

Executive Order

STATE OF MARYLAND EXECUTIVE ORDER 01.01.2001

Maryland State Rehabilitation Council

WHEREAS, Title I of the Federal Rehabilitation Act of 1973, as amended (29 U.S.C. Act) is intended to maximize employment, economic and social self-sufficiency, and i for individuals with disabilities;

WHEREAS, The Maryland State Rehabilitation Advisory Council was subsequently Executive Order 01.01.1993.25 to perform duties as specified under the Act in provid opportunity for individuals with disabilities and their advocates to be involved in a me in the development and implementation of policy and programs of the Maryland State Education, Division of Rehabilitation Services (DORS) affecting them;

WHEREAS, Amendments made in 1998 to the Act, (29 U.S.C. 729 (1998)) have resu expansion to the duties and membership of the State Council, and necessitated a na reflect the scope of work and responsibility;

WHEREAS, Other minor changes to Executive Order 01.01.1993.25 are necessary to contents current with the Act;

NOW, THEREFORE, I, PARRIS GLENDENING, GOVERNOR OF THE STATE OF I VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAI MARYLAND, HEREBY PROCLAIM THE FOLLOWING EXECUTIVE ORDER, EFFI IMMEDIATELY:

A. There is a Maryland State Rehabilitation Council, hereafter referred to as the Cour

B. Membership and Procedures.

(1) The membership of the council shall be appointed by the Governor after soliciting recommendations from representatives of organizations representing a broad range of with disabilities and organizations interested in individuals with disabilities, and shall

(a) At least one representative of the Statewide Independent Living council, who may chairperson or other designee of the Council;

(b) At least one representative of a parent training and information center;

(c) At least one representative of the client assistance program established under section Rehabilitation Act, as amended;

(d) At least one vocational rehabilitation counselor with knowledge of and experience rehabilitation programs, who shall serve as an ex officio, nonvoting member of the Council

counselor is an employee of the Division of Rehabilitation Services (DORS);

(e) At least one representative of a community rehabilitation program service provide

(f) At least one representative of the Maryland State Department of Education, Division of Education/Early Intervention Services;

(g) At least one representative of the Governor's Work Force Investment Board;

(h) Four representatives of business, industry, and labor;

(i) 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 condition to represent themselves;

(j) Current or former applicants for, or recipients of, vocational rehabilitation services;

(k) The Director of DORS, who shall be an ex officio member of the Council.

(2) To the extent practicable, the Governor shall also consider the extent to which minority populations are represented on the Council.

(3) A majority of the Council members shall be individuals with disabilities and not employees of DORS.

(4) The Council shall select a chairperson from among the membership of the Council.

C. Appointments to the Council.

(1) The Governor will appoint members to the Council for terms of three years with staggered terms upon initial appointment so that one-third of the council will be appointed each year.

(2) No member of the Council, other than a representative of the client assistance program, shall serve more than two consecutive full terms except that a member appointed to fill a vacancy occurring prior to the expiration of the term for which a predecessor was appointed shall serve for the remainder of such term.

(3) A majority of the council shall constitute a quorum for the transaction of business. The council may adopt other rules or procedures necessary to ensure the orderly conduct of business.

(4) 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 or the duties of the council.

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

(1) Review, analyze, and advise DORS regarding the performance of the responsible Division, particularly related to

(a) Eligibility, (including order of selection);

(b) The extent, scope and effectiveness of services provided; and

(c) Functions performed by the Division that affect or that potentially affect the ability of individuals with disabilities in achieving rehabilitation goals and objectives under 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 to the Commissioner of the Federal Rehabilitation Services Administration.

(3) Advise the Division regarding activities authorized to be carried out under Title I of the Rehabilitation Act, as amended, and assist in the preparation of applications, the State amendments to the plan, reports, needs assessments, and evaluations required by the Act.

(4) To the extent feasible, conduct a review and analysis of the effectiveness of, and public satisfaction with:

(a) The functions performed by the Division;

(ii) Vocational rehabilitation services provided by State agencies and other public agencies responsible for providing vocational rehabilitation services to individuals with disabilities under the Rehabilitation Act, as amended; and

(b) Employment outcomes achieved by eligible individuals receiving vocational rehabilitation services, including the availability of health and other employment benefits in connection with 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 within the State, and make the report available to the public;

(6) Coordinate with other councils within the State, including the Statewide Independent Council established under section 705 of the Rehabilitation Act of 1973, as amended, the Special Education Advisory Council established under section 613(a)(12) of the Individuals with Disabilities Education Act (20 U.S.C. 1413(a)(12)), the State Developmental Disabilities Council, the State mental health planning council established under section 1916(e) of the Public Health Act, and the Governor's Work Force Investment Board;

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(7) Advise the Division and provide for coordination and the establishment of working between the Division and the Statewide Independent Living Council and centers for living within the State;

(8) Perform such other functions consistent with the purpose of the State Rehabilitation that are comparable to the other functions performed by the Council; and

(9) Prepare, in conjunction with DORS, a plan for the provision of such resources and other personnel as may be necessary to carry out the functions of the council as Executive Order.

E. Resources.

(1) Supervision and Evaluation. The council shall, consistent with State personnel law and evaluate such staff and other personnel as may be necessary to carry out its functions

(2) Personnel Conflict of Interest. While assisting the Council in carrying out its duties, personnel shall not be assigned duties by DORS or any other agency or office of the State that create a conflict of interest.

(3) Resolution of Disagreements. To the extent that there is a disagreement between DORS in regard to the resources necessary to carry out the functions of the Council, the disagreement shall be resolved by the Governor.

(4) Compensation and Expenses. The Council may use funds to reimburse members for reasonable and necessary expenses of attending Council meetings and performing duties (including child care and personal assistance services), and to pay compensation of the council, if such member is not employed or must forfeit wages from other employment day the member is engaged in performing the duties of the Council.

F. Meetings of the Council. The Council shall convene at least four meetings a year if it determines to be necessary to conduct Council business and conduct such forums as the Council considers appropriate. In accordance with State law, members who fail to attend regular meetings within a twelve (12) month period shall be considered to have resigned. Meetings, hearings, and forums shall be publicly announced. The meetings shall be accessible to the general public unless there is a valid reason for an executive session.

G. Members serve at the pleasure of the governor, and may be removed for any reason affecting the member's performance or the business of the Council.

H. Conflict of Interest. No member of the Council shall cast a vote on any matter that would give a direct financial benefit to the member or otherwise give the appearance of a conflict of interest as provided in State law.

Given Under My Hand and the Great Seal of the State of Maryland, in the city of Annapolis, this 1st day of 2001.