**Kentucky Statewide Independent Living Council**

**By-Laws**

Introduction – The *Kentucky Statewide Independent Living Council* (SILC) is established under authority of the Rehabilitation Act of 1973 as amended through P.L. 114–95, enacted December 10, 2015.

Article I – Name

The name of the Council shall be the Kentucky Statewide Independent Living Council, hereinafter referred to as “the SILC”.

Article II – Purpose

 The SILC shall –

1. Promote a philosophy of independent living (IL) including a philosophy of consumer control, peer support, self-reliance, self-determination, equal access, and individual and system advocacy, maximize the leadership empowerment, independence, and productivity of individuals with significant disabilities, and promote and maximize the integration and full inclusion of individuals with significant disabilities into the mainstream of American society;
2. Jointly develop in conjunction with the Office of Vocational Rehabilitation and the Department of Aging and Independent Living, the State Plan for Independent Living (SPIL) required in Section 704:
3. Sign, monitor, review and evaluate the implementation of the Independent Living State Plan;
4. Coordinate activities with the Department for Aging and Independent Living and the Office of Vocational Rehabilitation and other councils that address the needs of specific disability populations and issues under other federal law;
5. Ensure that all meetings of the SILC are open to the public and sufficient advance notice is provided in all appropriate formats;
6. Submit to the Administration on Community Living (ACL) Administrator such periodic reports as the ACL may reasonably request, and request and keep such records, and afford such access to such records, as the ACL Administrator finds necessary to verify such reports; and
7. Authorize hearings and forums as determine to be necessary to carry out the duties of the SILC.

Article III - Membership

Section A. – Composition:

The SILC shall be composed of no more than sixteen (16) individuals who are knowledgeable about centers for independent living and independent living services:

1. At least nine (9) members shall be individuals who have a disability as described in section 7 (20)(B); and not employed by any State agency or center for independent living;
2. That represent all geographic areas of the state; and who represent broad range of disabilities from diverse backgrounds.
3. At least one (1) director of a Center for Independent Living chosen by the directors of Centers for Independent Living with the state; and
4. As ex-officio, nonvoting members-
5. One (1) representative from the designated state unit, the Department for Aging and Independent Living, and
6. One (1) representative from the Office of Vocational Rehabilitation
7. Additional voting members may include-
8. Other representatives from centers for independent living;
9. Advocates of and for individuals with disabilities
10. Representatives from private businesses who has experience working with people with disabilities ;
11. Representatives from organizations that provide services for individuals with disabilities; and
12. Other appropriate individuals.

Section B. Appointment of Members:

1. The Governor shall appoint all members of the SILC. Members shall be officially notified of their selection in writing.
2. All members shall become full standing members once they take the Oath of Office, administered by the Chair.
3. The Nominations Committee shall be responsible for recommending appointments for all vacancies to the SILC in accordance with the requirements for the SILC members as outlined in Article III of the Bylaws.

Section C. Length of Term:

1. Appointments shall be made with an expiration date of May 20 in the respective year of membership expiration.
2. A full term shall be for three (3) years following the initial appointments unless the appointment fills a vacancy.
3. No member shall serve more than two (2) consecutive full terms. A member appointed to fill a vacancy, which is less than three (3) years, may still serve two (2) consecutive full terms if so appointed.

Section D. Termination of Membership:

The SILC shall recommend termination of membership for any member who does not adhere to both the SILC Code of Ethics and the SILC Conflict of Interest documents; and/or miss two (2) unexcused absences of regular meetings per year. Members shall send a written request for an excused absence to the Chair prior to the regularly scheduled meeting for determination of excuse. In the event that the Executive Committee finds a member not in good standing; the Executive Committee shall send written notice to the member that he/she is no longer in good standing and request their resignation.

Section E. Resignation:

Any member may resign by filing a written resignation with the SILC Chair.

Article IV – Officers

Section A. The Chair

1. Shall preside at all meetings of the SILC and at all meetings of the **Executive Committee**; and
2. **The Chair or a designee**, shall serve on the Office of Vocational Rehabilitation Council as liaison for the SILC: and
3. Shall appoint all members **and all Chairs** of all standing and special committees**, with advice of** the Executive Committee and shall be **an** ex-officio member of all committees: and
4. The Chair or a designee shall represent the SILC at meetings or other groups where SILC representation is desired or required.

Section B. The Vice-Chair:

1. Shall serve in absence of the Chair; and
2. Shall assist the Chair in performance of duties and activities of the SILC;

Section C. At-Large Members:

1. Two (2) at-large members nominated by the Nominations Committee shall be voted on by the full SILC;
2. Shall solicit from SILC members issues and concerns either in writing or verbally; and
3. Shall relay those to the Executive Committee by attending all Executive Committee meetings.
4. The Chair shall appoint one (1) of the At-Large members in the event that the Vice Chair leaves for any reason prior to the end of the term.

Section D. Officer Term of Office:

1. All Officers shall be elected by written Ballot and overseen by non-SILC members;
2. The Chair and Vice Chair shall serve two (2) year terms.
3. The At-Large members shall serve a two (2) year term, alternately.
4. The term of office shall begin at the close of the meeting at which they are elected.

Section E. Removal of Officers:

Any officer shall be removed **from office, after** recommended action by a SILC member in good standing**; and only** by a two-thirds (2/3) written vote of all SILC members in good standing**. The basis for said removal of an officer shall only be for good cause, including failure to perform the duties of office, failure to work in the best interest of the IL Philosophy or the SILC, violation of the SILC By –Laws, policies or procedures, or similar major infraction.**

Article V – Executive Committee

Section A. Composition:

The Executive Committee shall be composed of the officers of the SILC and the chairs of the standing committees.

Section B. Duties:

1. The Executive Committee shall meet one (1) month prior to **regularly scheduled SILC meetings** and at other times as deemed necessary.
2. It shall act as an advisor to the Chair and **advise on** appointments to standing and special committees **and on the appointment of committee chairs.**
3. It shall have general supervision over and conduct the affairs of the SILC between meetings.
4. The Executive Committee shall report at each **regularly scheduled** meeting of the SILC on the actions taken between meetings.

Article VI – Standing and Special Committees

Section A.

General:

1. Standing committees shall be established to attend to critical ongoing tasks, responsibilities and objectives of the SILC and shall be identified in the By-Laws.
2. **Special or Ad Hoc committees shall be established to address specific tasks or projects of limited scope and duration, and must expire within two years, although the SILC Chair with the advice of the Executive Committee, may renew a special committee for one additional term of two years.**
3. **The Chair of each committee shall be a member of the SILC and appointed by the SILC Chair with advice from the Executive Committee**.
4. The **SILC Chair**, with the **advice** of the Executive Committee, may appoint non-SILC members to serve on standing committees, on an annual basis, and to advise the SILC on special matters. Non-members of the SILC may serve as **Committee** members having a vote in all committee activities, but shall not have a vote on the SILC.
5. Non-SILC members may not exceed the number of SILC members on the committee.
6. Non-SILC members will be eligible for reimbursement of expenses incurred while fulfilling their responsibilities on these committees based upon the current state rates and availability of funds, but will not be eligible for an honorarium.

Section B. Nominating Committee shall:

1. Be composed of at least 25% of **all SILC** members representing statewide geographic distribution **to the extent possible**, in addition to the Chair of the Committee.
2. Present a written slate of nominations for all SILC membership vacancies **at least annually** and any time there **is a vacancy in the SILC membership.**
3. Present at the April meeting, a slate of officers, including taking nominations from the floor, and conduct a written ballot to elect SILC officers each year, which shall be counted by non-SILC members.

Section C. Public Awareness Committee Shall:

1. Be composed of at least 25% of **all SILC** members representing statewide geographic distribution **to the extent possible**, in addition to the Chair of the Committee.
2. **Regularly review and propose content and changes to the SILC** website.
3. **Collect and present feedback from** public speaking engagement **in which the SILC has participated.**
4. **Engaged with the DSE/DSU and propose content and changes relating to** any printed or electronic public awareness materials used by SILC members.

Article VII – Meetings

Section A. Regular Meetings:

The SILC shall schedule at least four (4) regular meetings each year in places it determines to be necessary to conduct SILC business:

1. Shall conduct forums or hearings, as the SILC considers appropriate;
2. The meetings, hearings and forums shall be accessible and publicly announced;
3. The meetings shall be open to the general public unless there is a valid reason for a closed session;
4. The April meeting shall include election of officers.
5. All meetings will meet the accessibility needs of its members.

Section B. Special Meetings:

Special meetings may be called in accordance with Kentucky’s Open Meetings Law.

Article VIII – Procedures

Section A. Notice of Meetings:

1. SILC members shall be notified in writing of all regular and special meetings at least ten (10) calendar days in advance.
2. Written notification shall consist of a notice, an agenda and the minutes of the previous meeting.

Section B. Quorum

The presence in person of at least fifty-one percent (51%) of a voting members-in-good-standing shall constitute a quorum at a duly called and noticed meeting.

If a quorum is present when a duly called and noticed meeting is convened, the voting members present may continue to transact business until adjournment even though the withdrawal of voting members originally present leaves less than the number otherwise required for a quorum.

Section C. Conflict of Interest

No member of the **SILC** shall cast a vote on any matter that would provide a direct financial benefit to the member or otherwise give the appearance of a conflict of interest under state law.

**Each SILC member shall annually review and sign the conflict of interest disclosure, and shall make the necessary disclosure addressed in the SILC conflict of Interest Policy as the potential conflicts arise**.

Section D. Decisions:

All decisions of the SILC shall be made only after an affirmative vote of a quorum of members in attendance. The Chair shall vote only in order to break a tie.

Section E. Place of Meeting

The SILC shall hold regular meetings at an accessible location determined by the membership.

Section F. Support Services

Interpreters and other necessary or individualized services shall be provided on request.

Section G. Compensation and Expenses:

1. The SILC may reimburse its members for reasonable and necessary expenses associated with attending meetings and performing duties;
2. Pay compensation to a member of the SILC if the member is not employed or must forfeit wages from other employment for each day the member is engaged in performing duties of the SILC provided the expenditures are in accordance with state law and regulations; and
3. Compensation shall be limited to the lesser of an honorarium approved by the SILC or reimbursement for lost wages.

Section H. Conduct of Meetings:

1. Parliamentary authority of all meetings of the SILC shall be the latest edition of Robert’s Rules of Order.
2. The SILC may vote to suspend Roberts Rules of Order at any meeting.

Section I. Policies and Procedures:

The SILC shall abide by all approved policies and procedures established by the SILC.

Article IX – Amendment

Section A. Notice:

These By-Laws may be presented at quarterly SILC meeting for action at the next quarterly SILC meeting regarding any amendments or changes. Changes shall be made with a majority vote of SILC members in attendance.

Adopted: July 1, 1993

Revised October 14, 1993

 March 9, 1995

 November 9, 1995

 September 10, 2002

 September 9, 2003

 December 2, 2003

 May 15, 1997

November 6, 1997

December 2011

June 6, 2006

July 14, 2009

July and December 2013

July 2019