

Loudoun County Public Schools

Special Education Advisory Committee Bylaws

Article I – Name

The name of this body shall be the Special Education Advisory Committee (SEAC) for Loudoun County Public Schools (herein referred to as “the Committee”).

Article II – Purpose

Major responsibilities of the Committee which are addressed in the Regulations Governing Special Education Programs for Children with Disabilities in Virginia 8VAC20-81-230(D) are as follows:

1. Advise the local school division of needs in the education of children with disabilities;
2. Review the policies and procedures and changes thereof for the division of special education and related services prior to submission to the local school board;
3. Participate in the development of priorities and strategies for meeting the identified needs of students with disabilities;
4. Submit periodic reports and recommendations regarding the education of students with disabilities to the division superintendent for transmission to the local school board;
5. Assist the local school division in interpreting plans to the community for meeting the special needs of children with disabilities for educational services and participate in the review of the local school division’s annual plan, as outlined in 8VAC20-81-230(D).

Article III – Membership

1. Number.

Membership of the Committee shall be limited to twenty-one (21) voting members.

2. Appointment of Members

Prospective members, who have attended a minimum of three (3) monthly SEAC meetings, which should include one (1) SEAC subcommittee meeting within a calendaryear, must submit a completed membership application to the Vice Chair of Membership, via the Director of Special Education. Appointment shall be at the sole discretion of the LCPS School Board. The Vice Chair of Membership will provide the School Board, via the LCPS Director of Special Education, a nominated slate of candidates approved by the Executive Committee to fill vacancies as they occur. The School Board reserves the right to appoint any candidate that they believe to be qualified to serve on SEAC.

The LCPS School Board shall strive to maintain diversity by considering the geographical location of the prospective member's residence, the disabling condition he/she represents and their child's age.

The Vice Chair of Membership and LCPS School Board shall solicit applications from the public/private sectors that have a vested interest in the educational needs of individuals with disabilities. Priority will be given to applicants that best fit the diversity needs of the Committee.

Prior to nomination, interested persons will be advised by the Vice Chair of Membership of membership responsibilities. The Vice Chair of Membership shall present the membership nomination(s) to the School Board, via the Director of Special Education, for consideration. Notification of nomination shall be sent by the Vice Chair of Membership to all new appointees. Following the appointment of some/all of the nominees, all nominees will be notified of the results. Applications from nominees not appointed shall remain on file for a period of two years. Nominees who remain qualified but were not appointed will be reconsidered by the School Board for the next term.

3. Members

Members of the Committee shall include, but not be limited to, the following persons or representatives of groups with the possibility that a Member may be representative of more than one of the stakeholder groups:

- a. Persons with disabilities;
- b. A majority of the committee shall be parents/guardians of children with disabilities or individuals with disabilities;
- c. Community civic organizations;

- d. Business or industry;
- e. Public agencies concerned with the care of persons with disabilities;
- f. Other local advisory committees concerned with the education and training of students with disabilities;
- g. The committee shall include one teacher; and
- h. Representatives for the Committee (PTA, PTO, PTSO)

4. Consultants

The Director of Special Education, or their designees, and other persons at the discretion of the Director of Special Education and/or the Committee shall serve as consultants to the Committee.

5. Term of Members

Members shall be appointed for two (2) year terms. To assure the continuity of the Committee, a maximum of one-third of its Members shall rotate off the Committee each year. A Member may thereafter be reappointed for one successive two (2) year full term before rotating off the Committee if he/she submits a letter of intent to the Vice Chair of Membership by April of the second year of their term. After serving three (3) successive full terms, a Member may not be reappointed until one year has elapsed, if there are other prospective members that are available for appointment to fill the membership position(s) under Section 2. New members will be provided a copy of the Virginia Freedom of Information Act (VFOIA) within two (2) weeks of appointment by the School Board and shall acknowledge understanding their obligation to comply with the VFOIA.

6. Vacancies

Should vacancies occur because of low application numbers or the withdrawing of an active Committee Member, the Vice Chair of Membership, via the Director of Special Education, shall present a slate of names as approved by the Executive Committee to the School Board for consideration of appointment. Any member wishing to resign from the Committee must submit a written resignation to the Vice Chair of Membership, who will forward on to the School Board via the Director of Special Education, in advance of the anticipated resignation date.

7. Absences

Members are required to attend all meetings in a school year with no more than three (3) unexcused absences. With the fourth unexcused absence, the person will be removed as a Member on the Committee. A record of attendance shall be kept by the Vice Chair of Membership who shall report periodically to the Chair of the Committee.

8. Representatives

Defined as individuals who have been appointed to serve as the Committee representative by their school Administrator for their school's Parent Teacher Association, Parent Teacher Organization, or Parent Teacher Student Organization. A representative is not a Member. A Member, however, may serve as a Representative. The responsibilities include attending monthly Committee meetings and their school's monthly PTA, PTO, or PTSO meetings. The primary role of the representative is to serve as a conduit of information to the school community.

Article IV – Officers

Except as provided in Article IV, 3, all officers must be voting members of SEAC.

The officers of the Committee shall consist of a Chair, a Vice-Chair of Membership, a Vice-Chair of Planning, a Vice-Chair of Communications, an Immediate Past Chair, and a Secretary.

1. The Immediate Past Chair shall serve on the Executive Committee for one year as an advisor, or in the case of a vacancy in the past chair, by invitation;
2. The Secretary, if not a voting SEAC member, at the discretion of the Executive Committee, may serve as a non-voting member of the Executive Committee;
3. A nominating subcommittee, consisting of three (3) Members appointed by the Chair, will present a slate of proposed officers at the third to last meeting of the year. Additional nominations may be made by the membership during this meeting with the consent of the nominees;
4. The officers of the Committee, except those appointed in accordance with the provisions of Article IV, Section 3 of these bylaws, shall be elected by a majority vote of the Committee at the second to last meeting of the school year provided a quorum (Article VIII) is present. Officers shall serve a one (1) year term. No

Member shall serve in the same office for more than two (2) one-year terms, if there is a desire for other members to fill the position.

5. In the event an office becomes vacant, the Chair shall appoint a replacement for the unexpired term. Vacancy in the office of Chair shall be filled by one of the Vice Chairs for the unexpired term;
6. The term of officers begins the last scheduled meeting of the year they are elected and ends at the second to last scheduled meeting of the following year.
7. If for good cause the nominating committee is unable to present at least one qualified candidate for each officer position from the voting membership, the Executive Committee will continue with responsibilities and roles assigned until candidates can be identified and an election held.
8. Once the Nominating Committee has a qualified candidate for each position, the candidates shall be presented to the membership and voted on at the next SEAC meeting with quorum. This would be an out of cycle election. The newly elected officers shall serve reduced terms. The next scheduled election cycle will continue as outlined in Article IV 4; and,
9. The duties of the officers shall be as follows:

Chair:

- a. Serve as chief executive of the Committee with the powers and duties usually belonging to such a position;
- b. Call and preside at meetings of the Committee;
- c. Serve as ex-officio member of all subcommittees;
- d. Ensure that the Annual Report is submitted to the School Board;
- e. Assure representation of the Committee at functions as requested by the Committee or others;
- f. Participate in orientation activities for new members;
- g. Appoint committee chairs;
- h. If feasible, serve on other school advisory committees in order to facilitate collaboration regarding global issues; and,

- i. Appoint a Vice Chair to perform his/her duties when needed. If the position becomes vacant, the Executive Committee may appoint a Vice Chair to the position of Chair for the remainder of the term.

Vice Chairs:

Vice Chair of Planning

- a. Shall publish the schedule of the general meetings;
- b. Coordinate general meeting presentations;
- c. Maintain a list of Public Comments to track needs and plan future activities; and,
- d. Discharge any duties delegated to him/her by the Chair.

Vice Chair of Membership

- a. Shall perform duties described under Article III, Membership;
- b. Keep a record of member attendance;
- c. Shall provide new member orientation; and,
- d. Discharge any duties delegated to him/her by the Chair.

Vice Chair of Communications

- a. Send advance notice of scheduled meetings to the Committee Members;
- b. Manage public notice communications; and,
- c. Discharge any duties delegated to him/her by the Chair.

Immediate Past Chair

- a. The Chair shall become the Immediate Past Chair upon completion of the Chair's term of office;
- b. Conduct a transition meeting with the new Chair prior to the opening of the next school year; and,
- c. Discharge any duties delegated to him/her by the Chair.

Secretary

- a. Take minutes during scheduled meetings and prepare for distribution to the

Committee prior to the next regular meeting agenda;

- b. Maintain Public Comment documentation and provide copies to the Director of Special Education and Vice Chair of Planning; and,
- c. Discharge any duties delegated to him/her by the Chair.

Article V – Removal of Officers

For inadequate performance of duties, any officer of the Committee upon petition of one-third of the membership shall be subject to review by the membership for possible removal. A vote of two-thirds of the membership is required to remove an officer. Said member shall have the opportunity to resign or give reason to the Committee why he/she should not be removed from office. Upon affirmative vote of two-thirds of the membership of the Committee, said member shall be removed from office.

Article VI – Committees and Subcommittees Executive Committee

The Executive Committee shall consist of the officers of the Committee and the Immediate Past Chair serving as advisor. The Executive Committee:

- A. Shall transact business as directed by the Committee;
- B. Shall have the responsibility of guiding the Committee between regular meetings with the exception of making final determinations of policy;
- C. Shall create subcommittees as deemed necessary;
- D. Shall report at each regular meeting of the Committee as deemed necessary;
- E. May call “Special Meetings” of the Committee;
- F. Shall plan and set the agenda for regular meetings of the Committee; and,
- G. Shall acknowledge understanding of and agree to comply with the VFOIA.

Subcommittees

Subcommittees, standing or special, shall be appointed by the Executive Committee, as deemed necessary, to carry out the work of the Committee. Each voting member is required to serve on at least one (1) subcommittee. Standing subcommittees shall consist of at least three (3) members, one of whom may be an ex officio staff person. Committee Representatives may serve in a voting capacity on no more than two (2) subcommittees concurrently.

Article VII – Meetings Frequency of regular meetings

Unless otherwise ordered by the Chair, the Committee shall meet no less than six (6) times during the calendar school year.

A calendar of meeting topics and places for the year shall be published by the Vice Chair of Planning and submitted to the Director of Special Education by August 1 of each year. One (1) meeting annually shall be designated to review the Annual Special Education Plan and Application for Federal Flow-Through Funds. This meeting shall be held at least thirty (30) calendar days prior to the Superintendent's submission of the final documents to the School Board.

Notice

Notice of regular meetings, along with the agenda, shall be distributed to the Members via email and/or posted to the Committee website at least (3) business days prior to the scheduled meeting date except in unforeseen circumstances in compliance with VFOIA.

Open Meetings

All regular meetings of the Committee, Executive Committee, and any subcommittees shall be open to the public and in compliance with VFOIA requirements. Attendees needing reasonable accommodations must make a request at least five (5) business days in advance of the meeting.

Electronic Participation

SEAC meetings may be conducted via electronic communications means, in-person, or a combination of the two, in accordance with VFOIA.

Individual SEAC members may participate in meetings of SEAC, to include but not be limited to SEAC Subcommittee meetings or Ad-Hoc meetings, by electronic means as permitted by § 2.2-3708.2 of the Code of Virginia. The process described herein shall apply to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Whenever an individual member wishes to participate from a remote location for any reason:

1. The member must notify the chair of the public body on or before the day of the meeting;
2. There must be a physically assembled quorum at the primary or central meeting location;

3. The chair shall notify the physically assembled members of all requests for remote participation, including the basis of the request, but excluding the identity of the requester;
4. The chair shall ask if any of the physically assembled members challenge any of the requests;
5. Individual participation from a remote location shall be approved unless such participation would violate this policy or the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq. of the Code of Virginia). Challenges shall only be permitted on the bases of violation of this policy and/or the law;
6. If a member's participation from a remote location is challenged, then the physically assembled members shall vote on whether to allow such participation;
7. If the physically assembled members vote to disapprove of the member's participation because such participation would violate this policy and/or the provisions of the Virginia Freedom of Information Act, such disapproval shall be recorded in the minutes with specificity;
8. If a member's participation is approved, the member and the physically assembled members shall be notified of the approval. The meeting minutes shall record the name of the member, the remote location, and whether the member is participating due to disability/medical condition or due to a personal matter;
9. The member's remote participation must be in accord with the electronic participation process described herein; and
10. Participating remote members' voices must be heard by all.

When participation is requested by a member (i) with a disability or other medical condition or (ii) who is providing care for a family member with a medical condition:

The member must notify the chair of the public body on or before the day of the meeting of the inability to attend due to a temporary or permanent disability or other medical condition that prevents physical attendance or a required need to care for a family member with a medical condition that prevents physical attendance; and

1. The fact of a member's disability or other medical condition or a family member's medical condition that requires the member to provide care for such family member must be recorded in the minutes, but the member's specific disability or medical condition or the family member's specific medical condition will not be recorded in the minutes.

When such individual participation is due to a personal matter, such participation is limited by law to two meetings each calendar year or 25 percent of the meetings held per

calendar year rounded up to the next whole number, whichever is greater.

This process shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

Executive Session

Through the Chair or by a majority vote of the Committee, Executive Session may be called during any regular Committee meeting. Executive Session shall mean a period of time during a Committee meeting when only members shall be present. The procedures for such sessions shall comply with VFOIA.

Public Comment

Public Comment is designated to allow members of the community the opportunity to voice global concerns as outlined on the SEAC Public Comment Guidelines and matters of interest before the Committee and staff members. Individuals wishing to participate with public comment will be limited to 3 minutes and are requested to provide written documentation of their concern to the Secretary at the end of the public comment period. Lengthy written statements, which may not have been completely presented within the time limitations, will be included in the meeting minutes in accordance with the SEAC Public Comment Guidelines.

The Director of Special Education will be provided the opportunity to respond to persons making public comment either verbally at the next regular scheduled Committee meeting or with written correspondence prior to next scheduled Committee meeting.

Annual Report

The Executive Committee shall prepare an Annual Report for the Superintendent and the School Board. The Annual Report shall document and evaluate the Committee activities for the year and identify unmet needs of students with disabilities.

Article VIII – Quorum

Greater than 50% of the voting members shall constitute a quorum.

Article IX – Amendments

These Bylaws may be amended at any regular meeting by not less than two-thirds of the total Members of the Committee, provided that advance notification is provided. A copy of the proposed amendment(s) shall be distributed to the Members no later than the previous regular meeting.

Article X – Rules of Order

Robert's Rules of Order, revised, shall govern the conduct of the Committee's meetings and other procedural matters, to the extent that such rules are applicable and not inconsistent with the provisions of these bylaws.

Adopted: March 2022