

Rehabilitation Council of Texas (RCT)

BYLAWS

ARTICLE I - NAME

The Rehabilitation Council of Texas is established under the authority of Title I, Section 105 of the Rehabilitation Act of 1973 (the Act), as amended by the Workforce Innovation Opportunity Act of 2014. The name of this organization is the Rehabilitation Council of Texas, hereinafter referred to as the RCT or the Council.

ARTICLE II - PURPOSE

2.1 The purpose of RCT shall be to serve as an advocate for all individuals with disabilities and who qualify for Vocational Rehabilitation (VR) within the State of Texas.

2.2 Moreover, RCT shall work in partnership with the Texas Workforce Commission (TWC) and its Vocational Rehabilitation Division (TWC-VRD) to plan for, establish, and meet short-term and long-term goals. RCT shall review and analyze systemic policy for scope and effectiveness.

ARTICLE III - MEMBERSHIP, TERMS AND COMPOSITION RCT

3.1 The RCT shall consist of not less than 15 members. The RCT shall be customer controlled with a majority of the members being individuals with disabilities, i.e. any individual who has a physical or mental impairment that substantially limits one or more of the individual's major life activities, has a record of such an impairment, or is regarded as having such an impairment, or is a representative of individuals with disabilities who are unable to represent themselves. If an individual with a disability who serves on the RCT is also an employee of TWC that individual cannot be counted for purposes of establishing that a majority of RCT members are individuals with disabilities.

3.2 Members of the RCT are to be appointed by the Governor. The Governor shall select members after soliciting recommendations from the RCT for representatives of organizations representing a broad range of individuals with disabilities or organizations interested in individuals with disabilities including the RCT. Selection shall represent to the greatest extent practicable, the extent to which minority populations are represented on the Council and geographical distribution across the state is represented.

3.3 COMPOSITION - The RCT shall be composed of:

3.3.1 at least one representative of the Statewide Independent Living Council which representative may be the Chairperson or other designee of the Statewide Independent Living Council;

3.3.2 at least one representative of a parent training and information center established pursuant to section 682 (a) of the Individuals with Disabilities Education Act,

3.3.3 at least one representative of the Client Assistance Program (CAP) established under section 112 of the Act;

3.3.4 at least one qualified vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex-officio, nonvoting member of the RCT if the counselor is an employee of TWC-VRD;

3.3.5 at least one representative of community rehabilitation program service providers;

3.3.6 four representatives of business, industry and labor;

3.3.7 representatives of disability advocacy groups representing a cross section of:

3.3.7.1 individuals with physical, cognitive, sensory, and mental disabilities;
and

3.3.7.2 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; and

3.3.8 current or former applicants for, or recipients of, vocational rehabilitation services;

3.3.9 at least one representative of the Texas Education Agency responsible for the public education of students with disabilities who are eligible to receive services under the Act and part B of Individuals with Disabilities Education Act (IDEA),

3.3.10 at least one representative of the Texas Workforce Investment Council,

3.3.11 at least one representative of the Native American Rehabilitation Project 121, if one is established,

3.3.12 the Director of TWC-VRD shall be ex-officio, non-voting member of the RCT.

3.4 TERMS OF SERVICE - Each member of the RCT shall serve for a term of not more than three (3) years, except that:

3.4.1 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.

3.4.2 no member of the RCT may serve more than two consecutive terms.

3.4.3 A member can be reappointed after a meaningful break of 3 months following their 2nd consecutive term.

3.4.4 a member may resign from the RCT by giving written notice to the Governor of Texas and the RCT Chairperson and such resignation shall be effective at the date of receipt of such notice or at any later time specified therein.

3.4.5 three consecutive, unexcused absences from regular RCT meetings will prompt a request to resign from the RCT,

3.4.6 any vacancy occurring in the membership of the RCT 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 RCT.

3.4.7 the Membership and Education Chairperson of the RCT shall advise the Governor of members who should be replaced because of resignation, moving out of the State of Texas or members who should be removed for cause, including but not limited to, inactivity, conflict of interest or unauthorized use of the RCT name, or not recommended for reappointment for any reasons mentioned prior. Before recommending the removal of any member the RCT shall give reasonable notice and opportunity for the member to be heard, which opportunity can be waived by the RCT member.

3.4.8 The RCT shall develop and maintain a pool of individuals who are qualified to serve on the RCT, in the required category of membership. When advising the Governor of the resignation or request for removal of a member, the RCT shall submit the name and qualifications of a suitable person qualified to fill the vacancy.

ARTICLE IV: OFFICERS

4.1 Officers of the RCT shall be a Chairperson and a Vice-Chairperson. Both officers shall be elected by the RCT from the appointed membership. The RCT may elect such additional officers as are deemed necessary.

4.2 A slate of proposed officers for the coming year will be prepared by the Membership & Education Committee for presentation to the RCT for their vote at the last regular meeting held during the fiscal year. Newly elected officers will assume their positions at the beginning of the fiscal year. Such list will be submitted to the entire RCT at least 30 days prior to the meeting.

4.2.1 Voting shall be by secret ballot for any position where there is more than one candidate. Vote can take place virtually or in person. To be elected, a candidate must receive a majority of votes cast for the position. In the event of a tie a runoff election will be held between the tied nominees. These nominees shall reclude themselves from the runoff election. A nominee has the right to withdraw their name if they so choose.

4.2.2 If an elected officer leaves or is removed from the council a vote for replacement officer shall be held at the next meeting, either regular scheduled or special meeting. A slate of proposed officer will be submitted to the members 30 days prior to the election meeting. Newly elected officer will assume the position immediately.

4.3 Officers shall serve a term of one fiscal year.

4.4 No officer shall serve more than three (3) consecutive terms in the same office.

4.5 DUTIES OF OFFICERS

4.5.1 The Chairperson shall preside at all meetings of the Council. The Chairperson shall appoint, subject to Council approval, all membership to standing, special or ad hoc committees and task forces. He/She shall schedule and call all regular and special meetings and perform all such duties as usually attend his/her office.

4.5.2 The elected Chairperson or his/her designee shall be the official representative for the membership of the RCT and shall be a liaison for the RCT.

4.5.3 The Vice-Chairperson shall aid the Chairperson in the performance of his/her duties. The Vice-Chairperson shall perform all duties of the Chairperson in absence of the Chairperson and shall perform such other responsibilities, as the Chairperson shall determine.

4.5.4 Removal - An elected officer may be removed by a 2/3 vote of members at any meeting after notice is given, which specifies the action to be taken. An elected officer may be removed with cause only after reasonable notice and opportunity to be heard, which hearing may be waived. An officer so removed may remain a member of the RCT until their term of appointment has expired. An officer may be removed from the RCT as a member.

ARTICLE V - MEETINGS

5.1 REGULAR MEETINGS

5.1.1 The RCT shall convene a minimum of four regular meetings during a calendar year at such time and in such places as it determines to be necessary to conduct RCT business and may conduct such forums (including workshops and seminars) or hearings as the RCT considers appropriate.

5.1.2 Meetings shall be held at a time and place determined by the Executive Committee and approved by Council members.

5.1.3 Notice of the time and place of each meeting shall be given or caused to be given by the Chairperson in writing, by mail, by telephone or electronic transmission to

all members of the RCT at least fourteen (14) calendar days in advance of such meeting.

5.1.4 An agenda for each meeting shall be distributed to the RCT members 14 days prior to the meeting. All supporting materials shall be made available in an accessible format to all members of the RCT 7 days prior to the meeting. Any matters not appearing on the agenda may be considered upon a favorable vote of a majority of the members present.

5.1.5 The contents of each meeting shall be recorded as minutes. The minutes shall be reviewed and revised as needed and approved at the next official meeting. Approved minutes shall be kept on file in such manner and in such place as determined by the RCT.

5.2 SPECIAL MEETINGS

5.2.1 The Chairperson may call such special meetings deemed necessary to carry out the duties of the RCT.

5.2.2 Notice of special meetings shall be given to all RCT members in writing, by mail, by telephone or by electronic transmission at least fourteen (14) calendar days in advance of such meeting.

5.3 Members of the RCT or of any RCT committee may participate by telephone or video conference or other electronic communications by which all persons participating in the meeting may be heard and such participation shall constitute presence in person at the meeting.

5.4 Each appointed member of the RCT is entitled to one vote on all issues brought to a vote and voting by proxy will not be allowed except for specific instances pursuant to a prior resolution of the RCT. The Chairperson shall be entitled to vote on a question when his/her vote will change the result and on a closed ballot.

5.5 A quorum of the voting members of the RCT must be present in order to conduct business of the RCT that requires a vote. A quorum is not required to receive briefings or training. A quorum is established when a majority of the voting members that have been duly appointed for the RCT, are in good standing, and for which term limits have not been reached or notice of resignation has not become effective, are present at the meeting at the time of the vote.

5.6 The most recent published issue of ROBERTS RULES OF ORDER shall be used as a guide to conduct all meetings of the RCT when such rules are not in conflict with these Bylaws or state law.

5.7 All meetings, hearings and forums of the RCT are public business and as such are to be open and accessible to the public and are to be publicly announced, unless there is

valid reason to convene in executive session. All records of the RCT are public record and as such are open to public inspection.

5.8 An appointed member of the RCT shall not vote on an issue if she/he, or the organization he/she is affiliated with, has a financial interest in the outcome of the vote.

ARTICLE VI - COMMITTEES AND TASK FORCES

6.1 EXECUTIVE COMMITTEE. The Executive Committee shall consist of the Chairperson, the Vice-Chairperson and the Chairperson of each of the standing committees. The immediate past Chairperson of the RCT shall also serve on the Executive Committee, if possible. The Chairperson of the RCT shall be the Chairperson of the Executive Committee and as such will appoint chairs to the standing committees after confirming the appointees agree to chair a committee. Meetings of the Executive Committee may be called by the Chairperson or any three members of the Committee at such time and place as deemed necessary. The Executive Committee shall set the agenda for RCT meetings, review RCT budget, amend bylaws, coordinate training and speakers for the RCT meetings, obtain discussion topics from committees to relate information to Director and develop/update RCT Annual Report and Brochure. The Executive Committee shall have the authority to transact business on behalf of the RCT between meetings of the RCT. All actions taken by the Executive Committee shall be reported to the RCT at the next regular RCT meeting and are subject to modification and/or approval by RCT members.

6.2 STANDING COMMITTEES. The following standing committees shall be organized in such a way as to increase the effectiveness of the RCT:

6.2.1 MEMBERSHIP & EDUCATION COMMITTEE: In addition to following legislation at the federal and state level (reviewing pending legislation pertaining to TWC-VRD) and reviewing the Legislative Appropriations Request with TWC-VRD, this committee is responsible for recruitment of new members. They also are responsible for the development of the slate of officers to be presented at the last meeting of the fiscal year and the development and implementation of a plan to mentor new members. New members shall be recruited in accordance with federal and state executive order guidelines; RCT members shall assist in developing a pool of potential candidates. The mentoring plan is intended to provide assistance and supports so that new RCT members become effectively involved in activities of the RCT and will include a new member orientation notebook, bios of members, and list of available mentors.

6.2.2 PLANNING & REVIEW COMMITTEE: Chaired by the RCT Vice Chair. This committee consist of the entire council membership. Works with the divisions on the Goals and Priorities for the Combined State Plan as well as the RCT recommendations. Reviews ongoing reports regarding progress (RSA 113, etc.), collects success stories, reviews standards and indicators, coordinates a public forum on the State Plan for feedback from customers.

6.2.3 POLICY, PROCEDURES, & PERSONNEL DEVELOPMENT: Recommends and reviews policy changes for TWC-VRD and reviews appeal decisions. Reviews the Comprehensive System of Personnel Development (CSPD) plan. Monitors procedural changes, staff turnover rate, and Impartial Hearing Officer (IHO) selection process.

6.2.4 CUSTOMER SATISFACTION & NEEDS ASSESSMENT COMMITTEE: Reviews the customer satisfaction survey results, program data, and other means TWC-VRD uses to evaluate customer satisfaction. Addresses service concerns with TWC-VRD (if the RCT sees there are trends or concerns in a certain area as expressed by customers). Responsible for the council involvement with the needs assessment process.

6.3 The RCT Chairperson may appoint such additional task forces, committees, subcommittees and special committees as deemed necessary to carry out the duties and conduct the business of the RCT.

6.4 The RCT Chairperson shall insure that all council members serve on a standing committee. Committee members do not have to be appointed members of the RCT to serve on the standing committees but must be individuals who demonstrate interest in the purposes of the RCT.

6.5 There shall be representation on each committee of individuals with a disability or of individuals representing persons with a disability.

6.6 The Committee Chairperson shall be responsible for presiding over committee meetings and for conveying reports to the RCT.

6.7 Committees and task forces shall be delegated the full powers and authorities of the RCT to carry out such functions and duties as are contained in their charge, providing;

6.7.1 A full written or oral report including input and recommendations to TWC-VRD of the committee actions is submitted to the Council at its next regular meeting.

6.7.2 A quorum, consisting of one-half of the appointed committee members, is present to transact business.

6.8 All committee actions, which may result in a meaningful impact on TWC-VRD customers and/or stakeholders, will receive prior approval of the full RCT, or in the interim, the Executive Committee, in accordance with Committee procedures. Such action shall be subject to ratification by the full RCT at its next regular meeting.

ARTICLE VII - COUNCIL MEMBERS' ACTIVITIES AND REPORT PROCEDURES

7.1 The operating year and the fiscal year for the RCT shall be the State fiscal year beginning September 1 and ending August 31.

7.2 RCT Members, when acting individually on behalf of the RCT, shall request approval by the Chairperson in advance of the activity and complete and send to the Chairperson

an Activity Report within thirty (30) days after the completion of the activity. The Chairperson shall present such report to the RCT at the next regular meeting.

ARTICLE VIII - UNAUTHORIZED ACTIVITY

8.1 No member or committee is to use the name of the RCT for any purpose other than one clearly authorized by the RCT and consistent with RCT policy and these Bylaws.

8.2 No member of the RCT shall knowingly vote on any matter(s) which would result directly or indirectly in financial benefit to the member or the member's family or otherwise give the appearance of a conflict of interest under State law.

8.3 Whenever a member has reason to believe that the actions of any member(s) may be in violation with State Conflict of Interest laws, the mandates of the Act, or these Bylaws, he/she shall immediately notify the Chairperson.

ARTICLE IX - RESOURCES FOR RCT OPERATION.

9.1 The RCT shall, in conjunction with TWC-VRD, prepare a plan for the provision of such resources, including such staff and other personnel, and such funding of RCT expenses as may be necessary to carry out the functions of the RCT under the Act. The resource plan shall, to the maximum extent possible, rely on the use of resources in existence during the period of implementation of the plan.

9.2 To the extent that there is a disagreement between the RCT and TWC-VRD in regard to the resources necessary to carry out the functions of the RCT, the disagreement shall be resolved by the Governor or appointing agency consistent with paragraph 1 above.

9.3 The RCT shall, consistent with State law, supervise and evaluate such staff and other personnel as may be necessary to carry out its functions under the Act.

9.4 While assisting the Council in carrying out its duties, staff and other personnel shall not be assigned duties by TWC-VRD or any other agency or office of the State that would create a conflict of interest.

9.5 The RCT may use funds appropriated under the Act to reimburse members of the RCT and RCT committee members for reasonable and necessary expenses of attending RCT meetings and performing RCT duties including personal assistance services.

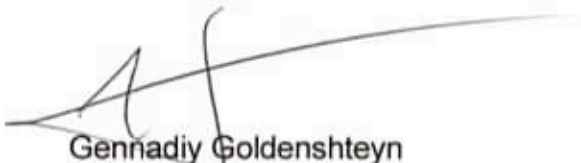
9.6 Expenses charged to the account of the RCT and/or paid under the account of the RCT shall be in accordance with the RCT approved Resource Plan and such other financial policies adopted by the RCT. The Executive Committee shall review on a regular basis and approve payment of all disbursements, distributions and other expenses charged to the RCT.

9.7 RCT members may receive reimbursement of the expenses of Council members in accordance with section 105(g) of the Act consistent with federal and state law for their participation in RCT meetings and all approved RCT activities.

ARTICLE IX - AMENDMENTS

The Bylaws may be amended at any regular meeting of the RCT by a two-third vote of the members present, provided there is a quorum present and that the agenda of the meeting and the wording of the proposed amendment is distributed to the total membership at least twenty-one (21) days prior to the date of the meeting. Any amendments to these Bylaws must be in accordance with applicable sections of the Rehabilitation Act and with applicable laws and regulations of the State of Texas.

APPROVED AND ADOPTED BY A TWO-THIRDS (2/3) MAJORITY OF THE APPOINTED MEMBERS OF THE REHABILITATION COUNCIL OF TEXAS ON February 2, 2024.



Gennadiy Goldenshteyn
RCT Chairperson



Peggy Schmidt
RCT Vice-Chairperson