

BY-LAWS OF THE RHODE ISLAND SPECIAL EDUCATION ADVISORY COMMITTEE

ARTICLE I: Name

The name of the Panel shall be the Rhode Island Special Education Advisory Committee (RISEAC). The RISEAC exist under the authority of the RIDE to comply with all requirements of Subpart F of the IDEA regulations with regard to state administration and to ensure compliance with the IDEA.

ARTICLE II: Functions and Responsibilities

§300.652 Advisory Panel Functions

(a) General

The Rhode Island Special Education Advisory Committee shall advise the RIDE of:

- (1) Unmet needs within the State in the education of children with exceptionalities;
- (2) Common publicity on any rules or regulations proposed by the State regarding the education of children with disabilities;
- (3) Advise the RIDE in developing evaluations and reporting on data to the Secretary under Section 618 of the Act;
- (4) Advise the RIDE in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of IDEA;
- (5) Advise the RIDE in developing and implementing policies relating to the coordination of services for children with disabilities; and
- (6) Advising on eligible students with disabilities in adult prisons.

ARTICLE III: Operating Procedures

§300.169 Advisory Panel Operating Procedures

- (a) The advisory panel shall meet as often as necessary to conduct its business
- (b) By July 1 of each year, the advisory panel shall submit an annual report of panel activities and suggestions to the RIDE. This report must be made available to the public in a manner consistent with other public reporting requirements of Part B of the Act.
- (c) Official minutes must be kept on all panel meetings and must be made available to the public on request.
- (d) All advisory panel meetings and agenda items must be announced enough in advance to the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public.
- (e) Interpreters and other necessary services must be provided at panel meetings for panel members' participation.
- (f) The advisory panel shall serve without compensation, but the State must reimburse the panel for reasonable and necessary expenses for attending meetings and performing duties.
- (g) A majority of the members appointed and holding office of the RISEAC shall constitute a quorum.
- (h) All decisions of the RISEAC shall be made only after a vote of a majority of its members in attendance, provided a quorum is in attendance.

- (i) Parliamentary authority shall be Robert's Rules of Order at all regular meetings of the committee.
- (j) The standing sub-committee of the RISEAC shall be:
 - A. Leadership Team: Composed of all elected officers and representatives from the general membership as determined on an as needed basis. The Leadership Team will establish Operation Team sub-committees.
 - 1. These Operation Teams shall perform all functions necessary to enable the RISEAC to conduct business, adhere to its by-laws and perform other functions related to committee operations.
 - 2. Issues Team: Establish on an ad-hoc basis to focus on particular issues. The issue team will be facilitated by a RISEAC member and composed of any members who are interested in that issue. The Issue Team will exist for as long as the topic is active.

ARTICLE IV: Members

Section 1: Membership

§300.168 Membership

- (a) General. The membership of the Rhode Island Special Education Advisory Committee will consist of members appointed by the Commissioner of Elementary and Secondary Education that is representative of the State population and that is composed of individuals involved in or concerned with the education of children with disabilities, including –
 - (1) Parents of children with disabilities;
 - (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 that carry out activities of McKinney-Vento Homeless Act
 - (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) At least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and
 - (10) Representatives from the State juvenile and adult correction agencies.
- (b) Special rule. A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities.

Section 2:

- A. Applicants to the RISEAC shall apply in writing to the Chair of the Membership Sub-Committee, of the Operations Team or the Chair of the RISEAC.
- B. The Membership Sub-Committee of the Operations Team, as a part of that process may interview interested applicants and make recommendations as described in Section 3.

Section 3: Appointment of Members

- A. The Commissioner of Elementary/Secondary Education shall appoint all members of the RISEAC. Recommendations for such appointments shall be made by the Membership Sub-Committee of the Operations Team, with the advice and consent of the full membership of the RISEAC.
- B. Solicitations for new members shall be initiated by the Membership Sub-Committee of the Operations Team in March of each year. The membership Sub-Committee of the Operations Team shall make recommendations and seek the advice and consent of the full membership of the RISEAC at the regular June meeting of the RISEAC.
- C. Each appointment shall be effective on September 1 of the appointment year. Membership is not transferable or assignable.

Section 4 : Term of Office

RISEAC members shall be appointed to a term of three years, except when an appointment is to fill an unexpired term. Members shall serve no more than three consecutive terms.

Section 4: Voting Rights

Each member shall be entitled to one vote and may cast that vote on each matter submitted to a vote of the committee. Proxy voting and absentee ballots shall not be permitted.

Section 6: Termination of Membership

Membership may be terminated for any member who is absent from three (3) consecutive regular meetings within one year by a majority vote of the RISEAC. Members who may have their appointment terminated shall be notified in writing by the Chair at least fifteen (15) days before the meeting at which the termination vote takes place and shall be given an opportunity prior to the vote to provide information as to why they should not be terminated. A vote to terminate a member's appointment may be appealed in writing to the Commissioner of Education. The Commissioner may request the resignation of any member or remove a committee member upon a majority vote of the full RISEAC; or the Commissioner may remove if there is just cause. Other cause for removal shall include failure to carry out those responsibilities assumed by acceptance on the RISEAC.

Section 7: Resignation

Any member may resign by filing a written resignation to the Chair of the RISEAC who will inform the Commissioner.

Section 8: Vacancy

Any vacancy in the committee may be filled for the remainder of the unexpired terms by a candidate recommended to the Commissioner by the Chair of the RISEAC.

ARTICLE V: OFFICERS

Section 1: Officers

The officers of the RISEAC shall be a Chair, Vice Chair, Corresponding Secretary and Recording Secretary.

Section 2: Election and Term of Office

The officers shall be elected bi-annually by a majority vote of the members present, those present constituting not less than a quorum. The officers' term of office shall commence July 1 of the succeeding term. Officers cannot hold the same office for more than two consecutive terms.

Should an officer's term of membership on the RISEAC expire during the term of office, that officer may stay on the committee until his / her term expires.

Section 3: Removal

Any officer of the committee may be removed by a majority vote of all members sitting on the committee whenever, in the judgment of the committee, the best interests of the committee would be served thereby.

Section 4: Vacancy

A vacancy in any office because of death, resignation, removal, disqualification, or otherwise shall be filled by the committee from existing membership for the unexpired portion of the term.

Section 5: Duties and Responsibilities

The Chair shall preside at all RISEAC meetings, may sign all letters, reports, other communications of the committee and is generally responsible for directing and coordinating the affairs of the committee. In the absence or resignation of the Chair, the Vice-Chair shall have all the powers and duties of the office. The Recording Secretary shall keep the minutes of each meeting and shall serve in such other capacity, as Chair shall direct. The Corresponding Secretary shall be responsible for the written correspondence for the Committee at the direction of the Chair. In the absence of the Recording Secretary, the Corresponding Secretary shall keep the minutes.

Section 6: Membership-Sub-Committee

The Membership-Sub-Committee of the Operations Team shall serve the dual function of presenting nominations for the election of officers of the RISEAC for the coming term and recommend a slate of persons to be appointed to the RISEAC by the Commissioner.

ARTICLE VI: Amendments to the By-Laws

Amendments to the by-laws shall be made as follows:

A written proposal shall be submitted to the RISEAC at the regularly constituted meeting. A vote on the proposal shall be taken at the next regular meeting. A majority vote of the members present is necessary for passage of the amendment.

ARTICLE VII: Effective Dates

The by-laws and any subsequent amendment thereto shall become effective upon approval by the Commissioner.

Approved: _____
Peter McWalters, Commissioner

_____ Date
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