

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

