

**Pennsylvania Rehabilitation Council
By-Laws**

Article I. Name

The name of this organization shall be the Pennsylvania Rehabilitation Council.

Article II. Mission

The mission of the Council is to inform and advise the Office of Vocational Rehabilitation, the State Board of Vocational Rehabilitation, the Legislature, and the Governor on the diverse issues affecting employment of people with disabilities.

Article III. Definitions

- (A) "Council" shall mean the Pennsylvania Rehabilitation Council.
- (B) "Act" shall mean the Rehabilitation Act of 1973 as amended by the Workforce Innovation & Opportunity Act (WIOA) of 2014.
- (C) "OVR" shall mean the Pennsylvania Office of Vocational Rehabilitation.
- (D) "Fiscal Year" shall mean the state fiscal year, July 1st through June 30th.
- (E) "Officers" shall mean the Chair, Vice-Chair and Member-at-Large.
- (F) "Executive Committee" shall mean the Officers, Immediate Past –Chair, and Chairs of Standing Committees.
- (G) "Committee Chair" shall mean the Chairperson selected by standing committee members to lead the committee during the fiscal year.
- (H) "State" shall mean the state of Pennsylvania.
- (I) "State Agency" shall mean the Pennsylvania Office of Vocational Rehabilitation.
- (J) "State Workforce Development Board" shall mean a State Workforce Development Board established under section 111 of the Workforce Investment Act of 1998 as amended by WIOA of 2014.
- (K) "Designated State unit" shall mean the Pennsylvania Office of Vocational Rehabilitation.
- (L) "State Board of Vocational Rehabilitation" shall mean the board that is mandated by State law to be the policy making body that shapes and is responsible for the overall success of the vocational rehabilitation program in Pennsylvania.
- (M) "Support Project" shall mean the organization with which OVR contracts for provision of support services to the Council.
- (N) "Support Project Staff" shall mean employees assigned by the contracting organization to provide the contracted services.

Article IV: Functions of The Pennsylvania Rehabilitation Council

Section I

- (A) The Council shall function as a partner with the State Workforce Development Board, Pennsylvania State Board of Vocational Rehabilitation and the Governor in accordance with the Rehabilitation Act, as amended by WIOA of 2014. The scope of the Council's responsibilities include, but are not limited to:
 - matters of general policy development
 - implementation
 - administration of the OVR State Planas well as the efforts of any other state unit or contracted program which addresses the vocational training and employment needs of persons with disabilities.
- (B) The Council shall have the powers and responsibilities granted to it by S105 of the Act as amended by WIOA of 2014 and any other responsibilities that it might from time to time accept.

Article V: OFFICERS

Officers shall preside according to established policies, standards, procedures and guidelines.

Section I Duties

- (A) Chair: The Chair shall preside at all Council meetings, may sign or authorize all letters, reports, and other communications of the Council, and generally be responsible for directing and coordinating the affairs of the Council. The Chair shall also serve as the principal point of contact between the Council and the Support Project as well as between the various Committees of the Council.
- (B) Vice-Chair: The Vice-Chair shall assist the Chair as point of contact in coordinating the activities of the Council and shall have additional duties and responsibilities as may be assigned by the Chair and/or the Council. In the absence of the Chair, the Vice-Chair shall substitute for and have all the powers and duties of the Chair.
- (C) Member-at-Large: The Member-at-Large shall work with the Chair to coordinate development and management of the Council's annual Resource Plan with Support Project staff and shall present a financial report at Council meetings. In the absence of both the Chair and Vice-Chair, the Member-at-Large shall substitute for and have all the powers and duties of the Chair.

Section II Nomination of Officers

- (A) At the March meeting, the Chair will request a minimum of three (3) volunteers from the Council to serve on an Ad-Hoc Nomination Committee to establish a slate of officers for election. The nominating committee will designate a committee chair. In the absence of volunteers for the Nomination Committee, the Council may designate the Executive Committee to fill this function. All members will be informed of the duties, responsibilities, and limitations of officers, and requested to indicate their interest in being nominated for a particular office and fulfilling all of the obligations of that office, if elected. Allowing sufficient time for a response from members, the Nomination Committee will close the nominations, seek approval of the slate by the Executive Committee, and present the slate to the membership no less than 2 weeks prior to the May council meeting.
- (B) All members who express interest will be placed on the slate by the committee, provided they are in compliance with these by-laws and can meet the term commitments of the office they seek.

Section III Election of Officers

- (A) The Council shall annually elect a Chair, Vice-Chair and Member-at-Large. The outgoing Chair will remain on the Executive Committee as Past Chair but will not be considered an Officer of the Council.
- (B) The election shall take place at the last regularly scheduled meeting of the current fiscal year. Terms will begin effective July 1 of each year.
- (C) Election: Votes for the election will be cast by secret ballot at the meeting. Proxy votes will not be accepted. The outgoing Chair and at least 2 volunteers from the Council who are not on the slate will count votes and announce the results at the meeting.

Section IV Terms of Officers

- (A) The Officers shall serve terms of one year or until each successor has been elected by the Council.
- (B) A member shall be ineligible to serve more than 3 terms total as an Officer.

- Section V Removal of an Officer 3
- (A) An Officer may be deposed from office for just cause
 - (B) Discussion of motions to censure or remove an officer shall take place in Executive Session – that is all non-members will be asked to leave the room.
 - (C) Session – that is all non-members will be asked to leave the room.
 - (D) Censure or removal of an Officer requires a two-thirds majority vote of the Council members present at a regularly scheduled Full Council meeting. The vote shall be by secret ballot and shall take place in Executive Session

- Section VI Filling a Vacancy of an Officer
- (A) A vacancy in the Vice-Chair's office will be filled by the Member-at-Large.
 - (B) A vacancy in the Member-at-Large's office shall be filled by a vote of Council members at the next regularly scheduled Full Council meeting following the existence of the vacancy. In such a case a nominating committee will be reconvened using the process described in this Article, Section II (a) prior to the election.
 - (C) A member elected to fill a vacancy shall serve only the unexpired term of the member who is replaced. Time spent filling an unexpired term shall not count toward the term limitations set forth in Section IV, (b) above.

Article VI: EXECUTIVE COMMITTEE

- Section I Composition
- (A) The Executive Committee shall be comprised of the Officers, as described in Article V, the Past Chair, and Chairs of Standing Committees. Chairs of Ad-Hoc Committees shall not be members of the Executive Committee.
 - (B) Individual members may only occupy one seat on the Executive Committee.
 - (C) If the total membership of the PA-RC falls below the total minimum required number of members, the PA-RC may vote to waive the requirement in section (b) above, by a simple majority vote at a regularly scheduled Full Council meeting.
 - (D) In the event that a Standing Committee elects co-chairs, they shall share one seat and share one vote on the Executive Committee.

- Section II Duties
- (A) The Executive Committee establishes the agenda for each Full Council meeting, reviews and authorizes correspondence and reports, provides input into the performance reviews of staff, and generally directs and coordinates the activities of the Council. As needed, the Executive Committee will review material considered controversial, as to if and how, it should be disseminated. The procedure for dissemination of information in the council's procedure manual should be followed by staff. The Executive committee will monitor member resignations and term expirations to assure that the composition of the PaRC is maintained as stated in the Act. Recruitment Procedures have been developed to establish a method for filling vacancies on the Council. The Recruitment Procedures are part of the Member's Manual and are located under Procedures. When vacancies occur or are anticipated, the Executive committee will establish an ad hoc recruitment committee to assure the composition of the Council. This ad hoc committee will be made up of the executive committee members and two other members of the Council.
 - (B) The Past Chair serves as a mentor to the Chair. He/She shall also have other duties and responsibilities as may be assigned by the Chair and/or the Council. In the absence of all the officers, the Past-Chair shall substitute for and have all the powers and duties of the Chair.

Article VII: STANDING COMMITTEES

Section I Formation

- (A) The Council shall identify and define standing committees annually, based on the goals and objectives in the annual strategic plan as adopted at no later than the final Full Council meeting of the current fiscal year. A listing of the standing committees (PaRC Standing Committee Overview) will be inserted into the member's manual annually and distributed to all members.
- (B) Standing Committees will elect Chairs at a regularly scheduled committee meeting by June 30 of the current fiscal year. Terms will begin on July 1 each year.
- (C) The Chair of the Council is an ex-officio (i.e. non-voting) member of all committees.
- (D) Generally, Council officers cannot serve as a committee chair, however the Executive committee has the option based on the needs of the Council at the time, to allow the Vice Chair and Member at Large to serve as committee chairs.
- (E) Committee chairs can only chair one committee.
- (F) The Chair or Council shall establish such Ad-Hoc committees as shall from time to time be necessary to carry out the duties and responsibilities of the Council.
- (G) Committees must have a quorum (51%) of members on conference calls in order to conduct business and to vote.

Article VIII: MEMBERSHIP

Section I Nominations, Qualifications, Appointments and Terms

- (A) Membership on, and the composition of, the Council shall be through appointment by the Governor and shall be consistent with the terms of S105 of the Act as amended by WIOA of 2014.
- (B) As stated in the Act as amended by WIOA of 2014, a majority of Council members shall be persons who are individuals with disabilities and not employed by the designated State unit.
- (C) A member can serve two three-year terms, if willing and if reappointed by the Governor, except that:
 - (1) 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, thereby maintaining the original intent of staggered terms. This means that a member appointed to finish out the term of their predecessor is not eligible to serve out two three-year terms for a total of six years. The member would serve the number of years left in their predecessor's term plus one additional three-year term.
 - (2) No member of the Council, other than a representative of the client assistance program, may serve more than two consecutive full terms.
- (D) Composition and Appointment

Composition - The Council shall be composed of

 - (1) at least one representative of the Statewide Independent Living Council established under section 705, which representative may be the chairperson or other designee of the Council;
 - (2) at least one representative of a parent training and information center established pursuant to section 682 (a) of the Individuals with Disabilities Education Act (20 U.S.C. 1431(c)(9));
 - (3) at least one representative of the client assistance program established under section 112;
 - (4) 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 Council, if an employee of the designated State agency;
 - (5) at least one representative of community rehabilitation program service providers;
 - (6) four representatives of business, industry, and labor;
 - (7) representatives of disability advocacy groups representing a cross section of – individuals with physical, cognitive, sensory, and mental disabilities; and 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;

(8) current or former applicants for, or recipients of, vocational rehabilitation services.

(9) Ex Officio Member - The Director of the designated State unit shall be an ex-officio member of the Council.

(10) at least one representative of the State educational agency responsible for the public education of students with disabilities, who are eligible to receive services under Subchapter I of Title 29 and part B of the Individuals with Disabilities Education Act.

(11) at least one representative of the State Workforce Development Board.

(E) The Council Support Project office will maintain a list of persons interested in being appointed to the Council. A duplicate list will be maintained by OVR Central Office. Individuals may be placed on the list by their own request or they may be nominated by organizations or individuals. An individual seeking to join the council will be given the opportunity to speak at a Full Council meeting.

To ensure consistency, each nomination packet will include a letter of interest and a current resume or vitae. Additionally, two written letters of recommendation will be requested.

Packets will be reviewed by the Recruitment Committee (within a ninety day time period). Individuals recommended by the Recruitment Committee will be sent forward to the Executive committee and finally the Full Council for approval for nomination to the Governor. Support project staff will submit approved packets to OVR. OVR will provide a copy of approved packet(s) to the Governor's Office. Also, see Recruitment Procedures located in the member's manual.

Section II Responsibilities

(A) Council members shall serve without compensation; however, members will be reimbursed for all expenses associated with attending Council meetings and performing Council duties, in accordance with applicable federal and state policies.

(B) Council members are expected to actively participate in all aspects of the Council's mission,

In order to fulfill its federal requirements, by:

- Attending four (4) scheduled full Council meetings in the fiscal year. Audio attendance by speakerphone is permitted only with the prior approval of the executive committee, when needed for a quorum for essential voting, if a member has a medical condition that will not allow them to travel to the meetings. Arrangements should be made for this accommodation with the project staff. Severe weather and personal emergencies are understandable exceptions.
- *Actively* participating on at least one standing committee or ad-hoc committee during the fiscal year. This is a requirement. Actively is defined as participating in conference calls and in-between activities such as responding to correspondence. Those members not able to maintain active participation will be asked to resign from the committee.
- Completing the on-line SRC training and submit a copy of the training certificate to the PaRC office by their first full Council meeting. The on-line SRC training series is on the National Coalition of State Rehabilitation Councils (NCSRC) website.
- Responding to action items during or between Council meetings. Examples may include, but are not limited to:
 - (1) Review of support documents for meeting action items.
 - (2) Review and return of surveys, draft documents, etc. when requested.
- Attending Office of Vocational Rehabilitation public meetings, Workforce Development Board meetings, Citizen Advisory Committee meetings, etc., each year.

If a Rehabilitation Council member is attending any of these meetings or other related meetings (e.g. legislative contacts), workgroups, or conferences where they officially or de-facto represent the Council:

- The Council member shall state that s/he is representing the Rehabilitation Council.
- The Council member shall state the Council's official position on the subject being discussed if one exists or is known.

If the Council's official position is unknown or has not been developed, the Council representative shall indicate that s/he will request the Council's office to forward the position or ask the Council to review the subject and render an official position if one is needed.

- The Council member may have a different, personal opinion on the subject being discussed. If this is so, the Council member should state that it is a personal opinion and not the official position of PA Rehabilitation Council.
- The Council member shall not commit financial support and/or other resources of the Council to any non-RC committee, workgroup, function, etc., without the previous authorization of PA Rehabilitation Council.
- In order to receive reimbursement for expenses occurred while acting as a designated Council spokesperson, the member shall follow established procedures for obtaining reimbursement which can be found in the member's manual under procedures.

With regard to PaRC sponsored attendance at conferences and meetings, including full Council meetings, the PaRC member is expected to attend all scheduled activities/meetings, unless ill.

- If ill, they must notify the PaRC office staff, personally or by leaving a message on the office answering machine and cancel any room/travel arrangements.
- If the member does not attend as scheduled and does not have a valid reason for their absence, the member will be asked to reimburse the PaRC for the apportioned cost of any scheduled activities/meetings they did not attend. That cost would also include travel, subsistence, and accommodations associated with the event. The Executive Committee would determine the amount of reimbursement and discuss/decide about any future conference participation requests by that member.

Please Note: Individuals appointed to the Council by the Governor are considered Public Officials and are required to complete a Financial Interest Statement annually that is submitted to the State Ethics Commission and the Secretary of Administration.

Section III Resignation

- (A) A Council member may resign by sending written notice to the Council Chair in care of the Council Support Project office. Notice will be forwarded to OVR, who will notify the Governor and request a new appointee to fill the vacancy.
- (B) Members who were appointed to represent specific organizations cited in the Act as amended by WIOA of 2014 (such as the SILC and State Workforce Development Board) may request reclassification if they cease their relationship with that organization. The request shall be made in writing to the Chair in care of the Support Project. Disposition of the request will follow the process as in letter b of this Article.

Section IV Transferring a Member to Another Category of Representation

- (A) A Council member may request a transfer (if an opening exists) to another category of representation, due to a job change, etc. by sending written notice to the Council Chair in care of the Council Support Project office. Notice of the request will be forwarded to OVR, along with appropriate reappointment paper work. OVR will notify the Governor of the request and forward the appropriate paper work.

Section V Recommendation to Remove a Member from the Council

- (A) The Council may recommend that a member be removed for just cause including, but not limited to, noncompliance with these By-laws. Failure to attend two consecutive full Council meetings without appropriate 48-hour prior notification, or valid notification of illness, is just cause for removal from the Council.
- (B) Recommendation for removal of a member requires a two-thirds majority vote of the Council members present at a regularly scheduled Full Council meeting. The vote shall be by secret ballot and shall take place in Executive Session.
- (C) After the Council has voted to recommend removal of a member, the Support Project Staff will notify OVR in writing. OVR will assure that the decision is communicated to the Governor's office.

Article IX: MEETINGS

All meetings will follow Roberts Rules of Order, Revised, latest edition.

Section I Full Council Meetings

- (A) In accordance with S105 of the Act as amended by WIOA of 2014, the Council shall meet no fewer than four times per year. The number of regular meetings, above four, to be held in any one year shall be determined by the Council, consistent with applicable OVR policies and resources. The dates of such regular meetings shall be established no later than December 31 of the preceding year, and such dates shall be distributed promptly to all Council members. Any change in the date, time, or location of a meeting must be given special notice. (If a meeting is canceled, due to inclement weather or other emergency, members should follow the cancellation procedure for meetings in the Council Procedure manual). The decision to cancel a meeting is by vote of those officers present at the meeting location or reachable by telephone at the time the decision must be made.
- (B) All meetings shall be open to the public, except for Executive Session.
- (C) The Chair shall assure that the Executive Committee establishes an agenda and it is distributed two (2) weeks prior to the meeting. Agenda items may be added as New Business at each Council meeting with approval of the majority of Council members present.
- (D) If all Officers and the Past Chair are absent from a meeting, members present shall, by majority vote, elect a member to be presiding officer at the meeting.

- (E) Minutes of all meetings, and other Council records shall be kept in a secure environment in accordance with OVR requirements. Draft minutes and related material will be distributed to all Council members within three (3) weeks after a meeting. Minutes shall be available to the public once approved by the Council.
- (F) A quorum shall be fifty-one percent of the membership at Full Council meetings. Participation in the meeting via speakerphone is only allowable to make quorum for essential voting such as policies, position papers, etc.
- (G) All decisions of the Council shall be made only after an affirmative vote of a majority of members in attendance, unless stated otherwise in these By-laws for special circumstances.

Section II Special Meetings

- (A) Special meetings may be called by the State Board of Vocational Rehabilitation or by the Council Chair or by a majority of Council members.
- (B) Council members shall be notified of all special meetings at least five business days prior to such meetings.

Article X: ADOPTING, AMENDING AND REPEALING OF OPERATING PROCEDURES AND BYLAWS

- (A) The Operating Procedures and/or Bylaws may be adopted, amended or repealed, if the proposed procedure and/or bylaw is introduced at a regular meeting and has been sent to Council members for their review at least ten days prior to the meeting.
- (B) Adopting, Amending or Repealing of the Operating Procedures and/or Bylaws must be approved by a two-thirds majority vote of the membership present at a duly called Council meeting.