

CONSTITUTION AND BYLAWS

This document includes a 'Constitution' comprised of fixed laws, which are the foundation upon which the organization is based and are permanent as written. In the event any part of the constitution becomes inconsistent, illegal, or in conflict with any existing authority or legal requirement, the CAC shall respond promptly. The section in question shall be fully severed from the body of the constitution and bylaws and shall in no way affect the authority and enforceability of the remaining sections of the document.

The Bylaws are comprised of rules that can be amended by the membership as deemed necessary in accordance with the procedure outlined herein.

CONSTITUTION

ARTICLE I: Name

The name of this organization shall be Community Advisory Committee for Special Education, referred to hereafter as the CAC.

ARTICLE II: Purpose

The purpose of the Community Advisory Committee is to participate in the development, amendment and review of the Local Control Accountability Plan as well as to advise the SDUSD Board of Education about issues related to implementation of the Local Control Accountability Plan and programs and services for students with special needs within the jurisdiction of the Plan; recommend priorities to be addressed by the Local Control Accountability Plan; provide feedback on the District's Local Control Accountability Plan related to students with disabilities; assist in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan; provide training, information and resources, for parents of students enrolled in the SDUSD SELPA; encourage parental and community involvement in all aspects of Special Education; work to improve awareness of issues related to students with special needs in the SDUSD and the community; and support activities on behalf of individuals with exceptional needs.

ARTICLE III: Responsibilities

The CAC shall provide regular reports to the SDUSD Board of Education as needed and at least once annually; communicate on a regular and continuing basis with the SDUSD Parents, the Board of Education, Superintendent, Special Education Program Administrators, and District personnel regarding issues related to special education as needed; collect and disseminate information to all parents of special education students served by the SELPA and related agency and community representatives via various means including but not limited to dissemination of a newsletter each year. The committee shall serve only in an advisory capacity to the Board of Education of the San Diego Unified School District.

ARTICLE IV: Membership

The maximum number of members shall be 37. If the membership falls below ten (10) members, the remaining CAC members shall form a revitalization task force and retain their status as members without the need to reapply.

The CAC shall be composed of Parents of Individuals with Exceptional Needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs. At least the majority of such committee shall be composed of parents of pupils enrolled in schools participating in the local plan, and at least a majority of such parents shall be Parents of Individuals with Exceptional Needs. The majority of the voting Active Members of the CAC shall be Parents of Individuals with Exceptional Needs which are defined in the 'definitions' of this document. Any SDUSD employee in an administrative, leadership or management position shall be designated as an 'Ex-Officio Member' and as such shall not hold office or exercise a vote. In the event of vacancies in committee membership, the CAC shall remain a viable operating entity so long as the parent majority is maintained. Any members who are paid or otherwise compensated (not to include federal funds designated for parent involvement) to attend CAC meetings are encouraged to participate, but may not exercise a vote, and thereby do not count toward the quorum (to include members compensated to attend CAC meetings who are employed by the school district or SELPA, vendors, or otherwise under contract with the school district or SELPA.).

CAC members shall be appointed by the Board of Education. The CAC shall utilize the selection procedures defined in the local plan and this document for consideration of applicants for membership. Applications shall be reviewed and approved by a vote of the Executive Board. Applicants approved shall be considered nominees and those names will be forwarded to the Board of Education for appointment. Attendance shall be recorded for each general membership meeting.

Prospective members may submit membership applications to the CAC Chairperson after attending three general sessions in a five month period, or seven general sessions, within a traditional CAC school year (September through June).

If a member misses two (2) consecutive general membership meetings or three (3) general membership meetings in a term year, from July 1 through June 30, the member may forfeit membership on the CAC as determined by the Executive Board.

The CAC is an active committee. Members shall participate on at least one committee.

Any member officially representing the CAC at a meeting or event shall do so only with the consent of the Chairperson and shall provide a report to the general membership at the next general membership meeting.

ARTICLE V: General Membership Meetings

The CAC shall convene a minimum of eight (8) meetings in a twelve (12) month period. Additional meetings may be called at the discretion of the Chairperson and/or Executive Board in accordance with the Brown Act. CAC meetings shall be held within the geographic jurisdiction of the SELPA, shall be made known by public notice, shall be open to the public, shall be documented in minutes, and shall require a quorum to be present to validate or approve any motion to be adopted on behalf of the CAC. The Chair or his / her designee (an executive board member of the CAC) must be present for official business to take place.

ARTICLE VI: Executive Board

The CAC executive board shall be composed of 'Executive Board Officers' including a Chairperson, Vice-Chairperson, Secretary, and Treasurer, and other 'Executive Board Members' including

Members-at-Large. The total number of executive board representatives shall not exceed fifty percent of the total membership and may not exceed a total of seven (7). The Chairperson and Vice-Chairperson shall always be Parents of Individuals with Exceptional Needs.

The executive board shall be elected for a term of one (1) year from July 1 through June 30 with no person serving more than two (2) consecutive terms in the same elected position with the exception of the Chairperson. The Chairperson shall be elected for a term of one (1) year from July 1 through June 30 with no person serving more than four (4) consecutive terms in the same elected position. The executive board shall maintain a majority of Parents of Individuals with Exceptional Needs. An officer of the executive board must be present at any meeting for CAC business to be discussed. The executive board shall review the Bylaws annually.

ARTICLE VII: Nomination and Election of Officers

At the March general meeting, a nominating committee composed of one (1) executive board member and at least one (1) and no more than two (2) Parents of Individuals with Exceptional Needs shall be identified. Members will self-nominate. Selection shall be accomplished via motion. The chair cannot be elected to serve on the nominating committee. The nominating committee shall agree upon a slate of officers to include a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Member(s)-at-large and shall present the proposed slate to the general membership at the April meeting. Any nominee for a position as an Officer must be a member for at least 8 months prior to serving. If the membership officially adopts the slate by a majority vote, the slated members become the elected representatives.

ARTICLE VIII: Operation of the Executive Board

A majority of the members, with a majority of the members present being Parents of Individuals with Exceptional Needs, of the Executive Board must be present at any Executive Board meeting to constitute a quorum. A majority vote of the members present shall be required for any action to be sanctioned by the Executive Board. If the Chairperson resigns the Vice Chairperson shall become the Chairperson for the remainder of the term. If a position of an Executive Board Officer other than Chairperson becomes vacant, the Chairperson may appoint an Executive Board Member to fill the position for the remainder of the term. If the Executive Board falls below five (5) members the Chairperson may appoint a member to fill a vacancy for the remainder of the term.

ARTICLE IX: Standing Committees and Subcommittees

CONSTITUTION

The CAC shall maintain three standing committees, a Bylaw Review Committee, a Membership Committee, and a Public Awareness and Outreach Committee. The Chairperson may form additional subcommittees as needed.

ARTICLE X: Bylaw Amendments

Members proposing bylaw revisions or amendments shall submit their recommended changes in writing to the Chairperson. Members shall discuss proposed bylaw revision(s) or amendment(s) during the New Business portion of the general meeting. Bylaw revisions or amendments shall be voted on by article or section in accordance with procedures identified in the bylaws and shall become effective immediately upon their

adoption. Revised bylaws must be signed and dated by a majority of the officers of the CAC who are serving at the time of ratification to be considered valid. In the event any part of the bylaws becomes inconsistent, illegal, or in conflict with any existing authority or legal requirement, the CAC shall respond promptly. The section in question shall be fully severed from the body of the bylaws and shall in no way affect the authority and enforceability of the remaining sections of the bylaws. Within thirty (30) days of severing a section, a CAC sub-committee shall be formed to propose the necessary changes / provisions.

ARTICLE XI: Procedure

Any procedural considerations not specifically covered in these By-laws shall follow the dictates of Robert's Rules of Order, latest revision.

ARTICLE XII: Definitions and Word Structure

Present tense includes past and future tenses.

Singular number includes plural, and plural includes singular.

The word "Shall" is mandatory and the word "May" is permissive.

"Active Member" of the CAC means a 'Member in Good Standing' counting toward a quorum, with voting privileges.

"Conflict of Interest" means a situation in which the disinterested performance of official duties may be unduly influenced by considerations of private interest (to include members who are employed by the school district or SELPA, vendors, or otherwise under contract with the school district or SELPA), who are paid or otherwise compensated for CAC attendance or participation.

"Parent," means a person having legal custody of a child currently enrolled in the SELPA; any adult pupil for whom no guardian or conservator has been appointed; a person acting in the place of a natural or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives. "Parent" also includes a parent surrogate; a foster parent if the authority of a parent to make educational decisions on the child's behalf has been specifically limited by court order in accordance with subsection (b) of Section 300.20 of Title 34 of the Code of Federal Regulations. "Parent" does not include the state or any political subdivision of government [CA Ed. Code 56028]. Parents of Individuals With Exceptional Needs means a parent of a child with a disability A 'Parent' who is a CAC member and is employed by SDUSD shall be counted as a district employee on rosters and for all other purposes including, but not limited to, voting and elected positions.

"QUORUM" means more than 50% of the CAC voting membership, of which a majority must be "PARENTS" (as defined in this document).

"Sessions" means general membership meetings inclusive of both the public and business portions of the meetings in their entirety.

"Teacher" means employee of a school district, employed in a position requiring certification qualifications, whose duties require him or her to provide direct instruction to pupils in the schools of that district for the full time for which he or she is employed. "Teacher" includes, but is not limited to all definitions in the state education code.[CA Ed. Code 41401(d)].

BYLAWS

ARTICLE I: Name

- 1.01 The name of this organization shall be Community Advisory Committee for Special Education, referred to hereafter as the CAC.

ARTICLE II: Purpose

- 2.01 Participate in the development, amendment and review of the Local Plan;
- 2.02 Advise the SDUSD Board of Education about issues related to implementation of the Local Plan and programs and services for students with special needs within the jurisdiction of the Plan;
- 2.03 Recommend priorities to be addressed by the Local Control Accountability Plan as well as to advise the SDUSD Board of Education about issues related to implementation of the Local Plan;
- 2.03.1 Priorities may include but not be limited to items listed in Article III, (sections 3.02.1 to 3.02.10 of these bylaws);
- 2.04 Assist in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan, provide training and information, and resources for parents of students enrolled in the SDUSD SELPA:
- 2.05 Encourage parental and community involvement in all aspects of Special Education;
- 2.06 Work to improve awareness of issues related to students with exceptional needs in the SDUSD and the community;
- 2.07 Support activities on behalf of individuals with exceptional needs.

ARTICLE III: Responsibilities

- 3.01 Advise the SDUSD Board of Education. Provide regular reports to the SDUSD Board of Education as needed and at least twice annually;
- 3.02 Communicate on a regular and continuing basis with the SDUSD Parents, the Board of Education, Superintendent, Special Education Program Administrators and District personnel regarding issues related to special education as needed including:
- 3.02.1 Educational needs of students;
 - 3.02.2 Access to and progress in the general curriculum;
 - 3.02.3 Efficacy of special education programs and services;
 - 3.02.4 Administration and management of programs and services;
 - 3.02.5 Staff development and training;
 - 3.02.6 Training opportunities for parents and community;
 - 3.02.7 Opportunities for students with special needs to participate in school related activities;
 - 3.02.8 Provision of a FAPE in the LRE (refer to 12.04 (h), (k) for definitions);

- 3.02.9 Compliance with federal and state laws;
- 3.02.10 Making recommendations regarding changes and / or improvements in programs and / or services for students with exceptional needs and / or the administration thereof;
- 3.03 Provide input regarding the design of SDUSD Staff Development Programs;
- 3.04 Provide training opportunities for committee members, parents, district staff and the community;
- 3.05 Attend Staff Development opportunities afforded to SDUSD personnel;
- 3.06 Collect and disseminate information to all parents of special education students served by the SELPA and related agency and community representatives via various means including but not limited to computer technology options on a regular basis.
- 3.07 Serve as a point of contact and source of information for individuals inquiring about Special Education.

ARTICLE IV: Membership

- 4.01 The CAC shall be composed of Parents of Individuals with Exceptional Needs enrolled in public or private schools, parents of other pupils enrolled in school, pupils and adults with disabilities, regular education teachers, special education teachers and other school personnel, representatives of other public and private agencies, and persons concerned with the needs of individuals with exceptional needs;
- 4.02 The maximum number of members shall be 37;
- 4.03 If the membership falls below ten (10) members, the remaining CAC members shall form a revitalization task force and retain their status as members without the need to reapply;
- 4.04 The majority of the active voting members of the CAC shall be Parents of Individuals with Exceptional Needs as defined in the 'definitions' of this document;
- 4.05 Any SDUSD employee in an administrative, leadership or management position shall be designated as 'Ex-Officio Member' in accordance with 12.04(g);
- 4.06 Any members who are paid or otherwise compensated (not to include federal funds designated for parent involvement) to attend CAC meetings are encouraged to participate, but may not exercise a vote, and thereby do not count toward the quorum (to include compensated members to attend CAC meetings who are employed by the school district or SELPA, vendors, or otherwise under contract with the school district or SELPA).
- 4.07 The CAC will work collaboratively with the Special Education administration to encourage involvement of parents and the recruitment of new members;
- 4.08 The CAC shall utilize the selection procedures defined in the local plan and this document for consideration of applicants for membership;

- 4.09 Representatives shall be selected by their peers, whenever possible, to submit applications for membership;
- 4.10 It is the intent of the CAC to strive to maintain a voting membership of parent representatives reflective of the diversity in the SDUSD SELPA with regard to cultural, geographic, and socioeconomic factors and in consideration of federal handicapping condition(s), service delivery model, placement mode, age and grade level;
- 4.11 The CAC shall strive to maintain membership composition to ensure representation in accordance with EC 56191, EC 56192 and EC 56193. Members shall be appointed in a specific category. Re-designation of a member's category on the CAC requires approval by the Board of Education. The CAC shall be composed of the following categories:
 - 4.11.01 Parents of Individuals with Exceptional Needs;
 - 4.11.02 Parents of other pupils enrolled in school (may also be Parents of Individuals with Exceptional Needs);
 - 4.11.03 Representatives of public and private agencies or organizations;
 - 4.11.04 Individuals concerned with the needs of individuals with exceptional needs;
 - 4.11.05 Student with disabilities;
 - 4.11.06 Adult with disabilities;
 - 4.11.07 Special education teachers;
 - 4.11.08 Other school personnel;
 - 4.11.09 General/regular education teachers;
 - 4.11.10 Parents of Individuals with Exceptional Needs who are also employees in any capacity of San Diego Unified School District,. This category shall be referred to as "Parent-Limited";
- 4.12 Prospective members may submit membership applications to the CAC Chairperson after attending three general sessions in a five month period;
- 4.13 Applications shall be reviewed and approved by a vote of the Executive Board. Applicants approved shall be considered nominees and those names will be forwarded to the Board of Education for appointment. A copy will be provided to the SELPA Director and the Superintendent;
- 4.14 Terms shall be for four years without automatic renewal. Members may re-apply at the end of their term;
- 4.15 Terms of members' appointment to the CAC shall be staggered so that no more than half of the membership terms expire the same year;
- 4.16 All membership terms shall commence immediately upon appointment, with the term ending in the month of June four years following the date of appointment. Should a member no longer meet the criteria for the membership category as originally approved for membership by the Board of Education, they may apply for membership in another category for which they meet the criteria;
- 4.17 Attendance shall be recorded for each general membership meeting;

- 4.18 If a member misses two (2) consecutive general membership meetings or three (3) general membership meetings in a traditional school year, from September to June, the member may forfeit membership on the CAC as determined by a vote of the Executive Board;
- 4.19 Members are responsible to attend CAC meetings. If a member will not be in attendance, he / she is to notify the Chairperson;
- 4.20 Any member may resign by notifying the Chairperson in writing;
- 4.21 A member may request an emergency leave of absence from the executive board in writing. The leave of absence shall not exceed six (6) months. Any member on a leave of absence shall become 'inactive' relinquishing voting privileges and not being counted toward the quorum (as defined in section 12.04(o));
- 4.22 All members shall participate on at least one committee;
- 4.23 Any member officially representing the CAC at a meeting or event shall do so only with the consent of the Chairperson and shall provide a report to the general membership at the next general membership meeting;
- 4.24 All CAC official written correspondence shall be submitted to the Chairperson and a copy shall be retained as record.

ARTICLE V: General Membership Meetings

- 5.01 There shall be a minimum of eight (8) regularly scheduled meetings in a twelve (12) month period. Additional meetings may be called at the discretion of the Chairperson and/or Executive Board in accordance with the Brown Act;
- 5.02 Shall be held within the geographic jurisdiction of the SELPA;
- 5.03 Shall be made known by public notice;
- 5.04 Shall be open to the public;
- 5.05 Shall be documented in minutes and minutes shall be disseminated to CAC members, the Board of Education and the SELPA Director;
- 5.06 Shall require a quorum to be present to validate or approve any motion to be adopted on behalf of the CAC;
- 5.07 Shall require the Chair or his / her designee to be present for official business to take place. This designee shall be an executive board member of the CAC.

ARTICLE VI: Executive Board

- 6.01 Shall be composed of the following:

- 6.01.1 Executive Board Officers: Chairperson, Vice-Chairperson, Secretary, Treasurer;
- 6.01.2 Executive Board Members: Members-at-Large;
- 6.02 Shall not exceed fifty percent (50%) of the membership and may not exceed a total of seven (7);
- 6.03 Shall be elected for a term of one (1) year, from July 1 through June 30, with no person serving more than four (4) consecutive elected terms in the same position;
- 6.04 Shall maintain a majority of Parents of Individuals with Exceptional Needs (as defined in section 12.04 (n) of these Bylaws);
- 6.05 Shall always have an Officer of the Executive Board present at a meeting to discuss CAC business;
- 6.06 Shall always have an executive board member present at all Standing Committee and Subcommittee meetings;
- 6.07 Shall review the Bylaws annually;
- 6.08 Shall ensure that all Officers are 'Active Members in Good Standing' to be nominated;
- 6.09 Officers must have been an 'Active Member in Good Standing' for at least 8 months prior to serving;
- 6.10 Ex-Officio members or members with a conflict of interest (including but not limited to employees of the school district who are paid or otherwise compensated to attend meetings or participate in the CAC) shall not be eligible to serve on the Executive Board;
- 6.11 Chairperson:
 - 6.11.1 Shall always be a parent of an individual with exceptional needs as defined in (as defined in section 12.04 (n) of these Bylaws);
 - 6.11.2 Shall preside over CAC general membership meetings (or in absence designate an executive board member to act as a substitute chairperson);
 - 6.11.3 Shall develop and notice agendas for Executive Committee meetings and General Membership meetings;
 - 6.11.4 Shall assign duties and appoint committee membership;
 - 6.11.5 Shall make reports, as required;
 - 6.11.6 Shall vote on motions only to break ties;
 - 6.11.7 Shall ensure maintenance and / or dissemination (as required and / or appropriate) records and copies of all official written CAC correspondence;
 - 6.11.8 Shall sign the bylaws annually following formal adoption by the members and submit to the Board of Education for approval;
 - 6.11.9 Shall obtain approval from the executive board before acting on behalf of the committee;
 - 6.11.10 Shall review and approve any written correspondence including all publications prior to dissemination;
 - 6.11.11 Shall have routine meetings with the Executive Director of Special Education.
 - 6.11.12 Shall direct semiannual presentations to Trustees of San Diego Unified School District.

6.12 Vice-Chairperson:

- 6.12.1 Shall always be a Parents of Individuals with Exceptional Needs as defined in (as defined in section 12.04 (n) of these Bylaws);
- 6.12.2 Shall assume the duties of the chairperson in his / her absence;
- 6.12.3 Shall act as timekeeper and parliamentarian at general membership meetings;
- 6.12.4 Shall assist the chairperson with the development of the agenda for meetings
- 6.12.5 Shall be responsible for securing, confirming, obtaining any exhibits, and thanking presenters.
- 6.12.6 Shall chair at least one standing committee;

6.13 Secretary:

- 6.13.1 Shall take notes at meetings and ensure notes are translated into minutes including documentation of attendance of all CAC general membership meetings;
- 6.13.2 Shall disseminate copies of required documentation including but not limited to minutes and bylaws to CAC members, the Board of Education and the SELPA Director who is to maintain an official CAC file;
- 6.13.3 Shall maintain a current listing of CAC members, including contact information, date of appointment and end of term date;
- 6.13.4 Shall act as a liaison between the Special Education Administrative Assistant to distribute draft general meeting minutes and ensure that Executive Committee minutes, once approved, are submitted to the Special Education Administrative Assistant for posting;
- 6.13.5 Shall utilize designated SELPA staff for clerical support.

6.14 Treasurer:

- 6.14.1 Shall maintain all financial records related to the CAC budget and report finances to the committee including a statement of assets prior to every Executive Committee Meeting;
- 6.14.2 Shall prepare and propose meeting schedule for upcoming year;
- 6.14.3 Shall convey any special arrangements for meeting location and submit requests for any and all meeting locations;
- 6.14.4 May maintain a petty cash fund and related record keeping;
- 6.14.5 Shall fulfill the duties of the secretary when the secretary is absent;
- 6.14.6 Shall chair at least one standing committee.

6.15 Member(s)-at-Large:

- 6.15.1 Shall maintain and track member attendance and ensure sign-in table is staffed at each general membership meeting.
- 6.15.2 Shall lead Above and Beyond planning, reservations, promotion, selection, and communications.
- 6.15.3 Shall track public testimony questions, responses, and tabulate for trends.
- 6.15.4 One Member-at-Large shall chair the Outreach Committee

ARTICLE VII: Nomination and Election of Officers

- 7.01 At the March general meeting, a nominating committee composed of one (1) executive board member and at least one (1) and no more than two (2) parents shall be identified. Members will self-nominate. Selection shall be accomplished via motion;
- 7.02 The chair cannot serve on this committee;
- 7.03 The nominating committee shall agree upon a slate of officers to include a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Member(s)-at-large, in accordance with the requirements of Section VI of these bylaws and shall present the proposed slate to the general membership at the April meeting;
- 7.04 A nominee for a position as an Officer must be an 'Active Member in Good Standing' for at least 8 months prior to serving;
- 7.05 If the membership officially adopts the slate by a majority vote, the slated members become the elected representatives;
- 7.06 If the slate is not adopted by a majority vote;
 - 7.06.1 The committee shall take nominations from the floor (nominations shall be from 'Active Members' only);
 - 7.06.2 A ballot shall be developed with the candidates from the proposed slate and candidate nominations from the floor;
 - 7.06.3 An election shall be held in May;
 - 7.06.4 A quorum must be present for an election to be held;
 - 7.06.5 A member must be present to vote;
 - 7.06.6 Voting shall be by secret ballot;
 - 7.06.7 Ballots shall have space designated for a write in candidate for each office;
 - 7.06.8 Votes shall be counted by the nomination committee and verified by the secretary;
 - 7.06.9 A candidate must receive a majority of the votes cast for any given position to be selected;
 - 7.06.10 Blanks and abstentions shall not be counted as votes cast for any specific position;
 - 7.06.11 If a quorum is not present, or if a candidate for a position fails to receive a majority of the votes cast, the Chairperson shall call a special election at the next general membership meeting;
- 7.07 Terms shall commence in July 1, or in the event of a special election as soon as the votes are validated;
- 7.08 Any position not filled in the election process shall be filled by appointment of an 'Active Member in Good Standing' by the Chairperson;
- 7.09 If position cannot be filled by appointment it shall be filled by rotating assignment of committee members;
 - 7.09.1 Rotating assignments shall be equally and fairly distributed amongst the Members;
 - 7.09.2.1 Members refusing to fulfill the duties for 'rotating assignment' may forfeit membership as determined by the executive board.

ARTICLE VIII: Operation of the Executive Board

- 8.01 A majority of the members of the Executive Board must be present and include a majority of Parents of Individuals with Exceptional Needs at any Executive Board meeting to constitute a quorum;
- 8.02 A majority vote of the quorum shall be required for any action to be sanctioned by the Executive Board;
- 8.03 All proceedings of the Executive Board shall be promptly reported at the next succeeding general meeting of the Community Advisory Committee;
- 8.04 Executive Board shall exercise emergency powers of the CAC during the intervals between meetings;
 - 8.04.1 The emergency action must be substantiated in writing;
 - 8.04.2 Emergency actions shall be subject to ratification, revision and / or alteration by the general membership provided no irrevocable rights of third parties shall be affected;
- 8.05 Resignations from the Executive Board must be submitted to the Chairperson in writing and the resignation of the Chairperson must be submitted to the Executive Board;
- 8.06 If the Chairperson resigns or the position becomes vacant the Vice Chairperson shall become the Chairperson for the remainder of the term;
- 8.07 If a position of an Executive Board Officer other than Chairperson becomes vacant, the Chairperson may appoint an Executive Board Member to fill the position for the remainder of the term;
- 8.08 If the Executive Board falls below five (5) members the Chairperson may appoint an Active Member to fill a vacancy for the remainder of the term.

ARTICLE IX: Standing Committees and Subcommittees

- 9.01 The CAC shall maintain the following Standing Committees:
 - 9.01.1 Bylaw Review Committee;
 - 9.01.2 Membership Committee;
 - 9.01.3 Public Awareness and Outreach Committee
- 9.02 The Chairperson may form additional sub-committees as needed.

ARTICLE X: Bylaw Amendments

- 10.01 Members proposing bylaw revisions or amendments shall submit their recommended changes in writing to the Chairperson;
- 10.02 Proposed bylaw revision(s) or amendment(s) shall be discussed by Active Members during the New Business portion of the general meeting;

- 10.03 Bylaw revisions or amendments shall be voted on by article or section in accordance with section 5.06 of these bylaws;
- 10.04 Revisions or amendments to these bylaws shall become effective immediately upon their adoption by the CAC and the Board of Education;
- 10.05 Revised bylaws must be signed and dated by a majority of the officers of the CAC who are serving at the time of ratification to be considered valid; and a copy shall be submitted to the Board of Education and SELPA Director;
- 10.06 In the event any part of these bylaws becomes inconsistent, illegal, or in conflict with any existing authority or legal requirement, the CAC shall respond promptly;
- 10.06.1 The section in question shall be fully severed from the body of the bylaws and shall in no way affect the authority and enforceability of the remaining sections of the bylaws;
- 10.06.2 Within thirty (30) days of severing a section, a CAC sub-committee shall be formed to propose the necessary changes/provisions;
- 10.06.3 The CAC shall act promptly to adopt such changes/provisions;
- 10.07 A current copy of the CAC approved bylaws shall be available at all CAC meetings.

ARTICLE XI: Procedure

- 11.01 Any procedural considerations not specifically covered in these By-laws shall follow the dictates of Robert's Rules of Order, latest revision.

ARTICLE XII: Definitions and Word Structure

- 12.01 Present tense includes past and future tenses.
- 12.02 Singular number includes plural, and plural includes singular.
- 12.03 The word "Shall" is mandatory and the word "May" is permissive.
- 12.04 Terms are to be defined as follows:
- (a) "Active Member" of the CAC means a 'Member in Good Standing' counting toward a quorum, with voting privileges;
 - (b) "Board" means San Diego Unified School District Board of Education;
 - (c) "CAC", is the abbreviation for Community Advisory Committee for Special Education sometimes also referred to as the CACSE;
 - (d) "Community" encompasses the area within the San Diego Unified School District (SDUSD) Special Education Local Plan Area (SELPA);
 - (e) "Conflict of Interest" means a situation in which the disinterested performance of official duties may be unduly influenced by considerations of private interest (to include school district employees, vendors and individuals contracted with the school district, who are paid or otherwise compensated to attend CAC meetings or participate on the CAC);
 - (f) "EC" refers to the California Education Code;

- (g) "Ex-Officio Member" shall identify any school district employee in an administrative, leadership or management position who is a member. These members shall have no voting privileges, shall not count as members with regard to a quorum, and shall not be eligible to serve on the executive board;
- (h) "FAPE" means Free Appropriate Public Education as defined in federal and state law;
- (i) "Inactive Member" of the CAC means a member on a leave of absence. Such members do not have voting privileges and do not count toward a quorum;
- (j) "LOCAL PLAN" means a plan submitted by the School District to the California Department of Education in accordance with the requirements of the California Education Code (Reference Education Code Sections 56195 and 56205-56208);
- (k) "LRE" means Least Restrictive Environment as defined in federal and state law;
- (l) "Mail" means either Electronic Mail (Email), Facsimile (Fax), US Postal Service (or comparable delivery service);
- (m) "Member in Good Standing" means a person appointed by the Board of Education who has fulfilled the membership requirements, attendance requirements and received approval of the 'Executive Board' as outlined in Article IV of these Bylaws;
- (n) "Parent" means a person having legal custody of a child currently enrolled in the SELPA; any adult pupil for whom no guardian or conservator has been appointed; a person acting in the place of a natural or adoptive parent, including a grandparent, stepparent, or other relative with whom the child lives. "Parent" also includes a parent surrogate; a foster parent if the authority of a parent to make educational decisions on the child's behalf has been specifically limited by court order in accordance with subsection (b) of Section 300.20 of Title 34 of the Code of Federal Regulations. "Parent" does not include the state or any political subdivision of government [CA Ed. Code 56028]. "Parents of Individuals With Exceptional Needs" means a parent of a child/student with a disability. A 'parent' who is a CAC member and is employed by SDUSD may be counted as a district employee or parent-limited (not eligible for chair or vice chair position) on rosters and for all other purposes including, but not limited to, voting and elected positions;
- (o) "Quorum" means more than 50% of the CAC voting membership, of which a majority present must be "Parents of Individuals with Exceptional Needs" (as defined in section 'n' above);
- (p) "SDUSD" means San Diego Unified School District;
- (q) "SELPA" means Special Education Local Plan Area;
- (r) "Sessions" means general membership meetings inclusive of both the public and business portions of the meetings in their entirety.
- (s) "Special Education", means specially designed instruction and/or services at no cost to parent, to meet the unique needs of individuals with disabilities as defined in federal and state law in accordance with ('The Individuals with Disabilities Education Act' and / or 'The Individuals with Disabilities Education Improvement Act of 2004');
- (t) "Students with Disabilities" means students receiving Special Education Services as defined in federal and state law in accordance with ('The Individuals with Disabilities Education Act' and / or 'The Individuals with Disabilities Education Improvement Act of 2004');
- (u) "Students with Exceptional Needs" means students receiving Special Education Services as defined in federal and state law in accordance with ('The Individuals with Disabilities Education Act' and / or 'The Individuals with Disabilities Education Improvement Act of 2004');
- (v) "Students with Special Needs" means students receiving Special Education Services as defined in federal and state law in accordance with ('The Individuals with Disabilities Education Act' and / or 'The Individuals with Disabilities Education Improvement Act of 2004');
- (w) "Standing Committee" shall mean a permanent committee of the CAC;

- (x) "Subcommittee" shall mean a committee appointed by the Chair to work under a Standing Committee or on a special project on a temporary basis.
- (y) "Teacher" means employee of a school district, employed in a position requiring certification qualifications, whose duties require him or her to provide direct instruction to pupils in the schools of that district for the full time for which he or she is employed. "Teacher" includes, but is not limited to, all definitions in the state education code [CA Ed. Code 41401(d)].

Signatures

The following signatures of presiding CAC Executive Board Officers validate that these bylaws were adopted on June 14, 2007, reviewed on March 7, 2019 and amended by the general membership on April 11, 2019 in accordance with the Constitution and Bylaws in effect at the time of ratification.

I, Moria Allbritton, presiding Chairperson of the Community Advisory Committee, hereby authenticate these bylaws by my signature and verify they were adopted by the general membership in accordance with the Constitution and prevailing bylaws.

SIGNATURE: _____ DATE: _____

I, Amy Redding, presiding Vice-Chairperson of the Community Advisory Committee, hereby authenticate these bylaws by my signature and verify they were adopted by the general membership in accordance with the Constitution and prevailing bylaws.

SIGNATURE: _____ DATE: _____

I, , presiding Secretary of the Community Advisory Committee, hereby authenticate these bylaws by my signature and verify they were adopted by the general membership in accordance with the Constitution and prevailing bylaws.

SIGNATURE: _____ DATE: _____

I, , presiding Treasurer of the Community Advisory Committee, hereby authenticate these bylaws by my signature and verify they were adopted by the general membership in accordance with the Constitution and prevailing bylaws.

SIGNATURE: _____ DATE: _____