

THE DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADVISORY COUNCIL

BY-LAWS

Updated April 27, 2011

I. NAME

This Council, established under the authority of IC 12-9-4, as amended, shall be known as the Division of Disability and Rehabilitative Services Advisory Council (“DDRS Advisory Council” or “Council”).

II. MISSION STATEMENT

The mission of the DDRS Advisory Council is to assist the Division of Disability and Rehabilitative Services (DDRS) and recommend strategies that will ensure individuals with disabilities are as independent and self-sufficient as possible.

III. RESPONSIBILITIES

The responsibilities and functions of the Council are as follows:

- A. Annually review the outcomes of services provided to individuals by DDRS.
- B. Review, provide and make recommendations on selected policies, procedure and practices of DDRS programs and services.
- C. Review and comment on recommendations from other DDRS stakeholder groups as requested.

IV. MEMBERSHIP TERMS

- A. The membership of the Council consists of the following eleven (11) members:
 1. The director of the Division of Disability and Rehabilitative Services
 2. Ten (10) individuals:
 - a. Appointed by the Secretary of Family and Social Services (“appointing authority”); and
 - b. Who have a recognized knowledge of, or interest in the programs and services of the division. (IC 12-9-4-3)

B. The terms of Council members begin:

1. The day the member is appointed; or

2. The day the term of the member's immediate predecessor expires

whichever occurs later. (IC 12-8-2-4)

C. The term of a member expires on:

1. July 1 of the second year after the expiration of the member's immediate predecessor's term; or

2. July 1 of the second year after the member's term began. (IC 12-8-2-4)

D. A member may be reappointed for a new term. (IC 12-9-4-4; IC 12-8-2-4)

E. A member may not serve concurrently on the DDRS Advisory Council, the Division of Family and Children Advisory Council and the Division of Mental Health Advisory Council. (IC 12-8-2-3.5)

F. The director of the Division of Disability and Rehabilitative Services serves as a member until this individual no longer holds the office. (IC 12-8-2-5)

G. The appointing authority shall appoint an individual to fill a vacancy on the Council. (IC 12-8-2-6)

V. PRESIDING OFFICER

The director of the Division of Disability and Rehabilitative Services serves as the presiding officer of the Council. (IC 12-9-4-5)

VI. MEETINGS; ATTENDANCE

A. The Council shall meet at least monthly and is subject to special meetings at the call of the presiding officer. (IC 12-9-4-7)

B. Council members are expected to attend the regular and special meetings of the Council.

VII. RESPONSIBILITIES OF COUNCIL MEMBERS

- A. Each council member has the following responsibilities:
 - 1. To attend regular and special meetings of the Council.
 - 2. To participate actively in Council meetings.
 - 3. To participate in other Council activities as requested.
 - 4. Be willing to make a conscious effort to understand the programs and services provided by the Division of Disability and Rehabilitative Services.
 - 5. Be willing to facilitate the public education and outreach efforts of the Division.
- B. Council members have no specific authority unless granted such authority by vote of the Council at a regular or special meeting.
- C. Failure of a member to comply with the responsibilities may result in a Council request for the member's resignation or a recommendation to the appointing authority to terminate the appointment.

VIII. TERMINATION OF MEMBERSHIP

A. Voluntary Termination

Any member may terminate his or her council membership prior to the expiration of the member's term.

B. Termination Relating to Attendance

- 1. Any member who fails to attend two (2) consecutive Council meetings shall advise the presiding officer of the reasons for the absence and whether he or she plans to continue participation on the Council.
- 2. If a member fails to attend three (3) consecutive Council meetings or fails to serve as an active participant on a committee, the presiding officer shall discuss, or make reasonable efforts to discuss this issue with the members to determine if there is sufficient reason to believe that the member will carry out the responsibilities of the membership through the remainder of the member's term.

3. If the presiding officer determines that this is not the case, he or she shall notify the Council of the failure of the member to meet the responsibilities of membership.
4. The Council shall then vote to determine whether the member shall be retained on the Council.
5. Council recommendations to terminate an individual's Council membership shall be submitted in writing to the appointing authority.

C. Termination Relating to Other Member Responsibilities

1. The Council may recommend to the appointing authority that a member be removed from Council membership for failure to comply with other member responsibilities under Section VIII of these by-laws. Council recommendation to remove a member under these circumstances will require a 2/3 majority voter of Council membership. The Council shall use the following procedure:
 - a. Allegations against a member for failure to comply with other responsibilities can be made only during a scheduled meeting by Council members;
 - b. Upon the introduction of allegations the presiding officer will establish an ad hoc committee to review the basis and facts surrounding the allegations;
 - c. The ad hoc committee will make a recommendation to the full Council.

D. Notice

1. A member shall be notified not less than 15 days prior to any Council action to recommend termination of the individual's full membership on the Council.
2. The member shall be given an opportunity to be heard orally or in writing by the presiding officer not less than five (5) days before the effective date of the termination by the appointing authority.

IX. AMENDMENTS

These by-laws may be amended or repealed and new by-laws may be adopted by the Council at any regular or special meeting.