

**DISTRICT SOUTH (TUCSON) INDEPENDENT OVERSIGHT COMMITTEE**  
**DEPARTMENT OF ECONOMIC SECURITY**  
**DIVISION OF DEVELOPMENTAL DISABILITIES**

**COMMITTEE GUIDELINES**

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**ARTICLE I: NAME**

The name of this society is the Independent Oversight Committee, concerned with the human rights and dignity of members of DDD.

**ARTICLE II: OBJECTIVES**

- Section 1. The Independent Oversight Committee (Henceforth noted as “Committee”) will provide independent advisory oversight, review and make recommendations so that the guaranteed rights (Arizona Disability Law 36.551.01.) will be protected for the persons with developmental disabilities who reside in the State of Arizona.
- Section 2. The Committee shall review all aversive or intrusive programs in order to ensure that basic rights and the rights to treatment are not infringed upon for the convenience of staff, relatives, or community. The committee may recommend approval of the program: recommend non-approval until changes and/or revisions are made in the program or recommend that program not be approved at all.
- Section 3. The Committee will review all behavior modifying medical programs and/or medications which can cause behavior change as a side effect. When the Committee reviews the use of behavior modifying medications, it shall receive information from the prescribing physician and the member’s interdisciplinary team describing the need for such medication and possible side effects. The Committee will ensure that basic rights and the right to treatment are not infringed upon for the convenience of staff, relatives, or community.
- Section 4. The IOC will review all allegations of possible abuse, neglect, or denial of recipient rights.
- Section 5. The written proposal of research projects will be submitted to the Independent Oversight Committee for review and comment. The Committee may request an interview with the person proposing the project to assure the research project will not deny any member rights of those members who participate.

The Committee will ensure appropriate procedures are in place to protect the confidentiality and privacy of member information and records. All research

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must comply with Division of Developmental Disabilities policies prior to initiation.

- Section 6. The Committee may review general rights issues, e.g., the right to adequate treatment, the right to public education, alone or in consultation with the District Program Manager and/or with any other State DDD personnel.
- Section 7. The Committee, in consultation with the District Program Manager, may visit a Division-funded day/ICF setting in which a member for whom the Committee is reviewing a program lives or works, and attend Individual Program Planning meetings, and Program Review Committee meetings.
- Section 8. The committee, in consultation with the District Program Manager, may review all Incident Reports on a monthly basis.
- Section 9. The Committee, in consultation with the District Program Manager, may review records.
- Section 10. The Committee may, in consultation with the District Program Manager, review proposed and existing policies and procedures or guidelines relevant to rights of persons being served by the Division and make recommendations.
- Section 11. The Committee may, in consultation with the District Program manager, review the complaints, comments, concerns, etc. of families and concerned individuals regarding incidents or situations involving members and may issue recommendations.

**ARTICLE III: MEMBERSHIP**

- Section 1. Each Committee will be composed of at least seven (7) and not more than 15 persons with expertise in one or more of the following areas: psychology, law, medicine, education, special education, parent/guardian, sibling, or family member of an individual with developmental disabilities.
- Section 2. When there is a vacancy, the Committee may recommend membership of a nominee, upon at least majority vote, to the Director who will appoint the nominees to become a member.
- Section 3. No employee of the Division shall be a voting member.
- Section 4. No contract service provider or consultant may be a voting member.

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- Section 5. Terms of members will end upon three or more consecutive unexcused absences in a calendar year. The Committee will formally terminate each membership with a majority vote.
- Section 6. A sitting member may resign his or her membership at any time by notifying the Committee Co-Chair(s) and IOC Liaison in writing. The Co-Chair(s) will then inform the Committee at the next scheduled meeting so that the Committee can formally terminate the Member and move forward to appoint a new Member to the vacant position. Members may also request a one-time leave of absence for a maximum period of six months by written request to the Co-Chair(s). Co-Chair(s) and Committee will evaluate the request at the next scheduled meeting to approve and will inform the member of the disposition of the decision following the meeting.

**ARTICLE IV: OFFICERS**

- Section 1. The officers of the Committee will be a Chair or, in the case of multiple Chairs, Co-Chairs. The Committee will elect at least one Chair, who will serve at the pleasure of the Committee. The Chairmanship can consist of one or more persons serving as leaders to facilitate meetings and represent the Committee at State level. Co-Chairs will have equal responsibility in leadership of the Committee. The Committee will have the power to request an election to vote for or to terminate a Chair or Co-Chair at any time. The Committee may also request a termination of a Chair by notifying the Liaison to add a vote to the agenda for the next meeting. Co-Chairs may resign the position at any time with a written letter to the Committee. A former Chair or Co-Chair may remain upon the Committee as a sitting Member following the resignation of his or her Chair. The Committee will keep the position of Chair filled with at least one Member.
- Section 2. The officers shall be elected every two years and shall perform duties in the manner prescribed in these guidelines and by parliamentary authority adopted by the Committee.

**ARTICLE V: MEETINGS**

The Committee will meet at least six (6) times per year.

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**ARTICLE VI: COMMITTEES**

Ad Hoc committees may be formed and dissolved by the Chairperson as needs arise.

**ARTICLE VII: PARLIAMENTARY AUTHORITY**

Section 1. The rules contained in the current edition of the Roberts' Rules of Order Newly Revised shall govern the Committee as long as such rules are not inconsistent with court settlements, Arizona Revised Statutes, rules, regulations or standard operating procedures or articles of these guidelines.

Section 2. If a vote results in a tie, the Chairperson(s) shall make a determination.

Section 3. A quorum shall be 50% plus one of the current membership.

**ARTICLE VIII: OPEN MEETING LAW PRACTICES**

All Committee meetings shall be held in accordance with Arizona Revised Statutes pertaining to open meeting laws.

**ARTICLE IX: CONFIDENTIALITY**

All members will sign a statement agreeing to adhere to applicable statutes and rules regarding confidentiality.

**ARTICLE X: ADMINISTRATIVE REVIEW**

If the majority of Committee members cannot resolve an issue with the District Program Manager, the Committee will communicate in writing to the Assistant Director of the Division of the Developmental Disabilities, Department of Economic Security. This failing, the committee may follow practices of appeals and hearings. (R6-6-20)

**ARTICLE XI: ANNUAL REPORT**

The Committee shall issue an annual report which will summarize its activities and make recommendations on changes the Division should consider implementing.

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**ARTICLE XII: EXPENSES**

Committee members will be remunerated by the Division for expenses incurred in the activities of their work. Such expenses will include mileage costs for travel, and conference costs and other costs which the District Program Manager deems appropriate. The Committee may also request the services of a consultant whose services will be paid for by the Division.

**ARTICLE XII: RECORDS**

The Committee will keep written records of all open and executive meetings, including the rationale for a final determination and the voting record.

**ARTICLE XIII: SUPPORT STAFF**

A HERO staff person, or liaison, will act as intermediary and support staff for the Committee with no voting privilege. The role is to assist the Committee, and activities may include collecting, condensing, and preparing materials for the Committee; arranging presentations; acting as interface between the Committee and department staff; preparing agendas for the Committee; physical meeting preparation; conference preparation and administration. In consultation with the Committee, the staff person will prepare the Annual Report. The Committee may also request a consultant. Additionally, the Department of Administration Liaison may attend meetings monthly to ensure compliance with Meeting Laws within the meetings.

**ARTICLE XIV: CONFLICT OF INTEREST**

The chairperson will direct any Committee member to refrain from presenting a case or voting when a conflict of interest arises. Any member who considers himself/herself in conflict of interest will announce such a situation to the chairperson. When any such conflict arises, the committee will send the conflicting document to another district to review, approve, and forward to the appropriate department.

**ARTICLE XV: AMENDMENT OF GUIDELINES**

Section 1. These guidelines may be amended at any regular meeting of the Committee by a three-quarter vote of the full committee, provided the amendment has been submitted in writing at the previous regular meeting. The guidelines and proposed amendment copies will be sent to the District Program Manager.

Section 2. Standing rules may be revised by majority vote at any regular meeting.

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**ARTICLE XVI: HOW TO ACCESS THE COMMITTEE**

Requests for program review may be presented to the Committee through one of its members, a District Program Manager, or a District Program Manager designee by any of the following: DDD or contract provider staff, Program Review Committee members, Individuals served, parents, or other interested parties.