

**Maine State Rehabilitation Council - Division for The Blind and Visually Impaired
BY LAWS**

ARTICLE I – NAME

This organization shall be known as the State Rehabilitation Council to the Division for the Blind and Visually Impaired, hereinafter referred to as the Council.

ARTICLE II – MISSION

The mission of the Council is to provide leadership and diverse viewpoints in partnership with the Division for the Blind and Visually Impaired to develop and evaluate programs and services; to identify priorities that help create opportunities, increase independence and broaden access to the workplace for citizens of all ages who are blind or visually impaired.

ARTICLE III – PURPOSE

The purpose of the Council is to work in conjunction with the Director of the Division concerning policy and program issues, including the delivery of services. The Council provides a formal means to influence the direction of services to the blind and visually impaired population of Maine at the systemic and policy level.

ARTICLE IV – FUNCTION AND RESPONSIBILITIES

The Council will perform the following tasks:

1. Review, analyze, and advise the Division on the performance of its responsibilities under Title I of the Rehabilitation Act, as amended, including the following areas:
 - a) Eligibility for services (including Order of Selection)
 - b) The extent, scope, and effectiveness of services provided, and
 - c) The functions performed by State Agencies that affect or potentially affect the ability of visually impaired or blind persons to achieve their goals under this title.
2. The Council will advise the Division, and assist in the preparation of applications for grants, the State Plan, and any amendments to the plans, reports, needs assessments, and evaluations required by this title.
3. The Council will conduct a review and analysis of the effectiveness of and consumer satisfaction with the functions performed by State agencies and other public and private entities responsible for providing services to visually impaired or blind persons.

4. Prepare and submit an annual report to the Governor or appropriate State entity on the status of service programs operated within the State, and make the report available to the public.
5. Coordinate with other councils within the State, including the Statewide Independent Living Council, the State Developmental Disabilities Council, Mental Health Planning Council, and centers for independent living within the State.
6. Perform such other functions, consistent with the purpose of this title, as the Council determines to be appropriate.

ARTICLE V – MEMBERSHIP

Section 1. Composition of the Council

The Council shall be composed of the following individuals:

- A. At least one representative of the Statewide Independent Living Council;
- B. At least one representative of a parent training and information center;
- C. At least one representative of the Client Assistance Program (CAP);
- D. At least one Vocational Rehabilitation Counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex-officio, non-voting member of the Council if the counselor is an employee of the Division;
- E. At least one representative of community rehabilitation program service providers;
- F. Four representatives of business, industry, and labor;
- G. Members of advocacy groups, representing a cross section of:
 1. Individuals who are blind or visually impaired and represent the population served by the Division.
 2. Parents, family members, guardians, or advocates of individuals with multiple disabilities.
- H. Current or former applicants for, or recipients of, services provided by the Division;
- I. At least one representative of an American Indian VR program if one exists in the state;

J. At least one representative of the State Education Agency (SEA) responsible for Individuals with Disabilities Education Act (IDEA);

K. At least one representative of the State's Workforce Investments Partnership; and

L. Director of the Division as an ex-officio member.

Section 2. Appointment of Members

Members of the Council shall be appointed by the Governor. The Governor shall select members after soliciting recommendations from organizations representing the blindness community and organizations who are interested in individuals who are blind or visually impaired. The majority of the Council members shall be individuals who are blind or visually impaired.

Section 3. Terms of Appointment

A. **Length of Term.** Each member of the Council shall serve for a term of three years, except that a member appointed to serve 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.

B. **Number of Terms.** No member of the Council may serve more than two consecutive full terms except there are no limits on terms of CAP representatives.

Section 4. Size of Council

The size of the Council shall be no fewer than fifteen nor larger than thirty members.

Section 5. Resignation

Any member may resign by sending a written resignation to the Governor with notification to the chairperson of the Council.

Section 6. Termination of Membership

Members are expected to be active participants in all Council meetings. Any member who is absent and not excused from three consecutive regular meetings will be recommended for removal from the Council. The chairperson will forward the member's name to the Governor and request that the termination process be initiated.

Section 7. Vacancy

Any vacancy not occurring in the membership 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.

Section 8. Conflict of Interest

No members of the Council shall cast a vote on any matter that would provide a direct benefit to the member or the organization that he/she represents, or otherwise would give the appearance of a conflict of interest under state law. In matters that present the possibility of a conflict of interest, Council members are required to self-disclose. The Council will ultimately decide if a conflict of interest exists.

Section 9. Compensation and Expenses

The Council will use funds appropriated under this title to reimburse members of the Council for the reasonable and necessary expenses of attending Council meetings and performing Council duties (including child care, personal assistance services, and transportation) and to pay compensation (Honorariums) to a member of the Council, if such member must forfeit wages from other employment.

Section 10. Committees

Standing committees shall be established by the Council when necessary. Ad hoc committees shall be created by the chairperson for specific functions and will cease to operate when the need is met. Committee membership shall be assigned by the chairperson and are not restricted to Council members.

ARTICLE VI – OFFICERS

Section 1. Officers and Duties

The officers shall consist of Chairperson, Co-Chairperson, and Secretary (appointed by the Chair).

Either the Chairperson or Co-Chairperson shall be blind or visually impaired or a parent of a blind or visually impaired child. The Chairperson shall preside at all Council meetings. He/she may sign or authorize all letters, reports, and other communications of the Council. He/she is generally responsible for directing and coordinating the affairs of the Council.

In the absence of the Chairperson, Co-Chairperson shall substitute for and have all the duties and powers of the Chairperson.

The Secretary shall keep a true and accurate record of the proceedings of the Council. This record shall be available for public scrutiny during normal business hours. The Secretary shall work under the supervision of the Chairperson and shall govern his/her duties by Robert's Rules of Order revised.

The Treasurer shall have responsibility for oversight of the custody, control and management of all funds of the Council which shall be placed in appropriate depositories or with appropriate custodians, disbursement of payments thereof as the Council authorizes and, with the approval of the Council, may delegate any of these duties to such Assistant Treasurer, acting under the direction of the Treasurer, as the Council may approve. The Treasurer or an Assistant Treasurer, acting on behalf of the Council, shall require that appropriate records be kept to give a full and accurate history of the financial transactions of the Council in order to present its financial condition, and to render such periodic and other reports as the Council may require. The Treasurer or an Assistant Treasurer, as directed by the Council, shall have authority to endorse for transfer in the name and on behalf of the Council stock certificates, bonds, and other securities and evidence of indebtedness standing in the name of the Council. The Treasurer or an Assistant Treasurer shall render monthly financial statements to the Council. The Treasurer, or an Assistant Treasurer, shall attend all meetings of the Council unless excused by the Chairman of the Council. The Treasurer or an Assistant Treasurer shall render, or cause to be rendered, an annual financial statement to the Council, which shall be prepared in accordance with generally accepted accounting principles. If required by the Council, the Treasurer or any Assistant Treasurer, at the expense of the Council, shall be bonded for the faithful performance of his or her duties. The Treasurer and any Assistant Treasurer shall perform such other duties as may be prescribed by the Council or the Chairman.

Section 2. Election and Terms of Office

The officers shall be elected annually at the October meeting, provided there is a quorum. Election shall be determined by a simple majority of the Council members present and voting. The officers shall serve for a one-year term. Officers cannot hold the same office for more than three consecutive terms.

Section 3. Removal

Any elected officer may be removed by a two-thirds vote of all members, whenever the Council may be best served thereby.

Section 4. Vacancy

A vacancy filled in any office because of death, resignation, removal, or illnesses, shall be filled by the Council through election from the existing membership for the remainder of the unexpired term.

ARTICLE VII – MEETINGS

Section 1. Regular Meetings

The Council shall convene at least four meetings a year in such places as it determines necessary to conduct Council business. These meetings shall be publicly announced and shall be open and accessible to the general public.

Section 2. Other Meetings

The annual meeting of the Council shall occur each October. Other forums and hearings shall be convened when necessary to conduct Council business. These hearings and forums shall be publicly announced and shall be open and accessible to the general public.

Section 3. Procedures

Meetings shall be conducted in accordance with Roberts Rules of Order, Revised.

Section 4. Quorum

A quorum exists when a majority of members with voting rights are in attendance.

Section 5. Voting

All members of the Council, except ex officio members, shall have voting privileges. Only members present at a scheduled Council meeting may vote.

ARTICLE VIII – AMENDMENT

These by laws may be amended, altered or repealed by a two-thirds vote of the members present at a scheduled Council meeting. A copy of the proposed amendments shall be mailed to all Council members at least thirty days prior to the Council's scheduled meeting at which a vote on the proposed amendments is to be taken.

ARTICLE IX – CONFIDENTIALITY STATEMENT

All Council members and Council staff are required to protect the confidentiality of any client information that is made available while conducting Council business. Disclosure of any personal client information is hereby prohibited.

Adopted December 2010