

Executive Order 01.01.2001.18

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Maryland State Rehabilitation Council [Amends Executive Order 01.01.1993.25]

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

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 individuals with disabilities and organizations interested in individuals with disabilities, and shall include:

(a) At least one representative of the Statewide Independent Living Council, who may be the 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 112 of the Rehabilitation Act, as amended;

(d) 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 the Division of Rehabilitation Services (DORS);

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

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

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

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

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

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

(1) Any additional representatives required under Title I of the Rehabilitation Act, as amended.

(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 employed by 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 such terms staggered 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, may 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 be appointed 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 to execute 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 responsibilities of DORS, particularly related 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 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 of progress to the Commissioner of the Federal Rehabilitation Services Administration.

(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 applications, the State plan and amendments to the plan, reports, needs assessments, and evaluations required by this Title;

(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 Rehabilitation Act, as amended; 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 Federal 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 of the Rehabilitation Act of 1973, as amended; the State 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 Service Act, and the Governor's Work Force Investment Board;

(7) Advise DORS and 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;

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

(9) Perform such other functions as required under Title I of the Rehabilitation Act, as amended; and

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

E. Resources.

(1) Supervision and Evaluation. The Council shall, consistent with State personnel laws, supervise 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, staff and other personnel shall not be assigned duties by DORS or any other agency or office of the state, that would create a conflict of interest.

(3) Resolution of Disagreements. To the extent that there is a disagreement between the Council and 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 of the Council for reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care and personal assistance services), and to 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.

F. Meetings of the Council.

The Council shall convene at least four meetings a year in such places as it determines to be necessary to conduct Council business and conduct such forums or hearings as the Council considers appropriate. The meetings, hearings, and forums shall be publicly announced. The meetings shall be open and accessible to the general public unless there is a valid reason for an executive session.

G. Removal.

Members serve at the pleasure of the Governor and may be removed for any reason adversely affecting the member's performance or the business of the Council. Members who fail to attend 50 percent of the regular meetings of the Council within a 12-month period shall be considered to have resigned.

H. 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.

Effective date: October 1, 1993 (20:22 Md. R. 1703)

Amended effective October 3, 2001 (28:22 Md. R. 1925)