

STAKEHOLDER COUNCIL
FOR THE
OFFICE FOR DISPUTE RESOLUTION
COMMONWEALTH OF PENNSYLVANIA

OPERATING PROCEDURES

The Stakeholder Council (SC) for the Office for Dispute Resolution (ODR), commonly and hereinafter referred to as “SC”, having been appointed by the Pennsylvania Department of Education to capitalize upon the expertise of each individual and the group collectively to provide functional input and recommendations on the activities of ODR, by vote of its members originally adopted these Operating Procedures and subsequent amendments to them.

I. RESPONSIBILITIES:

1. To provide functional input or advice or recommendations on issues, concerns, or activities raised by the ODR Director or a majority of the Council, on the motion of any one of its members. Recommendations shall be sought and provided prior to final development of any such policy.
2. To draft and propose to the Director such policies, rules, and practices as the Director might request or as a majority of the Council, on the motion of any one of its members, deems necessary relating to the coordination of dispute resolution between local educational agencies and parents of children with disabilities or who are mentally gifted.
3. To provide, as one but not the only element of that which is described in paragraph (I) (1) of these Procedures, functional input to ODR, at the request of its Director, in selecting hearing officers, developing evaluations, and reporting data to the public.
4. To report to the Director any issues or concerns, brought to the attention of the SC or any of its members, with the approval of a majority thereof, regarding the dispute resolution system.

II. MEMBERSHIP

1. SC shall consist of its initial members appointed by the Director of the Bureau of Special Education within the Pennsylvania Department of Education. Subsequent vacancies or openings on the Board shall be filled by majority vote of the Board, with any vacancy filled by an individual who represents the interests of the general stakeholder group represented by the member whose departure created the vacancy. Where the departing member is affiliated with a specific organization, that organization’s recommendation shall be afforded substantial deference.

2. A majority of that membership shall represent children with disabilities or children who are mentally gifted, or their parents.
3. Members may serve a dual representative role (e.g., represent both parents and children, represent different disability interest groups, etc.).
4. The SC members will serve their terms without compensation, other than the travel reimbursement.

III. LENGTH OF TERM

1. SC original members' terms will continue until the stakeholder resigns or is removed by the Board in accordance with Section X of these operating procedures.
2. If a member fails to attend three consecutive meeting of SC, removal of that member may be considered in accordance with Section X of these procedures.

IV. OFFICERS

1. The SC will not elect officers.
2. The Director of ODR or the Director's designee will attend and chair all meetings and provide in advance of each meeting a proposed agenda, to which any member may propose additions or deletions. The Director shall supply a staff person to take minutes of each meeting.

V. COMMITTEES

SC will form committees as needed to complete functions in relation to specific responsibility areas.

VI. POLICY ON SC MEMBERS PARTICIPATING WITH OTHER GROUPS

1. SC members may serve as representatives of other organizations, special study group task forces, or ad hoc committees with specific purposes and interests in special education.
2. No one member of the SC shall represent him or herself as speaking for the SC or ODR unless specifically assigned that role by the SC.

VII. MEETINGS

1. SC will meet at least four times per year.

2. Additional meetings and committee meetings may be called from time to time by the Director or by a majority of SC members, on the motion of any member.
3. A quorum shall consist of not less than one half of its voting membership. In order to take any action, a quorum must be present, in person or by electronic connection.
4. All meetings will be conducted informally unless extraordinary circumstances require a more formal process, in which case the meeting will be held in accordance with the Parliamentary Procedures set forth in that version of Roberts Rules of Order which is current at the time. The Director or the Director's designee will serve as parliamentarian.
5. A member shall designate a proxy to attend SC meetings and provide input, but without voting rights.

VIII. FACILITATION

1. The Director of ODR or the Director's designee shall provide administrative assistance including:
 - a. Periodically disseminating to SC members pertinent information concerning the policies and practices of dispute resolution regarding the education of children with disabilities and who are mentally gifted;
 - b. Preparing minutes of SC meetings and distributing the minutes to all SC members following each meeting after review for correctness by the Director. Publication of the minutes on the ODR website shall take place as soon as practicable after approval of the minutes by the Board.
 - c. Distribution to all SC members of a draft, and final agenda following SC member requested changes, for each meeting.
 - d. Collecting and disseminating to members such statistics and other data related to dispute resolution as a majority of the SC, on motion of any of its members, might reasonably request, or which the ODR Director may deem helpful.
 - e. Assist in securing reimbursement for necessary and reasonable travel, meals, lodging and other expenses incurred in performance of SC members' functions. Reimbursement will be made according to policies and procedures of ODR.

IX. RESIGNATION OR REMOVAL OF MEMBERS, REPLACEMENT

A member may resign upon written notice to the Director.

X. REMOVAL FOR NON-ATTENDANCE AND FOR OTHER GOOD CAUSE

Members are expected to attend meetings, and, if they cannot attend because of exigent circumstances, to advise the Director. If a member is absent from three consecutive meetings without being excused by the chairperson, the member will be given written notice that his/her removal may be considered. At its next meeting, SC will consider and vote on whether to remove the SC member. A member can also be removed for good cause by a vote of not less than two-thirds of the full membership of the SC, excluding the member in question.

XI. AMENDMENTS TO OPERATING PROCEDURES

Amendments to these Operating Procedures may be made by a majority vote at a regularly scheduled SC meeting, providing copies of the proposed amendments have been disseminated for review and comment at least five (5) days prior to this meeting. There may also be a special meeting called for this purpose, with the same 5-day requirement for dissemination and examination observed.