



BY-LAWS OF THE RHODE ISLAND COUNCIL ON ASSISTIVE TECHNOLOGY

ARTICLE I NAME

The name of the body shall be the Rhode Island Council on Assistive Technology, hereinafter referenced as the Council.

ARTICLE II

Section I

MISSION STATEMENT

The mission of the RI Council on Assistive Technology is to provide guidance and advice to the Assistive Technology Access Partnership (ATAP).

Section II

POWERS AND RESPONSIBILITIES

The Council shall have the powers and responsibilities: to establish policies, to make significant and strategic decisions, and to oversee the organization's activity.

Section III

DEFINITIONS

- a.) Individual with a Disability: An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment
- b.) Open Meeting. All meetings shall be conducted according to the Rhode Island Open Meeting law [RI.Gen.Law. 42-46-3], with particular emphasis on architectural and environmental accessibility.
- c.) All other terminology definitions, present and future, shall be obtained from existing Federal and State legislation on assistive technology and/or disability.

ARTICLE III

Section I

MEMBERSHIP

COMPOSITION OF RHODE ISLAND COUNCIL ON ASSISTIVE TECHNOLOGY

In accordance with section 4(c)(2), the advisory council is to be a consumer-majority body, that is, with at least 51% individuals who are people with disabilities who are users of assistive technology devices and services. The AT Act prescribes a set of representatives from agencies and organizations, including the State's Vocational Rehabilitation Agency, A representative of the State agency for the Blind, Representative of a State Center for Independent Living, A representative from the State's Workforce Investment Board, Representative from the State's Educational Agency, A representative of an alternative financing program for Assistive Technology in the state. The Advisory Council will include a representative of one or more of the following:

The agency responsible for administering the State Medicaid program; the designated State agency for Developmental Disabilities Assistance; the State agency designated under of the Older Americans Act of 1965, or an organization that receives assistance under such Act; an organization representing disabled veterans; a University Center for Excellence in Developmental Disabilities Education; the State protection and advocacy system established in accordance with section 143 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000; and the State Council on Developmental Disabilities.

The Council will consist of twenty-one (21) members in total.

1) "Fifty-one per cent (51%) of the members must be [individuals] with disabilities or people with disability conditions who use or need assistive technology and or devices, or persons with family members who have disabilities.

2) One-third 1/3 members must represent the community at large

a.) Representing themselves as an individual, or

b.) As representatives of a group or organization. Membership is retained by the organization, not the individual.

3.) The Council will make every effort to include a cross-section of the Rhode Island population representing various age, disability, ethnic, racial, geographic location, and socio-economic groups.

a.) The Council will strive to achieve culturally diverse representation.

b.) Three (3) members, at a minimum, must be representative of each age level as represented by the ATAP Resource Centers.

c.) Membership will seek to be representative of a broad array of disability conditions.

Section II RECRUITMENT OF MEMBERSHIP

The Membership Committee of the Council will nominate appropriate individuals to be voted upon by the full Council membership.

Section III
EX-OFFICIO MEMBERS

A representative from each of the four partner agencies for the Assistive Technology Access Partnership and the Project Director shall be ex-officio members of the Council, without voting privileges. The Council may appoint other ex-officio members.

Section IV
TERM

Each member of the Council shall be called to serve for three (3) years and be eligible for re-election. Expiration of this term may occur upon the request of the resigning members for any reason or upon 2/3 vote of the Council for reasons found appropriate by the Council. The initial election of the Council will include staggered terms determined by lottery.

Section V
VACANCIES

Vacancies will be filled within two (2) months and the new member will assume the term of the resigning member.

Section VI
ABSENCES

Any member of the Council who has three consecutive non-excused absences will be considered to have submitted a DeFacto resignation. Absences are considered excused if the Chairperson, Vice-Chairperson, or the Project Director of ATAP is notified of the reason for the absence for non-attendance prior to the meeting.³

Section VII
MEETING ACCESSIBILITY

Assistive technology to facilitate communication, print and other media materials in alternate formats, compensation for incurred expenses and accessible transportation, when necessary, shall be made available to all Council members, upon prior notice and request. The Council may provide compensation for incurred expenses and accessible transportation, subject to prior authorization by the Project Director or Executive Committee.

Section VIII
COMMITTEE RESPONSIBILITY

All Council members must serve on at least one Council Committee.

ARTICLE IV COUNCIL OFFICERS AND ELECTIONS

Section I

ELECTION OF OFFICERS

- a.) The Council shall select a Chairperson and a Vice-Chairperson from its membership. The Chair and Vice-Chair must be consumer members of the Council.

- b.) Officers shall assume duties immediately following the election and shall serve for a two-(2) year term.

Section II

VACANCY

The Vice-Chairperson shall fill a vacancy in the office of Chairperson for the remaining term of that office by succession to that office. A vacancy in the office of Vice-Chairperson shall be filled by vote of the Council, in a timely manner, for the remaining term of the Vice-Chairperson.

Section III

SECRETARY

A person from the staff of the ATAP lead agency shall-be appointed by the lead agency, with approval of the Council Chair as Secretary for the Council. The duties of the Secretary are to record and distribute the minutes of all meetings subsequent to review and approval by the chairperson or vice chairperson. Council Chair and/or Vice Chair will review all minutes before distribution.

ARTICLE V EXECUTIVE COMMITTEE

The executive Committee will be composed of chair, Vice Chair, and other Committee Chairs.

Section I

MEMBERSHIP

- a.) The Executive Committee shall be comprised of the Council Chairperson, Vice-Chairperson, Project Director of ATAP, two (2) consumer members and one (1) member-at-large, as determined by the Advisory Council.

Section II

PURPOSE AND RESPONSIBILITY

The Executive Committee shall serve as a Steering Committee for the Council. It shall provide direction to the ATAP staff, make recommendations to the Council and organize the Agenda for Council meetings. Actions of the Executive Committee are considered to be conditional pending ratification by the entire Council.

Section III

MEETINGS

The Executive Committee shall meet quarterly or as determined by the Chairperson.

ARTICLE VI

MEETINGS

Section I

COUNCIL MEETINGS

The Council shall meet a minimum of four (4) times a year. Meeting dates, time, and place shall be set by the Council. A meeting on other occasions may be called as the Chairperson deems necessary or upon the request of any four members of the Council. Documented notice in appropriate format of the agenda, date, time and place of such meetings shall be received at least one (1) week in advance by all Council members.

Section II

QUORUM

One third (7 members) of the Council shall constitute a quorum for the transaction of its business, provided that 51% of those members present are individuals with disabilities.

Section III

VOTING

a.) Each member of the Council present at any Council meeting shall be entitled to one vote. If needed, alternate technologies will be used to facilitate meeting participation and voting (i.e., speakerphones, telecommunications, etc.) No voting by proxy.

b.) Council members with possible conflict of interest [refer to RI Ethics Commission guidelines] regarding Council decisions, specifically related to possible financial or other benefits for the individual or the individual's represented agency, will be required to refrain from any vote on such decision(s).

**Section IV
PUBLIC MEETINGS**

a.) All meetings of the Council will be conducted according to the Rhode Island Open Meeting Law, and will be held in locations on public transportation routes.

b.) The Council will make every attempt to hold meetings in locations that will encourage full attendance by its members.

**Section V
EMERGENCY MEETINGS**

The Chairperson plus any four members acting in concert may request an emergency meeting to consider matters of unforeseen urgency. No such emergency meeting will be convened unless all members of the Council have been notified, or every reasonable attempt has been made to notify Council members, and Council members have given a majority vote in affirmative to hold the meeting.

**ARTICLE VI
PER DIEM AND EXPENSES**

The Council members shall not receive a per diem but shall be reimbursed, upon submission of invoice, and completion of required documents for payment through the state agency, for their actual and necessary expenses incurred in carrying out their official duties. Such reimbursement shall be paid at least quarterly.

**Section I
COMMITTEES
AD HOC COMMITTEES**

Ad hoc committees may be created as needed and at the decisions of the Council. The Council shall determine the mission of such committees.

**Section II
STANDING COMMITTEES**

Standing committees of the Council are Membership, Legislative, Interagency Coordination, Statewide funding, and Program Review.

**Section III
COMMITTEE CHAIRPERSONS**

The Chairperson of the Council shall appoint a chairperson from the Council membership for each standing committee, each ad hoc committee or special committee or task force.

Section IV
MEMBERSHIP

The Membership of all committees shall be comprised of Council members and other community members as approved by the Committee Chairs, with recommendation of 51% consumer membership on all committees whenever possible.

Section V
RESPONSIBILITIES

The responsibilities of all such panels shall be established by the Council, they shall be responsible to the Council and the Council shall act to accept, reject or modify committee recommendations.

ARTICLE VIII
AMENDMENTS

Section I
PROPOSED CHANGES

Proposed Amendments to the by-laws may be presented at any regular meeting of the Council and must be approved by a (majority) vote.

Section II
NOTICE OF PROPOSED AMENDMENTS

Proposed Amendments to the by-laws will be formalized and submitted in writing, or other most appropriate formats, to all members of the Council not less than thirty (30) days in advance of the next regular meeting.

Section III
ADOPTION OF AMENDMENT

At the next regular meeting a quorum of the council membership is required for the adoption of the amendment (s).

Section IV
EFFECTIVE DATE

Amendments become effective immediately upon ratification.

**ARTICLE IX
PROCEDURES**

Robert's Rules of Order, Revised, shall govern the Council and its committees in all cases in which they are applicable and in which they are not in conflict with these By-laws or Rhode Island statute, Federal law or related rules and regulations.