

**Advisory Board
for the Virginia Department for the Deaf
And Hard of Hearing By-Laws**

ARTICLE I – NAME

The name of the Board is the Advisory Board for VDDHH, hereinafter, known as the Board.

ARTICLE II – MISSION OF THE BOARD

The Virginia Department for the Deaf and Hard of Hearing (VDDHH) removes barriers to effective communication so that persons who are Deaf and hard of hearing can fully participate in programs and services throughout the Commonwealth.

**ARTICLE III – LEGAL BASE AND POWERS AND DUTIES OF THE
ADVISORY BOARD FOR THE DEPARTMENT FOR THE DEAF AND HARD
OF HEARING**

Section 1. Legal Base: Code of Virginia, Title 51.5, Chapter 13 containing sections Numbered 51.5-106 through 51.5-107 provide the legal base for the Board's establishment and duties.

Section 2. Powers and Duties of the Board:

§ 51.5-107. (Effective October 1, 2002) Powers and duties of Board.

The Board shall have the following powers and duties:

1. To ensure the development of long-range programs and plans provided by the state and local governments for Virginians who are deaf or hard-of-hearing;
2. To review and comment on all budgets and requests for appropriations for the Department prior to their submission to the Secretary of Health and Human Resources and the Governor and on all applications for federal funds; and

3. To advise the Governor, Secretary of Health and Human Resources, Director and the General Assembly on matters related to Virginians who are deaf or hard-of-hearing.

(1984, c. 670, § 63.1-85.1:3; 2002, c. 747.)

ARTICLE IV – MEMBERSHIP OF THE BOARD FOR THE DEPARTMENT

- Section 1. Composition: As stipulated in the Code of Virginia § 51.5-106: The Board shall compose of nine members appointed by the Governor as follows: Four representatives of deafness-oriented professions concerned with the health, education, rehabilitation, mental health and welfare of the deaf and hard of hearing; four citizens who are deaf or hard of hearing, and one member who is a parent of a deaf or hard of hearing child.
- Section 2. Terms: As stipulated in the Code of Virginia § 51.5-106:
 A. Appointments shall be for terms of four years.
 B. No person shall be eligible to serve more than two successive terms, except that a person appointed to fill a vacancy may serve two additional successive four-year terms.
- Section 3. Code of Conduct: The Board shall comply with the Secretary of the Commonwealth's Code of Conduct and are responsible to familiarize themselves with their Advisory Board Manual.
- Section 4. Compensation and expenses: The members of the Board may be paid their eligible expenses incurred in the performance of their official duties.

ARTICLE V – ORGANIZATION

- Section 1. Officers of the Board: The officers of the Board shall be a Chairperson and a Vice-Chairperson
- Section 2. Election of Officers:
 A. The Chairperson shall be elected by the Board from among its membership. The Chairperson shall serve for a two-year term. The incumbent shall be eligible for re-election.
 B. The Vice-Chairperson shall be elected by the Board from among its membership. The Vice-Chairperson shall serve for a two-year term. The incumbent shall also be eligible for re-election.
 C. Elections shall be held in odd numbered years during the last scheduled meeting of the calendar year with the term of office beginning immediately. In the event of a cancellation, the election will take place at the following board meeting. In the case of the Chair being vacant, the Vice-Chairperson shall serve as the temporary Chairperson until the next Board meeting, at which time a new election shall be held to fulfill the remainder of the original term.
- Section 3. Duties of Officers:
 A. The Chairperson shall preside at all meetings of the Board, shall be a member ex-officio of all standing committees, and shall perform such other duties as may be imposed by action of the Board or as set forth in other sections of these By-Laws.

- B. The Vice-Chairperson shall serve in the absence of the Chairperson of the Board and shall perform such other duties as may be imposed by action of the Board or as set forth in other sections of these By-Laws.

Section 4. Special Committees:

- A. Special Committees shall be appointed by the Chairperson whenever they are deemed necessary by the Board or requested by the Department. A special committee shall be restricted to its assigned task, shall report its recommendations to the Board, and shall be dissolved when its report is complete and accepted by the Board unless otherwise provided by the Board.

ARTICLE VI – MEETINGS OF THE BOARD

Section 1. Regular Board Meetings:

- A. The Board shall meet at the call of the Chairperson, but no less than four times a year.
- B. Meetings will be held in the months of November, February, May and August, as determined by the Board during the last regularly scheduled meeting of the calendar year.
- C. The time and place of any regular meeting may be changed if notification is given at least 10 business days prior to the meeting.

Section 2. Special Meetings:

- A. Special meetings may be called by the Chairperson, upon the written request of any three members of the Board, or by the Director when approved by the Chairperson.
- B. Notice to all Board members stating the time, place and purpose of the special meeting shall be communicated as early as possible, but in no case less than five business days prior to the meeting.

Section 3. Director: The Director shall attend all meetings and be responsible for seeing that Minutes are accurately kept.

Section 4. Agendas:

- A. The agenda for all meetings of the Board shall be prepared by the Director or his designee in consultation with the Chairperson. Copies of the tentative agenda shall be provided to each member at least five business days prior to each regular meeting.
- B. Copies of the agenda shall be available at each meeting for members of the media and public.

Section 5. Meetings to be Public: All regular and special meetings of the Board shall be open to the public, provided that the Board may meet in Closed

Meeting to consider matters as permitted by the Freedom of Information Act (Va. Code §2.2-3711). Such Closed Meetings shall be held when feasible after all items of business on the agenda have been conducted.

Section 6. Public Comment:

- A. Members of the public may speak on agenda topics or non-agenda topics at a publicly announced time on the agenda during each meeting. Such individuals or group representatives will be allotted up to ten minutes to present their information to the Board. The Board may, by majority vote, extend such time limit as it deems appropriate.
- B. Except in emergencies, the Board shall not attempt to decide upon any question before examining and evaluating the information any person requests the Board to consider. The appropriate Committee of the Board, the Board, and/or Director shall be given an opportunity to examine and to evaluate all such information and to recommend action before the Board makes a decision.

Section 7. Quorum: Five Board members shall constitute a quorum for the transaction of business.

Section 8. Voting: All action taken by the Board shall require a simple majority vote of Board members present.

Section 9. Recordings of the Meeting: Minutes from each meeting shall be maintained as a public record in the custody of the Department. These minutes shall be sent to each Board member and approved at the next Board meeting. Draft minutes will be posted on the VDDHH web site (www.vddhh.virginia.gov) within ten (10) days of the meeting. Approved minutes will be posted on the VDDHH web site within three days of the meeting at which they were approved.

Section 10. Parliamentary Procedure: Roberts Rules of Order shall prevail except as otherwise provided herein.

ARTICLE VII - REPORTING

The Board shall at its discretion make and submit to the Governor and the General Assembly a report of its findings and recommendations. The report shall be submitted not less than 30 days prior to the convening of the regular session of the General Assembly.

ARTICLE VII – AMENDMENTS

These By-Laws, except those quoted from the enabling statute, may be amended in writing with a simple majority vote during a subsequent board meeting where it is on the agenda.