

**871—77.13(84H) State rehabilitation council.**

**77.13(1) *Composition.*** The state rehabilitation council's composition is set forth in 34 CFR Section 361.17(b). The appointing authority is to select members of the council after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities and organizations interested in individuals with disabilities. In selecting members, the appointing authority must consider, to the greatest extent practicable, the extent to which minority populations are represented on the council. A majority of members must be individuals with disabilities who meet the requirements of 34 CFR Section 361.5(c)(28) and are not employed by the designated state unit.

**77.13(2) *Chairperson.*** The chairperson must be selected by the members of the council from among the voting members of the council.

**77.13(3) *Terms.*** Each member of the council shall be appointed for a term of no more than three years. Each member of the council, other than the representative of the client assistance program, shall serve for no more than two consecutive full terms. A member appointed to fill a vacancy occurring prior to the end of the term for which the predecessor was appointed must be appointed for the remainder of the predecessor's term and may serve one additional three-year term. The terms of service of the members initially appointed is to be for a varied number of years to ensure that terms expire on a staggered basis.

**77.13(4) *Vacancies.*** The governor will fill a vacancy in council membership.

**77.13(5) *Functions.*** The council, after consulting with the state workforce development board, performs the functions set forth in 34 CFR Section 361.17(h).

**77.13(6) *Meetings.*** The council must convene at least four meetings a year. The meetings must be publicly announced, open, and accessible to the general public, including individuals with disabilities, unless there is a valid reason for an executive session. The council's meetings are subject to Iowa Code chapter 21, the open meetings law.

**77.13(7) *Forums or hearings.*** The council shall conduct forums or hearings, as appropriate, that are publicly announced, open, and accessible to the public, including individuals with disabilities.

**77.13(8) *Conflict of interest.*** No member of the council may cast a vote on any matter that would provide direct financial benefit to the member or the member's organization or otherwise give the appearance of a conflict of interest under state law.

**77.13(9) *Specific implementation clause.*** This rule is intended to implement 34 CFR Sections 361.16 and 361.17.

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