



AMESBURY

SEPAC SPECIAL EDUCATION
PARENT ADVISORY COUNCIL

Amesbury Special Education Parent Advisory Council (SEPAC) Bylaws

Article I: Name of Organization

The name of the self-governed organization shall be the Amesbury Special Education Parent Advisory Council (also known as Amesbury SEPAC).

Article II: Mission Statement

The mission of the Amesbury SEPAC is to provide education and information to parents/guardians and the broader community on special education issues and services, to foster better understanding, respect, and support for special education, and to collaborate with the Amesbury Public Schools District to ensure that students' needs under applicable laws are met.

Article III: Purpose and Function

The purpose and function of SEPAC shall be to:
Fulfill all responsibilities as defined within 603 CMR 28.00 and any other pertinent state mandates.

1. Provide support for special education services and the mission of meeting the individualized needs of all students enrolled in special education programs through communication with and feedback to the special education director and school principals.
 2. Promote communication, understanding, acceptance, and inclusion within the community.
 4. Advise the Director of Student Services and School Committee on the operation and development of special education programs, parent and teacher training needs, and policy development.
 3. Participate in the development and review of the Three-Year Program Plan for Special Education prior to submission to the Department of Education, Division of Special Education.
 4. Provide and promote information and educational opportunities for the community on topics related to special education services.
 5. Maintain a forum for parents/guardians and other interested community members to communicate with Special Education Administrators and other school officials on concerns and issues related to the education, health, and safety of students in special education programs.
 8. In cooperation with Amesbury Public Schools, provide annual training on the rights of students and their parents/guardians under state and federal special education law. This training will inform and empower families by educating them on their rights and responsibilities under special education law.
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Article IV: Terms of Membership

A. General Membership

General membership shall be open to all Amesbury parents/guardians of children with special needs and other interested parties. The Director of Student Services and members of the district administration may attend meetings but do not have voting privileges.

B. Voting Membership

Voting membership is open to any general member who is a parent/guardian of a child with documented special needs residing or enrolled in Amesbury, with or without an Individual Education Plan (IEP) or Section 504 Plan, and who has attended at least one SEPAC meeting in the past twelve (12) months or has requested voting status in writing to the Secretary prior to a meeting.

Meetings are defined as any Amesbury SEPAC meeting, activity, or committee event at which attendance is taken.

Article V: Officers of the Amesbury SEPAC

Officers of the Amesbury SEPAC are elected by the voting membership and hold office for two years. An officer may resign by notifying the Director of Student Services and one of the Co-Chairs. In the event of a resignation, SEPAC shall hold an election to fill the unexpired term.

A SEPAC officer is limited to two (2) consecutive two-year terms in the same position. If an officer is elected to fill an unexpired term, they will then be eligible for two additional two-year terms.

To avoid conflicts of interest, no officer should be in a position to be professionally employed by the school system.

Co-Chairpersons

1. Set agendas for general meetings.
Preside at SEPAC meetings.
2. Appoint parent volunteers and monitor subcommittees.
3. Present an annual report to the School Committee.
4. Act as liaison between parents of students with disabilities and the Director of Student Services.
Prepare periodic reports on SEPAC activities and needs.
5. Make an annual presentation to the School Committee.
6. Oversee creation and distribution of SEPAC informational material.
7. Monitor compliance with SEPAC Bylaws and DESE regulations.

Secretary

1. Record meeting minutes.
2. Post approved meeting minutes on the SEPAC website.
3. Post agendas prior to each regular meeting.
4. Work with the Election Coordinator to compile nominations and create election ballots. If an Election Coordinator is not available, the Secretary will serve as the Election Coordinator.
5. Maintain attendance logs for all events.
6. Create and distribute a biennial survey for parents/guardians of children receiving special education services in the district.

Treasurer

1. Coordinate efforts to apply for grants, donations, reimbursements, and other funding for which Amesbury SEPAC may be eligible.

2. Manage and account for funds collected, donated, and spent for Amesbury SEPAC.
3. Coordinate fundraising activities.
4. Lead efforts to increase parent involvement in SEPAC.
5. Coordinate event logistics (e.g., location, speakers, date and time, refreshments).
6. Publicize events and meetings.

Voluntary positions may be appointed by the Co-Chairs as needed throughout the year.

Article VI: Elections

Elections shall be the first order of business during the June meeting at the end of the current board's two-year term. Elections will be decided by a majority vote of the voting membership, provided a quorum (minimum of six voting members) is present. New officers shall take office immediately following their election.

Election and nomination opportunities will be advertised on all SEPAC social media accounts. Nominations will be submitted by ballot and available to voting members at a SEPAC meeting or online at least two weeks prior to elections. The Election Coordinator will compile eligible voting members, prepare ballots, and notify nominees within two days. Nominees must accept or decline their nomination within one week.

The SEPAC will inform the school district of the election results and provide the contact information of new board members by July 1st.

Extraordinary Circumstances

In extraordinary circumstances, Executive Board members may extend their term by one additional three-month period without re-election, provided this extension supports SEPAC's effective functioning. Examples of extraordinary circumstances include natural disasters or an inability to achieve a quorum after multiple meeting attempts.

Article VII: Meetings

1. SEPAC shall hold at least five (5) general meetings and two (2) informational/speaker meetings annually.
2. Additional meetings may be scheduled by the Board as needed.
3. The Secretary shall keep minutes of all regular meetings.
4. Meetings may be held in person or virtually, allowing remote attendance.

5. SEPAC shall hold an Annual Meeting in June.

Meetings shall be conducted by the Co-Chairs, who will set agendas, manage discussions, recognize participation, and conduct votes. Voting members shall seek input from the general membership before voting on significant items.

Notice of meeting dates, elections, and SEPAC events will be advertised on SEPAC social media. At the last general meeting, Co-Chairs will gather input for the following year's meeting calendar.

Article VIII: Subcommittees

Subcommittees may be created as needed.

Article IX: Conflict of Interest

Article I: Purpose

The purpose of this Conflict of Interest Policy is to protect the interests of the Amesbury Special Education Parent Advisory Council (SEPAC), a nonprofit organization, when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of SEPAC or might result in a possible excess benefit transaction. This policy is intended To supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Article II: Definitions

1. Interested Person

Any director, officer, or member of a committee with board-delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- An ownership or investment interest in any entity with which SEPAC has a transaction or arrangement;

- A compensation arrangement with SEPAC or with any entity or individual with which SEPAC has a transaction or arrangement; or
- A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which SEPAC is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

Article III: Procedures

1. Duty to Disclose

In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the board and members of committees considering the proposed transaction or arrangement.

2. Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, they shall leave the board or committee meeting while the determination of a conflict of interest is discussed and voted upon.

3. Procedures for Addressing the Conflict of Interest

An interested person may make a presentation at the board or committee meeting, but after the presentation, they shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

The remaining board or committee members shall decide if a conflict of interest exists.

If a conflict exists, the board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

After exercising due diligence, the board or committee shall determine whether SEPAC can obtain a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

If a more advantageous transaction is not reasonably attainable, the board shall determine by a majority vote of the disinterested members whether the transaction or arrangement is in SEPAC's best interest, for its own benefit, and whether it is fair and reasonable. It shall make its decision as to whether to enter into the transaction or arrangement.

4. Violations of the Conflicts of Interest Policy

If the board has reasonable cause to believe a member has failed to disclose an actual or possible conflict of interest, it shall inform the member and allow an opportunity to explain.

If after hearing the response and making further investigation as warranted, the board or committee determines the member has failed to disclose a conflict, it shall take appropriate disciplinary and corrective action.

Article IV: Records of Proceedings

The minutes of the board and all committees with board-delegated powers shall contain:

1. The names of the persons who disclosed or were found to have a financial interest,
 2. The nature of the financial interest,
 3. Actions taken to determine whether a conflict of interest was present,
 4. The board's or committee's decision as to whether a conflict of interest in fact existed,
 5. The names of persons who were present for discussions and votes relating to the transaction or arrangement,
 6. The content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken.
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Article V: Compensation

A voting member of the board who receives compensation from SEPAC for services is precluded from voting on matters pertaining to that member's compensation.

Article VI: Annual Statements

Each director, officer, and member of a committee with board-delegated powers shall annually sign a statement affirming that they:

Have received a copy of this policy,

Have read and understood the policy,

Agree to comply with the policy, and

Understand SEPAC is a charitable organization and that in order to maintain its federal tax exemption, it must engage primarily in activities that accomplish one or more of its tax-exempt purposes.

Article VII: Periodic Reviews

To ensure SEPAC operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The review shall, at a minimum, include whether partnerships, joint ventures, and arrangements conform to SEPAC's mission and ensure no private benefit or excess benefit transaction has occurred.

Article VIII: Use of Outside Experts

When conducting the periodic reviews, SEPAC may, but need not, use outside advisors. If used, their use shall not relieve the board of its responsibility for ensuring that periodic reviews are conducted.

Article X: Bylaw Amendments

These bylaws may be adopted, amended, or repealed at any SEPAC meeting, provided that the proposed change is submitted in writing to all members at least 15 days prior to the meeting where the vote will be taken.

Article XI: General

Meetings will follow the rules in the current edition of Robert's Rules of Order, Newly Revised, unless in conflict with these bylaws.

Article XII: Charitable Purpose

This organization is organized exclusively for charitable and educational purposes under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future federal tax code.

Article XIII: Dissolution

Upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.

Article XIV: Limitations on Private Benefit

No part of the net earnings of this organization shall inure to the benefit of, or be distributable to its members, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in these bylaws. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

Statutory Authority

SEPAC operates under Massachusetts regulations (603 CMR 28.07(4)):

“(4) Parent advisory participation. Each school district shall create a districtwide parent advisory council offering membership to all parents of eligible students and other interested parties. The parent advisory council duties shall include but not be limited to: advising the district on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school district’s special education programs. The parent advisory council shall establish bylaws regarding officers and operational procedures, and in the course of its duties, the parent advisory council shall receive assistance from the district without charge, upon reasonable notice, and subject to the availability of staff and resources.”

According to a determination by the Office of the Attorney General of Massachusetts (OML 2021 – 150), SEPAC is not a “public body” within the meaning of the Open Meeting Law (M.G.L. c. 30A, §§ 18–25).
