

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2012-48
April 5, 2012

SUBJECT: Establishment – State Advisory Panel on Special Education for the District of Columbia

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(11) of the District of Columbia Home Rule Act, as amended, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(11), and pursuant to The Individuals with Disabilities Education Improvement Act of 2004, 20 U.S.C. §1400 *et seq.* ("IDEIA"), it is hereby **ORDERED** that Mayor's Order 2007-246 dated November 13, 2007 is hereby rescinded in its entirety, and it is further **ORDERED** that:

I. ESTABLISHMENT

There is established a State Advisory Panel on Special Education for the District of Columbia (hereinafter referred to as the "Advisory Panel").

II. PURPOSE

The Advisory Panel shall serve as an advisory body to the Mayor and the District of Columbia Office of the State Superintendent of Education (OSSE), in its capacity as the State Education Agency (SEA) on matters pertaining to the education of children and youth with disabilities served by public and private agencies of the District of Columbia.

III. FUNCTIONS

The functions of the Advisory Panel as established under 34 C.F.R. §§300.167 – 300.169 shall include:

- a. Advising on unmet needs within the District of Columbia in the education of children with disabilities.
- b. Reviewing and commenting publicly on any legislation, rules, or regulations proposed in the District of Columbia regarding the education of children with disabilities.
- c. Advising the SEA in developing evaluations and reporting on data to the United States Department of Education (Secretary) under section 618 of the Act.
- d. Advising the SEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act.

- e. Advising on the development and implementation of proposed legislation, rules, regulations, policies and procedures relating to the coordination of services for children with disabilities, including advising on eligible students with disabilities in adult prisons.
- f. Advising on the education of eligible students with disabilities who have been convicted as adults and incarcerated in adult prisons, even if, consistent with 34 CFR, Sec, 300.607, the District assigns general supervision responsibility for those students to a public agency other than an SEA.
- g. Providing advice on systemic and other issues affecting the coordination and delivery of special education and related services to children and youth with disabilities.
- h. Reviewing and commenting publicly on the State Performance Plan and the Annual Performance Report.
- i. Undertaking any other duties as may be assigned by the Mayor, the State Education Agency (SEA), or as required by federal law.
- j. Preparing an annual report of its activities and recommendations on or by July 1 of each calendar year, and submitting it to the Mayor, the Office of the State Superintendent of Education as the State Education Agency (SEA), other appropriate District government officials, and the public.

IV. COMPOSITION

The Advisory Panel must be appointed by the Mayor. All members must reflect the representation identified in IDEA 34 C.F.R. §300.168 and to the degree possible shall be representative of the population of the District.

- a. The Advisory Panel shall consist of at least fifteen (15) voting members who are appointed by the Mayor.
- b. The members appointed to the Committee shall have demonstrated interests in issues affecting special education, or the coordination and delivery of special education and related services to children and youth with disabilities (ages birth through 26).
- c. A majority of the members shall be individuals with disabilities, or parents of children and youth with disabilities.
- d. The members appointed by the Mayor to the Committee shall include:
 - i. Parents, or guardians, of children with disabilities (ages birth through 26);
 - ii. Individuals with disabilities who reside in the District of Columbia;

- iii. Teachers;
- iv. Representatives of institutions of higher education that prepare special education and related services personnel;
- v. 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.);
- vi. Administrators of programs for children with disabilities;
- vii. Representatives of the State government agencies involved with financing or delivery of services to persons with disabilities;
- viii. Representatives of private schools and public charter schools;
- ix. Not less than one representatives of a vocational, community, or business organization in the District of Columbia concerned with the provision of transition services to children with disabilities;
- x. A Representative from the State child welfare agency responsible for foster care; and;
- xi. Representatives of the State juvenile and adult corrections agencies.
- xii. Special Rule. A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (ages birth through 26).
- xiii. The panel may include other members selected by the Mayor.

V. TERMS

- a. The Mayor shall appoint non-governmental members of the Advisory Panel to two (2) year terms.
- b. A person may be appointed as a member of the Advisory Panel to fill the unexpired term of a member who resigns, or vacates the position for which the member is initially appointed, or whenever a vacancy occurs, among the initially appointed members of the Advisory Panel.
- c. The government members appointed shall serve at the pleasure of the Mayor.
- d. A member may continue to serve in an expired term until a replacement is appointed.

VI. COMPENSATION

Members of the Advisory Panel shall serve without compensation, except that a member may be reimbursed for expenses incurred in the authorized execution of official Advisory Panel duties, if authorized in advance by the Office of the State Superintendent of Education (OSSE), or designee, and as supported by budget appropriation and authority.

VII. ORGANIZATIONAL STRUCTURE

- a. The Mayor shall designate, or shall require the Advisory Panel to designate such a member, one member of the Advisory Panel to serve as Chairman of the Advisory Panel and one member to serve as Vice-Chairman who shall serve in those capacities at the pleasure of the Mayor.
- b. The Advisory Panel may establish subcommittees as needed. Subcommittees may include persons who are not members of the Advisory Panel, provided that each subcommittee is chaired by a member of the Advisory Panel.
- c. The Advisory Panel may establish its own bylaws and rules of procedure, subject to review and approval by the Office of Boards and Commissions and the Office of the State Superintendent of Education.
- d. The Advisory Panel shall maintain a prudent Management Information System whereby all records shall be maintained in space designated and provided by the Office of the State Superintendent of Education. Records shall be made available to the public in an accessible and readable format.
- e. The Advisory Panel shall establish a quarterly meeting schedule, and shall convene at least four (4) meetings each calendar year.
- f. The Advisory Panel shall publicly announce all regularly scheduled meetings on the website prior to the meeting, along with meeting agenda.
- g. Advisory Panel shall make open to the public all regularly scheduled meetings
- h. Advisory Panel shall make accommodations, including interpreters and other necessary services, available for panel members, participants or persons with disabilities upon request.

VIII. ADMINISTRATION

- a. The Office of the State Superintendent of Education (OSSE) shall provide administrative, technical support and coordination assistance, including designated office space, to the Advisory Panel as needed and as determined by the State Superintendent of Education, and as supported by budget appropriation and authority.

- b. The Advisory Panel, through the Office of the State Superintendent of Education (OSSE), and in accordance with applicable District of Columbia laws, rules and procedures, may accept resources provided from public or private organizations to execute and coordinate the activities and functions of the Advisory Panel.
- c. The Advisory Panel may utilize District government public space to sponsor, or hold, meetings in accordance with District of Columbia law and regulations.

IX. SUNSET

The Advisory Panel shall not sunset.


X. RESCISSION

This Order supersedes Mayor's Order 2004-187, dated November 16, 2004, in its entirety.

- XI. EFFECTIVE DATE: This Order shall become effective immediately.



VINCENT C. GRAY
MAYOR

ATTEST: 

CYNTHIA BROCK-SMITH
SECRETARY OF THE DISTRICT OF COLUMBIA