**By-Laws Change Recommendations**

From Ron Melka:

I propose a typo correction at the following section:

Section 3. Standing Committees

The standing committees shall be as follows:

1. Council Development: Agenda refers to Development ~~CommitteeThis~~ Committee. This committee …

From: Andrea Cooke

Sent: Thursday, July 18, 3:38 PM

Subject: Re: IMHPAC By-laws

To: Thane Dykstra

Thane,

I propose a change to Article VI. Section 6 to a committee member can be removed from the committee because willful misconduct or absence from 50% of the committee meetings in a year.

Thank you.

Andrea

**From:** Shirley J. Davis [mailto:sdavis8966@hotmail.com]
**Sent:** Friday, August 16, 2019 9:57 AM
**To:** Thane Dykstra
**Subject:** Fw: IMHPAC By-laws REMINDER

The only input I have is that perhaps members should serve longer than three years and perhaps two consecutive terms due to the shortage and difficulty of locating new members to fill in the gaps. Shirley Davis

Here are Joan Lodge’s suggested revisions to the by-laws underlined in blue. They are mostly typo corrections.

**By-Laws of the Illinois Mental Health Planning and Advisory Council (IMHPAC)**

**ARTICLE I - NAME**

The name of this unincorporated association shall be the Illinois Mental Health Planning and Advisory Council (the “Council”).

Recommend adding Mission and Vision with Purpose

**ARTICLE II - PURPOSE**

The purposes of the Council shall be: (1) to exchange information and develop, evaluate and communicate ideas about mental health planning, (2) to review and make recommendations regarding the Federal Mental Health Services Block Grant plan for mental health services in the State of Illinois, (3) to advise the Illinois Department of Human Services Division of Mental Health and other departments, divisions and agencies of state government concerning proposed and adopted plans affecting mental health services provided or coordinated by the state and the implementation thereof, (4) to monitor, review and evaluate the allocation and adequacy of mental health services in Illinois and to advise the Illinois state government concerning the need for and quality of services and programs for adults with mental illness and children and adolescents with serious emotional disturbances, and (5) to develop and take advocacy positions concerning legislation and regulations affecting mental health.

 **ARTICLE III - MEMBERSHIP**

Section 1. Qualifications

Council membership composition shall follow the guidelines set forth in P.L. 102-321 and any subsequent federal regulation. The Council shall have at least 45 and no more than 55 members. Less than 50% of the members shall be state employees or employed by any entity which provides mental health services.

Section 2. Election of Members

(a) No later than October 1st of each year, the Council Development Committee shall notify the Council in writing of the names of Council members whose terms will expire on December 31st. This notice shall include the geographic location of each Council member whose term will expire, whether that member represents a service provider, persons with a mental illness, family members of persons with mental illness, family members of children or adolescents with a serious emotional disturbance or a specific state agency. The Committee shall solicit nominees from the Council, mental health service providers and organizations representing service providers, organizations which represent or are advocates for persons with mental illness or their relatives.

(b) The Committee shall request that the Division of Mental Health designate a representative to be a member of the Council and that the Division of Mental Health solicit representatives from the Division of Rehabilitation Services, the Department of Corrections, the Housing Development Authority, the Department of Public Aid, and the State Board of Education. The Committee shall request that a union representing persons employed by the Division of Mental Health shall designate a representative.

(c) The Committee shall nominate a slate of proposed new members to be elected during the Fall meeting of the Council. Such slate shall include the persons designated pursuant to paragraph (b) of this Section. The Committee shall ensure that the slate and the membership of the Council as a whole are comprised in a manner so that:

(i) members are chosen in compliance with all applicable federal laws and regulations and these bylaws;

(ii)each region of the state is adequately represented;

(iii) the ratio of parents of children and adolescents with serious emotional disturbances to the other members of the Council is sufficient to provide adequate representation to such parents; and,

(iv) there is diversity in the racial, gender, ethnic and geographic composition of the Council as a whole.

(d) The Council shall vote for the entire slate of proposed new members as a group. Any member of the Council may by motion propose an alternative slate of new members provided such slate complies with the provisions in subsection (c) of this Section and provided such motion is seconded by a member of the Council. The members of the slate which receives the most votes shall be considered elected to the Council.

(e) The Committee may appoint a new member when, during the course of any year, a vacancy occurs. Whenever one or more new members are appointed by the Committee, the Committee shall promptly advise the full Council in writing of the appointment.

Section 3. Terms

Members shall be elected to serve a three-year term. There shall be no limit to the number of terms served.

Section 4. Compensation

The members of the Council shall serve without pay, but the Council may authorize or recommend the payment of reasonable and necessary expenses incurred by the members in the performance of their duties. By vote of the Council in which consumers shall not participate, the Council may authorize compensation for consumers for their participation in the work of the Council and its committees to the extent that such consumers are not otherwise compensated for this work.

Section 5. Removal of Members

A member may be removed by the Council whenever in its judgment the best interests of the Council would be served thereby. Whenever a member has failed to attend at least 50% of the regularly scheduled meetings in any calendar year, the Council Development Committee shall notify the Council and the member of that fact. If the committee determines that good cause does not exist for the failure of the member to attend Council meetings, the Committee shall move that the member be removed. Removal may occur only at a properly called meeting of the Council, after at least thirty days written notice to the person proposed to be removed and to the Council. No member may be removed unless at least two thirds of the members present vote to remove a member. Any member may resign at any time by giving written notice to the Council.

**ARTICLE IV--MEETINGS**

Section 1. Timing and location

Regular meetings of the Council shall be held at least four times each year. The dates of the regular meetings shall be determined at the beginning of each year and a written schedule of the meetings shall be provided to each member. The Council may decide to meet more frequently. At least two meetings each year shall be held in Cook County and at least two meetings each years shall be held in Sangamon County. Special meetings of the Council may be called at any time by the co-chairs or by a written request to either of the co-chairs from 25% of the members. Members may participate in Council meetings through video-conferencing or other similar technologies if such technologies are available.

Section 2. Notice

The co-chairs may call for a special meeting of the Council by mailing an agenda to all of the members at least 7 days prior to any such meeting, and not more than 60 days prior to any such meeting.

Section 3. Quorum

A quorum of the Council shall exist if one third or more of the total members as of the day prior to the meeting are present. A majority of the members present is required for any action of the Council.

Section 4. Powers

The Council shall have all of the powers vested in it by virtue of these Bylaws, together with any other reasonable and necessary powers to carry out the purposes of the Council. The Council may commit the Council, but not the State of Illinois or the Division of Mental Health or any member, concerning any matter within the purpose of the Council.

Section 5. Open Meetings

All meetings of the Council shall be open to the public. The Council shall take reasonable steps to insure that persons and organizations with an interest in the mental health system in Illinois are notified of the time and location of all meetings, including, if possible listing such meetings on the websites of relevant government agencies. A reasonable period shall be set aside at all meetings of the Council for members of the public to address the Council. Members of the public shall be permitted to propose “new business” for the next meeting of the Council. Subject to veto by the Council, such new business shall be placed on the next Council meeting agenda.

Section 6. Alternates; Abstention

There shall be no proxies for meetings of the Council. A member of the Council may designate an alternative to attend Council meetings when such member is unable to attend, but such an alternative shall not be entitled to vote.

Section 7. Rules of Order

In all procedural matters not governed by these Bylaws, the Council shall be bound by the provisions of *Robert’s Rules of Order, Newly Revised* (1990). But the Council may, by the vote of two-thirds of a quorum of the Council present at a meeting of the Council, suspend any provision of these Bylaws or of *Robert’s Rules*, at any time, whether or not such suspension is on the agenda.

Section 8. Participation of the Division of Mental Health/Youth and Geriatric Advisory Councils

The co-chairs of the Council shall request that the Division of Mental Health designate such representatives as may be appropriate to attend meetings of the Council and its committees. Whenever issues relating to the delivery of mental health services to aged persons or to children or adolescents are to be discussed, the Division of Mental Health shall take reasonable steps to obtain the presence at Council meetings of one or more members of the Geriatric Advisory Council or Youth Advisory Council as it deems appropriate.

 **ARTICLE V - OFFICERS**

Section 1. Terms

The officers of the Council shall consist of one co-chair who is a service provider, one co-chair who is a primary or secondary consumer, a secretary and a treasurer. Each officer shall serve for two years unless such person ceases to be qualified to serve as an officer. Each officer shall hold office until his or her successor shall have been duly elected by the Council.

Section 2. Nominations

The Council Development Committee shall solicit nominations for officer positions from the Council and from the Division of Mental Health. The Committee shall choose at least one person for each office. Nominees receiving a plurality vote of the Council for the available vacancies shall be declared elected. Each position shall be voted on separately.

Section 3. Duties of Co-Chairs

The co-chairs shall be the parliamentary chairs of the Council. It shall be the duty of the co-chairs to preside over all meetings of the Council, and, subject to the control of the Council, to supervise and control all of the business affairs of the Council. The co-chairs shall be *ex-officio* members of all committees. The co-chairs shall see that all motions and resolutions of the Council are carried into effect.

Section 4. Duties of Treasurer

The Treasurer shall be responsible for accounting for any funds allocated or obtained for the use of the Council, subject to the oversight of the Finance Committee.

Section 5. Duties of Secretary

The Secretary shall be responsible for insuring that minutes of each Council meeting are prepared and provided to the Council and for maintaining such other Council records as the Council or the co-chairs may direct.

Section 6. Removal

An officer may be removed by the Council whenever in its judgment the best interests of the Council would be served thereby, but such removal shall be without prejudice to such officer’s position as a member. Removal may occur only at a properly called meeting of the Council, after at least thirty days notice to the person proposed to be removed. Any officer may resign at any time by giving written notice to the Council.

Section 7. Vacancy

A vacancy shall exist whenever an officer is removed, resigns, dies, or ceases to be a member of the Council.

Section 8. Agenda

After consultation with the Associate Director of the Division of Mental Health and the members of the Executive Committee, to the extent feasible, the co-chairs shall set the agenda for meetings of the Council and recommend action to the Council and shall insure that a copy of the agenda is mailed to the members of the Council at least seven days prior to any meeting of the Council.

 **ARTICLE VI - COMMITTEES**

Section 1. Appointments

Except for the Council Development Committee and the Executive Committee, the co-chairs, in consultation with the Council, shall appoint all chairs and members of all committees of the Council. The co-chairs may include an additional consumer to maintain a balance of representation on the executive committee. Every member of the Council shall serve on at least one committee, except as may be determined by the co-chairs. Persons who are not members of the Council, including employees of the Division of Mental Health, may serve as members of any standing committee except for the Council Development and Executive Committees. The co-chairs may appoint one or more adolescent consumers to committees of the Council other than the Council Development and Executive Committee. The majority of the members of each committee shall be members of the Council.

Section 2. Executive Committee

There shall be an Executive Committee comprised of the co-chairs of the Council, the treasurer, the secretary and the chair of each standing committee. The Executive Committee may make any decision concerning the affairs of the Council in the interim between properly called meetings of the Council. However, any such action shall be reported to the Council at the next meeting thereof. The Executive Committee shall develop an annual budget for the Council and shall monitor the expenditure of Council funds.

Section 3. Standing Committees

The standing committees shall be as follows:

(a) Council Development: Agenda refers to Development CommitteeThis committee shall be comprised of 5 members. One member of the Committee shall be the member of the Council representing the Division of Mental Health. The other members of this committee shall be elected by a vote of the Council at a meeting of the Council to be held prior to June 1st of each year. At least one of the members of the committee elected by the Council shall be a primary consumer. The Executive Committee shall determine the procedures for the conduct of this election and provide written notice of those procedures and of the election itself to the members of the Council at least 30 days prior to the election. This committee shall be responsible for receiving and reviewing applications and nominating members to be members and officers of the Council. This committee shall be responsible: (i) for nominating persons to serve on the council; (ii) for selecting persons to serve as officers of the Council; (iii) for drafting such amendments to the Bylaws as may be needed; (iv) recommending to the Council the removal of any officer or member who is not longer qualified to serve, and, (v) for orienting new Council members. This committee shall also work with the Division of Mental Health to identify state funds to support the work of the Council, may identify and seek other sources of funds, public or private, to support the work of the Council,.

#### (b) Planning. This committee shall review plans provided to the Council by the State pursuant to 42 USC §300x-4(a) and make recommendations to the Council and the Division of Mental Health for modifications to the plans. (it would be helpful to understand the actual purpose and duties sited: b) Duties

A condition under subsection (a) for a Council is that the duties of the Council are-

(1) to review plans provided to the Council pursuant to section 300x–4(a) of this title by the State involved and to submit to the State any recommendations of the Council for modifications to the plans;

(2) to serve as an advocate for adults with a serious mental illness, children with a severe emotional disturbance, and other individuals with mental illnesses or emotional problems; and

(3) to monitor, review, and evaluate, not less than once each year, the allocation and adequacy of mental health services within the State.

(c) Substantive Committees. The council shall establish committees relating to the specific areas of services for persons with mental illnesses. There committees shall be responsible for devising a monitoring plan for their area of oversight; interacting with and advising the relevant state, county and municipal entities which provide services within their area of oversight; and, recommending to the Council advocacy priorities within their area of oversight. The substantive committees shall include: Recommend bullet points of responsibilities of each sub committee

 (i) Adult inpatient mental health services

 (ii) Adult community mental health services

 (iii) Children and adolescent mental health services

 (iv) Persons with mental illnesses in the criminal justice system

 (v) Any other substantive committees as determined by the Council to be necessary or expedient to carry on the mission of the Council.

Section 4. Powers

The Committees shall have the power and authority to make decisions only as may be specifically assigned by a majority of a quorum of the Council at a properly called meeting of the Council. Chairs shall be responsible for keeping minutes of committee meetings and for reporting activities to the Council.

Section 5. Other Committees does Strategic Planning committee go here??

Other committees may be appointed by the co-chairs as the Council deems necessary or expedient to carry on the business of the Council.

Section 6. Removal

The chair or any member of any committee may be removed for willful misconduct by a majority of a quorum of the Council at any time at a properly called meeting of the Council.

**ARTICLE VII--ANTI-DISCRIMINATION**

The Council shall not discriminate in any regard with respect to race, creed, color, sex, sexual orientation, marital status, religion, national origin, ancestry, pregnancy, parenthood, custody of a minor child or physical or mental disability.

**ARTICLE VIII--AMENDMENT OF BYLAWS**

Any member of the Council may propose amendments to these bylaws. These bylaws may be amended by the Council at any time, provided that written notice of such proposed amendment is provided to the Council at least 30 days prior to the meeting at which such amendment is approved and that any amendment is approved by a majority of a quorum of the Council present at such meeting.