

State Advisory Council for Special Education

STATE DEPARTMENT OF EDUCATION

450 Columbus Boulevard, Hartford, CT 06103

Connecticut State Advisory Council for Special Education

By-Laws

Article I

Name

Section 1: The name of this organization shall be: State Advisory Council for Special Education herein referred to as the *Council* under the authority of Section 10-76i of the Connecticut General Statutes.

Article II

Purpose of the Council

Section 1: The Connecticut State Department of Education (CSDE) has established and maintains an Advisory Council 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 22 years) in the state. (34 Code of Federal Regulations (CFR) Section 300.167)

Article III

Function of the Council

Section 1: The function of the Council is to:

- a) Advise the CSDE of unmet needs in educating children with disabilities and on the administration of the provisions of sections 10-94f to 10-94k, inclusive;
- b) Review periodically the laws, regulations, standards, and guidelines pertaining to special education and recommend to the General Assembly, and the State Board of Education, any changes which they find necessary;
- c) Comment publicly on any new or revised regulations, standards and guidelines proposed for issuance;
- d) Advise the CSDE in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act;
- e) Advise the CSDE in developing and implementing policies relating to the coordination of services for children with disabilities;
- f) Participate with the State Board of Education in the development of any state plan for provision of special education;
- g) Comment publicly on any procedures necessary for distributing federal funds received pursuant to the Education of the Handicapped Act, 89 Statute 774, 1975, 20 U.S.C. Code § 1400 et seq., as from time to time amended;

- h) Assist the CSDE in developing and reporting such data and evaluations as may be conducted pursuant to the provisions of said act;
- i) Report to the General Assembly not later than January fifteenth in the odd-numbered years and not later than February fifteenth in the even-numbered years, concerning recommendations for effecting changes in the special education laws;
- j) Review Due Process Hearing data and discuss findings and decisions. (34 CFR Section 300.513(d)) and (34 CFR Section 300.514(c));
- k) Receive information regarding the provisions of Free and Appropriate Public Education. Waiver of non-supplant requirement. (34 CFR Section 300.164(c)(4)); and
- l) Advise the CSDE regarding the determination of risk ratio thresholds above which disproportionality is significant. (34 CFR Section 600.647(b)(iii)(A)).

Article IV **Membership**

Section 1: The Council shall be composed of 37 members pursuant to section 10-76i of Connecticut General Statutes as amended and effective July 1, 2006. The Membership Committee will work to identify interested special education paraeducators and active Connecticut students with disabilities (as defined by Part B of the Individuals with Disabilities Education Act) to serve a 1-year term as a voting student member of the Council. The 1-year term may be extended for an additional year upon approval of the full council (See Article VI Section 7).

Section 2: The members shall serve two-year terms in accordance with the Connecticut General Statutes. (Sec. 10-76i. Advisory Council for Special Education)

Section 3: In the event an appointing authority fails to appoint a member to the Council, the Council may utilize a “member at large” to assist the Council in carrying out its statutory and regulatory duties, provided any person selected as a member at large shall have the appropriate qualifications to so assist the Council. A member at large may be appointed at the discretion of the Chair of the Council and with the consent of the currently serving Council members. A member at large shall not have voting rights, or hold leadership positions, such as a Chair of a committee or represent the Council outside of Council meetings. A member at large may serve on Ad Hoc Committees and actively participate in the work of the Council as directed by the Chair. Member at large status shall terminate when the expertise of the member at large is no longer needed, or the work of the member at large has been completed.

Section 4: Special Rule (34 CFR Section 300.168 (b)). The majority of the members of the Council shall be individuals with disabilities or parents of children with disabilities (child’s age, birth through 26 years).

Section 5: The CSDE Special Education Division Director or Designee serves as an Ex-Officio member of the Council. The Division Director provides support to the

Council and Executive Committee and provides information and data regarding topics the Council is addressing.

Article V **Officers**

Section 1: The officers shall be the Chair, Vice Chair, and Secretary. At least one of the officers shall be the parent of a child with a disability and/or an individual with a disability. Officers elected by a majority of the Council shall serve a one-year term in accordance with the Connecticut General Statutes.

Section 2: The Chair shall preside over all meetings of the Council and shall perform the duties usually attached to the office. The Chair shall be the Chair of the Executive Committee and a member, with a vote, of all other committees except the Nominating Committee.

Section 3: The Vice Chair's duties shall include the following:

- In the absence of the Chair the Vice Chair shall preside at the meetings of the Council and, when necessary, perform the duties of the Chair;
- Act as parliamentarian during panel meetings.

Section 4: The Secretary shall perform duties as may be assigned by the Chair and may be assisted by personnel of the CSDE when necessary. They shall maintain a copy of minutes and agendas for a cumulative record of the Council's work.

Article VI **Committees**

Section 1: There shall be the following standing committees:

1. Executive Committee
2. Legislative Committee
3. Nominating Committee
4. Membership Committee

And other committees, as the Chair shall establish with the consent of the Council. The responsibilities and duties of all committees shall be defined by the Chair with the consent of the Council.

Section 2: Except for the officers serving on the Executive Committee, the Chair shall, with consent of the Council, appoint the Committee Chair and members for all committees.

Section 3: The Executive Committee shall consist of the Chair, Vice Chair, Secretary, immediate past Chair, plus three additional members appointed by the Chair at their discretion. The Committee shall review the business at hand and develop the

agenda for the following Council meeting. The committee shall act for the Council in all matters requiring decisions between full Council meetings.

Section 4: The Legislative Committee shall consist of a minimum of three members. The committee will follow and review legislation relating to special education, recommend legislation to the Council, identify legislative priorities, and initiate and promote such legislation as the Council directs.

Section 5: The Nominating Committee shall consist of a minimum of three members. Members of the Executive Committee shall not serve on the Nominating Committee. The Committee will prepare an annual Slate of Officers for the Council, and the Council will vote on such Slate of Officers at the subsequent meeting.

Section 6: The Membership Committee shall consist of a minimum of 3 members and will monitor attendance as per section 10- 76i of Connecticut General Statutes; and advise the Council. The Chair of the Council, in conjunction with the Chair of the Membership Committee, will advise the appropriate appointing authority as needed.

Section 7: The Membership Chair in conjunction with the Chair of the Council shall solicit appropriate educational organizations, parent organizations and other appropriate sources to fill open vacancies, including student appointments. Council Member terms will begin on July 1 and end on June 30. Every effort shall be made to solicit potential members that represent the broadest range of backgrounds. Special education paraeducator and student membership candidates will be presented to the Executive Committee for preliminary appointments. The Committee will then prepare the slate of student member candidates for the Council, and the Council will vote on such slate of student member candidates at the subsequent meeting. The Council shall include not more than four student members in any one year. The Council shall include not more than one special education paraeducator in any one year. The special education paraeducator shall be actively employed in the state of Connecticut.

Article VII **Ad Hoc Committee**

Section 1: The Chair, with the consent of the Council, may establish such Ad Hoc Committees as deemed necessary. The responsibilities and duties of such Ad Hoc Committees shall be defined by the Council.

Section 2: An Ad Hoc Committee may be established to work on any individual task or project that can be best addressed by utilizing special knowledge and expertise of other state or private agencies or individuals. The Ad Hoc Committee shall be chaired by a member of the Council appointed by the Chair with the consent of the Council.

- Section 3:** Members of an Ad Hoc Committee shall be appointed by the Ad Hoc Committee Chair with the consent of the Chair of the Council. Ad Hoc Committee members may be members of the Council and individuals with expertise. There shall be a minimum of three members, including a Chair, on any Ad Hoc Committee with actual numbers determined by the requirements of the task undertaken.
- Section 4:** An Ad Hoc Committee shall continue in operation until the task undertaken has been completed unless it is disbanded sooner by: a) a vote of the ad hoc committee members, or b) by a vote of the Council. When an Ad Hoc Committee completes its work, issues its reports and makes its recommendations, if any, to the Council, it is automatically disbanded, unless continued by a vote of the Council.
- Section 5:** With the exception of the Chair and current Council members, Ad Hoc Committee members are non-voting members of the State Advisory Council.

Article VIII **Meetings**

The Council operates meetings in conformance with The [Connecticut Open Meeting Law](#).

- Section 1:** The Council shall meet at least once during each calendar quarter and at such other times as the Chair deems necessary or upon request of a majority of the members in the office.
- Section 2:** A majority of the members in office, but not less than ten members, shall constitute a quorum of the Council.
- Section 3:** Any member who fails to attend three consecutive meetings or fails to attend fifty percent of all meetings during any calendar year shall be referred by the membership committee chair to the executive committee for review.
- Section 4:** The latest revision of [Robert's Rules of Order \(Cornell's Simplified version\)](#) shall govern the meetings of the Council.
- Section 5:** All Council meetings shall be open to the public, and notification of such meetings will be in accordance with the 1998 Freedom of Information Act, Section 1-21.

Article X **Public Participation**

- Section 1:** The Council welcomes public participation and encourages input from interested organizations and individuals. Council meetings are held in public places or are publicly accessible. Every Council meeting shall include a public comment agenda item. Each public comment will be held for 4 minutes or less. Comments should adhere to reasonable standards of decorum. Speakers should be courteous and avoid personal attacks. Once the Council moves into the regular agenda the

public may participate as allowed by the Chairperson and with the following restrictions:

1. Specific districts and/or individuals should not be named during public comment;
2. Questions and/or comments by the public may be restricted by the Council Chairperson; and
3. The Chairperson may, at their discretion, curtail public discussion at any time,

Amendments

Section 1: These By-Laws may be amended by a two-third vote of members in office and by proxy at any regular or special meetings of the Council providing that such amendment has been submitted in writing to all Council members not less than twenty-one days prior to the meeting.