

Term rotation roster

Group A End of term 5/31/22	Group B End of term 5/31/23	Group C End of term 5/31/24	Group A End of term 5/31/25
Lisa	Kay	Jane	
Doug	Karyn	Randi	
Caroline		Liesje	

Appointments:

Member	Appointed/reatppt	withdrawn	
Liesje Quinto	Jan 2022		
Karyn Jones	Dec 2021		
Pat Guthy	Jun 2021	Nov 2021	
Jane Kline	Jun 2021		
Randi Korn	May 2021		
Kay Bell	Aug 2020		
Caroline Santangelo	Jun 2019	May 2022	
Doug Frey	Mar 2019	May 2022	
Sue Rushfirth	Mar 2019	Sep 2019	
Lisa Kouchakdjian	Jan 2019	May 2022	
Susan Iuliano	Sep 2018	Apr 2019	
Pat Guthy	Jun 2018		
Kay Bell	Aug 2017		

Membership questions sent to Jeff Dougan at MOD on Nov. 17, 2021

1. Can you point me to the official passages that changed the maximum number to nine? And to any other relevant changes to the appointment process?

[MGL Chapter 40 Section 8J](#) was updated in 2016(?) to reflect the minimum and maximum number of members, from 5 to 9 to 5 to 13. If Sudbury adopted “8J” prior to that update, and wants to raise the membership number above 9, the adopted bylaw would need to be amended to reflect those numbers. See the 3rd paragraph.

A majority of said commission members shall consist of people with disabilities, one member shall be a member of the immediate family of a person with a disability and one member of said commission shall be either an elected or appointed official of that city or town.

2. Is there still a requirement that one of the seats must be filled by an elected or appointed official? Sudbury has not provided that person for us.

Please see the attached document. The technical answer is yes, but most communities fill this seat with a another member. I’ve never seen/heard/read about a community getting in trouble regarding this particular matter though.

3. If required are they supposed to do some of the administrative work to support the COD?

“8J” does not require the appointed/elected official to do any additional tasks, unless they are an officer within the COD. “8J” grants this seat an official vote.

4. Also, is there any more recent guidance about the majority being individuals with disabilities. We have some of that representation but we have more family members of individuals with disabilities.

Yes. Please see the attached document.

A note before we begin. While MOD is versed in the MGL's you reference, the information provided within this email is intended as technical assistance and should not be considered legal advice.

With that out of the way, let's first discuss some of the prescribed information from C.40, S. 8J:

Under that statute, the COD membership (5-13 members) is laid out as:

- A majority of members shall be persons with disabilities;
- 1 member can be an immediate family member of a person with a disability; and
- 1 member shall be an elected or appointed official of that city or town.

There's a little wiggle room to meeting the intent of 8J while not necessarily having the pool of applicants that meet every seat's earmarked designation; however, I just want to state that the statute does lay out this membership using "shall" which has also be interpreted as "must".

With that said, there are 2 avenues to consider when strategizing about filling vacant COD seats of a particular designation from the statute, where the volunteer applications are not clear on whether someone has a disability or not.

1. When appointing someone to the COD, the following language should be used due to the uniqueness of the membership requirements established under MGL Chapter 40, Section 8J.

This should be explained to all applicants.

The criteria for the composition of the Commission on Disability is required, by MGL Chapter 40 Section 8J, to consist of more than 50% of the membership to be people with disabilities. Therefore, in choosing the membership we look to seat on that Commission we are asking for people to voluntarily identify as a person with a disability so we ensure that we meet that mandate. Please be advised, we are not looking for a specific disability, a simple "Yes, I am a person with a disability" or "No, I am not a person with a disability" will be sufficient. The applicants with disabilities will be seated first, while applicants without disabilities will be seated after all applicants with disabilities are seated, if membership allows.

.. or something similar.

2. This option is really for those communities whose applicant pool to serve on a COD is a very short list. Most of the time this really applied to very small communities. However, if MUNICIPALITY is truly meeting this applicant deficiency to choose from, as in there are not enough volunteers to fill the majority seats required to be filled by individuals with disabilities, there needs to be a policy in place with the appointing authority so as appointments are made, they are:
 - a. Targeted searches to fill vacant seats with the membership requirements.
 - b. Barring success with that approach, creating a policy to fill vacant seats with others that are not considered individuals with disabilities for shorter terms, or, with the understanding that if someone applies and qualifies to fill a seat of the majority, then the existing member:
 - i. may be moved to a vacant seat (if available), or
 - ii. The qualified applicant should fill any vacant seat, or

- iii. Both the person applying and the closest person to term expiration holding a seat not connected to the majority requirement, should be told that, to ensure a majority of the COD is maintained (or to assist with meeting that), the person holding a non - “member with a disability” seat may not be reappointed, or reappointed to a different seat.
- c. It’s a little complicated, but the municipality will need to ensure their process for appointing membership to the COD is fair, balanced, and has the intent of filling COD with the appropriate membership as qualified members become available to serve.



Sudbury Commission on Disabilities Seeks Four Members

(978) 639 – 3265 disability@sudbury.ma.us

Our Mission

The mission of the Sudbury Commission on Disability (COD) is to promote equal access to all aspects of community life for individuals in Sudbury living with disabilities by helping the Town identify barriers, by collaborating to have them removed, and by promoting self-advocacy.

How We Work

1. The COD is a vibrant, hard-working group that meets monthly and may convene additional meetings if needed.
2. We have subcommittees who focus on specific work: Disability Awareness, Capital Projects (buildings, etc.), Bylaws...
3. The COD has developed relationships with other committees and staff by identifying where our mission intersects with the work they are doing, and by communicating with them and supporting them in their work with information and insights.
4. Generally, we rotate the task of taking meeting minutes.
5. Between meetings members may have tasks to complete such as writing a letter or communicating with a person from another committee or on town staff.
6. We take advantage of a variety of training opportunities offered at no cost by the Massachusetts Office on Disability and by other organizations.

For Whom Are We Looking?

1. Sudbury resident. No age restriction.
2. Individuals living with disabilities have valuable insights to contribute to the work of the COD and are given priority for membership if there are more applicants than open seats. We encourage individuals with disabilities to consider joining the COD.

3. Anyone who cares about the mission of the COD and wants to participate in the work described is welcome to apply.

Appointment Process

1. It's useful to attend, or watch on Sudbury TV, one or two COD meetings.
2. Contact the COD Chair for a chat.
3. Fill out an application and submit it to the Town Manager.
4. Attend a COD meeting to talk with members. The COD then may vote to endorse your application.
5. Speak with the Town Manager.
6. The Town Manager asks the Select Board to approve his appointment of you to the COD.
7. Town staff sends you a package of information for you to read carefully, instructions for completing some forms, and a link to required training on ethics as a public official.
8. You submit the required forms and go to the Town Clerk's office to be sworn into office.
9. You are then an official member. Attend meetings, vote on decisions, and participate in the work of the COD.

Massachusetts General Law that enables Commissions on Disability states that CODs are created to

1. research local problems of people with disabilities
2. advise and assist municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities
3. coordinate or carry out programs designed to meet the problems of people with disabilities in coordination with programs of the Massachusetts Office on Disability
4. review and make recommendations about policies, procedures, services, activities and facilities of departments, boards, and agencies of said city or town as they affect people with disabilities
5. provide information, referrals, guidance and technical assistance to individuals, public agencies, businesses, and organizations in all matters pertaining to disability

6. coordinate activities of other local groups organized for similar purposes