

Oregon Deaf and Hard of Hearing Services Advisory Committee Bylaws

Section I

Name

The Oregon Deaf and Hard of Hearing Services Advisory Committee
(ODHHS AC)

Definitions

For the purpose of selecting AC members, the definitions found in OAR chapter 411, division 019 shall be adopted and clarified in these bylaws to include:

(1) "Deaf" is a term that describes individuals who usually have no useful residual hearing and who use sign language as their primary mode of communication. This group of individuals is culturally Deaf and uses the uppercase "D" when using this term.

(2) "deaf" is a term that describes individuals who are audiologically deaf. Individuals who are deaf generally use their residual hearing with speech reading, amplification, hearing aids, cochlear implants, and other hearing assistive technology, and usually speak as a primary mode of communication. This group of individuals uses the lowercase "d" when using this term.

(3) "DeafBlind/deaf-blind" denotes people with a variety of causes and degrees of combined vision and hearing losses that imposes barriers to communication, education, work, and social interaction. This term does not necessarily mean total lack of hearing and vision. Individuals who are deaf-blind can use a variety of adaptive technologies and may also use visual or tactile sign language. Individuals using ASL and actively involved in the Deaf Culture identify as DeafBlind. Those that are not actively involved in the Deaf Culture but rather depend on speech are considered to be deaf-blind.

(4) "Department" means the Department of Human Services.

(5) "Hard of hearing" describes individuals with partial hearing loss ranging from mild to severe-to-profound and can generally benefit from a variety of devices including hearing aids, cochlear implants, and various assistive devices and systems. People who are hard of hearing also frequently benefit from captions (closed, open and real-time/CART) and speech reading. A small percentage of people who are hard of hearing may use some form of manual communication but spoken language is their preferred means of communication which allows them to remain in the mainstream of society. People can become hard of hearing at any stage in the life span.

(6) "Late Deafened" describes people who acquired a severe to profound hearing loss as adults, generally well after the development of speech and language. Individuals who are late deafened generally will benefit from the use of visual display technology and cochlear implants and may also benefit from hearing aids and other hearing technology.

(7) "These Rules" mean the rules in OAR chapter 411, division 019.

Stat. Auth.: ORS 410.070, 410.740

Stats. Implemented: ORS 410.740

Hist.: APD 7-2017, f. 2-21-17, cert. ef. 3-1-17

Section II

Purpose, Goal and Responsibilities

(1) The purpose of these rules is to establish responsibilities and membership for the Oregon Deaf and Hard of Hearing Services (ODHHS) AC. The goal of ODHHS is to advise the Department to ensure that agency programs are available and accessible to individuals who are Deaf or hard of hearing.

(2) The AC's responsibilities shall include the following:

(a) Representing individuals who identify as Deaf, deaf, deaf-blind/DeafBlind, hard of hearing, or late-deafened, and those who also have additional disabilities.

(b) Assisting the Department in identifying the needs and concerns of individuals who are Deaf or hard of hearing.

(c) Making recommendations to the Department of Human Services (DHS) related to the full achievement of economic, social, legal, and political equity for the Deaf and hard of hearing community.

(d) Advising the Department of Human Services on how state services for individuals who are Deaf or hard of hearing might be improved or better coordinated to meet the needs of these individuals.

(e) Advising the Department on how to best provide information to individuals who are Deaf or hard of hearing about where they may obtain assistance in rehabilitation and employment and about laws prohibiting discrimination in employment as a result of disability.

(f) Advising the Department on how to best cooperate with interest groups in rehabilitation and employment for individuals who are Deaf or hard of hearing and encourage public and private employers to undertake affirmative action to ensure inclusive and equitable employment of individuals who are Deaf or hard of hearing.

(g) Advising the Department on how to effectively promote information and education to employers and the general public to increase awareness of and sensitivity to the needs of

individuals who are Deaf or hard of hearing and to increase opportunities for equitable education and training that shall ensure these individuals have the opportunity to reach their full vocational potential.

Stat. Auth.: ORS 410.070, 410.740
Stats. Implemented: ORS 410.740
Hist.: APD 7-2017, f. 2-21-17, cert. ef. 3-1-17

Section III

Membership

A. Advisory Committee (AC) Members

- (1) The Director of the Department of Human Services shall appoint an Advisory Committee to advise the Director regarding the Oregon Deaf and Hard of Hearing Services Program. The Director shall:
 - (a) try to achieve diversity in AC membership,
 - (b) elect to consult with the AC regarding proposed Committee membership.
- (2) The Director shall appoint 12 individuals to the AC:
 - (a) Four individuals who either are Deaf or deaf, with inclusion of one member who is DeafBlind when possible.
 - (b) Four individuals who are hard of hearing with inclusion of one member who is deaf-blind when possible.
 - (c) Four individuals whose professional background, certification, education indicate skills and abilities to address the needs of hard of hearing, deaf, Deaf, deaf-blind or DeafBlind population. These individuals may be hearing or chosen in a manner that will maintain the Advisory Committee diversity and balance between Deaf and hard of hearing members. Every effort should be directed towards obtaining members whose skill set matches needs identified in current goals and/or workplans.
- (3) The Director may conduct background checks prior to appointment.

Stat. Auth.: ORS 410.070, 410.740
Stats. Implemented: ORS 410.740
Hist.: APD 7-2017, f. 2-21-17, cert. ef. 3-1-17

B. Terms of Membership

Members may be appointed by the DHS Director for not more than two consecutive three-year terms. Requests approved by the AC for more than two consecutive three-year terms shall be referred to the DHS Director.

C. Vacancies and Attendance

1. Members wishing to resign from the AC shall notify, in writing, the DHS Director and the ODHHS AC Co-Chairs.
2. When a vacancy occurs, staff will seek to fill the vacancy by soliciting applications specific to that vacancy and from those applicants the ODHHS AC EC shall make recommendations to the AC for consideration and approval. Those who are approved by the AC shall be forwarded to the DHS Director with a recommendation for appointment to the AC.
3. Attendance is important. The AC may request that the DHS Director terminate the membership of any Committee member who fails to attend two (2) meetings in any twelve-month period. If a member attends less than 70% (approximately 2.5 hours) of a full committee meeting, this would count as an absence. Staff will track absences and keep co-chairs informed of attendance issues. The AC may waive this requirement for members who have submitted an email or telephone (text or call) notification to a staff person at least 24 hours before the meeting except in case of emergency. As a precaution, after one unexcused absence, staff will send a letter to the member reminding them of their right to seek excused absences and that they cannot miss another meeting in the next 12-month period.

Meetings

1. The AC shall meet *at least* six times a year and more frequently as needed.
2. At or before the beginning of each year a majority vote of the members will determine the meeting dates and places. Staff will then schedule interpreters and CART based on that schedule.
3. Meetings shall conform to the requirements of ORS 192.630 public meeting law.

4. The AC planning and fiscal year begins on July 1 of each year. At or before the beginning of each year, an annual planning meeting will be held, at which time the AC will review its prior year's achievements and will develop a work plan for the following year. A written summary of the achievements and new work plan will be submitted each year by staff to the DHS Director.

Voting

1. All DHS Director appointed members of the Committee have voting privileges.
2. Voting on issues may be conducted at any regularly scheduled meeting or emergency meeting and a written record of each vote will be kept.
3. Voting can occur via telephone conference roll call or written ballot, as long as it complies with all requirements of the public meeting law and the public is aware of the issues to be voted on.
4. A simple majority of the AC voting membership filled positions shall constitute a quorum.
5. Given that a quorum exists, 2/3 of the members present (50% + 1, general recommendation) shall be required for passage of a motion.

Conflict of Interest

All AC members shall conform to the DHS Conflict of Interest policy.

Section IV

Officers

A. Qualifications for Office. The AC shall have three officers: two Co-Chairs and an at large member. Officers serve two (2) year terms. Individuals 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 Committee meetings.
3. Availability to regularly attend Advisory Committee and Executive Committee meetings.

B. Duties of the Co-Chairs and Member at Large.

The Co-Chairs:

1. Work with staff to prepare an agenda for AC and EC meetings.
2. Alternate presiding duties at all meetings of the AC and EC.
3. Call special meetings of the AC as needed.
4. Appoint all standing and ad hoc committee Chairs and Members.
5. Perform other duties as may be prescribed by law or by AC actions.

Committees

(1) The ODHHS AC shall elect an ODHHS Executive Committee (EC) from its membership.

(2) The EC shall consist of two Co-Chairs (one Deaf, one Hard of Hearing) and one Member at Large.

(a) The EC reserves the right to expand the EC membership to include a total of three at-large members to be determined by a vote of the AC.

(b) The primary role of the EC is to assist the staff in planning and organizing AC meetings and to make decisions that require critical resolution between regular meetings of the AC, while keeping within the mission and values of the AC.

(c) The EC will review applicants to the AC and make appointment recommendations to the AC. After review and approval by the AC, those who are approved shall be forwarded to the DHS Director with a recommendation for appointment.

(d) Attendance is important. Executive Committee members may choose to remove anyone from the Executive Committee (with a vote that is unanimous excepting the person whose removal is being voted on) who fails to attend two (2) Executive

Committee meetings in any twelve consecutive months. If an Executive Committee member attends less than 70% of an Executive Committee meeting, this counts as an absence. Staff will track absences and keep co-chairs informed of attendance issues. The Executive Committee may waive this requirement for members who have submitted an email or telephone (text or call) request to a staff person at least 24 hours before the meeting except in case of emergency. As a precaution, staff will send a letter to the member reminding them of their right to seek excused absences and that they cannot miss another Executive Committee meeting in the next 12-month period.

(3) The co-chairs may establish ad hoc committees for specific purposes with stated objectives and limited duration.

(a) Chairs of any ad hoc committees must be members of the ODHHS AC and be appointed by the co-chairs.

(b) Ad hoc committees may include members of the general public when appropriate.

(4) Passage of a motion requires unanimous agreement.

Stat. Auth.: ORS 410.070, 410.740

Stats. Implemented: ORS 410.740

Hist.: APD 7-2017, f. 2-21-17, cert. ef. 3-1-17

Section V

Adoption and Amendment of Advisory Committee By-laws

Proposed amendments to the bylaws will be submitted in writing to the EC. The proposed amendment(s) and the rationale for changes will be distributed to each Advisory Committee member at least one month prior to the next full meeting, during which period comments will be received and evaluated. A two-thirds (2/3) vote of those AC members present is required for adoption.

Adopted date: May 21st, 2021

Revision date: May 21st, 2021