

STATE REHABILITATION COUNCIL

BYLAWS

ARTICLE I. NAME

The name of this council shall be the STATE REHABILITATION COUNCIL, hereinafter referred to as the COUNCIL.

ARTICLE II. AUTHORITY

Title I, Part A, Section 105 of the Rehabilitation Act of 1973, as amended.

ARTICLE III. PURPOSE

The purpose of the State Rehabilitation Council (SRC) is:

A. To review, analyze, and advise Rehabilitation Services Administration (RSA) regarding the performance of the responsibilities of the unit under Title I, particularly responsibilities relating to:

1. Eligibility (including order of selection)
2. The extent, scope and effectiveness of services provided.
3. Functions performed by State Agencies that affect or that potentially affect the ability of individuals with disabilities in achieving rehabilitation goals and objectives under Title I

B. In partnership with RSA:

1. Develop, agree to, and review State goals and priorities in accordance with Title I; and
2. Evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the Commissioner in accordance with Title I.

C. To advise DES and the Arizona RSA regarding activities authorized to be carried out under this title, and assist in the preparation of the State plan and amendments to the plan, reports, needs assessments, and evaluations required by Title I.

D. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:

1. The functions performed by State Agencies and other public and private entities responsible for performing functions for individuals with disabilities.
 2. Vocational Rehabilitation services:
 - a. Provided, or paid for, from funds made available under the Rehabilitation Act or through other public or private sources and
 - b. Provided by State Agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities.
 3. Employment outcomes achieved by eligible individuals receiving services under this Title, including the availability of health and other employment benefits in connection with such employment outcomes.
- D. Prepare and submit an annual report to the Governor and the Commissioner on the status of Vocational Rehabilitation services operated within Arizona, and make the report available to the public.
- E. Coordinate, advise and develop working relationships with other councils within the state involved with the rehabilitation of individuals with disabilities including the Statewide Independent Living Council.

ARTICLE IV. MEMBERSHIP

- A. The Governor shall appoint all of the members to the Council after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. The council shall have a minimum of fifteen (15) members, and a maximum of twenty-seven (27) members.
- B. The Council shall include -
1. At least one representative of the Statewide Independent Living Council.
 2. At least one representative of a Parent Training and Information Center.
 3. At least one representative of the Client Assistance Program (CAP).
 4. At least one Vocational Rehabilitation counselor, with knowledge of and experience with Vocational Rehabilitation Programs, who shall serve as an ex officio, nonvoting member of the Council, if the counselor is an

employee of RSA.

5. At least one representative of Community Rehabilitation Program Service providers.
 6. Four representatives of business, industry and labor.
 7. Representatives of disability advocacy groups representing a cross section of:
 - a. individuals with physical, cognitive, sensory, and mental disabilities; and
 - b. parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities who have difficulty in representing themselves or are unable, due to their disabilities, to represent themselves.
 8. Current or former applicants for or recipients of, Vocational Rehabilitation services.
 9. The Administrator of RSA shall be an ex officio member of the Council.
 10. At least one representative of the Directors of the American Indian Vocational Rehabilitation Projects.
 11. At least one representative of the State educational agency responsible for the public education of students with disabilities who are eligible to receive services under this title and under part B of the Individuals with Disabilities Education Act.
 12. At least one representative of the State Workforce Investment Board.
- C. A majority of Council members shall be persons who are:
1. individuals with disabilities
 2. not employed by Arizona DES/~~RSA~~.
- D. The Council shall elect a Chairperson from among the membership of the Council.
- E. Each member of the Council shall serve for a term of 3 years except that;
1. A member appointed to fill a vacancy occurring prior to expiration of the term for which the predecessor was appointed, shall be appointed for the remainder of such term; and
 2. The terms of service of the members initially appointed shall be (as

specified by the Governor) for such fewer number of years as will provide for the expiration of terms on a staggered basis.

3. There are no term limits for the representatives from CAP and the American Indian Vocational Rehabilitation Projects.
- F. No member of the Council may serve more than two consecutive full terms.
- G. Any vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment. The vacancy shall not affect the power of the remaining members to execute the duties of the Council.
- H. Any vacancy occurring on the Council shall be filled by the Governor with an individual who meets the requirements of Article IV.
- I. If a Council member misses three (3) consecutive Council and/or committee meetings within a calendar year, the Council may recommend to the Governor, at the discretion of the Executive Committee, the removal of that member from the Council.
- J. Council members shall notify Council Staff if the member cannot attend a council meeting. If it is determined that a quorum will not be present, the members will be notified.
- K. The representative of the Statewide Workforce Investment Board (WIB) is a mandated Council member. The Council Vice-Chairperson is to collaborate with the WIA State Executive Director and the Governor's office to maintain the WIB presence on the Council.

ARTICLE V. DUTIES AND RESPONSIBILITIES

In addition to the duties and responsibilities described in the purpose of the Council in Article III, the following shall constitute the responsibilities of the Council:

- A. The Council shall
 1. Coordinate with other councils within the State, including the Statewide Independent Living Council, the advisory panel established under Section 612(a)(21) of the Individual with Disabilities Education, the State Mental Health Planning Council, and the State Workforce Investment Board.
 2. Ensure that all regularly scheduled meetings of the Council are open to the public and adhere to Open Meeting Law mandates.
- B. The Council is authorized to hold such hearings and forums as the Council determines to be necessary to carry out the duties of Council.

- C. The Council shall prepare, in conjunction with the designated State unit, a plan for the provision of such resources, including such staff and personnel, as may be necessary to carry out the functions of the Council under the law, with funds made available under the Rehabilitation Act as amended, and from other public and private sources. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.
1. To the extent that there is a disagreement between the Council and Arizona RSA in regard to the resources necessary to carry out the functions of the Council as set forth in this section, the disagreement shall be resolved by the Governor.
 2. The Council shall, consistent with State law, supervise and evaluate such staff and other personnel as may be necessary to carry out the functions of the Council under this section.
 3. While assisting the Council in carrying out its duties, staff and other personnel shall not be assigned duties by the designated State agency or any other agency or office of the State, which would create a conflict of interest.
- D. The Council may use such resources to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties..
- E. Perform such other functions, consistent with the purpose and as determined by the Council to be appropriate, that are comparable to the other functions performed by the Council.
- F. Officers and Their Duties.
1. The Chairperson shall:
 - a. Develop the agenda and preside at all meetings of the Council or in the absence of the Vice-chairperson, assign a designee from the Council to preside in his/her absence.
 - b. Be responsible for the general and active management of the business of the Council.
 - c. Convene regular and special meetings of the Council.
 - d. Establish standing and ad hoc committees to assist the Council or its committees in carrying out their respective responsibilities. The

Chairperson of the Council shall designate the chair of all committees.

- e. Be the official spokesperson for the Council.
2. The Vice-Chairperson shall:
- a. Preside at all meetings of the Council not attended by the Chairperson.
 - b. Carry out the duties as may be assigned by the Chairperson or Council within these Bylaws to include acting as the official spokesperson for the Council when requested.
 - c. Act as coordinator for Council membership recruitment; serving as Chairperson of the Membership & Nominating Committee.

G. Officer's' Terms and Selection:

- 1. The officers of the Council shall be elected by a majority of the voting members and must be selected from among the Council's membership. The Chairperson and the Vice-Chairperson shall be elected for one or two year terms.
- 2. Officers may be re-nominated and re-elected to the same posts for no more than two consecutive terms.
- 3. The Membership and Nominating Committee shall conduct the election and, in the absence of a majority vote, run-off election. To assure an open election process, floor nominations will be accepted.

In the event of a vacancy among the officers, the Membership and Nominating Committee shall conduct an election and, in the absence of a majority vote, a runoff election for officer(s) to complete the unexpired term(s).

H. Duties of SRC Members:

- 1. Participation in committee meetings and activities is expected of all SRC members. Members should expect to accept assignments and spend the necessary time to meet deadlines. Due to membership on a standing committee requiring a commitment of time, in addition to attendance at regular Council meetings, no SRC member should be assigned to more than one standing committee and one ad hoc committee.

ARTICLE VI. PROCEDURES

The State Rehabilitation Council shall be conducted according to the Open Meeting Law, A.R.S. Title 38, Chapter 3, Article 3.1.

A. Quorum.

In order to conduct any official business, a quorum shall consist of fifty-one percent (51%) of the current Council membership.

B. Voting.

1. Each member shall have one vote. The Chairperson of the Council may vote only in the event of a tie. The Chairperson may then cast the deciding vote.
2. All decisions shall be made by a majority vote of the members present.
3. All votes will be by voice unless there is a request by a member for a show of hands or for a roll call vote. Ex-officio members may not vote or present motions at Full Council meetings.
4. Any member may send a representative in his/her absence. The representative does not have the right to vote unless the member has given to the representative written proxy submitted to the Chairperson.

C. Meetings.

1. The Council shall convene a minimum of four meetings a year.
2. Council meeting time and location shall be specified by the Chairperson with input from Council members.
3. A special meeting of the Council may be called by the Chairperson, Vice-Chairperson, or when requested by one fifth of the Council membership. Members must receive notice of special meetings at least five (5) working days in advance of said meeting.

D. Agendas.

Agendas for Council meetings shall be developed by the Chairperson with the assistance of the Council staff. Council members, other agencies, groups, organizations, or individuals desiring to place items on the agenda must present those items and statements of their purpose to the Chairperson no less than ten (10) working days before a scheduled meeting.

E. Minutes.

The Council shall designate Council Staff to keep written minutes of all committees and Full Council meetings.

Minutes shall be kept of all Council and committee meetings. Minutes shall be maintained in the appropriate State Unit administrative office. Such minutes shall be made available to the public upon request. Meetings shall be recorded and the tapes of said meetings shall be destroyed one year after the date of the meeting.

F. Conflict of Interest.

Council members are prohibited from making a decision, or participating in any manner in the decision regarding a matter in which he/she has a prohibited interest (i.e., conflict of interest). A Council member will have a prohibited interest when, in the course of his/her duties, he/she has the opportunity to perform an act or make a decision in his/her official capacity which might substantially affect the economic interest of either him/herself or the individual agency or organization he/she represents or otherwise give the appearance of a conflict of interest under State law.. This is exclusive of other agencies/organizations of similar purpose. A conflict of interest is defined by A.R.S. 38-501 through 511.

G. Public Comment

The opportunity for public comment shall be provided on each agenda.

H. Rules of order

In questions of parliamentary procedure, Robert's Rules of Order shall govern the business conducted in all cases in which they are applicable and not in conflict with these Bylaws.

I. Compensation for services - None.

J. RSA Staff

When contacting RSA staff, SRC members will coordinate such contacts through the committee Chairperson and Council staff if a request is being made which will require RSA staff time to research an issue, prepare/gather material, or produce a written product.

ARTICLE VII. COMMITTEES

The Chairperson of the Council shall establish such standing and ad hoc committees as

are necessary to carry out the specific duties and functions of the Council and shall designate a Chairperson from the Council for each committee. The Council shall define the committee purposes, responsibilities, and objectives.

The following standing committees shall be established:

- A. The Executive Committee shall include the officers of the Council, the Chair of each standing committee, and the immediate past Chair of the Council if still an appointed member of the Council. The responsibilities of the Executive Committee shall include:
1. Oversee and provide direction to the committees of the Council and serve as a gatekeeper, bringing matters needing attention to the full Council for consideration.
 2. Responsibility for financial management and for serving as the resource committee.
 3. Act in emergencies in place of the Full Council. A report of any actions taken by the Executive Committee shall be made at the next Council meeting. Any actions not previously authorized by the Council must be ratified by the Council.
 4. Availability to consult with RSA Administrator on issues of personnel management, i.e., review of the job description, the hiring process, and performance of Council Staff.
- B. The Membership and Nominating Committee shall consist of a Chairperson and at least two other voting Council members. (*See Article V, Section F, #2, c*) The Vice-Chairperson shall serve as Chairperson of the Membership & Nominating Committee. Responsibilities of the Membership and Nominating Committee include:
1. Preparation of a slate of nominees for Council officers and management of the election process.
 2. Recruitment and maintenance of a list of interested eligible individuals whose names may be submitted to the Governor for consideration at future Council appointments.
 3. Development and maintenance of a Membership Manual and Annual New Member Orientation Training.
 4. New member orientation shall include completion of the San Diego State University SRC Online Training Series within six months of a new member's appointment to the SRC. As evidence of completion, the new

member will submit a training completion certificate to the SRC Vice-Chair.

5. The election of officers shall take place at the August meeting and the newly elected officers will assume their responsibilities on October 1st.

C. SRC committees can include individuals from the community that are not appointed members of SRC. Interested members of the community may participate on committees-as voting members with approval of the SRC Chairperson.

1. Membership on a committee will require a commitment of time, in addition to attendance at committee meetings. Committee members should expect to receive assignments and spend the necessary time to meet deadlines.
2. Regular attendance at committee meetings is expected of community members. If a community member misses three (3) consecutive meetings, the committee Chairperson may bring the matter before the SRC Executive Committee to determine if that community member should be removed from the committee.

ARTICLE VIII. AMENDMENTS

These Bylaws may be amended at any regularly scheduled meeting of the Full Council by a two-thirds vote of the current membership, provided that the amendment has been submitted in writing to each member of the Council prior to the next council meeting. The amendment shall be voted on at the following council meeting, provided that the amendment is not in conflict with any applicable state and federal laws and regulations.

ARTICLE X. EXPENDITURES OF FUNDS

The Executive Committee in its role as the resource committee shall approve Council expenditure of funds and establish a yearly budget to be signed jointly by the SRC Chairperson and the Rehabilitation Services Administration Administrator. SRC Council Staff shall have the authority to expend up to \$500 on any one item without prior approval of the Executive Committee as long as the expenditure is in accordance with the established SRC yearly budget and the State of Arizona Procurement Policy.