

# BYLAWS OF THE DISABILITIES CAUCUS OF THE CALIFORNIA DEMOCRATIC PARTY

Approved November 7, 2018

**(New sections in red.)**

## Article I: Name

The name of this organization is the Disabilities Caucus of the California Democratic Party (hereafter known as the Caucus).

## Article II: Purpose

The purpose of the Caucus is to work within the California Democratic Party, providing a strong voice and representation within the party structure; promoting the welfare of citizens with disabilities and the disabilities support community (e.g., therapists, caregivers) through effective legislation and encouraging those with disabilities to participate fully as Democrats at all levels of policy making and public service, including running for office and as members of the Democratic National Committee. **The caucus will also identify those issues affecting People with Disabilities and work to make the political and legislative system more responsive to the needs of of the Disability community and to ensure that these issues are included in the Democratic Party Platform;**

## Article III: Membership

Membership shall be open to anyone who is committed to serving the interests of people with disabilities in our society and who shares identity of purpose which defines this caucus, who is either (1) a registered Democrat, or (2) ineligible to register as a Democrat but who has expressed an intent to register as a Democrat upon becoming eligible. The Caucus does not discriminate on the grounds of race, color, creed, national origin, sex, age, religion, ethnicity, sexual orientation, economic status or disability as defined by the Americans with Disabilities Act of 1990 or any other subsequent legislation defining disability.

## Article IV: Dues

- A. The Caucus shall raise funds only through dues. Expenditures of the Caucus shall be limited to the costs associated with meetings and communications with Caucus Members.
- B. Members may select from the following annual dues amounts:
  1. Standard--\$12 (twelve dollars),
  2. Supporter--\$25 (twenty-five dollars),
  3. Leader--\$100 (one hundred dollars)
  4. Champion—any other amount in support of the Caucus.
  5. Hardship--\$5 (five dollars). Waiver --A waiver of dues provided for economic hardship. Such waiver requests, accompanied by less than \$5 (five dollars) dues, shall be submitted, in writing to the as part of the Membership Form.
- C. Dues may be submitted on-line or by membership application. When someone submits a dues application or pays on-line they immediately become a Member. Any Member who fails to pay dues or otherwise becomes unqualified for membership shall be deemed no longer a Member in good standing until the relevant deficiencies are rectified.

- A. D. Dues are annual (January 1-December 31). A grace period from January 1<sup>st</sup> to the first meeting of this Caucus is provided for all privileges of membership in good standing except voting in elections (election privileges). In order to vote in an election a Member must have paid dues or had them waived for the current calendar year.

#### Article V: Organization

This Caucus is constituted in accordance with the Bylaws of the California State Central Committee of the California Democratic Party

#### Article VI: Executive Committee

- A. Membership of the Executive Committee of the Caucus shall be composed of the Officers and At-Large Members.
- B. Duties of the Executive Committee shall be to exercise all executive powers on behalf of the Caucus between meetings. The Executive Committee shall inform the Members of the Caucus of all decisions and recommendations made by the Executive Committee. Such information shall be made available at the next Caucus meeting or through electronic or printed communications.
- C. The quorum of any meeting of the Executive Committee shall consist of forty percent (40%) of the Executive Committee members.
- D. As the Executive Committee is representative of the membership, no vote may be taken by secret ballot.

#### Article VII: Officers

- A. The Officers of the Caucus are: Chair, Vice Chair, Recording Secretary, Corresponding Secretary, Treasurer, At-Large Members, and Parliamentarian.
- B. **Chair:** The Chair shall initiate and/or facilitate internal organization communications; including coordination and outreach, and shall provide or delegate the role of Caucus spokesperson. The Chair shall hold the CA Democratic Party Executive Board seat provided to this Caucus or shall delegate it to one of their elected Officers. The Chair shall preside over meetings of the Caucus and Caucus Executive Committee.
- C. **Vice Chair:** The Vice Chair shall assist the Chair in their duties and facilitate grassroots contact with the Caucus. The Vice Chair shall preside over meetings of the caucus or caucus Executive Committee if the Chair is not available. The Vice Chair shall temporarily replace the Chair, should a vacancy become available, until an election can be called.
- D. **Recording Secretary:** The Recording Secretary shall keep permanent copies of all records for the Caucus, as well as record and disseminate minutes of Caucus general meetings. The Recording Secretary shall also ensure that Caucus records are in compliance with the Bylaws of the CA Democratic Party and Roberts Rules, newly revised. Copies of prior meeting minutes shall be sent to any Member upon request. The Recording Secretary shall preside over meetings of the Caucus if the Chair or Vice Chair are not available.
- E. **Corresponding Secretary:** The Corresponding Secretary shall keep all membership records of the Caucus as well as disseminate meeting notices and other correspondence of the Caucus. The Corresponding Secretary shall make reports to the membership at each General Meeting and to the Executive Committee at its meetings. The Corresponding Secretary shall preside over meetings of the Caucus if the Chair, Vice Chair and Recording Secretary are not available.
- F. **Treasurer:** The Treasurer shall manage the finances and coordinate dues collection for the Caucus. The Treasurer shall promptly account for all Caucus funds and shall make reports to the Membership at each General Meeting and to the Executive Committee at its meetings. They shall also make all other financial reports, which may be required by the Finance Committee of the California State Central Committee. The Treasurer will assure the payment of all bills within five (5) business days of receipt.
- G. **At-Large Members:** There shall be four (4) At-Large Members. They shall support the efforts of the Caucus. At-Large Members will each take on a portfolio and Chair or Co-chair a Committee with respect to that portfolio (e.g., public relations, legislation).
- H. **Parliamentarian:** The Parliamentarian shall serve as interpreter of State and Caucus Bylaws. When the Parliamentarian determines that neither the State nor Caucus Bylaws provide an answer to a question of procedure, the Parliamentarian shall rule in accordance with Robert's Rules of Order Newly Revised. The Parliamentarian is not an elected Officer, and shall be appointed by the Chair and approved by the General Membership at the meeting immediately after appointment. The General Membership may choose to override the executive appointment and select a Parliamentarian by a majority vote of the attending Members. The Parliamentarian has a vote on the Executive Committee except on issues where asked to make a parliamentary ruling.

- I. OFFICER REMOVAL FOR CAUSE:** Any officer of the Caucus may be removed prior to the expiration the officer's term for cause, including to but not limited to malfeasance, misuse of Caucus funds, refusal to do the job as listed in our Bylaws, by a two-thirds (2/3) vote of the Board, excluding the Officer who is subject to the removal vote or, if appealed, by two-thirds (2/3) vote of the membership in attendance at any scheduled Caucus Membership meeting, for violating or failing to perform the duties of the Office or fulfill responsibilities under these Bylaws or the Bylaws of the DSCC.

#### Article VIII: Committees

The following are Standing Committees of the Caucus.

- A. Election:** The Election Committee will oversee the running and counting of votes for all elections, and is responsible for the creation and implementation of any procedures necessary for the performance of this function. Members of the Election Committee are appointed by a majority vote of the Membership at a General Meeting. The Election Committee will appoint its own Chair. No Member may serve on the Election Committee if they or their family members are nominated for office. The Election Committee is accountable to the Members of the Caucus, not to any candidate or Officer. Specific duties of the Election Committee are further defined in Article **XIII** of these Bylaws.
- B. Membership:** The Membership Committee is responsible for outreach to new Members, registration at meetings, and aiding the Corresponding Secretary with membership records. The Corresponding Secretary will Chair the Membership Committee. Members of the Membership Committee are appointed by the Chair in consultation with the Executive Committee or by a majority vote of the Membership at a General Meeting.
- C. Special and Ad Hoc Committees** may be established, as necessary, by the Chair after consulting with the other members of the Executive Committee, or by a majority vote of the Membership at a General Meeting.
- D.** The Recording Secretary must be notified within five (5) business days of any change in appointment or election to Special, Ad Hoc, or Standing Committee and all such changes must be announced to the Membership at the next General Meeting.

#### Article IX: Meetings and Voting

Regular meetings of the Membership shall coincide with the annual California Democratic Party Convention and the meetings of the Executive Board of the California Democratic Party. The Caucus may hold additional meetings at a location within California, by teleconference, or by online meeting

- A.** A quorum for any meeting of the general Membership is ten (10) Members of the Caucus.
- B.** All meetings must be conducted in accordance with Roberts Rules of Order, Newly Revised and these Bylaws.
- C.** All Members shall be informed of each Caucus meeting.
- D.** Proxy or absentee voting shall not be permitted.
- E.** All meetings shall be fully accessible to people with disabilities in compliance with the applicable State and Federal laws as well as the rules of the California Democratic Party.
- F.** Unless otherwise noted, the following are standard Caucus noticing requirements. All General Meetings require at least ten (10) days' notice to the Caucus Membership. Executive Committee, Ad Hoc and Standing Committees require at least five (5) days' notice to the Membership.
- G.** A Standing Committee or Ad Hoc Committee may meet on an emergency basis with less than five (5) days' notice, but not less than one (1) day notice, at the agreement of two-thirds (2/3) of the Membership of the Committee.
- H.** Noticing shall be provided by one or more of the following methods: 1) email, 2) US mail, 3) telephone (including a message left on voice mail), 4) text, or 5) publication on Facebook or other social media for all items, except Bylaws changes. Notice for Bylaws changes shall only be by email or US mail.
- I.** Written notice given by the CDP for its meetings, if a meeting of this Caucus is noted thereon, shall be sufficient notice of a Caucus meeting, if provided within the above timeframes.
- J.** All Caucus meetings shall be open to the public.

#### Article XI: Officer Elections

- A.** Officers shall serve two-year terms. All Officers, except for the Parliamentarian, shall be elected. Those Officers that are elected in the biennial election shall be elected by mail and in-person balloting to be concluded at the Caucus meeting held at the State Party Convention of odd-numbered years.

- B. Officers and At-Large Members shall be limited to serving two consecutive two-year terms in their respective office. If an Officer serves an incomplete term (less than two years), it shall not count as one of the consecutive two year terms.
- C. Officers must be Members in good standing. All candidates for officer must be Members in good standing with election privileges for the first calendar year of their respective office at the time of their nomination for office. Candidates for Chair and Vice Chair must be Members of the Democratic State Central Committee.
- D. All Members in good standing who wish to run or re-run for elected Officer in the biennial election shall declare their intention by 30 calendar days after the end of the California Democratic Party Executive Board Meeting prior to the State Party Convention, either in person or via written communication (which include email) to the head of the Election Committee.
- E. Elections shall be noticed as part of the meeting noticing process.
- F. Voting in the biennial election takes place both by US Mail and in-person at the State Party Convention of odd-numbered years. Voting by email is explicitly prohibited. No one may vote twice. Voting for Caucus Officers shall be by secret ballot.
- G. Ballot copies may be made and voted as long as they are an exact facsimile.
- H. Members in good standing with election privileges may vote in the biennial election by: (1) US Mail, (2) in-person at the General Meeting, or (3) by providing their sealed ballot to another Member in good standing with election privileges to be delivered.
- I. Members may join at or before a meeting at which voting is completed. A ballot may be accompanied by a membership form and corresponding dues.
- J. The election of Officers at biennial elections must start no less than forty-five (45) days prior to the meeting of the Caucus at the State Party Convention. Members may vote by mail beginning on this date and through five (5) days prior to the scheduled Caucus time at the State Party Convention. In-person voting begins thirty (30) minutes before the scheduled Caucus time and concludes one (1) hour into the Caucus meeting. Counting will take place immediately after voting concludes. Only Election Committee members may count ballots.
- K. A Member joining within the five (5) day period before the Convention may no longer vote by mail. They may vote an exact ballot copy provided by and brought to the in-person voting by another Member in good standing or in-person themselves.
- L. Bringing a ballot is not to be construed to mean a proxy. Proxies are not allowed.
- M. Candidate approved personnel must be allowed to observe the voting and counting process. One Observer per candidate will be allowed.
- N. The Election Committee will provide Provisional Ballots when there are questions of eligibility. All Provisional Ballots must be resolved within 30 days of the election.
- O. All ballots and tallies will be secured and preserved by the Election Committee or the CDP until ten (10) days after the Executive Board Meeting succeeding the Election or the resolution of any challenge or appeal, whichever is later.
- P. The Election Committee will inform all candidates of the results of the election, if possible, by the end of the meeting and no later than two (2) days after the election. Should the number of Provisional Ballots exceed the winning margin required to resolve of the election, results may be delayed for no more than 30 days to resolve the Provisional Ballots. Candidates will be notified of the delay no later than three (3) days after the election. Winning candidates will immediately assume office.

## Article XII Vacancies

- A. All vacancies shall be filled by election at the next Caucus meeting after the vacancy occurs. If no candidate is nominated at that meeting, the election shall be held at the next Caucus meeting at which there is at least one candidate.
- B. Vacancies shall be noticed as part of the meeting noticing process.

## Article XIII: Election Committee

- A. The Election Committee shall vet all potential candidates for compliance with these Bylaws and resolve any issues with respect to the Election. Appeals of Election Committee results are to the CDP Rules Committee.
- B. For biennial elections:
  - B.1 The Election Committee shall issue a ballot to each Member in good standing with election privileges. The Election Committee must distribute ballots, either by US Mail or email, at least forty-five (45) days prior to the State Party Convention.
  - B.2 The Election Committee shall send a ballot to Members who join between forty-five (45) days and five (5) days prior to the State Party Convention.

B.3 The Election Committee shall receive, from the Corresponding Secretary, a copy of the membership list within thirty (30) business days of the General Meeting at which they are appointed. If this does not occur, the CDP shall provide access to Caucus membership records to the Election Committee and all candidates, upon their request.

B.4 The Corresponding Secretary shall provide bi-weekly updates of membership to the Election Committee, who will provide them to candidates within three (3) business days. The Election Committee may, in conjunction with the Corresponding Secretary, choose to have this information directly sent by the Corresponding Secretary or their delegate.

B.5 A person may query to Election Committee to determine their eligibility to vote in elections. The Election Committee will respond to such queries within five (5) days of receipt.

## **Article XIV: Amendments to the Bylaws**

1. Proposed amendments to these Bylaws must be in writing. They shall be sent to all Members with election privileges at least ten (10) days before any vote.
2. Amendments to these Bylaws must be approved by the affirmative vote of two-thirds (2/3) of those Members with election privileges present. Voting will occur at a regularly scheduled meeting of the Caucus.
3. These Bylaws or any amendment thereto shall become effective immediately upon their adoption.

### Article XV: Endorsements

This Caucus shall not endorse candidates for partisan or non-partisan office unless a candidate has received the official endorsement of the California Democratic Party, as provided by its Bylaws. Furthermore, unless a candidate has received the official endorsement of the California Democratic Party, all motions of support, recommendation, or other expressions of approval, no matter how denominated, are deemed to be out of order at any meeting of the Caucus.

## **Article XVI: Non-Discrimination**

The Caucus is prohibited from discrimination on the grounds of race, color, creed, national origin, sex, age, religion, ethnicity, sexual orientation, gender identity, disabilities or economic status as defined by the Americans with Disabilities Act of 1990, as amended.

### Article XVII: California Democratic Party Bylaws

Any issues not specifically covered by these Bylaws shall be governed by the Bylaws of the California Democratic Party. In case of conflict in the Bylaws, the CDP Bylaws will be the governing document. The Caucus specifically recognizes its obligations to adhere to the General Provisions of the CDP Bylaws.

## **Addendum #1: CDP CODE OF CONDUCT**

**The California Democratic Party (CDP) is committed to providing a welcoming, respectful, friendly, safe, supportive, and harassment-free environment for members, employees, and all others associated with the CDP. The CDP expects all leaders, members, employees, and others associated with the CDP to act professionally, respecting the personal rights and dignities of all individuals involved with the party so as to create a productive, inclusive environment for all.**

**All individuals should feel welcome and safe within the CDP, regardless of their sex, gender, gender identity, gender expression, sexual orientation, pregnancy, race, color, ethnicity, national origin, ancestry, religion, creed, age, physical or mental disability, medical condition, genetic information, marital status, military or veteran status, body size, domestic violence victim status, or any other legally protected classifications.**

**The CDP's behavior standards are not limited to CDP conventions and other meetings. Harassment will not be tolerated at any and all events sponsored by or affiliated with the CDP, as well as in CDP-related calls, texts, emails, and social media like Facebook, Instagram, and SnapChat.**

### *Unacceptable Harassment*

**The CDP will not tolerate harassment—that is, disrespectful or unprofessional conduct based on any of the protected categories listed above. Prohibited harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing based on the protected categories listed above), visual (such as the posting or distribution of offensive posters,**

symbols, cartoons, drawings, computer displays, or emails based on the protected categories listed above), or physical (such as physically threatening another person, blocking someone's way, touching private parts, making physical contact in an unwelcome manner, etc.).

The CDP will not tolerate sexual harassment, that is, harassment based on sex or conduct of a sexual nature, which includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity or gender expression. Prohibited sexual harassment may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

The CDP prohibits quid pro quo sexual harassment, such as when submission to sexual conduct is made explicitly or implicitly a term or condition of an individual's membership in the party, appointment to committee, leadership, or other role within the CDP; *or* submission to or rejection of sexual conduct by an individual is used as the basis for decisions affecting that individual.

The CDP prohibits the creation of a hostile environment, that is, conduct that creates an intimidating, hostile or otherwise offensive environment, including but not limited to: unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts; sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets; leering, obscene or vulgar gestures or making sexual gestures; displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items; impeding or blocking movement, unwelcome touching or assaulting others; any abusive yelling or screaming, other verbal threats, or disrespectful language directed at a person; any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances; and conduct or comments consistently targeted at one gender, even if the content is not sexual.

The examples above are just that—examples. In general, any conduct listed above or that is based on the protected classifications listed above that could interfere with an individual's participation in the CDP or could create an offensive environment will be considered harassment in violation of this code of conduct. This is the case even if the offending individual did not mean to be offensive. It is essential that we all be sensitive to the feelings of others.

#### *Retaliation Prohibited*

The CDP takes very seriously its responsibility to provide all members with a welcoming, respectful, and safe environment and urges any member who feels uncomfortable, unwelcome, or unsafe to report harassment (of themselves or observed with respect to others) as soon as possible. Retaliation for reporting harassment or discrimination, or participating in an investigation with respect to harassment or discrimination, is prohibited.

Retaliation may include, but is not limited to, exclusion from meetings or committees, ostracism, bad-mouthing, or other conduct that may limit engagement with the CDP, or that would be reasonably likely to deter a reasonable CDP member from reporting harassment or participating in a harassment investigation.