

Wyoming Advisory Panel for Students with Disabilities (WAPSD)  
**Panel By-laws and Operating Procedures**

**1. Panel Name**

The name of the Panel shall be the Wyoming Advisory Panel for Students with Disabilities. (WAPSD)

**2. Purpose**

The purpose of the Wyoming Advisory Panel for Students with Disabilities is to provide policy guidance to the State Education Agency with respect to special education and related services for children with disabilities in the State (CFR 300.167). The Wyoming Advisory Panel exists under the authority of the Code of Federal Regulations. The Panel shall serve as a forum by which issues and benefits regarding current and potential services to individuals with disabilities may be discussed by consumer, public, private, professional, and lay interests.

Specific responsibilities include:

- (a) Advise the State Education Agency (SEA) of unmet needs within the State in the education of children with disabilities; CFR 300.169(a)
- (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities; CFR 300.169(b)
- (c) Advise the SEA in developing evaluations and reporting on data to the U.S. Secretary of Education as required; CFR 300.169(c)
- (d) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; CFR 300.169(d)
- (e) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities. CFR300.169 (e)
- (f) Waiver of non supplant requirement. The SEA must consult with the Advisory Panel regarding the provisions of a Free Appropriate Public Education (FAPE) (CFR.164 c4)
- (g) Findings and decision to advisory panel and general public. The public agency, after deleting any personally identifiable information must:
  - 1- Transmit the findings and decisions referred to in CFR 300.512 a5 to the State Advisory Panel established under VFR 300.167; and
  - 2- Make those findings and decisions available to the public. (CFR 300.513 d 1-2)
- (h) Advise the SEA is setting risk ratios for significant disproportionality in special education (34 CFR 600.647).

In order to promote activities that facilitate services for all children with disabilities ages three through 21 years old, the panel will:

- Identify annual panel priorities based on data from the State performance plan, annual performance report and federal levels of determination;

- Provide information regarding panel priorities for the public, educators, and policy makers;
- Work collaboratively with the State Director of Special Education and SEA staff and
- Receive public comment and consider the content in panel discussions.

### 3. Panel Membership

Panel membership is established by special education Federal and State law (CFR 300.168).

a) General: The membership of the panel will consist of members appointed by the Superintendent of Public Instruction for the State Education Agency (SEA) or any other official authorized under State law to make these appointments. The panel will be representative of the State population and is composed of individuals involved in, or concerned with, the education of children with disabilities, including-

- 1) Parents of children with disabilities (ages birth–26 years)
- 2) Individuals with disabilities
- 3) Teachers
- 4) Representatives of institutions of higher education that prepare special education and related services personnel
- 5) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11431 et seq.);
- 6) Administrators of programs for children with disabilities
- 7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
- 8) Representative of private schools and 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;
- 10) A representative from the State child welfare agency responsible for foster care;
- 11) Representatives from the State juvenile and adult corrections agencies;

In addition to the Federal criteria, the WAPSD *may also* consider the following criteria for panel membership. These criteria are in addition to above criteria, and do not supplant above criteria.

- (a) Member of Wyoming legislature
- (b) Custodial guardian/ non-parent caretaker
- (d) Cultural representation
- (e) Geographic representation

b) ***Special Rule***. 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 is capped at 35 to enable fulfillment of required positions and maintain a majority representation by parents and persons with a disability.

The State Director of Special Education or his/her designee will serve as an ex-officio member of the panel and will not have voting rights.

The SEA will encourage participation of one or more students who are receiving special education services. Student membership may be for one year, and renewed annually for the duration of the student's qualifications, up to a three-year term. Although full panel membership may not be feasible for interested and qualified students, the Panel welcomes attendance and participation by local student(s) from the town or region in which the meeting is held.

#### **4. Term of Office**

Wyoming Advisory Panel for Students with Disabilities members shall be appointed to a term of three years, with the option of serving two consecutive terms (6 years). In the event there is only 1 individual to represent a given agency, office, or constituency, said member's term may be extended.. A rotation of members' terms shall occur to retain at least two-thirds but not more than three-fourths of the members each year. Parents of children with disabilities must have a child in the range of birth through 26 years. Any member unable to be in attendance for a regular meeting may send a substitute. A substitute will be permitted voting privileges. Substitutes shall represent the same constituency as the panel member being replaced.

All terms will expire at last meeting of SEA fiscal year. If a term is terminated early, the individual who steps in will fulfill the remainder of the term. This 'replacement' term will not count towards fulfilling the 2 term limit.

#### **Appointment Process for New Members**

- Application is submitted to Panel Secretary, who forwards application to Panel Chair, Membership Committee members, and State Director of Special Education.
- Panel Chair and Membership Committee members review applicant within 2 weeks of receipt of application.
- If favorable, the Panel Chair provides recommendation to the State Director of Special Education and the Panel Secretary to submit applicant to the Superintendent of Public Instruction for the SEA for final approval

#### **5. Resignation**

Any member may resign at any time by giving written notice to Panel Chair who will forward to membership committee and the SEA. A resignation shall take effect on the date of the receipt of the notice. Unless otherwise specified in the notice, the acceptance of the resignation shall not be necessary to make it effective.

#### **6. Termination of Membership**

a) Upon recommendation of the Executive Committee, an appointee to the panel may be removed by the Superintendent of Public Instruction if s/he no longer qualifies as an appointee in the category for which s/he was selected

- b) Prior to the event of an absence, member shall delegate a substitute who, upon authorization of the appointee, will be endorsed to function in their stead.
- c) After two absences in one year, the Panel Chair will contact panel member to determine their intention in regards to membership on the panel. After numerous attempts Panel Chair will forward the recommendation for notice of termination to the State Director of Special Education, and the Panel Secretary. The State Director of Special Education will send the recommendation of termination notice to the Superintendent of Public Instruction for the SEA for approval.
- d) Other causes for removal shall include failure to carry out those responsibilities assumed by acceptance to the panel.

## **7. Voting Rights**

Each member shall be entitled to one vote and may cast that vote on each matter submitted to a vote by the panel.

## **8. Panel Procedures**

- a) The panel shall meet a minimum of four times each year. Panel members who are unable to attend in person may participate by conference call, but in person attendance is highly encouraged. If a member attends virtually, they are encouraged to actively participate and attend the entire meeting.
- b) By Sept 1 of each year, the advisory panel shall submit an annual report of panel activities and advice to the SEA. This report must be made available to the public in a manner consistent with other public reporting requirements.
- c) The panel agenda will be a collaborative effort between the executive committee and SEA.
- d) There will be a standing agenda item for public comment, which may be received in person or via telephone (15 minutes if needed).
  - Public Comments—Ground Rules
    - Provide notice to the public well in advance of the advisory panel meeting.
    - Specify a consistent time on the agenda for public comment.
    - Set aside a minimum of 15 minutes on the agenda for public comments.
    - Limit public comment to no more than five minutes per individual.
    - Public comment can be verbal or sent in written form to be read by the council chairperson.
    - Alert individuals giving public comment to be factual and objective. Avoid using names of students or school staff. Maintain confidentiality and privacy standards.
    - Mention to those providing comments that their input will be taken under advisement as the council addresses their priority issues.
    - Allow the speaker five uninterrupted minutes. Ask questions for clarification after they are finished.
    - Provide a verbal or visual clue one minute before their time is up
- e) Official minutes must be kept on all panel meetings and must be made available to the public on request.

- f) All advisory panel meetings and agenda items must be publicly announced at least one week prior to the meeting, and meetings must be open to the public.
- g) Interpreters and other necessary services must be provided at panel meetings for panel members or participants. The State shall pay for these services.
- h) The advisory panel members shall serve without compensation, but the State must reimburse the panel members for reasonable and necessary expenses for attending meetings and performing duties.
- i) All panel meetings will be held in an accessible location.

## **9. Standing Panel Committees and Duties**

- Executive Committee: Provide panel vision and oversight of day-to-day operations; help develop agendas; work with panel at large on priority setting; review By-Laws in committee each September, convene subcommittee if amendments are needed. Comprised of Past Chair, Chair, Chair Elect and Membership Chair. SEA and Panel Secretary are ad hoc, non-voting, members.
- Membership Committee: Recruitment of new members; observe by-laws and national guidelines for membership, welcome new members; recognize those exiting panel; Monitor attendance and note concerns to Panel Chair; review Panel Membership Responsibilities every September, edit as needed
- Committees such as Public Relations, Reporting and Rules, Marketing, Outreach, and Legislation, and any others deemed necessary, may be appointed by the Panel Chair as needed. Such appointed committees will serve as needed and then be dissolved.

*The panel sub-committees are subject to change as panel activities require, without requirement of By-Law amendments.*

## **10. Panel Decisions**

The panel shall conduct meetings using guidance from the Robert's Rules of Order. Panel decisions will be determined by various processes:

- (a) All decisions of the panel are made by majority vote, which is defined as 51% of the panel membership.
- (b) Voting shall be done by secret ballot upon request of any member of the panel.
- (c) Each member of the panel shall possess one vote excepting ex-officio and ad hoc members who shall be non-voting. If a member is absent, that member may provide a written proxy to the chairperson. The presiding officer shall have a vote only in order to break a tie.
- (e) In the event there is a need to transact specific panel business for which a physical meeting is impractical, the chairperson may call for a vote by mail, email, or telephone.
- (f) When the panel is taking official action, a roll call vote will be taken by the recorder. The responses are "yes," "no," or "abstain." Abstain is typically

used if there is a conflict of interest, when choosing not to vote, or for approval of past minutes if the member was not present.  
(g) (h) Vote will carry with majority of panel membership

### **11. Panel Officers/Terms**

The officers of the panel shall be

- Chairperson
- Vice Chairperson (Chair Elect)
- Past Chairperson

The officers are to be elected annually at the last regular meeting of the fiscal year. The election shall be by a majority vote of the membership. The officers' term of office shall commence Sept 1. An officer's term is one year. The Chair may serve for two consecutive years if approved by majority vote of the panel membership. An officer may serve no more than two consecutive terms within a three-year period in the same position.

Names of nominees for election will be distributed to the full panel prior to the election meeting. Election shall be by ballot at the annual meeting. Members may request an absentee ballot. This written request must be received by the chair of the nominating committee at least 5 days prior to the election. Absentee ballots must be received by the Panel Chair via mail/email at least 2 days prior to the election and shall not be opened until all ballots are counted.

### **12. Chairperson's assigned duties may include the following:**

- a) Communicate with the State special education director
- b) Preside at panel meetings;
- c) Work with members of the executive committee and SEA to develop meeting agendas;
- d) Coordinate panel activities with the State Education Agency staff;
- e) Draft correspondence and reports;
- f) When appropriate, appoint ad hoc groups to address topical issues. (Note: The chair of the ad hoc working group will be a member of the panel.)
- g) Appoint standing committee chairpersons as vacancies occur;
- h) The chair elect, or past chair, shall perform the duties of the chairperson in the absence of the chairperson and assist the chairperson when necessary. The SEA shall provide secretarial support of panel meetings and to support panel activities.

### **13. Removal of an Officer**

An officer of the panel may be removed when, in the judgment of the panel, the best interest of the panel would be served thereby. Action to remove an officer must be initiated by the Executive Committee and brought forward to the panel at large, who must approve said removal by majority vote of the panel membership.

### **14. Office Vacancy**

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

**15. Amendments to the By-laws**

Amendments to the by-laws shall be made as follows: a written proposal shall be submitted to the panel at a regularly constituted meeting. A majority vote of the panel membership is necessary for passage of any amendments to the most current and approved version of the By-laws.

Amended: //December 2017