

# PAIMI Advisory Council Operating Procedures

## I. Name

The name of this organization shall be [insert name of advisory council], hereinafter referred to as the "Council."

## II. Purpose of the Advisory Council

As required under the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act, 42 U.S.C. 10801 et seq., the purpose of the Council is to:

1. Advise \*\* P&A staff and the governing authority on policies and priorities to be carried out in protecting and advocating for the rights of individuals with mental illness in [name of your state/territory].
2. Complete a section of the annual PAIMI program performance report that describes the activities of the Council and its assessment of the operation and quality of services of the PAIMI Program.
3. Work with the governing authority of the \*\* P&A and the PAIMI program staff members jointly to develop the annual statement of objectives and priorities for the PAIMI program of \*\* P&A.
4. Educate the public and \*\* P&A about the agency's purpose, priorities and activities.

## III. Political Neutrality

The Council shall be non-political, shall neither support nor oppose any party or candidate for public office, and shall take no position on matters of governmental policy or legislation, other than those that are relevant to its purposes.

## IV. Composition of the Council and Membership Criteria

1. The Council shall be comprised of [insert number] residents of [insert state/territory]. No paid employee of \*\* P&A may serve on the Council.
2. Council members shall include attorneys; mental health professionals; individuals from the public who are knowledgeable about mental illness, and the advocacy needs of persons with mental illness and have demonstrated a substantial commitment to improving mental health services; a provider of mental health services; individuals who have received or are receiving mental health services, and family members of such individuals.
3. At least sixty percent of the membership of the Council shall be comprised of individuals who have received or are receiving mental health services or who are family members of such individuals. At least one family member shall be a primary care giver for an individual who is currently a minor child or youth who is receiving or has received mental health services.
4. Membership shall reflect the racial and ethnic composition of the state. Continuing efforts shall be made to include members of racial and ethnic minority groups on the Council.

5. The Chair of the Council shall be an individual who has received or is receiving mental health services or who is a family member of such an individual.
6. At a minimum, the Chair of the Council must also be a member of the \*\*P&A governing authority, if there is a multi-member governing board; however, there is no limit on the number of members who may also be members of the governing board.
7. Council members must have a commitment to promoting the legal and civil rights of persons with mental illness and advocating for their personal choices.

## **V. Nominations and Appointments to the Council**

1. Nominations of individuals to serve on the Council will be solicited from Council members, and from established mental health family support, self advocacy or consumer support, advocacy and provider organizations in [your state], but shall not be limited to these groups.
2. The Council shall by a majority of a quorum, appoint new members to the Council and who, to the extent possible, shall be diverse, including people of color, recipients or former recipients of mental health services, people who have physical disabilities, and people from different geographic locations in the state.
3. The Council shall deliver its decision (on appointees) to the Executive Director and the governing authority for comment.
4. The terms of Council members shall be staggered and for four years, except that any member appointed to fill a vacancy for an unexpired term shall serve for the remainder of such term. A member who has been appointed for a term of four years may not be reappointed to the Council during the two year period beginning on the date on which such a four-year term expired.
5. New members shall receive training and orientation prior to the start of their term of office.
6. Vacancies on the Council shall be filled within 120 days of notice of said vacancy.

## **VI. Resignation and Removal from the Council**

1. A Council member may resign at any time by giving a written or verbal notice to the Council. Unless otherwise specified in the notice, the resignation shall take effect upon receipt of the notice, and acceptance of the resignation shall not be necessary to make it effective.
2. Upon notice to the member and a majority vote of a quorum of the Council, a member may be involuntarily dismissed from the Council for the following reasons:
  - for failing to effectively support the Council in its mission;
  - for failing to attend three consecutive meetings during any 12 month period without prior notification or for non-medical reasons;
  - when a conflict of interest renders an individual unqualified to serve on the Council (for example, when a member becomes a paid employee of \*\* P&A);  
or
  - when the member is no longer a resident of the state.

## **VII. Election of Officers**

The officers of the Council shall consist of the following: a Chairperson, a Vice Chairperson and a Recording Secretary. All officers shall be elected by a majority of a quorum of the members of the Council.

## **VIII. Responsibilities of Officers**

1. The Chairperson (or, in his or her absence, the Vice Chairperson) shall chair Council meetings and shall be responsible for assisting \*\* P&A staff in establishing the time and agenda for Council meetings and in communicating to the governing authority the Council's recommendations, input and activities.
2. The Recording Secretary shall be responsible for: 1) clerical duties for the Council; 2) noting the actions taken in meetings; 3) preparation of minutes of the meetings; and 4) monitoring the Council attendance record and submitting recommendations for removals.

## **IX. Meetings**

1. A minimum of three regular meetings shall be held each fiscal year. All meetings will be held in locations which are accessible to people with mental, physical and sensory disabilities. All meeting notices, agenda items and support data shall be distributed at least one week prior to each of these meetings and shall be provided in accessible formats upon request. Interpreter services shall be provided upon the request of any committee member or guest of the meeting, if a request is made at least one week prior to the meeting date.
2. The Council shall hold its organizational meeting in the month of [insert month].
3. Special meetings may be called by the Chairperson or upon the written request of [insert number] Council members.
4. A quorum shall be established when a simple majority of all Council members are in attendance (in person or by telephone). Vacant positions on the Council shall not be counted in establishing a quorum. Lack of a quorum shall not prevent the Council from conducting a meeting.
5. The most recent edition of Robert's Rules of Order will be relied on in guiding the meetings of the Council to the extent applicable.
6. The minutes of the Council's meetings shall be the official record of the Council. The minutes shall be distributed to all members of the Council within one week prior to the next meeting.
7. All meetings of the Council shall be open.
8. The Chair of the Council shall be given the opportunity to raise issues of concern to the Council at each regularly scheduled meeting of the governing authority.

## **X. Committees**

1. The Council may establish committees to investigate areas of interest to the Council and report back to the Council. If committees require resources to operate, the Council will need to obtain approval.

2. Committee proceedings and findings may be recorded in writing to the Council or may be presented verbally and made part of the minutes of the general Council meeting.
3. The Council Chairperson shall select the committee members, taking into consideration members' willingness and interest in serving, expertise, commitment of time and their representation of the various constituencies. Together all of the committee members shall elect a Chairperson of the respective committees.
4. A list of all committees and committee members shall be distributed to all Council members.
5. Committees shall serve at the pleasure of the Council and shall be disbanded upon completion of their mission, or by a majority vote of the Council.

## **XI. Confidentiality**

Council members shall not be entitled to client information. It is the obligation of \*\* P&A to maintain confidentiality of client information.

## **XII. Agency Responsibilities**

1. The \*\* P&A will pay all necessary costs to enable the fullest possible participation of members in Council activities, consistent with \*\*P&A policy. \*\*P&A shall establish policies and procedures for reimbursement of expenses of Council members, taking into account the needs of individual members, available resources, and applicable restrictions on the use of grant funds. Reimbursement will be made consistent with federal cost principles.
2. Depending on the amount of available resources, \*\* P&A may reimburse Council members for costs related to transportation, parking, meals, hotel, per diem expenses, and distribution of copies of the minutes, agendas and all other materials to the members of the Council. \*\*P&A may also provide Council members with stipends or subsistence allowances, and pay for day care or child care (or its equivalent for the child's travel and subsistence expenses) for their dependents with mental illness or developmental disabilities.
3. \*\* P&A shall provide the Council with reports, materials and fiscal data to enable review of existing program policies and priorities (priorities are goals which receive resource allocation) and performance outcomes. Such submissions shall be made at least annually and shall report expenditures for the past two fiscal years, as well as the projected expenses for the next fiscal year, identified by budget categories (e.g., salaries and wages, contracts for services and administrative expenses) and proposed priorities, including the amount allotted for training for each member of the Council, governing [authority] board and staff.

## **XIII. Amendments**

These operating procedures may be amended by a two-thirds vote of the Council at any regular or special meeting of the Council, providing that such amendment has been submitted in writing to all Council members not less than one week prior to the meeting.