



# State Rehabilitation Council of Kansas

## **Bylaws**

### **Summary of the Functions of the Council**

The Council shall, after consulting with the State workforce investment board:

- \* Review, analyze, and advise Rehabilitation Services regarding the performance of its responsibilities, particularly responsibilities relating to:
  - Eligibility (including order of selection).
  - The extent, scope, and effectiveness of services provided.
  - Functions performed by state agencies that affect or that potentially affect the ability of individuals with disabilities to achieve employment outcomes.
- \* In partnership with Rehabilitation Services:
  - Develop, agree to, review and revise State goals and priorities for the State Plan.
  - Evaluate the effectiveness of the vocational rehabilitation program for the State Plan.
- \* Advise Rehabilitation Services regarding activities authorized to be carried out under this title, and assist in the preparation of the State plan and amendments to the plan, applications, reports, needs assessments, and evaluations.
- \* To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:
  - The functions performed by Rehabilitation Services.
  - Vocational rehabilitation services provided by State agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under this Act.
  - 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.
- \* Prepare and submit an annual report to the Governor and the Commissioner of the Rehabilitation Services Administration on the status of vocational rehabilitation programs operated within the State, and make the report available to the public.
- \* To avoid duplication of efforts and enhance the number of individuals served, coordinate activities with the activities of other councils within the State, including the Statewide Independent Living Council, the advisory panel established under the Individual with Disabilities Education Act, the State Developmental Disabilities Council, the State mental health planning council, and the State workforce investment board.
- \* Advise and assist in coordinating and establishing working relationships with the Statewide Independent Living Council and centers for independent living.

- \* Perform such other functions, consistent with the purpose of Title I of the Rehabilitation Act, as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the Council. For example, the Council may:
  - Participate in identifying critical issues, researching them and developing recommendations, plans and actions.
  - Assist Rehabilitation Services. in developing and implementing strategies for public education and outreach activities for underserved populations, especially minorities.
  - Advocate on behalf of the agency for resources needed to serve Kansans with disabilities.
  - Advise Rehabilitation Services on how to establish and maintain effective working relationships with employers.

## **Composition**

The Council shall be composed of:

- \* At least one representative of the Statewide Independent Living Council, which representative may be the chairperson or other designee of the Council.
- \* At least one representative of the parent training and information center established through the Individuals with Disabilities Education Act (Families Together in Kansas).
- \* At least one representative of the Client Assistance Program, who must be the director of or other individual recommended by the CAP.
- \* At least one qualified 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 Rehabilitation Services.
- \* At least one representative of community rehabilitation program service providers.
- \* Four representatives of business, industry, and labor.
- \* Representatives of disability advocacy groups representing a cross section of:
  - Individuals with physical, cognitive, sensory, and mental disabilities.
  - Representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves.
  - Current or former applicants for, or recipients of, vocational rehabilitation services.
- \* If one or more projects are carried out under Section 121, at least one representative of the directors of the projects.
- \* At least one representative of the State educational agency responsible for the public

education of students with disabilities who are eligible to receive vocational rehabilitation and special education services.

- \* At least one representative of the State workforce investment board.
- \* The Director of Rehabilitation Services shall be an ex officio, nonvoting member of the Council.

A majority of the members of the Council must be persons with disabilities and not employed by Rehabilitation Services.

### **Nominations**

Nominations for appointments to the Council shall be submitted to the Council's staff liaison in Rehabilitation Services. Nominations may be submitted at any time throughout the year by members of the Council or other stakeholders. Council members shall secure the permission of the individual they are nominating prior to submitting the name to the staff liaison. The staff liaison and the Council Chairperson, to the extent feasible, shall interview nominees to determine their interest and commitment to fully participating on the Council. The staff liaison, in consultation with the Council Chairperson and the Rehabilitation Services Director, shall prepare recommendations for appointments to the Office of the Governor. Recommendations shall be presented to the Office of the Governor once a year in September, except when it is necessary to fill a vacant unexpired term in a timely manner.

### **Terms**

Each member of the Council shall serve for a term of not more than 3 years, except that:

- \* A member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed, shall be appointed for the remainder of such term.
- \* The terms of members initially appointed shall be for such fewer number of years as will provide for the expiration of terms on a staggered basis.
- \* No member of the Council may serve more than two consecutive full terms.

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.

### **Officers**

The Council shall have officers comprised of a Chairperson and Vice-Chairperson. The officers shall be selected from among the membership of the Council. The term of office for these positions will be one year. The officers must have served on the Council for at least one year prior to election.

The duties of the Chairperson shall be to:

- \* Chair all meetings of the Council.
- \* Appoint any standing or special study committees.
- \* Work in partnership with the staff liaison to maintain Council business in between regular meetings.

The duties of the Vice-Chairperson shall be to:

- \* Preside at meetings in the Chairperson's absence.
- \* Act for the Chairperson when he or she cannot.

Elections will be held each year at the final meeting of the calendar year. Individuals running for election will be expected to provide a statement or speak about their reasons for running for the leadership position. There will be no nomination speeches. Officers may run for re-election but may serve no more than two consecutive terms. Elections shall be by confidential ballot, with overall results tallied, announced, and recorded in the minutes.

If a vacancy occurs for one of the officer positions, an election to fill the position for the remainder of the unexpired term will be held at the next regular meeting of the Council which occurs following the vacancy.

An officer may be removed for cause with a two-thirds majority vote of Council members responding to a written, mailed ballot. In such a situation, the officer in question shall be given a written statement from the Council stating the reason for the proposed removal from office. The officer in question shall have the opportunity to share information with the Council about the situation and/or to resign prior to the vote.

## **Committees**

The **Executive Committee** is comprised of the Chairperson, Vice Chairperson and Director. This Committee will chair the meetings, appoint standing or special study committees, develop the Annual Report, and work in partnership to conduct Council business in between regular business meetings.

The **Membership** Committee will develop a membership needs analysis based on disability, diversity and geographic representation as well as required composition; recruit individuals to fill positions on the Council consistent with the needs analysis; and assist in training new members.

The **Policy** Committee will collaborate with KRS to review existing VR policies and make recommendations for policy updates or changes.

The **Committee of the Whole** will assist KRS in developing, updating and evaluating the State Plan.

Each Committee will provide reports during the business meetings of the full Council.

## **Attendance**

Since the Council is scheduled to meet only four times a year, attendance is important. When accepting appointment to the Council, each member agrees to attend meetings as scheduled. Members who cannot attend a regularly scheduled meeting should notify the Rehabilitation Services Staff Liaison. The Chairperson will contact the member after two absences in a row to determine whether the member wishes to continue serving on the Council.

Appointed members of the Council may send alternates to the meetings when they cannot attend in order to convey specific information and to listen on behalf of the member. Only appointed members may participate in any actions taken by the Council, such as making motions or voting.

## **Resignations**

Resignations should be presented in writing to the Office of the Governor with a copy to the Rehabilitation Services staff liaison.

## **Resources**

The Council shall prepare, in conjunction with the Rehabilitation Services, a plan for the provision of such resources, including such staff and other personnel, as may be necessary and sufficient to carry out the functions of the Council. 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.

## **Conflict of interest**

No member of the Council shall cast a vote on any matter that would provide direct financial benefit to the member or otherwise give the appearance of a conflict of interest under state law.

## **Compensation**

The Council may use funds appropriated under Title I of the Rehabilitation Act to reimburse members of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care and personal assistance services), and pay compensation to a member of the Council, if such member

is not employed or must forfeit wages from other employment, for each day the member is engaged in performing the duties of the Council.

## **Overnight hotel accommodations**

Rehabilitation Services will make overnight hotel reservations for Council members under the following conditions:

- \* The member is required to travel in order to conduct business of the Council.
- \* The member lives 100 miles or more from the meeting location.

- \* The expense for the room and tax will be billed directly to Rehabilitation Services. Members will be responsible for any other charges billed to their rooms.
- \* Once members receive their hotel confirmation information from Rehabilitation Services, members are responsible to cancel reservations directly with the hotel if they are not able to attend the meeting.
- \* If a member does not attend the meeting and fails to cancel the hotel reservation, future travel reimbursements (including those for mileage and per diem) will be reduced until the hotel expense is recouped.

## **Operations**

The Council must convene at least four meetings a year and may convene forums or hearings as needed to carry out its duties. The meetings shall be publicly announced and open and accessible to the public unless there is a valid reason for an executive session. Council members may also participate in long-range planning meetings conducted by Rehabilitation Services.

A quorum shall be comprised of those present at the meeting. In the absence of the Chairperson and Vice-Chairperson, the Council shall designate a temporary Chairperson from the membership to preside at the meeting.

Meeting dates and locations will be determined by members in consultation with Rehabilitation Services staff. A tentative meeting schedule shall be established annually. Written notices stating the specific place, date and hour of any Council meetings shall be mailed to all members within a reasonable amount of time prior to the meeting.

Minutes of each meeting shall be mailed to Council members and be made available to members of the public upon request.

All meeting sites used by the Council shall be free of architectural and communication barriers, and accessible for all individuals. Informational materials will be accessible for all individuals.

## **Amendments to the Bylaws**

Proposals to amend these Bylaws must be presented at a regularly scheduled meeting of the Council. Amendments to the Bylaws will require a two-thirds majority vote of the members present.

Adopted by the State Rehabilitation Council

**June 5, 2009**