

CALIFORNIA HIGHWAY PATROL

Advisory Committee for Persons with Disabilities

Bylaws

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The following are the operating procedures for the California Highway Patrol Advisory Committee for Persons with Disabilities.

ARTICLE I

TITLE, AUTHORITY AND PURPOSE

SECTION 1–TITLE

The name of this advisory body shall be the Advisory Committee for Persons with Disabilities (ACPD).

SECTION 2–AUTHORITY AND PURPOSE

The ACPD was activated pursuant to the terms of Government Code (GC) Section 19795(b)¹, to advise the Commissioner on issues of concern to employees with disabilities, and matters relating to the formulation and implementation of a plan to correct any underrepresentation of individuals with disabilities in the California Highway Patrol (CHP) workforce. The ACPD is to advise the Commissioner on matters relating to GC Section 19795(b), to enhance outreach, support recruitment efforts, employment, and promotional opportunities for individuals with disabilities, and to provide a vehicle for consultation related to effective implementation of the Americans with Disabilities Act of 1990² and Section 504 of the Rehabilitation Act of 1973³, by the Department.

In fulfilling its responsibilities, the ACPD shall maintain an open avenue of communication between itself and the Department via the Department's Office of Equal Employment Opportunity (OEEO) - ACPD Liaison. All notes, recordings, records, electronic files, documents, and related items associated with the ACPD are the property of the Department. All ACPD members are precluded from discussing ACPD business with anyone not designated by the Commissioner.

The Department's OEEO commander will serve in an advisory capacity to the Department's Equal Employment Opportunity (EEO) Officer and Executive Management. The OEEO commander will also designate a staff member to work with the ACPD as the ACPD Liaison.

SECTION 3–Bagley-Keene Open Meeting Act

As a multimember body of the state created pursuant to GC Section 19795(b), the ACPD is subject to the requirements of the Bagley-Keene Open Meeting Act (Government Code Section 11120, et seq.) (Bagley-Keene Act). Accordingly, all actions taken by the ACPD shall be in compliance with the provisions of the Bagley-Keene Act.

ARTICLE II

MEMBERSHIP

SECTION 1–COMMITTEE COMPOSITION

The ACPD shall consist of a minimum of 11 members which includes a Chairperson and a Vice Chairperson. Membership shall be open to CHP employees, with disabilities and without disabilities, who are interested in, and are knowledgeable of, issues relating to persons with disabilities. Pursuant to GC Section 19795(b)(2), at least two-thirds of the 11 members will be persons with disabilities, or documentation shall be retained that

demonstrates that the number of employees invited to participate, and are willing and able to serve, is insufficient to meet this requirement.

SECTION 2–TERMS OF OFFICE

Each committee member will serve a two-year term, beginning on January 1st of every calendar year. Half of the committee will be eligible for reinstatement or replacement on even years. The other half of the committee will be eligible for continued membership or replacement on odd years. Members may be considered for reappointment for one subsequent additional term. Annually, the committee will elect from its members, by a two-thirds majority vote, a Chairperson and Vice Chairperson, to be confirmed by the Commissioner. The Commissioner may delegate this authority to the Department's EEO Officer. The Chairperson and Vice Chairperson will serve in these roles for one year but may be reelected for one subsequent additional year.

SECTION 3–SELECTING EMPLOYEES FOR COMMITTEE MEMBERSHIP

Information about upcoming vacancies on the ACPD will be disseminated to all commands via Communications Network message or Departmental email. Uniformed and nonuniformed employees interested in serving on the ACPD should submit a memorandum to their commander, outlining background, occupational category, and reasons for seeking appointment. The employee's commander will forward the request to the OEEO Commander and the ACPD Liaison with their recommendation. The OEEO Commander or the ACPD Liaison will forward all memorandums to the ACPD, and the ACPD will provide its recommendations to the Office of the Commissioner through the EEO Officer for final selection.

ARTICLE III **MEMBER RESPONSIBILITIES**

SECTION 1–RESPONSIBILITIES OF THE CHAIRPERSON

The Chairperson may appoint committees, subcommittees, or members to perform certain activities. The Chairperson or their designee shall act as a spokesperson for the ACPD and may appear on its behalf before other organizations at the direction of the Commissioner. The Chairperson shall serve as the representative of the ACPD at meetings and brief members concerning these activities. The Chairperson shall serve as liaison between the ACPD and the OEEO commander or OEEO-ACPD staff liaison. The Chairperson shall maintain a current mailing list of all ACPD members and resource contacts. The Chairperson shall assign a recorder to take the minutes at each meeting. The Chairperson shall perform such other functions as necessary for the execution of the duties of the office or as the Commissioner may designate.

SECTION 2–RESPONSIBILITIES OF THE VICE CHAIRPERSON

The Vice Chairperson shall serve as the representative of the ACPD at meetings and brief members concerning these activities. The Vice Chairperson shall serve as the liaison between the ACPD and the OEEO commander or OEEO-ACPD staff liaison. The Vice Chairperson shall also maintain a current mailing list of all ACPD members

and resource contacts. The Vice Chairperson, in the absence of the Chairperson, shall preside over meetings of the ACPD and shall perform other duties as assigned by the Chairperson. The Vice Chairperson shall, in absence of the Chairperson, assign a recorder to take the minutes at each meeting.

SECTION 3–RESPONSIBILITIES OF OTHER MEMBERS

Committee members are required to actively participate in the ACPD. Committee members are required to attend meetings as scheduled and work on designated projects as assigned. Two members shall be designated as recorder and backup recorder. The committee members shall perform collateral duties or tasks as assigned. In the absence or inability of both the Chairperson and Vice Chairperson to preside at the meetings of the ACPD, the other members shall designate a member to act as the Chairperson of the meeting in their place by a majority vote by a quorum of the board. All committee members shall familiarize themselves with the provisions of the Bagley-Keene Act to ensure ACPD compliance.

ARTICLE IV **MEETINGS, LOGISTICS, AND ADMINISTRATION**

SECTION 1–MEETING SCHEDULE

The ACPD meets January, May, August, and October; on the second Friday of the month at 1100 hours, unless otherwise announced; and at other times as directed by the Commissioner, Chairperson, or otherwise determined by two-thirds of the majority of committee members in office.

SECTION 2–LOCATION

Meetings of the ACPD will be held at compliant locations or may be held by telephone or by teleconference (Webex or Microsoft Teams), as permitted by the Bagley-Keene Open Meeting Act. Members participating in a meeting of the ACPD, via telephone, Webex, Microsoft Teams, shall be allowed to use a conference telephone or similar communications equipment, allowing all persons participating in said meeting to hear each other at the same time. Meetings conducted via teleconference, Webex, or Microsoft Teams shall be noticed in the meeting agenda, listing each teleconferencing location open to the public; and the manner of meeting shall be noted as such in the meeting minutes.

SECTION 3–ACCESSIBILITY

Meeting locations shall be accessible to all members. Regular meetings and records shall be open to the public and noticed according to the Bagley-Keene Act. Such meetings will require a 10 calendar-day notice in advance and include posting on the CHP internet Web site. Special meetings may be called as permitted by the Chairperson or by a majority of ACPD members. Such meetings will require a 10 calendar-day notice in advance and include posting on the CHP Internet Web site.

SECTION 4--MINUTES

The ACPD will ensure meeting minutes are completed, approved, and forwarded to the ACPD Liaison before the next quarterly meeting. The approved minutes will be sent to the members upon approval and posted on the CHP Internet Web site.

SECTION 5--AGENDAS

The Chairperson or Vice Chairperson shall develop meeting agendas with input from ACPD members. The agenda shall be sent to the ACPD Liaison no later than 20 working days prior to the meeting. The agenda shall be posted on the CHP Internet Web site 10 working days before the meeting.

SECTION 6--QUORUM

One half plus one of the ACPD membership constitutes a quorum. A meeting occurs when a quorum of the ACPD convenes, either serially or all together, to conduct the business of the committee. Decisions shall not be made without a quorum present.

SECTION 7--VOTING PROCEDURES

An approved motion is considered for a vote after discussion by ACPD members when a quorum is present. One vote is accepted from each member. A motion will carry with a 50 percent majority plus one vote. Motions can be voted on at the meeting in which they were introduced or in subsequent meeting. All votes taken during a Webex or teleconferenced meeting shall be by rollcall.

ARTICLE V **RESIGNATIONS AND TERMINATIONS**

SECTION 1--RESIGNATIONS

A committee member or Vice Chairperson may resign from the ACPD at any time by delivering their resignation in writing to the Chairperson. The Chairperson will forward the resignation to the OEEEO commander and the ACPD Liaison and inform the committee. Acceptance of such resignations, unless required by the terms thereof, shall not be necessary to make such resignations effective. If the Chairperson wishes to resign, the Chairperson should deliver a letter of their intent to resign in writing to the OEEEO commander and the EEO Officer and inform the committee. Upon their resignation, a two-thirds majority vote of the members will select the next Chairperson and Vice Chairperson, if necessary.

SECTION 2--REMOVAL

An ACPD member may be removed by the Commissioner. The ACPD, after a two-thirds vote of members in office, may forward a request to the Commissioner through the EEO Officer to remove a Chairperson, Vice Chairperson, or member.

Removal from ACPD membership may include, but is not limited to, the following reasons:

- A change in employment status, such as leaving the Department.
- Failure to support the purpose of the committee.
- Any behavior of the member that is unprofessional and/or detrimental to the reputation of the ACPD.
- Failure to attend 2 consecutive regular meetings of the ACPD without adequate notice and justification for such absences.

The Chairperson shall inform a member facing removal of the intent to remove them from the ACPD, the reason for removal, and the effective date of the removal. This notice shall be in writing and shall be provided at least 10 working days prior to the effective date. The member shall be given the opportunity to appeal in writing. The appeal must be received by the Chairperson no fewer than 5 working days prior to the effective date of the removal. The EEO Officer will review the member's appeal and make a final determination within 10 working days. The Chairperson will inform the OEEC commander and ACPD Liaison of such changes in membership.

If the removed member is the Chairperson, the EEO Officer shall inform the Chairperson facing removal of the intent to remove from membership, the reason for removal, and the effective date. This notice shall be in writing and shall be provided at least 10 working days prior to the effective date. The Chairperson shall be given the opportunity to appeal in writing. The appeal must be received by the EEO Officer no fewer than 5 working days prior to the effective date of the removal. The EEO Officer will review the Chairperson's appeal and make a final determination within 10 working days.

ARTICLE VI **SUBCOMMITTEES**

Subcommittees may be formed as the Chairperson deems necessary. Subcommittees will provide a status report at the monthly ACPD meetings.