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Colorado Statewide Independent Living Council
BY-LAWS

I. Name

This Statewide Independent Living Council is established under the authority of Section 705 of the Federal Rehabilitation Act of 1973, as amended. This Statewide Independent Living Council (as referred to in these by-laws) shall be known as the Statewide Independent Living Council (SILC), hereafter referred to as Council.

II. Purpose

The Council shall fulfill the requirements of Section 705 of the Federal Rehabilitation Act of 1973, as amended (referred to herein as the Act) with respect to the Statewide Independent Living Council. In this capacity, the Council shall:

- A.** Promote a philosophy of independent living (IL) including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual, and system advocacy, to maximize the leadership, empowerment, independence, and productivity of individuals with significant disabilities, and to promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society;
- B.** Jointly develop and submit, in conjunction with the Division of Vocational Rehabilitation (DVR), the State Plan required in Section 704 of the Act;

- C.** Monitor, review and evaluate the implementation of the State Plan;
- D.** Coordinate activities with the State Rehabilitation Council (SRC);
- E.** Ensure that all regularly scheduled meetings of the Council are open to the public and sufficient notice is provided;
- F.** Submit to the Commissioner such periodic reports as the Commissioner may reasonably request, and keep such records as the Commissioner finds necessary to verify such reports;
- G.** Provide guidance and financial assistance for the statewide development, expansion, or improvement of independent living programs and concepts;
- H.** Provide guidance to State agencies and to local planning and administrative entities assisted under Title VII of the Rehabilitation Act of 1973, as amended,
- I.** Advocate for improving working relationships among the various entities providing services to and for persons with significant disabilities; and,
- J.** The Council may assume other functions that they determine necessary and appropriate, consistent with their purposes.

III. Relationship with the Division of Vocational Rehabilitation

- A.** The Council shall be independent from the Colorado Department of Human Services and all other state agencies.
- B.** The Council and DVR operate under a Memorandum of Understanding.

- C.** The Council shall share with DVR the responsibility for the development, submittal, monitoring, review and the evaluation of the implementation of the State Plan.
- D.** The Director of DVR shall designate staff responsible for Independent Living Programs, or their designees, to act as liaison(s) to the Council. The liaison(s) will be responsible for attending, in a non-voting capacity, all of the Council meetings, to serve in an advisory/resource capacity to the Council by providing technical assistance regarding federal regulations, federal funding availability, program statistics, and other such information as may be determined necessary by the Council in order to fulfill its responsibilities.
- E.** The Chairperson of the Council or person designated by the Chairperson shall serve as a member of the Colorado State Rehabilitation Council, which has the responsibility of advising the Director of DVR concerning vocational rehabilitation and other needs of persons with disabilities.

IV. Adoption/Revision of By-Laws

- A.** By-laws shall be reviewed at least every other year or more as needed.
- B.** By-laws will be adopted or revised only in accordance with established voting procedures of the Council at a Council meeting. Written drafts of any substantial revisions will be developed and distributed to all members thirty days in advance of voting.
- C.** Revisions will become effective immediately unless indicated otherwise by the motion passed.
- D.** Copies of the by-laws and revisions will be provided to all Council members and DVR liaisons within one (1) month following adoption/revision and thereafter to other parties upon

request. Copies shall be provided in large print or Braille upon request.

V. Membership

A. Composition

1. The Council shall include:

- a) One director of a center for independent living chosen by the directors of centers for independent living within the State; the length of term for this member is set by the ACCIL but cannot exceed terms set forth in these by-laws.
- b) As ex-officio, nonvoting members;
 - i. A representative from the designated state unit; and,
 - ii. Representatives from other state agencies that provide services for individuals with disabilities; and
- a) In a State in which one or more projects are carried out under section 121, at least one representative of the directors of the projects.

B. Additional Members

1. The Council may include:

- a) Other representatives from centers for independent living; however, only one staff member, board member or volunteer from any one CIL may serve at one time.
- b) Parents and guardians of individuals with disabilities;
- c) Advocates of and for individuals with disabilities;
- d) Representatives from private business;
- e) Representatives from organizations that provide services for individuals with disabilities; and,
- f) Other appropriate individuals.

C. Qualifications

1. The Council shall be composed of members:
 - a) Who provide statewide representation;
 - b) Who represent a broad range of individuals with disabilities;
 - c) Who are knowledgeable about centers for independent living and independent living services; and,
 - d) A majority of whom are persons who are:
 - e) Individuals with disabilities described in Section 6 (20) (B) of the Act; and,
 - f) Not employed by any state agency or center for independent living.
 - g) The Council shall adhere to a policy of non-discrimination on the basis of race, color, religion, gender, sexual orientation, national origin, ancestry, age, disability or economic status.

D. Responsibilities

1. Attend and participate in all regularly scheduled meetings;
2. Sit on at least one SILC committee;
3. Bring information and issues of concern to the SILC; and
4. Disseminate information to the community.

E. Application Process

Application for membership on the Council may be made by an interested person or solicited by Council members, DVR or the Governor or his/her designee. Application forms can be found on the Governor's website and should be submitted to the Independent Living Program Coordinator at DVR. The Program Coordinator will then forward applications to the Membership committee of the SILC for review. Membership Committee

recommendations for action on applications will be forwarded to DVR and the Governor's office

F. Appointment

1. Members of the Council shall be appointed by the Governor of Colorado, upon recommendation of the Chairperson of the Council and the Director of DVR.
2. Appointees and the Council will be notified of appointments in writing.

G. Orientation

1. Newly appointed members of the Council shall be provided an orientation to the Council's goals, objectives, and operations by the Council Chairperson or designee and an orientation to independent living concepts and services by a Council member who is the Director of an independent living center.
2. Newly appointed members of the Council may request a mentor if so desired.
3. Packets of materials relative to carrying out responsibilities of Council members will be provided to each new member by the Chairperson or designee of the Council.

H. Length of Terms

1. The terms of service of Council members will be specified upon their initial appointment and shall provide for expiration of terms on a staggered basis. Council members will be appointed for a term of three years unless he/she is filling an unexpired term or a shorter initial period is necessary in order to maintain staggered expiration dates. Members may be appointed to serve consecutive terms not to exceed two terms.

I. Early Termination of Appointment

1. Any member wishing to terminate his or her appointment to the Council prior to the expiration of the term is to submit written notice of resignation to the Governor of Colorado, the Council Chairperson, and to the Director of DVR.
2. Members may be subject to removal for failure to attend Council meetings or to carry out his or her Council responsibilities appropriately. If a member fails to attend three (3) Council meetings, during the course of any given fiscal year, without an excused absence, it is incumbent upon the Chairperson to recommend to the Governor and to the Director of DVR to terminate the individual's appointment to the Council. Written notice of any early termination will be provided by the Governor to the Council member, the Council Chairperson and to the Director of DVR. The exception to this is as follows: A four month leave of absence will be granted to a SILC member for personal or family related medical reasons or due to a job change.

J. Filling Vacancies

1. 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.
2. 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.

K. Compensation

1. Members shall serve without monetary compensation except for the reimbursement of expenses incurred as a result of participation on the Council.

2. Applicants interested in serving on the Council shall be reimbursed for travel expenses incurred as a result of interviews and participation while the Council is pursuing their membership.
3. In an effort to maintain a diverse and knowledgeable membership, the Colorado SILC will offer a stipend to SILC members who lose wages due to their participation in SILC meetings and conferences. The member must provide verification of employment and documentation signed by the employer indicating the amount of wages lost. The maximum stipend will be \$50 per day. The SILC member will submit a request for payment. Payment of the stipend will be made directly to the SILC member.

VI. Principal Officers

A. Nomination

1. Nominations for officers will be made by Council members to the Nominating Committee Chairperson appointed by the Chairperson and presented to the full Council at the regularly scheduled Spring Council meeting.

B. Election

1. Elections will be held the first meeting prior to July 1 of each year.
2. Officers will be elected by a simple majority vote of members present, provided that at least a quorum of the voting members is present.
3. Acceptance of the office by the individuals elected may be acknowledged verbally immediately upon election (if present) or by his or her acceptance of the minutes of the meeting wherein the election occurred.

C. Chairperson

1. The Chairperson of the Council shall be selected from among the voting membership of the Council. A person with a disability as described in Section 6 (20) (B) of the act should be given primary consideration for the position of Chairperson.
2. It shall be the responsibility of the Chairperson to:
 - a) Chair Council meetings;
 - b) Sign documents and speak on behalf of the Council, with Council ratification as appropriate (if the Chairperson isn't present or available to sign a document on behalf of the SILC, the Chairperson Elect will sign the document. If neither of these individuals are present/available to sign a document, the Secretary will sign the document on behalf of the SILC;
 - c) Submit through the Director of DVR to the Governor recommendations for appointment to the Council;
 - d) Select committee chairpersons and establish standing and ad hoc committees as needed by the Council;
 - e) The DVR Verification Team will consist of DVR staff and other persons, including members of the SILC, designated by the Chairperson of the Council.
 - f) Work with committees as necessary to insure Council effectiveness and to establish Council direction;
 - g) Monitor Council members' participation, take action to elicit full participation and, if needed, request early termination of a member's appointment to the Council;
 - h) Serve as a member of the Colorado State Rehabilitation Council or designate another individual to serve in this capacity.

D. Chairperson-Elect

1. It shall be the responsibility of the Chairperson-Elect to carry out the responsibilities of the Chairperson, in his or her absence, and to assist the Chairperson in carrying out those responsibilities, upon the Chairperson's request. The Chairperson-Elect will ascend to the position of Chairperson upon the termination of the Chairperson's term of office. The Chairperson-Elect will serve as the chair of the State Plan Committee.

E. Secretary

1. It shall be the responsibility of the Secretary to:
 - a) Record attendance at and proceedings of Council meetings in minutes;
 - b) Distribute or arrange for distribution of minutes;
 - c) Serve as custodian of minutes and other Council records/documents.

F. Treasurer

1. It shall be the responsibility of the Treasurer to:
 - a) Ensure that Section 7 of the SPIL "Financial Administration" is carried out properly and in an expeditious manner;
 - b) Be responsible for monitoring the SILC budget, including expenses;
 - c) Establish and chair a Finance Committee;
 - d) Prepare an informal Financial Report to be given at the SILC Executive Committee meeting each month and at the Council meeting whenever such report is on the agenda.

G. Length of Terms

1. Officers shall be elected to serve a term of one (1) year. Terms will begin on July 1.
2. No individual may serve in the same office for more than two (2) full consecutive terms.

H. Early Termination of Office

1. If the Chairperson wishes to terminate office prior to the expiration of the term, he or she may do so by submitting written notice of resignation to the Chairperson Elect.
2. If the Chairperson-Elect or Secretary, or Treasurer wishes to terminate their respective office prior to the expiration of the term, he or she may do so by submitting written notice of resignation to the Chairperson.
3. Officers may be subject to removal from office for failure to appropriately carry out the duties of the office by a two-thirds (2/3) majority vote of the Council.

VII. Meetings

A. Scheduling/Notice

1. The Chairperson (in consultation with Council members) shall establish a regular, on-going schedule for Council meetings at the beginning of each new fiscal year. The schedule will be published at that time. Each member will be notified of the date, time, and location of the meeting at least one (1) week-in advance.
2. The Council shall meet at least four (4) times in each calendar year or as often as needed and as funds are available.
3. All meetings will be held at a location meeting the accessibility standards of the ADA and will include

provisions for a sign language interpreter for persons with hearing impairments and other reasonable adaptations needed for Council members and guests with disabilities.

4. All regularly scheduled Council meetings shall be open to the public. Advance notice of such meetings shall be given, allowing sufficient time to allow members of the public reasonable opportunity to attend.
5. It is the intent of the Council to meet face to face at its regularly scheduled meetings. However, committee meetings may occur using electronic media.
6. Special meetings may be held as determined necessary by the Council Chairperson and each member will be notified in advance of such meetings.
7. Meetings may be conducted only when a quorum is present. A quorum is defined as a majority of members of the Statewide Independent Living Council appointed and confirmed by the Governor.

B. Conduct

1. All SILC and Executive Committee meetings will be conducted in accordance with Robert's Rules of Order, unless otherwise indicated by these by-laws. However Committee meetings may operate in a less formal manner.

C. Minutes

1. Attendance at and proceedings of all meetings will be recorded in minutes. Copies of minutes will be distributed to all members and DVR liaison(s) within two (2) weeks following the meeting, and to any other party upon request.

2. Minutes will be reviewed for approval or modification and adoption at the following meeting.
3. Minutes shall be made available in large print or Braille upon request.

D. Voting

1. Motions may be made, discussed, and voted upon as necessary to accomplish Council purposes, nominations/elections, and other Council business, keeping the following in mind: If a quorum is present, a motion can be approved or disapproved by a simple majority of those voting members present.
2. Issues needing a vote in between meetings of the Council or the Executive Committee may be voted upon using electronic media. E-mail votes may occur when information is sent out in advance, an opportunity for questions to be answered is available and a reasonable deadline is set for response by a quorum of voting members.
3. Any member present at a meeting who has a professional, financial, personal, or legal conflict of interest with regard to any motion made or issue presented for discussion shall announce the conflict and abstain from voting on that motion.
4. If a Council member is unable to attend a Council meeting and wishes to vote on an issue presented before the Council, the Council member may vote by mail prior to the meeting, or by proxy through the designation of another Council member as representative of the absent Council member. A Council member is allowed only two proxy votes in a given year.

VIII. Committees

A. Executive Committee

1. The four officers, chairpersons of the standing committees and the immediate past Chairperson shall serve as the members of the Executive Committee. For purposes of a quorum, there must be a majority of the elected officers (chair, chair-elect, secretary, treasurer and the past chair (3 of 5) in order to conduct business. The Council, at regularly scheduled meetings, may empower the Executive Committee to act for the Council on specifically designated issues for which specific action is required prior to the next scheduled Council meeting.

2. Membership on other Committees

a) Committee members may include Council members and, where appropriate, non-Council members.

b) The Chairperson of each committee shall be a Council member and shall be appointed by the Chairperson of the Council. Committee chairpersons shall also serve as members of the Executive Committee

B. Standing Committees

1. Membership Committee - To seek, screen, and select potential nominees for Council membership for the purpose of filling vacancies as terms expire, as early termination of office or Council membership occurs, or as deemed appropriate by the Council to expand membership to the maximum number. The committee shall submit its recommendations to the SILC for review and action. This Committee may also be responsible for related activities such as assisting with orientation or other tasks as assigned by the Chairperson.

2. Finance Committee - To develop the three year Resource Budget for the SILC, monitor SILC expenditures and make recommendations for changes in spending as necessary.

3. Public Policy Committee-To work on advocacy issues as identified in the SILC State Plan or as they arise and are approved by the SILC; research and present information and position statements for SILC approval before disseminating to the disability community, policy makers, the press and general public. Draft educational advocacy letters to state and federal policy makers for SILC approval.

4. Youth Committee – To encourage better working relationships between Independent Living Center and the Colorado school system and promote leadership opportunities for the next generation of disability leaders.,

C. Other Committees

1. The Chairperson may establish other standing or ad hoc committees, as he or she deems appropriate to carry out the goals, objectives, and other activities of the Council. Such ad hoc committees could be used to review the by-laws, work with ACCIL on standardizing data collection terms or other such specific, focused and short term goals. Ad hoc committees must include at least one Council member and others from outside the SILC who have an interest or expertise. Standing committees may be dissolved upon the recommendation of the Chairperson of the SILC and by vote of the Council.

Section IX: Conferences and Travel on Behalf of the SILC

A. From time to time, the SILC will send members to Independent Living or Council related conferences and training, as funding allows.

B. This travel may be out of state and must be approved, in advance by DVR and the Council. Costs for such travel will follow State Travel Rules.

C. Individuals may request or volunteer to attend such events. The decision as to who to send rests with the Executive Committee as a group, who will consider the member's commitment and follow-through on his/her responsibilities as listed in Section IV. Membership, Article D.

D. Members who do travel and represent the SILC are required to make a report on what they learned to the SILC at its next regularly scheduled meeting.