



Bylaws

of the

Illinois Access and Functional Needs Advisory Committee

January 2022



Prelude

The Illinois Access and Functional Needs Advisory Committee was created in 2021 by the Illinois Legislature through the enactment of Senate Bill 921, which amended the Illinois Emergency Management Agency (IEMA) Act to add Section 23. This new section required IEMA to establish the committee and defined its representation, which included representatives from select state agencies, local emergency management agencies (EMAs), first responders, and members of the community with or representing individuals with access and functional needs.

Traditionally, IEMA addressed emergency planning for individuals with access and functional needs by injecting relevant concepts identified in guidance from the Federal Emergency Management Agency (FEMA) and the U.S. Department of Health and Human Services (HHS) throughout the annexes and appendices of the Illinois Emergency Operations Plan's (IEOP).

The committee is intended to help IEMA better prepare for the needs of at-risk individuals by pooling subject matter expertise from across the access and functional needs community. The committee will research best practices and provide policy recommendations to the IEMA Director for inclusion in all aspects of preparedness, response and recovery activities of the state and its county and municipal governments.

Article I. Definitions

- A. **Business:** Proposing motions or resolutions and voting on motions or resolutions brought forth during a meeting of the committee, a sub-committee or the Executive Board.
- B. **Bylaws:** The bylaws of the Access and Functional Needs Advisory Committee, the committee's second highest-ranking governing document.
- C. **Committee:** The Access and Functional Needs Advisory Committee.
- D. **Electronic Means:** Communication by email or electronic messaging.
- E. **Enabling Legislation:** Illinois State Legislature [Senate Bill 921 \(20 ILCS 3305/23\)](#), as amended, which is the committee's highest-ranking governing document.
- F. **Executive Board:** The elected representatives of the committee as identified herein.
- G. **Majority Vote:** 50% +1 of the sitting members of the committee, a sub-committee or the Executive Board vote in the affirmative of a motion, resolution, or the election of a representative.



- H. **Non-Voting Member:** Member of the committee that is appointed by a vote of the committee and is not identified in the *enabling legislation*.
- I. **Previous Notice:** Shall mean *written notice* provided to all *voting members* of the committee or Executive Board at least 30-days prior to a pending action requiring their participation (i.e. vote or meeting).
- J. **Properly Noticed:** *Written notice* provided to all voting members of the committee, a sub-committee or the Executive Board at least 14 days prior to a pending action requiring their participation (i.e. vote or meeting).
- K. **Roll Call:** Members vote as their names are called by the committee's secretary. The members votes are public.
- L. **Scheduled Meetings:** Any of the three annual meetings required by the *enabling legislation* approved for placement on the committee's calendar by vote of the committee.
- M. **Secret Ballot:** Members vote on ballots provided by the committee's Secretary. The members votes are private. Members votes cast by secret ballot that occur virtually through *electronic means* will be known only to the committee's secretary.
- N. **Special Meeting:** Any *properly noticed* meeting called by the chairperson that is not one of the three *scheduled meetings*.
- O. **Super Majority Vote:** 2/3 of the *voting members* of the committee, a sub-committee or the Executive Board vote in the affirmative of a motion or resolution.
- P. **Quorum:** The number of *voting members* required to be present for the committee, a sub-committee or the Executive Board to conduct *business*. A quorum shall be a *supermajority* of the *voting members* on the committee, sub-committee or Executive Board, as applicable.
- Q. **Sitting Members:** The *voting members* present at a meeting of the committee, a sub-committee or the Executive Board.
- R. **Virtual Meeting:** A meeting held through real-time interactions that take place over the Internet using integrated audio and video, chat tools, and application sharing, such as Microsoft Teams or Webex.
- S. **Voting Member:** Member of the committee that are appointed by a state agency director or the governor, as stated in the *enabling legislation*.



- T. **Written Notice:** Notification of and distribution of associated documents for a meeting of the committee is provided to members of the committee, a sub-committee or the Executive Board by email, electronic calendar invite, hand delivery or U.S. mail.

Article II. Purpose, Objectives and Governing Instruments

A. Purposes and Powers

- 1. The purposes of the committee are advisory to the Director of IEMA.
- 2. The specific purposes of the committee are stated in the *enabling legislation*.

B. Governing Instruments

- 1. The committee shall be governed by the *enabling legislation* and these bylaws.
- 2. The committee may adopt policies that are subservient to the *enabling legislation* and these bylaws.
- 3. The committee may adopt procedures that are subservient to the *enabling legislation*, these bylaws and adopted policies.

C. Nondiscrimination Policy

- 1. The committee will not practice or permit any unlawful discrimination based on sex, age, race, color, national origin, religion, ability level, or any other basis prohibited by law.
- 2. All communications by the committee shall comply with Section 508 of the Rehabilitation Act to ensure that all meetings and work products can be accessed using assistive devices.

Article III. Membership

A. Voting Members

- 1. The *voting membership* of the committee shall be made up of representatives of the agencies, organizations and members of the community outlined in the *enabling legislation*.



2. The *voting membership* of a sub-committee may include *non-voting members* of the committee that are appointed to the sub-committee by the committee's voting members.
3. All policies and proposals adopted by a sub-committee shall require ratification by a vote of the committee.

B. Non-Voting Members

1. The committee has the authority to add *non-voting members* to the committee.
2. The appointment of *non-voting members* requires an affirmative vote as outlined under Article V., Section A.

Article IV. Leadership and Responsibilities

1. The committee shall be led by the Executive Board, which shall consist of:
 - a) Chairperson
 - Serves as the executive head of the committee and the Executive Board.
 - Chairs all meetings of the committee and the Executive Board.
 - Calls for special meetings of the committee.
 - In consult with the Executive Board, develops and sets the agenda for meetings of the committee and the Executive Board.
 - In consult with the Executive Board, establishes standing and ad-hoc committees.
 - Serves as the spokesperson for the committee before the media and public forums, including testimony before the legislature.
 - b) Vice Chairperson
 - Participates in all meetings of the Executive Board.
 - Serves as the Chairperson of the committee and the Executive Board when the Chairperson cannot be present.



c) Secretary

- Participates in all meetings of the Executive Board.
- Serves as the trustee of the committee's records and work products.
- Keeps minutes of all meetings of the committee and the Executive Board.

2. The Executive Board shall be elected as outlined under Article VI., Section B.

Article V. Voting, Removal, Resignation, and Vacancies

A. Voting

1. Voting can only be done when a *quorum* of the committee, a sub-committee or the Executive Board is present at a meeting.
2. Unless otherwise stated herein, all voting will be done by *roll call*.
3. Unless otherwise stated herein, ratification of *business* that arises before the committee, a sub-committee or the Executive Board shall be determined by a *majority vote* of the committee's *sitting members*.
4. Voting on appointments to the Executive Board shall be done through a *secret ballot* and determined by a *majority vote* of the of the committee's *sitting members* at a *properly noticed* meeting.
 - a) Should more than two candidates run for an Executive Board position, and no candidate receives 50% of the votes, a runoff election will immediately be held between the two highest vote earners.

B. Removal

1. Members may be removed from the committee by a *supermajority vote* of the committee's *voting members* at a properly noticed meeting for:
 - a) missing more than one *scheduled meeting in a row* or one or more in a calendar year
 - b) engaging in conduct that is disruptive to the work of the committee, or



- c) speaking on behalf of the committee in the media or in a public forum without the consent of the chairperson.
 2. The positions of committee members removed will be filled as outlined under Article V., Section D.
 3. An Executive Board member who is removed from the committee, by default, vacates their Executive Board position.
- C. Resignation
 1. Committee members who choose to resign from the committee must do so in writing by email or letter to the chairperson.
 2. An Executive Board member who resigns from the committee, by default, vacates their Executive Board position.
 3. The positions of committee members who resign will be filled as outlined under Article V., Section D.
- D. Vacancies
 1. Removal or resignation of a state agency member on the committee shall be filled at the discretion of the director of that agency within 90 days of removal or resignation.
 2. For removal or resignation of members not representing a state agency, the Executive Board will take nominations from the committee in-person or by *electronic means* within 60 days of removal or resignation and will hold a *roll call* vote at the meeting immediately following the nomination process. The committee's vote serves only as a recommendation to the governor's office.
 3. The committee shall nominate members from the same composition category as the departing member, as outlined in the enabling legislation:
 - a) local emergency management;
 - b) members from the community of persons with a disability who represent persons with different types of disabilities, or
 - c) members who represent first responders.
 4. The committee should strive to select nominees from:
 - a) the same broad geographical area as the departing member;



- b) the same broad representative disability classification as the departing member, and
 - c) reflect a diversity of age, gender, race and ethnic background to ensure balance on the committee
5. For removal or resignation of a member of the Executive Board, the sitting Executive Board members will take nominations from the committee in-person or by *electronic means* within 60 days of removal or resignation and will hold a *secret ballot* vote at the meeting immediately following the nomination process.

Article VI. Appointments, Elections and Terms

A. Appointments

1. Voting Members

- a) Appointments of voting members to the committee shall be done as outlined in the *enabling legislation*.
- b) The committee has the responsibility to recommend voting members to the governor's office for appointments as outlined under Article V., Section D.

2. Non-Voting Members

- a) Non-voting members may be added to the committee by a *majority* vote of the committee's *sitting members*.

B. Elections

- 1. *Voting members of the committee are appointed as outlined in the enabling legislation, not elected.*
- 2. Representatives of the Executive Board are elected by the committee's voting members as outlined under Article V., Section A.
- 3. Nominations for Executive Board positions shall be made at the last meeting of each calendar year.
- 4. The election for Executive Board seats shall occur at the first meeting of each calendar year.

C. Terms



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1. The terms of appointees to the committee shall be consistent with the *enabling legislation*.
2. The term of the chairperson shall be for one year, as stated in the *enabling legislation*.
3. The terms of the vice chairperson and secretary shall be for one year.
4. The terms of members elected to serve on standing sub-committees shall be one year.
5. The terms of members elected to serve on ad-hoc sub-committees exhausts when the sub-committee's work is complete and the committee is disbanded.
6. There are no term limits for members of the Executive Board, standing committees or ad-hoc committees except those mandated for overarching committee membership in the *enabling legislation*.
7. The committee has the authority to nominate and appoint legislatively term-limited voting members to positions as non-voting members to allow them to remain engaged.

Article VII. Organization

A. Order of Governing Documents

1. Enabling Legislation
2. Bylaws
3. Policies
4. Roberts Rules of Order, most current version

B. Meetings:

1. The parliamentary authority for the committee, sub-committee and Executive Board's meetings shall be [*Robert's Rules of Order*](#), as amended.
2. The committee shall meet no less than three times a year as outlined in the *enabling legislation*.
3. The chairperson may call *special meetings* of the committee by providing members *proper notice* of the date, time and agenda.



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4. Meetings may be held in-person or virtually, provided *virtual meetings* meet the requirements of Article II. C. above.
5. In-person meetings shall provide a *virtual meeting* option for members.

Article VIII. Amendments

- A. These bylaws may be amended at any meeting of the committee, provided that *written notice* has been given to all *voting members* of the committee at least 30 calendar days ahead of the meeting date and a copy of all proposed amendments are delivered to all *voting members* by *electronic means*, hand delivery or U.S. Mail.
- B. Proposals to request the legislature to amend the *enabling legislation* may be done at any meeting of the committee, provided that *written notice* has been given to all *voting members* of the committee at least 30 calendar days ahead of the meeting date and a copy of all proposed amendments are delivered to all *voting members* by *electronic means*, hand delivery or U.S. Mail.
- C. The adoption of amendments to these bylaws or formal proposals to request the legislature to amend the *enabling legislation* shall be determined by a *roll call* vote requiring a *supermajority* of the committee's *voting members*.
- D. Copies of proposed amendments provided to committee members as outlined above must be done using underline and strikethrough editing. New language must be underlined, and deleted language must use ~~strikethrough~~.

Article IX. Construction

- A. In the case of any conflict between the *enabling legislation* and these bylaws, the *enabling legislation* shall control.