

# **GOVERNOR'S COUNCIL FOR MEDICAL RESEARCH AND TREATMENT OF AUTISM**



## **Rules of Order**

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[www.nj.gov/health/autism](http://www.nj.gov/health/autism)

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## INTRODUCTION

The Governor's Council for Medical Research and Treatment of Autism (Council) was created by State appropriation in 1999 and has been issuing research, clinical and educational enhancement grants since 2000. The Council's membership is made up of representatives from academic institutions, autism and healthcare organizations, appointees of the Senate President, Assembly Speaker and Commissioner of Health, a member from the general public, and an individual with autism, or family member. As per P.L. 2007, c.174, monies from \$1 surcharges on fines and penalties from traffic violations are deposited by the State Treasurer into the Autism Medical Research and Treatment Fund to sponsor the Council to fund autism research and treatment in the State of New Jersey.

### ARTICLE I: MISSION AND PURPOSE

#### Section 1. Name

The Council is established in P.L.2007, Chapter 168 as the Governor's Council for Medical Research and Treatment of Autism (hereinafter referred to as "Council").

#### Section 2. Authority and Primary Purposes

The purpose of the Council is detailed in P.L.2007, Chapter 168, and this legislation amends and supplements previous legislation establishing the Council, its activities and funding mechanism (P.L. 1999, c.105, P.L.2001, c. 338 and P.L.2003, c.144).

The Council was created to establish a Center of Excellence in Autism in the State of New Jersey. As stipulated in P.L.2007, Chapter 168, the Center shall use the facilities of a single medical facility or higher education medical institution, or be formed from a consortium of cooperating facilities or institutions, and shall meet any requirements as may be prescribed by the Council, with the understanding that the work carried out at the Center shall be comprehensive and fully collaborative.

The Mission of the Council is to advance and disseminate the understanding, treatment, and management of autism spectrum disorder (ASD) by means of a coordinated program of biomedical research, clinical innovation, and professional training in New Jersey.

#### Section 3. Goals of the Council

The Council shall create strategic goals in coordination with the intent of the legislation and review progress annually at the first meeting of each calendar year. The goals will be posted on the Council's webpage.

## **ARTICLE II: COUNCIL RESPONSIBILITIES AND DUTIES**

### Section 1. Responsibilities and Duties

- The Council (as stipulated in P.L.2007, Chapter 168) shall make awards of grants and contracts to public and nonprofit private entities to pay all or part of the cost of planning, establishing, improving and providing basic operating support for a Center of Excellence for Autism in the State where basic and applied biomedical research, diagnosis and treatment for autism shall take place. The Council shall define the scope of the programs to be undertaken at the Center with the understanding that the Center shall conduct:
  - Basic and clinical research into the cause, diagnosis, early detection, prevention, control and treatment of autism, including research in the fields of developmental neurobiology, genetics, psychopharmacology, neuroimaging, immunology, infectious diseases, gastroenterology and endocrinology;
  - Training programs on biomedical treatments, diagnosis and prevention for autism for physicians, scientists and other health care and allied health care professionals in the State; and
  - Information and continuing educational programs on the latest advances in biomedical research on autism for physicians and other health care and allied health care professionals who provide care for patients with autism in the State.
- Provide guidance to the Director of the Council regarding the Director's goals to ensure consistency with the Council's mission and goals and the intent of the legislation.
- Determine topics of focus for issuing Request for Applications (RFAs) consistent with the core intent of the legislation and the mission of the New Jersey Department of Health (NJDOH).
- Vote on recommendations by the Council's Scientific Advisory Committee (SAC) regarding funding of grant applications.
- Approve Council meeting minutes and agendas.
- Develop a comprehensive website that provides pertinent information to stakeholders in the New Jersey autism community.
- Review and monitor the progress of Council-funded grants, including approval for continuation funding, based on the expertise and experience within the field of

autism research provided by reports of progress from members of the Scientific Merit Review Panel(s).

- Conduct such other activities as the Council deems appropriate and that are in accordance with the enabling legislation to advance the importance of research into the causes of and treatments for autism spectrum disorder and to provide information to the public and scientific communities about the Council's activities.

### **ARTICLE III: COUNCIL MEMBERSHIP AND STRUCTURE**

#### **Section 1. Composition of the Council**

The Governor's Council on Medical Research and Treatment of Autism is composed of fourteen (14) members, to be appointed in accordance with the enabling legislation.

#### **Section 2. Conduct of Council Members**

The Council is comprised of a diverse group of family members, as well as health service, autism organization, policy and education representatives. As a collective body, the membership addresses procedural, programmatic, legislative and administrative issues affecting people with autism spectrum disorder. To facilitate the full Council's efforts, the Council asks individual members to meet the following expectations:

##### **A. All Members:**

1. For the Council to perform its functions, each member needs to attend meetings and actively participate in the Council's activities. Members should also provide ongoing input and guidance on the efforts of the Council.
2. To effectively address issues affecting people with autism spectrum disorder, the Council must rely on the expertise and experience of its individual members. The Council encourages its members to offer technical assistance and personal insights on matters about which they possess expertise or experience.
3. To be effective, the Council needs outside persons and organizations to be aware of its activities and provide input. Accordingly, the Council wants its members to disseminate information about Council activities to persons and organizations that would benefit from knowledge about the Council or be able to facilitate the Council's goals. However, individual Council members also need to ensure that information is accurately and fairly communicated to others. A Council member should be cautious in representing the Council's positions and should only represent as the Council's positions those positions that have been approved by the Council. Only the Chair and/or the Director (at the direction of the Chair), should give press interviews or issue public statements representing the Council after review by the NJDOH Office of Communications.

4. In accordance with the New Jersey Conflict of Interest Law (N.J.S.A 52:13D-21.1) Special State Officers must receive mandatory ethics training each year by completing the mandatory "Special State Officer Training Module" on-line training at <http://www.state.nj.us/ethics/training/specialstateofficer/presentation.html>.

5. In accordance with the New Jersey Conflict of Interest Law (N.J.S.A 52:13D-23) Special State Officers must sign and certify receipt of the Uniform Ethics Code available at <http://www.state.nj.us/ethics/ethics/state/> and acknowledge they are responsible for reading and are bound by the Code. The Code includes the requirement for approval, by the State Ethics Officer, of requests to attend events as a representative of the Council.

6. Members who receive requests, including those from grantees, for input or participation, must contact the Director as a matter of procedure and to avoid putting Council members at risk for triggering conflicts of interest/recusal requirements. The Director will consult with the Council Chair, as appropriate.

**B. Members Who Represent Agencies or Academic Institutions:**

1. For the Council to meet its legislative mandates, the Council needs to know about the policies and activities, as related to the work of the Council, of the agencies and academic institutions represented on the Council.

2. Members act as liaisons between the Council and their agencies or academic institutions. They should communicate Council activities to their agencies' administrative, operational, and governing personnel and communicate relevant activities of their agencies or academic institutions to the Council.

3. Although the academic institution members of the Council have unique interests in ASD, it is important for these members to remain cognizant of the needs and interests of all citizens of New Jersey and ensure the Council's policies are sound public policies for all.

**C. Public Members Appointed by the Governor, Senate or General Assembly:**

1. Although the public members of the Council do not officially represent any constituency, they are the public face of the Council. Accordingly, the Council wants its public members to collect information from the public regarding the Council's activities and report it to the Council.

2. Although the public members of the Council have unique interests in ASD, it is important for these members to remain cognizant of the needs and interests of all citizens of New Jersey and ensure that the Council's policies are sound public policies for all.

Section 3. Absences of Council Members

A. The Council requests that members notify the Director of any necessary absence from a meeting at the earliest possible opportunity before the meeting.

Section 4. Grounds for Recommending Removal

It is grounds for recommending the removal of a member from the Council if that member:

1. exhibits behavior that is illegal or unethical as a member of the Council;
2. cannot, because of illness or disability, discharge the member's duties for a substantial part of the member's term;
3. is absent from more than half of the Council meetings that the member is eligible to attend during a calendar year;
4. consistently fails to meet the expectations contained in these policies and procedures.

**ARTICLE IV: OFFICERS OF THE COUNCIL**

Section 1. Chair

At its first meeting of each calendar year, the Council shall select, by a simple majority of the members present, a chairperson from among its members, who shall serve as the chairperson until the first meeting held in the next calendar year, at which time the same person may be selected as chairperson or a new chairperson may be selected in the same manner.

Section 2. Vacancies in Position of Chair

In the event of a vacancy for the position of Chair, a meeting of the Council will be arranged to have the council members select, by a simple majority of the members present, a new chairperson from among its members. If the Chair is absent for a meeting, he/she may appoint a Council member to conduct the meeting.

Section 3 Duties and Responsibilities of the Chair

The Chair shall preside at all meetings of the Council. The Chair shall appoint the Chairs of any committees. The Chair shall exercise general supervision over the work of the other Council members and Director to assure that the mission, goals, and policies of the Council are adhered to. The Chair is responsible for ensuring that all duties and directives set forth in the Council's authorizing legislation are adhered to by the Council. The Chair will be responsible for directing the creation of the Council's Annual Report ensuring

that the report is submitted to the Governor's Office and the legislature detailing the Council's activities regarding its legislative mandate and administrative directives. The Chair shall be the official representative of the Council and shall present testimony, conduct negotiations, approve changes or submissions to the web site, represent the Council at public meetings and conferences, and participate in formal deliberations on behalf of the Council. The Chair may officially represent the Council and may carry out actions authorized by the Council in a properly convened open meeting.

Section 4. Chairs of Subcommittees

Committee and Task Force Chairs are responsible for ensuring their committee responds to all issues that fall under the oversight of that specific entity. Chairs will be responsible for providing regular reports to the Council.

**ARTICLE V: COMMITTEES AND ADVISORY TASK FORCE**

Section 1. Council Committees

The Council may establish standing, special, ad hoc, and interim committees of Council members to expedite the work of the Council. Council members and Chairs of such committees shall be appointed by the Chair.

A. Council Committee Criteria:

1. The Chair shall appoint the Chairs of any committees.
2. A committee shall transact business in any manner calculated to expedite its work.
3. The Chairs of each committee are responsible for presenting any findings or recommendations made by their members to the full Council.
4. Written notice of each committee meeting shall be provided to all committee members at least 10 days prior to each meeting. Such notice shall include the time, date, place, and items to be discussed at that meeting.
5. The Chair may appoint an Ad-hoc Committee, which shall be appointed on a temporary basis by the Chair to address a specific issue or problem that includes a clear charge of duty and an established date of completion. Ad-hoc Committees will keep the Chair and Council apprised of their work and submit final reports at the conclusion of their work to the Council.



## **ARTICLE VI: CONDUCT OF COUNCIL MEETINGS**

### Section 1. Required Meetings

The Governor's Council for Medical Research and Treatment of Autism shall meet at least four times a calendar year. All meetings of the full Council shall be conducted according to Robert's Rules of Order, Newly Revised, 11<sup>th</sup> Edition, except as provided in these policies and procedures.

### Section 2. Additional Meetings

The Council may meet at other times at the call of the Chair or as provided by Council motion or rule.

### Section 3. Quorum

A quorum of the Council consists of a majority of appointed members of the Council. A quorum for committee and Task Force meetings shall be a simple majority of the active members of the committee or Task Force.

### Section 4. Applicability of the Open Public Meetings Act and the Open Public Records Act.

A. The Council in all meetings is subject to the requirements of the New Jersey Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.). Except as provided by N.J.S.A. 10:4-12 subsection b. all meetings of the Council shall be open to the public at all times. The Council's records are subject to the Open Public Records Act (OPRA-N.J.S.A. 47:1A-1 et seq.). OPRA governs the public's access to government records in New Jersey.

### Section 5. Meeting Agenda

A. The Chair, in collaboration with the Director, shall prepare the agenda for each Council meeting. The Chair should give due consideration to all Council members and the Director for placement of items on the Council's agenda.

B. The Open Meetings Law requires a subject to be placed on the Council's agenda before the Council consider that subject. Any individual or organization not represented on the Council who desires to have a subject placed on the agenda of a Council meeting shall make a request to do so by contacting the Director of the Council.

D. The request to have a subject placed on the agenda of a Council meeting shall:

1. state the subject to be placed on the agenda;
2. state the time required to provide presentation at the full Council meeting; and

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3. be made at least fourteen days before the date of the Council meeting at which the requestor wants the subject discussed. Any request made after the agenda deadline will be considered for the agenda of the next Council meeting. If the Chair of the Council deems the topic appropriate for discussion by the Council, the request to have a subject placed on the meeting agenda will be granted.

E. The final agenda, and all supporting materials shall be disseminated by the Director, either electronically or via U.S. Mail, to all members of the Council a minimum of seven (7) calendar days prior to the council meeting at which the items on the agenda are to be considered.

### Section 6. Notice of Meetings

A. Written notice of time and place of each Council meeting shall be made to the public.

B. In accordance with the Open Public Meetings Act, notices to at least two (2) New Jersey newspapers (the Council will use the Newark Star Ledger, The Trenton Times and the Courier Post), for posting shall be submitted seven (7) full 24-hour periods prior to an impending meeting excluding the day of posting and the day of the meeting.

C. A copy of the notice of each Council meeting shall be sent to each member at least seven (7) days prior to the meeting except in emergency cases; as determined by the Chair.

### Section 7. Transaction of Business

A. All meetings of the Full Council shall be conducted according to Robert's Rules of Order, Recently Revised, 11<sup>th</sup> edition, except as provided in these policies and procedures.

B. All Council actions taken must be approved by a simple majority vote of the members present.

C. The New Jersey Conflicts of Interest Law and State Ethics Commission regulations require that a Special State officer recuse from any matter in which he or she has a personal or financial interest.

D. The State Ethics Commission, at its May 16, 2017 meeting, ruled to apply the NIH conflict of recusal standard for multi-component academic institutions to the proceedings of the Council thus allowing Rutgers University employees on the Council to participate in Council matters from Rutgers campuses/components other than their own campus/component.

Section 8. Public Access

Opportunities to provide public comments are provided at each Council meeting. Such public comment periods are to be listed on the agenda for each Council meeting. The Chair of the Council may limit each person presenting public comments or public testimony on any agenda item to a certain number of minutes by announcing the period when comments or testimony are given.

Section 9. Minutes

The Director shall be responsible for the creation and maintenance of the records and minutes of the Council. The Director shall assure that approved minutes are distributed to the members of the Council and to such others as the Council may direct and posted on the Council's webpage.

Section 10. Amendment of Policies

Council policies may be adopted or revised by a majority of the members present at a regular or called Council meeting providing a quorum is present at that time. Written notice of the proposed amendment(s) must be provided to Council members at least ten (10) days prior to any such action. Amendments may be proposed by a recommendation of the Chair or by written request of any three (3) members of the Council.