

BYLAWS
OF THE
FLORIDA COORDINATING COUNCIL FOR THE
DEAF AND HARD OF HEARING

ARTICLE I
General Provisions

Section 1. LEGAL AUTHORITY. Statutory authority for the creation, organization, and operation of a Council for the deaf and hard of hearing is granted pursuant to § 413.271, Florida Statutes, establishing the Florida Coordinating Council for the Deaf and Hard of Hearing. This legislation specified, in part, *“It is the role of the council to serve as an advisory and coordinating body in the state which recommends policies that address the needs of deaf, hard-of-hearing, and late-deafened persons and which recommends methods that improve the coordination of services among the public and private entities that provide services pertaining to interpreter services, computer aided real-time captioning services, and assistive listening devices, excluding hearing aids. The council is authorized to provide technical assistance, advocacy, and education.”*

Section 2. TITLE AND SCOPE. These Bylaws govern the proceedings, activities and organization of the Council and shall be referred to generally as the “Bylaws of the Florida Coordinating Council for the Deaf and Hard of Hearing.”

Section 3. DEFINITIONS. As used in these Bylaws:

- (1) "Advocacy" means to act in the interests of the deaf, hard-of-hearing, late-deafened and deaf-blind population.
- (2) "Council" means the Florida Coordinating Council for the Deaf and Hard of Hearing.
- (3) "Council member" means one of the seventeen voting members appointed by the Governor.
- (4) “Deaf” means having a hearing loss of such severity as to make it difficult to understand speech through listening, with or without an auditory device. Some deaf individuals may depend on visual or tactile methods, or both, to communicate.
- (5) “Hard of Hearing” means having a hearing loss severe enough to interfere with the ability to process linguistic information through audition, with or without an auditory device. A hard-of-hearing individual

may depend on hearing and/or assistive devices and/or visual methods to communicate.

(6) “Late-deafened” describes deafness which occurred any time after the development of speech and language; often it means after the age of adolescence. Usually a late-deafened adult has identified with hearing society through schooling, social connections, etc. They are usually unable to understand speech without hearing technology and/or visual aids such as speech-reading, sign language, and/or Communication Access Realtime Translation (CART). A late-deafened adult is frequently cited as LDA.

(7) “Deaf-blind” means having hearing impairment in conjunction with vision impairment. Persons who are deaf-blind typically do not have total deafness or total blindness, but rather have their functionality significantly affected due to an impairment of both hearing and vision. Multisensory impairment can occur at any time across the lifespan.

(8) “CART” means Communication Access Realtime Translation and is the verbatim instant translation of the spoken word into English text by a specially-trained machine stenographer using computer assisted translation software which is displayed on a monitor, screen or laptop computer.

Section 4. MISSION STATEMENT. The mission of the Council is to provide a forum for public input and outreach resulting in technical assistance, advocacy, education, and improved communication access among public and private entities to meet the needs of deaf, hard-of-hearing, late-deafened and deaf-blind persons.

Section 5. DUTIES AND ROLES.

(1) It is the role of the Council to serve as an advisory and coordinating body in the state, which recommends policies that address the needs of deaf, hard-of-hearing, and late-deafened persons and which recommends methods that improve the coordination of services among the public and private entities that provide services pertaining to interpreter services, computer aided real-time captioning services, and assistive listening devices, excluding hearing aids. The Council is authorized to provide technical assistance, advocacy, and education. To that end, the Council shall:

- a. Provide information and assistance to the state Legislature;
- b. Provide technical assistance to other state agencies;
- c. Provide information and referral services;
- d. Promote public and individual advocacy for deaf, hard-of-hearing, late-deafened, and deaf-blind citizens; and
- e. Conduct public hearings as needed.

- (2) In addition, the Council may:
 - a. Secure assistance from all state departments and agencies in order to avail itself of expertise at minimal cost.
 - b. Obtain information and assistance from the state or any political subdivision, municipal corporation, public officer, or governmental department or agency thereof.
 - c. Apply for and accept funds, grants, gifts, and services from local or state government or the federal government, or from any of their agencies, or any other public or private source and may use funds for the purposes authorized by this section.

Section 6. OPERATING YEAR. The Council shall operate on the State of Florida's fiscal year basis, which shall begin July 1 and end on June 30.

ARTICLE II

Membership and Composition

Section 1. COMPOSITION. The Council shall consist of seventeen Council members as follows:

- (1) Two members representing the Florida Association of the Deaf (FAD).
- (2) Two members representing the Hearing Loss Association of Florida (HLA-FL), formerly known as The Florida Association of Self Help for Hard of Hearing People, (FLASHHH).
- (3) A member representing the Association of Late-Deafened Adults (ALDA).
- (4) An individual who is deaf and blind.
- (5) A parent of a child with hearing loss.
- (6) A member representing the Deaf Service Center Association (FLDSCA).
- (7) A nationally certified member representing the Florida Registry of Interpreters for the Deaf (FRID).

- (8) A member representing the Florida Alexander Graham Bell Association for the Deaf and Hard of Hearing (AG Bell-FL).
- (9) A certified Communication Access Realtime Translation (CART) provider.
- (10) An audiologist licensed under Part I of Chapter 468, Florida Statutes.
- (11) A hearing aid specialist licensed under Part II of Chapter 484, Florida Statutes.
- (12) The Secretary of the Department of Children and Family Services or his or her designee.
- (13) The Secretary of the Department of Health or his or her designee.
- (14) The Commissioner of the Department of Education or his or her designee.
- (15) The Secretary of the Department of Elderly Affairs or his or her designee.

Section 2. APPOINTMENT AND TERMS OF OFFICE. Council members shall be appointed by the Governor for terms of four years. The Governor may remove any member for cause.

- (1) If any organization from which a representative is to be drawn ceases to exist, the Executive Committee shall recommend a similar organization to the Council. Upon approval of the Council, where the vote is carried by a two-thirds majority, a recommendation will be made to the Governor. Upon concurrence from the Governor, a representative of that organization may then apply to the Governor for appointment to the Council.
- (2) Prior to serving on the Council, all appointees must attend orientation training that shall address, at a minimum, the provisions of this section; the programs operated by the Council; the role and functions of the Council; the current budget for the Council; the results of the most recent formal audit of the Council; and the requirements of the state's public records law, the code of ethics, the Administrative Procedure Act, and other laws relating to public officials, including conflict-of-interest laws.
- (3) Term limits are to be served in accordance with the current Governor's Appointments Policy.

Section 3. VACANCIES. Any vacancy on the Council shall be filled in the same manner as the original appointment, and any member appointed to fill a vacancy occurring because of death, resignation, or ineligibility for membership shall serve only for the unexpired term of the member's predecessor.

Section 4. DISMISSAL.

(1) It is cause for removal from the Council of a member who, during service on the Council:

- a. Is unable to discharge his or her duties for a substantial portion of the term for which he or she is appointed because of illness or disability; or
- b. Is absent from more than one of the regularly scheduled Council meetings during a calendar year, except when the absence is excused by majority vote of the Council. Although participation by teleconference or other electronic means is permissible, the Council expects members to attend meetings in person due to the many advantages of meeting face-to-face.

(2) Also, members may be removed from office by the appointing authority for malfeasance, misfeasance, neglect of duty, incompetence, or permanent inability to perform official duties or for pleading nolo contendere to, or being found guilty of, a crime.

Section 5. COMPENSATION. Council members shall serve without compensation but may be reimbursed for per diem and travel expenses pursuant to § 112.061, Florida Statutes.

Section 6. RESPONSIBILITIES OF COUNCIL MEMBERS.

- (1) It is the responsibility of each appointed Council member to represent one's constituency and present the issues and concerns of the constituency in the formulation of all Council policies and programs.
- (2) Each member shall also perform specific duties assigned by the Chair, Executive Committee, or a standing committee Chair.
- (3) Each member will be responsive to messages, requests and information from the Chair through the Assistant to the Council that are transmitted electronically, telephonically, or by mail in a timely fashion. Members unable to receive e-mail messages must make alternative communication arrangements with the Assistant to the Council.

ARTICLE III
Meetings

Section 1. FREQUENCY. The Council shall meet at least four times during the fiscal year with at least one meeting occurring in each quarter of the fiscal year. Unless otherwise determined by the Council, by vote of consent, these meetings will be held on the second Thursday and Friday of February, May, August, and November.

Section 2. LENGTH. The Chair will determine how much time is needed to accomplish the business of the Council based on the content of the agenda for each Council meeting. The Chair will give Council members at least three weeks prior notice as to the beginning and ending times of each scheduled meeting.

Section 3. LOCATION. The meeting locations will be determined by the Executive Committee after receiving input from the full Council.

Section 4. QUORUM. A quorum of the Council shall consist of a simple majority (nine members) of the Council members. The act of the majority of those members present shall be the act of the Council. No member may vote by proxy.

Section 5. PROCEDURES.

(1) All meetings will be held and advertised in accordance with all applicable Florida Public Records and Open Meeting Laws (Sunshine Laws).

(2) All meetings will be conducted using Robert's Rules of Order.

(3) When a member is recognized by the Chair to speak, the member will begin by stating his or her name for the CART reporter.

(4) When a motion is made and before it is voted upon by the Council, the Chair will repeat the motion into the record, thereby ensuring that all members present have a clear understanding of the motion.

Section 6. MINUTES. A written record shall be kept of all Council meetings and made available to the full Council for review as soon as possible after each meeting, and available to the public upon request, following formal approval of the minutes at the next regularly scheduled meeting of the full Council.

Section 7. MEETING ARRANGEMENTS. All meetings will be made accessible through the provision of necessary accommodations as requested and in full compliance with the provisions of The Americans with Disabilities Act. The Assistant to the Council and the Chair are responsible for the meeting arrangements.

ARTICLE IV
Conflict of Interest

Section 1. DEFINITION. A conflict of interest shall exist if any official action or any decision or recommendation by a Council member has the effect of private monetary benefit to themselves or to the organization that they represent.

Section 2. PROCEDURES. If any Council member has a conflict of interest, he or she will not take any official action or make a formal recommendation regarding the matter in which he or she has a conflict without disclosing such conflict. Disclosure of a conflict of interest does not affect a Council member's authority to be counted for purposes of determining a quorum and to debate and vote on the matter, unless the member requests to be excused from voting or debate at his or her discretion. However, no member shall cast a vote on any matter that would provide direct financial benefit to the member or create a conflict of interest under state law.

ARTICLE V
Council Officers

Section 1. OFFICERS. The Council shall elect a Chair and a Vice-Chair from among the Council members.

Section 2. POWERS AND DUTIES. The officers shall have the following responsibilities and duties:

(1) *Chair.* The Chair shall serve as the presiding officer at all Council functions and activities unless otherwise delegated to another Council member. The Chair is responsible for the content of the Council meeting agenda. The Chair may serve as ex-officio member on all standing committees and ad hoc committees. The Chair shall call and preside at all meetings of the Council and call and preside at all meetings of the Executive Committee. The Chair may appoint a member to attend meetings/functions that she/he is unable to attend and which are deemed important to the Council.

(2) *Vice-Chair.* The Vice-Chair shall, in absence of the Chair, take the Chair's place and perform the Chair's duties. The Vice-Chair shall also undertake any and all duties assigned or delegated by the Chair.

Section 3. TERMS. The officers shall serve one-year terms. There is no limit on the number of terms that a member may serve.

Section 4. ELECTIONS. The election of officers shall take place at the last meeting of the fiscal year.

Section 5. VACANCIES. If a vacancy occurs because of resignation or dismissal, a new officer will be selected to complete the unexpired term of the vacant position.

ARTICLE VI Committees

Section 1. DEFINITION. The Council shall and may have certain committees and task forces, each of which will be chaired by a Council member, and which will have and exercise some prescribed authority of the Council in the management of the Council activities. However, no committee will have the authority of the Council in reference to affecting any of the following:

- (1) Bylaws.
- (2) Issuance of policy statements for the Council unless directed by the Council or ratified by the Council.

Section 2. STANDING COMMITTEES. The Council will consist of the following standing committees:

- (1) Executive Committee.
- (2) Budget Committee.
- (3) Education, Medical and Outreach Committee.
- (4) Technology Committee.
- (5) Website Committee.

Section 3. CREATION OF AD HOC COMMITTEES AND TASK FORCES. The Council, by motion adopted by a majority of those present, may designate and appoint one or more committees and/or task forces and delegate to such groups specific and prescribed authority of the Council to exercise in the management of the business at hand. The Council may terminate any such ad hoc group by majority vote.

Section 4. COMMITTEE COMPOSTION. Initial and subsequent membership assignments in all committees, whether they are standing, ad hoc, or task force, will be made by the Council Chair. Standing committee assignments will be made at the beginning of the Council Chair's term. Ad hoc and task force committee assignments will be made at the time of their creation. It is incumbent upon the committee members to elect a committee chair at their first meeting by majority vote.

Section 5. DUTIES OF COMMITTEES. Each committee shall work on specific activities relative to their charge and make recommendations to the Council. Each committee shall provide the Chair with the following:

- (1) Advance notice of their meetings and plans.
- (2) Written summaries of their meetings.
- (3) Reports of their activities.
- (4) List of membership.

ARTICLE VII

Executive Committee

Section 1. COMPOSITION. The Executive Committee shall consist of four persons and include the Chair, Vice-Chair, Assistant to the Council and Department of Health Liaison to the Council. In the event that no person with hearing loss is a member of that four-person committee, there shall be an election for an additional member at large who has a hearing loss.

Section 2. FUNCTION. The Executive Committee shall have the following functions:

- (1) Be responsible for recommending all Council policies to the full Council for adoption at the next regularly scheduled Council meeting.
- (2) Oversee the preparation of a biennial report, with full input from the Council, to be presented to the Governor, the Florida Legislature and the Florida Supreme Court, listing the Council's activities, concerns, projects and summary of public comment, thus apprising these bodies of the status of people with hearing loss in the State of Florida.

ARTICLE VIII
Amendments

These Bylaws of the Council may be amended or rescinded at any regular meeting of the membership where a quorum is present and the vote is carried by a two-thirds majority, provided a written notice has been given to all members of the Council 30 days prior to the meeting.