



**Oklahoma Special Education
Individuals with Disabilities Education
Act (IDEA) Part B
Special Education Advisory Panel
(SEAP)
Operating Procedures**

Oklahoma State Department of Education (OSDE)
Special Education Services (SES)

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Introduction

This document is meant to outline the operating procedures and requirements under the Individuals with Disabilities Education Act (IDEA) for the Oklahoma IDEA-B Advisory Panel members. This document is aligned with requirements for the Special Education Advisory Panel (SEAP) under the IDEA, Oklahoma Special Education Policy and Administrative Codes, and the Oklahoma Open Public Meetings Act.

These procedures provide information clarifying the purpose and duties of the SEAP in the education of Oklahoma children and youth eligible under the IDEA.

Authority

The IDEA-B State Advisory Panel of the State of Oklahoma is established in accordance with IDEA 2004 SEC. 612 State Eligibility and Section 1412(a) (21) of IDEA. Also, the State Advisory Panel is established in accordance with the Oklahoma Special Education Administrative Code.

Name of the Advisory Panel

The name of the SEAP shall be the Oklahoma IDEA-B Advisory Panel. (34 CFR 300.167).

Purpose of the Advisory Panel

The State Department of Education will establish and maintain an Advisory Panel to provide policy guidance with respect to special education and related services for children with disabilities eligible under IDEA in the State (34 CFR 300.167).

The Advisory Panel is "Advisory" to the Oklahoma State Department of Education (OSDE) and Special Education Services (SES). The Advisory Panel advises the State Superintendent of Public Instruction through the State Director of Special Education.

State Advisory Panel Duties Under IDEA

In accordance with the federal regulations in IDEA, the Governor, or his/her designee, is required to appoint members of the Special Education Advisory Panel (SEAP). The following are Advisory Panel duties according to the IDEA.

- a)** Advise the OSDE, SES of unmet needs within the State in the education of children and youth with disabilities. (34 CFR 300.169(a))
- b)** Comment on any rules or regulations proposed by the State regarding the education of special education students. (34 CFR 300.169(b))
- c)** Advise the Office of Special Education in developing evaluations and reporting such information as may assist the State in its data requirements under Section 618 of the IDEA. (34 CFR 300.169(c))
- d)** Advise the Office of Special Education in developing corrective action plans (CAPs) to address findings identified in federal monitoring reports under Part B of the IDEA. (34 CFR 300.513(d) and 300.514(c))
- e)** Advise the Office of Special Education in developing and implementing policies relating to the coordination of services for special education students. (34 CFR 300.169 (e))
- f)** Provide the Advisory Council with the due process hearing (DPH) findings and decisions and make those findings and decisions available to the public. (CFR 300.513(d) & 300.514(c))
- g)** Waiver of non-supplant requirement. The State must consult with the Advisory Panel regarding provisions of Free Appropriate Public Education (FAPE). (34 CFR 300.164(c)(4))
- h)** Advise the Office of Special Education as it monitors special education programs in local education agencies (LEAs) and private schools.

Advisory Panel Annual Report

The Advisory Panel Annual Report will be submitted to the State Superintendent of Public Schools, and to interested stakeholders, by the Executive Committee Chair by September first of each year. All subcommittees shall submit a report to the Executive Committee Chair summarizing their annual activities and recommendations to be included in the Annual Report. The Executive Committee Chair shall include all subcommittee reports in the Annual Report.

The Annual Report will contain at least the following eight areas.

- a)** Introductory letter by the Advisory Panel Chairperson.
- b)** List of Advisory Panel members and officers.
- c)** Dates of all Advisory Panel meetings.
- d)** Advisory Panel priorities addressed during the past year.
- e)** Key activities, recommendations, and advice provided on priority issues.
- f)** Accomplishments of the Advisory Panel during the past year.
- g)** Anticipated membership vacancies for the next year.
- h)** Appendix - agendas and minutes of Advisory Panel meetings.

The Annual Report is provided to the State Superintendent of Public Schools, State Director of Special Education, and interested stakeholders. The Annual Report will be posted on the OSDE, SES website.

Advisory Panel Membership

A majority of the members of the Advisory Panel shall be representative of Oklahoma's population and will be composed of individuals involved in, or concerned with, the education of children and youth with disabilities.

Membership of the Panel (34 CFR 300.168)

The membership of the Advisory Panel must be consistent with the IDEA, 34 CFR 300.168(b).

- a)** Parents of children with disabilities (ages birth through 22).
- b)** Individuals with disabilities.
- c)** Teachers.
- d)** Representatives of institutions of higher education that prepare special education and related services personnel.
- e)** 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.).
- f)** Administrators of programs for children with disabilities.
- g)** Representatives of other State 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 one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities.
- j)** A representative from the State child welfare agency responsible for foster care.
- k)** Representatives from the State juvenile and adult corrections agencies.
- l)** Others as appropriate as approved by the State Superintendent.

Note: A majority of the Advisory Panel shall be individuals with disabilities and parents of children and youth with disabilities ages three years to 22 years. (34 CFR 300.168(b))

Note: Members may serve a dual membership role as long as no conflicts of interest are evident.

Membership Nomination, Appointment, and Terms

- a)** Nominations for the Advisory Panel can come from the Panel's Executive Committee, State Director/staff, Parent Training and Information Center, and State Agencies involved in services for children and youth with disabilities eligible under IDEA.
- b)** All members of the Advisory Panel shall be appointed by the State Superintendent of Public Instruction based on recommendations proposed by the Executive Committee.
- c)** Advisory Panel members shall be appointed for a three-year term commencing with the corresponding month of their initial appointment. However, to maintain a reasonable balance in expiration of terms, or to maintain an appropriate and adequate representation, the State Superintendent of Public Instruction may establish shorter or longer terms of membership at the discretion of the State Director of Special Education.
- d)** Members elected to the Executive Committee may serve additional years depending on their appointment.
- e)** Exceptions to this rule, as determined by the Executive Committee, may allow a member to be appointed for a fourth year.
- f)** In unexpected circumstances, events may occur during a membership term prohibiting the appointed member from fulfilling his/her

responsibilities and/or disqualifying the member from representing their assigned constituency. Should this occur, the appointed member will no longer be able to serve on the Advisory Panel in their current capacity. The Executive Committee may determine this member will continue to serve in a different membership capacity, if they are qualified.

Attendance

Members are expected to attend meetings for the length of their term to represent their constituency, organization, and/or agency and to enhance the effectiveness of the Advisory Panel. Should Advisory Panel members be unable to participate in a meeting, it is their responsibility to notify the Project Manager of Special Education of their anticipated absence. Notification is requested as early as possible; preferably no later than 24 hours preceding the meeting.

Compensation

Members of the Advisory Panel, or their substitute, shall serve without compensation. However, members may be reimbursed at the State rate for travel to/from their home/workplace to the designated, quarterly, SEAP meeting destinations. Additional compensation for personal mileage driven by each member may be determined on an individual basis by the Executive Committee.

Membership Replacement

Advisory Panel members shall be replaced when the following occurs: the member sends a letter of resignation to the Advisory Panel Chairperson, or the member does not attend three meetings in one fiscal year. In the event a member must resign from the Advisory Panel, the Executive Committee may seek a replacement during the regular membership selection process and make the appropriate recommendations to the State Superintendent of Public Instruction.

Member Orientation and Priority Setting

The Advisory Panel Chairperson, Vice Chairperson, Appointed Panel Secretary, and/or knowledgeable trainer will conduct an annual orientation presentation for all new Advisory Panel members. All Advisory Panel members should attend the annual orientation. The orientation will be scheduled to occur in conjunction with the first regularly scheduled Advisory Panel meeting following new member appointments.

The Oklahoma Advisory Panel will conduct an annual priority-setting gathering during their first meeting each year to determine three-four priority areas to address during the new year and to provide advice to the Oklahoma Office of Special Education. This priority-setting gathering can be conducted in conjunction with the annual Advisory Panel orientation. Depending on circumstances, the Advisory Panel's established priorities could change during the year. If priorities change during the year, time will be included at an Advisory Panel meeting to consider other priorities.

Guests Attending Advisory Panel Meetings

Anyone from the public who is not a member of the Advisory Panel is considered a guest. All guests will sit apart from the Advisory Panel and should not interact with the Advisory Panel during the meeting unless asked by the Panel Chairperson or unless they are providing comments during the "public comment" part of the agenda.

Public Comments and Procedures

Each Advisory Panel meeting will include a "public comment" section on the agenda. A standing agenda item for public comments will always be included at each Advisory Panel meeting. Public comments may be received in person, through a virtual platform, or in written form. Written comments submitted to the

appointed Advisory Panel's Secretary will be read aloud during the "public comment" section of the Advisory Panel's meeting agenda.

Meeting Procedures

1. Provide notice to the public well in advance of each meeting.
2. Specify a consistent time on the agenda for guests public comments.
3. Set aside a minimum of 15 minutes on the agenda for guests public comments.
4. Limit public comments to no more than three minutes per individual or group.
5. Guests public comments can be verbal or sent in written form to be read aloud by the Chairperson.
6. Market the "public comment" section as a time to address challenges and positive things that are happening in the State.
7. Alert individuals giving public comments to be factual and objective. Avoid using names of students or school staff to maintain confidentiality and privacy standards. Advisory Panel meetings and procedures must adhere to the requirements of the Family Educational Rights and Privacy Act (FERPA).
8. Mention to those providing public comments their input will be taken under advisement as the Advisory Panel addresses their priority issues. Advisory Panel members will listen to, but not address, comments during the "public comment" section.
9. Provide a verbal or visual cue to each public commenter signifying one minute before their time is up.

Committees and Subcommittees

Executive Committee

The Executive Committee shall consist of the Chair, Vice Chair, Past Chair, and State Director of Special Education (ad hoc). The Executive Committee will select the new Vice Chair at the final Advisory Panel meeting each year. Consideration will be given to alternating the Vice Chair position between parents and other Advisory Panel members. The Vice Chair will assume all duties of the Chair in the absence of the Chair. The Vice Chair will become the Chair effective July first of the following year. The Chair will assume the office of Past Chair effective July first of the proceeding year. In the event the Chair's three-year term on the Panel expires prior to completing the Past Chair office, the Chair will return to the panel for a one-year term to serve in that capacity on the Executive Committee. Officers may be selected during their tenure as State Advisory Panel (SAP) members.

The Executive Committee will do the following:

- a)** Lead IDEA-B Advisory Panel meetings.
- b)** Appoint subcommittee members.
- c)** Develop agendas.
- d)** Assist in recruiting new members and arrange for their orientation.
- e)** Coordinate activities.
- f)** Establish subcommittees and workgroups.
- g)** Ensure subcommittee and workgroup reports are made available to the Panel at subsequent meetings.
- h)** Develop an Annual Report due September first of each year.

Subcommittees

- a)** Membership shall be determined by the Executive Committee.
- b)** Each subcommittee shall be established for specific tasks and for a designated time period.
- c)** A representative will report on current activities at the SAP meetings.
- d)** Recommendations will be drafted for discussion and action by Advisory Panel members as requested.
- e)** Membership may include representatives from the field as well as the Panel members and the SES staff as needed.
- f)** It is the responsibility of the subcommittee to be familiar with issues related to individuals with disabilities and to give input to the Advisory Panel on recommendations for consideration.
- g)** Submit a final report of each subcommittee's work and recommendations to the Executive Committee for their Annual Report.

Advisory Panel Meetings

Meeting Schedule

- a)** Administrative services for the Advisory Panel meetings shall be provided by the Project Manager of Special Education (SES staff member) to the Advisory Panel.
- b)** The Advisory Panel shall meet at least four times during each school year.
- c)** In order for the Advisory Panel to conduct business, they must have a **quorum** present which is 51% of the appointed membership.

- d)** The meeting dates shall be established as a matter of Advisory Panel business at the first meeting each year with the exception of the first meeting date of the following year which shall be established as a matter of Advisory Panel business at the last meeting of the previous year.
- e)** Additional meetings necessary to transact the business of the Advisory Panel may be called by the SES upon the recommendation of the Executive Committee.
- f)** Advisory Panel meetings shall begin at 1:00 pm and end at 4:00 pm unless a member consensus decision or majority vote of the Advisory Panel changes this time frame for a particular meeting.
- g)** In the event of forecasted inclement weather, the Executive Committee shall decide the day before the meeting if the Advisory Panel will meet. If a meeting is cancelled, the Executive Committee will notify the Advisory Panel members of this decision and will re-schedule the meeting.
- h)** In the event of a natural disaster or pandemic, the Advisory Panel can conduct meetings virtually.

Meeting Norms

- a)** Approximately 10 days prior to each scheduled meeting, Advisory Panel members will receive a meeting agenda. Advisory Panel members are responsible for reviewing the agenda and materials for each meeting. It is important all members be well informed to represent their constituency and ensure Advisory Panel actions are appropriate.
- b)** Members will arrive on time and stay until the meeting is adjourned with the exception of emergencies.

- c) Each meeting will start and end on time and follow Oklahoma Open Meeting Requirements.
- d) In the absence of the Chair, the Vice Chair shall assume the duties of the Chair.
- e) The Advisory Panel will use consensus building and a majority vote for making decisions.
- f) Interpreters and other necessary services to accommodate people with disabilities shall be provided at meetings for SAP members if requested at least two weeks in advance before the scheduled meeting.

Confidentiality

Members of the Advisory Panel must understand that confidentiality of any and all personally identifiable data, information, and records disclosed during Advisory Panel meetings shall be maintained according to applicable State and federal laws. Advisory Panel members understand that (unless there is a signed "Consent to Release Confidential Information" in effect) authorization to share and receive information ends with departure from the Advisory Panel meetings. Further, members shall only discuss/share anecdotal situations when all personally identifiable information has been removed/altered to maintain the confidentiality of those involved in the situations.

Special Education Services (SES) Responsibilities

- a) Post Advisory Panel announcements to notify the general public of meeting dates and times.
- b) Post agendas and meeting minutes to the Oklahoma SES webpage along with any other materials presented at SAP meetings.

- c) Ensure Advisory Panel meeting minutes are completed and mailed, or emailed, to members and other appropriate recipients no later than 30 calendar days after each meeting.
- d) Ensure the Advisory Panel agendas are emailed to Advisory Panel members.
- e) Receive and respond to correspondence with the SES.
- f) Ensure the scheduling of meetings for the Advisory Panel and all subcommittees.

Amendments to Operating Procedures

Amendments to the Advisory Panel will be made by a majority vote at a regularly scheduled meeting, providing copies of the proposed amendments have been disseminated for review at least 15 days prior to the meeting.