

NEVADA SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC) BY-LAWS

March 2017

ARTICLE I - Name

Section 1: The name of the Committee shall be the **Special Education Advisory Committee**, hereinafter referred to as SEAC.

ARTICLE II - Purpose

Section 1: SEAC, as the advisory Committee to the Nevada Special Education State Education Agency (SEA), is mandated by P.L. 108-446, the Individuals with Disabilities Education Act (IDEA), hereinafter referred to as IDEA, and has been authorized to carry out the functions defined in these by-laws.

Section 2: SEAC is involved in its advisory role, in the Nevada SEA general supervision decision-making process.

Section 3: The Nevada State Director of Special Education carries out the IDEA regulatory responsibilities defined in IDEA and shall work in partnership with SEAC.

ARTICLE III - Functions

Section 1: As defined in federal law, the following are the functions of the Special Education Advisory Committee under IDEA:

- a. Advise the Nevada SEA of unmet needs within the State in the education of children with disabilities;
- b. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- c. Advise the Nevada SEA in developing evaluations and reporting data to the Secretary of the U.S. Department of Education under Section 618 of the the Act;
- d. Advise the Nevada SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; and
- e. Advise the Nevada SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

Section 2: SEAC shall develop recommendations or position statements regarding significant issues in the education of children with disabilities and communicate such recommendations to the Nevada State Director of Special Education.

- a. It is the responsibility of each Committee member to raise issues that relate to his/her area of representation, giving input on position papers, publications, and policy recommendations.
- b. All formal recommendations or position papers shall be addressed to the State Director of Special Education and shall reflect the approval of a majority of members present.
- c. The State Director of Special Education will provide copies of all formal recommendations or position papers to the State Superintendent of Public Instruction, and may provide the same to the State Board of Education, and other advisory groups or agencies concerned with the delivery of services for children with disabilities, as appropriate.

ARTICLE IV - Membership per IDEA Requirements

Section 1: SEAC membership shall be comprised of the following:

- a. Parents of children with disabilities (ages birth through 26);
- b. Individuals with disabilities;
- c. Teachers;
- d. Representatives of institutions of higher education that prepare special education and related service personnel;
- e. State and local education officials; including officials who carry out activities under subtitle B of the Title VII of the McKinney-Vento Homeless Act;
- f. Administrators of programs for children with disabilities;
- g. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- h. Representatives of private schools and public charter schools;
- i. At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
- j. Representatives for the State juvenile and adult corrections agencies; and
- k. A representative for the State child welfare agency responsible for foster care.

*The majority of the committee (at least 51 %) must be individuals with disabilities or parents of children with disabilities.

Section 2: All members of SEAC shall be appointed by the Nevada State Board of Education based on recommendations by the State Director of Special Education and the Chair of SEAC.

Section 3: The term of appointment shall be for three years, commencing July 1 of the first year and ending June 30 of the third year.

Section 4: Individuals may be reappointed for consecutive terms.

Section 5: Individuals who are appointed to fill a term of office for another person, their term of appointment shall be for three years, commencing on the date of appointment and ending June 30 of the third year.

Section 6: The membership of SEAC shall be representative of Nevada's population and composed of individuals involved in or concerned with the education of children with disabilities. A majority of the Committee members must be individuals with disabilities or parents of children with disabilities. Committee membership is comprised of:

- 3 - Special Education Administrators (North, South, Rural)
- 3 - Special Education Teachers (North, South, Rural)
- 1 - Charter Schools Representative
- 1 - Private Schools Representative
- 1 - State Juvenile/ Adult Corrections Representative
- 1 - Department of Health and Human Services Representative
- 2 - NSHE Representative (North, South)
- 1 - OSEP Funded State Parent Training Information Center
- 1 - Office of Protection and Advocacy Agency
- 1 - Homeless Education Representative
- 1 - Foster Care Representative

17 - Parents of Children with Disabilities and/or Individuals with Disabilities
Representative

Section 7: Voting Rights. Each member shall be entitled to one vote and may cast that vote on each matter submitted to the committee.

Section 8: Members of SEAC have further responsibility of establishing and maintaining contact with persons, groups, or associations having an interest in the welfare of children with disabilities in order to remain knowledgeable and informed about public and private interests in special education.

- a. The Chair of SEAC, or in his/her absence the Vice Chair, Chair-Elect or the Chair's designee, is the only member of the Committee authorized to speak publicly for SEAC, and then only in accordance with SEAC recommendations of position statements.
- b. Individual SEAC members may not represent themselves as spokespersons for SEAC, the Nevada SEA, or the State Board of Education.

Section 9: Resignation. Any member may resign at any time by giving written notice to the State Director of Special Education. The resignation shall take effect on the date the notice is received. Unless otherwise specified in the notice, the acceptance of the resignation shall not be necessary to make it effective.

Section 10: Termination of Membership.

- a. Upon recommendation of the Chair and Vice-Chair, the State Director of Special Education may remove a committee member if she/he no longer qualifies as an appointee in the category for which she/he was selected.
- b. Membership may be terminated for any member who is absent from three consecutive meetings; the SEAC Chair will contact the committee member to notify him/her of committee membership termination. The SEAC Chair will then forward notice of termination to the State Director of Special Education.
- c. Other causes for removal shall include failure to carry out those responsibilities assumed by acceptance to the committee.
- d. Just cause as applicable in NRS 391.330

Section 11: A person selected to represent a specific category may have experience across categories. Membership should be balanced to ensure adequate representation of urban and rural areas; minorities and under-served populations, individuals and parents of children with moderate and severe disabilities.

Section 12: SEAC members shall serve without compensation, but the Nevada SEA must reimburse members at the State approved rates for their travel expenses to attend meetings.

ARTICLE V - Officers and Leadership Team

Section 1: Elected officers of SEAC shall be a Chair and a Vice-Chair. The Chair and Vice-Chair shall assume the position after July 1.

Section 2: The officers shall be elected by a majority of members present at a regularly scheduled meeting.

Section 3: The term of office for elected officers shall be for one year, from July 1 to June 30.

Section 4: The Chair shall call and preside at all meetings, and appoint all task force chairs, with the approval of SEAC.

Section 5: The Chair of SEAC, or the designee of the Chair, is responsible for receiving correspondence.

Section 6: The Chair or designee may represent SEAC at the State Board of Education meetings, as determined by the SEA policies and procedures.

Section 7: The Chair is responsible for the following:

- a. Ensuring the scheduling of SEAC meetings and task forces;
- b. Developing meeting agendas with the State Director of Special Education;
- c. Chairing all SEAC meetings;
- d. Coordinating all SEAC activities with the State Director of Special Education;
- e. Establishing task forces with the approval of SEAC;
- f. Ensuring that all meetings of task forces are reported at the following SEAC meeting and that recommended action is made a matter of record;
- g. Ensuring that SEAC draft minutes are completed, distributed to members, and final minutes are posted for other appropriate recipients.

Section 8: The Vice-Chair shall serve in the absence of the Chair.

Section 9: The Nevada SEA shall provide secretarial services for SEAC.

ARTICLE VI - Task Forces

Section 1: Task forces shall be established for specific tasks and for a designated time period. A representative of a task force will report on current activities at SEAC meetings. Task forces will draft recommendations for discussion and action by the SEAC as requested. The Chair shall determine membership. Membership on task forces may include representatives from both the field and SEAC.

ARTICLE VII - Confidentiality

Section 1: Members of SEAC understand that confidentiality of any and all personally identifiable data, information, and records disclosed during SEAC meetings shall be maintained according to applicable State and federal laws. SEAC members understand that (unless there is a signed "Consent to Release Confidential Information" in effect) authorization to share and receive information ends with the departure from SEAC meetings. Further, members shall only discuss/share anecdotal situations when all personally identifiable information has been removed/altered in order to maintain the confidentiality of those involved.

ARTICLE VIII - Amendments to the By-Laws

Section 1: These may be reviewed annually and amended by a majority vote at a regularly scheduled SEAC meeting.