



## **Nebraska Assistive Technology Partnership Advisory Council By-Laws**

### **I. NAME AND PURPOSE**

- A. The name of the organization shall be the Nebraska Assistive Technology Partnership Advisory Council.
- B. The Advisory Council is established pursuant to the terms of the federal grant provided under the AT Act of 2004 (PL 108-363).
- C. It shall be the purpose of the Advisory Council to:
  - 1. Provide guidance for the development and expansion of assistive technology devices and services on a statewide basis.
  - 2. Provide guidance to state agencies and local planning and administrative entities providing assistive technology devices and services.
- D. Definitions
  - 1. Director means the Director of the Assistive Technology Partnership.
  - 2. State means the State of Nebraska, Department of Education (as the designated lead agency for the State of Nebraska).
  - 3. Year means the fiscal year beginning October 1 and ending September 30.
  - 4. Assistive Technology Partnership also referred to in this document as ATP.

### **II. ORGANIZATION**

- A. The voting membership of the Advisory Council shall be composed of:
  - 1. Individuals with disabilities who use assistive technology or the family members or guardians of the individual.
- B. The non-voting membership of the Advisory Council shall be composed of:
  - 1. A representative of a state Center for Independent Living.
  - 2. A representative of the State Workforce Development Board.
  - 3. A representative of the State Educational Agency.
  - 4. A representative of Vocational Rehabilitation.
  - 5. A representative of the Nebraska Commission for the Blind and Visually Impaired.
  - 6. Representatives of other state agencies, or private organizations, as determined by the Director.
- C. The membership of the Advisory Council shall consist of a minimum of 16 to a maximum of 22 members appointed by the Director and/or State Board of Education.



1. A majority of the membership (51%) shall be individuals with disabilities, parents, spouses, or family members of individuals with disabilities who have used assistive technology devices.
  2. Voting members shall be appointed for a three-year term.
  3. Voting members shall serve for no more than two consecutive full three-year terms, except that a member appointed to fill a vacancy may be subsequently appointed to a full three-year term.
  4. Non-voting members appointed by the Director do not have term limits.
  5. In the event of a resignation or other vacancy on the Advisory Council, the Director shall appoint a new member to complete the term of office for the vacant position.
  6. A member of the Advisory Council may be removed by the Executive Committee if:
    - a. The member no longer qualifies, for some reason to be a member of the Advisory Council, or:
    - b. The member misses (2) consecutive meetings without good cause.
    - c. The member displays unethical behavior which compromises the Council as a whole.
  7. Resignation by any member must be in writing and submitted to the Chairperson.
  8. The Executive Committee of the Council will review applications for Voting Council membership and submit recommendations to ATP for approval by the State Board of Education.
- D. Officers
1. The Chairperson of the Advisory Council shall be elected from among the Advisory Council voting membership for a term of two years.
    - a. The Chairperson shall serve no more than two consecutive terms, unless they are fulfilling the remainder of a vacant council position. In that case their two consecutive terms begin upon being elected.
    - b. Election shall be held during the first meeting of the year.
    - c. Duties of the Chairperson shall be to:
      - (a) Chair at meetings of the Advisory Council and
      - (b) Represent the council at other meetings and events as necessary.
      - (c) Lead the Executive Committee.
  2. The Vice Chairperson of the Advisory Council shall be elected from among the Advisory Council voting membership for a term of two years.
    - a. Election shall be held during the first meeting of the year.
    - b. The Vice-Chairperson is responsible for chairing all meetings in the absence of the chairperson.
  3. An Executive Committee shall be elected from the Council membership for a term of one year. Elections shall be held during the first meeting of the year.
    - a. The Executive Committee shall consist of:



- (a) The Council Chairperson
- (b) The Council Vice-Chairperson
- (c) Three Members at Large selected from the voting membership of the council.
- b. Council members may be elected to serve on the Executive Committee for no more than two consecutive years, unless they are fulfilling the remainder of a vacant Executive Committee position. In that case their two consecutive terms begin upon being elected.
- c. The Executive Committee will have no authority to act on the behalf of the Council, except when approving potential new members, and when designated by the Council or in emergency matters requiring immediate attention.
  - (a) Emergency matters are situations when a decision or action cannot wait until the convening of the entire Council.
  - (b) The full Council will receive notification of all emergency meetings held by the Executive Committee along with a report detailing any actions taken or decisions made sent to the full Council within 10 working days of the emergency meeting.
  - (c) For non-emergency Executive Committee meetings a report detailing any decisions or recommendations made will be sent to the full Council within 10 working days of the meeting.
- E. Technical Assistance Staff
  - (a) The Director shall appoint technical assistance staff to aid the Advisory Council in performing it's work. The technical assistance staff may attend all meetings and participate in all Advisory Council activities, with the exception of presenting motions and voting. Other technical assistance staff may attend when requested.
- F. Work Groups
  - 1. The Advisory Council shall be aided in it's operation, when necessary, by work groups. Members of these work groups shall consist of at least one Advisory Council member and other appropriate persons appointed by the Chair.
  - 2. Work groups shall perform all tasks as assigned by the Advisory Council and shall report all results to the Advisory Council.

### **III. FUNCTIONS AND RESPONSIBILITIES**

- A. The Advisory Council shall make it's recommendations to the Assistive Technology Partnership through the Director.



#### **IV. MEETINGS**

##### **A. Meeting Rules**

1. A quorum shall be constituted by a simple majority of the Advisory Council voting membership, provided that 51% of voting members are in attendance.
2. In the absence of the Chairperson, the Vice-Chairperson will preside at the meeting.
3. The Executive Committee shall be responsible for handling emergency matters requiring immediate Council attention prior to the next scheduled meeting.

##### **B. Meeting Schedule**

1. The Advisory Council shall meet at least two (2) times a year. Additional meetings may be scheduled upon approval of a majority of the Advisory Council.
2. The meeting schedule shall be established as a matter of Advisory Council business at the first meeting of the year.
3. Additional meetings necessary to transact the business of the Advisory Council may be called by the Director.
4. Advisory Council members shall indicate their ability to attend each scheduled meeting. In the event a quorum would not be present, ATP will notify the Chairperson for purposes of canceling and rescheduling the meeting.
5. Beginning and ending hours of Advisory Council meetings shall be established in the same manner as dates, and shall be adhered to by the Chairperson.

##### **C. Meeting Procedures**

1. Written notice stating the place, date, and time of any meeting, the proposed agenda and minutes of the previous meeting, along with support materials for the agenda shall be delivered personally or by mail, or email to the last known address of each member not less than ten (10) working days before the date of such meeting.
  - a. Alternate formats are available upon request. Requests should be made to the Director or ATP technical support staff two (2) weeks prior to the scheduled Council meeting.
2. All meetings shall be conducted in accordance with the Nebraska Open Meetings Act and business transacted in accordance with Robert's Rules of Order, Revised Edition.
3. The Advisory Council shall limit discussion and action items contained on the approved agenda.
  - a. Proposed agenda items shall be transmitted by Advisory Council members and technical assistance staff to the Director fifteen (15) days prior to a scheduled meeting. The Director and Chairperson shall then determine a proposed agenda.



- b. Additional items may be placed on the agenda, if approved by majority vote of the Advisory Council, during the acceptance of the proposed agenda at the beginning of each meeting.
  4. The agenda shall contain a public comment period, during which any person or organization desiring to address the Advisory Council may be heard. The Advisory Council may establish a specific length of time for such public comments.
  5. All votes shall be by voice/show of hand, unless a roll call is requested, which shall be recorded and made part of the minutes of the meeting.
  6. The minutes of each meeting shall be mailed or emailed to the members of the Advisory Council within ten working days after the meeting. Copies of the minutes shall be made public upon request.
  7. All meeting sites and materials used by the Advisory Council shall be free of architectural and communication barriers, and accessible for all individuals with disabilities.
- D. Public Notice
1. Public notice shall be made for each meeting of the Advisory Council by placing notice on the Nebraska Department of Education website within the State of Nebraska at least thirty (30) days prior to each meeting of the Advisory Council.
  2. The public notice shall take the following form: The Nebraska Assistive Technology Partnership Advisory Council will be meeting (virtually, as a hybrid, or in person) on (date). The meeting will be held (at (place) and/or using a virtual platform) beginning at (time) and ending at (time). Interested persons are invited to attend. If the meeting is being held virtually or as a hybrid, please email [atp.nebraska.gov](mailto:atp.nebraska.gov) to request the link. Please notify us ten days in advance if you need reasonable accommodations.
- E. Changes to By-Laws
1. Changes to these by-laws may be approved by a two-thirds vote of the Advisory Council voting members present at the meeting.