

# **BYLAWS**

## **MARYLAND ADVISORY COUNCIL ON THE DEAF AND HARD OF HEARING**

### **§ 9-2404**

**Clean official revised version as of 06/05/2019**

#### ***Preamble***

***The Maryland Advisory Council on the Deaf and Hard of Hearing, hereinafter called the "Council" established in support of The Office of the Deaf and Hard of Hearing. The Council advises the Office of the Deaf and Hard of Hearing. Annotated Code of Maryland, State Government Article, § 9-2401-9-240 subtitle 24.***

#### **Definitions:**

“Council” means the Maryland Advisory Council on the Deaf and Hard of Hearing.

“Office” means the Office of the Deaf and Hard of Hearing.

“Director” means the director of the Office.

“Deaf and hard of hearing individuals” means those individuals who have a partial or complete loss of hearing, including people who are deaf, hard of hearing, late deafened, and deaf-blind.

“Deaf-blind” means those residents of Maryland who have concomitant vision and hearing loss.

### **ARTICLE I NAME**

The name of this Council is the Maryland Advisory Council on the Deaf and Hard of Hearing. It is established in Accord with Article-State Government § 9-2301 through 9-2307, Subtitle 23. Office of the Deaf and Hard of Hearing, Annotated Code of Maryland.

### **ARTICLE II MISSION**

The mission of the Council is to advise the Office of the Deaf and Hard of Hearing in carrying out its duties, and to advocate for public policies and practices that promote the full inclusion of all persons who are deaf or hard of hearing in all aspects of community life.

## **ARTICLE III PURPOSE**

The purpose of the Council is to fulfill its mission in accordance with State law. The Council shall:

- A. Advise the Office of the Deaf and Hard of Hearing in carrying out its duties.
- B. Review statewide activities for deaf and hard of hearing individuals, including reviewing reports and publications of committees and commissions;
- C. Foster coordination and support for programs for people who are deaf or hard of hearing individuals.
- D. Study ways to maximize the use of facilities and services available to deaf or hard of hearing individuals.
- E. Hold:
  - (1 At least quarterly (based on fiscal year July 1 – June 30), regularly scheduled meetings and;
  - (2 Open meetings to provide direct communication between deaf or hard of hearing individuals and private and public organizations and the general public about programs and services for, as well as the needs of people who are deaf or hard of hearing, and;
  - (3 Assist any local governing body of a county to establish a local advisory council for people who are deaf or hard of hearing for purposes of implementing relevant provisions of the American with Disabilities Act of 1990 (ADA) and other relevant State and federal laws.

## **ARTICLE IV MEMBERSHIP**

### **A. Appointment**

The Governor with the advice and consent of the Senate appoints members.

### **B. Composition**

The Council consists of eighteen (18) members appointed by the Governor, with the advice and consent of the Senate, of the 18, at least five of the members shall be deaf or hard of hearing individuals.

(1.) State Government Members

- (a) one shall be the State Superintendent or a designee from the State Department of Education;
- (b) the Secretary or designee from the State Department of Health and Mental Hygiene;
- (c) the Secretary or designee from the State Department of Human Resources;
- (d) the Secretary or designee from the State Department of Transportation;
- (e) the Secretary or designee from the State Department of Labor, Licensing and Regulation;
- (f) the Secretary or designee from the State Department of Housing and Community Development;
- (g) the Executive Director or designee from the Maryland Commission on Civil Rights;
- (h) the Superintendent or Designee from the Maryland School for the Deaf;
- (i) the Secretary or designee from the State Department of Aging; and

(2.) General Public Members:

Nine members shall be from the general public, chosen from different geographical areas of the state and shall consist of the following:

- (a) Five shall be deaf or hard of hearing individuals;
- (b) One shall be a private citizen with special knowledge or expertise relating to services to people who are deaf or hard of hearing;
- (c) One shall be a parent of a deaf or hard of hearing child (for the purposes of these bylaws only, an individual is considered a child up to the age of 21);
- (d) One shall be from a private agency providing services to deaf or hard of hearing individuals; and
- (e) One shall be a person with special knowledge or expertise relating to services to individuals who are deaf-blind

## **C. Tenure**

- A. The term of a member of the Council is three (3) years. The terms of members are staggered;
- B. A member may not serve consecutively more than two three-year terms;
- C. Two months prior to the end of term of a State government representative, the Director of the Office of the Deaf and Hard of Hearing shall send a letter to the Secretary of the State Government member, requesting a nominee for appointment to the Council;
- D. Council members or organizations providing services to deaf or hard of hearing individuals may submit nominations of individuals to be appointed to the Council two months prior to the expiration of a non-State government council Member's term;
- E. The Director of the Office of the Deaf and Hard and Hearing shall forward all nominations to the Governor's Appointment office;
- F. A member who is appointed after a term has begun serves only for the remainder of the term until a successor is appointed and qualifies;
- G. At the end of a term, a member continues to serve until a successor is appointed and qualifies; and
- H. Any member who fails to attend at least 50 percent of the regularly scheduled meetings during any 12-month period, shall be considered to have resigned and the Chair shall forward his/her to the Governor, not later than July 15th of the year following such non-attendance, with the statement of such non-attendance and the Governor shall thereupon appoint his successor for the remainder of the term. If the member has been unable to attend meetings as required by this section for reasons satisfactory to the Governor, the Governor may waive such resignation if such reasons are made public.

## **ARTICLE V OFFICERS**

The officers of the Council shall be Chair, Vice Chair and Secretary. These individuals shall be elected from the Council by majority vote of the members of the Council during the specified election period.

### **Chair**

- A. The Chair shall be a member of the Council from the general public, and in good standing. The Chair convenes and presides over all meetings of the Council; serves as spokesperson for the Council; represents the Council on the local, State and national level; serves as the Council's liaison to the Governor and other elected officials;

appoints members to standing and ad-hoc committees; and serves as ex-officio member of all council sub-committees.

### **Vice- Chair**

- A. The Vice-Chair shall be a member of the Council from State government, and in good standing. The Vice-Chair assumes all duties and responsibilities of the Chair in the absence of the Chair, and carries out all other duties on behalf of the Council as requested by the Chair. In the event that the Chair is not able to complete a term in office the Vice-Chair shall act as Chair until a new Chair is elected by majority vote of the Council to fulfill the remaining term of the previous Chair. The Vice-Chair shall be an ex-officio member of all subcommittees.

### **Secretary**

- A. The Secretary shall be the official record keeper of the Council. The Secretary is also the official keeper of the records of the organization, which include: 1) the official membership roll, 2) a list of all committees and their names, 3) the most current copy of the By-laws with any amendments noted and any special rules adopted by the organization, 4) a copy of the policies and procedures manual, and 5) any other documents necessary to be present at all meetings to include the most recent copy of Roberts Rules of Order. In the event of a roll call vote, the Secretary assists by calling each member's name and recording his/her vote. The Secretary is also responsible for sending out notices of meetings and other correspondence.
- B. The Secretary is also responsible for ensuring that accurate and sufficient documentation exists to meet legal requirements, and to enable authorized persons to determine when, how, and by whom the council's business was conducted. In order to fulfill these responsibilities, and subject to the organization's bylaws, the Secretary records minutes of meetings, ensures their accuracy, and availability, submits various reports to the council, maintains membership records, and performs other duties as the need arises and/or as defined in these bylaws.

## **ARTICLE VI NOMINATIONS AND ELECTIONS**

- A. Elections for officers shall be held at the annual meeting in June and hold office for two years, unless otherwise duly terminated. The Chair may be elected to additional terms, but shall be limited to two consecutive two-year terms. This restriction may be waived, for good cause, by a two-thirds vote of the Council present at the elections meeting, but this waiver is limited to only one additional two-year term.
- B. Members shall be notified of an upcoming election at least one month in advance.

## ARTICLE VII MEETINGS

- A. The Council shall meet quarterly (based on fiscal year July 1 – June 30). A simple majority of appointed members of the Membership shall be considered a quorum and shall have the authority to conduct business on behalf of the Council. Decision making and voting shall be based on simple majority vote of those present or by signed and written proxy vote.
- B. The rules contained in the current edition of Robert’s Rules of Order newly Revised Edition shall govern the conduct of meetings of the Council in all cases to which they are applicable and in which they are not inconsistent with these By-laws and any special rules of order the Council may adopt. The order of business at Council meetings shall be adjudicated by the Chair.
- C. Notices of regular Council meetings shall be communicated to Council members by the Chair, or Secretary at least ten days prior to the scheduled date of meetings and such notice shall state time, place, and purposes thereof. Agenda for annual and/or regular meetings of the Council shall be prepared by the Chair in accordance with directions of the Council and shall be distributed to members in time to guide the scheduled meeting times.
- D. The Council meeting held in June of each year shall be designated “The Annual Meeting.” During an election year, the Chair of the annual meeting shall be turned over to the Chair of the elections committee upon completion of the necessary business of the day, for the purpose of conducting scheduled elections. When all voting has been certified completed and counted and the new slate of officers duly inducted, the gavel of the chair shall be turned over to the new Chair who becomes the meeting chair. ***Attendance at the Annual Meeting is mandatory for all members who wish to exercise their voting rights on all matters discussed at the Annual Meeting.***
- E. Special meetings may be called by the Chair or upon petition to the Chair by at least five council members and approval of the Director; however, notice of any special meetings shall be given to each member not less than ten days before such meeting. The notice shall give the date, time, and place of the meeting and shall include an agenda for the special meeting.
- F. All meetings will be held in areas compliant with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- G. Equally effective communications will be provided for all meetings.
- H. Minutes for each regularly scheduled meeting will be scribed and approved at the start of the next regularly scheduled meeting. Minutes from the previously scheduled meeting will be disseminated to Council members within 2 weeks of that meeting to allow the proper time for review.

- I. Attendance will be recorded using a sign in sheet and recorded as part of the minutes for each regularly scheduled meeting.

**ARTICLE IX  
AMENDMENTS**

- A. Bylaws will be reviewed annually during the first quarterly meeting of the fiscal year.
- B. Any member may propose an amendment to the Bylaws. Favorable vote by two-thirds of the membership required for adoption of the proposed amendment. Copies of the proposed amendments and notice of its consideration must be mailed, faxed or emailed to each member at least two weeks prior to the date of the meeting at which adoption of the amendment would be considered. The Bylaws should not supersede, conflict or impede with any statutory authority particularly those assigned to the Office or the Council.