

DEPARTMENT OF REHABILITATION-STATE OF CALIFORNIA

Department of Rehabilitation

Disability Advisory Committee Bylaws

6/01/2022

The following are the operating procedures for the Department of Rehabilitation's (DOR) Disability Advisory Committee (DAC). These procedures were developed and adopted by the committee and approved by the Director

Article I: Title & Purpose

Section I: Title

The name of this committee shall be the Disability Advisory Committee, also known as DAC.

Section II: Purpose

The DAC is established pursuant to the requirements of California Government Code Section 19795 (b) (1)ⁱ, which requires all state agencies to establish a committee of employees who are individuals with a disability, or individuals with an interest in disability issues to advise the head of the agency on matters relating to the formation and implementation of a plan to overcome and correct any underrepresentation determined pursuant to Section 19234ⁱⁱ. The DAC is to advise the Director on matters relating to Section 19795 (b) as a means to enhance employment and promotional opportunities for individuals with disabilities and to provide a vehicle for consultation related to effective implementation of the ADAⁱⁱⁱ and Section 504^{iv} by the Department. Specific activities include:

- 1) Advising the Director and Equal Employment Opportunity(EEO)/Affirmative Action(AA) officer regarding EEO and AA programs for employees with disabilities, including DOR's reasonable accommodation policies and procedures.
- 2) Advising the Director regarding the design, coordination and implementation of projects and policies to improve DOR personnel practices and employment opportunities for persons with disabilities, the timely procurement of user-friendly technology required by employees with disabilities and the consideration of emerging employment policies and practices.
- 3) Establishing liaisons with groups and organizations that promote opportunities for persons with disabilities in DOR's workforce.
- 4) Advising on issues related to DOR's Self-Evaluation and Transition Plans in support of the ADA and other laws and regulations supporting opportunities and employment for persons with disabilities.
- 5) Maintaining representation and participation on the State Disability Advisory Council.

Article II: Legal Authority

Section I: Legal Authority

State agencies are required to establish a disability committee. Specifically, Government Code Section 19795(b) states:

"Each State agency shall establish a committee of employees who are individuals with a disability to advise the head of the agency on matters relating to the formation and implementation of a plan to overcome and correct any underrepresentation determined, pursuant to Section 19234."

Article III: Operating Parameters

Section I: Staff Time

Committee members may be responsible for conducting DAC related activities eight to sixteen (8-16) hours per month. With the assistance of the Leadership Designee, members will work with their manager to coordinate workloads to include DAC responsibilities. Section II: Support Services

A Leadership Designee has been established by the Director to serve as a liaison and to provide oversight and support to the DAC. Support services, such as interpreters, readers, or note-takers may be necessary for meetings or other activities of the DAC. Although required for the DAC to run smoothly, all individuals attending ins supportive services role are not voting members. The DAC Chairperson should be provided with sufficient advance notification if such services are required.

Section II: Communication

DAC members may not independently send out letters, memos, communications, or take actions without the consensus of the DAC membership.

Section III: Travel

Travel must be preapproved by the Leadership Designee and the committee member's direct supervisor. Upon receipt of written preapproval, it may be submitted via the approved travel request process.

Article IV: Membership

Section I: Qualifications

Government Code Section 19795(b) requires that each State agency establish a committee of employees who are individuals with disabilities or who have an interest in disability issues. All employees shall be invited to serve on the committee and the final selection of members will be at the discretion of the Director. To ensure representation the statute requires that fifty-one percent (51%) of the members are required to be persons with a disability (7 members).

Section II: Number of Members

The DAC is comprised of 13 members which represent individuals of various disability groups as follows:

- Blind/Visual Impairment (or ally), 1
- Cognitive Impairment (or ally), 1
- Deaf Hard of Hearing Disability (or ally), 1
- Heart or Circulatory disorders (or ally), 1
- Intellectual Developmental Disability (or ally), 1
- Learning Disability (or ally), 1
- Mental Behavioral Disability (or ally), 1

Neurodivergent Disability (or ally), 1

Physical Disability (or ally), 1

Respiratory Impairments (or ally), 1

Traumatic Brain Injury (or ally), 1

At-Large member/Ally (individual without a disability who is sensitive to, interested in, and knowledgeable of issues relating to employees with disabilities) 1

Other Disability, 1

Section III: At-Large Members

The Director, with input from the Leadership Designee and Committee, will review the names of individuals who do not identify as a member of a disability group for consideration of appointment as an ally member.

Section IV: Term of Appointment

Appointments to the DAC will be for a two-year term. The program year for the committee is July 1 through June 30. Any DAC member may reapply for and be appointed to the DAC for an additional two-year term. A member can serve up to two terms. If a member of the DAC is appointed as an officer in their 4th year, they may serve one additional year on the DAC in their elected officer role to complete their term.

Section V: Appointment of Vacancies

When a vacancy occurs, employees may submit a DAC application to the DAC Chairperson and Leadership Designee for review and recommendation to the Director. The DAC shall maintain a list of qualified applicants who desire committee membership. Recommendations by the DAC will be made to the Director when vacancies occur.

Article V: Committee Responsibilities

Section I: Responsibilities

The responsibilities of the DAC include, but are not limited to the following:

- 1) Providing recommendation memos and reports, and meeting with the director on a quarterly basis to advise on EEO and AA programs for employees with disabilities, including DOR's reasonable accommodation policies and procedures.
- 2) Meeting with and advising the Director and/or providing recommendation memos and reports regarding policies to improve DOR personnel practices and employment opportunities for persons with disabilities, such as recruitment, retention and upward mobility employment opportunities for persons with disabilities.
- 3) Establishing liaisons with groups and organizations that promote opportunities for persons with disabilities, such as maintaining representation and participation on the

State Disability Advisory Council and working with other groups and organizations to promote the NDEAM event,

- 4) Advising on effective emergency evacuation plans for staff with disabilities, the removal of architectural and attitudinal barriers; accessibility training for employees; anti-discrimination law compliance, such as the ADA; and the hiring, retention and promotion policies and practices for qualified persons with disabilities.
- 5) Promote, coordinate and develop the Department's observance of, National Disability Employment Awareness Month (NDEAM), as well as celebratory and information events pertaining to disability history, culture and etiquette.

Article VI: Meetings

Section I: Open Meetings

Regular meetings and records shall be open to the public and noticed in accordance to the Bagley-Keene Open Meeting Act^v. The DAC will follow the Bagley-Keene Open Meeting Act procedures for receiving and providing reasonable accommodations requests for individuals with disabilities.

Section II: Regular Meetings

Regular meetings of the DAC will be held monthly. To support collaboration, advocacy and to reduce duplicative efforts, DOR Divisions and Sections will be invited to participate in DAC meetings. The DAC Chairperson shall issue the DAC Agenda\Notice of Meeting to all committee members and interested persons. The location, agenda and minutes will be posted on the DOR Internet at least ten (10) days prior to the meeting.

Section III: Special Meetings

Special meetings may be called as needed by the Chairperson with the prior approval of the Leadership Designee or Director. However, such meetings will still require the ten (10) day notice in advance of the meeting including posting on the DOR Internet website in accordance with the Bagley-Keene Open Meeting Act.

Section IV: Location

The principal meeting place shall be Sacramento. DAC member(s) may call in via a call-in option or an internet-based service option as specified in the Bagley-Keene Open Meeting Act. All meeting locations will be accessible to persons with disabilities and conform to state policy regarding state-sponsored meeting locations.

Section V: Minutes

The DAC Secretary will be responsible for taking meeting minutes, transcribing and sending meeting minutes to the Chairperson to review and distribute to members.

Section VI: Quorum

A quorum shall be the majority of the voting members currently serving on the DAC. To ensure a quorum, fifty-one percent (51%), or 7 members, are required to be in attendance.

Section VII: Parliamentary Authority

The DAC Chairperson will conduct meetings using standard parliamentary procedure. Rules contained in the Robert's Rules of Order, Newly Revised Edition shall govern the activities of the DAC and its subcommittees in all cases where applicable and where the rules are not in conflict with these bylaws.

Article VII: Officers

Section I: Titles

The Officers of the DAC shall consist of a Chairperson, Vice Chairperson, Secretary and State Disability Advisory Council (SDAC) Representative.

Section II: Duties

- 1) Serving on the DAC is a commitment to share ideas, collaborate with fellow DAC members and colleagues, and advocate for fellow employees with disabilities. All Membership Seats are responsible for active participation in meetings, subcommittees, voting and events.
- 2) Chairperson: The Chairperson, with input from the committee and Leadership Designee, shall be responsible for developing and distributing an agenda, and conducting meetings. The Chairperson is a nonvoting member to allow the Chairperson to conduct the meeting in a fair and objective manner as possible. The Chairperson will cast the deciding vote when the count has come back tied.
- 3) Vice Chairperson: The Vice Chairperson shall act in the absence of the Chairperson and shall coordinate the activities of the subcommittees.
- 4) Secretary: The Secretary shall take minutes of the DAC meetings and perform other secretarial work as necessary.
- 5) SDAC Representative: The SDAC Representative shall be responsible for attending and participating in the SDAC meetings and keeping the DAC informed on SDAC activities.

Section III: Term of Office

Officers can serve up to two-year terms, with the understanding that if a member becomes an officer in their 4th year, they may serve one additional year on the DAC in their elected officer role to complete their term.

Section IV: Elections

Nominations to serve as a DAC officer will be submitted by the membership on a biannual basis. Nominations may be held at regular meetings to fill an officer vacancy.

Elections for Officer positions will be held on a biannual basis, or as needed to fill a vacancy.

Article VIII: Resignations and Terminations

Section I: Resignations

A member and/or officer of the DAC shall submit a written resignation to the Director, Leadership Designee and the Chairperson of the DAC. The resignation shall be effective when the resignation is acknowledged by the Director.

Section II: Terminations

A person's membership terminates when they are no longer employed by the Department. Members serve at the pleasure of the Director.

Section III: Absences

Members must advise the Chairperson in advance of absence, with the reason for non-attendance. Any member missing two consecutive meetings without good cause, as determined by the Chairperson, in consultation with the Leadership Designee, will need to meet with the Chairperson to discuss continued DAC membership.

Article IX: Subcommittees

Section I: Membership

It may be identified by the DAC that subcommittees are needed to carry out committee efforts. Subcommittees shall consist of at least one member of the DAC and may include non-committee representatives as needed. The DAC Chairperson, in consultation with the Leadership Designee, will work to obtain nominees from leadership for subcommittee members as necessary. The DAC Chairperson will provide oversight of the subcommittees.

Section II: Coordination

The Vice Chairperson shall be responsible for the coordination of the subcommittees.

Section III: Findings and Facts

All reports and findings of subcommittees shall be presented to the DAC for approval, followed by providing a presentation and/or written report by the DAC to the Director or any other official or program within the Department.

Article X: Amendment to Bylaws

Section I: Submission

Proposed amendments to the bylaws shall be submitted to the DAC at a regularly scheduled meeting. The proposed changes shall be introduced and printed in the DAC minutes at least one month prior to DAC action on the proposed change(s).

Section II: Ratification

Proposed amendments to the bylaws must be voted and approved by three fourths of the members and approved by the Director to become part of the bylaws.

Article XI: Technical Assistance & Staff Support

Section I: Technical Assistance

The Director's Office and Leadership Designee shall provide technical assistance to and advise the DAC on matters concerning cooperation from Departmental Divisions.

Section II: Staff Support

The DAC may seek technical assistance and guidance from Department staff with expertise on issues and programs which may affect employment and promotional opportunities for persons with disabilities.

ⁱ California Code, Government Code Section 19790 through 19799 (Equal Employment Opportunity)

ⁱⁱ California Code, Government Code Section 19230 through 19799 (Affirmative Action)

ⁱⁱⁱ Americans with Disabilities Act of 1990

^{iv} Rehabilitation Act of 1973

^v California Code, Government Code Section 11121 (Bagley Keene Act, definition)