

1 **MRC BYLAWS**

2
3 **ARTICLE I. PREAMBLE**

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5 These Bylaws govern operating procedures of the Michigan Rehabilitation Council
6 (“Council”). The Council is created pursuant to the Rehabilitation Act of 1973, as amended,
7 29 USC 720 et seq. (“Act”) and the State of Michigan Governor’s Executive Order 2007-48.
8

9 **ARTICLE II. COUNCIL PURPOSES**

10
11 **Section A- General Purpose**

12 1. The general purpose of the Council is to review, analyze, and advise Michigan
13 Rehabilitation Services (“MRS”) regarding all rehabilitation programs and policies
14 administered in Michigan under the Act.
15

16 **Section B- In carrying out its general purpose, the Council shall:**

- 17 1. Collaborate with MRS in the development and review of MRS goals and priorities;
18
19 2. assist MRS in the development of the State Plan and any State Plan amendments under
20 the Act;
21
22 3. provide an evaluation of the State vocational rehabilitation program by submitting an
23 annual report to the Rehabilitation Services Administration (“RSA”) Commissioner;
24
25 4. make policy and program recommendations to MRS consistent with the values supporting
26 self-determination and independent living by Michigan citizens with disabilities; and
27
28 5. abide by all provisions of the Act and other applicable laws.
29

30 **ARTICLE III. MEMBERSHIP**

31
32 **Section A - Size**

33 1. The Council shall be composed of at least fifteen (15), but not more than twenty-six (26)
34 voting members. Should membership fall below fifteen (15), the Council shall continue to
35 conduct business according to these rules, after receiving consent of the Council
36 membership.
37

38 **Section B - Composition**

- 39 1. A majority of voting members must be:
40
41 a. Individuals with disabilities; and
42 b. not employed by the general and/or blind public vocational rehabilitation agencies in
43 Michigan.
44
45 2. The Council shall include at least one representative of:
46
47 a. The State Independent Living Council, which may be the chair or other designee of the
48 State Independent Living Council;
49

- 1 b. a Parent Training and Information Center established pursuant to Section 631(c)(9) of the
2 Individuals with Disabilities Education Act, 20 U.S.C. 1431 (c)(9);
3
4 c. the Client Assistance Program (CAP), established under Section 112 of the Act; who
5 must be the director of or another individual recommended by the CAP;
6
7 d. a qualified vocational rehabilitation counselor, who possesses knowledge and
8 experience with vocational rehabilitation programs. If the counselor is employed by MRS he
9 or she shall serve as an ex-officio member of the Council;
10
11 e. community rehabilitation program service providers;
12
13 f. the state educational agency responsible for public education of the students with
14 disabilities who are eligible to receive service under the Act and Part B of the Individuals with
15 Disabilities Education Act;
16
17 g. section 121 of the Act Project Directors;
18
19 h. the State Workforce Investment Board; and
20
21 i. the State Director of MRS or his/her designee, will be an ex-officio member of the Council.
22

23 3. In addition, the Council shall include:

- 24 a. Four representatives of business, industry, and labor;
25
26 b. representatives of disability advocacy groups who depict a cross section of individuals with
27 physical, sensory, cognitive, and mental disabilities;
28
29 c. representatives of the following populations; parents, family members, guardians,
30 advocates, or authorized representatives of individuals who have significant difficulty in
31 representing themselves, or who are unable to represent themselves because of their
32 disability; and
33
34 d. current or former applicants or recipients of MRS vocational rehabilitation services.
35

36 4. Ex-officio Member

37 a. Definition

38 The ex-officio member will be accepted for membership as deemed necessary by the Council
39 to achieve its purposes. They may be appointed to Council Committees and otherwise
40 participate in activities as full members. Ex-officio members are not entitled to Council vote,
41 but may vote as members of Council Committees. When the vocational rehabilitation
42 counselor position is filled with an MRS staff person, they will serve the same length of term
43 as voting members. The ex-officio member is not entitled to reimbursement for any expenses
44 incurred while involved with Council activities, unless special consideration is requested in
45 advance and approved by the Executive Director.
46

47 b. Community Resource Members

48 1. The Executive Committee will consider requests and needs of the membership for
49 community resource members, who serve as a nonvoting member to provide a resource to

1 the Council on strategic activities. An example of a member would be a MRS Counselor, a
2 person representing a disability population not currently represented with Governor
3 appointments.
4

5 2. The terms of service are the same as those for appointed members, serving two three year
6 terms at a maximum of six years.
7

8 Section C - Appointment

9 1. Process

10 The Council shall be responsible to actively recruit candidates from the broadest spectrum
11 statewide, including considerations of diverse social, cultural, economic and disability
12 characteristics. The MRC will make selections for membership based on recommendations
13 from organizations representing a broad range of individuals with disabilities. All
14 recommendations will be reviewed and approved by the Executive Committee prior to being
15 forwarded to the Governor's Appointments Office for consideration. Council members are
16 appointed by the Governor of Michigan.
17

18 2. Term of Appointment

19 a. A term of appointment on the Council shall be three years with one third of the
20 membership to be replaced each year.
21

22 1. If a Council member resigns or a vacancy occurs before completing a term, a new
23 member may be appointed to serve out the remainder of that term. Members may seek
24 reappointment under the provisions of the Governors policy.
25

26 2. No member of the Council, other than the CAP and the Act's Section 121 program
27 representative, may serve more than two consecutive full terms.
28

29 Section D - Vacancies

30 1. Any vacancy occurring in the membership of the Council shall be consistent with the
31 Governor's policy. The vacancy shall not affect the power of the remaining members to
32 execute the duties of the Council.
33

34 Section E - Removal of Members

35 1. The Council may recommend removal of a member to the Governor based on cause.
36 ("cause, as used in these Bylaws, is a conflict of interest and other legally imposed
37 standards") or after missing three (3) consecutive meetings.
38

39 2. The Executive Committee may suspend a member for a period of not more than six
40 months, if they determine cause (as defined in Article III, Section E, 1).
41

42 ARTICLE IV - COUNCIL MEMBER STANDARDS

43 Section A - Overview

44 1. The Act requires that no member of the Council cast a vote on any matter that would or
45 appears to provide direct financial benefit to that member.
46

47 2. As Governor appointees, each member must use the powers and obligations of the
48 Council to further Council purposes as described in the Act.
49

1 3. Each Council member shall avoid making unilateral decisions and the appearance of
2 speaking for the Council, unless specifically authorized to do so by the Council or these
3 Bylaws.

4
5 4. Members are expected to uphold the mission of the Council.

6
7 Section B- Conflict of Interest

8 1. Council members are subject to the provisions of the Michigan Conflict of Interest Act,
9 MCL 15.301 et seq.

10
11 Section C- Ethical Standards

12 1. Council members are subject to the provisions set forth in the Michigan Ethics Act, MCL
13 15.341 et seq.

14
15 Section D - Lobbying

16 1. When performing duties under the Act, Council members are not subject to the provisions
17 of the Lobby Act, MCL 4.411 et seq.

18
19 Section E - Public Information

20 1. The Council is subject to the provisions of the Michigan Open Meetings Act, MCLA 15.268
21 and the Michigan Freedom of Information Act, MCL 15.231 et seq.

22
23 ARTICLE V – OPERATIONS

24
25 Section A - Meetings

26 1. General Meetings

27 To assist the Council in accomplishing its purpose, it shall hold public meetings and forums to
28 obtain input from Michigan’s citizens with disabilities, their families, friends, service providers,
29 and employers.

30
31 2. Information and Accommodations

32 All Council meetings and input opportunities shall conform to the Michigan Open Meetings
33 Act and shall provide accommodations to persons with disabilities to enable their participation
34 pursuant to the Act, Section 503, the Michigan Persons with Disabilities Civil Rights Act,
35 MCLA 37.1210 and the American with Disabilities Act, 42 USC 12181 et seq.

36
37 3. Parliamentary Guidance

38 The most recent edition of Robert’s Rules of Order, as abbreviated, shall be used to conduct
39 meetings. If there is conflict between Robert’s Rules of Order and these Bylaws, the Bylaws
40 shall prevail.

41
42 4. Quorum

43 a. Business Meetings: A quorum is required for all decisions at Council Meetings. A quorum
44 for all Council Meetings shall consist of a simple majority (50% plus one) of the Council voting
45 members of whom at least 50% must be persons with disabilities.

46
47 b. Council Committee Meetings: There is no quorum requirement for Council standing
48 committees, other than the Executive Committee. If a quorum is not present, the Agenda
49 may be followed, with notes transcribed for the record. No business can be transacted

1 without a quorum. Quorum for the Executive Committee meetings shall consist of a simple
2 majority of the committee members.

3

4 5. Voting

5 a. General Information

6 All voting shall be conducted in a manner which allows the participation of all members
7 present. Any member present may request that voting be done by secret ballot or roll call.
8 There shall be no voting by proxy.

9

10 b. Electronic or Teleconference

11 Regular and special meetings of the Council may be held by electronic means (such as e-
12 mail or other internet communication systems, telephone conferences, video conferences,
13 facsimile etc.) subject to the following:

14

15 1. All Voting Members shall have access to the appropriate electronic meeting media,
16 as verified by their response to a call for any particular meeting. This majority shall
17 constitute the quorum for the meeting and once established shall be assumed present
18 until the meeting is adjourned. The quorum shall be the minimum vote requirement for
19 the adoption of any motion.

20

21 2. The technology used for the electronic meetings shall allow the members full access
22 to and full participation in all meeting transactions either continuously or intermittently
23 throughout the specified time of the meeting.

24

25 6. Council Meeting Schedule

26 The Council shall hold at least four (4) meetings a year. Each meeting shall include public
27 comment as a standard Agenda item.

28

29 7. Decorum

30 The Council Chairperson (as described in Article VI, Section D, 1b) shall preside at all
31 Council Meetings, ensure decorum and remain impartial. Any person, including a Council
32 member, may be excluded from the Council Meeting, or the Council Meeting may be
33 recessed by the Council Chairperson to avoid undue disruption.

34

35 Section B - Compensation

36 1. The Council may use funds to reimburse members for reasonable and necessary
37 expenses of attending Council meetings and in the performance of duties. Such payments
38 will be reviewed and authorized by the Executive Director or designee. No member of the
39 Council shall receive a salary.

40

41 Section C - Staff

42 1. The Council shall determine staffing needs to ensure that the Council purpose is
43 realized. The staff shall not be Civil Service employees of the State of Michigan.

44

45 Section D - Resource Plan

46 1. The Council shall prepare a plan in conjunction with MRS for providing
47 resources as may be necessary to achieve Council purposes and operations. The Budget is
48 prepared on an annual basis at the beginning of the final quarter of the fiscal year, approved
49 by the Executive Committee and presented for membership review and approval. The

1 approved Budget will be presented to MRS by the Chairs and Executive Director who will
2 manage the negotiation process. Disputes relative to the resource plan shall be resolved
3 pursuant to the Act, Section 105.

4

5 ARTICLE VI. GOVERNANCE

6

7 Section A - Election

8 1. An election of officers will take place bi-annually at the final Council Meeting of the fiscal
9 year.

10

11 2. Candidates for the officer position of Council Chairperson must be selected from the
12 current Executive Committee population.

13

14 3. Candidates for Vice Council Chairperson must have served at least one year on the
15 Council.

16

17 4. Candidates for Member at Large must have served at least six months on the Council.

18

19 Section B - Term of Office

20 1. All officers shall serve for a term of two years, beginning upon the conclusion of the
21 meeting in which the election is held.

22

23 2. Officers are eligible to serve a maximum of two full consecutive terms.

24

25 3. In the midst of serving a term on the Executive Committee, if an Officer's term on the
26 Council expires, they resign or are removed from the membership (Article III, Section E), a
27 special election may be held at the next Council Meeting according to election procedures
28 specified in Article V, Section 5 of these Bylaws, to replace the position on the Executive
29 Committee.

30

31 Section C- Executive Committee

32 1. The members of the Executive Committee are the officers of the Council. The Executive
33 Committee shall be comprised of six (6) members consisting of Chairperson, Vice
34 Chairperson and four (4) members at large, one of whom shall be Past Chairperson, if
35 available. If replacement is needed (refer to Article VI, Section B, 3), a special election will
36 take place unless the membership population is less than the capacity of the EO. In the
37 event that the population has dropped, the EC can be maintained within the ratio of the total
38 numbers of voting members (i.e. 20 members would need at least 5 EC members). In the
39 event that the membership drops below 15 and there are vacancies on the Executive
40 Committee, the membership numbers for the Executive Committee can be decreased to no
41 less than (4) four individuals to create an equitable ratio of members between the Executive
42 Committee and the full membership. The reduced size Executive Committee shall continue to
43 conduct business in accordance with these rules. Once appointments are realized, the
44 Executive Committee membership can return to six (6) members through a special election.

45

46 2. Ex-officio Council members shall not serve on the Executive Committee.

47

48 3. The Executive Committee shall have the authority to:

1 a. Oversee the activities of the Council in response to its identified function in accordance
2 with the Act, mission, business plan, and staffing capacity; and

3
4 b. act on behalf of the Council between regular Council Meetings in the business and
5 operational functions of the Council.

6
7 4. The Executive Committee shall not have the authority to:

- 8 a. Make contracts or agreements on behalf of the Council;
9 b. appoint or discharge the Executive Director, although it may suspend the
10 Executive Director for cause as defined in Article III section E, 1;
11 c. acquire or dispose of real property;
12 d. adopt annual operating cash flow budgets; or
13 e. amend the Bylaws.

14
15 Section D- Duties of Officers

16 1. The Council Chairperson shall be the primary representative for the Council.

17
18 2. The Council Vice Chairperson shall have all powers of the Council Chairperson and
19 perform all duties of the Chairperson in his or her absence.

20
21 3. The Council Past Chairperson shall have all powers of the Council Chairperson and
22 perform all duties of the Chairperson or Vice Chairperson in his or her absence.

23
24 4. The At - Large Council Members shall:

- 25 a. Serve as Committee Chairs; and
26 b. chair or direct special projects and committees as requested by the Council Chairperson.

27
28 ARTICLE VII. COMMITTEES

29
30 Section A – Overview, Standing

31 1. The Council Standing Committee structure shall be designed to implement the Council
32 responsibilities consistent with the Act. All Council Standing Committees shall have at least
33 three (3) members. All decisions of a Council Standing Committee must be presented for
34 review and approval by the Council membership at the next Council Meeting.

35
36 2. Three consecutive unexcused (as defined in Section III E3) absences by a Council
37 Standing Committee member from Council Standing Committee Meetings will result in
38 dismissal from the Committee.

39
40 Section B –Term of office for Council Standing Committees

41 1. All Council Standing Committee members shall serve for a term of two years, beginning
42 October first.

43
44 2. Sign up for Committees will occur bi-annually during the Council Meeting that includes
45 election of officers.

46
47 3. In the event that a Council Standing Committee member's term on the Council expires,
48 while serving on a committee, the committee will continue to function according to these
49 Bylaws.

1 4. New Council members joining the Council after Council Committee membership has been
2 determined may choose to serve on the committee that best meets their interest, involvement
3 and professional background.
4

5 Section C – Overview, Ad Hoc Committees

6 1. The Council Ad Hoc Committee structure shall be designed to implement the Council
7 responsibilities consistent with the Act. All Council Ad Hoc Committees shall have at least
8 three (3) members. All decisions of a Council Ad Hoc Committee must be presented for
9 review and approval by the Council membership at the next Council Meeting.
10

11 Section D – Committee Chairperson

12 1. A Committee Chairperson shall:

- 13 a. Preside at all Council Committee Meetings, ensure decorum and remain impartial
14 (as described in Article V, Section 7);
 - 15 b. provide leadership for the creation and implementation of the annual committee work plan;
16 and
 - 17 c. report the committee progress at Council Meetings.
- 18

19 Section E - Nominating Committee

20 1. The Council Chairperson shall appoint a Nominating Committee consisting of three
21 Council members, having no more than one Executive Committee member.
22

23 2. The Nominations Committee Chairperson shall present a slate of Executive Committee
24 nominees to be elected at the final Council Meeting of the fiscal year. At that Council
25 Meeting, nominations from the floor will also be accepted.
26

27 3. The Nominating Committee and Council members will strive to elect an Executive
28 Committee that reflects the Council's values of diversity.
29

30 ARTICLE VIII. AMENDMENT OF BYLAWS
31

32 A. The Bylaws may be amended at any Council Meeting, provided that all Council
33 voting members have been sent written notice 10 calendar days prior to the Council
34 Meeting.
35

36 B. Whenever state or federal law is amended, making any portion of these Bylaws
37 unenforceable, the remaining portion of the Bylaws shall remain in force.
38

39 C. In the event that the re-authorization of the Act does not include provisions for a State
40 Rehabilitation Council, funding and property of the Council will revert to the State of Michigan.
41

42 Amended 0806	Amended 0108
43 Amended 05/06	Amended 0811
44 Amended 09/05	
45 Amended 02/04	
46 Amended 09/03	
47 Amended 02/03	
48 Amended 01/00	
49 Amended 10/99	
50 Amended 11/98	
51	