

## Special Education Advisory Panel Operating Policies and Procedures

September 2016

### Name

The name of the organization shall be the Special Education Advisory Panel (herein referred to as SEAP).

### Authorizing Legislation

The panel exists by authority of the Individuals with Disabilities Education Act (2004) 34 C.F.R. § 300.167-300.169.

### Purpose

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 with disabilities in the Minnesota.

### Appointment and Selection

Members of the SEAP shall be appointed by the Commissioner of Education as the governor's designee. The members shall be representative of the state population and composed of individuals involved in, or concerned with, the education of children with disabilities (34 C.F.R. §300.168 (b)). A majority of the members shall be individuals with disabilities or parents of children with disabilities (34 C.F.R. §300.168 (11) (b)). The official Notice of Vacancy will be published on the Office of the Secretary of State's website ([www.sos.state.mn.us](http://www.sos.state.mn.us)) under "Open Commissions Appointments" tab.

### Membership

Membership required by the Code of Federal Regulations 34 C.F.R. §300.168 (a) (1-11):

1. Parents 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 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.);
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.

## **Duties**

Duties required by the Code of Federal Regulations 34 C.F.R. §300.169 (a-e):

- a. Advise the State Education Agency (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 SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
- d. Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act;
- e. Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities;

The SEA, after deleting personally identifiable information must provide the SEAP with the due process hearing findings and decisions and make those findings and decisions available to the public. 34 C.F.R. §§ 300.513(d) and 300.514(c)

## **Terms of Membership**

1. The term of each member shall be for up to four years and expire on June 30 of the term end year. In cases where a replacement member has not been appointed, an existing member may continue into the next term until the new appointment is made.
2. Appointments to the SEAP shall be staggered to ensure that only one-fourth of the membership would terminate activities at the end of any given year.
3. Any vacancy in SEAP may be filled for the remainder of the unexpired term.
4. Members in good standing may reapply and be reappointed at the discretion of the governor or any other official authorized under state law to make those appointments.

## **Meetings**

The SEAP shall meet 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 Minnesota Department of Education (MDE). SEAP meetings shall be conducted in facilities that are accessible.

## **Notice of Meetings**

Notice of the SEAP Meetings shall be announced on the Department of Education's Web Page. A central telephone information number of the Special Education Division staff assigned to the SEAP will also be listed in the announcement to assist individuals who wish additional information regarding meeting agendas.

## **Public Comment**

Time will be allotted on each agenda during the SEAP Business Meeting for public comment and additional public input time may be allowed at the discretion of the Chair or MDE Director of Special Education.

## **Agenda and Meeting Minutes**

SEAP meeting agendas will be sent to SEAP members prior to each meeting. Official minutes will be kept on all SEAP meetings and are available to the public upon request.

## **Annual Report**

By July 1 of each year, SEAP will submit an annual report of SEAP activities to the SEA. The report will be posted on the MDE Website.

## **Interpreters and Other Accommodations**

Interpreters and other reasonable accommodations must be provided at SEAP meetings for SEAP members. Interpreter services and other accommodations will be made available upon request and with prior notice.

## **Quorum**

A quorum shall consist of a majority of the current members.

## **Compensation**

Members of the SEAP may be compensated at the state recommended per diem for attendance at SEAP meetings if not released from their employer to serve on this advisory council. SEAP members will be reimbursed for expenses incurred in attending meetings as authorized by the commissioner's plan. (Minn. Stat. § 15.059 subd. 3)

## **Attendance**

Members are expected to attend meetings for the length of their tenure in order to represent their constituency, organization and/or agency and to enhance the effectiveness of the SEAP. Should SEAP members be unable to participate in a meeting, notification is requested as early as possible. After a meeting absence, SEAP members will be notified by MDE to verify interest and ability to serve on the SEAP.

## **Replacement**

SEAP members shall be replaced when the following occurs: the member sends a letter of resignation to the Director of Special Education or the member does not attend three meetings in one fiscal year.

## **Presiding Officers**

- The SEAP elects the Chair and Vice-Chair. The term of these offices will be for one year and expire on June 30 of each year.
- The Vice-Chair will assume all the duties of the Chair in the absence of the Chair and their term shall run concurrently with that of the Chair.
- The Vice-Chair will become the Chairperson-elect effective July 1 of the following year.
- Officers may be re-elected during their tenure as Special Education Advisory Panel members.
- Officers shall be nominated and elected by the SEAP at its first meeting each year.
- The Director of the Division of Special Education and/or designee shall chair the meeting until a chairperson is elected.
- Department of Education staff persons shall oversee Secretary-Treasury functions for the SEAP.

## **Modifications: Changes of Policies and Procedures**

Members may review the operating policies and procedures of the SEAP and recommendations for revisions may be made to the state director of special education.

## **Parliamentary Rules**

The parliamentary proceedings of the SEAP may be governed by Robert's Rules of Order, Revised. Agendas will include action, information and discussion items.

## **Inclement Weather Policy**

It is rare that the Governor will close state agencies including the Minnesota Department of Education due to inclement weather. If MDE closes all scheduled agency functions and meetings will be cancelled.

In the event of a severe weather emergency, the SEAP's meeting cancellation policy will be consistent with the Roseville Area School District closure policy. School closing announcements for Roseville District # 623 are announced on WCCO Radio, WCCO-TV, KMSP-TV, KSTP-TV and KARE-TV by 6:00 a.m. on the day of the weather event. If Roseville School District starts late, the SEAP meeting will start late. If Roseville closes schools, the SEAP meeting will be canceled.

Decisions for rescheduling SEAP meetings canceled due to inclement weather will be made by MDE and SEAP leadership. All efforts will be made to inform SEAP members of this decision within seven (7) days of the meeting cancellation.

Safety first: SEAP members should not travel if weather conditions in their local area are unsafe. Be sure to check on weather and road conditions before traveling and email MDE staff as soon as possible if you can't make the SEAP meeting. SEAP meeting may be accessed on MDE WebEx site for SEAP members unable to attend due to inclement weather. SEAP members should monitor email for information regarding how to connect via WebEx.

MDE will reimburse non-state employees' expenses for SEAP members that may have traveled to Roseville prior to the cancellation of the SEAP meeting due to inclement weather.

Adopted-Special Education Advisory Council, September 1990

Revised-March 1994, April 1998, September 1999, September 2003, November, 2006. August, 2010, January, 2011, March, 2013, September, 2014, September 2016