



Rules of Procedure for the Advisory Council on the Education of Children with Disabilities

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Rules of Procedure for the Advisory Council on the Education of Children with Disabilities

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The Advisory Council on the Education of Children with Disabilities operates pursuant to the authority of 105ILCS 5/14-3.01.

Section I—Declaration and Purpose

Section 1.1 The Advisory Council on the Education of Children with Disabilities, (Council), in order to fulfill its statutory purpose and responsibilities under 105 ILCS 5/14-3.01 and to serve the citizens of Illinois, hereby establishes Rules of Procedure to direct its operations. It is the purpose of these Rules of Procedure to clarify the means by which the Council will perform its functions, delegate authority without avoiding responsibility, and respond to the requirements of its legislative mandate.

Section 1.2 Pursuant to 105 ILCS 5/14-3.01, the Council shall provide advice and policy guidance to the Governor, General Assembly, and the State Board of Education with respect to special education and related services for children with disabilities. The State Board of Education shall seek the advice of the Council regarding all rules and regulations related to the education of children with disabilities that are to be promulgated by the State Board of Education. The State Board of Education shall seek the advice of the Advisory Council on modifications or additions to comprehensive plans submitted under Section 14-4.01. The Council shall consider any rule or regulation, or plan submitted to it by the State Board of Education within 60 days after its receipt by the chairperson of the Council.

Section 1.3 Additionally, the Advisory Council shall:

1. Advise the General Assembly, the Governor, and the State Board of Education on unmet needs in the education of children with disabilities;
2. Assist the State Board of Education in developing evaluations and reporting on data to the United States Secretary of Education;
3. Advise the State Board of Education relative to qualifications for hearing officers and the rules and procedures for hearings conducted under Section 14-8.02 or 14-8.02a;
4. Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities and the procedures for distribution of funds under this Act;
5. Advise the State Board of Education in developing corrective action plans to address findings identified in federal monitoring reports pursuant to the
6. Individuals with Disabilities Education Act; Advise State and local education agencies regarding educational programs and materials that may be provided to children with disabilities to enable them to fully exercise their constitutional and legal rights and entitlements as citizens, including those afforded under the Federal Rehabilitation Act of 1973, as amended, and the Illinois Human Rights Act; and
7. Advise the State Board of Education in developing and implementing policies relating to the coordination of services for children with disabilities.

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Section II—Membership and Officers

- Section 2.1 Members of the Council are selected pursuant to the appointment specifications noted in 105 ILCS 5/14-3.01.
- Section 2.2 Vacancies in membership will be filled in accordance with the appointment authority detailed in 105 ILCS 5/14-3.01.
- Section 2.3 The Chairperson shall be a member of the Council and shall be elected by Council members annually in June of each year.
- Section 2.4 The Vice-Chairperson shall be a member of the Council and shall be elected by Council members annually in June of each year. Upon written direction from the Chairperson, the Vice-Chairperson shall fulfill duties as designated by the Chairperson.
- Section 2.5 A Council member shall be elected annually by Council members in June of each year to serve as a liaison to the Advisory Council on the Education of Gifted and Talented Children. A Council member shall be elected annually by Council members in June of each year to serve as a liaison to the Bilingual Special Education Joint Subcommittee.

Section III—Meetings

- Section 3.1 All meetings of the Council, including committee meetings and public hearings shall be open to the public and comply with the Open Meetings Act.
- Section 3.2 Regular meetings of the Council shall be held at a time and location determined by the Chairperson. The Chairperson, at his/her discretion, may cancel or reschedule any regular meeting by written notice within a reasonable time prior to the scheduled meeting date. The time and place of all such meetings scheduled or rescheduled shall be given to the Council members at least 10 calendar days prior to this meeting date.
- Section 3.3 If a meeting is held virtually, the Council must also have a public building location for the meeting and a way for individuals physically present to participate in the public participation portion of the meeting. The virtual log-in information and physical location of the meeting must be included on the agenda. Special meetings of the Council may be called at the discretion of the Chairperson or by request of a majority of Council members. An Agenda, together with a notice of the time and place of any such meeting, must be provided to the Council members at least five calendar days prior thereto. Only matters contained in the Agenda shall be discussed at any special meeting. The Chairperson may cancel a special meeting at his or her discretion, provided that a meeting called by the Council members may be canceled only by the consent of a majority of the Council members.
- Section 3.4 The Chairperson shall prepare an Agenda of business scheduled for deliberation prior to each regular meeting. The approval of Minutes from the previous meeting and a
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public comment opportunity shall be included on each Agenda. The Agenda shall be distributed to the members of the Council at least 10 calendar days prior to a scheduled meeting. Any member may have an item placed on the Agenda by notifying the Chairperson of his or her desires in that regard in writing at least 12 days prior to the Council meeting. Such notification should also include a copy of any written materials that the member wishes to distribute to the Council. In addition, there shall always be a category titled "New Business" for the initiation of emergent matters on every Agenda, exception a special meeting.

Section IV—Conduct of Business

- Section 4.1 In order to transact business, one-third of those appointed to the Council must be present at the initial roll call at the commencement of any regular or special meeting to constitute quorum. Council members attending in person, by video teleconference, or by telephone, as permitted by the Open Meetings Act, shall be considered present for the purpose of establishing and maintaining a quorum. If a quorum is not present at the scheduled time of the meeting, the Chairperson may continue a roll call for a reasonable time. Thereafter, if a quorum is not reached and maintained, the meeting may continue so long as official action is not taken. If and when a quorum is subsequently reached or regained, regular business may continue.
- Section 4.2 A majority of those voting (defined as those who cast "yes" or "no" votes) on a motion shall be sufficient to pass and make it the official act of the Council. Motions shall be made and seconded by Council members before being called for a vote. A motion shall not be made and seconded by the same Council member. Virtual meetings should constitute a roll call vote.
- Section 4.3 The Chairperson shall have the right to call for a vote by voice vote in all cases unless there is an objection by one member, in which case a roll call vote shall be taken. The Minutes shall reflect the results of each roll call.
- Section 4.4 Proxy votes shall not be permitted. A Council member must be present to record his or her vote and to present a motion or motions.
- Section 4.5 Minutes of each meeting shall be approved by the Council as required by the Open Meetings Act. Copies of the approved Minutes shall be posted online within 10 calendar days after Council approval and made available to anyone who requests them in accordance with the Open Meetings Act.
- Section 4.6 Members of the public may comment at each meeting subject to reasonable constraints. Participants are expected to follow these guidelines:
1. Address the Council only at the appropriate time as indicated on the Agenda and when recognized by the Chairperson.
 2. Identify oneself and be brief. Ordinarily, comments shall be limited to five minutes.

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3. In the interest of time, the Chairperson may shorten public comment to give the maximum number of participants the opportunity to speak.
4. Conduct oneself with respect and civility toward others.

Section V—Committees

- Section 5.1** The Chairperson may create committees and shall appoint all committee members, chairpersons and vice-chairpersons, all of whom shall serve at his or her pleasure. Each committee member may request individuals to serve as non-voting participants of the committee to provide support to the committee. Requests must be submitted to and approved by the Chairperson. Committee activities shall be consistent with the provisions of these Rules of Procedure and governed by the actions of the Chairperson and/or the Council.
- Section 5.2** Committees shall exercise those powers as are appropriate to their mission and responsibility. They also shall have such other powers and duties as designated by the Chairperson. Committee reports and recommendations shall be submitted to the Chairperson within the time prescribed by him or her and they shall be advisory only.
- Section 5.3** Committee meetings shall be scheduled by the Chairperson or the committee chairperson and shall be subject to provisions of Section III of these Rules of Procedures.
- Section 5.4** In order to transact business, a majority of those appointed to a committee must be present at the initial roll call at the commencement of any regular or special meeting. Committee members attending in person, by video teleconference, or by telephone, for purposes of establishing a quorum as permitted by the Open Meetings Act, shall be considered present. If a quorum is not present at the scheduled time of the meeting, the committee chairperson may continue a roll call for a reasonable time. Thereafter, if a quorum is not reached, the meeting may continue, provided no official action is taken. If a quorum is subsequently reached, official action may be taken at that time.
- Section 5.5** The provisions of Sections 4.2 through 4.6 apply to committees of the Council and the committee chairperson shall fulfill the role of Chairperson for committee meetings.
- Section 5.7** Executive Committee: There shall be an Executive Committee. It shall consist of the Chair, Vice-Chair, as well as the Chairs of all standing committees. If one person fills more than one of these designations, they will serve in both capacities.
1. Meetings: Meetings of the Executive committee shall be held in the bimonthly in interim between regularly scheduled ISAC meetings. Meetings shall be called by the Chair or upon petition by three (3) members of the committee. Meetings may take place in person, via teleconference or other alternate means.

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2. **Responsibilities:** The Executive Committee is responsible to the Council. The Executive Committee is responsible for receiving and preparing recommendations on items that may come before it at times that require action in between regularly scheduled Business meetings. Any Action taken is subject to ratification by the Council.

3. The Executive Committee shall act as advisor to the general assembly, governor and the Illinois State Board of Education on behalf of the Council, with the purpose of keeping these groups informed about issues of importance to the Illinois State Advisory Council on the Education of Children with Disabilities.

Section VI—Administrative Support

Section 6.1 Designated State Board of Education staff shall provide administrative support to the Council.

Section 6.2 Designated State Board of Education staff shall maintain and update the Advisory Council's subpage of the Illinois State Board of Education's website.

Section VII—State Mandated Training and Conflicts of Interest

Section 7.1 All members of the Council shall annually complete all mandatory training or (the mandatory ethics and harassment training for members) of Illinois boards and commissions. A signed acknowledgment of completion of the training shall be submitted to designated State Board of Education staff and kept for each Council member.

Section 7.2 All members of the Council shall complete the Open Meetings Act training available on the website of Illinois Attorney General. A certificate of completion shall be submitted to designated State Board of Education staff and kept for each Council member.

Section 7.3 No Council member shall accept any stipend, fee, gratuity, or consideration of any kind or nature from any person, unit, agency, or organization for the purpose of influencing a vote, decision, or recommendation of a member on a matter before the Council.

Section 7.4 Council members shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties in accordance with the State Board of Education's Travel Control Policy.

Section 7.5 No Council member shall receive any funds related to recommendations made by the Council.

Section 7.6 The decision of the Chairperson with respect to conflict of interest situations shall be final unless the situation involves the Chairperson, in which case the Vice Chairperson's decision shall be final.

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Section VIII—Robert’s Rules of Order

Section 8.1 All matters not covered by these Rules of Procedure shall be governed by the latest edition of Robert’s Rules of Order.

Section IX—Adoption and Amendments to Rules of Procedure

Section 9.1 Adoption or amendment of these Rules of Procedure shall require a two-thirds vote of the Council members voting at an official meeting that has been properly noticed as required by these Rules of Procedure. Amendments shall be proposed only by members during a regular meeting of the Council and voted upon during the next regular meeting.

Section 9.2 A complete electronic copy of these Rules of Procedure shall be posted on the website required by Section 6.2.