

BY-LAWS
of the
Kentucky Advisory Council on Autism Spectrum Disorder
First Approved on November 9, 2017
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ARTICLE I
Name and Authorization

Section 1.1: The name of the body shall be: The Kentucky Advisory Council on Autism Spectrum Disorder (KYACASD)

Section 1.2: The Advisory Council on Autism Spectrum Disorder, created by KRS 194A.624, is attached to the Office of Autism within the Cabinet for Health and Family Services for administrative purposes.

ARTICLE II
Functions

Section 2.1: Mission and Vision:

MISSION: Promotes collaborative efforts and advocates to improve system of supports for individuals with autism spectrum disorder and their families across Kentucky.

VISION: Individuals with autism spectrum disorder of all ages are engaged in self-determined lives and are recognized as valued citizens in the community.

Section 2.2: The Kentucky Advisory Council on Autism Spectrum Disorder (KYACASD) is Established:

- a. To perform the functions that are necessary to fulfill its duties under the applicable statute, KRS 194A.624 and any other applicable state laws or regulations;
- b. To advise and assist the Cabinet for Health and Family Services and other state agencies in the performance of designated responsibilities, assignment of financial responsibilities, and the promotion of interagency agreement with regard to Autism Spectrum Disorder across the lifespan of individuals with ASD;
- c. To advise and assist the Commonwealth, intra-agency, and third-party grant partners to locate and apply for Autism Spectrum Disorder grant funding and program support from state, federal, and third-party sources;
- d. To provide a resource to persons with autism, their families, and third-party groups and entities with regard to autism support across the lifespan and with referral to and access to in-state and national resources and education; and
- e. To prepare and submit a report each biennium to the Secretary for the Cabinet for Health and

Family Services, Commonwealth Council on Developmental Disabilities, the Governor, and the Legislative Research Commission on the status of KY autism services and supports.

Section 2.3: The Advisory Council on Autism Spectrum Disorder Shall Be Responsible for:

- a. Promoting the vision for Kentucky's services and supports to persons on the autism spectrum and their families and advocating for improved quality and evidence-based practices for persons on the autism spectrum and their families;
- b. Promoting early screening, identification, early intervention, and appropriate use of evidence-based practices and standards of care for persons on the autism spectrum across the lifespan;
- c. Strengthening state, regional, and local level collaboration and coordination with families, self-advocates, support groups, and state agencies to further coordinate, develop, and enhance the service delivery system for persons on the autism spectrum across the lifespan;
- d. Gathering and analyzing research and data to assess the quality and availability of programs and services for persons on the autism spectrum and providing recommendations on assessments, interventions, and treatment modalities across the lifespan;
- e. Developing recommendations for:
 1. Increasing participation in existing federal, state, and local programs that serve children, youth, and adults on the autism spectrum;
 2. Enhancing the current professional development and planning for future workforce development to incorporate research and evidence-based practices;
 3. Establishing standards of care and undertaking efforts to ensure promotion of these standards statewide; and
 4. Promoting the development of services and supports to transition youth and adults on the autism spectrum;
- f. Assessing the capacity and effectiveness of institutions of higher education in the state toward supporting the development of the workforce for persons on the autism spectrum;
- g. Requesting and utilizing federal, state, and private funds, including funds from philanthropic sources;
- h. Improving procedures for ensuring accountability and measuring success of programs that receive state, federal, and philanthropic funds;
- i. Obtaining reports and issuing progress updates on state and federally funded services that impact the quality of Kentucky's system of care for persons on the autism spectrum;
- j. Completing a biennial report with the Office of Autism and submitting it to the Secretary for the Cabinet for Health and Family Services, Commonwealth Council on Developmental Disabilities, the Governor, and the Legislative Research Commission. Reports shall be due on or before September 30, in odd-numbered years; and
- k. Other duties and responsibilities as designated by the Governor or stakeholders.

ARTICLE III Membership

Section 3.1: Membership.

- a. The Advisory Council on Autism Spectrum Disorder shall consist of the following members appointed by the Governor as prescribed by KRS 194A.624:
- One (1) representative from the Department for Public Health;
 - One (1) representative from the Department for Medicaid Services;
 - One (1) representative from the Department for Community Based Services;
 - One (1) representative from the Department for Public Advocacy;
 - One (1) representative from the Department of Education;
 - One (1) representative from the Department of Juvenile Justice;
 - One (1) representative from the Department for Behavioral Health, Developmental and Intellectual Disabilities;
 - One (1) representative from the Office for Children with Special Health Care Needs;
 - One (1) parent or youth representative from the Commonwealth Council on Developmental Disabilities;
 - One (1) representative from the Kentucky Autism Training Center;
 - One (1) representative from the Office of Vocational Rehabilitation;
 - One (1) representative from the University of Louisville;
 - One (1) representative from the University of Kentucky Human Development Institute;
 - One (1) representative from the University of Kentucky;
 - One (1) representative from the Education Professional Standards Board;
 - One (1) pediatrician representative;
 - One (1) representative from the Weisskopf Child Evaluation Center;
 - One (1) representative from the First Steps Program;
 - One (1) representative from the Arc of Kentucky;
 - The director of the Office of Autism;
 - At least one (1) consumer representative, an adult with a diagnosis on the autism spectrum; and
 - Five (5) citizen-at-large members.

Of the five (5) citizen-at-large members, there should be at least one (1) parent representative with a child with a diagnosis on the autism spectrum and at least (2) adults on the autism spectrum.

- b. The Advisory Council on Autism Spectrum Disorder may invite individuals who are not members to serve on subcommittees and workgroups.

Section 3.2: Terms and Duties of Membership.

- a. Members of the council serve staggered terms of four (4) years.
- b. Appointed members of the Advisory Council on Autism Spectrum Disorder shall serve without compensation, but shall be reimbursed for actual expenses incurred in the performance of duties in accordance with KRS 45.101 and administrative regulations promulgated thereunder.
- c. Members may serve until their successors are appointed. Upon the occurrence of a vacancy,

the Governor shall make an appointment to fill such vacancy for the remainder of the unexpired term, effective immediately upon appointment.

- d. Citizen-at-large members and consumer representatives shall not represent the interest of one individual, one interest group, or one agency.
- e. Confidentiality – Each member shall keep confidential all sensitive information pertaining to Council members both during and after serving on the Council. Breach of this provision, in the discretion of the Director of the Office of Autism or leadership of the council, may result in the immediate disqualification of any representative.
- f. Resignation of Membership – A member who is unable to complete his or her term of membership shall submit a written notice of resignation to the co-chairs. Upon the resignation of an agency member, the member or member agency may identify a new potential member for the agency and share with the Office of Autism. If no replacement member is suggested, the Executive Committee or Director of the Office of Autism may suggest a new member. The new potential member will apply through the Governor’s Office.
- g. Anti-Discrimination statement: The Council is consciously and proactively inclusive of all areas of diversity including, but not limited to, age, race, ethnicity, creed, color, sex, gender identity, sexual orientation, marital status, religion, national origin, military or veteran status, ancestry, pregnancy, socioeconomic status, or physical or mental disability.
- h. No member may serve in any leadership capacity, including subcommittee chairs, if those members do not sign and comply with the conflict of interest form, conform to the by-laws of the Council, and accept guidance from the Director of the Office of Autism. This requirement ensures orderly and transparent conduct of business by the Council and promotes the mission and vision of the organization.

Section 3.3: Vacancies.

Vacancies shall be filled by KYACASD solicitation of nominations. Nominees shall be considered by the KYACASD taking into account:

- a. Appropriate representation as required in KRS 194A.624;
- b. Geographic coverage; and
- c. Cultural and ethnic representation.

The KYACASD shall recommend to the Office of Autism those persons considered most appropriate for membership. The Office of Autism shall consider KYACASD recommendations and shall recommend to the Governor nominees for appointments.

ARTICLE IV Officers and Committees

Section 4.1: Co-Chairs.

The co-chairs of the KYACASD shall be the member from the University of Kentucky and the member from the University of Louisville, in furtherance of the leadership and partnership role provided by

those entities.

The co-chairs of the KYACASD shall facilitate all meetings of the Council with a collaborative spirit, generally supervise, and direct all actions of the KYACASD by taking into account the Council's:

- a. Vision and Mission;
- b. By-Laws; and
- c. Strategic Plan Goals.

Section 4.2: Executive Committee.

There shall be an Executive Committee comprised of the co-chairs of the KYACASD, subcommittee chairs and/or subcommittee co-chairs who are governor-appointed KYACASD representatives; at least one self-advocate who is a governor-appointed KYACASD representative; and the Office of Autism Executive Director. The Executive Committee shall meet prior to each regular KYACASD meeting in order to:

- a. Coordinate activities of all committees;
- b. Establish the agenda for the next KYACASD meeting;
- c. Carry out interim activities on behalf of the KYACASD if co-chairs both agree it is necessary due to time limitations or urgency of actions; and
- d. Report on any activity to the full body at the next regularly scheduled meeting.

Section 4.3: Standing Subcommittees: Early Childhood; School Age; and Adolescent and Adult

All KYACASD members shall serve on at least one of the standing subcommittees. Vacancies for subcommittee chairs shall be filled by subcommittee members with approval by the KYACASD. Subcommittee chairs may remain until changed by the KYACASD or the chair's KYACASD term expires. Subcommittee chairs may only be governor-appointed KYACASD representatives of the Council. Subcommittee chairs shall be responsible for ensuring that minutes of committee meetings are being kept and forwarded to the Office of Autism Executive Director and Council Co-Chairs. Activities of the subcommittee shall be presented at least quarterly to the Council.

A subcommittee chair may be removed by a majority of a quorum of the Council or through unanimous agreement by Executive Committee, at any time.

KYACASD has three subcommittees based on developmental stages: early childhood, school age, and adolescent and adult. Self-advocates, parents, and other interested members of the public are invited to participate on the subcommittees, which meet at least quarterly and provide recommendations and strategies toward prioritizing the tangible efforts of the KYACASD.

KYACASD invites individuals who are not members to serve on one of the three subcommittees and attend all public meetings either in person or via video teleconferencing.

Subcommittees and their responsibilities are:

- a. The Early Childhood Subcommittee works to identify strengths and challenges in Kentucky's system of care toward the system level coordination of the early screening, assessment, diagnosis, and intervention of autism in ages 0-5. The Council encourages self-advocate and family participation in the Early Childhood Subcommittee.
- b. The School-Age Subcommittee work involves the consideration of issues related to the

lives of children and young adults ages 5 through 21 and their families. Primarily, this subcommittee's work has focused on the provision of high quality services and programming to facilitate the best potential outcomes for individuals with ASD. The Council encourages self-advocate and family participation in the School-Age Subcommittee.

- c. The Adolescent and Adult Subcommittee work focuses on improving services across the life span for individuals with ASD and understanding individuals' needs as they transition from school into adult life and the strengths and challenges to community integration as an adult. The Council encourages self-advocate and family participation in the Adolescent and Adult Subcommittee.

KYACASD or subcommittees may establish ad hoc subcommittees or workgroups as needed. These subcommittees and work groups shall report back to the KYACASD or subcommittee that established it. Subcommittees and workgroups may be composed of KYACASD members and non- KYACASD members.

All funding proposals must be brought to a subcommittee for review prior to presentation to the Council. If approved by a subcommittee, the subcommittee shall recommend the proposal to the Council for funding. Funding proposals shall: target strategic plan goals and be collaborative in nature with no less than two of the KYACASD agencies listed in KRS 194A.624 participating in the proposal.

Section 4.4: Ad Hoc Committees.

Examples of potential ad hoc subcommittees:

- Policy Subcommittee—could review and comment on federal and state statutes, regulations, policies, and procedures and proactively recommend new or revised policies as needed.
- Report Subcommittee—could assist in the report preparation including fiscal impact of policies and making recommendations on issues related to the fiscal status of persons on the ASD spectrum.

ARTICLE V Meetings

Section 5.1: General Conduct of Meetings.

All meetings shall be conducted in accordance with Kentucky's open meetings law (KRS 61.805-61.850).

Section 5.2: Frequency.

The KYACASD and each subcommittee shall meet at least quarterly and as often as necessary to fulfill its purpose.

The Executive Committee shall meet prior to the regularly scheduled full KYACASD meeting and additionally at the discretion of the Co-Chairs.

Section 5.3: Location.

All meetings shall be held in public places accessible to persons with disabilities. Reasonable accommodations shall be made to insure accessibility to those requiring assistance and universal design.

Notice of regularly scheduled meeting time and place shall be provided in accordance with Kentucky's open meeting law for all full body and subcommittee meetings. Notice for special called meetings shall follow the guidelines outlined in Kentucky law.

ARTICLE VI Procedures

Section 6.1: Voting.

A quorum of 51% of regular membership is required in order to take action. Motions are passed by a simple majority of members present. Persons may vote remotely only if they are present via video conferencing in accordance with KRS 61.826. There is no proxy voting.

Voting must be open and a matter of public record. No secret or anonymous voting is permitted.

Section 6.2: Parliamentary Procedures.

Decisions by the KYACASD and subcommittees shall be made by consensus of a quorum of the members. Any member may request a vote or roll call vote on any proposed action. Procedures for taking a roll call vote and for conducting a meeting shall be in accordance with the most current edition of Robert's Rules of Order.

Section 6.3: Minutes.

A written record of all topics discussed and decisions made shall be kept for all meetings. The minutes pursuant to this section are public records and a copy shall be retained by the Director of the Office of Autism and by the KYACASD Co-Chairs.

Section 6.4: Amendments.

By-laws may be amended by majority vote of the KYACASD membership. Prior written notice of changes must be submitted to membership thirty (30) days before meeting to consider the changes.

Section 6.5: Conflict of Interest.

A member of KYACASD shall not cast a vote on any matter that would provide direct financial benefit to that member or otherwise give the appearance of a direct conflict of interest under state law. Members shall be required to disclose conflicts as they arise in the discussion and to abstain from voting where appropriate.

Annual conflict of interest forms shall be filled out by all governor-appointed members.