

## SPECIAL EDUCATION ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. **Mandate**

Under Ontario's *Education Act*, every exceptional pupil is entitled to special education programs and services, which meets their needs. In the Simcoe County District School Board (SCDSB), the Special Education Advisory Committee (SEAC) plays a vital role in ensuring that exceptional pupils receive appropriate educational services and programs by carrying out its mandate to:

- i. make recommendations to the Board in respect of any matter affecting the establishment, development and delivery of special education programs and services for exceptional pupils of the board;
- ii. participate in the Board's annual review of its special education plan; and,
- iii. participate in the Board's annual budget process under section 231 of the *Education Act*, as that process relates to special education.

#### 2. **Authority**

- 2.1 In accordance with the *Education Act*, section 57.1, "*Every district school board shall establish a special education advisory committee.*"
- 2.2 O. Reg. 464/97: Special Education Advisory Committee, delineates specific requirements for SEAC. This regulation must be consulted for specific details on membership requirements, meetings and the scope of the SEAC's advisory capacity.
- 2.3 Before making a decision on a recommendation of SEAC, the Board shall provide an opportunity for SEAC to be heard before the Board and before any other committee of the Board to which the recommendation is referred.

#### 3. **Composition**

SEAC shall consist of (as per the *Education Act*):

- i. one representative from up to a maximum of 12 local associations from within the SCDSB's jurisdiction, as nominated by the local association and appointed by the Board;
- ii. one alternate member for each representative as nominated by the association and appointed by the Board to serve in the absence of the representative;
- iii. up to three members of the Board;
- iv. when the Board has one member appointed by a First Nation, SEAC may include one member to represent the interest of Indian pupils as nominated by the First Nation(s) and appointed by the Board;
- v. when the Board has one member appointed by a First Nation, SEAC may include one alternate member to represent the interests of Indian pupils as nominated by the First Nation(s) and appointed by the Board to serve in the absence of the representative; and,
- vi. up to three community members appointed by the Board who are not representatives of a local association or members of the Board or another committee of the Board.

#### **4. Process of Selection**

- 4.1 Local associations and First Nations will be contacted by the SCDSB to nominate a qualified representative and alternate representative. A nomination form will be provided and received by the Superintendent responsible for Special Education.
- 4.2 Should more than 12 nominations be received from local associations, the Director of Education will recommend to the Board the 12 local associations that provide a wide representation of exceptionalities of students.
- 4.3 Representatives recommended by local associations must be eligible for appointment. They must be eligible to vote for SCDSB trustees, must reside in SCDSB's jurisdiction and may not be employees of the SCDSB.
- 4.4 Community members will be invited by the SCDSB to apply for one of the three positions on SEAC. The Director of Education will recommend to the Board the three community members who either represent exceptional pupils in the board, represent a community agency which provides services to exceptional students or otherwise would be expected to bring an informed and balanced perspective on issues considered by SEAC. Community members must be eligible to vote for SCDSB trustees, must reside in SCDSB's jurisdiction and may not be employees of the SCDSB.

#### **5. Term of Office**

- 5.1 Each of the representatives and alternates appointed by the Board shall be members of SEAC during the term of members of the Board and until the new Board is established.
- 5.2 Members of the Board on SEAC are determined annually by the Selection Committee and approved by the Board at the regular Board meeting in December.

#### **6. Absences and Vacancies**

- 6.1 In the absence of a representative, the representative's alternate may take the place of the representative.
- 6.2 If a position on the SEAC becomes vacant as a result of the resignation or as defined in Regulation 464/97, the Board shall appoint a qualified person as nominated by the association for the remainder of the term. In the interim, pending this appointment, the alternate may take the place of the representative.

#### **7. Meetings**

- 7.1 Rules of Order will be followed as per the SCDSB By-laws.
- 7.2 A minimum of ten meetings will be held during the school year. The dates will be determined in the spring for the following school year.
- 7.3 A Business and Facilities Standing Committee/SEAC budget meeting will be scheduled annually in the spring.
- 7.4 Start times and format for monthly meetings (in-person or virtual) will be determined by a majority vote, generally in the spring of each year when SEAC members approve meeting dates for the following school year.

- 7.5 A motion to extend the meeting beyond 2 hours will require majority approval.
- 7.6 The agenda will be prepared collaboratively by the Chair, Vice-Chair and the Superintendent responsible for Special Education and distributed two business days prior to the meeting to SEAC members. The agenda will be posted on the board's website.
- 7.7 Minutes of each meeting will be kept as per SCDSB Board By-laws. Minutes will be approved by SEAC and reported to a regular meeting of the Board.
- 7.8 Recommendations from SEAC to the Board will be contained in the minutes reported to the Board.
- 7.9 Time sensitive recommendations from SEAC to the Board shall be added to the agenda of a regular meeting of the Board with appropriate notice prior to the meeting.
- 7.10 SEAC has the right to make presentations/delegations to the Board in support of any topic discussed at a SEAC meeting or recommendations made to the Board in accordance with Board By-laws.
- 7.11 In the event that the date of a committee or meeting of the Board at which a SEAC recommendation is being voted upon is such that a SEAC presentation/delegation could not be added to the agenda according to Board By-laws, the presentation/delegation shall be added as a time sensitive item provided appropriate notice is given prior to the meeting.
- 7.12 SEAC will be provided with a written response to its recommendation(s) to the Board by the Superintendent responsible for Special Education.
- 7.13 Recordings of SEAC meetings will be posted on the board's public website and/or available to the public upon request.

## **8. Election of the Chairperson and Vice-chairperson**

- 8.1 A Chairperson and Vice-chairperson will be elected at the first meeting of SEAC following the election of the Board Chairperson and Vice-chairperson. The term of office shall be the same as that of the Board Chairperson and Vice-chairperson.
- 8.2 The process for electing the Chairperson and the Vice-chairperson shall be as per Board By-laws.
- 8.3 All members of SEAC are eligible to be nominated for the position of Chairperson and Vice-chairperson at the SEAC meeting in January.
- 8.4 If a vacancy occurs in the office of SEAC Chairperson or Vice-chairperson, SEAC shall elect a new Chairperson or Vice-chairperson at the meeting following the vacancy as per Board By-laws.

## **9. Quorum**

Quorum shall be the majority of the appointed members.

## 10. **Expectations for SEAC Members**

- 10.1 The Special Education Advisory Committee must conduct its business having regard to the interests of all students with exceptionalities in the board. It is essential that every SEAC member consider the needs of all exceptional students in a positive, honest and respectful manner.
- 10.2 Each member is expected to:
- 10.2.1 respect the right to privacy of individual exceptional pupils;
  - 10.2.2 acquire and maintain a working knowledge of the special education programs and services provided by the board for all exceptionalities;
  - 10.2.3 represent and inform SEAC about the association they represent (where the member is appointed as a representative of a local association);
  - 10.2.4 act at all times with civility and respect for all other SEAC members and SCDSB staff;
  - 10.2.5 recognize and respect the contributions, concerns, questions and opinions of SEAC members, invitees and SCDSB staff; and,
  - 10.2.6 act in accordance with the Provincial Code of Conduct which is applicable to all members of the school community, as well as the Board's Code of Conduct.

## 11. **Resources**

[SCDSB By-Laws](#)

[SCDSB Policies](#)

[SCDSB Administrative Procedures](#)

[Education Act](#) (section 57.1 Special Education Advisory Committees)

[O. Reg. 464/97: Special Education Advisory Committees](#)

[PAaC \(Provincial Parent Associations Advisory Committee\) on SEAC](#)

[PAaC on SEAC Effective Practices Handbook for SEAC Members](#)

[Ministry of Education](#)

[Special Education Advisory Committees](#)

[Special Education Laws and Policies](#)

[Special Education in Ontario, Kindergarten to Grade 12](#)