| **Virginia Board of Education Agenda Item** | **Seal of the Commonwealth of Virginia** |
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# Agenda Item: G

## Date: January 25, 2018

### Title: First Review of Nomination to Fill a Vacancy on the State Special Education Advisory Committee

#### Presenter: Ms. Emily V. Webb, Director for Board Relations

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## Purpose of Presentation:

Review/action required by Board of Education bylaws.

## Executive Summary:

The Board’s advisory committees have three-year terms. Some of the Board's advisory committees require specific categories of expertise or geographic representation pursuant to state or federal law or regulation.

The nomination is to fill a position on the SSEAC as a “Person with a Disability.” This vacancy arose after a recent and abrupt resignation of the individual that was in the position, due to personal issues and being unable to fulfill the duties.  The current term of the position is for July 1, 2016 through June 30, 2019.  If approved, the recommended individual will fill the position for the remainder of the term, February 1, 2018 through June 30, 2019. The nominee recommended for appointment is as follows:

**State Special Education Advisory Committee**

Justin Gatling

Local DJ and Cafeteria Monitor at Watkins Early Childhood Center

Representing: People with Disabilities

Region: 2

## Action Requested:

Other. Specify below:

The Board is requested to waive first review and approve the nomination to fill the vacancy on SSEAC.

## Superintendent’s Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education approve the recommended nominee to fill the vacancy on the SSEAC.

**Rationale for Action:**

Pursuant to the Board’s bylaws, all appointments to an advisory committee shall be made by the Board upon the recommendation of the Superintendent of Public Instruction. The nomination will fill a vacancy and vital role on the SSEAC.

**Previous Review or Action:**

No previous review or action.

## Background Information and Statutory Authority:

Article Nine, Section 2 of the Board of Education’s bylaws states the following:

Advisory committees may be created by the Board for special purposes to include, but not be limited to, federal and state-mandated committees. An advisory committee shall be composed of persons who represent the views and interests of the general public and who are known to be qualified to perform their duties. Personnel of the Department of Education may be appointed to the committee, as members or as consultants. Unless otherwise prescribed by state or federal law or regulations, all appointments to an advisory committee shall be made by the Board upon the recommendations of the Superintendent of Public Instruction.

The Board of Education’s bylaws also specify the membership and term of service in Article Fifteen, Section 3 and 4, as follows:

**Section 3. Membership.** The Board shall determine the number of members to serve on an advisory committee, and shall appoint the members of the committee, as specified in Board bylaws under Article 9, Section 2, except as provided by state or federal law or regulation. Nominations for all vacant positions will be solicited as widely as practicable and on forms provided by the Virginia Department of Education. Members of advisory committees shall not receive compensation for their service, but may be reimbursed for travel expenses in accordance with state travel guidelines set forth by the Department of Accounts. The Board, at its discretion, may appoint a member of the Board to serve as a liaison to the advisory committee.

**Section 4. Terms of Service.** Appointments to an advisory committee shall be for a term of three years. Members of an advisory committee may be re-appointed, with no member serving more than two consecutive three-year terms. Any vacancies shall be filled by the Board.

## Timetable for Further Review/Action:

Following the Board of Education’s action, the Department of Education staff will notify the application of the status of their nomination.

## Impact on Fiscal and Human Resources:

The operating expenses and other costs associated with the meetings and functions of the Board of Education’s advisory committees are provided through the Department of Education’s operating funds.

Where applicable, federal funds are provided to support the expenses and the work of an advisory committee.