

**PENNSYLVANIA**  
**SPECIAL EDUCATION ADVISORY PANEL**

**BY-LAWS**

AS ORIGINALLY ADOPTED April 6, 1978

AMENDED November 19, 1981

AMENDED March 18, 1987

AMENDED November 20, 1997

AMENDED May 20, 1998

AMENDED February 1, 2006

**PENNSYLVANIA DEPARTMENT OF EDUCATION**  
**BUREAU OF SPECIAL EDUCATION**

The Pennsylvania Special Education Advisory Panel, commonly and hereinafter referred to as "SEAP," by vote of its members originally adopted these By-Laws and subsequent amendments to them on the dates indicated above.

**I. RESPONSIBILITIES: SEAP shall have the following responsibilities:**

1. Advise the State Educational Agency (The Pennsylvania Department of Education) on the unmet needs within the Commonwealth as to the education of children with disabilities.
2. Comment publicly on any rules and regulations proposed by the Commonwealth regarding the education of children with disabilities, and procedures for distribution of funds.
3. Advise the State Educational Agency in developing evaluations and reporting on data to the Secretary.
4. Advise the State Educational Agency in developing corrective action plans to address findings identified in Federal monitoring reports.
5. Advise the State Educational Agency in developing and implementing policies relating to the coordination of services for children with disabilities.
6. Advise the State Educational Agency on other issues as deemed necessary by the Secretary of the Department of Education, the Director of the Bureau of Special Education, or their respective designees.

7. Advise on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons, even if, consistent with applicable regulations, the Commonwealth assigns general supervision responsibility for those students to a public agency other than the State Educational Agency.
8. Undertake any other activities or actions required by its governing statutes or regulations.

## **II. MEMBERSHIP**

1. SEAP shall consist of members appointed by the Governor, or any other official authorized under Commonwealth law to make such appointments, be representative of the Commonwealth population, and be comprised of individuals involved in, or concerned with, the education of children with disabilities, including—
  - (a) parents of children with disabilities ages birth through 26;
  - (b) individuals with disabilities;
  - (c) teachers;
  - (d) representatives of institutions of higher education that prepare special education and related services personnel;
  - (e) Commonwealth 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.);
  - (f) administrators of programs for children with disabilities;
  - (g) representatives of other Commonwealth agencies involved in the financing or delivery of related services to children with disabilities;
  - (h) representatives of private schools and public charter schools;
  - (i) not less than 1 representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and
  - (j) a representative from the Commonwealth child welfare agency responsible for foster care;
  - (k) representatives from the Commonwealth juvenile and adult corrections agencies.
  - (l) That membership shall also include persons representative of other groups involved in or concerned with the education of children with disabilities.
2. A majority of that membership shall be individuals with disabilities or parents of children with disabilities.
3. Members may serve a dual-role.

## **II. LENGTH OF TERM**

1. SEAP members whose terms expire will be replaced by appointments whose terms will be three years.
2. SEAP terms will expire each year, as applicable, in September.
3. If a member fails to attend three consecutive meetings of SEAP, the Chairperson may contact such member regarding continued interest in serving on SEAP.

## **III. OFFICERS**

1. By majority vote of those members present at the final meeting of the year, SEAP will elect a Chairperson, a Vice-Chairperson to assist with the duties of the Chair as determined and assigned by the Chairperson, and a Secretary, all to serve one-year terms.
  - a. The Chairpersons are responsible for chairing meetings and helping to insure that SEAP is able to perform its functions.
  - b. The Chairpersons will be ex officio members of all committees.
  - c. The Chairpersons will appoint a chairperson for each committee.
  - d. The Chairpersons, in cooperation with the Secretary, will insure that written statements reflecting SEAP positions and policies, and the dissemination of information to interested groups and individuals, are completed.
  - e. The Secretary will review and certify the correctness of the minutes for each meeting prior to their approval by SEAP.
  - f. The Secretary shall serve as Parliamentarian.
2. The Director of the Bureau of Special Education is requested to attend all meetings.

## **IV. COMMITTEES**

SEAP will form committees as needed to complete functions in relation to specific responsibility areas.

## **V. POLICY ON SEAP MEMBERS PARTICIPATING WITH OTHER GROUPS**

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

2. Invitations for SEAP members to serve with special committees and groups will be presented to the SEAP Chairperson. The chairperson may: (a) appoint a SEAP member to such service; (b) may ask for volunteers interested in accepting a particular assignment, or (c) may call for nominations from the SEAP membership recommending SEAP members for special assignments with other groups. In exercising any of these methods for assigning members as SEAP representatives to other groups, official approval will be by majority vote of members present at the meeting where such action is taken.
3. SEAP members serving as SEAP 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 a communication liaison between the SEAP and the other group.
4. The SEAP representatives' participation in discussion and formal actions and decisions of the special group will be limited to the actions and decisions already taken, decisions previously made, and directions or postures clearly defined by the SEAP. Should a position not be clearly defined, the representative shall contact the Chairperson who in turn shall survey SEAP members' opinions.
5. SEAP members serving in this special role are representatives of the SEAP and must reflect the consensus of the SEAP rather than personal beliefs or ideas when speaking and acting as a SEAP representative assigned to serve with any special group or committee.

## **VII. MEETINGS**

1. SEAP will meet, at a minimum, of four times per year.
2. Additional meetings and committee meetings may be called by SEAP Chair or scheduled by majority vote of SEAP members present at a meeting.
3. A quorum shall be one half of the membership of the panel. In order to take any action, a quorum must be present. NOTE: If membership is 21, a quorum would be 11.
4. All meetings will be conducted in accordance with the Parliamentary Procedures set forth in that version of Roberts Rules of Order which is current from time-to-time. The secretary will serve as parliamentarian.

## **VIII. FACILITATION**

1. The Director of the Bureau of Special Education or his or her designee will be responsible for facilitating the activities of SEAP, and for honoring all reasonable requests to assist in performing its functions.

2. The Bureau of Special Education, or its designee, shall provide administrative assistance including:
  - a. Periodically disseminating to SEAP members pertinent information concerning the education of students with disabilities;
  - b. Preparing minutes of SEAP meetings and distributing the minutes to all SEAP members following each meeting after certification of correctness by the Secretary. Statewide distribution of the minutes will be completed at this time as well.
  - c. Distributing the final agenda for meetings to all SEAP members.
  - d. Maintain a file of hearing officer decisions, deleting personally identifying information.
  - e. Maintenance of on-going fiscal records for SEAP members
  - f. Performance of other duties as assigned.
3. Assist in securing reimbursement for travel, meals, lodging and other expenses incurred in performance of SEAP members' functions will be provided through the appropriate channels by the Bureau of Special Education, or its designee.
  - a. The SEAP members will serve their terms without compensation, other than the travel reimbursement.
  - b. Payment for child care during the performance of SEAP duties may be provided for members who are serving as parents of children with disabilities.
  - c. Travel vouchers will be submitted to the BSE designated staff member by SEAP members within fifteen (15) days following each meeting.
  - d. Reimbursement will be made according to policies and procedures of the aforementioned BSE designee.

## **IX. RESIGNATION OR REMOVAL OF MEMBERS, REPLACEMENT**

A member may resign upon written notice to the Governor and the SEAP Chairperson.

## **X. REMOVAL FOR NON-ATTENDANCE**

Members are expected to attend meetings, and, if they cannot attend because of exigent circumstances, to advise the chairperson. If a member is absent from three consecutive meetings without being excused by the chairperson, the member will be given written notice that his/her removal will be considered. At its next meeting, SEAP will consider and vote on whether to recommend to the Governor removal of the SEAP member.

## **XI. AMENDMENTS TO BY-LAWS**

Amendments to these By-Laws may be made by a majority vote at a regularly scheduled SEAP meeting, providing copies of the proposed amendments have been disseminated for review and comment at least thirty (30) days prior to this meeting. There may also be a special meeting called for this purpose, with the same 30-day requirement for dissemination and examination observed.