Bylaw revised voted and approved by the Special Education Advisory Panel at the May 21, 2014 meeting

Bylaws

Special Education Advisory Panel (SEAP)
For Louisiana

Adopted _____

ARTICLE I: Name

Section 1

The name of the State Special Education Advisory Panel is the Special Education Advisory Panel (SEAP) for Louisiana.

ARTICLE II: Purpose and Duties

Section 1 - Purpose

The SEAP is established in accordance with the requirements of the Individuals with Disabilities Education Act (IDEA) **2004 SEC. 612 State Eligibility (21)** and provides policy guidance with respect to special education and related services for children with disabilities in Louisiana.

Section 2 - Duties

Specifically, the SEAP will:

- Advise the Louisiana Department of Education (LDOE) of unmet needs within the state in the education of children with disabilities;
- Comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- Advise the LDOE in developing evaluations and reporting on data to the U.S. Secretary of Education under Section 618 of the Individuals with Disabilities Education Act;
- Advise the LDOE in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of IDEA; and
- Advise the State Board of Elementary and Secondary Education (BESE) and LDOE in developing and implementing policies relating to the coordination of services for children with disabilities.

ARTICLE III: Membership

Section 1 - Members

The SEAP shall consist of no less than 11 and no more than 19 members appointed from a pool of applicants by the State Superintendent of Education, shall be representative of the state population and shall be composed of individuals involved in or concerned with the education of students with disabilities. The panel must include panel members that fill each of the roles listed below, understanding that panel members may represent more than one role.

(1) Parents (as defined in **IDEA SEC.602. Definition 23**) of children with disabilities (ages birth through 26);

(2) Individuals with disabilities;

(3) Teachers;

(4) Representatives of institutions of higher education that prepare special education and related services personnel;

(5) State and local education officials, including a Local Education Agency Special Education Supervisor and an official who carries out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11431 et seq.);

(6) Administrators of programs for children with disabilities;

(7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;

(8) Representatives of private schools and public charter schools;

(9) Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;

(10) A representative from the State child welfare agency responsible for foster care; and

(11) Representatives from the State juvenile and adult corrections agencies.

Section 2 – Special Rule

A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (ages birth through 26).

Section 3 – Selection

The State Superintendent of Education will appoint a four person membership committee at the end of a membership term or in a vacancy to review applications for SEAP membership and to make recommendations. This committee shall include:

- One member of the Department of Education
- One member of the Board of Elementary and Secondary Education
- Two members of SEAP.

The role of the membership committee is to review applications and ensure the following areas are addressed:

(1) Representation of the categories listed above (Section 1: Members)
(2) Appropriate regional representation by BESE district
(3) Gender and ethnic representation
(4) Other considerations brought to the attention of the committee
(5) Applicants may qualify for membership in one or more categories

The committee shall make recommendations to the State Superintendent of Education.

A representative from the Department of Education will assist the committee throughout the membership process.

Applications for membership in the SEAP will be available on the LDOE website three months before the three year term ends or whenever a vacancy is advertised. Notice of the posting will be sent to district superintendents, special education supervisors, parent groups throughout the state, etc. Applications will be accepted for a minimum of thirty days.

Section 4 – Vacancy

A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent of his/her term. When a vacancy occurs, the Department of Education will advertise the position on the Department website and BESE social media outlets. The membership requirements must be considered when filling the vacancy. The process as outlined in Section 3 above will be used to appoint an individual to fill the vacancy. The person appointed will fill the vacancy for the remainder of the term of the previous individual.

Section 5 –Terms of Membership

(1) The term of each member shall be for three years and shall begin on July 1st of the year he or she is selected and expire on June 30th of the final year.

(2) Appointment to the SEAP shall be staggered to assure that approximately one-third of the membership rotate off at the end of any given year.

(3) Panel members shall serve no more than two consecutive terms. Panel members must reapply at the end of their term to be considered for a second term.

Section 6 – SEAP Chair

SEAP will have two co-chairs as follows:

(1) One selected from and by SEAP members
(2) One representative of BESE or the State Legislature selected by the State Superintendent of Education.

In the event that a co-chair cannot attend the meeting, a proxy agreed upon by both co-chairs will serve in place of the chair.

ARTICLE IV: Meetings

Section 1

(1) The SEAP shall meet as often as necessary to conduct its business but not less than four (4) times during each fiscal year at a time and place determined by the State Superintendent of Education.

(2) Special meetings may be called by either of the co-chair when he or she determines that a special meeting is necessary.

(3) All meetings shall be open meetings in accordance with the Louisiana Open Meetings Act (R.S. 42:11-14)

(4) Interpreters and other necessary services will be provided at SEAP meetings for members.

(5) Items may be recommended for the agenda by the State Board of Elementary and Secondary Education, the Department of Education, or a SEAP member; however, an executive committee consisting of the Special Education Advisory Panel co-chairs and the State Superintendent of Education, or his designee, will have final approval of the agenda. The executive committee is responsible for ensuring responsible for planning the meeting agenda around standing items

(6) Agenda items will be announced via the BESE listserve and social media and on the LDE website in advance of the meeting to afford interested parties reasonable opportunity to attend.

(7) Official minutes will be kept on all SEAP meetings and will be made available on the LDE website.

Section 2

Members are expected to attend meetings for the length of their tenure. Should SEAP members be unable to participate in a meeting, it is their responsibility to notify the Department of Education of their absence. Notification is requested as early as possible, and not later than 24 hours preceding the meeting.

SEAP members must attend at least one half of the regularly scheduled meetings of the SEAP during a 12 month (July 1 through June 30) period. If a member has unexcused absences for more than half of the meetings, the member may be replaced. In the event a member is replaced, the vacancy procedure in Article III, Section 4 shall be followed.

Section 3 - Quorum

A quorum is a majority of the appointed membership. In the absence of a quorum, the SEAP may take action, but minutes shall indicate that the recommendations are being presented without the required quorum being present.

Section 4 - Proxy

Any person serving on SEAP who cannot attend a scheduled meeting may designate a person to attend as his/her proxy, as long as the appointing authority does not object. Proxies shall not retain voting privileges per the Louisiana Open Meetings Act. To receive reimbursement for travel and other expenses, a proxy must be properly designated by the active member and recorded in the minutes as being present.

Section 5 – Public Comment

Opportunity to comment publically at the Special Education Advisory Council may be provided according to the following procedures.

(1) Person desiring to address the panel must complete a Request to Comment card and submit it to the presiding chair prior to the vote on the motion. The completed comment cards shall identify the agenda item to be addressed.

(2) All speakers shall conduct themselves in a decorous manner.

(3) The order of discussion shall be left solely to the discretion of the presiding chair.

(4) Person addressing the panel shall confine remarks to the merits of a specific agenda item before the panel; refrain from attacking a panel member's motives; address all remarks through the presiding chair; refrain from speaking adversely on a prior action not pending; read reports only without objection; and refrain from disturbing the meeting.

(5) Public comments shall be limited to three minutes per person and persons may only comment once per agenda item.

(6) Person making public comments shall identify themselves and the group they represent, if any.

(7) Groups and/or organizations should designate one spokesperson.

(8) The presiding officer or chair shall have discretion to manage situations not addressed in these procedures.

Section 6 – Orientation

The Department of Education shall annually provide an orientation for new members. The orientation shall include the purpose of the Special Education Advisory Council, an overview of Robert's Rules of Order and a review of the panel bylaws.

ARTICLE V: Compensation

Section 1

Members of SEAP may be entitled to reimbursement for travel expenses pending availability of funds. Requests for reimbursement for expenses shall be submitted in accordance with the regulations promulgated by the Commissioner of Administration in the *Louisiana Travel Guide*.

ARTICLE VI: Amendments

Section 1

Amendments to these Bylaws must be submitted by panel members to the SEAP co-chairs and the Department of Education at least fifteen (15) calendar days prior to the date of the next regular or special meeting at which the proposed amendment is to be considered by the SEAP. The Department shall distribute proposed amendments to all panel members by email at least seven (7) calendar days before the meeting.

Section 2

These Bylaws may be amended by majority vote of the members present at the meeting at which the proposed amendment is considered by the SEAP.