

# ESE Parent Advisory Council (EPAC)

## Bylaws

### Article I. Glossary of Defined Terms

**“Annual Meeting”** shall mean the regular meeting of the Council held in May.

**“Community”** shall mean the parents, guardians and caretakers of students receiving ESE services in the District.

**“Council”** shall mean the ESE Parent Advisory Council established by these bylaws.

**“District”** shall mean Flagler County School District.

**“Elected Members”** shall mean all Members of the Council, except for the ESE Director, Director of Student and Community Engagement and the Lead Staffing Specialist.

**“ESE”** shall mean exceptional student education in the District.

**“Fiscal Year”** shall be from August 1 to July 31 of each calendar year.

**“Initial Members”** shall consist of the ESE Director; the Director of Student and Community Engagement; Stephen Furnari; Kristi Furnari; Janet McDonald; Diane Bixler and Denise Breneman.

**“Members”** shall mean all of the Voting Members and Non-Voting Members of the Council.

**“Non-Voting Members”** shall have the meaning defined in Article III-A(2).

**“Parents”** shall include parents, guardians and caretakers of students receiving ESE services in the District.

**“Professionals”** shall mean employees and contractors of the District.

**“School Administrator”** shall mean a principal or assistant principal duly employed by the District and elected to be a Non-Voting Member.

**“Stakeholders”** shall mean parents, teachers, administrators and other participants with a stake in performance of exceptional student education at the District.

**“Voting Members”** shall have the meaning defined in Article III-A(1).

## Article II. ESE Parent Advisory Council (EPAC) Purpose

The Council shall serve the following purpose:

1. Improve ESE in Flagler Schools, including the delivery of services and outcomes for students.
2. Foster a collaborative, supportive and respectful relationship between parents and the District and reduce instances of adversarial conflict.
3. Providing all Stakeholders, including parents, teachers and administration, an opportunity to have meaningful participation in, and provide feedback on, District-wide decision making and planning.
4. Encourage greater participation by Stakeholders in Community/District collaboration and ensuring representation of all exceptionalities and ages.
5. To be a vehicle for the District to get authentic feedback, and assistance with problem solving, from Stakeholders about, among other things, communication with the Community, training, reporting, legislation and new hires.
6. Provide a safe forum for all ESE participants, including parents and District staff, to express and resolve their concerns, needs, wishes and ideas for ESE in the district.
7. Be a leader in shifting the culture within the District and the Community so that persons with disabilities or exceptionalities are viewed as a people, not disabilities, by supporting inclusive education; encouraging Community members to build personal relationships with people with disabilities; and encouraging greater inclusion and acknowledgement of students with disabilities/exceptionalities across all District and Community activities.
8. Create greater awareness and understanding about educating and caring for students with exceptionalities across all the Professionals in Flagler Schools and the Community by sharing students', educators' and caretakers' successes and challenges.
9. Facilitate access to resources and reporting about ESE to the Members and the Community at large.
10. Increase enthusiasm for, and adoption of, ESE programs by District Professionals and Parents through, among other things, the sharing of positive case studies, success stories, testimonials and storytelling.

11. Serve as a model to other interest groups for community/District collaboration projects.

## Article III. Membership

### A. Membership Composition

Council Members shall reflect, as nearly as possible, the spectrum of stakeholders in ESE, including the types of exceptionalities served by the District and the age of students.

Council Members shall consist of one class of Voting Members and one class of Non-Voting Members.

(1) Voting Members. There shall be 15 Voting Members, consisting of the District Lead Staffing Specialist; one School-Based Administrator, one teacher in the District and 12 Parents.

(a) District Lead Staffing Specialist. Shall be the person serving in the role as the District's lead staffing specialist, or its successor position.

(b) Teacher. Shall be a teacher duly employed by the District. The teacher shall be certified in exceptional student education, and have a demonstrated passion for, or commitment to, special education and students with exceptionalities, and either work full-time in ESE, or in an inclusion classroom.

(c) Parents. Parents must be the guardian or caretaker of a child receiving exceptional student education services who is currently enrolled in one of the schools in the District.

(d) School Administrator. Shall be a principal or assistant principal duly employed by the District. The School Administrator shall be certified in exceptional student education, and have a demonstrated passion for, or commitment to, special education and students with exceptionalities, and be primarily responsible for the oversight of ESE in their school.

(2) Non-Voting Members. There shall be four (4) members, consisting of the ESE Director, the Director of Student & Community Engagement; one School Board Member and one teacher.

(a) ESE Director. Shall be the person serving in the role as the District's ESE Director, or its successor position.

(b) Director of Student & Community Engagement. Shall be the person serving in the role as the District's Director of Student & Community Engagement, or its successor position.

(c) School Board Member. Shall be any member of the District's School Board.\*\*\*\*

(d) Teacher. The teacher shall be certified in exceptional student education, and have a demonstrated passion for, or commitment to, special education and students with exceptionalities, and either work full-time in ESE, or in an inclusion classroom; provided; however, that if the Voting Member Teacher primarily serves in elementary education, then the non-voting teacher shall primarily serve secondary education students (and vice versa).

## B. Member Qualification

Except for the ESE Director, Director of Student and Community Engagement and the Lead Staffing Specialist, all other members (the "Elected Members") shall possess qualities that support the Purpose of the Council, and they shall also meet the following additional qualifications:

1. Values human diversity and has an ethical commitment to seek the best ways for diverse communities to live and learn together.
2. Views students with disabilities as a people, not disabilities, and has a history of building personal relationships with people with disabilities.
3. Has the fortitude to change the culture of old attitudes, beliefs, and social practices that may have a negative impact on students with disabilities, and embrace research-based and current practices that promote inclusive educational and community settings.
4. Understands that inclusion education, where students with and without disabilities successfully learn together, has a greater and clearer ethical purpose as part of the disability rights movement.
5. Understands that, students with disabilities can be successful in an inclusive setting, which is the starting place for educating students with disabilities, as opposed to self-contained classrooms, which should be used only in limited circumstances.
6. Presumes competence of all persons with disability and insists that his or her peers do the same.
7. Supports a continuum of services that promote maximum success, self-determination and pathways towards independence.

## C. Expectations of Members

1. Members are expected to attend a minimum of nine of 12 meetings during each school year.
2. Members are responsible to contact the chairperson if they are unable to attend a meeting.
3. Termination of the Member will be considered if these expectations are not met.

## D. Election and Terms of Office

The Elected Members shall be divided into two classes, with six (6) Parent members, the School Board member and one Teacher in the first class, and the remaining six (6) Parent members and Teacher in the second class. The first class shall serve for a term of two (2) years and the second class shall serve for a term of one (1) year. Each Elected Member shall serve for the term specified until his or her successor is duly elected and has commenced his or her term of office.

The initial group of Elected Members, including class members, shall be elected by majority vote of the Initial Members. Thereafter, the Members shall seek applicants for the Members whose term is expiring, and new Members shall be elected by majority of Voting Members. Notwithstanding the foregoing, any Member whose term is about to expire may be elected to succeed him or herself.

No Member may transfer their Membership or voting rights.

## E. Commencement of Term

Elected Members' terms shall begin on August 1 and end on July 31. Elections for new Members shall take place at the Council's Annual Meeting, to be held during the month of May. The initial term for the first class of Elected Members shall end on July 31, 2020, and the initial term for the second class of Elected Members shall end on July 31, 2019.

Elected Members shall be deemed elected at the time of their election with their term to commence as provided above. However, such newly Elected Members shall not be deemed to have commenced their term of office or to have any powers or responsibilities of a Member until the time as they accept the appointment as Member or by participating in the affairs of the Council at a meeting of Members.

## F. Vacancies

Vacancies among the Members resulting from the death, resignation, removal, incapacity or disqualification of a Member, or the failure of an Elected Member to accept the position as Member, may be appointed by majority vote of a sub-committee consisting of the Chairperson, Vice-Chairperson and ESE Director, who is then ratified by a majority of the Voting Members. Such appointee must meet the qualifications set forth in these bylaws, will commence their term upon the approval of the majority of Voting Members and acceptance of their appointment, and shall serve until the end of the term of the Member being succeeded.

## G. Compensation

Participation in the Council is voluntary. No Member shall receive compensation (or additional compensation in the case of Members who are also Professionals) from the District or Council for any service they may render to the Council as a Member.

## H. Voting Rights

Each Voting Member shall be entitled to one vote on each matter submitted to a vote by the Members. Voting at meetings shall be by voice vote. Unless otherwise indicated in these bylaws, a majority decision of the Voting Members present shall be binding; provided, however, that the election of Officers shall be held by plurality of the Voting Members.

Except as otherwise provided in these bylaws, Non-Voting Members shall have no right to vote on matters submitted to a vote by the Members.

## I. Quorum

A majority of the Voting Members present shall constitute a Quorum.

# Article IV Officers

## A. General

The officers of the Council shall be a Chairperson, Vice-Chairperson and Secretary who shall be elected from the Members at the Annual Meeting.

Each officer shall serve for a term of two years. Officer terms shall begin on August 1 and ending on July 31. No officer shall serve in successive terms unless elected to do so by a two-thirds supermajority of Voting Members. Each officer must also be a Member of the Council.

Only Parent Voting Members shall be elected to serve as the Chairperson or the Vice-Chairperson.

The Initial Members shall choose the initial officers and, thereafter, officers shall be elected at the Council's Annual Meeting starting in May 2020.

## B. Vacancies

Vacancies among the officers resulting from the death, resignation, removal, incapacity or disqualification of an officer, shall be elected by a majority of the Voting Members. Such appointee must meet the qualifications set forth in these bylaws, and shall serve until the end of the term of the Member being succeeded.

## C. Compensation

Participation in the Council is voluntary. No officer shall receive compensation from the District or Council for any service they may render to it as an officer.

## D. Duties of the Chairperson

The Chairperson shall perform the following services:

1. Works closely with the district liaison and other officers to plan each meeting and establish an agenda in time to notify the community of the purpose of each meeting.
2. Presides at all meetings of Members at which they may be present, calls meetings to order, maintains order, supports participation by all committee Members, and sees the meeting is properly adjourned.
3. Instructs the Secretary and other officers on their duties.
4. Sees that minutes are taken, prepared, read, approved and properly filed.
5. Sees that subcommittees function as directed, and that reports are prepared and presented.
6. Replies to all parliamentary queries for information, correct procedures and rules on points of order.
7. Sees that business is ordered, considered, and disposed of properly.
8. Is an impartial, conscientious arbiter of discussion and debate, insist on fairness in the actions and debate of members.

## E. Duties of the Vice Chairperson

In the absence of the Chairperson, or in the event of an inability or refusal to act, the Vice Chairperson shall perform all the duties of the Chairperson, and when so acting shall have all the powers of and be subject to all the restrictions on the Chairperson. The Vice Chairperson shall have other powers and perform such other duties as may be prescribed by these bylaws or granted to the Vice Chairperson by the Voting Members.

## F. Duties of the Secretary

The Secretary shall perform the following duties:

1. Keeps accurate and complete minutes of the Council's meetings and files them for inspection by the Members.
2. Keeps Council membership, attendance, duties and special assignments.

3. Prepares copies of the minutes and distributes them to council Members and to the Parent Liaison for the District for distribution to the community.

## Article V. Removal of Members or Officers

### A. Elected Members

An Elected Member's membership to the Council shall terminate on the occurrence of any of the following events:

- (1) The member's written notice of withdrawal from the Council delivered to any Officer. In the event that any such notice does not include the Member's date of withdrawal, then such Member's withdrawal shall be effective on the date such notice was first received by an Officer.
- (2) Upon the unanimous decision of a sub-committee consisting of the Chairperson, Vice Chairperson and the Director of Student & Community Engagement that an Elected Member has engaged in the conduct materially and seriously prejudicial to the interests or purposes of the Council.

### B. Non-Elected Members

A Non-Elected Member's membership to the Council shall terminate on the occurrence of any of the following events:

- (1) Upon the effective date of the termination or resignation from their office with the District. Until a successor is chosen for such office, the interim appointee for such position shall serve in such role, and if no interim candidate is appointed, then the Chairperson, after consulting with the remaining Non-Elected Members, shall appoint an interim person to serve in such role until a permanent appointee for such office is chosen by the District.
- (2) Upon the unanimous decision by sub-committee consisting of the Chairperson, Director of Student & Community Engagement and School Board Member that a Non-Voting Member has engaged in the conduct materially and seriously prejudicial to the interests or purposes of the Council. The Director of Student & Community Engagement, after consulting with the remaining Non-Elected Members and the Chairperson, shall appoint an interim person to serve in such role until such person leaves their office with the District and a permanent replacement for such office is appointed.

(3) Notwithstanding the foregoing, with respect to the School Board Member engaging in the conduct materially and seriously prejudicial to the interests or purposes of the Council, then the sub-committee in paragraph (2) shall vote to address the concern with the Superintendent and/or Chairperson of the School Board..The ESE Director shall vote in place of the School Board Member.

## C. Officers

An Officer's shall be removed from their position on the occurrence of any of the following events:

(1) The Officer's written notice of withdrawal from their position delivered to any other Officer. In the event that any such notice does not include the Member's date of withdrawal, then such Officer's withdrawal shall be effective on the date such notice was first received.

(2) Upon the two-thirds supermajority vote of the Voting Members, plus the affirmative vote of the Director of Student & Community Engagement that a Non-Member has engaged in the conduct materially and seriously prejudicial to the interests or purposes of the Council. An interim person to fill such vacated Officer position shall be chosen by a majority of Voting Members.

# Article VI. Meetings

## A. Meeting Place

The meeting place for the Council will be located in the District's offices, in the Government Services Building, Bunnell, FL or such other public location within the District as determined by the Voting Members.

## B. Regular Meetings and Annual Meetings

Regular meetings shall be held at least monthly. A 12-month schedule of meetings shall be created and distributed to Members prior to the start of each school year.

The Council shall hold an Annual Meeting during the month of May to elect new Officers and approval of new Members for the next Fiscal Year pursuant to the terms of these bylaws.

## C. Special Meetings

Special meetings may be called by the Chairperson, Vice Chairperson, Secretary, ESE Director or Director of Student & Community Communication, provided ten business days advance notice is given to all Members that includes all agenda items to be acted upon at the meeting.

#### D. Open Meetings

All regular and special meetings of the Council and subcommittees shall be open to the public. Public input time will be provided at all meetings and limited to three (3) minutes per person for the time period allocated on each meeting agenda. Each participant will be asked to complete a card identifying the topic to be addressed. Commenters will address the Council in the order in which their cards were received.

#### E. Conduct of Meetings

Meetings shall be presided over by the Chairperson or, if absent, by the Vice Chairperson or, in the absence of each of these persons by a person chosen by the Chairperson or chosen by Members present at the meeting all regular and special meetings of the council shall be conducted in accordance with Robert's Rules of Order.

#### F. Agenda Items

Any Member can suggest a meeting agenda item. Agenda item suggestions shall be delivered to the Secretary at least three weeks prior to the scheduled date of a meeting. The chairperson and the ESE director shall mutually determine the agenda items to be addressed at each meeting. The Secretary will use their reasonable best efforts to notify the Members of all meeting agenda items at least ten days prior to the meeting.

### Article VII. Subcommittees

The Council may from time-to-time establish and abolish standing or special subcommittees. Unless otherwise determined, the Chairperson shall appoint members or ask for volunteers to serve on various standing and special subcommittees. Subcommittees shall meet in small groups as deemed necessary to accomplish objectives then report recommendations and/or findings to the Council Members. Each member of a subcommittee shall continue for the duration of the appointment or until a successor is appointed.

### Article VIII. Reporting, Records

#### A. Reports to School Board

As often as necessary, but not less frequently than once per school quarter, the Council shall report to the Superintendent. The Superintendent and/or a School Board Member may request a presentation as meeting agenda item about, among other things, the initiatives undertaken, advisory opinions, spotlights and its perception of the progress of ESE in the District. Presentations to the Superintendent and the School Board on behalf of the Council shall be made jointly by the Chairperson and ESE Director.

## B. Records, Generally

The Secretary shall Record minutes of all meetings indicating among other things the time and place of such meetings, whether regular or special, how called, the notice given, and the names of those persons present and the proceedings thereof. All minutes, and a copy of the Council's bylaws, as amended to date, shall be available online through the District's Website.

## Article IX. Amendment to Bylaws

The bylaws may be amended at any time, by a two-thirds supermajority vote of Voting Members, plus a vote of a majority of Non-Voting Members. Notwithstanding the foregoing, any amendments to the bylaws involving the the Member composition of Non-Voting Members under Article iii - A(2) or Election and removal of Non-Voting Members under Article V, shall require a two-thirds supermajority vote of Voting Members, plus a two-thirds supermajority vote of Non-Voting Members