

IC 20-35-3

Chapter 3. State Advisory Council

IC 20-35-3-1

State advisory council on education of children with disabilities; membership; duties

Sec. 1. (a) The state superintendent shall appoint a state advisory council on the education of children with disabilities. The state advisory council's duties consist of providing policy guidance concerning special education and related services for children with disabilities. The state superintendent shall appoint at least seventeen (17) members who serve for a term of four (4) years. Vacancies shall be filled in the same manner for the unexpired balance of the term.

(b) The members of the state advisory council must be:

- (1) citizens of Indiana;
- (2) representative of the state's population; and
- (3) selected on the basis of their involvement in or concern with the education of children with disabilities.

(c) A majority of the members of the state advisory council must be individuals with disabilities or the parents of children with disabilities. Members must include the following:

- (1) Parents of children with disabilities.
- (2) Individuals with disabilities.
- (3) Teachers.
- (4) Representatives of postsecondary educational institutions that prepare special education and related services personnel.
- (5) State and local education officials.
- (6) Administrators of programs for children with disabilities.
- (7) Representatives of state agencies involved in the financing or delivery of related services to children with disabilities, including the following:
 - (A) The commissioner of the state department of health or the commissioner's designee.
 - (B) The director of the division of disability and rehabilitative services or the director's designee.
 - (C) The director of the division of mental health and addiction or the director's designee.
 - (D) The director of the department of child services or the director's designee.
- (8) Representatives of nonpublic schools and freeway schools.
- (9) One (1) or more representatives of vocational, community, or business organizations concerned with the provision of transitional services to children with disabilities.
- (10) Representatives of the department of correction.
- (11) A representative from each of the following:
 - (A) The Indiana School for the Blind and Visually Impaired board.
 - (B) The Indiana School for the Deaf board.

(d) The responsibilities of the state advisory council are as follows:

- (1) To advise the state superintendent and the state board regarding all rules pertaining to children with disabilities.
 - (2) To recommend approval or rejection of completed comprehensive plans submitted by school corporations acting individually or on a joint school services program basis with other corporations.
 - (3) To advise the department of unmet needs within Indiana in the education of children with disabilities.
 - (4) To provide public comment on rules proposed by the state board regarding the education of children with disabilities.
 - (5) To advise the department in developing evaluations and reporting data to the United States Secretary of Education under 20 U.S.C. 1418.
 - (6) To advise the department in developing corrective action plans to address findings identified in federal monitoring reports under 20 U.S.C. 1400 et seq.
 - (7) To advise the department in developing and implementing policies related to the coordination of services for children with disabilities.
- (e) The state advisory council shall do the following:
- (1) Organize with a chairperson selected by the state superintendent.
 - (2) Meet as often as necessary to conduct the council's business at the call of the chairperson, upon ten (10) days written notice, but not less than four (4) times a year.
- (f) Members of the state advisory council are entitled to reasonable amounts for expenses necessarily incurred in the performance of their duties.
- (g) The state superintendent shall do the following:
- (1) Designate the director to act as executive secretary of the state advisory council.
 - (2) Furnish all professional and clerical assistance necessary for the performance of the state advisory council's powers and duties.
- (h) The affirmative votes of a majority of the members appointed to the state advisory council are required for the state advisory council to take action.

As added by P.L.1-2005, SEC.19. Amended by P.L.218-2005, SEC.80; P.L.141-2006, SEC.97; P.L.145-2006, SEC.152; P.L.1-2007, SEC.150; P.L.2-2007, SEC.232.