

## Article IX

# Deaf Services Advisory Council

### **Section 9.1 Purposes.**

There shall be Deaf Services Advisory Council (DSAC) consisting of a majority of Deaf, Hard-of-Hearing, Deaf-Blind or Late-Deafened members, with the Chair being Deaf, Hard-of-Hearing, or Deaf-Blind. The DSAC is to be entirely composed of members of the community. The DSAC shall operate within the Bylaws, and policies and procedures of Deaf Community Services of San Diego (DCS). A member of the DCS Board of Directors shall be appointed to serve as a Liaison to the DSAC.

The purpose of this council is to ensure that input from the constituent communities served by DCS is taken into consideration in determining service needs and priorities for the agency. This community input is a central element of the “Of, By, & For the Deaf” philosophy.

- a) **Definition:** The term “Deaf” is used in both: Deaf Services Advisory Council (DSAC) and Deaf Community Services of San Diego (DCS). The word “Deaf” in this usage is meant to be all inclusive of; (but not limited) to the following clientele and community constituencies:
  - Deaf
  - Hard-of-Hearing
  - Deaf-Blind
  - Members of minority client groups
  - Deaf-Disabled
  - Late-Deafened
  - In General: Communities of multi-layered intersectional identities

### **Section 9.2 Duties of the Deaf Services Advisory Council.**

The DSAC shall serve as the primary link to the local Deaf Community (and all of its constituencies) that DCS serves. Whenever possible, the DSAC should strive to represent clientele demographics of the Deaf Community within the service area of DCS. This includes but is not limited to members of minority client groups, communities of multi-layered intersectional identities, Late-Deafened, and parents (and relatives) of children who are Deaf, Hard-of-Hearing, or Deaf-Blind. Members of the DSAC shall assist DCS in furthering its’ mission to improve the lives of the members of the Deaf Community (and all of its constituencies) and to foster their independence and dignity.

### **Section 9.3 Deaf Services Advisory Council Role Is Strictly Advisory.**

The role of the DSAC shall be strictly advisory. It shall be responsible for advocating for the needs of the Deaf Community (and all of its constituencies) and making recommendations to the Board of Directors in the following areas:

- a) Priorities of the Deaf Community (and all of its constituencies)
  - This will help the Board of Directors and the agency determine service priorities and how to allocate Department of Social Services funds;

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- b) Prospective Board members, as needed; and
- c) Prospective Executive Directors (EDs), as needed.

Whereas the Board of Directors must give serious consideration to the Deaf Services Advisory Council's recommendations, it is understood that the Board has the final authority to exercise decisions as to service priorities, selection of qualified Board members, and an Executive Director.

#### **Section 9.4 Responsibilities of Deaf Services Advisory Council.**

The DSAC shall carry out the following responsibilities in discharging its duty to DCS and the Deaf Community (and all of its constituencies) as follows:

- a) Conscientiously and diligently advocate on behalf of the Deaf Community (and all of its constituencies), promote the mission of Deaf Community Services of San Diego, and support the agency's good works.
- b) Work in cooperation with the Board, the Executive Director, and DCS staff to identify service goals and ways in which they can be achieved, and to communicate such goals, plans of action, and expected outcomes to the Community.
- c) Recognize the diversity and racial equity that exists within the Deaf Community (and all of its constituencies), respect individual differences, and strive to unify different groups under the agency's umbrella to the greatest extent possible. Additionally, increase the support for growth and development of unity among communities of multi-layered intersectional identities.
- d) Conduct personal affairs in such a manner as to avoid any possible conflict of interest with duties and responsibilities as members of the Deaf Services Advisory Council.

#### **Section 9.5 Officers.**

There shall be four (4) officers. The officers shall be the 1.) Chair; 2.) Vice Chair; 3.) Secretary; and 4.) an appointed Board Liaison. Other duties performed by DSAC community members shall be determined by the DSAC and the Board as necessary to carry out the DSAC responsibilities.

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### **Section 9.6 Deaf Services Advisory Council Community Members.**

The DSAC shall generate seats for the members of the Deaf Community (and all of its constituencies) for the purpose of meeting and voting quorum as outlined in Section 9.15. The selected community members should represent the various demographics of our community. The number of community members will be five (5), or seven (7), or nine (9), as directed by the DSAC, for the purposes of a more balanced voting process.

### **Section 9.7 Qualifications of Deaf Services Advisory Council Members.**

- a) Members of the DSAC shall be Deaf Community members (and all of its constituencies) and shall be residents in San Diego or Imperial Counties that are served by the Deaf Community Services of San Diego (DCS) agency as required by the Department of Social Services contract.
  - Members of the Deaf Services Advisory Council cannot be staff members of DCS
    - Per the guidelines set forth by the Department of Social Services: Since the purpose of the Deaf Services Advisory Council (DSAC) is to provide input from the community that the agency serves, the Council should be afforded the opportunity to function as independently as pragmatically possible, without influence or interference by the agency staff. Consequently, agency staff members should not serve as members of the DSAC, nor should they bring forward personnel or internal agency issues to the Deaf Services Advisory Council. Those matters should be handled by the agency's administration and/or Board of Directors, not the DSAC. While the agency staff may facilitate the maintenance and operations of the DSAC, their role should be solely an administrative support function. They should never attempt to influence or interfere in the DSACs' functioning, or attempt to introduce issues that are beyond the scope of the DSACs' responsibilities.
- b) Members of the Deaf Services Advisory Council must be in good standing with the Deaf Community (and all of its constituencies) and with the DCS agency.
- c) All members of the Deaf Services Advisory Council must sign a statement of agreement attesting to their individual compliance with the Deaf Community Services of San Diego's (DCS) stated policies pertaining to the following:
  - (i) Conflict of Interest;
  - (ii) Grievance Procedure;
  - (iii) Confidentiality;
  - (iv) Sexual Harassment;
  - (v) Drug/Alcohol Usage; and
  - (vi) Code of Ethics.

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These agreements are kept on file at the DCS headquarter offices.

- d) No individual may be nominated or elected to the DSAC who has been convicted of a “Class A” felony (burglary, robbery, rape, murder, arson, kidnapping, child molestation and any other offenses so classified), no matter how old the conviction. No individual may be nominated or elected who is or will be prosecuted for a felony at the time new candidates for the DSAC are under consideration. Concealing any and all such information shall be grounds for immediate removal as a Council member.

### **Section 9.8 Terms of Office are Two (2) Years with a Maximum of Three (3) Terms.**

Each member of the DSAC shall hold office for the term of two (2) years. Terms are based on the calendar year which will begin and end on January 1. Should a member of the DSAC resign before the two-year term expires, a successor may be elected to fill the time remaining. This successor may then run for a full two-year term. At the expiration of a two-year term, a member of the DSAC may be re-elected by a two-thirds majority vote of the DSAC. A member may be re-selected for the same position on the DSAC for maximum of three (3) terms, totaling a potential maximum of six (6) years.

### **Section 9.9 Nomination.**

Any person’s eligibility to serve as an officer or a community member of the DSAC is determined by the qualification requirements in Section 9.7 of these Bylaws. Eligible candidates may be nominated by a member of the Deaf Services Advisory Council, or the Board. Eligible individuals from the community that meet the qualification requirements in Section 9.7 of these Bylaws may self-nominate themselves by applying for a DSAC Community Member vacancy. Members of the DSAC may solicit community opinion when considering new candidates to serve as officers or community members of the DSAC.

### **Section 9.10 Election of Deaf Services Advisory Council Officers & Community Members.**

When an officer role or community member position on the DSAC becomes vacant, the council shall then commence nomination search for qualified successors, as outlined in Section 9.9 of these Bylaws. Eligible candidates receiving the highest number of votes up to the total number of DSAC members to be selected shall be elected. The eligibility of those elected candidate(s) will be vetted as appropriate per Section 9.7.

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### **Section 9.11 There will be No Compensation.**

Members of the DSAC shall serve without compensation. Prior approved expense exceptions may be allowed by the Board based on either reasonable advancement or reimbursement of expenses that would be incurred in the performance of their DSAC duties as specified in this Article IX of these Bylaws. DSAC members must obtain PRIOR approval from a majority of the Board for any expenses they may incur in the performance of their duties, subject to the conflict of interest restrictions.

### **Section 9.12 Meetings of Deaf Services Advisory Council.**

Meetings of the DSAC may be called by the Chair of the Council, the Vice Chair, or the Board Liaison. The DSAC may also be consulted by the Executive Director.

### **Section 9.13 Meeting Location of Deaf Services Advisory Council.**

All meetings of the DSAC shall be held at the principal office of Deaf Community Services of San Diego (DCS) as specified in Section 2.1 of these Bylaws or as changed from time to time as provided in Section 2.1 of these Bylaws. The DSAC will meet at the DCS building or any other location as determined by the DSAC.

### **Section 9.14 Date and Time of Meetings of Deaf Services Advisory Council.**

Meetings shall be held at a minimum of six (6) times a year on a day and time to be fixed by the Board Liaison and the DSAC. DSAC meetings must be held on a day that regular Board and subcommittee meetings are not convening. Meetings are to be publicized at least fourteen (14) days in advance of the meeting date to allow members of the community and the public an opportunity to attend and comment. Additional meetings may be called by the Board Liaison or the DSAC Chair as deemed necessary.

### **Section 9.15 Quorum of Deaf Services Advisory Council.**

A simple majority of voting DSAC members constitutes a quorum of the DSAC for the purpose of voting. The composition of the simple majority shall include a minimum of two (2) DSAC officers present at the meeting.

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#### **Section 9.16 Conduct of Deaf Services Advisory Council Meetings.**

The Chair of the DSAC, or in their absence, the Vice Chair will conduct the meeting, with assistance from the Board Liaison, if needed. In the event the Vice Chair is absent, the Secretary will preside over the meeting. If no officers of the DSAC are available, the meeting will be postponed to a later date, either to the next scheduled date or a special meeting date can be scheduled.

#### **Section 9.17 Removal of Deaf Services Advisory Council officer or Community Member With Cause.**

A two-thirds (2/3) vote is required by the DSAC members to remove a DSAC officer or a community member on the occurrence of any of the following events:

- a) The DSAC officer or community member has been declared of unsound mind by a final order of the court.
- b) The DSAC officer or community member has failed to attend at least two (2) council meetings in any twelve-month period, and these absences are unexcused.
- c) The DSAC officer or community member has failed to carry out their responsibilities as specified in Section **9.7** of the Bylaws.

An exception to the two-thirds (2/3) vote shall exist on the occurrence of any of the following events:

- a) If a DSAC officer or a community member is found by the DSAC, or the Board to have violated the DCS' stated policies as specified in Section **9.7c**, regarding sexual harassment or drug and alcohol usage, or has committed an egregious breach of ethics while on the premises or while acting in the Council's behalf at a DCS event or function, the DSAC officer or a community member will be removed for cause, and the reasons for the removal will be documented and kept on file.
- b) If a DSAC officer or community member is convicted of a "Class A" felony (embezzlement, burglary, robbery, rape, murder, arson, kidnapping, child molestation, or any other offenses so classified) or any felony involving violent conduct (including, but not limited to, assault; battery; stalking; verbal, physical, or manual harassment), or lesser violations such as theft, forgery, conversion, embezzlement, willful misrepresentation, or a threat to public peace, the DSAC officer or community member will be removed for cause, and the reasons for the removal will be documented and kept on file.

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#### **Section 9.18 Removal of Deaf Services Advisory Council officer or Community Member Without Cause.**

Any DSAC member may be removed without cause if two-thirds (2/3) of the members of the DSAC individually or collectively consent in writing to such action. Such written consent or consents shall be filed.

#### **Section 9.19 Resignation of Deaf Services Advisory Council Officer or Community Member.**

Any DSAC officer or community member may resign effective on giving written notice to the Chair of the DSAC, the DSAC Secretary, the DSAC Board Liaison, or the Executive Director of DCS, unless the notice specifies a later time for the resignation to take effect. If the resignation is effective at a future time, a successor may be elected to take office when the resignation becomes effective.

#### **Section 9.20 Vacancies on the Deaf Services Advisory Council.**

Vacancies on the DSAC shall exist on the death, resignation, or removal of any DSAC member, and where the full number of Council members authorized to serve has not been elected. Vacancies on the DSAC may be filled by a majority of the DSAC members then in office, whether or not less than a quorum, or by the Board Liaison, if fewer than nine (9) DSAC members remains.

#### **Section 9.21 Duties of Chair of Deaf Services Advisory Council.**

The Chair shall preside at all meetings of the DSAC. The Chair shall be the executive of the DSAC and as such enforce the provisions of these Bylaws. The Chair shall perform all duties incident to the office and such duties as may be prescribed from time to time by the Board Liaison, the Board Chair, or the Board of Directors.

#### **Section 9.22 Duties of Vice Chair of Deaf Services Advisory Council.**

The Vice Chair shall serve in the absence of the Chair and shall perform the duties of that office as the acting Chair and other such duties as may from time to time be assigned to such Vice Chair. In the event of the Chair's resignation, death, or removal, the Vice Chair shall become acting Chair until such time as the DSAC holds an election for a new Chair.

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#### **Section 9.23 Duties of Secretary of Deaf Services Advisory Council.**

The Secretary shall keep accurate records of the quarterly and special meetings of the DSAC and of all business transacted by the DSAC. The Secretary shall maintain all official correspondence, issue notes and minutes of all DSAC meetings to DSAC members, the DCS Board of Directors, and the Executive Director of DCS, and keep a complete and accurate record of all affairs sponsored by the DSAC. The Secretary shall submit the DSAC Council minutes to the DSAC members for review within seven (7) days after the meeting adjourns and submit DSAC minutes to DCS to upload on the DSAC page on the DCS website.

#### **Section 9.24 Duties of Board Liaison of Deaf Services Advisory Council.**

The Board Liaison shall serve as an intermediary between the DSAC and the DCS Board of Directors. The Board Liaison shall be responsible for monitoring the DSAC for compliance with DCS ethics and rules as specified in these Bylaws, conveying to the Board the results of DSAC meetings, and explaining to DSAC members certain Board decisions that would affect the Deaf Community (and all of its constituencies) or service programs, so long as the information is not confidential.

#### **Section 9.25 Duties of Community Member of Deaf Services Advisory Council.**

The community members will attend all DSAC meetings and will have all the voting powers at the DSAC and will speak for the demographic(s) represented. The community members may participate in special committees as directed by the DSAC.