

NEW YORK STATE REHABILITATION COUNCIL GUIDING PRINCIPLES

Article I. SHORT TITLE

- A. The name of this body shall be the New York State Rehabilitation Council (SRC).
- B. This document may be cited as the “Guiding Principles” of the SRC.

Article II. MISSION/VISION AND DUTIES

- A. The SRC is established to fulfill the requirements of the federal Rehabilitation Act of 1973, as amended and to advise the New York State Board of Regents, the Commissioner of Education, and the office of Adult Career and Continuing Education Services-Vocational Rehabilitation (ACCES-VR) on the provisions of vocational rehabilitation services.
- B. The Vision of the State Rehabilitation Council shall be reviewed annually by the Executive Committee by the first general meeting of the SRC, of the calendar year. The Executive Committee will recommend changes and/or acceptance at the first meeting. The Vision will consider the issues and concerns of the vocational rehabilitation (VR) system in New York State as well as the state of the vocational rehabilitation field in the country. The approved vision for the New York State Rehabilitation Council is:

The NY State Rehabilitation Council (SRC) encourages, supports and challenges ACCES-VR to make transformational change that results in self-sufficiency and meaningful community participation of NYS citizens with disabilities.

- C. In fulfilling its vision, the SRC shall:
 - (1) Review, and analyze policy, regulations, and actions, and as such advise the New York State Board of Regents, the Commissioner of Education, and ACCES-VR regarding the performance of the responsibilities of ACCES-VR under the Rehabilitation Act, particularly responsibilities relating to:
 - eligibility (including order of selection);
 - the extent, scope, and effectiveness of services provided;
 - functions performed by State agencies that affect or that potentially affect the ability of individuals with disabilities to achieve employment outcomes under the Rehabilitation Act.

- (2) In partnership with ACCES-VR:
 - develop and evaluate the effectiveness of the vocational rehabilitation programs and services for people with disabilities, including those with cultural and linguistic differences .
- (3) Advise the Board of Regents, the Commissioner of Education and ACCES-VR regarding activities conducted under the Rehabilitation Act, and assist in the preparation of the VR State Plan and amendments to the Plan applications, reports, needs assessment, and evaluations required by the Rehabilitation Act. Formal recommendations shall be made according to a protocol established and approved by the SRC. ACCES-VR will consider and respond to these recommendations in a timely manner and include them in the State Plan.
- (4) To the extent feasible, conduct a review and analysis of the effectiveness of, and consumer satisfaction with:
 - the functions performed by ACCES-VR;
 - the vocational rehabilitation services provided by State agencies and other public and private entities responsible for providing vocational rehabilitation services to individuals with disabilities under the Rehabilitation Act;
 - the employment outcomes achieved by eligible individuals receiving services under the Rehabilitation Act, including the availability of health and other employment benefits in connection with such employment outcomes.
- (5) Prepare and submit an Annual Report to the Board of Regents, the Federal Commissioner of Rehabilitation Services and rehabilitation programs operated within the State, and make the report available to the public within 90 days after the end of the federal fiscal year. A draft of the report shall be available for SRC review no later than 30 days after the end of the federal fiscal year and will act on approval at the last meeting of the calendar year.
- (6) To avoid duplication of efforts and enhance the number of individuals served, coordinate with other councils within the State, including the Statewide Independent Living Council, the Commission for the Blind and Visually Handicapped, the Commissioner's Advisory Panel for Special Education Services, the Developmental Disabilities Planning Council, the State Mental Retardation and Developmental Disabilities Advisory Council and the State Workforce Investment Board.
- (7) Provide for coordination and the establishment of working

relationships between ACCES-VR and the Statewide Independent Living Council and centers for independent living within the State.

- (8) Perform such other functions, consistent with the purpose of the rehabilitation act, as the State Rehabilitation Council determines to be appropriate, that are comparable to the other functions performed by the SRC.

Article III APPOINTMENT

- A. Members of the SRC shall be appointed by the Board of Regents of the University of the State of New York. The appointing authority shall select members after receiving the slate of nomination recommendations proposed by the SRC Membership Committee and approved by the full SRC.
- B. Each member of the SRC shall serve for a term of three (3) years. Any SRC member shall serve no more than 2 consecutive three (3) year terms, except that –
 - (1) a member appointed to fill a vacancy occurring prior to the expiration of the term for which the predecessor was appointed, shall be appointed for the remainder of such term;
 - (2) the terms of service of the members initially appointed shall be (as specified by the appointing authority) for such fewer numbers of years as will provide for the expiration of terms on a staggered basis.
 - (3) Vacancies- a vacancy in membership must be filled in the same manner as the original appointment.

Article IV. COMPOSITION

The New York State Rehabilitation Council shall seek membership that emulates representation of the State's cultural diversity.

- A. The SRC shall include:
 - (1) at least one representative of the Statewide Independent Living Council, who must be chairperson or other designee of the Statewide Independent Living Council;
 - (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) at least one representative of the Client Assistance Program must either be the director of or other individual recommended by the Client Assistance Program;
- (4) at least one vocational rehabilitation counselor, with knowledge of and experience with vocational rehabilitation programs, who, if the Counselor is an employee of the designated State agency, shall serve as an ex-officio, non-voting member of the SRC..
- (5) at least one representative of community rehabilitation program service providers;
- (6) four representatives of business, industry and labor;
- (7) representatives of disability advocacy groups representing a cross section of individuals with physical, cognitive, sensory and mental disabilities; and representative of individuals with disabilities who have difficulty representing themselves or are unable due to their disabilities to represent themselves.
- (8) current or former applicants for, or recipients of, vocational rehabilitation services;
- (9) at least one representative of the directors of projects providing services to American Indians under Section 121 of the Rehabilitation Act;
- (10) at least one representative of the State Education Department responsible for the public education of students with disabilities who are eligible to receive services under the part and Part B of the Individuals with Disabilities Education Act (who shall serve as ex-officio if employed directly by SED);
- (11) at least one representative of the State Workforce Investment Board: and
- (12) the director of ACCES-VR as an ex-officio, non-voting member of the SRC

B. Qualifications - In general, the SRC shall be composed of members

- (1) who provide statewide representation;
- (2) who represent a broad range of individuals with disabilities;
- (3) who are knowledgeable about centers for independent living and independent living services; and

- C. A majority of the voting members shall be individuals with disabilities; and not employed by any State agency.
- D. Members shall refrain from voting on any matter that would provide a direct financial benefit to the member or would give the appearance of conflict of interest.
- E. Members shall receive no compensation for their services, but shall be reimbursed by ACCES-VR for reasonable and necessary expenses incurred by them in the performance of their duties in accordance with procedures established by ACCES-VR. This will be discussed annually and all SRC members will be apprised of this process.
- F. Voting membership on the SRC cannot exceed two (2) individuals from any one organization/entity at any one time. In the event that a current SRC member joins an organization whose representation will exceed two (2), s/he may only serve the balance of his/her current term, but will not continue for a second term, if available.
- G. The term of members whose employment changes from private employer to a New York State agency may only complete their current term, but will not continue a second term, if available.
- H. All SRC members should participate on one or more committees.

Article V. CHAIRPERSON

- A. The SRC shall elect a Chairperson and a Vice Chairperson from among the voting membership of the SRC to serve for a term of one year. He or she shall serve at the pleasure of the full SRC. Annually the full SRC will by the third quarterly meeting vote (usually September) to continue the term of the Chairperson or nominate a Chair Elect.
- B. The Chair Elect's name is put forth to the voting membership of the SRC at the December meeting for an official vote into office at said time of the retirement (finishing term of office allowed) of the Chairperson. The Chair Elect will be mentored by the Chairperson during the intervening time between election and assuming office as Chairperson.
- C. ACCES-VR has final approval of the chair elect
- D. The SRC Chairperson shall preside at all meetings of the SRC and appoint all committees, task forces and other work groups of the SRC, with the exception of the SRC's Executive Committee. Upon appointment of such groups, the Chairperson shall outline the specific charges to the group along with timetables and reporting procedures. The Chairperson

shall serve as a member the Chair of the Executive Committee.

Article VI. VICE CHAIRPERSON

- A. The Vice Chairperson shall preside in the absence of the Chairperson at all meetings of the SRC and carry out the other duties of the Chairperson should this be necessary due to the inability of the Chairperson to carry out such duties.
- B. In the absence of the Chair, the Vice Chairperson will preside over the Executive Committee conference calls/meetings.
- C. The Vice Chair shall serve as Chair of the Membership Committee and will report to the Executive Committee.
- D. The Vice Chair will prepare and submit to ACCES-VR an annual budget that meets the membership needs and special accommodations for full participation of all SRC members in SRC activities.

Article VII. MEETINGS

- A. The SRC shall conduct regular meetings at the call of its Chairperson, but not less than four times a year. Committees and other groups may conduct meetings at the call of their respective chairpersons.
- B. Special meetings shall be held at the written request to the SRC Chairperson of at least eight (8) members of the SRC. These special meetings shall be held within fifteen (15) working days of the receipt of said written report.
- C. All SRC meetings require at least ten (10) days written notice and shall be open to the public except that the SRC may, by a majority vote, set or schedule executive sessions in accordance with the requirements of Article 7 of the New York State Public Officers Law.
- D. All Committee meetings require notification to members of the SRC and to committee members in writing or by telephone or email, and shall be open to the public.
- E. Public notice of all meetings shall be given in accordance with the requirements of Article 7 of the New York State Public Officers Law.
- F. Procedures for all meetings shall be in accordance with Roberts Rules of Order (latest revised edition) and with any applicable provisions of New York State Law.

Article VIII. QUORUM and ATTENDANCE

- A. A quorum of any meeting of the SRC shall consist of at least a majority of the voting membership, where there are no vacancies and where none of the members are disqualified from acting. At any meeting having at least a quorum, any questions that may come before the meetings shall be decided by an affirmative vote of a majority of the voting membership, were there no vacancies and were none of the members disqualified from acting. In the absence of a quorum, any meeting may be adjourned by a vote of the majority of the voting members of the SRC but no other business may be transacted. The members present at a duly called or held meeting at which a quorum was present may continue to do routine business not requiring a vote (other than adjournment) should a quorum no longer be maintained in the course of the meeting.

- B. Should a voting member of the SRC fail to attend three (3) regularly scheduled full SRC meetings without just cause within a calendar year, the Membership Committee shall review and may recommend to the Executive Committee that such member be removed from the SRC. With the approval of the Executive Committee the recommendation is then presented to ACCES-VR for their agreement. (Refer back to the provisions of Article III for membership process). A new SRC member may be appointed to fill the vacancy created in accordance with the provisions of Article III.

Article IX COMMITTEES

The SRC shall at all times have an Executive Committee and may from time to time establish such Standing Working Committees as it deems appropriate to carry out its responsibilities.

- A. EXECUTIVE COMMITTEE
 - (1) There shall be an Executive Committee of the SRC to be composed of the Chairperson of the SRC, Vice Chairperson of the SRC, the Immediate past Chairperson of the SRC (if term limits are applicable) and the Chairperson(s) of the Standing Working Committees of the SRC, a representative of the ACCES-VR liaison to the SRC, ACCES-VR Liaisons to Standing Working Committees, and ACCES-VR Liaison supervisors for no more than one or two initial meetings to assist liaisons in completing their work and representing them when they are not available.

 - (2) The Chairperson of the SRC shall serve as the Chairperson of the Executive Committee. The Vice Chairperson shall serve in the absence of the Chairperson.

- (3) The Executive Committee shall be empowered to act on behalf of the full SRC in all matters concerning the SRC on such occasions as it is not possible for the full SRC to meet, provided that any such action shall be subject to ratification by the full SRC at the next regularly scheduled SRC meeting.
- (4) The Executive Committee shall consider and recommend actions to the SRC that will facilitate achievements of SRC mandates expressed in the enabling legislation, or related State/federal mandates related to the goals appearing in the ACCES-VR State Plan. Annually it will plan an executive retreat to meet the needs of the SRC mandates expressed in the enabling legislation, related State/federal mandates related to the goals appearing in the ACCES-VR State Plan, and/or these guiding principles.
- (5) The Executive Committee Chairperson shall report the work of the Committee at regularly scheduled SRC meetings. The SRC Chairperson in this role will meet the Deputy Commissioner prior to each regularly scheduled SRC meeting to discuss the upcoming agenda, the work of the Executive Committee and any recommendations that are being made by Committees to ACCES-VR. This is done in an effort to best serve the SRC in the time allotted for meetings.
- (6) The Executive Committee shall meet no less than once a month or at the call of its chairperson or at the request of two or more members.

B. MEMBERSHIP COMMITTEE

- (1) The Membership Committee reports to the Executive Committee and is chaired by the SRC Vice Chairperson.
- (2) The Membership Committee is charged with:
 - The recruitment and retention of SRC members and shall be conducted by soliciting interest through organizations representing a broad range of individuals with disabilities, interested individuals with disabilities and/or other advocates, family or guardian members. A selection process including interviews will be used.
 - Annual management of SRC member orientation and mentoring of new SRC members
 - Preparing annual nominations to the NYS Board of Regents for appointment.
- (3) The Executive Committee shall appoint from the full body of the

SRC the members of the Membership Committee thereby ensuring equal and diverse representation of people with disabilities for the full SRC in adherence to the federal mandates.

- (4) The Membership Committee will, by the September meeting, review the attendance, participation and professional contribution to the SRC of each member whose first term will expire at the end of the calendar year. This review will determine whether or not a member may continue to serve for a second consecutive three year term.

C. STANDING WORKING COMMITTEES

- (1) Standing Working Committees may be established as necessary by vote of the SRC to perform activities undertaken by the SRC in accordance with State and federal legislation. The SRC Chairperson shall appoint, in the absence of self nomination, the members of Standing Working Committees from the membership of the SRC.
- (2) The role of the Standing Working Committees shall be to assist the SRC in fulfilling its vision and carrying out its duties.
- (3) Each Standing Working Committee shall nominate two committee members to assume the role and responsibility of the Chair and Co-chair for the respective Committee to SRC Chairperson annually. Co-chairs would not have term limits ending in the same year. This will ensure a continuation of experienced leadership across each committee. The SRC Chairperson shall announce the appointments by the end of the first quarterly meeting of the full SRC. The composition of each Standing Working Committee shall, to the extent feasible, be reflective of the composition of the full SRC.
- (4) Each Standing Working Committee Chairperson shall report on their committee work and activities to the Executive Committee no less than monthly and to the full SRC quarterly for discussion and final determination as needed. Committees are responsible for keeping minutes of all meetings. Minutes will be presented to the Executive Committee by the end of the calendar year for inclusion in the formal record of the SRC. In the absence of the Chair, the Co -chair will assume all duties of the Committee Chair.
- (5) The Standing Working Committees shall meet at the call of their Chairperson or at the request of three (3) or more members of the committee. Monthly conference calls will be scheduled and Committees will meet the afternoon prior to regularly scheduled

quarterly meetings of the SRC.

Article X. TASK FORCES & AD HOC GROUPS

- A. Upon a demonstration of need, the Chairperson of the SRC may appoint such task forces and other ad hoc groups to provide technical and expert assistance to the SRC for such periods of operation as may be required.
- B. Membership of such task forces and ad hoc groups of the SRC may include but need not be limited to members of the SRC.
- C. Task Forces and Ad Hoc Committees will choose their own Chair or up to 2 Co-chairs. Committees are responsible for keeping minutes of all meetings. Minutes will be presented to the Executive Committee by the end of the calendar year for inclusion in the formal record of the SRC.

Article XI. SED/ACCES-VR STAFF SUPPORT

- (a) Staff supports for the SRC, and such committees as deemed necessary, shall be provided for or arranged by ACCES-VR. Reassignments are expected; however, ACCES-VR will provide a transition period for the outgoing staff to train and mentor the newly assigned SED/ACCES-VR staff support person for both general SRC and/or direct Committee staff support.
- (b) Annually, an operating budget shall be established and presented to ACCES-VR upon recommendation of all committees for their pending work meeting all mandates. The SRC's Vice Chairperson will also submit a budget that meets membership needs and special accommodations for full participation of all SRC members in all SRC activities. Final approval will be made by SRC chair, taking into consideration all requirements and mandates of the SRC as directed by RSA, State Plan, and these Guiding Principles.

Article XII. AMENDMENTS

These "Guiding Principles" may be altered, amended or repealed. Changes to and/or new "Guiding Principles" may be adopted by a vote, including written assent of members not able to be present, of two-thirds of the voting members of the SRC at any regular or special meeting where a quorum is present and the notice for the regular or special meeting was given to SRC members at least thirty (30) days in advance of the meeting and included the altered, amended or new "Guiding Principles" to be brought before the members at such meeting.

Approved by the NYS State Rehabilitation Council Sept. 20, 2012; amended and approved by the SRC June 25, 2014.