

Missouri Statewide Independent Living Council By-Laws

Article I

8-22-02

Name, Offices, Members

Section 1. Name:

The name of the organization governed by these bylaws is the Missouri Statewide Independent Living Council, hereinafter referred to as MOSILC.

Section 2. Offices:

The organization may have offices at such places as the Council may from time to time appoint.

Section 3. Members:

a) The membership shall consist of a minimum of 11 and an optimum of 22 persons, a minimum of 51% being persons with significant disabilities and not employed by any State agency or Center for Independent Living. The Council shall include: at least one director of a Center for Independent Living, chosen by the directors of Centers for Independent Living within the State; and as ex-officio, nonvoting members, representatives from the Designated State Unit and representatives from other State agencies that provide services for individuals with disabilities.

b) The remaining representation may include other representative from Centers for Independent Living, parents or guardians of individuals with disabilities, persons with disabilities, advocates of and for individuals with disabilities and other appropriate individuals.

c) The Council shall be composed of members who provide statewide representation, represent a broad range of individuals with disabilities and who are knowledgeable about Centers for Independent Living and independent living services.

d) Names of candidates for membership may be submitted for consideration by persons involved or interested in the well being of persons with disabilities. Nominations for MOSILC membership shall be made to the nominating committee for review and input. Appointments shall be made by the Governor of Missouri.

e) A member may serve no more than a maximum of eight years and may be reappointed only after a year of non-membership on the Council. The terms of

service of members initially appointed shall be, as specified by the appointing authority, for such fewer number of years as will provide for the expiration of terms on a staggered basis. Any vacancy occurring in the membership of the Council 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 Council.

f) Each member of the Council shall serve for a term of 3 years, except that 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 the term.

g) Council members will serve without pay, but are entitled to reimbursement for reasonable expenses incurred in the discharge of their duties, subject to the availability of funds.

Article II Mission Statement

Section 1. Mission:

The mission of the Missouri Statewide Independent Living Council is to provide support on matters related to Title VII, Part B, including the determination of needs, methods of service delivery and priorities for the Division of Vocational Rehabilitation and Rehabilitation Services for the Blind and for the statewide network of Independent Living Centers.

Section 2. Responsibilities:

The Council shall:

- a) Jointly develop and submit (in conjunction with the Designated State Agencies) the State Plan for Independent Living as required in Section 704.
- b) Monitor, review and evaluate the implementation of the State Plan for Independent Living.
- c) Coordinate activities with the State Rehabilitation Advisory Council, established under Section 105, and other councils that address the needs of specific disability populations and issues under other Federal law.
- d) Ensure that all regularly scheduled meetings of the Council are open to the public and sufficient advance notice is provided.
- e) Submit to the Commissioner of Education such periodic reports as the Commissioner may reasonably request, and keep such records, and afford to such records, as the Commissioner finds necessary to verify such reports.
- f) Develop and expand independent living programs and philosophy on a statewide basis.
- g) Develop and support a statewide network of support for independent living.
- h) Act as a resource to public and private entities on issues relating to people with disabilities.

- i) Advocate on behalf of persons with disabilities who desire to live independently and the Centers for Independent Living who support them.

Article III Officers

Section 1. Officers:

The officers of the Missouri Statewide Independent Living Council shall be the Chairperson, Chairperson-Elect, and such other officers as may be elected. The full Council may elect other officers, as it shall deem desirable. Such officers will have authority to perform the duties prescribed from time to time by the Council.

Section 2. Election of Officers:

Officers of the Missouri Statewide Independent Living Council shall serve a term of one year and will be elected annually at the fall meeting of the Council. Election of officers shall be made from the slate of candidates presented by the Nominating Committee. However, any member of the MOSILC may nominate any other member qualified to hold office.

Section 3. Duties:

a) The Chairperson will preside at all meetings of the Council and appoint all committee chairpersons. The Chairperson or designee will also serve on the State Rehabilitation Advisory Council and the Rehabilitation Services for the Blind Advisory Committee. The Chairperson shall develop the agenda for regular and specially called meetings of the MOSILC, give general direction to the work of the SILC and see that all recommendations of the MOSILC are executed and/or carried out.

b) The Chairperson-Elect will preside at meetings in the Chairperson's absence and act for the Chairperson whenever he/she cannot. The Chairperson-Elect shall counsel with the Chairperson and assist the Chairperson in carrying out MOSILC responsibilities. The MOSILC member elected to fill the position of Chairperson-Elect shall be a member who has at least two years remaining in his/her term.

Section 4. Nomination of Officers:

The Chairperson shall instruct the Nominations Committee to present a full slate of proposed officers for presentation to the full MOSILC during the summer meeting. Individuals nominated by the committee must give their consent to serve in advance.

Section 4. Removal:

Any officer elected by the Council may be removed by the Council whenever in its judgment the best interest of the Council would be served thereby. An officer may be removed from office by a two-thirds majority vote of the full Council at a regular meeting or a special meeting for which written notice specifying such purpose was mailed to all MOSILC members at least ten (10) days prior to the meeting. The officer concerned shall be mailed written notification, including reasons for the proposed actions, postmarked at least ten (10) days prior to the meeting. A return receipt notification shall be used to verify that the officer in question has received the notification. The officer concerned will be granted an opportunity to be heard prior to action of removal.

Article IV Committees

Section 1. Committees:

MOSILC shall have standing committees of persons, appointed by the Chairperson, whose responsibility will be to assist in regulating and controlling the activities and functions necessary to the support of MOSILC and its programs. The Chairperson of each committee may designate non-MOSILC members to serve in his/her committee, but such appointments must be reported to the Chairperson and are subject to review by the membership of MOSILC.

Section 2. Executive Committee:

The Executive Committee shall consist of the duly elected officers and other members appointed by the Chairperson. The Executive Committee shall manage the activities and affairs of the MOSILC during intervals between meetings. All decisions of the Executive Committee shall be subject to confirmation at the next regular meeting of MOSILC or by phone/mail/fax/electronic ballot of all voting members.

Section 3. Finance Committee:

The Finance Committee shall be responsible for overseeing the finances of the MOSILC and shall provide a report of the budget at each meeting. The Finance Committee shall present a proposed annual budget for consideration by the full MOSILC at the summer meeting.

Section 4. Nominating Committee:

It shall be the duty of the Nominating Committee to collect names, recruit, review and present recommended members to the MOSILC for appointment by the Governor of the State of Missouri, for the purpose of filling vacancies occurring each year due to expiration of staggered term of membership.

The Nominating Committee shall recommend to the full MOSILC a slate of proposed officers at the summer meeting of each year.

Section 5. Other Committees:

The Chairperson may establish such other committees as may from time to time be necessary to serve the needs of the MOSILC. The tenure of such committees will be prescribed by the specific charge assigned to the committee or as required by the Chairperson.

Article V Meetings

Section 1. Dates and Location:

- a) The Council will meet not less than four (4) times yearly. An annual schedule of meeting dates and locations will be established by the Council, in consultation with staff persons from the Missouri Division of Vocational Rehabilitation and the Rehabilitation Services for the Blind, during its fall meeting. Meetings will be held on the third Friday of the months selected for holding meetings of the full Council.
- b) All meetings of the Missouri Statewide Independent Living Council shall be open to the public. Notices of such meetings will be posted in conspicuous places as is required by the Missouri Sunshine Law.

Section 2. Proxy Representation:

Members may not send proxies to meetings they cannot attend.

Section 3. Roberts Rules of Order:

Meetings will be conducted according to the latest revised edition of Roberts Rules of Order, as practical, in order that meetings shall be expedient, informative and productive.

Section 4. Attendance:

- a) Members shall notify the MOSILC Administrative Assistant or the MOSILC Chairperson when they cannot attend a Council meeting.
- b) When a Council member has missed two regularly scheduled meetings within a calendar year without being excused by the Chairperson or his/her designee, the position shall be considered vacated. The Chairperson will advise the Governor's office and request that a replacement be appointed.

Section 5. Quorum:

A quorum of a simple majority of voting members shall be necessary to conduct any and all business of the Council.

Section 6. Conference Call Board Meetings:

Participation in a meeting through use of a conference telephone constitutes presence in person at the meeting as long as all members participating in the meeting are able to hear one another. The meeting minutes shall show, at the start of the meeting, that all persons attending confirmed they could hear everyone else.

Article VI Conflict of Interest

Section 1. Definition:

As defined in EDGAR 364.21, Section 74.42 no authorized committee, the Executive Committee or member of the Council shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest is involved. A conflict of interest exists when a matter to be acted upon by any duly authorized committee, the Executive Committee or member of the Council confers a direct and/or substantial benefit to any member, business or agency from which a member of such committee or Council derives any income or has any authority in governance.

Section 2. Identification of Conflict of Interest:

Prior to voting on matters in which a potential conflict of interest exists for any member of a duly authorized committee, the Executive Committee or the Council, said member shall declare that he/she may be in conflict of interest and abstain from voting on the issue at hand.

Article VII Amendments

Any member of the Missouri Statewide Independent Living Council may submit a proposed amendment of these by-laws to all members of the Council in writing for consideration. The proposed amendment must be submitted at least 21 days prior to the next Council meeting. A two-thirds (2/3) majority of the voting members will be required to amend the by-laws.

Article VIII Action by Telephone, Telecommunications, or Mail

Section 1. Authorization of Use

Any duly authorized committee, Executive Committee or Council of the Missouri Statewide Independent Living Council is authorized to use telephone conference calls, telecommunication systems, private overnight delivery service, facsimiles, or the mail to exercise its powers and to perform any action that the committee, Executive Committee or Council could perform at a regular meeting.

Section 2. Votes by Telephone, Telecommunications or Mail

