



STATE BOARD OF VOCATIONAL EDUCATION  
DIVISION OF VOCATIONAL REHABILITATION  
State Capitol Building Charleston, West Virginia 25305

Earl W. Wolfe  
Director

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SECRETARY OF STATE

NOTICE OF AGENCY ADOPTION

RULE TITLE: Rules of Procedure for Consumer Advisory Committees,  
Meetings and Duties

RULE TYPE: Procedural *Series 6*

The attached rule constitutes the official rule adopted by the  
Division of Vocational Rehabilitation

and filed with the Secretary of State.

*David F. Greene*  
David F. Greene, Hearings Officer

WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION  
PROCEDURAL RULES

Consumer Advisory Committees  
Meetings and Duties

Chapter 18-10A-1 through 15

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WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION  
PROCEDURAL RULES

Consumer Advisory Committees  
Meetings and Duties

Chapter 18-10A - 1 through 15

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Title 130  
WEST VIRGINIA DIVISION OF VOCATIONAL REHABILITATION  
PROCEDURAL RULES

Sections 6  
Chapter 18-10A-1 through 15

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STATE OF WEST VIRGINIA

Title: Consumer Advisory Committees  
Meetings and Duties

Section 1. General

1.1. Scope - These procedural rules set forth the means by which the time and place of all regularly scheduled meetings of the Consumer Advisory Committees, and the time, place and purpose of all special meetings are made available in advance to the public and the news media, except in the event of an emergency requiring immediate official action, and also sets forth certain bylaws of the Committees. These procedural rules also outline the basic purposes of the Committees and the make-up and responsibilities of their membership. These Committees and the rules established hereto regarding their function shall also be construed to apply to matters related to the Attendant Care Program. Committees shall advise on Agency policies and procedures in all areas described above.

1.2. Authority and Related Code Citations - 18-10A 1 through 15 - 18-10-4A West Virginia Code.

1.3. Filing Date - Dec 12, 1986

1.4. Effective Date - January 11, 1987

Section 2. Application - These procedural rules shall apply to the Committees and any and all individuals desiring to attend or to address the Consumer Advisory Committees.

Section 3. Definitions.

3.1. Committees - The Consumer Advisory Committees.

3.2. Division - The West Virginia Division of Vocational Rehabilitation.

3.3. Director - Director, West Virginia Division of Vocational Rehabilitation.

3.4. Meeting - The convening of a governing body of a public body for which a quorum is required.

3.5. Quorum - A simple majority of the constituent membership of the Committees.

3.6. Officers - Individuals who serve on the Board of Directors of the Committees.

Section 4. Regular Meetings Established; Time, Place.

4.1. Regular meetings shall be held generally on a quarterly basis as determined by the membership of each local committee.

4.2. The Committees shall usually convene all regular meetings in those local Vocational Rehabilitation offices where established. Members shall be notified by written notice and/or telephone. A Public Notice shall be posted at the local office.

Section 5. Special Meetings

5.1. The Committees may convene special meetings when deemed necessary by the members.

Section 6. Proceeding To Be Open; Exceptions Executive Session Permitted

6.1. Notwithstanding any other provision of law or regulation, all meetings of the Committees shall be open to the public, except as provided in Chapter 6, Article 9A, Section 4 of the West Virginia Code.

6.2. An executive session may be held only upon a majority affirmative vote of the members present.

Section 7. Minutes

7.1. The Consumer Advisory Committees shall provide for the preparation of written minutes of all its meetings. All such minutes shall be available to the public within a reasonable time after the meeting and shall include the following information:

- (a) The date, time and place of the meeting;
- (b) The name of each board member present or absent;
- (c) All motions, proposals, resolutions, orders, ordinances and measures proposed, the name of the person proposing the same and their disposition;
- (d) The results of all votes shall be recorded.
- (e) Minutes of executive sessions may be limited to material which is not inconsistent with the provisions of Chapter 6, Article 9A, Section 4 of the West Virginia Code.

7.2. A minority report may be included in the minutes upon request of a member.

Section 8. Quorum; Majority Vote Required; Vote by Proxy Prohibited

8.1. A majority of the constituent members of the Committees shall constitute a quorum.

8.2. The vote of a majority of all members present at any meeting of the Committees shall be necessary to take any action. The Committees shall authorize the chairman to poll absent members by telephone regarding the release of a rule for public hearing if a quorum is not present.

8.3. Proxy voting is hereby prohibited.

Section 9. Records of the Committees to be Public - All records and proceedings of the Committees are public records and shall be available to the public during the usual customary business hours of the department.

Section 10. Election of Officers; Vacancies

10.1. There shall be a chairman, a vice-chairman, and a secretary-treasurer elected by the whole Committees to serve one-year terms and be eligible for reelection to succeed themselves.

10.2. Elections shall be held the first meeting of the calendar year.

10.3. All officers shall be members of the board of directors. The manager of the local Vocational Rehabilitation office or their representative shall serve as a non-voting member.

10.4. A vacancy shall occur due to death; resignation; failure to attend three consecutive meetings; or removal by the board of directors for misconduct, incompetence, or deemed in the best interest of the organization.

Section 11. Membership

11.1. The Committees shall consist of disabled citizens who may, or may not, be recipients of Vocational Rehabilitation services. Members of disabled persons' families, advocates and members of disabled advocacy organizations, service providers, professionals in the field of Vocational Rehabilitation, and citizens who are in support of the purpose and policy of the Consumer Advisory Committee shall be eligible for membership.