

## **Arizona Special Education Advisory Panel Bylaws**

### **PURPOSE**

The purpose of the by-laws is to provide information regarding the Arizona Special Education Advisory Panel (herein referred to as “Panel”) operating procedures for the Panel that is required under P.L. 108-446 the Individuals with Disabilities Education Act of 2004 and ARS 15 §235.

### **LEGAL AUTHORITY**

Individuals with Disabilities Education Act. [P.L.108-446](#). ( [34 CFR §300.167-169](#))

<b>ARTICLE ONE</b>
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### **NAME OF PANEL**

The name of the group is The Arizona Special Education Advisory Panel.

<b>ARTICLE TWO</b>
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### **PURPOSE OF PANEL**

STATE ADVISORY PANEL— (34 CFR §300.167)

IN GENERAL—The State has established and maintains an Advisory Panel for the purpose of providing policy guidance with respect to special education and related services for children and youth with disabilities (ages 3 years to 21 years) in the State.

<b>ARTICLE THREE</b>
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### **MEMBERSHIP OF PANEL**

(34 CFR §300.158)

Membership Demographics—Membership is determined by the requirement of P.L. 108-446 Individuals with Disabilities Education Act of 2004 and [ARS 15 §235](#).

The voting membership of the Panel shall consist of at least one representative of each of the following groups and individuals:

- (i) Parents of children with disabilities (child’s age birth through 26);
- (ii) Individuals with disabilities;
- (iii) Teachers;

- (iv) Institutions of higher education that prepare special education and related services personnel;
- (v) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et.seq.);
- (vi) Administrators of programs for children with disabilities;
- (vii) Other State agencies involved in the financing or delivery of related services to children with disabilities;
- (viii) Private schools;
- (ix) Public charter schools;
- (x) Representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- (xi) A State child welfare agency responsible for foster care;
- (xii) The State Juvenile Detention and Correction agencies; and
- (xiii) Adult correction agencies.

SPECIAL RULE—(34 CFR §300.168 (b)) A majority of the members of the Panel shall be individuals with disabilities or parents of children with disabilities (child’s age birth through 26).

There will be an annual orientation, for Panel officers and new members, held the day before the first official meeting of each year.

<b>ARTICLE FOUR</b>
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**MEMBERSHIP NOMINATION AND APPOINTMENT**

SECTION 1—Nominations—The Arizona State Board of Education may request nominations for vacant positions from the Arizona Department of Education, Arizona Special Education Advisory Panel, and interested parties and agencies in Arizona.

SECTION 2—Appointments—All members of the Panel shall be appointed by the Arizona State Board of Education.

SECTION 3—Terms of Membership—The Panel will have a membership appointed to three-year terms, staggered so the terms of one-third of the membership expire each year. The regular term of membership begins on July 1 of the year of appointment unless a vacancy occurs during the year.

SECTION 4—Absentees—Due to the requirement for establishing a quorum to conduct Panel business, it is necessary that members strive to be in attendance. Members who are absent from three meetings during a fiscal year may be subject to dismissal. The Executive Committee of the Panel will contact members who are frequently absent to determine their continued commitment and interest. Recommendations may be made to the Arizona State Board of Education for removal of a member due to high absenteeism.

SECTION 5— Resignation —Resignation by any member must be in writing and submitted to the Deputy Associate Superintendent of Exceptional Student Services who will forward it on to the Arizona State Board of Education and to the leadership of the Panel. The newly appointed member’s term starts upon appointment and ends at the end of the resigned member’s term and shall maintain the Panel composition in compliance with Article Three.

## **ARTICLE FIVE**

### **PANEL LEADERSHIP**

The leadership of the Panel shall consist of Co-chairpersons and Vice-Chairperson. Elections shall be held during the last meeting of the school year (June). Co-Chairpersons will be elected to serve a two-year term. Their terms will be staggered so that only one Co-Chairperson will be elected by the membership each year. The membership, by a majority of those voting, will elect a Co-Chairperson and Vice-Chairperson annually.

These individuals and the Deputy Associate Superintendent of Exceptional Student Services at the Arizona Department of Education, or designee, shall be called the Executive Committee. If none of these positions are filled by an individual with a disability or a parent of an individual with a disability, one shall be elected to serve as a member-at-large of the Executive Committee.

#### Duties of Leadership

##### A. Co-Chairpersons

Co-Chairperson duties include the following:

1. Preside at all meetings.
2. Comply with Arizona open meeting requirements.
3. Collaborate with the Deputy Associate Superintendent of Exceptional Student Services or designee.
4. Call to order all meetings.
5. Serve in ex-officio capacity on all committees.
6. Appoint all committees at the direction of the Panel.
7. Perform such duties that pertain to this office.

##### B. Vice-Chairperson

The Vice-chairperson duties include the following:

1. Conduct meetings in the absence of the Co-Chairpersons.
2. Serve in ex-officio capacity upon designation by one of the Co-Chairs.
3. Comply with and use Robert’s Rules of Order.
4. Perform such duties as pertain to this office.

C. Member-at-large

The Member-at-large duties include the following:

1. Attend all meetings of the Executive Committee.
2. Participate in all activities of the Executive Committee.

D. Deputy Associate Superintendent of Exceptional Student Services

The Deputy Associate Superintendent of Exceptional Student Services serves as an ex-officio member of the Panel and provides information and support to the Panel.

<b>ARTICLE SIX</b>
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**FUNCTIONS OF THE PANEL**

The purpose of the Panel is to make recommendations and advise the Arizona State Board of Education, the Superintendent of Public Instruction, and the State Education Agency (SEA) through the Deputy Associate Superintendent of Exceptional Student Services regarding the functions in this section, including special education issues, programs, and services as they relate to eligible individuals with disabilities as per P.L. 108-446 the Individuals with Disabilities Education Act of 2004 and [ARS 15 §235](#).

The functions and duties of the Panel shall be as follows:

1. Advise the SEA of unmet needs within the State in the education of individuals with disabilities. (34 CFR §300.169 (a))
2. Comment publicly on the rules and regulations proposed by the State regarding the education of individuals with disabilities. (34 CFR §300.169 (b))
3. Advise the State Education Agency in developing evaluations and reporting on data to the Secretary under section 618. (34 CFR §300.169 (c))
4. Advise the State Education Agency in developing corrective action plans to address findings identified in Federal monitoring reports. (34 CFR §300.169 (d))
5. Advise the State Education Agency in developing and implementing policies relating to the coordination of services for individuals with disabilities. (34 CFR §300.169 (e))

The primary role of the Panel is to provide advice and recommendations regarding the five duties. On or before December 1 of each year, the Panel will submit an annual report of its activities and recommendations to the Deputy Associate Superintendent of Exceptional Student Services who will then forward it to the Arizona State Board of Education.

## **ARTICLE SEVEN**

### **MEETING PROCEDURES**

SECTION 1—The Panel will meet at least four times between July 1 and June 30 of each year.

SECTION 2— General Procedures

1. The Panel will not meet without a quorum. A quorum shall be considered a simple majority of current appointed Panel members to conduct official business of the Panel. Voting members shall be only those members specifically appointed by the Board.
2. The Panel will meet quarterly or as often as necessary to conduct business. All meetings will be arranged by the Arizona Department of Education.
3. All Panel meetings will be conducted at facilities that are accessible for individuals with disabilities.
4. Agendas will be developed by the Panel Executive Committee with input from other Panel members and the SEA.
5. Any action item must meet approval by a majority vote of members present.
6. The Panel will maintain and post minutes for all meetings.
7. All Panel meetings and agenda items will be publicly announced prior to the meeting as required by Arizona open meeting law.
8. Public comments are welcome during a “call to the public.”
  - a. A period of time will be allotted at each Panel meeting for public comments.
  - b. Each member of the public who addresses the Panel may have a time limit of three minutes.
  - c. The member of the public will be required to identify himself/herself and speak only when recognized by the Chair.
  - d. The Chair reserves the right to ask a member of the public to leave if the proceedings of the Panel are disrupted.
  - e. Individuals may submit written comments to the Panel Executive Board who will present them to the Panel membership.
9. Members will be reimbursed for eligible travel expenses related to Panel participation based on the Arizona Department of Administration’s travel procedures.

## **ARTICLE EIGHT**

### **ROLE OF SEA STAFF**

The Deputy Associate Superintendent of Exceptional Student Services at the Arizona Department of Education, or designee, shall serve as a non-voting liaison to the Panel. The Deputy Associate Superintendent/designee assists with functions of the Panel and facilitates the acquisition of information and resources requested by the Panel. The Deputy Associate Superintendent/designee serves as a member of the executive committee.

A designated Arizona Department of Education/Exceptional Student Services staff person shall provide the following support to the Panel and subcommittees:

1. Record and post minutes of each meeting.
2. Adhere to Arizona open meeting requirements.
3. Mail or e-mail Panel minutes, agendas and requested materials to all members.
4. Perform such duties as pertain to this position.

<b>ARTICLE NINE</b>
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**AMENDMENT OF BYLAWS**

Proposed amendments to these bylaws shall be submitted in writing to the Executive Committee. After review by the Executive Committee, the proposed amendment shall be disseminated to the Panel no fewer than 15 days prior to the next regularly scheduled meeting. Proposed amendments to the bylaws must be approved by a two-thirds vote of members present and voting. The Panel shall, no less than annually, review and revise, if necessary, the bylaws.

Date of adoption: \_\_\_\_\_

Co-Chairperson: \_\_\_\_\_

Co-Chairperson: \_\_\_\_\_

Vice-Chairperson: \_\_\_\_\_