

NEVADA ASSISTIVE TECHNOLOGY COUNCIL

BYLAWS

ARTICLE I. NAME

The name of this corporation shall be the NEVADA ASSISTIVE TECHNOLOGY COUNCIL, hereinafter referred to as the “Council.”

ARTICLE II. AUTHORITY

The Assistive Technology Act of 2004, as amended.

ARTICLE III. MISSION AND PURPOSE

A. The Council is organized and shall be operated as an advisory Council to the Office of Disability Services or any successor agency that is responsible for implementation of the Assistive Technology Act of 2004, as amended (hereinafter referred to as the “Act”).

B. The general purpose of the Council is to fulfill its duties under the Act.

C. The mission of the Council is to provide consumer-responsive, consumer-driven advice for the planning, implementation and evaluation of assistive technology programs.

D. The specific purposes of the Council is:

1. to promote assistive technology and its many uses for people with disabilities in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities;
2. to promote the development and expansion of assistive technology programs and concepts on a statewide basis;
3. to provide guidance to State agencies and local planning and nonprofit entities that are providing assistive technology services; and
4. to improve working relationships among councils, disability groups, State, federal and non-federal programs.

ARTICLE IV. LOCATION

The principal office of the Council at which the records of the Council will be kept, will be at the Office of Disability Services or at another location as may be fixed from time to time by the Council.

ARTICLE V. MEMBERSHIP

The Council shall not be a membership organization.

ARTICLE VI. COUNCIL MAKEUP

A. The Director of the Department of Health and Human Services shall appoint the members to the Council. ~~after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities~~ The Council shall establish a process to provide the Director with guidance for applicants. Provide the Director information that is not in the standardized application. Providing the Director with information to best ensure that the Nevada Assistive Technology Council is both compliant with the Act and Bylaws, and most importantly of Assistive Technology users. The Council will use federal guidance and the Council's bylaws to establish questions for the applicant to respond. Each member of the Council will review the responses provided by the applicant and reply to either Support or Not Support. The Council's collective responses will be provided along with the response from the applicant to be submitted with the membership application. The Council shall have a minimum of seven (7) members and a maximum of twenty-one (21) members.

B. The Council shall be geographically representative of the State and reflect the diversity of the State with respect to race, ethnicity, types of disabilities across the age span, and users of types of services that an individual with a disability may receive.

C. The members of the advisory council shall receive no compensation for their service on the advisory council, but shall be reimbursed for reasonable and necessary expenses actually incurred in the performance of official duties for the advisory council.

D. The Council shall include

1. individuals with disabilities that use assistive technology or the family members or guardians of such individuals. This category must represent a majority of the Council. Members who are appointed under the following categories cannot count toward this majority;
2. a representative of the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) and the State agency for individuals who are blind (within the meaning of section 101 of that Act (29 U.S.C. 721)), if such agency is separate;
3. a representative of a State center for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.);
4. a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821);

5. a representative of the State educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and
6. representatives of other State agencies, public agencies, or private organizations, as determined by the State.

E. All members shall be members and shall have equal voting rights on all matters to come before the Council.

F. Each member of the Council shall serve for a term of three (3) years except that a member appointed to fill a vacancy occurring prior to expiration of the term for which the predecessor was appointed shall be appointed for the remainder of such term.

G. No member of the Council may serve more than two (2) consecutive full terms.

H. A vacancy occurring in 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.

I. If a Council member misses three (3) Council and/or standing committee meetings within a calendar year, the Council may remove that member by an affirmative vote of the majority of the members present at a meeting of the Council. The Council member will be given an opportunity to be present and to be heard at the meeting at which his or her removal is considered.

ARTICLE VII. OFFICERS

A. The officers of the Council shall be Chairperson and Vice-Chairperson with duties as described below.

1. The Chairperson shall:
 - a. Assist in the development of meeting agendas, and preside at all meetings of the Council and, in the absence of the Vice-Chairperson, assign a designee from the Council to preside in his or her absence;
 - b. establish standing and ad hoc committees and task forces to assist the Council or committees in carrying out their respective responsibilities and designate the chair of all committees and task forces; and
 - c. be the official spokesperson for the Council.
2. The Vice-Chairperson shall:

- a. in the absence of the Chairperson, perform the Chairperson's duties; and
 - b. assume the position of acting Chairperson if the position of the Chairperson is vacated, until such time as a new Chairperson is elected.
- B. The officers shall be elected as follows:
1. The officers of the Council shall be elected by a majority of the Members and must be selected from among the Members. The Chairperson and Vice-Chairperson shall be elected for two (2) year terms, or until the election of a successor, beginning as of the date elected.
 2. Officers may be re-nominated and re-elected to the same posts for no more than two (2) consecutive terms.
 3. To assure an open election process, floor nominations will be accepted.
- C. The Council may remove any officer with or without cause whenever in its judgement the best interest of the Council will be served thereby.

ARTICLE VIII. PROCEDURES

- A. All meetings of the Council shall be conducted according to the Nevada Open Meeting Law, Nevada Revised Statutes as it pertains to public bodies in the State.
- B. In order to conduct any official business, a quorum must be present. A quorum shall consist of fifty-one percent (51%) of the current Members.
- C. All voting of the Council shall be conducted as follows:
1. Each Member shall have one vote.
 2. All decisions shall be made by a majority vote of the Members present at a meeting at which there is a quorum.
 3. All votes will be by voice unless there is a request by a member for a roll call vote.
 4. Proxy voting will not be permitted.
- D. The meetings of the Council shall take place as follows:
1. The Council shall meet at least once annually, or at such other time as may be determined by the Aging and Disability Services Division, for the purpose of electing officers and transacting other business.

2. The Council shall meet on a regular basis, with an objective of four (4) meetings per year, on such dates as shall be determined by the Council. The annual meeting of the Council may be counted as a regular meeting.
 3. The meeting time and location of each meeting shall be specified with input from the Council. Council members may attend meetings by means of telephone conference or similar method by which all persons participating in the meeting can hear each other. Participation in a meeting pursuant to this paragraph shall constitute presence in person at such meeting.
- E. The agendas for Council meetings shall be prepared as follows:
1. Agendas for meetings shall be developed by the Aging and Disability Services Division with the assistance of the Chairperson. Council members, other agencies, groups, organizations, or individuals desiring to place items on the agenda of a meeting must present those items and statements of their purpose to the Chairperson not less than ten (10) working days before a forthcoming meeting, and the Chairperson shall include timely requested items on the agenda for such meeting.
 2. The opportunity for public comment may be provided on each agenda.

F. A member of the Council is prohibited from making a decision, or participating in any manner in the decision regarding a matter in which he/she has a prohibited interest (i.e., conflict of interest.) A Council member will have a prohibited interest when, in the course of his or her duties, he or she has the opportunity to perform some act or make some decision in his or her official capacity that might substantially affect the economic interest of either himself or herself or the individual agency or organization he or she represents exclusive of other agencies or organizations of similar purpose.

G. In questions of parliamentary procedure, Roberts' Rules of Order shall be followed.

H. Minutes shall be kept of all Council meetings. Minutes shall be maintained in the Office of Disability Services. Such minutes shall be made available to the public upon request.

I. Any member of the Council or a committee may resign at any time by giving notice of his or her resignation to the Chairperson or Aging and Disability Services Division. Such resignation shall take effect at the time specified therein or, if no time is specified, at the time of the receipt thereof, and, unless otherwise specified in the notice, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE IX. AMENDMENTS

These bylaws may be amended at any regularly scheduled meeting of the Council by a two-thirds (2/3) vote of the current Members, provided that the amendment has been submitted in accessible formats to each member of the Council at the meeting immediately prior to the meeting at which such amendment shall be voted on and provided that the amendment is not in conflict with any applicable state and federal laws and regulations.