

Bylaws of the NAALJ Section on Special Education

Section 1

Name

The name of this Section is the "Section on Special Education". The Section is organized and exists under Article X of the National Association of Administrative Law Judiciary Constitution and Bylaws. This Section is being established to meet the unique needs of special education "hearing officers," whose role, responsibilities and authority are defined by the Individuals with Disabilities Education Act, 20 U.S.C. §1400, et seq., but whose services are secured by contract with state education agencies. The Section will provide a forum to assist members in meeting the qualifications established by IDEA at 20 U.S.C. §1415(e)(3)(a).

Section 2

Purposes

The purpose of this Section is to provide a forum for study and discussion of issues related to conducting hearings under the federal "Individuals with Disabilities Education Act" (IDEA) as it now exists or as it may be amended from time to time; to contribute to the continuing education of hearing officers and ALJs who conduct these hearings; to disseminate information regarding recent decisions related to these hearings; to encourage publication of legal writings related to these hearings; to establish liaison with the NAALJ Board of Governors, other professional entities, organizations, and the academic community to achieve these purposes; and, to take such other actions as may be desirable and consistent with these Bylaws and the Constitution and Bylaws of the National Association of Administrative Law Judges.

Section 3

Membership

Membership shall include any person who is or has been qualified as an IDEA hearing officer pursuant to applicable state law, both attorneys and non-attorneys, provided however, that such person is a member in good standing of NAALJ. The dues for Section membership shall be set by the Officers and membership of the Section with approval of the NAALJ Board of Governors in a reasonable amount to support the activities of the Section. The Section may waive Section membership dues under policies determined from time to time by the Section Officers and members and approved by the NAALJ Board of Governors.

Section 4

Section Officers

Section Officers shall consist of a chair, a vice chair, a secretary-treasurer, and a panel of advisors. The panel of advisors shall consist of past chairs of the Section, so long as they are active in the Section, remain members in good standing of NAALJ, and wish to serve on the Section's board. The officers shall be elected by the Section membership. Insofar as practicable, the composition of the Section officers shall be balanced to reflect a cross-section of the Section's membership based on race, gender, lawyers and non-lawyers, central panel and non-central panel adjudicators, and different geographical areas of the country. Such membership shall also be balanced to the extent practicable to reflect the varied interests and areas of expertise and competency that are of concern to the Section. Section officers shall be responsible for all business of the Section and shall determine matters of policy in consultation with the NAALJ Board of Governors. Section officers shall be elected every other year, with elections beginning in Fall 2014, and installed to take office until their successors are elected and installed. The initial Section officers shall be appointed by the President of NAALJ with the advice and consent of the NAALJ Board of Governors. Section officers may appoint such committees as they deem necessary or desirable to carry out the work of the Section.

Section 5

Meetings

There shall be an annual meeting of the membership at the call of the Chair. The Section Officers and any committees they establish may transact business in person, by a telephone conference call, fax, e-mail, or by any other method of communication in accordance with standard business practices.

Section 6

Nominations and Elections

- a. **Nominations.** Prior to the annual membership meeting, the Chair of the Section with the consent of the other Section Officers shall appoint a Nominating Committee of at least three members of the Section, which shall present nominations for elective officers to be acted upon at the annual meeting of the Section members. All nominations shall be included in the notice of the annual meeting. The consent of the nominee shall be obtained before his or her name is placed in nomination.
- b. **Election.** Election shall be by a majority of votes cast by the membership of the Section. The Officers may make provision for the casting of votes by mail, phone, fax, e-mail, or other methods of communication in accordance with standard business practices.
- c. **Vacated or Empty Positions.** The other officers may appoint a person to fill any vacated or empty positions among the elective officers. A person so appointed shall serve until the next annual meeting.

Section 7

Budget and Appropriations

- a. **Budget.** The annual budget of the Section shall be formulated and adopted by the membership at the Annual meeting.
- b. **Payment and Expenses.** Duly authorized expenses incurred in the conduct of the affairs of the Section shall be paid by the Secretary-Treasurer out of such appropriations as shall have been made for such purposes.
- c. **Authorized Signatures.** All checks, drafts or orders for the payment of money, and all notes, acceptances and contracts shall be signed by such officer or officers as the Section may from time to time designate.

Section 8

Amendments

These bylaws may be amended by two-thirds vote of the members of the Section, upon written notice to all members at least thirty days prior to any vote.