

**BY-LAWS OF THE
STATE REHABILITATION COUNCIL**

**Rehabilitation Services - Vocational Rehabilitation Program
Department of Employment and Economic Security**

ARTICLE I

(Membership, Removal, Vacancies, Compensation and Duties)

SECTION 1.1 MEMBERSHIP - The State Rehabilitation Council consists of at least nineteen members appointed by the Governor in accord with the provisions of the Rehabilitation Act of 1973 as amended. Council members are appointed for three-year terms. No member may serve more than two consecutive full terms except as provided for by law. If a member completes any portion of a three year term, it is considered a full term. Upon completion of two terms, members may be considered for reappointment after being off the council for one year.

A majority of the members of the Council shall be persons with a disability including at least: one representative of the Statewide Independent Living Council; one representative of a parent training and information center; one representative of the client assistance program; one vocational rehabilitation counselor; one representative of community rehabilitation services providers; one representative of the directors of the American Indian VR Projects in Minnesota; one representative of the State Workforce Investment Board; one representative from the Department of Education; four representatives of business, industry and labor; representatives of disability advocacy groups; and current or former applicants for or recipients of, vocational rehabilitation services. Three of the appointed members shall represent traditionally under-served populations as defined by the Rehabilitation Act. The Director of the designated State VR unit shall

be an ex officio member of the Council. Any member of the Council who is employed by the Department of Employment and Economic Development shall be a nonvoting member. Expertise, not necessarily membership or employment, may be adequate to fulfill some membership requirements.

SECTION 1.2 DUTIES - The Council's duties are:

- To promote comprehensive input and representation from vocational rehabilitation consumers throughout the State.
- To promote comprehensive input and representation from all citizens of Minnesota, including representatives of business, labor, education, health care, and rehabilitation.
- To carry out the statutory functions of the Council set forth by the Rehabilitation Act of 1973 as amended.
- To identify current and potential problems and recommend actions which would result in better service to RS clients.

SECTION 1.3 COMPENSATION - Members of the Council shall be compensated at a per diem rate set by Minnesota Statute 15.0575 The Council shall also be reimbursed for expenses incurred on behalf of Council business in the same manner and amount as authorized by the Commissioner's Plan adopted pursuant to Minnesota Statutes . Examples of costs that members may be compensated for include child care, personal assistance services, and other reasonable accommodations.

43A.18 subd.2 Members who are state employees must not receive the daily payment for activities for which they are compensated by the state. A state employee may receive the daily payment if the employee uses vacation time or compensatory time. Members may receive the expenses and per diem provided for unless the expenses are reimbursed by another source. Members who are state employees

may be reimbursed for child care only for time spent on council activities that are outside their working hours.

In order to qualify to receive per diem, a full day would be any regularly scheduled meeting of the full SRC at which the council member is present for more than three hours, any event for which a council member is required to stay overnight, any event that a member attends in the performance of his/her responsibilities as a council members that is three hours or longer in duration, any time the member is in travel status for more than 150 miles, any in person meeting of the SRC Executive Committee, or any event that requires a council member to drive more than 50 miles one way. When feasible, the SRC will plan meetings and other activities of the council and its committees to minimize the need for individuals to take time from work.

SECTION 1.4 REMOVAL/VACANCIES - A member may be removed by the appointing authority at any time (1) for cause, after notice and hearing, or (2) after missing three consecutive meetings. The Chair of the Council shall inform the Council of a member missing three consecutive meetings. The Council shall determine by majority vote whether to inform the appointing authority of the absences, to recommend removal of the member to the appointing authority, or to take other appropriate action to remedy the absenteeism.

ARTICLE II

(Meetings)

SECTION 2.1 NOTICE OF MEETING - Written notice to all members stating the place, day and hour of all regular and special meetings of the full Council and any documents requiring a Council decision shall be mailed to each Council member no less than five business days prior to the date of the meeting. In the case of a recess to another day, all Council members shall be notified of the place, day and hour of the reconvened meeting. The Council shall meet at least ten times per

year, at least one of which will be held outside the seven county metropolitan area.

SECTION 2.2 MINUTES OF MEETING - Minutes shall be recorded and transcribed for all regular and special meetings of the full Council. Distribution shall be made to the full Council membership no less than five business days prior to the date of the next meeting.

SECTION 2.3 SPECIAL MEETINGS - Special meetings of the Council may be called any time upon request of the Chair, Commissioner, or upon a written request to the Chair by any three members of the Council.

SECTION 2.4 QUORUM - A quorum shall consist of a majority of the appointed voting members, not including persons attending in proxy.

SECTION 2.5 DECISION MAKING - After thorough consideration, all decisions of the Council must be approved by a simple majority vote of a quorum of the Council unless otherwise provided in these By-Laws. Votes that are not unanimous will be taken individually by roll call and recorded in the minutes.

CONFLICT OF INTEREST Members may not vote if there is a conflict of interest or the appearance of a conflict of interest. The member must recuse him or herself from that particular vote, explaining to the council the reason for the recusal.

SECTION 2.6 PROCEDURES - The most recent edition of Robert's Rules of Order shall govern the conduct of business in all cases in which they are applicable and not inconsistent with these By-Laws and the Open Meeting Law. (MN Stat. 13D.01).

SECTION 2.7 Consistent with the principles of full participation and inclusion expressed in the Americans with Disabilities Act, Section 504 of Title V of the Rehabilitation Act, and any other relevant laws, both the location and the content of Council meetings will be fully accessible. This includes, but is not limited to, such things as holding

the meetings in a location with full access to all necessary areas, microphones, ASL interpreters, and accessible formats. Accommodations will be provided regularly for SRC members and provided upon request for members of the public. All requests should be made at least one week prior to the meeting. Written material used at the meeting shall not be distributed if accessible format was not distributed to those with print impairments. Requests can be made by contacting the central Vocational Rehabilitation Services office. Contact names and numbers shall be posted on all meeting announcements.

SECTION 2.8 PUBLIC COMMENT – Each agenda of the Council shall have time designated for public comment. It is the responsibility of the executive committee to designate time on every regular Council meeting agenda. Public comment may be extended or terminated by the Chair. Said decision of the chair may be upheld or overruled by a simple majority vote of the voting Council members present. Public comment shall comply with the accessibility requirements outlined in Section 2.7.

ARTICLE III

(Officers and Elections)

SECTION 3.1 SELECTION - The officers of the Council shall consist of a Chair(or Co-Chairs), a Vice-Chair, and a parliamentarian elected by the Council from among its members. Election shall be by simple majority of a quorum of the Council. Only appointed members who are not employees of DEED shall be eligible to serve as Chair of the Council. It is desirable that the chair of the Council be a person with a disability.

SECTION 3.2 TERMS OF OFFICE - The terms of the Chair, Vice-Chair, and parliamentarian are for one year. They may serve more than one term.

SECTION 3.3 COUNCIL CHAIR - The Council Chair shall preside at all meetings of the Council.-In accordance with Roberts Rules of Order, the chair is entitled to vote. The Chair shall be an ex-officio member of all Council standing committees and task forces. In addition, s/he shall:

1. With the approval of the Council, appoint the Chairs of the Council standing committees and task forces from among the Council's voting members;
2. With the approval of the Council, appoint the members of the Council's committees and task forces;
3. Develop agendas for Council members;
4. With the Director of the State VR Unit arrange orientation for new Council members and encourage their most meaningful involvement in Council activities; and
5. Seek effective communication with all Council members including solicitation of agenda items.

SECTION 3.4 COUNCIL VICE-CHAIR - The Vice Chair shall aid the Chair in the performance of his/her duties and, in the absence of the Chair, shall preside at meetings of the Council. If the Chair is unable to serve, the Vice-Chair shall assume the Chair's duties, but shall not succeed to the position unless elected by the Council. In the absence of the Chair and Vice Chair, members present shall select a temporary Chair.

SECTION 3.5 PARLIAMENTARIAN – the Parliamentarian shall advise the Chair on Roberts Rules of Order. In the event of a dispute, the Parliamentarian's decision will be final.

SECTION 3.6 COUNCIL REPRESENTATION - All official Council business / representation shall be approved or sanctioned by the full Council, the Chair or Vice Chair.

ARTICLE IV

(Committees and Task Forces)

SECTION 4.1 COMMITTEES - The Chair shall appoint all standing Committees created by majority vote of the Council.

SECTION 4.2 TASK FORCES - As the need arises, the Council may establish special structures called task forces for the purpose of investigating or taking action on specific issues within Council-established policies. These task forces are limited to acting on the issues for which they were created and within the time frame established for the assignment.

SECTION 4.3 COMMITTEE AND TASK FORCE CHAIRS - The Council Chair shall appoint the committee and task force Chairs with the approval of the Council. Committee Chairs shall serve a one year term. Each task force Chair shall serve for the life of the task force. The Council Chair with approval of the council may remove a committee or task force Chair who is unable to perform the assigned responsibilities.

SECTION 4.4 COMMITTEE AND TASK FORCE MEMBERSHIP - After consultation with the appropriate committee or task force Chair, the Council Chair shall, with the approval of the Council, appoint the members of each committee and task force. The Council Chair may request attendance and participation by Rehabilitation Services staff to assist the committees and task forces to achieve their goals. Each voting member of the Council shall have one vote in appropriate committee or task force deliberations. Committees and task forces may invite community experts to serve as non-compensated members. Terms on the committees shall be for one year. A majority of task force members shall be members of the Council. The members of a task force shall serve for the life of the task force.

SECTION 4.5 EXECUTIVE COMMITTEE - The Executive Committee shall consist of the Chair (or Co-Chairs),

Vice-Chair, Immediate Past Chair (when available), Parliamentarian and the Chairs of standing committees or task forces when appropriate. The Executive Committee may invite the director of Vocational Rehabilitation Services and any designated support staff to participate as non-voting members of the executive committee. The Executive Committee shall consist of no more than five Council members. The Executive Committee shall be authorized to act on behalf of the regular Council when time does not permit full Council action. The Executive Committee shall not have authority to make changes in (1) the By-Laws or (2) Membership. Any actions taken by the Executive Committee when time does not permit full Council action must be reported to the full Council at the next regularly scheduled meeting. The full Council may restrict the authority of the Executive Committee when the Council deems it necessary.

ARTICLE V

(Amendments)

SECTION 5.1 PROCEDURES - Suggested amendments to these By-Laws must be presented in writing in a regular or special Council meeting. Action on such suggested amendments shall not occur until the next regular or special meeting at which a quorum shall be required in order for ratification of the suggested amendment to occur. Ratification shall require the affirmative vote of at least two thirds of the Council members present.