993 Amendment to the Developmental Disabilities Assistance and Bill of Rights Act](#) recognizes that "**disability is a natural part of the human experience** that does not diminish the right of individuals with developmental disabilities to enjoy the opportunity to live independently, enjoy self-determination, make choices, contribute to society, and experience full integration and inclusion in the economic, political, social, cultural, and educational mainstream of American society."

Further, the [Americans with Disabilities Act](#) (ADA) defines a disability can refer to difficulty related to mobility, development, cognitive/neurology, behavioral, communication, health, self-care or other areas of the human experience.

Positive Practices of the Commission/Community Agreement

The Commission has set forth the following positive practices for all members of the Commission as our community agreement:

-Active engagement: Active engagement of all members of the Commission is vital to the success of the Commission in upholding its mission.

-Support integrated employment: The Commission supports integrated and equal opportunity for employment for people with disabilities and does not support the practice of sub-minimum wages for people with disabilities.

-Accessible engagements: The Commission will provide accessible documents, meetings spaces, and practices for all Commission hosted events and meetings; such as visual descriptions, provision of closed captions, and American Sign Language as well as any additionally requested reasonable ADA accommodations.

-Voice equity: The Commission is committed to ensuring that all voices are elevated, respected, and treated equitably within the Commission's internal and external engagements. Commissioners agree to give space for their fellow Commissioners and diverse voices from the disability community.

-Mutual Respect: The Commission recognizes that there is no singular experience within the disability community, therefore diverse voices must be engaged and respected, even if they conflict with one another. Disrespectful, discriminatory, or intimidating behaviors will not be tolerated by any member of the Commission.

SOURCE: AMERICANS WITH DISABILITIES ACT (ADA)

ARTICLE III

Powers and Duties

Section 3.1 Primary Duty

The Commission shall be responsible for advising the Mayor on the initiation, development, and implementation of policies and programs throughout City government, so as to achieve the purposes and goals of the Executive Order.

Other functions include assisting the Mayor's Office for People with Disabilities (MOPD) in bringing vital disability community needs to the attention of all relevant city agencies and helping those agencies to develop plans addressing those needs. The commission also connects regularly with disability organizations and individuals outside the Commission or city government.

Term Limits

All Commissioners are appointed by order of the mayor for a two-year term that can be extended to a total term limit of 8 years. Appointment letters will be issued at the start of the fiscal year for the city. Elected leadership roles such as the Chair can serve in that role for no more than 2 consecutive years. Committee leadership is not impacted by term limits, as the Commission believes committee work be passion led. Members that wish to continue to engage with the commission after 8 years of service, may do so at the discretion of the Mayor, and or as a friend of the commission.

SOURCE: EXECUTIVE ORDER

Section 3.2 Annual Report

Not later than ninety days after the end of the fiscal year, the head of each department responsible solely to the Mayor and each independent board and commission shall make an annual report in writing to the Mayor and the head of every other department shall make an annual report in writing to the officer who appointed him. Each departmental board and commission shall, not later than sixty days after the end of each fiscal year, make an annual report in writing to the head of the department with which such board or commission is connected. Copies of all reports required by this section shall be filed in the Department of Records. This may be incorporated in the office's monthly Cabinet Report.

SOURCE: SECTION 8-404, HOME RULE CHARTER

Section 3.3 Official Seal.

Each department and any board or commission may adopt and use an official seal. A copy of any paper or document on file with any such department, board or commission may be authenticated by any such seal as a true copy of the original.

SOURCE: SECTION 8-405, HOME RULE CHARTER

Section 3.4 Acceptance of Gifts and Donations

Every department, board and commission, may accept on behalf of the City gifts or donations of money, securities, or other personal property which, or the income of which, shall be useful in connection with the work of such department, board or commission, or for the benefit of the inmates or patients of any City institution administered by such department, board or commission.

A department, board or commission shall not accept any gift of real estate or any interest in real estate without specific authority from the Council so to do.

SOURCE: SECTION 8-204, HOME RULE CHARTER

Section 3.5 Legal Advice

Whenever any officer, department, board or commission shall require legal advice concerning his or its official business or whenever any legal question or dispute arises or litigation is commenced or to be commenced in which any officer, department, board or commission is officially concerned or whenever any taxes or other accounts of whatever kind due the City remain overdue and unpaid for a period of ninety days it shall be the duty of such officer, department, board or commission, to refer the same to the Law Department.

It shall be the duty of any officer, department, board, or commission having requested and received legal advice from the Law Department regarding their official duty, to follow the same; and when any officer shall follow the advice given them in writing by the Law Department, they shall not be liable in any way for so doing upon their official bond or otherwise.

Before the Law Department shall render any opinion interpreting any appropriation ordinance or ordinance authorizing the expenditure of money, it shall notify the City Controller of the question upon which its opinion has been requested and afford them an opportunity to present their views upon the question.

It shall be unlawful for any officer, department, board or commission to engage any attorney to represent them or it in any matter or thing relating to their public business without the approval in writing of the City Solicitor.

SOURCE: SECTION 8-410, HOME RULE CHARTER

ARTICLE IV

Membership

Section 4.1 Composition

The Commission shall be composed of not less than eleven (11) voting members appointed by the Mayor. The commission may increase membership at the discretion of the Executive Director and Commission.

The membership of the Commission shall be representative of the diverse composition of the population of the City of Philadelphia prioritizing people with disabilities and shall share a commitment to the goals of the Commission.

SOURCE: SECTION 3-207, HOME RULE CHARTER AND EXECUTIVE ORDER

Section 4.2 Resignations

Any appointed member desiring to resign from the Commission shall submit a written resignation to the Executive Director. The Executive Director shall forward the letter of resignation to the Mayor for appropriate action.

Section 4.3 Dismissal

Dismissal of any member may be based on the following:

- Any member or their designee who misses three (3) consecutive regular meetings of the Commission, without excuse, or who is not otherwise actively participating in Commission activities.
- Discriminatory actions towards staff, fellow commissioners, and or community members. No member may discriminate against others based on race, ethnicity, religion, gender, sexual orientation, or disability.
- Failure of a Commission member to engage with mutual respect for all parties in formal engagements, social engagements, and media engagements.
- Commission members that represent themselves and or actions taken by themselves on behalf of the Commission without express consent or informing the staff and full Commission.

- Behaviors and or actions that have been deemed harmful or not aligning with the mission of the Commission.

In these cases, a recommendation for dismissal by appointed Commission members and/or the Executive Director may be made. The recommendation shall be made in writing to/from the Executive Director, who shall forward it to the Mayor for appropriate action.

It is recommended that concerns around engagement be elevated to the Executive Director and or Chair immediately, so that they can be addressed in a timely and equitable manner for all parties.

SOURCE: SECTION 3-601 HOME RULE CHARTER

ARTICLE V

Executive Director, Officers, and Duties

Section 5.1 Executive Director

The Commission shall have an Executive Director who shall be appointed by the Mayor. The Executive Director shall serve at the pleasure of, and be responsible directly to, the Mayor. The Executive Director shall act as spokesperson for the Commission. The Executive Director with the assistance of the Commission shall provide the Mayor with periodic reports summarizing its work.

SOURCE: EXECUTIVE ORDER

Section 5.2 Officers.

It is recommended that the Commission shall have a chair a vice chair and a secretary. Election of officer roles will take place in the fall of odd numbered years at the fall internal Commission meeting, results of elected roles will be announced at the Fall Public meeting of the odd numbered year and as needed, if a role is open prior to the completion of the two-year term. Voting processes will be determined by the Commission ahead of the election.

SOURCE: SECTION 3-104, HOME RULE CHARTER

Section 5.3 Duties of Chairperson.

The Chairperson shall preside at all meetings of the Commission, shall ascertain that a quorum is present to conduct Commission business and, with the approval of the Commission. The Chairperson shall perform such other duties as may,

from time to time, be asked by the Commission. The Chair of the Commission shall be designated by the Mayor after a vote by the Commission.

Section 5.4 Duties of Vice Chair.

The Vice Chair shall, in the absence of the Chairperson, preside at meetings of the Commission. Also, the Vice Chair shall perform such other duties as may, from time to time, be asked by the Chairperson, subject to approval by the Commission.

Section 5.5 Duties of Secretary.

The Secretary shall be responsible for the minutes of the proceedings of the Commission. Also, the Secretary shall perform such other duties as may, from time to time, be asked by the Chairperson, subject to approval by the Commission.

ARTICLE VI

Meetings

Section 6.1 Regular Public Meetings

The Commission shall meet not less than four (4) times per year publicly.

Section 6.3 Notice of Regular Meetings

A written or electronic notice, tentative agenda, and minutes of the previous meeting shall be prepared and distributed to each member at least three (3) days prior to the meeting for which notice is given.

Section 6.4 Special Meetings. (Events/planning/internal meetings)

Special meetings of the Commission may be called by the Chairperson and/or the Executive Director and shall be called upon the written request of a majority of the voting members of the Commission. The time, place (location must be fully accessible) and purpose of the meeting shall be stated. At least three (3) days' notice, in writing, shall be given, unless such notice is waived in writing by all members.

SOURCE: Section 8-408, HOME RULE CHARTER

Section 6.5 Quorum

A majority of the voting members of the Commission shall be necessary to a constitute a quorum for the transaction of Commission business, and the acts of a majority of the members present at a meeting at which a quorum is present shall be the acts of the Commission.

Section 6.6 Minutes

The Commission shall keep minutes of its proceedings.

ARTICLE VII

Committees

Section 7.1 Appointment of Committees

Committees Chairs shall be designated by the Executive Director and at the discretion and capacity of the Commission members.

SOURCE: EXECUTIVE ORDER

Section 7.2 Composition of Committees

Chairpersons of Committees shall be appointed by the Executive Director from among the appointed members of the Commission and or friends of the Commission. The Commission believes committees should be passion led, and open to those that have a passion for that particular area of focus.

Members of Committees need not be a member of the Commission but will be considered Friends of the Commission shall serve in a non-voting capacity on the Commission.

Friends of the Commission shall be representative of the diverse composition of the population of the City of Philadelphia including the population of people with disabilities and shall share a commitment to the goals of the Commission.

Section 7.3 Committee Meetings

Committees shall meet as needed in accordance with their assignments.

Section 7.4 Resources and Consultative Services.

Committees may use such resources and consultative services as shall, from time to time, be deemed necessary. This may include partnerships with city departments and or the community.

ARTICLE VIII

Parliamentary Authority

Section 8.1 Parliamentary Authority

The Commission is an advisory Commission to the Mayor with no governance or regulatory authority. The rules contained in the recent edition of Robert's Rules of Order Newly Revised shall govern the Commission in all cases to which **they are applicable** and in which they are not inconsistent with the Executive Order, the Philadelphia Home Rule Charter, city bylaws, the Commission's guiding principles, and any special rules of order which this Commission may adopt.

ARTICLE IX

Amendment of Guiding Principles

Section 9.1 Amendment of Guiding Principles

These guiding principles and rules can be amended at any regular internal meeting of the commission, provided that the amendment has been submitted in writing at the previous internal meeting and distributed to all voting members with the notice of meeting at which the amendment is to be considered. Commission guiding principles and rules, and any amendment thereto, shall be effective only after approval by the Administration board of the City of Philadelphia.

SOURCE SECTION 4-300 AND 8-406, HOME RULE CHARTER

ARTICLE X

Section 10.1 Criteria/Requirement for Friends of the Commission

- 1. Attendance at four regular and/or committee meetings annually*
- 2. Significant contribution to the operation of the Commission through*
 - a. Attendance at individual committee meetings*

b. contributions of expertise In-kind services, equipment and/or funding

Section 10.2 The Individual Must

1. Be a person with a disability, parent of a child with a disability, immediate or family member who provide care for a person with a disability, work for an organization that serve people with disabilities
2. Demonstrate a willingness, interest and commitment to participate with the Commission and in Commission activities and be responsive when called upon by the Executive Director, the Chairperson of the Commission, and/or the chairperson of a Committee.

Committees

MCPD Committees will support the strategic plan created by services requested and community interaction with constituents in the City of Philadelphia. Committees are subject to change but currently include:

Health	Housing
Education	Recreation and Entertainment
Employment	Transportation
Human Services	Youth

Committee Structure

Committees meet as needed.

Chairperson (Appointed member of the Commission)

- Oversee meetings for their committees
- Maintain the direction of the committee to support the Executive Order and Strategic Plan of MOPD
- Assist and encourage members of the committee to complete projects

Vice Chairperson (Appointed or non - appointed member of the Commission)

- Support the Chairperson
- Perform the duties of the chairperson in his/her absences

Secretary (Appointed or non - appointed member of the Commission)

- Take minutes of meetings and document the work of the committee

Commission Member/Administrative Board

- Person with a disability
- Parent of a child and/or children with disabilities
- Immediate or family member who provide care for a person with a disability

Friends of the Commission (Ex-officio Members)

- People with disabilities
- Parents of children with disabilities
- Immediate or family members who provide care for people with disabilities
- Individuals who work for organizations that serve people with disabilities
- Organizations that serve people with disabilities
- Appointed staff members from City Departments with relation to the designated committee (Staff member from the Department of Behavioral Health and Intellectual disAbility Services Department to serve on the MCPD Behavioral Health Committee)
- Appointed staff members from City Council offices that serve on City Council Committees with relation to the designated committee (Example: Staff member from the City Council Committee on Housing may serve on the MCPD Housing Committee.)