

# By-Laws of the Kentucky Assistive Technology Service Network

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Amended 03/24/2015

## **ARTICLE I: NAME**

The name of this organization shall be the Kentucky Assistive Technology Service (KATS) Network Advisory Council.

## **ARTICLE II: PURPOSE**

The purpose of the KATS Network Advisory Council shall be to provide consumer-responsive, consumer-driven advice to the Commonwealth of Kentucky for, planning of, implementation of, and evaluation of the activities carried out through the State grant for assistive technology pursuant to the Assistive Technology Act, including setting measurable goals for addressing the assistive technology needs of individuals with disabilities in the State related to education, employment, telecommunication and information technology, and community living.

## **ARTICLE III: MEMBERSHIP**

### **Section 1: Composition**

The KATS Network Advisory Council will be composed of:

- a representatives of individuals with disabilities who use assistive technology or the family members or guardians of the individuals;
- a representative of the Office of Vocational Rehabilitation, which is the designated State agency, as defined in section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705);
- a representative of the Office for the Blind, which is the separate State agency in Kentucky for individuals who are blind (within the meaning of section 101 of the Rehabilitation Act of 1973 (29 U.S.C. 721));
- 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.);
- a representative of the State workforce investment board established under section 111 of the Workforce Investment Act of 1998 (29 U.S.C. 2821);
- 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
- representatives of other State agencies, public agencies, or private organizations, as determined by the State.

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

A majority, not less than 51 percent, of the members of the KATS Network Advisory Council shall be individuals with disabilities who use assistive technology or the family members or guardians of the individuals.

## **Section 2: Appointment and Terms**

All members of the KATS Network Advisory Council are appointed by the Governor to a term of three (3) years with the exception of any shorter initial appointments to establish staggered terms. KATS Network Advisory Council members may serve three consecutive three-year terms and are eligible for re-appointment after a reasonable interval.

Appointed members shall serve until a replacement appointment is made by the Governor's office.

## **Section 3: Nominations**

The Nominating Committee will recommend names of candidates for appointment to fill KATS Network Advisory Council vacancies. Those candidates will be considered by the KATS Network Advisory Council for approval. The KATS Director will submit, through the lead agency, names of approved candidates to the Governor's Office for appointment.

The Nominating Committee may choose to waive the consecutive-term rule in special circumstances where it is deemed to be in the best interest of the KATS Network, the KATS Network Advisory Council, and the consumers to be served. This waiver, as with all nominations, is subject to the approval of the full KATS Network Advisory Council.

## **Section 4: Proxy voting**

A member may designate in writing a proxy authorizing the proxy to vote on matters announced prior to the meeting and/or included on the agenda for any meeting the member cannot attend. The member may revoke the proxy at any time in writing submitted to the KATS Network Director. A KATS Proxy Designation Form is attached to and made part of these Bylaws.

## **Section 5: Attendance**

A member or his or her proxy who is absent from two (2) consecutive KATS Network Advisory Council meetings without providing prior notice and a reasonable explanation to the KATS Network Director will be contacted by the Director to ascertain the member's continuing interest in serving on the KATS Network Advisory Council. The Director will advise the KATS Network Advisory Council at its next regular meeting of the member's stated interest, if any, in continuing membership. The KATS Network Advisory Council will consider requesting a resignation from or a replacement for that member.

# **ARTICLE IV: MEETINGS**

## **Section 1: Meeting Dates and Location**

The KATS Network Advisory Council will meet quarterly (4 times per year). Meeting dates and locations will be scheduled in consultation with the KATS Network Advisory Council Members. The KATS Network Coordinating Center staff will be responsible for notifying members, distributing any needed materials in advance, publishing the required notice to comply with the Kentucky Open Meetings law, and making all other necessary arrangements. The Director, in consultation with the KATS Network Advisory Council Co-Chairs, may call special meetings in conformity with the notice requirements of the Kentucky Open Meetings Law.

## **Section 2: Agenda**

All members of the KATS Network Advisory Council will receive an agenda prior to each regularly scheduled meeting. The agenda will be prepared by the KATS Network Director in consultation with the KATS Network Advisory Council Co-Chairs.

## **Section 3: Quorum**

A majority of KATS Network Advisory Council members or their designated proxies in attendance at any regularly scheduled or special called meeting shall constitute a quorum for taking final action on all matters properly before the Advisory Council except for adoption of amendments to the Bylaws.

## **Section 4: Accessibility and Accommodations**

All meetings will be held in accessible locations and reasonable accommodations will be provided if requested in advance. The meeting locations will be designated by the KATS Network Director in consultation with the KATS Network Advisory Council Co-Chairs.

## **Section 5: Minutes**

The KATS Network staff will take the KATS Network Advisory Council meeting minutes.

# **ARTICLE V: OFFICERS**

## **Section 1: Officers.**

- There will be Co-Chairs of the KATS Network Advisory Council.
- One Co-Chair will be a consumer or family member of a consumer; and one Co-Chair will be an agency representative.

## **Section 2: Duties of the Co-Chairs.**

- Preside at all KATS Network Advisory Council meetings.
- Appoint members to committees and ad hoc task forces.
- Collaborate with the KATS Network Director to establish the agenda for meetings of the KATS Network Advisory Council.
- Serve as an ex-officio member of all committees and task forces.
- Act in the place of the absent Co-Chair.
- Assist the Co-Chair as requested.

## **Section 3: Terms of the officers.**

- Co-chairs will serve a one year term that coincides with the fiscal year of the KATS Network, except as may be extended from time to time by a simple majority vote of the KATS Network Advisory Council for the convenience of the KATS Network.
- Co-Chairs may serve consecutive terms.

## **Section 4: Eligibility, nomination, and election of Co-Chairs.**

- Any KATS Network Advisory Council member shall be eligible to be elected a Co-Chair.
- Prior to elections, the KATS Network Director will solicit names of members of the KATS Network Advisory Council who would be willing to serve as a Co-Chair and submit the name(s) to the KATS Network Advisory Council for nomination.
- Nominations will be taken and seconded from the floor during a regular KATS Network Advisory Council meeting to stand for election as Co-Chair.

# **ARTICLE VI: COMMITTEES AND TASK FORCES**

## **Section 1: Committees and Task Forces.**

- Committees and task forces may be formed as needed by the Co-Chairs with approval of the KATS Network Advisory Council as to the mission, assignment or business with which such bodies are charged.
- Appointments to committees and/or nominations or requests for membership on any task force may be made to the Co-Chairs of the KATS Network Advisory Council and are subject to their approval.

## **Section 2: General Rules for Committees and Task Forces**

- Committees and task forces shall make reports to the full KATS Network Advisory Council.

- Appointments to committees or task forces are not limited to KATS Network Advisory Council members. The Co-Chairs may appoint individuals with specialized expertise and resources.

## **ARTICLE VII: PARLIAMENTARY AUTHORITY**

All meetings of the KATS Network Advisory Council will be conducted using parliamentary procedure.

## **ARTICLE VIII: CONFLICT OF INTEREST**

### **Section 1: Financial Conflict**

No KATS Network Advisory Council member shall knowingly vote on any matters that may result directly or indirectly in financial advancement for herself/himself or for any family member, including in-laws.

### **Section 2: Vested Interest**

A member shall disclose his personal interest in or membership in any agency or group with a vested interest in matters presented to the KATS Network Advisory Council prior to his or her participation in any discussion of the matter. The member shall abstain from voting on any action taken by the KATS Network Advisory Council on that matter.

## **ARTICLE IX: AMENDMENTS**

These by-laws may be amended by a two-thirds (2/3) majority vote of the KATS Network Advisory Council members or their designated proxies present and provided that the proposed change has been transmitted to each member at least ten (10) days before the meeting at which the amendment is voted upon.