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MAURA T. HEALEY
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KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

By Her Excellency
MAURA T. HEALEY
GOVERNOR

EXECUTIVE ORDER NO. 635

REAFFIRMING AND RECONSTITUTING A STATE REHABILITATION
ADVISORY COUNCIL FOR THE MASSACHUSETTS REHABILITATION COMMISSION

WHEREAS, the provision of comprehensive and coordinated state-of-the-art vocational rehabilitation services can enable individuals with disabilities to pursue meaningful careers by securing gainful employment commensurate with their abilities and capacities;

WHEREAS, the Commonwealth, through the Massachusetts Rehabilitation Commission ("MRC"), provides comprehensive vocational rehabilitation services to individuals with disabilities through the state-federal programs authorized by the federal Rehabilitation Act, as amended in 2015 by P.L. 114-95 (the "Rehabilitation Act");

WHEREAS, individuals with disabilities and their advocates should play a significant role in policy development and with respect to program implementation in support of the provisions of the Rehabilitation Act;

NOW, THEREFORE, I, Maura T. Healey, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. I, do hereby revoke Executive Order 368 and order as follows:

Section 1. Purpose

A State Rehabilitation Council ("Council") is hereby established to advise the Massachusetts Rehabilitation Commission on the provision of vocational rehabilitation services for persons with disabilities, in compliance with the requirements of the Rehabilitation Act.

Section 2. Composition of the Council

(A) The Council is established within the Massachusetts Rehabilitation Commission. The Council shall consist of at least 15 members appointed by the Governor.

(B) The Governor shall make appointments to the Council after soliciting recommendations from representatives of organizations representing a broad range of individuals with disabilities. The members of the Council shall reflect a diversity of perspectives and backgrounds, equitably represent communities of color and historically underrepresented populations, and be representative of the geographic diversity of the Commonwealth. A majority of the Council members shall be persons who are individuals with disabilities and who are not employed by the Massachusetts Rehabilitation Commission.

The Council members shall include:

(1) at least one representative of the Statewide Independent Living Council ("SILC"), who must be either the chairperson or another designee of the SILC, established under 29 U.S.C. § 796d;

(2) at least one representative of a parent training and information center established pursuant to the Individuals with Disabilities Education Act, 20 U.S.C. § 1471;

(3) at least one representative of the Client Assistance Program, who must be the director of, or otherwise recommended by, the Client Assistance Program, established under 29 U.S.C. § 732;

(4) at least one qualified vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, nonvoting member of the Council if employed by MRC;

(5) at least one representative of community rehabilitation service providers;

(6) four representatives of business, labor, and industry;

(7) representatives of disability advocacy groups that include a cross section of:
(a) individuals with physical, cognitive, sensory and mental disabilities; and (b) parents, family members, guardians, advocates or authorized representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves;

(8) at least one current or former applicant for, or recipient of, vocational rehabilitation services;

(9) at least one representative of the Massachusetts Department of Elementary and Secondary Education, or a successor agency responsible for the public education of students with disabilities;

(10) at least one representative of the state workforce development board established pursuant to M.G.L. c. 23H, § 7; and

(11) the Commissioner of Rehabilitation, who shall serve as an ex officio, nonvoting member of the Council and who shall not be subject to a term limit.

(C) Where a federal- or state-recognized Indian Tribe located within the Commonwealth carries out projects funded under Section 121 of the Rehabilitation Act, at least one representative of the projects shall serve as a voting member.

(D) Terms of appointment

(1) Each member of the Council shall serve for a term of not more than three years.

(2) No member of the Council may serve for more than two consecutive full terms except that this limitation shall not apply to (i) the member appointed to represent the Client Assistance Program, or (ii) any member appointed to represent the projects carried out by a federal- or state-recognized Indian Tribe located within the Commonwealth that is funded under Section 121 of the Rehabilitation Act. Service under Executive Order 368 shall count toward these term limits without exception or limitation.

(3) A member appointed to fill a vacancy occurring prior to the expiration of a predecessor's term shall be appointed for the remainder of such term.

(4) In order to provide for staggered terms, in which each year approximately one-third of the members' terms expire, the Governor may appoint members to less than a three-year term.

(E) Quorum and Vacancies

(1) Any vacancy occurring in the membership of the Council must be filled in the same manner as the original appointment.

(2) A quorum of the Council shall be a majority of the voting members then serving on the Council.

(3) No vacancy shall affect the power of the Council to execute its duties.

Section 3. Administrative Matters

(A) The Council shall select a chair from among its voting members.

(B) The Council shall convene at least four meetings a year and conduct such forums or hearings as the Council considers appropriate. Meetings, hearings and forums shall be publicly announced and shall be open and accessible to the general public.

(C) Members of the Council shall be subject to and abide by the provisions of the Massachusetts conflict of interest law, chapter 268A.

(D) The Massachusetts Rehabilitation Commission is authorized and directed to provide administrative support to the Council as necessary. Council members shall serve without compensation but may be reimbursed for their reasonable and necessary expenses as provided for in the Rehabilitation Act and subject to the annual appropriation and allocation of federal funds in conjunction with any annual contribution by the Commonwealth.

Section 4. Duties

The Council shall have the following duties and responsibilities:

(a) Advise the Massachusetts Rehabilitation Commission regarding the performance of its responsibilities for administering a vocational rehabilitation program under Title I of the Rehabilitation Act, particularly with respect to its responsibilities relating to: eligibility and order of selection; and the extent, scope and effectiveness of vocational rehabilitation services provided;

(b) Advise the Massachusetts Rehabilitation Commission concerning functions performed by state agencies that affect the ability of individuals with disabilities to achieve vocational rehabilitation goals and objectives;

(c) Advise the Massachusetts Rehabilitation Commission concerning the preparation of grant applications, the state plan for vocational rehabilitation services and the strategic plan and amendments thereto, and reports, needs assessments and evaluations required by Title I of the Rehabilitation Act;

(d) Evaluate the effectiveness of the vocational rehabilitation program and, in partnership with the Massachusetts Rehabilitation Commission, develop, agree to, and review State goals and priorities for the vocational rehabilitation program in accordance with 29 U.S.C. § 721(a)(15)(C);

(e) Conduct a review and analysis of consumer satisfaction with vocational rehabilitation services and the functions performed by state agencies and other public and private entities that serve persons with disabilities;

(f) Prepare and submit an annual report to the Secretary of the Executive Office of Health and Human Services and the Governor on the status of vocational rehabilitation programs operated within Massachusetts and make the report available to the public;


(g) Coordinate with other organizations within Massachusetts that plan or oversee the provision of services for persons with disabilities, including the Statewide Independent Living Council established under Title VII of the Rehabilitation Act, the advisory panel established under the Individuals with Disabilities Educational Act 20 U.S.C. § 1412(a)(20), the Massachusetts Developmental Disabilities Council established under 42 U.S.C. § 15025, and the Massachusetts Mental Health Planning Council established under 42 U.S.C. § 300x-3(a), the State workforce development board established pursuant to G.L. c. 23H, § 7, and entities operating programs under the Assistive Technology Act of 1998;


(h) Advise the Massachusetts Rehabilitation Commission concerning coordination and establishment of working relationships between the Commission and the Statewide Independent Living Council and centers for independent living within Massachusetts;

(i) Perform other functions, comparable to those outlined above, consistent with the purpose of this Order and as the Council determines to be appropriate.



Given at the Executive Chamber in Boston
this 13th day of August in the year of our
Lord two thousand and twenty-four, and of
the Independence of the United States of
America two hundred and forty-eight.


MAURA T. HEALEY
Governor
Commonwealth of Massachusetts



WILLIAM FRANCIS GALVIN
Secretary of the Commonwealth

GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS