

State Advisory Panel for Exceptional Children (SAPEC)

May 9, 2013

Quest Conference Center

Agenda

Thursday, May 9, 2013

10:00 AM	Call to Order - Roll Call - Introduction of Guests	Debbie Zielinski, <i>SAPEC Chairperson</i>
10:05 AM	Approval of Minutes Public Comment	Debbie Zielinski, <i>SAPEC Chairperson</i>
10:15 AM	Chairperson's Report - Summary of Meeting Evaluation Results - Ad Hoc Committee Reports due June 20, 2013	Debbie Zielinski, <i>SAPEC Chairperson</i>
10:25 AM	Office for Exceptional Children (OEC's) Report - Operating Standards Status update (Extension and Rule 09 Caseload work) - IDEA Part B Application update - Part B Funds and Impact of Sequester - Biennium Budget - Dyslexia Pilot Update - Status of Alternate Assessment Feedback - Dean's Compact - PBIS Training	Sue Zake, Director and OEC Staff <i>Office for Exceptional Children</i>
11:45 PM	Working Lunch - Ad Hoc Committees meet and draft final report of recommendations	Committee Chairpersons
12:30 PM	Committee Reports - Ad Hoc Committee Report – Secondary Transition - Standing Committees o Membership Committee ▪ Review the ballot of nominees for SAPEC positions – Vice Chairperson; two Members –at –large; extended membership ▪ Comments from Panel members ▪ SAPEC members vote o Policy and Procedures Committee ▪ Review recommended changes to SAPEC Bylaws ▪ Discussion/recommendations and call for vote ▪ SAPEC members Vote on Bylaws or propose changes	Committee Chairpersons

- 1:00 PM SAPEC Learning¹** **Debbie Zielinski,
SAPEC Chairperson**
- **Large group learning:** Presentation and discussion regarding the legislative intent of including an Advisory Panel in the IDEA legislation.
 - **Small group discussion:** Assign roles (facilitator, note taker, time keeper), discuss the questions below, summarize and share your responses during the large group discussion.
 - o What is your role as a SAPEC Panel member?
 - o What skills, expertise, and resource information can you contribute to SAPEC’s purpose(s)?
 - o What information or training do you need to help you fulfill your role?
 - **Large group discussion:** Each table team will summarize and share their responses to the questions.

- 1:50 PM SAPEC Learning or Information Items (Action Items)²** **Debbie Zielinski,
SAPEC Chairperson**
- Results of SAPEC members vote on SAPEC officers and Panel members selected for 1 year extended term.
 - Questions/comments

2:00 PM Agency Reports **Agency
Representatives**

- 2:05 PM Emerging Issues (unmet needs)³** **Debbie Zielinski,
SAPEC Chairperson**
- SAPEC Members have an opportunity to report an unmet need.
 - Update from SAPEC members addressing “**Training of Paraprofessional**”

2:10 PM Member Announcements **Debbie Zielinski,
SAPEC Chairperson**

Future Agenda Considerations

2:20 PM Adjourn

2:20 – 3:15PM Ad Hoc Committees will meet to finalize reports

¹ Information sharing and discussion of background information on new issues presented by OEC staff and/or other resource persons.
² Presentation of items introduced during a previous meeting that require action by SAPEC members.
³ Informal discussion where SAPEC members identify and present “unmet needs and emerging issues” for discussion during SAPEC meetings.

Next SAPEC Meeting: June 20, 2013

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

May 9, 2013

@ Quest Conference and Business Center

Agenda Item	Discussion/Recommendations	Next Steps
<p>Call to Order</p> <p>Roll Call</p> <p>Introduction of Guests</p>		
<p>Panel Business</p> <p>Approval of March 21, 2013 Minutes</p>	<p>Tony Cochran motioned to approve the minutes; April Siegel-Green seconded the motion. Meeting minutes approved.</p>	<p>Finalized meeting minutes will be posted to the ODE website.</p>
<p>Public Comment</p>	<p>No public comment.</p>	
<p>Chairperson’s Report</p>	<p>Ad Hoc Committees final written reports are due at next meeting, June 20.</p> <p>Review of Meeting Evaluation Results from March 21, 2013 meeting</p>	
<p>ODE Report</p>	<p>Operating Standards</p> <ul style="list-style-type: none"> • The Ohio Department of Education Office for Exceptional Children (ODE-OEC) received a lot of good feedback during the regional meetings and public comment period. • Rule 09-Service Delivery (Ratios) – Draft in early June. The information received from the result of the Caseload Ratio Study will inform the changes to this rule. • OEC will send an eblast to inform Panel members when the revised rule has been posted. • Revised Operating Standards should be adopted in January 2014. Implementation in the 2014-2015 School Year. • Operating Standards for Gifted are also being revised on this same timeline. • Member asked about standing of committee to discuss changing the two-tier due process system. Changing to a one tier system will require a legislative change but there are plans for an external and internal advisory group to discuss the due process system that will have representation from SAPEC. 	

Agenda Item	Discussion/Recommendations	Next Steps
	<p>IDEA Part B</p> <ul style="list-style-type: none"> • Submission of Part B Application • Sequestration – Allocation cut by about 5%. IDEA Part-B Allocation for Ohio will be approximately 413 million instead of 433 million. • LEA IDEA Allocations will be posted the first week of June on the ODE website. <p>Substitute HB 59-Budget Status</p> <ul style="list-style-type: none"> • Senate hearings are currently happening. <p>Dyslexia Pilot Project</p> <ul style="list-style-type: none"> • Eight districts were awarded money to implement the pilot project established in HB 96. • Approaching the end of the 1st year of the pilot project and have received summaries of the work. • Reposting an RFP for an external evaluation July 1st. • 3 years of pilots funded by ODE-OEC • Dyslexia Pilot Project is different than the Third Grade Reading Guarantee (TGRG). • TGRG had 13 million in pilot project funds. Ninety-one projects were awarded a TGRG project. <p>Positive Behavioral Interventions and Supports (PBIS)</p> <ul style="list-style-type: none"> • Established a website domain www.pbisohio.org. Content is being drafted and the website should be up for the beginning of the 2014-2015 school year. • Professional development and training will be conducted in August for State Support Team staff on the fundamentals of PBIS. Each SST will have two individuals committed to training LEAs. Embedding PBIS in the OIP process. • ESC staff and possibly higher education staff will be invited to participate in training scheduled for October 2013. • Three tiers of training materials will be available. <p>Restraint and Seclusion</p> <ul style="list-style-type: none"> • Guidance and other resource materials are being developed. 	

Agenda Item	Discussion/Recommendations	Next Steps
	<ul style="list-style-type: none"> • Language has been drafted to include community schools in the implementation of these requirements; however this component of the legislation has not yet been introduced. • Notification requesting feedback was disseminated to Community School administrators and sponsor organizations but no feedback was received. • Panel members recommended that OEC resend the notice to solicit feedback. • Points of Emphasis included in the Restraint and Seclusion guidance includes: <ul style="list-style-type: none"> ○ How do you create the positive environment to improve behavior? ○ Data Collection ○ Certification of Training • ODE will not recommend use of specific programs but will provide guidance on the needed components of programs that may be selected by districts. <p>Statewide Assessment: Partnership for Assessment of Readiness for College and Careers (PARCC Accommodations Manual) Panel members received a link to share with others interested in providing feedback on the PARCC Accommodations Manual. PARRC is a multi-state consortium and Ohio is only one voice in the consortium. Ohio has concerns about several areas in the proposed manual regarding</p> <ul style="list-style-type: none"> • not allowing a read-out accommodation, • use of scribes, and • accessing assistive technology and use of a calculator. <p>Alternate Assessment Scores will be received in June. Content specific modules will be released soon thereafter to assist teachers in teaching the academic content standards. OEC will review the National Alternate Assessment guidelines when they are released.</p> <p>Ohio Dean’s Compact on Exceptional Children</p> <ul style="list-style-type: none"> • Public and private universities are represented. All of the universities 	<p>Several members recommended the survey be resent to Community School leaders. ODE will take the recommendation into consideration.</p>

Agenda Item	Discussion/Recommendations	Next Steps
	<p>have teacher preparation programs. Began meeting in December.</p> <ul style="list-style-type: none"> • Advise ODE-OEC on issues related to improving the system of preparation and ongoing support for professionals who work with children and youth receiving special education services. • Upcoming Work from the Compact– an RFP to conduct a study of teachers who work with students with Low Incidence disabilities and a higher education conference. • Only one university in Ohio has a program for preparing teachers who work with students with visual impairments. This program graduates less than 10 students a year. The research study should provide OEC with recommendation on the structure of teacher preparation programs. 	
<p>Committee Reports</p> <p>Ad Hoc Committee Reports</p>	<p>Secondary Transition Ad Hoc Committee – Vicki Clark and Kathleen Hall</p> <p>Problem 1: The new proposed Ohio Operating Standards have reduced requirements for school districts in regards to employing a certified individual to provide post-secondary transition services.</p> <p>Recommendation 1: Specify in the new Operating Standards what positions school employees should hold to provide transition services.</p> <p>One misconception is that a person developing a Transition plan should have a Transition credential. Secondary Teachers are doing this work already. The rule change is to bring clarity to the language.</p> <p>Problem 2: Parents require more guidance about available Transition services because the inconsistency of post-secondary services available to students with disabilities varies widely across Ohio.</p> <p>Recommendation 2: Provide an appendix in the “Whose IDEA Is This?” booklet which lists state agencies that are available to assist families with post-secondary transition (e.g., Board of Developmental Disabilities, BVR, Social Security, Success for Youth, Job and Family Services) along with a brief description of what services each agency may provide for an eligible individual.</p>	

Agenda Item	Discussion/Recommendations	Next Steps
<p>Standing Committee Reports</p>	<p>Discussion regarding BVR services noted that services available across the state are inconsistent. BVR does not accept school records. Ohio RSC noted – the lack of inconsistency across state, not serving a large number of transition youth and not a lot of success for those receiving services. Planning to work with ODE to better serve transition youth with disabilities.</p> <p>A Panel member recommended the following resource “Post-Secondary Transition: Building The Future” which can be accessed from the Ohio Coalition’s website.</p> <p>Membership Committee – Loretta Coil and Elaine Siefing</p> <p>Term Extensions and Vacant Positions The SAPEC Bylaws state that terms are to be staggered so that no more than 1/3 of the panel is new. To keep in line with this, a lottery was held for those interested in extending their terms for a year. Names randomly selected were:</p> <ul style="list-style-type: none"> • Staci Anderson, Tony Cochran, Vicki Palur, Myrrah Satow, Michelle Wagner and Victoria Baker-Willford - Term 1 now expires in 2016. • Mary Binegar, Elaine Siefing, April Siegel-Green and Sandee Winkelman – Term 2 now expires in 2016. <p>The Membership Committee received one Panel member resignation, one termination of membership and the current chairperson, Debbie Zielinski’s term expires in July 2013. This leaves 3 vacancies. Names were selected from member applications received in 2013. The Executive Committee voted on four candidates including one person identified as an alternate. The new members will be invited to attend the June 20, 2013 meeting.</p> <p>Voting for Vice-Chair and Members-at-Large:</p> <ul style="list-style-type: none"> • Kate Kandel – Running for Vice-Chair • Jennifer Elliott – Running for Member-at-Large, parent. • Tony Cochran – Running for Member-at-Large, individual with a disability and a school administrator. <p>Tom Ash motioned for nomination to be closed and to vote on the entire ballot. Unanimous vote. Ballot approved as written</p>	

Agenda Item	Discussion/Recommendations	Next Steps
	<p>Policy and Procedures Committees: Marsha Wiley SAPEC Bylaws – Handout The following changes were recommended:</p> <ul style="list-style-type: none"> • Article III Sections 3, 4, 5 and 6: Proposing to separate out two categories of members – Agency Members and Majority Members (individuals with disabilities and parents of children with disabilities) due to Term Limits. • Article II Section 2: Added the name of the authorizing act (IDEA) to the bylaws. • Article III Section 1 - Change “or” to “and” regarding private schools and community/charter schools. • Ex-Officio members cannot run for office. <p>Motion to approve – Tony Cochran, Elaine Siefring seconded. Unanimous vote. Bylaws approved.</p>	
<p>SAPEC Learning or Information Items:</p>	<p>Small group discussion: Legislative Intent of Including the Advisory Panel in IDEA Legislation</p> <ul style="list-style-type: none"> • What is your role as a SAPEC Panel Member? • What skills, expertise and resource information can you contribute to SAPEC’s purpose? • What information or training do you need to help you fulfill your role? 	<p>ODE will summarize the responses and share with the SAPEC Executive Committee to review for planning future meetings.</p>
<p>SAPEC Learning or Information Items (Action Items):</p> <p>Unmet Need: Paraprofessional Preparation</p>	<p>Tabled until next meeting</p>	<p>Place on next meeting agenda.</p>
<p>Agency Reports</p>	<p>Ohio Association of County Boards of Developmental Disabilities – Jed Morison</p> <ul style="list-style-type: none"> • May 23 and 24th Conference at the Polaris Hilton. • Spending a lot of time on the state budget: focusing on preschool funding, Employment First funding and provider rates for Medicaid. <p>ODJFS - David Beck</p> <ul style="list-style-type: none"> • Amending Foster Care Rules. Meeting for the last 1 ½ years to revise. Over 100 rules. • This is David Beck’s last meeting and he will be replaced by Jennifer Kobel who attended this meeting with him. 	

Agenda Item	Discussion/Recommendations	Next Steps
	<p>ODRC – Janee Brandt</p> <ul style="list-style-type: none"> • Preparing students to take the GED exam, new online system for the exam. • Noted that the Ohio legislature recently passed an increase in the cost of the GED exam. This increase could impact access for individuals with disabilities, individuals in rural communities and individuals with limited resources. <p>ODYS - Dana Hollis</p> <ul style="list-style-type: none"> • Part B Services – The agency has been involved with federal monitoring as a result of lawsuits filed against ODYS. The education department received a clearance notification from USDOE that they are satisfied with the progress being made and they are lessening oversight. 	
Emerging Issues	Panel members discussed several concerns including Bullying of children with disabilities. They discussed how to raise awareness of bullying among children with disabilities.	
Member Announcements	<p>BASA-Tom Ash</p> <ul style="list-style-type: none"> • State budget changes may include a provision for a change in “local share” and excess costs. • The new formula may move to .5 services for preschool special education students. • Human trafficking training. Attention needs to be paid to special education children who may be vulnerable to this. <p>Other Discussion: Statistics say that 80% of children with disabilities are molested. Children with disabilities are also bullied more.</p> <p>Kathy Hall: OTES/OPES – Does not apply to some service providers. School Counselors are not included. The American School Counselor’s Association has developed a rubric that can be used for evaluation.</p>	
Future Agenda Considerations	None received.	
Process Check	Look for a link to the survey that will be sent out this afternoon.	Please respond to the survey.
Adjourn	Motion to adjourn from Tom Ash, Carol Scally seconded. Meeting adjourned. Next meeting is June 20 th .	

STATE ADVISORY PANEL FOR EXCEPTIONAL CHILDREN

March 21, 2013

@ Quest Conference and Business Center

Agenda Item	Discussion/Recommendations	Next Steps
Call to Order		
Roll Call		
Introduction of Guests		
Panel Business		
Approval of Jan. 17, 2013 Minutes	<p>Handout - Jan. 17, 2013 Meeting Minutes</p> <p>Bill Bauer motioned to approve the minutes; April Siegel-Green seconded the motion. No objections or abstentions. Meeting minutes approved.</p>	<p>Approved Meeting Minutes posted to ODE website.</p>
Public Comment	<p>No public comment received.</p>	
Chairperson's Report	<p>Update on the Proposed Unmet Need - Training for Paraprofessionals Who Work With Students with Disabilities</p> <p>This proposal was discussed by the Executive Committee and the decision was made to proceed with this recommendation. A committee will be formed to look into this subject further and develop recommendations.</p> <p>SAPEC Member Expectations</p> <p>Attendance is expected for the full meeting and all meetings. If you miss three meetings, your term may be terminated. If the member can no longer meet the requirements of being a panel member, members may resign and reapply at a later time when the time commitment can be made.</p> <p>Meeting Evaluation</p> <p>Overview of the evaluation of last meeting. 18 replied to the survey. Please respond to the survey after the meetings to help inform future meetings.</p>	<p>Committee will be formed to look into the subject further and develop recommendations.</p> <p>Members respond to meeting evaluation.</p>
ODE Report	<p>House Bill 59 State Operating Budget for FY2014-2015 Executive Budget</p> <ul style="list-style-type: none"> • Beginning of the process, final budget July 1, 2013 • More money proposed for education: the funding formula changed; new catastrophic reimbursement amount; new formula for Peterson Scholarship Program. 	<p>Panel members requested a copy of this PowerPoint presentation.</p>

Agenda Item	Discussion/Recommendations	Next Steps
	<ul style="list-style-type: none"> • Core elements of New Funding Program <ul style="list-style-type: none"> ○ Opportunity grant-per pupil property valuation basis every 3 years; targeted assistance-add on to determine per pupil amount, different for each district; special education aid-weights were removed and changed to a flat dollar amount; gifted funding; LEP funds; economically disadvantage funds; early childhood access funds • Jon Peterson Scholarship <ul style="list-style-type: none"> ○ Under continuing law, the scholarship is the least of the fees charged by the provider, \$20,000 or a calculation based on the special education category of the student. ○ Under executive proposal, the calculation is equal to the per pupil amount of the resident district’s opportunity grant plus additional special education aid. • Catastrophic Reimbursement/Exceptional Cost Reimbursement <ul style="list-style-type: none"> ○ 15% of LEAs special education GRF allocations diverted into a separate account for high cost special education reimbursement (Approximately \$116 million, formerly \$10 million). • Special Education Enhancements: Parent mentor grants; school psychology interns; special education-DD and Institutions; preschool special education. • DDs: funds directly from the state not through the district of residence. Per pupil amount based on DOR plus special education amount times DOR state share plus per pupil amount of target assistance based on DOR. • Institutions (MH, DYS, DRC): multiplies the institutions ADM in each special education category by the category amount and then adds that to the sum of the students from each resident district times the resident districts per pupil amount of targeted assistance. • Early Childhood: end to unit funding; 4,000 per ADM + special education aid based on 6 categories times DOR state share times 0.5 (to reflect ½ day programs) • Legislative Services Commission (LSC) website has user friendly guide that analyze the budget, called the Red Book, that breaks down the budget by section/state department. <p>Operating Standards Update Draft 2 posted online and comments are being accepted. Regional meetings were held in various parts of the state. The regional meeting in Wapakoneta was</p>	<p>Additional information on the Jon Peterson Scholarship can be found on www.education.ohio.gov keyword search Jon Peterson.</p>

Agenda Item	Discussion/Recommendations	Next Steps
	<p>rescheduled for next Tuesday, March 27th. An extension was received to extend the deadline to the end of the year. Pursued extension to continue revisions to Rule 3301-51-09. Caseload Ratio group is still finalizing their study and should be concluded in the next month or two. This data will assist with the revision of this rule. ODE will be doing soft implementation since the changes in the Operating Standards become effective during in the middle of a school year.</p> <p>IDEA Part B Application The IDEA Part B Application is posted for public comment on the ODE website and legal notices were placed in three newspapers (Cleveland, Columbus and Cincinnati). ODE is accepting written public comments from April 1st through May 3rd. Comments received will be included in the application submitted. The application is due to OSEP May 10th.</p> <p>Third Grade Reading Guarantee The parent friendly document about the Third Grade Reading Guarantee that the panel provided feedback on is with the ODE communications department. ODE will share the document with SAPEC once it is finished. The students with disabilities guidance document/FAQ has been updated to reflect proposed legislative changes around teacher credentials. Senate Bill 21 has proposed exempting students with significant cognitive disabilities (students who take the alternate assessment)/significant disabilities from the screening/ assessment and reading improvement plans. Still an individual child decision. Bonnie Nelson and Molly Fender are contacts in the Office for Exceptional Children.</p> <ul style="list-style-type: none"> • Member commented that there is lack of understanding of how to assess the reading skills of non-verbal students. <p>Positive Behavior Interventions and Supports (PBIS) and Seclusion and Restraint The policy passed through the State Board of Education and becomes effective in the 2013-2014 school year. Public comments were received that expressed concerns that Community Schools are not included in the policy and that the proposed rule did not go far enough. The State Board of Education decided to explore the option of including community schools. ODE contacted the Community Schools to get their feedback on applying this policy to them and what impact it would have. No responses have been received. ODE is developing model policy for districts around PBIS, online modules and resources.</p>	

Agenda Item	Discussion/Recommendations	Next Steps
	<p>Parent Surveys - Handout Annually, ODE sends a survey to parents of children with disabilities receiving services. This survey is connected to State Performance Plan (SPP) Indicator 8 and was developed by the National Center for Special Education Accountability Monitoring (NCSEAM). The districts are to randomly select parents of students with disabilities to complete the survey. ODE contracts with the Ohio Coalition for the Education of Children with Disabilities (OCECD) to synthesize the responses. The data received from these surveys are used to drive improvement opportunities conducted by the parent mentors and state support team parent family contacts.</p> <p>Panel member suggested targeting what parents receive the survey so the districts are not selecting specific parents.</p> <ul style="list-style-type: none"> • ODE cannot select which parents receive the survey but we could target it in ways such as selecting a specific disability category or birthdays falling in a certain month. • Consider posting the survey to the website was another suggestion. <p>Parent Request for Evaluation Letter - Handout ODE presented the final draft and requested feedback from the panel.</p> <p>Parental Consent for the Use of Public Benefits or Insurance to Pay for Services under the IDEA Parents were required to sign a consent annually. This change allows districts to obtain informed consent once. Upon receipt of parent consent, the district must send an annual notice to the parent. This became effective March 18, 2013 with soft implementation so that it will go into effect the 2013-2014 school year. Withdrawal of permission does not mean withdrawal of service. Mark Smith is ODE’s Medicaid liaison.</p> <p>Guidance from OCR: Ensure that Students with Disabilities Enjoy Equal Opportunity to Participate in Extracurricular Athletics</p> <ul style="list-style-type: none"> • Appropriate to provide accommodation and modifications to allow the student with a disability to participate. • Offering separate or different athletic opportunities may be appropriate for some children (organized involvement, cooperative across multiple districts, etc.) 	<p>ODE will take the panel’s recommendations into consideration.</p> <p>Panel members send feedback to ODE.</p>

Agenda Item	Discussion/Recommendations	Next Steps
	<ul style="list-style-type: none"> • For the Vice-Chair position there was one applicant: Kate Kandel. Kate will not be at the next meeting and she gave a brief presentation on her background and why she applied for the position. • Voting will occur at the next meeting for these positions. Important for members to attend the next meeting to vote on these positions. • Letters were sent out to Panel members who have missed 2 or more meetings. <p>Policy and Procedures Committee Report - Marsha Wiley-Chair Working on changes to the bylaws to separate agency personnel from other members related to term limits, how they apply and how they are appointed. Further discussion on the bylaws will take place during the May meeting.</p>	
<p>SAPEC Learning or Information Items:</p>	<p>Data Tools Available Online - Handout Interactive Local Report Card (iLRC) and the Data Warehouse</p> <ul style="list-style-type: none"> • Find a District Report – Report Card for each district • Find a School Building Report – Report card for each building • Power User Reports – Customizable <ul style="list-style-type: none"> ○ Can be building level, district level or state level. ○ Enrollment reports available <ul style="list-style-type: none"> ▪ Enrollment by student demographics <ul style="list-style-type: none"> • Disability (all students with disabilities) or Disability flag (all students with IEPs) ○ Multiple school years available ○ Can create a PDF of the data or pull data into an excel file ○ Multiple formatting options • Download Data – Customizable • Reports available on: discipline; enrollment; early learning; graduation rate; mobility rates; participation rate-includes assessment data; performance index; revenue and expenditures; student attendance; teacher data; test results-standardized tests. Can disaggregate by up to 3 categories at a time. • Data is masked. When fewer than 10 students, it does not show up due to masking which is important to know when looking at building level data. <p>The ODE data warehouse is in the process of being redesigned and becoming more comprehensive.</p>	

Agenda Item	Discussion/Recommendations	Next Steps
	<p>IDEA Platform State Board of Education (SBE) is developing an IDEA Platform. However, IDEA may not be reauthorized for up to five years. SBE develops platforms for each major act.</p> <p>Education of Children with Disabilities - Core Provisions in Law: improving educational results for children with disabilities: free appropriate public education (FAPE); child-find; individualized education program (IEP); parents as partners; least restrictive environment; and Procedural Safeguards</p> <p>Key Issues of IDEA 2004: increased the federal share of special education cost; continued procedural safeguards; some alignment with NCLB; focus on student outcomes; college and career ready; and ease the paperwork burden.</p> <p>Areas identified by ODE-OEC related to key issues in next reauthorization:</p> <ul style="list-style-type: none"> • Closer alignment between IDEA and ESEA: Accountability-testing and graduation rate; discipline; multi-tiered systems of support (RtI); compliance with fund maintenance of effort, supplement not supplant; and flexibility in use of funds • Reduce the emphasis on IDEA process compliance requirements • Increase emphasis on results for students with disabilities <p>Panel Feedback Panel members held table discussions to identify areas in IDEA that are most important to keep and areas that need to be changed. Tables reported out their top areas and their other areas were recorded and submitted to ODE to be reviewed and compiled for consideration.</p> <p>Important:</p> <ul style="list-style-type: none"> • Specially designed instruction <p>Needs Changed:</p> <ul style="list-style-type: none"> • NCLB-Graduation rate punishment; • Funding level – full funding; • Mental Health: Identification relating to categories-IDEA should better address mental health disabilities; Flexibility of funding for mental health needs; • Ratio/Caseload; • Delivery of services where the students are; and • Category for fine motor delay 	<p>Send members a copy of the Power Point presentation.</p> <p>ODE will compile the panel members' responses and take them into consideration.</p>

Agenda Item	Discussion/Recommendations	Next Steps
SAPEC Learning or Information Items (Action Items):	<p>Unmet Need: Paraprofessional Preparation Creation of a subcommittee to develop ideas, review data and develop recommendations for the panel to react to. Kate Kandel will chair this subcommittee with Tony Cochren serving as support. Panel members who volunteered to participate in the subcommittee were Michelle Wagner, Jennifer Kirby.</p>	
Agency Reports	<p>Agency Reports</p> <p>Ohio Association of County Boards of Developmental Disabilities (OACB) – Jed Morison OACB is recruiting for executive director. Spring conference, May 23-24, at the Polaris Hilton. Details available at OACB website. Agency focusing on state budget issues: Employment First and funding for Intermediate Care Facilities.</p> <p>Ohio Department of Developmental Disabilities (DODD)– Katrina Bush Feb 22nd the Ohio Department of Mental Health (ODMH), DODD and Ohio Department of Health (ODH) met with stakeholders to discuss collaboration to meet Part C, IDEA requirements, and state requirements.</p> <p>ODMH – John Hurley Office hired early childhood mental health specialists who will work with 20-25 early childhood specialists throughout the state. The governor’s office will provide 5 Million dollars for Respite care. DODD and ODMH released request for proposals for people to create new or expand existing services around respite care and emergency services.</p>	
Emerging Issues	No unmet needs or emerging issues were presented.	
Member Announcements	No member announcements.	
Future Agenda Considerations	None received.	
Process Check	Look for a link to the survey that will be sent out this afternoon.	Members respond to survey.
Adjourn	Motion to adjourn from Tony Cochren, Marsha Ward seconded. Meeting adjourned.	Next SAPEC meeting is May 9 th .



State Advisory Panel for Exceptional Children Bylaws and Operating Procedures

Originally adopted on – November 12, 2004

Amended – September 11, 2012

Effective Date – July 1, 2010

SAPEC Bylaws and Operating Procedures

Article I

Name

Section 1. The name of the organization shall be the State Advisory Panel for Exceptional Children (herein referred to as the "SAPEC").

Authorizing Legislation

Section 2. SAPEC is established in accordance with 34 Code of Federal Regulations (C.F.R.) Sections 300.167 – 300.169 and Ohio Revised Code 3323.06(B).

Article II

Purpose

Section 1. SAPEC shall advise the Ohio Department of Education (ODE) on the education of children with disabilities. SAPEC's purpose is to provide a broad base of input to the ODE Office for Exceptional Children (OEC) and State Superintendent of Public Instruction regarding policies, practices, and issues related to the education of children and youth with disabilities who are between the ages of birth through 21 years of age. In addition to the required federal mandates for State Advisory Panel members, SAPEC will investigate best practices and anticipate future needs for special education in Ohio.

Duties

Section 2. [In accordance with the Individuals with Disabilities Education Act,](#) The duties of the Panel are to:

- 1) Advise ODE of unmet needs within the State in the education of children with disabilities;
- 2) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;
- 3) Advise ODE in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
- 4) Advise ODE in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act;
- 5) Advise ODE in developing and implementing policies relating to the coordination of services for children with disabilities;
- 6) Advise on the education of students with disabilities incarcerated in the Department of Youth Services and students with disabilities convicted as adults and incarcerated in adult prisons (Department of Rehabilitation and Corrections);
- 7) Provide input into Ohio's State Performance Plan (SPP); and
- 8) Encourage policies to assist in closing the achievement gap.

Article III

Membership

Section 1. Membership of SAPEC as specified in Federal Regulations at 34 C.F.R. 300.168 is to include, but not be limited to, at least one person from each of the following groups:

- 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 or 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 ~~or~~ 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 Welfare Agency responsible for foster care; and
- 11) Representatives from the State juvenile or adult corrections agencies.

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

Panel membership shall reflect racial and ethnic diversity and regional representation to the extent possible. Members may also serve a dual role. A dual role is defined as a person who serves as (a) a representative described in categories 3 through 11 and is (b) a parent of a child with a disability and/or an individual with a disability.

Ex-officio Members

Section 2. Membership shall also include Ex-officio members representing the Ohio State Board of Education and the ODE. Ex-officio members may be added to serve on specific ad hoc committees at any time. [Ex-officio members cannot run for office.](#)

Appoint Agency Membersments and Selection

Section 3. [Agency members represent Ohio service providers and agencies \(see Article III, Section I, categories 3-11\), and are appointed through ODE OEC in collaboration with state agencies and organizations as needed to ensure appropriate representation as required by law.](#)

~~OEC will seek members from agencies and organizations based on the categories they represent and the expertise needed to support SAPEC's role in providing advice on policies, practices and issues related to the education of children and youth with disabilities. While the members are chosen on the basis of such categories and speak as members of the groups they represent, they participate as individuals whose sole interest is in the education and welfare of children and youth who have disabilities.~~

Majority Members

~~Section 4. Members of SAPEC representing individuals with disabilities and parents of children with disabilities (see Article III, Section I, categories 1-2) will be selected through a nomination process.~~

~~Nominations for SAPEC membership will be requested in the fall of each year. Nominations for SAPEC membership may be submitted by interested parties who reside in the State of Ohio. Parents of children with disabilities (ages birth through 26) and individuals with disabilities who reside in the State of Ohio may submit nominations. Information about the membership nomination process shall be made available by the ODE OEC and distributed through SAPEC members and other appropriate sources. Interested persons may must seek nomination personally, but or be nominated by current SAPEC members or by and organizations and agencies throughout Ohio may encourage individuals to apply for consideration as members.~~

~~Nominated candidates will go Members of SAPEC shall be selected through the nomination process a selection process as set forth in these Bylaws and Operating Procedures. Nomination forms submitted will be presented to the Membership Committee of SAPEC. The Membership Committee will review the submitted nomination forms and select a list of candidates for membership in consultation with the Director for of the OEC. The list of nominated candidates recommended by the Membership Committee will then be voted on by SAPEC, and submitted to the State Superintendent of Public Instruction, or the Superintendent's designee, for approval and appointment.~~

~~Members Both Agency and Majority Members shall be officially notified of their selection, in writing, by the State Superintendent of Public Instruction.~~

~~OEC will solicit nominations from agencies and organizations as required by Federal Regulations based on the categories they represent and the expertise needed to support SAPEC's role in providing advice on policies, practices and issues related to the education of children and youth with disabilities. While the members are chosen on the basis of such categories and speak as members of the groups they represent, they participate as individuals whose sole interest is in the education and welfare of children and youth who have disabilities.~~

Terms of Membership

~~Section 4.5. The terms of membership shall be as follows:~~

- 1) ~~The term of each~~ Each Majority Member shall ~~be serve a term~~ for three years ~~and that will~~ expire on June 30th of the third year. In cases where a replacement member has not been ~~appointed~~selected, an existing Majority member may continue into the next term until the new Majority appointment is made~~member is chosen~~ if that is the recommendation of the Membership Committee.
- 2) ~~Appointments to~~Terms of SAPEC Majority Members shall be staggered to assure that only one-third of the membership terms would expire at the end of any given year.
- 3) Eligible Majority members in good standing may reapply through the aforementioned nomination process.
- 4) When possible, Agency Members will abide by these term limits as well; however, the continuation of an individual Agency Member is at the discretion of ODE/OEC and the respective agency that individual represents.

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~~Members-All members~~ of SAPEC are expected to attend meetings for the length of their tenure in order to represent their constituency, organization or agency and to enhance the effectiveness of SAPEC. Attendance is defined as the physical presence of the SAPEC member. Should SAPEC members be unable to participate in a meeting, it is their responsibility to notify an OEC staff liaison of their anticipated absence. Notification is requested as early as possible.

Term Limits

Section 65. After the first term of service, each eligible ~~member~~ Majority Member of SAPEC may reapply for a second term as outlined in Article III Section 43. Each ~~member~~ Majority Member will be limited to two consecutive terms of service. After a three-year (1 term) break in service, former members who continue to meet membership requirements may reapply for SAPEC membership. These term limits will be implemented effective as of the date of the adoption of these Bylaws and Operating Procedures (July 1, 2010). For purposes of implementing these term limits, all members as of that date will be treated as though they are currently serving their first term, and thus will be eligible to reapply for one more three-year term.

Substitute/Designees

Section 76. If necessary, SAPEC members may, for information purposes only, opt to send a substitute to meetings. Substitutes will not be empowered to vote. If a substitute is sent to a SAPEC meeting, it is the responsibility of the SAPEC member to fully inform the substitute of the work of SAPEC and also notify the OEC staff liaison of the anticipated participation of the substitute. Since the work of SAPEC is dependent upon consistent participation of voting members, it is anticipated that the use of substitutes by members will be limited. Substitutes may be reimbursed for expenses at the same level as the SAPEC members the substitutes represent. Attendance by substitutes shall not constitute attendance by members as stated under Article III Section 54.

Resignation/Termination

Section 87. SAPEC members may be replaced when the following occurs:

- 1) The member sends a letter of resignation to the SAPEC Chairperson; or
- 2) The member does not attend three (3) meetings in one (1) fiscal year.

After two (2) absences in one (1) fiscal year, either the Chairperson or a representative from OEC will contact the SAPEC member to verify interest and ability to serve as a SAPEC member.

A resignation shall take effect on the date of receipt of the notice. Unless otherwise specified in the notice, the acceptance of the resignation shall not be necessary to make it effective.

When a Panel member resigns or is removed, the Chairperson will notify the Membership and Elections Committee of the vacancy on the Panel. The Membership and Elections Committee in consultation with the Director of the OEC may review the eligible applicants on file and recommend a replacement, or the committee may recommend that the position remain vacant until the next cycle of appointments. If the resigning member was appointed to represent a state organization or agency on the Panel, ~~the Chairperson~~ ODE OEC will contact the appointing authority of that agency to request a new representative to SAPEC to fill the remainder of the term.

Compensation

Section 98. SAPEC members shall serve without compensation but may be reimbursed for reasonable and necessary expenses incurred as a result of attending meetings and performing duties within the limits provided in the rules of the State of Ohio and of the ODE. Expenditures shall be consistent with Ohio's reimbursement rules and must be approved by ODE.

Nondiscrimination Statement

Section 109. The ODE does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or in the provision of services.

Orientation

Section 119. The SAPEC Chairperson and representatives from OEC will conduct an orientation program for all new SAPEC members. Orientation shall be scheduled in August or September of each year. New members of SAPEC will be provided documents that will serve as a resource to SAPEC members in carrying out their activities and responsibilities.

Article IV

Meetings

Section 1. SAPEC shall meet as often as necessary to conduct its business but not less than four (4) quarterly meetings in each fiscal year (July to June), and shall be open to the public. Meetings shall be held in buildings that meet all applicable Federal and State accessibility standards.

The minutes and notes of any regular or special meeting of SAPEC and any committee or subcommittee of SAPEC shall be promptly prepared, filed, maintained,

and be open for public inspection. The minutes of an executive session of SAPEC and any committee or subcommittee of SAPEC need only reflect the general subject matter of the discussion in executive session.

Non-SAPEC members are welcome to attend meetings and may address any issue on the agenda after the non-SAPEC member has been recognized by the Chairperson. Non-SAPEC members shall occupy designated seating. Non-SAPEC members may not vote.

Parliamentary Procedures

Section 2. The parliamentary proceedings of SAPEC may be governed by *Roberts Rules of Order, Revised*. Agendas may include action, information and discussion items.

Quorum and Voting

Section 3. A quorum shall consist of a majority of voting SAPEC members. Actions of SAPEC on any proposal, questions or other matters presented to SAPEC members during a meeting for which a quorum is present shall require an affirmative vote of a simple majority of attending voting members.

No member of SAPEC may vote on any matter that provides direct financial benefit to that member or if that member has a conflict of interest as defined by the Ohio Ethics Commission.

Special and Emergency Meetings

Section 4. Special or emergency meetings of SAPEC may be called by the Chairperson after consultation with the Executive Committee and the Director of the OEC. At least 24 hours of notice will be provided to the public regarding any special meeting. Emergency meetings shall be called only in the event of an emergency requiring immediate official action, and notice shall be sent out immediately in the event that an emergency meeting is scheduled.

Notice of Meetings

Section 5. All SAPEC meetings and agenda items must be announced enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public. Any person may ascertain the time and place of all regularly scheduled meetings and the time, place and purpose of all special meetings of SAPEC, and any committee or subcommittee of SAPEC, or request notification of upcoming special or emergency meetings by:

- 1) Writing to: Ohio Department of Education, SAPEC Liaison-Office for Exceptional Children, 25 South Front Street, Mail Stop 202, Columbus, Ohio 43215-4183; or
- 2) Calling OEC's SAPEC Liaison at (614) 466-2650 or TTY (614) 752-1619.

Any person who plans to attend a meeting of SAPEC and is requesting an interpreter or other needed services at the meeting may submit a request for such services to OEC's SAPEC Liaison at the above address or by fax at (614) 387-0968. A request for such services shall be submitted at least seven (7) days prior to the meeting.

All SAPEC meetings shall be open to the public and notice given to the appropriate parties in accordance with Ohio Law.

Article V

Officers, Terms and Duties

Section 1. SAPEC members shall elect the Chairperson and Vice Chairperson and four members to be Members-at-Large. A new Vice Chairperson and Members-at-Large shall be nominated from the members and elected by SAPEC members at SAPEC's final meeting of the fiscal year preceding a vacancy in that office. [Ex-officio members cannot run for office.](#)

Nominating the Vice Chairperson

Section 2. SAPEC members shall be invited to submit a letter of interest for the office of SAPEC Vice Chairperson by January 31st of the current term. Letters of interest must indicate the member's willingness to commit to the term requirements and include a brief biographical description. Letters of interest should be sent to: Ohio Department of Education, SAPEC Liaison-Office for Exceptional Children, 25 South Front Street, Mail Stop 202, Columbus, OH 43215.

The Vice Chairperson will be elected in accordance with the procedures conducted by the Membership & Elections Committee as stated in Article VI Section 3. Any member submitting a letter of interest for the office of SAPEC Vice Chairperson should be prepared to make a five (5) year commitment. If the interested member represents parents of children with special needs solely (not a dual role), the member's child must be age 21 or younger at the time that the member submits a letter of interest.

Terms of the Chairperson and Vice Chairperson

Section 3. The term of Chairperson and Vice Chairperson will be for two (2) years and expire on June 30th of the second year in which he or she was elected. The Vice Chairperson shall serve as Chairperson-elect and his or her term shall run concurrently with the Chairperson's term. Specifically, the Vice Chairperson is expected to serve as follows:

- 1) Two (2) years as Vice Chairperson;
- 2) Two (2) years as Chairperson;
- 3) One (1) year as immediate Past Chairperson. The individual may vote as a panel member if his or her term has not expired; the individual may serve in an ex-officio capacity if his or her term has expired.

Extension of Membership

Section 4. An exception to the aforementioned term of membership and term limits shall apply in the event that the term of membership or eligibility for further membership expires for either the Chairperson or the Vice Chairperson while either is in office. In that case, the term and eligibility for the Chairperson or Vice Chairperson will be

extended until the person's term as Chairperson has expired, unless the member is terminated in accordance with the requirements outlined in Article V Sections 9 and 10.

Duties of the Chairperson

Section 5. The duties of the SAPEC Chairperson are to:

- 1) Lead all SAPEC meetings;
- 2) Appoint committee members who may include outside experts who serve in a consultative or advisory capacity;
- 3) Form ad hoc committees and appoint ad hoc committee chairs;
- 4) May remove committee chairs in consultation with the Executive Committee.
- 5) Serve on the Executive Committee and other committees, as appropriate;
- 6) Work with the Director of the OEC to develop meeting agendas and to certify the accuracy of the meeting minutes;
- 7) Assist with the preparation of the State Advisory Panel's Annual Report; and
- 8) Serve as the immediate past chairperson to:
 - a) Provide transition to the new chairperson;
 - b) Serve as a resource person to members of SAPEC; and
 - c) Provide assistance to new members.

Duties of the Vice Chairperson

Section 6. The duties of the SAPEC Vice Chairperson are to:

- 1) Serve as Chairperson elect;
- 2) Assume all the duties of the Chairperson in the absence of the Chairperson;
- 3) Serve on the Executive Committee and the Membership and Elections Committee;
- 4) Assume the role of Chairperson upon either the expiration of the Chairperson's term or the resignation of the Chairperson.

Nominating Members-at-Large

Section 7. SAPEC members shall be invited to submit a letter of interest for Member-at-Large by January 31st of the current term. Letters of interest must indicate the member's willingness to commit to a two (2) year term as a Member-at-Large and include a brief biographical description. Letters of interest should be sent to: Ohio Department of Education, SAPEC Liaison-Office for Exceptional Children, 25 South Front Street, Mail Stop 202, Columbus, OH 43215. To serve as a Member-at-Large, individuals must be current panel members and represent the general membership on issues of interest or concern to the Executive Committee as described in Article VI Section 1.

Duties of Members-at-Large

Section 8. The duties of the Members-at-Large are:

- 1) Represent the panel on the Executive Committee; and
- 2) Represent the Executive Committee on standing and ad hoc committees as needed.

Resignation/Removal of the Chairperson

Section 9. A vacancy occurs in the office of Chairperson if:

- 1) The Chairperson resigns from the office of Chairperson by submitting a letter of resignation to the Director of the OEC and the Vice Chairperson; or
- 2) The Chairperson resigns as a member of the panel.

When a vacancy occurs in the office of Chairperson, the Vice Chairperson will immediately assume the office of Chairperson, thereby creating a vacancy in the office of Vice Chairperson.

Resignation/Removal of the Vice Chairperson

Section 10. A vacancy occurs in the office of Vice Chairperson if:

- 1) The Chairperson resigns and the Vice Chairperson assumes the duties and role of the Chairperson; or
- 2) Vice Chairperson resigns as a member of the panel or is removed in accordance with Article III Section [87](#); or
- 3) Vice Chairperson resigns from the office of Vice Chairperson by sending a letter of resignation to the Director of the OEC and the Chairperson.

When a vacancy occurs in the office of Vice Chairperson, the Chairperson shall notify all members of the panel by electronic mail that the vacancy exists. The Membership & Elections Committee will notify the panel members of the deadline for letters of interest and the date when a special election will be held in accordance with Article VI Section 3 to fill the vacancy. In a special election, the panel member selected as Vice Chairperson will fill the vacancy for the remainder of the term. The schedule of regular elections for Chairperson and Vice Chairperson will continue on the previously established two (2) year cycle in the spring of odd numbered years.

Resignation/Removal of Members-at-Large

Section 11. A Member-at-Large may be replaced by the remaining members of the Executive Committee when the following occurs:

- 1) The Member-at-Large resigns from the Executive Committee by sending a letter of resignation to the SAPEC Chairperson; or
- 2) The Member-at-Large is no longer a member of SAPEC in accordance with Article III Section [87](#).

The remaining members of the Executive Committee shall appoint a panel member to complete the remainder of the term of the Member-at-Large.

Assistance from the ODE OEC

Section 12. The Director of the OEC will be responsible for facilitating the activities of SAPEC and honor all reasonable requests to assist SAPEC in performing its functions. The OEC will provide the support of an administrative assistant and an OEC consultant. OEC's duties are to:

- 1) Disseminate pertinent information concerning the education of students with disabilities to SAPEC members;
- 2) Prepare and distribute, after certification of accuracy by OEC and the Chairperson, minutes or notes of SAPEC meetings to all SAPEC members following each meeting,
- 3) Distribute the final agenda to all SAPEC members; and
- 4) Assist in the development of an Annual Report for the Panel to approve.

The OEC administrative assistant shall perform the Secretary function for SAPEC and perform other duties as assigned.

Article VI

Executive Committee

Section 1. The following officers shall form an Executive Committee:

- 1) Chairperson;
- 2) Vice Chairperson;
- 3) Immediate Past-Chairperson (1 year only, non-voting, Ex-officio member);
- 4) Four (4) Members-at-Large elected by the Panel;
- 5) Chairpersons of Standing Committees; and
- 6) The Director of the OEC (non-voting, Ex-officio member).

Executive Committee membership shall reflect balanced representation from the different perspectives and disciplines represented in the Panel, to the extent possible. The Executive Committee shall meet prior to the new term to plan the organizational structure for the year and at other times as deemed necessary. The Executive Committee shall take any emergency action deemed necessary by a majority of the committee on behalf of SAPEC. Any such actions shall be reported to the full SAPEC panel for the purpose of review at the next regularly scheduled SAPEC meeting. The Executive Committee shall also act as a monitor for the work completed by the standing and ad hoc committees.

Standing & Ad Hoc Committees

Section 2. Assignments to standing and ad hoc committees shall be determined annually and, to the greatest extent feasible, be based on member preference and committee needs as recommended by the Executive Committee. Standing committees include the Membership & Elections Committee and the Policies & Procedures Committee.

Ad hoc committees may be formed at the discretion of the SAPEC Chairperson to conduct the business of the Panel as needed. The SAPEC Chairperson may appoint ad hoc committee chairs, and the Executive Committee may assign individuals to serve on these committees.

Membership & Elections Committee

Section 3. The Membership & Elections Committee will consist of the Vice Chairperson, one (1) Member-at-Large and four (4) members appointed by the SAPEC Chairperson. These individuals will elect a committee chairperson (other than the Vice Chairperson or the Member-at-Large) who will represent the Membership & Elections Committee on the Executive Committee.

The Membership & Elections Committee annually solicits nominations for [Majority Members membership](#) on SAPEC, interviews applicants, and recommends a ballot of nominees to the Panel that ensures the continuation of diverse representation as required by law and these Bylaws. In addition, it also oversees the annual process of nominating and electing officers to the Executive Committee.

Membership Duties

Section 4. In the fall of each year, the Membership & Elections Committee will begin gathering nominations for SAPEC [membership Majority Members](#) and meeting with a representative of OEC to discuss those nominations in accordance with Article III Section [4.3](#). Following their review, the Membership & Elections Committee will present its recommendations to the entire SAPEC membership for a vote.

SAPEC's Membership & Elections Committee may solicit and review nominations to ensure that the following demographics are addressed:

- 1) Representation of the categories in accordance with federal requirements outlined in Article III Section 1;
- 2) Representation across various regions of the state;
- 3) Balanced representation of children with disabilities served by the state;
- 4) Gender and ethnic representation; and
- 5) Other considerations brought to the attention of the committee.

The chairperson(s) of the Membership and Elections Committee are responsible for maintaining a file of those who have applied for Panel membership and a record of their process for selection. At the completion of each year, a copy of this should be given to the OEC Liaison.

The Membership and Elections Committee may also be called upon when a SAPEC member resigns (see Article III, Section 7). When a member resigns, the Membership and Elections Committee will consider the duration of the possible vacancy and how the vacancy affects the representation and demographics of the Panel. Based on this examination, the Membership and Elections Committee may choose to review the eligible applicants on file and recommend a replacement to

finish out the term, or it may recommend that the position remain vacant until the next cycle of appointments.

Election Duties

Section 5. SAPEC members shall be invited to submit a letter of interest that includes a brief biographical description to indicate interest in serving as SAPEC Vice Chairperson, in accordance with the requirements outlined in Article V Sections 2 and 3, or as Member-at-Large by January 31 of the fiscal year. Prior to the last meeting of the fiscal year, the Membership & Elections Committee will submit a slate of candidates including the Vice Chairperson and the applicable Members-at-Large. Panel members will vote for the SAPEC Vice Chairperson and Members-at-Large during the last meeting of the term. Ballots will be counted by one of the Chairpersons of the Membership & Elections Committee and the OEC Director. If no letters of interest are received by the January 31st deadline, the Membership & Elections Committee will solicit interest and recommend a ballot of nominees prior to the last meeting and will schedule a vote to occur during the last meeting of the year preceding the vacancies of those offices.

In the event of a vacancy requiring a special election (see Article V Section 10), the Membership & Elections Committee shall solicit letters of interest from panel members, set a deadline for letters of interest and set the date of the special election. If no letters of interest are received by the deadline, the Membership & Elections Committee will solicit interest and recommend a ballot prior to the special election. The ballots will be counted by one of the Chairpersons of the Membership & Elections Committee and the Director of the OEC.

Responsibilities of Committee Chairs

Section 6. Committee chairpersons shall call individual meetings of their committee. They have the authority as needed to invite individuals outside the Panel to serve in a resource capacity to assist the committee in achieving its task. Committee Chairpersons shall be responsible for reporting their findings to the full Panel.

Chairpersons of standing committees will serve until their successors are named.

Chairpersons of standing and ad hoc committees are responsible for keeping a record of the work done by their committees and giving that record to the OEC Liaison annually to ensure that an historical record is maintained.

External Groups or Committees

Section 7. SAPEC members may be appointed to serve as SAPEC representatives with special study groups, task forces, ad hoc committees' or other organizations with specific purposes and interests in special education.

Invitations for SAPEC members to serve with other special committees and groups will be presented to the SAPEC Chairperson. The Chairperson may ask for SAPEC members interested in accepting a particular assignment and will appoint a member to such service. The Chairperson will report back to SAPEC.

SAPEC members serving as panel representatives to special study groups, ad hoc committees, and other similar groups or organizations may add their personal expertise and knowledge to the work of the group and serve as communication liaisons between SAPEC and the other groups.

SAPEC representatives' participation in discussion and formal actions of the special group will be limited to the actions and decisions previously made, and directions or positions clearly defined by SAPEC. Should a position not be clearly defined, the representative shall contact the Chairperson, who in turn shall survey SAPEC members' for their opinions.

SAPEC members serving in these special roles are representatives of SAPEC and must reflect the consensus rather than personal beliefs or ideas when speaking and acting as a SAPEC representative.

Article VII

Amendment of Bylaws and Procedures

Section 1. SAPEC members shall review these bylaws and operating procedures as needed but not less than every five (5) years and make recommendations for changes to the State Superintendent of Public Instruction and/or the Superintendent's designee.

Severability

Section 2. In the event that any part of these bylaws is found to be in conflict with any laws, only the portion in conflict shall be stricken from the bylaws.