

Oregon Disabilities Commission Bylaws

Article I

Section 1: Mission

To secure and maintain economic, social, legal, and political justice for individuals with disabilities through systems change.

Section 2: Purpose

To accomplish this mission the Commission will undertake the following activities:

- A. Identify and hear the concerns of people with disabilities, their representatives, and organizations/agencies and then use this information to prioritize public policy issues which should be addressed;
- B. Publicize the needs and concerns of individuals with disabilities as they relate to the full achievement of economic, social, legal, and political equity;
- C. Educate and advise the Department of Human Services, the Oregon Health Authority, the Governor, the Legislative Assembly, and appropriate state agency administrators on how public policy can be improved to meet the needs of individuals with disabilities.

Section 3: Values

The Commission will carry out its duties in a manner that is consistent with the following values:

- A. All Commission Members have equal power and authority except as required to fulfill specified duties as officers.
- B. The Commission will represent the interests and rights of all Oregonians with disabilities.
- C. The Commission, in its actions and its language, will contribute to the dignity, well-being, choice, and independence of individuals with disabilities.
- D. The Commission will conduct its business in a manner that is accessible to all individuals with disabilities.

Article II

Section 1: Commission Membership

- A. The Commission will consist of not more than fifteen (15) members and will include as voting members only those persons appointed by the Governor. The Commission will offer appointment recommendations for the Governor's consideration.
- B. All Commissioners shall be experienced in or knowledgeable about the needs and interests of individuals with disabilities. At least two-thirds of the fifteen (15) Commissioners shall be individuals with disabilities as defined in ORS 185.110. The membership of the Commission shall be composed of members broadly representative of major public advisory groups and private agencies who are experienced in, or have demonstrated particular interest in, the special needs of people with disabilities and represent a broad range of people with disabilities, including individuals representing differing geographic and ethnic backgrounds.

Section 2: Terms of Membership

- A. Members may be appointed by the Governor for not more than two (2) consecutive four-year terms, as mandated by Oregon Revised Statute 185.130.

Section 3: Recruitment/Application/Appointment Procedure

- A. The Executive Committee will review Statements of Interest and Resume and make recommendations to the Governor's Office based on the information that was reviewed in those documents.
- B. Applicants will be invited to a Commission meeting for introduction and observation of the meeting.
- C. The Commission's recommendation(s), along with the application, will be sent to the Governor's Office following the Commission's decision.
- D. Recommended appointees are NOT official until the Governor's appointment process is completed – with a background check, reference checks, and a signed oath of office in place.

Section 4: Vacancies and Attendance

- A. Members wishing to resign from the Commission will notify, in writing, the Governor and the Commission Chairperson.

- B. When a vacancy occurs, the Commission will seek to fill the vacancy by following the recruitment and appointment process.
- C. Attendance is required. The Commission may request that the Governor terminate the membership of any Commission member who fails to attend three (3) unexcused consecutive meetings and/or four (4) excused consecutive meetings in a twelve (12) month period. The Commission may waive this requirement for members who have submitted a written absence request to the Commission Staff or Chair and received approval of the absence request. As a precaution, after two (2) unexcused and/or three (3) excused absences, a letter and/or phone call will be sent to members advising them of their right to request an extended excused leave of absence.

Section 5: New Member Orientation Procedure

- A. Following appointment to the Commission, the Chair will assign a mentor for the new member.
- B. Newly appointed Commissioners will be given an orientation packet and will attend a new member orientation session.
- C. New members will be required to attend the Department of Administration Services Board Trainings.

Article III

Section 1: Meetings

- A. The Full Commission will meet a minimum of six (6) times per year and more frequently as needed.
- B. A majority vote of the members will determine the meeting dates and places.
- C. Meetings will conform to the requirements of ORS 192.630 public meeting laws.
- D. The Commission year begins on July 1 of each year. An annual planning meeting will be held, at which time the Commission will review its prior year's achievements and develop a work plan for the following year.
- E. Written meeting minutes will reflect all members present, all motions, proposals, resolutions, and measures proposed and the result of all individual votes and the substance of any discussion matter.
- F. Adoption of the agenda will take place at the start of each meeting.

- G. Robert's Rules of Order may be used to govern procedures in the conduct of the meetings of the Commission.

Article IV

Section 1: Voting

- A. All Governor-appointed members of the Commission have voting privileges.
- B. Voting on issues may be conducted at any regularly scheduled meeting or emergency meeting and a written record of each vote will be kept.
- C. Voting can occur via telephone conference, roll call, and/or written ballot, if it complies with all requirements of the public meeting law and the public is aware of the issues to be voted on.
- D. A simple majority of the Commission voting membership filled positions shall constitute a quorum.

Article V

Section 1: Conflict of Interest

- A. All Commissioners will follow the ODC Conflict of Interest policy.
- B. No Commission member shall receive funds directly from the ODC except as allowed under statute.
- C. A conflict of interest arises when a Commission member has a financial relationship to, or is an employee, or on the Board of Directors, of an organization which intends to apply for or has applied for a Commission grant or contract.
- D. Any Commission member who has a conflict of interest or a perceived conflict of interest must refrain from participating in the following: screening or selection of committees involving funding decisions; discussion and voting at Commission or committee meetings regarding potential areas of conflict; and any other Commission processes that relate to the potential areas of conflict.
- E. Commission members are obligated to inform the Chair of the Commission or committee as soon as they know of any potential or actual conflicts of interest. Such notice shall be recorded in the minutes of the meeting. When it is unclear if a conflict of interest exists, the Executive Committee or Chair shall make the determination. Until a determination is made, a conflict of interest will be considered to exist.

Article VI

Section 1: Officers

- A. **Qualifications for Office.** The Commission shall have two officers: Chair and Vice Chair. Officers shall serve two (2) year terms and cannot serve more than two (2) consecutive terms in office. Qualifications for office shall include but are not limited to:
1. Leadership skills or potential, including ability to conduct meetings and include all members in discussions and decision-making.
 2. History of regular, active participation in Commission meetings and/or committees.
 3. Availability to regularly attend Commission and Executive Committee meetings.
- B. **Duties of the Chair and Vice Chair.** The Chair and Vice Chair shall:
1. Work with Commission Staff prepare an agenda for Commission and Executive Committee meetings.
 2. Preside at all meetings of the Commission and Executive Committee. If the Chair is unable to preside, the Vice Chair shall preside. If the Vice Chair is unable to preside, the Chair shall designate another Commission member to preside.
 3. Call special meetings of the Commission as needed.
 4. Appoint all standing and ad hoc committee Chairs and members, except for the Nominating Committee.
 5. Perform other duties as may be prescribed by law or by Commission actions.

Article VII

Section 1: Committees

- A. There shall be an Executive Committee, consisting of the Chair, Vice Chair, and three (3) at-large members to be determined by a vote of the Commission. The primary role of the Executive Committee will be to assist the Chair and Vice Chair in planning and organizing meetings of the Commission and to make decisions, in keeping with the mission and values of the Commission, that require critical resolution between regular meetings of the Commission.

- B. There shall be a Nominating Committee, selected by the Commission.
- C. The Chair may establish ad hoc committees for particular purposes with stated objectives and limited duration. Members will be appointed by the Chair.

Article VIII

Section 1: Conduct at Meetings

- A. All Commission and Committee meetings will adhere to Public Meeting Laws, which requires a quorum to be present, and further governed by Robert's Rules of Order, as revised.
- B. The Commission Staff, in consultation with the appropriate chairperson, will prepare agendas for Commission and committee meetings, and send in advance to the members, and to other interested parties upon their request. Agenda items may be added to a meeting by a majority vote of the members present.
- C. All members present agree not to share information discussed during an executive session, once the session concludes, in keeping with confidentiality.

Article IX

Section 1: Public Comment/Testimony

- A. Public comment/testimony will be taken at all regular Commission meetings. Public comment/testimony will be at the discretion of the Chair. The presiding Chair will regulate the order and length of public comment/testimony. Committee Chairs may also limit testimony to matters under consideration by the committee.
- B. Individuals wishing to make longer, more formal presentations may be granted permission by the Chair if a request is made at least ten (10) business days prior to the meeting. Requests may be made through the coordinators or the presiding Chair and must include the name of the presenter(s); the organization being represented, if any; and the address and telephone number(s) of the presenter(s).

Article X

Section 1: Travel Reimbursement and Per Diem

- A. The Commission may use resources to reimburse Commissioners for reasonable and necessary expenses of attending Commission meetings and performing Commission duties.

Article XI

Section 1: Accessible Materials

- A. Any materials distributed at a public meeting of the Commission or any materials distributed by the Commission shall be in an accessible format upon request.
- B. For materials distributed at any public meeting of the Commission, specific procedures include:
 - 1. Commission Staff will request materials from guest speakers and distribute them in electronic format to Commissioners as soon as it's available. Commission Staff will ensure that these materials will be in the most accessible format for each Commissioner, such as preferable font size or software. If a Commissioner does not have access to email, then Commission Staff will send hard copies in accessible format to this Commissioner.
 - 2. In rare times when alternative formats are not available in advance of a meeting, such materials will be provided as quickly after the meeting as possible. However, these materials will not be distributed at the meeting. Any materials not distributed prior to the meeting may be read aloud and explained in manner understood by all Commissioners. The Commission may choose not to act or make decisions based on information that is not provided in accessible formats in advance.
 - 3. Commission Staff shall make guest speakers aware of this policy and will send all guest speakers a request for their materials in advance.
 - 4. For all Commission materials distributed to the public (including members of the public at meetings), the Commission will follow the Department of Human Services policy for accessible materials.

5. If a request for an alternative format is made, primary consideration must be given to the individual's requested format/auxiliary aid or service unless another effective means of communication is available and appropriate.
 - i. For materials available in Braille and audio transcription, the Commission will work with the Commission Staff.
 - ii. For materials in electronic format, Commission Staff will ask individuals which software works best if the individual uses a reader. The Commission will provide materials in the preferred software to its best ability.

Article XII

Section 1: Adoption and Amendment of Commission Bylaws

- A. Bylaws will be reviewed every two (2) years, on even-numbered years, to determine if amendments are necessary. Proposed amendments to the bylaws will be submitted in writing to the Chair. The proposed amendment(s) and the rationale for changes will be distributed to each member with the agenda at least one month prior to the meeting. A two-thirds majority vote of those Commission members present is required for adoption.

Adopted date: July 3, 2008

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