

**COMMISSIONER'S ADVISORY PANEL FOR SPECIAL EDUCATION SERVICES -
BYLAWS**

The Commissioner's Advisory Panel for Special Education Services ("CAP" or "Panel") was established pursuant to P.L.

3. Teachers of children with disabilities;
4. State and local educational officials, including officials who carry out activities under subtitle 3 of Title VII of the McKinney-Vento Homeless Assistance Act;
5. Representatives of institutions of higher education that prepare special education and related services personnel;
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;
10. Representatives

under that category as their primary constituency if it is determined necessary to maintain the required membership.

In the event a member resigns from CAP prior to the end of their appointed three-year term, a new member shall be appointed as soon as possible to fill the vacancy. Such new member will be appointed for a three-year term to run from the date of their appointment until June 30 of the year said term would expire.

B. Nonvoting Members

Ad Hoc Members who represent other offices within NYSED and the Department of Health may be appointed as nonvoting members.

III. Responsibilities of the Members

- A. The responsibilities of CAP members shall include:
 - 1. Serving without compensation (

appoint another individual to replace the member. If CAP members from a State agency miss three consecutive meetings, the Executive Committee shall request that NYSED contact the agency to determine if a new representative should be designated by the agency to serve on CAP.

- C. Attendance and involvement in local and area meetings and conferences on individuals with disabilities in their home geographical area are encouraged. However, the only designated official spokesperson for CAP shall be the Chairperson. The Chairperson, after consultation with the Vice-Chairperson, may delegate a CAP member to attend the meetings in an emergency.
- D. Voting members of the Panel not in attendance at a meeting shall abstain from voting on the minutes for that meeting.

IV. Officers and Their Duties

- A. The officers (Executive Committee) of CAP shall consist of a Chairperson, Vice-Chairperson, and Secretary.
- B. One member of CAP shall be designated as Chairperson by the Commissioner for a two-year term.
- C. The Vice-Chairperson and Secretary are elected by the Panel at the first CAP meeting of the year for a one-year term.
- D. The Chairperson shall be the presiding officer and shall preside over all regular, special, executive and public meetings of CAP; and shall:
 - 1. serve as the official spokesperson for CAP;
 - 2. in collaboration with NYSED staff, develop meeting agendas and establish meeting dates for the entire year and have this information available to all Panel members prior to that year;
 - 3. communicate information relating to CAP to the Panel members via the CAP listserv; and
 - 4. convene additional meetings as necessary.
- E. The Vice-Chairperson shall perform the duties of the Chairperson if they are absent and shall be responsible for overseeing the coordination with the CAP Executive Committee.
- F. The Secretary shall be responsible for recording the minutes at all CAP meetings and providing NYSED a copy for review within two weeks of each CAP meeting.
- G. The Executive Committee shall establish procedures for the orderly and effective running of CAP meetings including maintaining appropriate response or discussions between CAP and nonmember attendees, as appropriate.
- H. The Executive Committee shall submit an annual report of CAP activities and recommendations to NYSED by December 1 of the following year, after approval by the Panel members. The report shall be posted on the NYSED CAP website.

V. NYSED Staff

- A.

responsibilities of CAP in collaboration with the Chairperson, including but not limited to the following:

1. Assist CAP in meeting its responsibilities under Section 612 of the IDEA.
 2. Maintain the minutes of CAP meetings, the records of CAP and assist the Chairperson in preparation of meeting agendas, materials and distribution of publications of interest to CAP members, arrange for all meetings, facilities, and payments to the members for expenses in relation to attendance at CAP meetings, etc.
 3. Assist in the preparation of information and updates for CAP and transmit these via the CAP listserv.
 4. Provide information to members on issues impacting children with disabilities.
 5. Maintain the CAP website and listserv.
- B. NYSED shall transmit findings and decisions of impartial hearings and subsequent decisions regarding appeals of impartial hearings to CAP as the State Advisory Panel.

VI. Subcommittees

- A. Subcommittees and ad hoc committees shall be established for specific purposes in collaboration with NYSED and the approval of CAP.

- C. All meetings (time and place) and agenda items are to be publicly announced by the NYSED designee(s) prior to the meeting, and meetings will be open to the public.
- D. A written notice of regular meetings shall be mailed or emailed to each member by the NYSED designee(s) at least 15 days prior to each regular meeting, and at least 12 days prior to any additional meeting. Such notices shall state the time, place, and purpose for which the meeting is called.
- E. CAP members should submit items to be considered for the agenda of the next scheduled meeting to the CAP Chairperson not later than 15 days before that meeting. The NYSED designee(s) will send the agenda with all available and relevant data to all CAP members.
- F. Meetings of CAP shall be open and accessible to the public.
 - 1. NYSED designee(s) shall provide public notice on the NYSED CAP website of the time and place of each meeting prior to the meeting.
 - 2. A single public comment period is always included on the agenda. The public comment period is limited to 30 minutes, with an individual comment limit of five minutes.
 - 3. Whenever possible, members will be notified one week in advance of the meeting of registered speakers and the intended topics.
- G. No CAP member may be represented at a CAP meeting by a substitute.
- H. Confidential matters, the disclosure or public discussion of which would, in the opinion of a majority of the members present, be detrimental to the effective discharge of CAP's responsibilities, may be discussed in executive session.
- I. A log of visitors shall be maintained by the NYSED's designee(s)
- J.