

MARYLAND STATE REHABILITATION COUNCIL BYLAWS

I. NAME

The name of this organization shall be the Maryland State Rehabilitation Council - MSRC.

II. PURPOSE AND DUTIES

The Maryland State Rehabilitation Council shall be the State Rehabilitation Council for the State of Maryland as defined in Section 105 of the Rehabilitation Act of 1973, as amended through the Rehabilitation Act Amendments of 1998. The Council is not established as an entity within another State agency.

The Council shall, after consulting with the Governor's Work Force Investment Board:

1. Review, analyze, and advise the Maryland Division of Rehabilitation Services (DORS) regarding the performance of the responsibilities of DORS under Title I of the Rehabilitation Act, particularly responsibilities relating to:
 - (A) Eligibility, including order of selection;
 - (B) The extent, scope, and effectiveness of services provided; and
 - (C) Functions performed by DORS that affect or that potentially affect the ability of individuals with disabilities to achieve rehabilitation goals and objectives under Title I of the Rehabilitation Act, as amended.
2. In partnership with DORS:
 - (A) Develop, agree to, and review State goals and priorities; and
 - (B) Evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the Commissioner.

3. Advise DORS regarding activities authorized to be carried out under Title I of the Rehabilitation Act, as amended, and assist in the preparation of the State plan and amendments to the plan, applications, reports, needs assessments, and evaluations required by this title; and
4. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:
 - (A) The functions performed by DORS;
 - (B) Vocational rehabilitation services provided by State agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under the Act; and
 - (C) Employment outcomes achieved by eligible individuals receiving vocational rehabilitation services, including the availability of health and other employment benefits in connection with such employment outcomes.
5. 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;
6. Coordinate with other councils within the State, including the Statewide Independent Living Council established under section 705, the State Special Education Advisory Council established under section 613(a) (12) of the Individuals with Disabilities Education Act, the State Developmental Disabilities Council, the State Mental Health Planning Council established under section 1916(e) of the Public Health Service Act, and the Governor's Work Force Investment Board;
7. Provide for coordination and the establishment of working relationships between DORS and the Statewide Independent Living Council and centers for independent living within the State of Maryland; and
8. Perform such other functions, consistent with the purpose of Title I, as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the Council.

III. ORGANIZATION, COMPOSITION, AND APPOINTMENT

1. Appointment – Members of the Council shall be appointed by the Governor of Maryland. The Governor shall select members after soliciting recommendations from representatives or organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. In selecting members, the Governor shall consider, to the greatest extent practicable, the extent to which minority populations are represented on the Council.
2. Composition – The Council shall include:
 - (A) At least one representative of the Statewide Independent Living Council established under section 705 of the Rehabilitation Act, which may be the chairperson or other designee of the Statewide Independent Living Council;
 - (B) At least one representative of a parent training and information center established pursuant to section 682(a) of the Individuals with Disabilities Education Act;
 - (C) At least one representative of the Client Assistance Program under section 112 of the Rehabilitation Act;
 - (D) At least one representative of community rehabilitation program service providers;
 - (E) Four representatives of business, industry and labor;
 - (F) Current or former applicants for, or recipients of, vocational rehabilitation services;
 - (G) Representatives of disability advocacy groups representing a cross section of:
 - (i) Individuals with physical, cognitive, sensory, and mental disabilities; and
 - (ii) 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;

- (H) At least one representative of the Maryland State Department of Education, Division of Special Education/Early Intervention Services;
- (I) At least one representative of the Governor's Work Force Investment Board; and
- (J) Ex officio nonvoting members:
 - (i) Director of the Maryland Division of Rehabilitation Services; and
 - (ii) At least one vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, if the counselor is an employee of DORS.

3. Qualifications – A majority of the Council members shall be persons who are:

- (A) Individuals with disabilities described in section 7(20)(A) of the Rehabilitation Act as any person who;
 - (i) Has a physical or mental impairment which substantially limits one or more of such person's major life activities;
 - (ii) Has a record of such an impairment; or
 - (iii) Is regarded as having such an impairment; and
- (B) Not employed by the Maryland Division of Rehabilitation Services.

4. Terms of Appointment

- (A) Length of Term. Each member of the Council shall serve for a term of not more than three years, except that:
 - (i) A member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed, shall be appointed for the remainder of such term; and

- (ii) The terms of service of 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; the standard being that approximately one third of the Council members' terms end in any one given year.
 - (B) Number of Terms – No member of the Council, other than the representative of the client assistance program may serve more than two consecutive full terms.
5. Vacancies – 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 and shall not count against any quorum requirement.
6. Officers
- (A) All officers of the Council shall perform the duties prescribed by these bylaws and the parliamentary authority adopted in these bylaws, and carry out the orders of the Council. The Council shall elect every two years a Chairperson and a Vice Chairperson and such additional officers as it deems necessary or desirable from among the membership of the Council. No individual shall hold the same office for more than two consecutive terms.
 - (B) The Chairperson shall preside at all meetings of the Council, be responsible for insuring that all orders of the Council are carried into effect, appoint all committees, be an ex officio member of all committees, direct external relations, direct legislative activities, and prepare agenda. Except as otherwise authorized by resolution of the Council, the Chairperson shall sign or execute all contracts and/or agreements made by the Council.
 - (C) The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson, and shall preside in the absence of the Chairperson, and assist the Chairperson as requested; and in the case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are required as an Acting Chairperson until such time as the full Council shall elect a new Chairperson for the unexpired term. The Vice Chairperson shall also be the Chairperson of the membership

committee.

7. Committees

(A) Participation

- (i) Council member participation on committees. In addition to attendance at regular Council meetings, each Council member is responsible for working on at least one Council committee or task force throughout the year. Individuals with a particular expertise who are not Council members may be asked to contribute to or participate on committees as determined by each committee. The Council Chairperson shall serve as an ex officio member of each committee.
- (ii) Ad hoc committee members. Individuals in the community who are interested in the activities of the Council may participate as ad hoc committee members with the approval of the Council chairperson. The Council chairperson shall assure that a variety of views are represented by ad hoc members. Ad hoc members may vote in committee on recommendations to be brought to the full Council for approval.

(B) Meeting frequency, attendance and reporting requirements

Each committee will meet as needed, and at least twice annually. Regular attendance at committee meetings is expected; members must attend at least 50% of committee meetings in order to remain in good standing. The committee chair is responsible for recording attendance at each scheduled committee meeting and reporting this to the Council chair as requested, and at least annually. The committee chair is also responsible for reporting on the committee's activities and recommendations at each full Council meeting, and bringing substantive recommendations to the full Council for consideration.

(C) Standing committees, composition, and primary duties

MEMBERSHIP AND RESOURCES: The Membership and Resources Committee shall be chaired by the Vice Chairperson of the Council and shall include at least two other members of the Council.

Primary Duties:

1. Monitoring Council composition for geographic and disability representation and for compliance with the requirements of the Rehabilitation Act as amended; oversee recruitment of new members in collaboration with the Council Executive Committee.
2. Facilitate the appointment process with MSDE, the Maryland Department of Disabilities and the Governor's Appointments Office.
3. Orientation of new Council members.
4. Development of Council budget and funding information as needed.
5. Assure coordination with other Councils.

POLICY & PLANNING: The Policy & Planning Committee shall be composed of at least three members of the Council, one of whom shall serve as Chair.

Primary Duties:

1. Assist in development and monitoring of DORS State Plan, program plans and planning activities.
 - Participate in DORS Planning Meetings including development of annual goals and objectives.
 - Partner with DORS in developing plans for, carrying out and assessing findings of annual public meetings throughout the State.
 - Assist in review and monitoring of the Comprehensive System of Personnel Development.
 - Participate in development of the triennial Comprehensive Statewide Needs Assessment and review of findings and recommendations.

2. Participate in DORS policy development and review process.
3. Review DORS Cooperative Agreements.

PUBLIC RELATIONS & QUALITY ASSURANCE: The Public Relations and Quality Assurance Committee shall be composed of at least three members of the Council, one of whom shall serve as Chairperson of the committee.

Primary Duties:

1. Develop and distribute MSRC public information including the Annual Report.
2. Review DORS QA System; provide recommendations related to information/data collection (e.g., survey development) and findings.
3. Review Client Assistance Program, Mediation and Appeals reports and develop recommendations.
4. Coordinate legislative and advocacy activities of the Council, including planning the annual legislative event.

EMPLOYMENT & CAREER DEVELOPMENT: The Employment & Career Development Committee shall be composed of at least three members of the Council, including those representing business and industry, the Workforce & Technology Center and community rehabilitation programs. One of the members will serve as Chairperson of the committee.

Primary Duties:

1. Develop innovative projects related to employment outcomes.
2. Advise the Division regarding enhancement of relationships with employers as customers.
3. Assist in marketing and outreach to employers.

4. Advise DORS regarding programs, focus and performance of the Workforce & Technology Center.

BLINDNESS & VISION SERVICES: The Blindness & Vision Services Committee shall be composed of at least three members of the Council, at least two of whom shall be blind or have a significant vision impairment, and one of whom shall serve as Chairperson of the committee. Ad hoc members with knowledge of the needs of individuals who are blind and vision impaired will be included on the committee. A majority of committee members shall be individuals with significant visual impairments, reflecting the consumers served by DORS Office for Blindness & Vision Services (OBVS). The committee shall have balanced representation of the national blind advocacy organizations and non-affiliated individuals.

Primary Duties:

1. Assist in development and monitoring of program plans and planning activities of the DORS OBVS.
2. Participate in the DORS policy development and review process as related to Blindness and Vision Services.
3. Assist in development of the Comprehensive Statewide Needs Assessment to assure the needs of individuals who are blind and vision impaired are included in the assessment.
4. Participate in Program Evaluation activities to determine effectiveness and outcomes of the DORS OBVS.
5. Participate in development and review of DORS Priority and Standing Objectives related to OBVS.
6. Assist in the development and monitoring of the Comprehensive System of Personnel Development regarding staff serving individuals with blindness and vision impairment.
7. Review and monitor DORS grant for Independent Living Services for Older Individuals who are Blind.

8. Develop means to assess satisfaction of consumers served by OBVS and review findings.

(D) Executive Committee

The Executive Committee of the MSRC shall be composed of the two elected officers (Chairperson, Vice Chairperson) and Standing Committee Chairpersons.

(E) Other Committees

The Chairperson of the Council shall appoint other committees or task forces as needed to carry out the goals and objectives established by this Council.

8. Attendance Requirements – Members are expected to attend Council and Committee meetings in accordance with Article 41, §1-203, Annotated Code of Maryland:

"Any member of any State board or commission appointed by the Governor who shall fail to attend at least 50 percent of the meetings of the board or commission of which he is a member during any period of twelve consecutive months shall be considered to have resigned and the chairman of said board or commission shall forward or cause his name to be forwarded to the Governor, not later than January 15 of the year following such nonattendance with the statement of such nonattendance, and the Governor shall thereupon appoint his successor for the remainder of the term. If the member has been unable to attend meetings as required by this section for reasons satisfactory to the Governor, the Governor may waive such resignation if such reasons are made public."

IV. MEETINGS

1. The Maryland State Rehabilitation Council will hold regular meetings at times and places determined by the Council as needed throughout the year. There will be a full Council meeting at least quarterly.
2. In accord with Section 10-507 of the Maryland Open Meetings Act (State Government Article, Annotated Code of Maryland), the presiding officer

shall enforce the rules of the parliamentary authority regarding the conduct of individuals attending meetings.

3. "Executive Session" shall be in compliance with Robert's Rules of Order and Section 10-508 of the Maryland Open Meetings Act (State Government Article, Annotated Code of Maryland). A motion to go into "Executive Session" is only in order when it fully complies with Section 10-508 of the Maryland Open Meetings Act. It shall be the obligation of the maker of a motion to go into "Executive Session" to provide the presiding officer with the written statement required by Section 10-508 (d)(ii) of the Maryland Open Meetings Act; except that the presiding officer may order any staff/personnel to provide the Council Chairperson with the required written statement. All other meetings shall be in open session in full compliance with Section 10-505 of the Maryland Open Meetings Act.
4. The content of the "call of the meeting" (notice) of all meetings shall comply with the parliamentary authority and Section 10-506 of the Maryland Open Meetings Act.; and the staff shall cause the "call of the meeting" of every Council meeting to be published in "The Maryland Register" and posted at the meeting place.
5. Members wishing to place an item on the agenda for discussion by the Council shall contact the Chairperson at least two weeks prior to the meeting.

V. SUPPORT SERVICES

The cost of support services will be provided by the Maryland Division of Rehabilitation Services (DORS) in accord with Section 105(d) of the Rehabilitation Act of 1973, as amended. The costs shall include such things as meeting facilities and travel, as provided in the Council's plan/budget. Staff support services for the recording of minutes, preparation of correspondence, maintenance of fiscal record, etc. will be provided under the same provisions.

VI. REPORTING AND DISSEMINATION

1. With regard to representing the Council, a Council, committee or task force member may not, in writing or verbally, represent a Council/committee or

task force position or opinion on an issue or subject as an official Council position unless the Council has previously recorded an official position on that issue or subject.

2. The agenda and minutes of the meetings shall be distributed to all members of the Council, the Assistant State Superintendent in Rehabilitation Services, and to the public in accord with the Maryland Open Meetings Act.

VII. QUORUM

1. One third of the voting members of the Council (not counting vacancies) shall constitute a quorum. No official decision shall be made in the absence of a quorum.
2. In the absence of a quorum the Council may adopt a motion or motions to go into a committee of the whole or to go into quasi committee of the whole.
3. Twenty-five percent of the voting members of the Council shall constitute a quorum for committee(s) of the whole or quasi committee(s) of the whole.

VIII. RULES OF ORDER

The rules contained in Robert's Rules of Order shall govern the Council in all cases to which they are applicable and in which they are not inconsistent with Federal or State Law or Regulations, these bylaws, and any special rules of order the Council may adopt.

IX. CONFLICT OF INTEREST

No member of the Council shall vote or participate in deliberations 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.

X. AMENDMENTS

These bylaws may be amended at any regular meeting of the Council, or a

Special Meeting called for that purpose, by a two-thirds vote of all the voting members (not counting any vacancies); provided that the amendment or amendments have been submitted in writing at the previous meeting.