



## Bylaw Subcommittee Meeting MINUTES

<b>Date and Time</b>	Tuesday, May 23, 2023 5:15-5:30 PM – Pre-meeting (agenda & topic review, <i>optional</i> ) 5:30-7:30 PM – Bylaws Subcommittee Meeting
<b>Public Location</b>	Rochester Recreation Center, Lower Level Conference Room, 150 Wakefield St, Rochester, NH 03867   <a href="#">View map</a>
<b>Virtual Location</b>	Video call link: <a href="https://meet.google.com/hxo-kopp-niv">https://meet.google.com/hxo-kopp-niv</a>

In attendance	Guest	Absent
Holly Carman, <i>Chair</i> Joe Costanzo Esther Kennedy Gregory Magoon Moirá Ryan Karen Stokes, <i>Vice Chair</i> Tracy Walbridge, <i>Secretary</i>	Melissa McKeon, <i>Virtual</i>	Jennifer Pike Janet Reed Karen Rosenberg

- The meeting was called to order at 5:47 PM – when an in-person quorum was met.
- Melissa McKeon connected virtually at 6:02 PM

Review of the draft meeting minutes.

Karen Stokes motioned to approve the meeting minutes for May 09, 2023, Esther Kennedy seconded, and the motion passed with a majority vote, but Moira Ryan abstained.

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### Public Comment

During our discussion, we recognized the need to update the NHED SAC website to provide accurate information about the public comment procedure. We agreed that the website should align with the bylaws to reflect the proper guidelines for participating in public comments.

Regarding the order of agenda items, we had a productive conversation and reached a consensus that presentations should come before public comments. This approach allows the public to understand better the topic being presented before sharing their thoughts during the designated public comment period. To address the flexibility of our agenda, we discussed the possibility of conducting a vote to determine whether public comments should be moved up on the agenda in certain circumstances.

We reached a consensus that the proposed meeting agenda structure for the public comment procedures should remain unchanged, as outlined in the May 9, 2023, minutes. This decision ensures consistency in handling public comments and allows individuals to express their opinions or concerns.

A member raised the topic of not voting on an item as it is presented unless it has been specifically placed on the agenda for a vote. Committee members explored the benefits and considerations of this approach to ensure a fair and organized decision-making process.

Rewording the first paragraph of public comments, “*The SAC appreciates the input of the general public...*”, consensus to use positions or departments rather than specific names for contacting NHED to ensure consistency, collaboration, and efficient communication.

- [Modify] Be factual and objective; [Remove] Please do not mention a student and/or school staff by name; and
- [Unchanged] Limit comments to no more than five minutes. For issues needing more extensive discussion, requests may be made to add it to the agenda at a subsequent SAC meeting.
- [Remove] The SAC appreciates hearing about positive experiences, “success stories,” and best practices, as well as concerns with the status of the education of children with disabilities, new or emerging needs, or situations that may warrant further consideration;
- [Modify] Please note that the SAC is not able to intervene in situations having to do with individual students; [Remove] but to the extent these issues may have broad implications for children with disabilities (even if limited to a specific age or disability group, geographic area, or topic), [Unchanged] the SAC appreciates the public’s assistance in making the SAC aware of the issue(s).

The consensus was for:

- Limit comments to no more than five (5) minutes. For issues needing more extensive discussion, requests may be made to add it to the agenda at a subsequent SAC meeting.
- Be factual and objective. Please note that the SAC is not able to intervene in situations having to do with individual students; the SAC appreciates the public’s assistance in making the SAC aware of the issue(s).

During our discussion, the last paragraph was not clear. *[ If the Chair agrees that it is appropriate to provide...]* Holly has volunteered to work on rewording the section to improve its clarity. We appreciate Holly’s willingness to take on this task and look forward to reviewing the revised version.

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## Special Meetings

A consensus was reached to amend the minimum notice period for special meetings. The decision was made to change the requirement from a minimum of 7 days’ notice to a shortened period of 24 hours’ publicly posted notice [per state law]. This adjustment allows for more flexibility and responsiveness when scheduling special meetings while still providing a reasonable timeframe for members to prepare and attend.

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## Quorum

During our discussion, we addressed the current practice of considering the presence of the House and Senate committees when determining the quorum. It was recognized that inconsistency exists in this practice, where the committees' presence is sometimes used towards establishing a quorum and at other times not counted at all. To ensure consistency and align with the consensus reached, it was proposed that the House and Senate committees should not be counted towards establishing a quorum, regardless of their attendance and the fact that they are not part of the membership requirement under IDEA.

During our discussion, we acknowledged the importance of keeping the bylaws up to date with the current laws (NH RSA 91A) and regulations. It was recognized that laws can change over time, and the bylaws must reflect these changes accurately. This ensures our procedures and practices align with the latest legal requirements and maintain compliance.

Regarding the specific topic of quorum requirements, we reached a consensus that the wording of the state law regarding quorum should be incorporated into the bylaws. This approach allows for clarity and consistency, as the bylaws would directly reference the legal language regarding the minimum number of members required for a quorum.

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## Votes

[Remove] SAC will attempt to reach a consensus on agenda items and other issue raised by members. Each member will have the opportunity to participate in discussions and share information and resources to inform the SAC on any issue.

The consensus was to keep: "Any action or recommendation taken by SAC shall be based on the majority vote of SAC members in attendance."

Acknowledging the importance of keeping the bylaws up to date with the current laws (NH RSA 91A) and regulations [Remove] SAC members may only vote on issues at SAC meetings in person or, if the option is available, by audio- or video-conferencing during the meeting. The consensus is for the SAC members may vote pursuant to NH State law.

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## Minutes

During our discussion, we focused on meeting minutes and reached a consensus: "Minutes are taken at each SAC meeting. Approved minutes are posted on the NH Department of Education's website on the designated SAC web page. Upon request, hard copies of the approved minutes are available from the Bureau of Special Education."

The consensus was that the SAC committee would adhere to the NH RSA for voting procedures, minutes, and establishing a quorum. This ensures compliance with the applicable laws and promotes consistency in our committee's operations.

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### **Subcommittees/Priority Committees**

During our discussion, we agreed to remove the language stating that SAC members are expected to serve on one subcommittee.

[Remove] SAC members who represent the House and Senate Education committees, who contribute substantial amounts of time in service to the State of NH as members of the General Court, are not required to serve on a subcommittee. Instead, all SAC members rely on information provided by our members from the General Court to inform their work on the subcommittees.

[Remove] At the end of each SAC meeting in which subcommittees have met, a representative selected by the subcommittee "reports out," providing an opportunity for the full SAC to ask questions and offer ideas or resources. At the end of each year, subcommittees are asked to submit a written report of the status of the subcommittee's work and recommendations.

Holly will conduct a review of the relevant NH law pertaining to committees, ad hoc committees, standing committees, and workgroups. The proposed plan is to separate subcommittees and priority workgroups within the bylaws, providing clear definitions and specific timeframes for each. This approach aims to enhance clarity and organization by explicitly outlining the roles and durations of subcommittees and priority workgroups.

In alignment with Gregg's recommendation, once a clear direction is established, the proposed changes will be added to Article 8 of the bylaws. Specifically, these revisions will be incorporated within the section that addresses Committee Structures, which can be found on page 6 of the 2016 bylaws.

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### **Annual Report**

[Modify] Each year in June, the SAC develops...

During our discussion, we addressed the posting and publishing of annual reports on the NHED website and the timeline for their completion. It was recognized that the current chair has the responsibility to ensure the completion of the annual report.

A consensus was reached on a proposed timeline for the annual report. The current chair will produce a draft of the annual report seven calendar days before the May meeting. The annual report will be reviewed and edited by SAC members, with a vote on the final draft taking place in May if no edits are required. The final draft will be voted on during the June meeting if edits are proposed. This timeline ensures a collaborative and efficient process for producing and approving the annual report.

During our discussion, the proposal was to remove the sentence stating that the draft annual report is sent electronically to members prior to the SAC meeting, where the membership votes on whether to accept it were addressed.

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## **Amendments and Operative Date of Bylaws**

During our discussion, the sentence stating, “These bylaws may be amended at a regular SAC meeting by a majority vote of the SAC membership,” was brought into focus. After considering different viewpoints, a consensus was reached to remove this sentence.

The agreed-upon approach is for proposed amendments to be referred back to the bylaws subcommittee for review. This allows for a more thorough examination of the proposed changes, ensuring that they align with the overall laws, structure, and purpose of the bylaws.

[Remove] Proposed revisions shall be transmitted electronically or through the mail to any SAC member who does not have access to email with or prior to the sending of the agenda for the meeting at which the proposed revisions shall be discussed and voted upon.

[Modify] At the discretion of the SAC Chair or at the request of the majority of SAC members in attendance at the meeting, the proposed revision(s) to the bylaws may be discussed at the meeting. Yet final discussions and the formal vote to amend the bylaws may be deferred to the next SAC regular SAC meeting.

During our discussion, a consensus was reached to establish a process for discussing proposed bylaw revisions. It was agreed that at the discretion of the SAC Chair or at the request of the majority of SAC members present at the meeting, the proposed revision(s) to the bylaws may be discussed during the meeting.

Following the discussion, the proposed revisions will be further examined and reviewed by the bylaws subcommittee. The subcommittee will then report the final decision on the proposed revisions back to the SAC at a regular meeting.

This process allows for flexibility in addressing proposed revisions to the bylaws, ensuring that they are thoroughly reviewed and considered by both the SAC members and the dedicated bylaws subcommittee. The SAC can benefit from their expertise and careful examination of the proposed revisions by involving the subcommittee.

The consensus is that the SAC Chair or a majority of SAC members may request the discussion of proposed bylaws revisions during a meeting. The proposed revisions will be reviewed within 30 days by the bylaws subcommittee, and the final decision will be reported back to the SAC at a regular meeting with the bylaw subcommittee’s recommendation.

[Add] The bylaws subcommittee shall review the bylaws at least annually.

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Holly and Tracy will work on the proposed bylaw changes to be discussed during the June meeting. It was agreed upon by consensus to cancel the June 6th bylaws subcommittee meeting. Instead, the plan is to convene on the following day, June 07, during the first 45 minutes of the full SAC meeting (4:30 to 5:15 PM). If necessary, and with the NH Department of Education's permission, continue the bylaws subcommittee meeting after the scheduled SAC meeting concludes.

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Karen Stokes motioned to adjourn the bylaws committee, and Esther Kennedy seconded the motion. The committee adjourned the meeting at 7:40 PM.

#### The next scheduled bylaws meeting is as follows:

- Wednesday, June 07, 2023, from 4:30 to 5:15 PM, before the full monthly SAC meeting.
- If needed, we will continue from 7 PM to 8 PM.