**CALIFORNIA STATE REHABILITATION COUNCIL**

**BYLAWS**

Article I Name

The name of this council shall be the STATE REHABILITATION COUNCIL, hereinafter referred to as the SRC.

Article II Authority

Title I, Part A, Section 105 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 720 et seq.), and California Welfare and Institutions Code Sections 19070 - 19072, and federal and state regulations pertaining thereto. Should subsequent amendments to federal and state laws conflict with these bylaws, said laws and regulations shall prevail.

Article III Functions

The functions of the SRC are mandated in federal law as follows:

1. Review, analyze, and advise the Department of Rehabilitation (DOR) regarding the performance of the responsibilities of the DOR under Title 1 of the Rehabilitation Act, particularly responsibilities relating to:
	1. eligibility (including order of selection);
	2. the extent, scope, and effectiveness of services provided; and
	3. functions performed by State agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes under this title.
2. In partnership with the DOR:
	1. develop, agree to, and review State goals and priorities in accordance with section 101(a)(15)(C) of the Rehabilitation Act; and
	2. evaluate the effectiveness of the vocational rehabilitation program and submit reports of progress to the Rehabilitation Services Administration (RSA) Commissioner in accordance with section 101(a)(15)(E) of the Rehabilitation Act.
	3. advise and assist in the preparation of the vocational rehabilitation services portion of the Unified or Combined State Plan and amendments to the plan, applications, reports, needs assessments and evaluations as required.
3. Advise the DOR regarding activities authorized to be carried out under Title 1 of the Rehabilitation Act.
4. To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:
	1. the functions performed by the DOR;
	2. vocational rehabilitation services provided by State agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under this Act; and
	3. employment outcomes achieved by eligible individuals receiving services under this title, 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 RSA Commissioner on the status of vocational rehabilitation programs operated within the State, and make the report available to the public.
6. To avoid duplication of efforts and enhance the number of individuals served, coordinate activities with the activities of other councils within the State, including the following: State Independent Living Council; Advisory Commission on Special Education; Assistive Technology Advisory Committee**;** State Council on Developmental Disabilities; California Behavioral Health Planning Council; and the California Workforce Development Board.
7. Provide for coordination and the establishment of working relationships between the DOR and the State Independent Living Council and centers for independent living within California.
8. Perform such other functions, consistent with the purpose of Title 1 of the Rehabilitation Act, as the SRC determines to be appropriate, that are comparable to the other functions performed by the Council.

Article IV Membership

1. Pursuant to federal law [29 USC Section 725 (b)(3)], the Governor shall appoint all the members to the SRC after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. In selecting members, the Governor shall consider, to the greatest extent practicable, the extent to which minority populations are represented on the Council.
2. The SRC, pursuant to 29 USC Section 725 (b), shall be composed of at least 16 members:
	1. At least one representative of the State Independent Living Council;
	2. At least one representative of a parent training and information center established under the Individuals with Disabilities Education Act (IDEA);
	3. At least one representative of the Client Assistance Program (CAP);
	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 the SRC if the counselor is an employee of the DOR;
	5. At least one representative of Community Rehabilitation Program (CRP) service providers;
	6. Four representatives of business, industry and labor;
	7. Tworepresentatives of disability advocacy groups representing a cross section of:
	a. individuals with physical, cognitive, sensory, and mental disabilities; and
	b. 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. At least one current or former applicants for, or recipients of, vocational rehabilitation services;
	9. At least one representative of the directors of the American Indian Vocational Rehabilitation Projects in California;
	10. At least one representative of the California Department of Education;
	11. At least one representative of the California Workforce Development Board; and
	12. The Director of the DOR, who shall be an ex officio member of the SRC.
3. A majority of SRC members shall be persons who are:
4. individuals with disabilities, and
5. not employed by the DOR.
6. Each SRC member shall be appointed to serve no more than two consecutive full three-year terms (except for the representatives from CAP and the American Indian Vocational Rehabilitation Projects). ~~If a council member is initially appointed to replace a former member who did not complete their term, the new council member must be appointed for the remainder of the vacated term for which they are being appointed – not a full three-year term. Once that initial term is completed, the individual may be appointed to fill a second term of three years.~~
7. Any vacancy occurring in the membership of the SRC shall be filled in the same manner as the original appointment. The vacancy of one or more members shall not affect the power of the remaining members to execute the duties of the SRC.
8. SRC members shall notify the SRC Executive Officer if the member cannot attend an SRC meeting. If it is determined that a quorum will not be present, members will be notified.
9. Duties of SRC Members:
10. Prepare for, and attend, quarterly SRC meetings.
11. Serve on at least one SRC committee, taskforce or workgroup.
12. Review and comment on proposed DOR plans, policies and regulations.
13. Report to the SRC on successes/challenges/trends impacting the Member's category of representation.
14. Maintain cooperative and mutually supportive appropriate relationships with the DOR Executive leadership, local Regional Directors, and staff.
15. Meet quarterly with local Regional Directors as assigned.
16. Perform other duties as required.

Article V Officers

1. The SRC Officers shall be Chair, Vice-Chair and Immediate Past Chair ~~Treasurer~~, with duties and responsibilities as follows:
2. The Chair shall:
a. Preside as Chair of SRC meetings in order to facilitate discussion, planning and decision making;
b. Select and appoint, from among the SRC membership, Chairs and members of all SRC Committees and taskforces, with the exception of the Nominating Committee; and
c. Coordinate SRC activities and maintain communication with the SRC Executive Officer, DOR leadership and SRC leadership.
3. The Vice-Chair shall:
a. Preside at meetings of the SRC in the absence of the Chair;
b. Assume the Office of Chair if, for any reason, the Chair is unable to complete the term;
c. Serve as SRC Parliamentarian, ensuring that SRC meetings operate in accordance with applicable state laws and regulations and these bylaws; and
d. Carry out other duties as may be assigned by the Chair.
4. The Immediate Past Chair shall:
	1. Advise the incoming Chair and Vice-Chair to support an effective transition and assure continuity.
	2. Work with the SRC Executive Officer to ensure appropriate development, allocation, and expenditure of the SRC budget.
	3. Carry out other duties as may be assigned by the Chair.

~~The Treasurer shall:
a. Work together with the SRC Executive Officer to ensure:
 1) Maintenance of accurate and timely financial records
 2) Appropriate development and allocation of SRC budget
 3) Periodic review of SRC expenditures/financial status;~~

~~b. Present a financial report to the SRC at each quarterly meeting; and~~

~~c. Carry out other duties as may be assigned by the Chair.~~

1. Officers' Election and Terms:
2. The election of Officers shall take place during the final full SRC meeting of the federal fiscal year (October 1 - September 30).
3. The Officers of the SRC shall be elected by a majority of the voting SRC members. The Nominating Committee's slate of candidates shall be provided to the SRC members at least one week prior to the Election of Officers. At the meeting at which the election is held, and subsequent to the announcement of the slate, the floor shall also be open to nominations.
4. The term of Office shall be for one year, from October 1 - September 30.
5. Officers may serve for no more than two consecutive full terms in any one Office.

Article VI Procedures

All meetings of the State Rehabilitation Council shall be conducted in accordance with California's Bagley-Keene Open Meeting Act (Government Code Section 11120, et seq).

1. Quorum.

In order to conduct any official business, a quorum shall consist of fifty-one percent (51%) of the current SRC voting membership, excluding vacancies. Pursuant to federal law, vacancies shall not affect the power of the remaining members to execute the duties of the SRC.

1. Voting:
2. Each member shall have one vote.
3. All decisions shall be made by a majority vote of the voting members present.
4. Unless a member needs accommodation, all votes will be conducted by a voice vote. At any time, a member can request a show of hands or a roll call vote.
5. Ex-officio members may not vote or present motions.
6. In accordance with the Bagley Keene Open Meeting Act, all votes occurring during teleconference meetings shall be by roll call vote.
7. Meetings.
8. The SRC shall convene at least four meetings per federal fiscal year (October 1 - September 30).
9. SRC meeting times and locations shall be set by the Executive Planning Committee (EPC) with input from SRC members.
10. Agendas.

Agendas for SRC meetings shall be developed by the SRC Executive Officer and Chair, with input from the EPC. Agendas for Committees shall be developed by the SRC Executive Officer and Chair of Standing Committees, with input from SRC Chair.The SRC may adopt procedures for requesting placement of items on agendas. The SRC Chair shall approve the meeting agenda before distribution. In the event that the SRC Chair is unavailable, the SRC Vice-Chair shall have approving authority.

1. Minutes.

The SRC Executive Officer has responsibility for ensuring that minutes of all committees and full SRC meetings are kept. Approved minutes shall be maintained in the SRC office. Such approved minutes shall be made available to the public upon request.

1. 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 to the organization that they represent,or otherwise give appearance of a conflict-of-interest. The member shall abstain and publicly state the conflict of interest.

According to state law, all SRC members shall file a Fair Political Practices Commission Form 700 to file their statements of economic interests 30 days after initial appointment and annually thereafter.

SRC members shall adhere to all conflict-of-interest policies adopted by DOR and state law.

1. Accessibility Policy

The Council’s role is to promote the employment of people with disabilities, and as such, the SRC strives to include all people with disabilities in all aspects of its role. The SRC will provide accommodation to members of the public and the membership in accordance with the Bagley-Keene Open Meeting Act and other state law. Documents will be made available in electronic formats and alternative formats, upon request in accordance with the Bagley-Keene Open Meeting Act.

1. Public Comment

The opportunity for public comment shall be provided on each agenda in accordance with the Bagley-Keene Open Meeting Act.

1. Rules of Order

Absent a conflict in federal or state law and regulation, the most recent revision of Robert's Rules of Order shall govern questions of parliamentary procedure not otherwise specified by these Bylaws.

1. Compensation for services

Pursuant to Welfare and Institution Code Section 19092, any member of the SRC who is unemployed or required to forfeit wages from other employment shall be compensated one hundred dollars ($100) per day for each day the member is engaged in discharging their SRC-related duties. Certification of eligibility for said compensation shall be maintained by the DOR. It is the responsibility of the SRC member to notify the SRC Executive officer of any change in eligibility for said stipend and follow any policies related to the stipend.

1. Reimbursement for travel, per diem, childcare and attendant care services shall be in accordance with applicable state policy.

Article VII Committees

It is the intention of the SRC that the full SRC make key decisions pertaining to the fulfillment of its federal responsibilities, unless otherwise delegated. The purpose of the Standing Committees is to provide an opportunity for greater discussion, analysis and oversight of these mandated functions or to address certain administrative functions of the SRC.

1. Committee Quorums

Three voting members of the SRC shall constitute a quorum for purposes of conducting committee meetings.

1. Duties of Standing Committee Chairs;
	1. Agenda creation with the Executive Officer for Committee meeting,
	2. Provide input on the work of the Committee,
	3. Discuss work of the Committee with Chair of the SRC,
	4. Provide updates at each quarterly meeting,
	5. Facilitate meetings,
	6. Determine if additional meetings are needed, and,
	7. Provide the Executive Officer with the direction on Committee work products.
2. Standing Committees: The following standing committees are hereby established:
3. Executive Planning Committee (EPC)
	1. The EPC will be led by the SRC Chair, with the Vice-Chair, Immediate Past Chair ~~Treasurer~~, and Chairs of the Policy, Unified State Planand Monitoring and Evaluation Committee~~Chairs~~ as members.
	2. The EPC shall schedule SRC meetings, establish agendas and select meeting sites while coordinating Council activities with other SRC Standing Committees, the DOR, and other entities responsible for, or concerned with, the provision of rehabilitation services within the State of California. (These duties are in practice delegated to the Executive Officer working in conjunction with the SRC Chair.)
	3. Create slate of candidates for the SRC to be appointed as Members of the Nominating Committee.
4. PolicyCommittee

The areas assigned to the Policy Committee are:

~~a) Develop the SRC Annual Report~~

a) Evaluate proposed regulations, policies and services.

b) Prepare recommendations for the SRC.

c) Receive issues from the Monitoring and Evaluation Committee and the Unified State Plan Committee to further evaluate and assist the SRC in developing recommendations to DOR.

1. Monitoring and Evaluation Committee

The areas assigned to the Monitoring and Evaluation Committee are:

1. Evaluate the Consumer Satisfaction Survey and its results.
2. Review and analyze trends in Appeal Hearing Decisions.
3. Review the progress of performance measures.
4. Review data as requested by the SRC.
5. May refer issues to other Committees to further evaluate and make recommendations for improvement of services.
6. Prepare recommendations for the full Council’s consideration.
7. Unified State Plan Committee
8. Collaborate with DOR in developing various aspects of the Vocational Rehabilitation Services Portion of the Combined or Unified State Plan.
9. Conduct and evaluate the Comprehensive Statewide Assessment.
10. Monitor the State of California’s Unified State Plan.
11. Review drafts of the VocationalRehabilitation Services Portion of the Unified State Plan.
12. May refer issues to other Committees to further evaluate and make recommendations for improvement of services.
13. Prepare recommendations for the full Council’s consideration.
14. Nominating Committee

The Nominating Committee shall make recommendations to the SRC relative to the annual election of SRC officers. The Nominating Committee shall:

* 1. Be composed of at least three (3) and not more than five (5) SRC members.
	2. Be elected by the SRC at the meeting preceding the meeting in which Officer elections are held, from a slate of candidates recommended by the EPC. The floor shall also be opened to additional nominations.
	3. Serve for one year. Should a mid-year vacancy occur in the office of vice-chair ~~or treasurer~~, the Nominating Committee shall reconvene and recommend a candidate for vote at the next SRC meeting.
1. Ad hoc Committees/Taskforces/Workgroups

The SRC may, by majority vote, establish task specific entities as necessary. These entities are limited to acting on the issues for which they were created and within the time frame established for the assignment.

Article VIII Amendments

1. These Bylaws shall be reviewed annually by the Executive Planning Committee.

2. Bylaw amendments may be introduced, in writing, at any full SRC meeting. The vote upon such amendments shall not take place until the following SRC meeting. Amendments must receive a two-thirds vote of the voting membership present at the meeting. No amendments may be adopted which conflict with any applicable state and federal law or regulation. Subsequent changes to applicable state and federal laws and regulations shall supersede any portion of the bylaws in conflict with same.

**Dates of Revision**

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