

**SANTA CLARA NORTH WEST SPECIAL EDUCATION  
LOCAL PLAN AREA (SELPA)**

**Community Advisory Committee Bylaws**

**I. IDENTIFICATION**

**A. Name of the Organization:**

Santa Clara North West (NW) SELPA Community Advisory Committee (CAC)

**B. Geographic Area Served:**

The geographic boundaries of all the following 20 school districts comprise the geographic service area for Santa Clara NW SELPA CAC:

1. Cambrian School District
2. Campbell Union School District
3. Campbell Union High School District
4. Cupertino Union School District
5. Fremont Union High School District
6. Lakeside Joint School District
7. Loma Prieta Joint Union School District
8. Los Altos Elementary School District
9. Los Gatos Union School District
10. Los Gatos Saratoga Union High School District
11. Luther Burbank School District
12. Moreland School District
13. Mountain View Los Altos Union High School District
14. Mountain View Whisman School District
15. Palo Alto Unified School District
16. San Jose Unified School District
17. Santa Clara Unified School District
18. Saratoga Union School District
19. Sunnyvale School District
20. Union School District

**C. Statement of Purpose:**

Each plan submitted under Section 56195.1 shall establish a community advisory committee. The committee shall serve only in an advisory capacity.

The purpose of the CAC is to advise the Governance Council of Superintendents via the SELPA Executive Director about the development, amendment, and review of the Local plan, annual priorities, parent education and other special education related activities in outlined in CA Education Code 56194. This committee shall work collaboratively with local governing boards to have a significant and positive impact on the programs and children they serve.

The CAC provides community voice and supports community awareness of the unique needs of children with disabilities as well as programs and services available to them and their families.

The CAC promotes the development of parent education programs within NW SELPA.

## **II. RESPONSIBILITIES:**

### **Community Advisory Committee California Education Code 56194 states:**

The NW SELPA CAC shall have the authority and fulfill the responsibilities that are defined for it in the local plan. The responsibilities shall include, but need not be limited to, all the following:

- a) Advising the policy and administrative entity of the special education local plan area (the SELPA Governance Council of Superintendents via the SELPA Executive Director) regarding the development, amendment, and review of the local plan. The SELPA Governance Council of Superintendents shall review and consider comments from the community advisory committee.
- b) Recommending annual priorities to be addressed by the plan.
- c) Assisting in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan.
- d) Encouraging community involvement in the development and review of the local plan.
- e) Supporting activities on behalf of individuals with exceptional needs.
- f) Assisting in parent awareness of the importance of regular school attendance.
- g) Supporting community involvement in the parent advisory committee established pursuant to Section 52063 to encourage the inclusion of parents of individuals with exceptional needs to the extent these pupils also fall within one or more of the definitions in Section 42238.01

## **III. RULES OF ORDER**

### **A. Education Code and CAC**

The NW SELPA CAC is subject to California Education Code 35147 and is exempt from the provisions of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Division 3 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of

Division 2 of Title 5 of the Government Code). When faced with an unclear situation, the SELPA CAC borrows from the Brown Act and/or acts in a manner that suits a public agency.

## **B. Open Forum Policy**

Members of the community are allowed to attend the meetings. Included in the meeting agenda are designated times for comments from the community.

## **C. Voting**

At least the majority of such committee (CAC) 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. EC 56193

Voting members per Local Education Agency (LEA) is as follows:

- Loma Prieta, Luther Burbank, Lakeside – 1 voting member each
- All other SELPA member LEAs – 2 voting members each

A quorum shall be necessary to: amend the bylaws, elect officers, create subcommittees, terminate a membership, and ratify expenditures over \$500. **A quorum shall exist when at least one board-appointed voting member from 11 of the 20 districts is present.**

Absentee and proxy votes are not permitted. In an event of a tie vote, the chairperson will cast the deciding vote. Election of officers shall be by secret ballot. The SELPA Executive Director and each district's special education administrator shall be ex-officio non-voting members of the CAC.

# **IV. MEETING SCHEDULE**

## **A. Regular meetings**

CAC Board members will determine the meeting times, dates, and format of the five (5) meetings for the upcoming school year.

Information about meetings will be posted on the SELPA website. Districts can link to the SELPA website on the district's website.

Subcommittees (aka local geographic area, legislative, mental health, etc.) can have additional meetings with a minimum of one per year.

## **B. Special meetings**

Special meetings may be called as needed by CAC Board officers for urgent items that cannot wait until the next meeting. Parent representatives may ask Board members for special meetings as needed.

## **V. CAC OFFICERS**

### **A. Structure**

CA Education Code 56192 states: 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.

The officers of the CAC shall be:

- Chairperson
- Vice-Chairperson
- Recording Secretary
- Budget Secretary/Treasurer

During the inaugural term (first two years of transition) of the five SELPA (I, II, III, IV and VII) CACs into the NW SELPA CAC, a Representative Board will be established. Following the inaugural term, the CAC members shall determine if a Representative Board shall be maintained.

### **B. Nomination and Appointment**

The voting members of the community advisory committee shall be appointed by, and responsible to, the governing board of each participating district or county office, or any combination thereof participating in the local plan. Appointment shall be in accordance with a locally determined selection procedure that is described in the local plan. Each participating LEA's governing board appoints member(s) to the CAC based on their policies and procedures. Where appropriate, this procedure shall provide for selection of representatives of groups specified in Section 56192 by their peers.

As of July 1, 2024, the current CAC members in SELPAS I, II, III, IV, and VII, with active memberships as of June 30, 2024, shall maintain their status in the new CAC.

At the first meeting of the inaugural term, the current voting members shall call for nominations and the election of the new Representative Board. The Representative Board shall be established consisting of current CAC voting members.

Each Representative Board member shall be a representative from each of the previous CACs from SELPAS I, II, III, IV and VII to the extent that there are available nominees from each of the five regions. Unfilled positions may be filled at a later meeting when a regional nominee is identified.

The representative Board shall be ratified by the voting members. If there is more

than one member seeking a position on the board from the same region, then the members will conduct a majority roll call vote to decide which nominee will represent that region. If no individual receives a majority of the vote, a run-off election will be held immediately between the two candidates who received the most votes. In the case of a tie between three or more candidates, a run-off election will be held between all candidates who tied for the highest number of votes. If a member wishes to withdraw their candidacy, they may do so at any time prior to the run-off election. If a candidate wishes to withdraw during or after the run-off election, the voting process for that position must begin again.

By no later than the second meeting of the inaugural term, the Representative Board members will appoint a chairperson and a vice-chairperson from the Representative Board, and which will be ratified by the voting members.

Voting members who wish to be considered for the office of secretary or treasurer are highly encouraged to submit a statement describing their interest in the position and their qualifications prior to the election. Voting members may be nominated from or through self-nomination.

Beginning with the second year of the inaugural term, all vacant officer positions will be nominated in April with elections in May. The terms of office run from July 1<sup>st</sup> through June 30<sup>th</sup>. Beginning the second year, voting members who wish to be considered for any office are highly encouraged to submit a statement describing their interest in the position and their qualifications prior to the election. Voting members may be nominated from or through self-nomination.

### **C. Terms of Appointment**

(CA Education Code 56191 states: Such procedure shall provide that terms of appointment are for at least two years and are annually staggered to ensure that no more than one half of the membership serves the first year of the term in any one year.)

Officers will serve for two (2) years and can hold the position for up to two consecutive terms.

During the inaugural term, the chairperson and vice-chairperson positions shall be two-year terms and the secretary, and the treasurer shall be one-year terms. Thereafter, the elected officers will hold two-year staggered terms.

### **D. Terminations and Vacancies**

- Terminations may occur as follows:
  - Voting member resignation
  - 2-year expired term
  - Relocation out of state
  - Missing three consecutive board meetings

- Removal from office (a quorum of 11 represented districts need to be present to vote for removal. The vote for removal must be a minimum of 2/3 of the members present.)
- Vacancies:  
When a vacancy occurs during the school year a voting member may be nominated, and a vote can occur at a regularly scheduled CAC meeting.

## **E. Responsibilities of the Officers:**

### **The Chairperson shall:**

- Chair the Representative Board Meeting
- Preside over CAC meetings
- Appoint ad hoc committees as needed
- Plan the meeting agenda in conjunction with the secretary
- Sign all correspondence of the CAC
- Review minutes of each CAC meeting prior to printing and distribution.
- Appoint Ad Hoc subcommittee chairpersons if vacant (subject to approval by membership) and any other committee chairpersons.

### **The Vice-Chairperson shall:**

- Preside at CAC meetings in the absence of the chairperson
- Perform other duties as designated by the chairperson

### **The Recording Secretary shall:**

- Plan the agenda in conjunction with the chairperson
- Take minutes at all CAC meetings
- Provide a draft of minutes to the chairperson at least two weeks prior to each monthly meeting
- Distribute minutes to designated organizations/website
- Keep a complete file of all printed material related to the CAC and electronic copies
- In the event there is no Recording Secretary, the minutes shall be taken by an attending member who will provide a draft of minutes to the chairperson at least two weeks prior to the next scheduled meeting
- Perform other duties as assigned

### **The Budget Secretary/Treasurer shall:**

- Record committee finances (work with Budget Subcommittee)
- Maintain a current email address list of CAC members with their district and position
- Perform other duties as assigned

## **VI. MEMBERSHIP**

### **A. Membership Composition**

The NW SELPA 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. (CA Education Code 56192). At least the majority of the CAC 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. (EDC § 56193). Membership is to be managed jointly by the SELPA and CAC Budget Secretary.

### **B. Types of Membership:**

There are two types of membership:

- 1) Voting members are defined representatives appointed by their LEA board. Voting members who can be the 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. (EDC § 56192)
- 2) Non-voting members are any interested teacher, parent, administrator, student, community member who resides or works or has a student who attends a school within the SELPA and are not appointed by the LEA Board to have voting status.

The CAC membership committee may nominate candidates for board approval as a voting member while ensuring that the nominee(s) meets the ed code requirements for the CAC composition noted above.

If an LEA is unable to find a parent member, then the CAC chairperson and the SELPA administrator will contact the LEA to discuss a possible non-parent appointee as long as the overall composition of the CAC meets the statutory ed code for the CAC composition.

### **C. Member Resignation, Reinstatement and Removal Procedures**

- Voting members needing to step down for six (6) months or less, can have an alternate in their place appointed by the district, and then be reinstated.
- Members stepping down for longer periods will need to resign in writing and may restart the process for appointment at the next opportunity if they wish. Members are encouraged to give at least 60 days' notice of resignation to allow time for a replacement to be appointed.
- Removal from the CAC requires that a quorum of 11 represented districts voting

members be present. The vote for removal must be a minimum of two-thirds of the voting members present.

**D. Duties of Members:**

- Voting members must attend all the meetings.
- If a voting member cannot attend a meeting, they must provide prior notice to the CAC Chairperson and SELPA Executive Director.
- A voting member cannot miss more than 3 consecutive meetings per school calendar year to remain in good standing.
- Each voting member is encouraged to be on at least 1 (or more) committee(s)

**VII. CAC COMMITTEES**

The NW SELPA CAC may determine to delegate its authority and duties to subcommittees. The Executive Officers are a standing committee.

Additional subcommittees may be formed such as Parent Education Committees, Ad Hoc committee, etc.

The subcommittees may include but are not limited to:

- Local Plan Review
- Parent education/training
- Parent Support (support groups)
- Recruitment/School-level rep/PTA liaison
- Communication/newsletter/website/handbook
- Subcommittee for each local area previously known as SELPAs I, II, III, IV, and VII
- Budget Committee
- Diversity, Equity, and Inclusion Committee

**VIII. DISSEMINATION OF INFORMATION**

**A. Communications**

- Website maintained by SELPA with input from CAC
- Quarterly CAC emails will come from the SELPA office in collaboration with the CAC Executive Committee
- The SELPA office will maintain a listserv for the CAC.
- A Parent Handbook shall be adopted and distributed, updated every five (5) years – developed by a CAC committee and reviewed by SELPA and LEA special education administrators.



## **B. Meetings**

CAC meetings will follow the modified Brown Act rules EC 35147.

1. Any meeting held by a council or committee specified in subdivision (b) shall be open to the public, and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee. Notice of the meeting shall be posted at the school site, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The notice shall specify the date, time, and location of the meeting and contain an agenda describing each item of business to be discussed or acted upon. The council or committee may not take any action on any item of business unless that item appeared on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.
2. Questions or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school district, or that can be resolved solely by the provision of information, need not be described on an agenda as items of business. If a council or committee violates the procedural meeting requirements of this section, upon demand of any person, the council or committee shall reconsider the item at its next meeting, after allowing for public input on the item. Translation services for written communication will be in accordance with the law. Interpretation services and or other accommodations for committee meetings and parent education/trainings upon request

## **IX. AMENDMENTS**

These bylaws may be altered, amended, or repealed so long as they remain in conformity with federal and state law.

All proposed amendments shall be submitted to the CAC members in writing or via electronic distribution at least one week - prior to the first meeting date when the bylaw changes will be first proposed and placed on the agenda.

Amendments must be proposed at one meeting, discussed at that meeting, and then voted on at a subsequent meeting.

A two-thirds vote of the voting members in attendance is required for recommendation of the amendments for submission and approval by the SELPA Governance Council of Superintendents.