

The State Superintendent's Advisory Council on Alcohol and Other Drug Abuse

Policies and Procedures



Wisconsin Department of Public Instruction
Carolyn Stanford Taylor, State Superintendent
Madison, Wisconsin

This publication is available from:

Student Services/Prevention and Wellness Team
Wisconsin Department of Public Instruction
125 South Webster Street
Madison, WI 53703

608-266-8960

<https://dpi.wi.gov/sspw>

August 2020, Wisconsin Department of Public Instruction

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Overview/Purpose/Charge

The State Superintendent's Advisory Council for Alcohol and Other Drug Abuse (AODA) Programs has legislative responsibility for AODA programs, grants, and services, but not in isolation from other related youth risk behaviors including: tobacco prevention, AIDS/HIV/STDs; violence prevention; teen pregnancy prevention; and youth suicide prevention.

The Department of Public Instruction (DPI or department) has integrated Alcohol and Other Drug Abuse (AODA) programs with those programs addressing other youth risk behaviors. The AODA Advisory Council has evolved to provide the department valuable input on this integrated approach to the health and wellbeing of children. Because no youth risk behavior (AODA, AIDS/HIV, teen suicide, violence, tobacco use, etc.) occurs in isolation, the council's focus has been able to provide valuable feedback and coordinated recommendations in a holistic fashion, rather than on an isolated basis. For example, the DPI's AODA staff works closely and in an integrated manner with our Coordinated School Health Programs that include Whole School, Whole Community, and Whole Child.

In addition to the statutory requirements outlined under Wis. Stat. § 115.36(2)(e), this advisory council will provide advice to the state superintendent on the range of programs, services, and strategies. The advisory council was created in July 1980, through this legislative mandate (Wis. Stat. § 115.36). The Department of Public Instruction was directed to help schools develop comprehensive programs, which prevent alcohol and other drug abuse (AODA) among youth and assist youth experiencing problems as a result of AOD use. The specific role of the department was outlined in terms of providing AODA-related resources in the areas of training, information, technical assistance, and project grant funds. Sub. (2)(e) directed the department to "create a council under Wis. Stat. § 15.04(1)(c) to advise the department concerning the administration of this section." Sub. (3)(d) specified that "the council established under sub. (2)(e) shall submit an advisory recommendation with respect to the application to the department prior to the approval or denial of the application" made for project grants.

The council is mandated by state statute (Wis. Stat. § 115.36[3][d]) to provide advisory recommendations regarding grants awarded under Wis. Stat. § 115.36(3).

Rules of Order

The council operates per federal and state laws and under the direction of the State Superintendent of Public Instruction, including Policy Bulletin 1.115 (See Appendix A: Advisory Councils and Committees).

Agenda Setting

The council agenda is set by DPI AODA staff in collaboration with the council chair and vice-chair. Council members are provided an opportunity to suggest agenda items at the end of each council meeting (e.g., new and old business, council announcements). Council agenda is determined based on council requests and availability of speakers for special reports. Regular agenda items may include grant updates, Wisconsin Safe and Healthy Schools Network (WISH) training updates, Title IV-A update, and Youth Risk Behavior Survey updates.

Open Meetings

Under Wis. Stat. § 19.81, all meetings of state and local governmental bodies are required to be given advance notice, held publicly in places reasonably accessible to the public with the door open, and open to all citizens unless otherwise expressly provided by law. The department has developed procedures to comply with this law and has designated the communications officer, Education Information Services Team, as the department contact. (See Appendix B: Procedures for Providing Public Notice of Open Meetings)

Pursuant to Wis. Stat. § 19.84(2), the council may provide for a period of public comment. During a period of public comment, members of the public may provide information to the council. The council may impose a time limit on public comment. (See Appendix C: Public Appearances). Sign language interpreters are available upon request.

Council members should be aware that open meeting requirements extend beyond regularly scheduled meetings of the council. Pursuant to Wis. Stat. § 19.82(2), a meeting is "the convening of members of a governmental body for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body. The term does not include any social or chance gathering or conference which is not intended to avoid [open meeting requirements]". If one-half or more of the members of a governmental body are present, the meeting is reputedly presumed to be for the purpose of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

Thus, council members should not exercise the responsibilities, authority, power, or duties of the council in any physical (e.g., conference, residence, other meeting space) or virtual (email, social media) without contacting DPI for guidance on whether open meeting requirements apply. In addition, public notice must be made in advance, and thus council should make requests for any non-scheduled council meetings as defined in Wis. Stat. § 19.82(2), during a regularly scheduled council meeting (see below on committees/sub-committees/workgroups). Council members are allowed and encouraged to share council and DPI updates with the public and their constituents either in person or virtually.

Committees/Sub-Committees/Workgroups

During council meetings, the council may decide to appoint a committee, sub-committee, or workgroup to meet outside of regularly scheduled meetings to further discuss a council topic(s). Such a committee, sub-committee, or workgroup is considered a "formally constituted subunit" of the council for purposes of Wisconsin Open Meetings law. Wis. Stat. § 19.82(1). A subunit is a separate, smaller body created by a parent governmental body composed exclusively of members of the parent body. In addition, groups that include both members and non-members of a parent body (e.g., a small group of council members and DPI staff) frequently fit within the definition of a "governmental body." Any subunit formed by the council is subject to Wisconsin's open meeting requirements. To

ensure compliance with open meeting requirements, subunit meetings of council are at the discretion of DPI, and the following process is required:

Forming a subunit meeting:

- The purpose of subunit meeting(s) (e.g., committee, sub-committee, workgroup) is to further discuss council topics for the purpose of making recommendations to the state superintendent,
- During regularly scheduled council meetings, the council will conduct a majority vote to create a committee, sub-committee, workgroup, or other subunit of the council,
- During regularly scheduled council meetings, the council determines who will participate in the subunit meeting, who will chair the subunit meeting, the purpose of the subunit meeting, the location of the subunit meeting (e.g., physical location or virtual), the time frame of when the subunit meeting will take place, and how many subunit meetings will be held within the time frame.

Prior to holding a subunit meeting:

- At least three weeks before a subunit meeting, the council subunit meeting chair will communicate the following to the DPI council liaison:
 - Meeting date and time,
 - Meeting agenda that includes the purpose of the meeting, agenda items, and, when applicable, opportunities for public input during the meeting.
- DPI will confirm:
 - If a location is available, that is accessible to the public,
 - If a DPI staff person is available,
 - If a conference line or virtual meeting platform is available (when applicable),
- At least one week prior to a confirmed subunit meeting, DPI will provide public notice of the meeting.

During a subunit meeting:

- A DPI staff person will be available during the duration of the subunit meeting to ensure public access (e.g., a notice posted on the door, door open, access to room/building),
 - For phone/virtual meetings, DPI staff will ensure the meeting room has technology that allows for public comment. Note: allowing for public comment is optional, but the public must be able to listen/view the meeting.
- When public comment is requested, the council subunit meeting chair will ensure the public has an opportunity to comment as per the agenda.

Following a subunit meeting:

- Within one week following a council subunit meeting, the council subunit meeting chair will send notes from the subunit meeting to the DPI council liaison and council co-chairs.

Selection of Members

The state superintendent appoints (up to 18) members of the council. Membership includes a balance of representation from school/CESA staff, professionals in the AODA field, other professionals involved in youth risk behavior prevention, and other critical organizations or groups. Council members are appointed for two-year terms and may serve two consecutive terms. Failure to attend three consecutive meetings may result in the withdrawal of an appointment. The chair, elected from the membership, serves a one-year term, from July 1 through June 30. See *Bylaws* section for operational procedures.

Every two years, or as needed, the department solicits member nominations from a broad range of stakeholders. The department encourages stakeholders to share, if appropriate, the solicitation with their constituents. The department announces council vacancies at a minimum of one council meeting. The nomination form is posted online at

/sites/default/files/imce/sspw/doc/Advisory_Council_Nomination_Form.docx

Nominations must be in writing, and the department prefers nominations submitted via form PI-1070 (submitted electronically or in hard copy). Nominations include self-nominations.

Nominations are considered active upon receipt. Nominations remain active through the next standard appointment process (typically early summer) and contiguous school year. The state superintendent notifies appointees to the council in writing. District administrators also are notified when an invitation is extended to school district personnel. (See Appendix A: DPI Policy Bulletin 1.115 – Advisory Councils and Committees) Non-appointed nominees receive written notification that they were not selected along with a list of other council opportunities related to students with AODA concerns.

The state superintendent appoints council members based on, but not limited to, the following factors:

- Knowledge, skills, and experience related to AODA
- Geographic diversity
- Racial/ethnic diversity
- Prior appointment to the council

See the sample timeline, including the nomination process, in Appendix E.

Article I-Name

The name of this organization shall be the Wisconsin State Superintendent's Advisory Council for Alcohol and Other Drug Abuse Programs.

Article II-Object

(Purpose, Responsibilities, and Functions)

Section 1. Purpose

The purpose of this organization is to advise the state superintendent of Public Instruction in matters pertaining to alcohol and other drug abuse programs.

Wis. Stat. § 115.36, PI Chapter 38.

Section 2. Responsibilities

This organization is responsible to consult with the state superintendent on the following:

- A. Assist in the identification and prioritizing of school staff needs for training programs and informational resources.
- B. Assist in the identification and evaluation of alcohol and other drug resources of particular relevance to school staff.
- C. Recommend procedures for the dissemination of information and provision of related training.
- D. Review and recommend procedures and criteria for determining state AODA funding projects.
- E. Review and recommend projects for the state superintendent's consideration.
- F. Review and evaluate outcomes of projects approved, funded, and report the same to the state superintendent.
- G. Assist in evaluating grant funding program progress and project outcomes.

Section 3. Functions

The council in its function shall:

- A. Have access to and consider reports and statistics kept by the Department relating to matters concerning AODA programs.
- B. Advise the state superintendent of unmet needs within the state in AODA programs.
- C. Assist the state superintendent in giving recognition to exemplary AODA programs in Wisconsin.
- D. Assist in grant reviews.
- E. Advise in other AODA related matters as requested by the state superintendent.

Article III-Membership

Section 1. Appointment

The council is appointed by the state superintendent of public instruction.

Section 2. Term of Membership

- A. Council members are appointed for two-year terms and may serve two consecutive terms.
- B. A member may resign at any time by sending a letter of resignation to the state superintendent of public instruction .
- C. Failure to attend three consecutive meetings may result in an appointment withdrawal.

Article IV-Elections

Section 1. Elections

The elected officers shall be chair, vice-chair, and secretary.

Section 2. Election

- A. Officers shall be elected at the August meeting and will serve for a period of one year.
- B. Officers may succeed themselves.

Section 3. Election Procedures

- A. The election may be voice vote unless a member requests a vote by ballot.
- B. A majority of members present shall constitute election to office. Duties of officers shall be assumed immediately upon election.

Section 4. Duties of Officers

- A. The chair shall:
 - 1. Assist in establishing the agenda.

2. Preside over meetings following parliamentary procedure or Robert's Rules of Order, newly revised edition.
3. Assign council members to committees.
4. Serve as the liaison person between the council and the Department of Public Instruction.

Section B. The Vice-Chair

The vice-chair shall serve as chairperson in the absence of the chair.

Section C. The Secretary

The secretary shall keep an accurate record of all business conducted at the council meetings.

Section 5. Vacancies

When a vacancy occurs in any office, the council shall follow the election procedure outlined in Article IV, Section 3.

Article V-Council Meetings

Section 1. Meetings

- A. Meetings can be held two times a year at a location and date selected by consensus of council members.
- B. Meeting notices will be sent by the Department of Public Instruction.
- C. All cancellations will be announced by the Department of Public Instruction.
- E. No action may be taken unless a quorum is present.
- F. Official action shall be the result of a simple majority vote. The exception is a vote to amend these bylaws in Article VII.

Article VI-Committees

The chair shall appoint committees.

Section 1. Duties of the Committees

- A. Discuss and/or study areas of concern to the advisory council.

- B. Represent the council, when appropriate, at meetings with agencies working in conjunction with AODA concerns.

Article VII-Amendments

Section 1. Procedures

- A. Bylaws may be amended at the regular meeting of the council following the meeting at which the amendment was presented.
- B. Proposed amendments shall be submitted to the council and voted upon by voice or ballot.
- C. A two-thirds vote will be required.

Section 2. Records Retention

The Department maintains the following council materials in electronic or paper format for at least event 4+ years:

- Solicitation letters for council nominees
- Appointment letters signed by the state superintendent
- Appreciation letters signed by the state superintendent
- Signed and dated letters to and from the council
- Meeting agendas, minutes, and materials
- Annual reports to the state superintendent
- Contracts or receipts for purchased services

After event 4+ years, the department may destroy the records, above. The department may not destroy any records if there is any outstanding request to inspect and review the records.

Electronic mail communications are maintained for a period of one year and then destroyed.

Nomination forms are maintained while active and then destroyed.

The department maintains a permanent record of council membership.

The department maintains a website regarding the council.

Article VIII-

All members shall serve without compensation; however, reimbursement for travel and lodging will follow the guidelines as set forth by the Department of Public Instruction.

Section 1. Location and Frequency of Meetings

The current council meeting schedule is aligned with the school year. The council's last meeting of the year is held in June and can be held virtually. See sample timeline in Appendix E.

Section 2. Recognition of Council Service

During the last council meeting of the year, members leaving the council are recognized for their service. Typically, members are presented certificates of appreciation signed by the state superintendent. Following the completion of advisory committee work, the state superintendent sends letters of appreciation to district administrators. (DPI Policy Bulletin 1.115 – Advisory Councils and Committees)

Appendix A: Advisory Councils and Committees



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A. Authority

Section 15.04(1)(c), Wisconsin Statutes, authorizes the head of a department or independent agency to create and appoint such councils or committees as required in the operation of the department or agency. Members of councils and committees created under this general authority, including statutory councils, shall serve without compensation but may be reimbursed for actual and necessary expenses. Councils created by the state superintendent or authorized by statute shall be identified as the State Superintendent's Advisory Councils. It is recommended that the appointment process outlined in this policy bulletin begin a minimum of 8-10 weeks prior to the first meeting of the council.

B. Appointments

1. All advisory committee and statutory council appointments shall be made by the state superintendent. No commitment regarding appointments shall be made prior to final approval by the state superintendent.
2. The nomination process for advisory groups is to be followed for appointments to statutory and newly-forming advisory groups, for reappointments and replacements.
3. Advisory council appointments generally are for one, three-year term. Persons appointed to fill an unexpired term may be appointed to an additional full three-year term.
4. Appointment notification shall be made directly by the state superintendent (see C5).
5. District administrators must be notified when an invitation is extended to school district personnel.

C. Liaison Responsibilities

1. A department staff member shall be assigned as liaison to each council or committee.
2. The liaison will generate a proposed list of members representing appropriate interest groups, various size school districts, geographic areas of the state, and racial and gender balance. The proposed list shall be approved by the team director and division administrator prior to sending to the state superintendent's office.
3. The proposed list shall be submitted to the chief of staff for the state superintendent's approval. To facilitate this process, please include the following supporting documents: 1) the advisory council charge or purpose, including applicable statutes or rules; 2) any statutory requirements regarding the council or committee composition; 3) a proposed list of nominees with their name, title, school district, CESA, gender, ethnicity, and the organization or group the individual will represent; 4) a copy of the advisory council nomination form for all new nominees (PI-1070).
4. The nominations shall be reviewed by the chief of staff and approved by the state superintendent. The state superintendent may request suggestions for candidates from other sources.
5. Upon the state superintendent's approval, letters of appointment shall be prepared by the liaison and submitted for the state superintendent's signature with the digitized signature form (PI-1076).
6. The liaison shall contact the Education Information Services team to determine the need for media releases.

D. Council Coordination and Proceedings

1. Liaisons shall attend council meetings to enhance coordination and communication between councils, DPI staff, and the state superintendent's office.
2. Public notice must be given at least 24 hours before each meeting, specifying time, date, place, and subject matter (see Policy Bulletin 1.145). Meeting information also should be included on the agency education calendar.
3. Liaisons shall submit agendas to the division administrator for approval prior to meetings. Following the meeting the liaison shall provide copies of the agendas and minutes to the division administrator.



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4. Liaisons shall provide copies of agendas, minutes, and an annual report on the council's work to the state superintendent, deputy state superintendent, chief of staff, communications director, and division administrator.
5. Following completion of advisory committee work, the liaison will generate letters of appreciation from the state superintendent to participants and district administrators or appropriate employers and submit for state superintendent approval/signature.

E. Expense Reimbursement

1. Qualifying expenses shall be reimbursed in accordance with DOA and DPI guidelines.

Questions concerning this policy may be directed to the office of the state superintendent.

Appendix B: Procedures for Providing Public Notice of Open Meetings



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Under Wis. Stat. §§ 19.81 to 19.98, *Open Meetings of Governmental Bodies*, every meeting of a governmental body must be preceded by public notice at least 24-hours in advance of the meeting. All meetings of state and local governmental bodies are required to be held publicly in places reasonably accessible to the public and open to all citizens unless otherwise expressly provided by law.

Violations of open meetings law can be punished. If the chief presiding officer or designee fails to provide notice of a meeting of the body or fails to ensure that the meeting is conducted in open session, except for exemptions for closed session as described in Wis. Stat. § 19.85, each member of the body may be subject to a forfeiture of not less than \$25 nor more than \$300 for each violation.

The department has developed procedures to comply with this law and has designated external communications staff on the Education Information Services Team as department contacts to facilitate compliance.

The following "Procedures for Providing Public Notice of Open Meetings" is provided to guide compliance with the law. It includes:

1. Location Requirements
2. Providing Public Notice
3. Timing of the Notice
4. Description of Governmental Bodies
5. Examples and Checklist

Questions concerning this bulletin may be directed to the Education Information Services Team or the Office of Legal Services.

Procedures for Providing Public Notice of Open Meetings

1. Location Requirements

The chief presiding officer of the body (or designee) must schedule meetings in buildings that are accessible to the public without assistance. Meeting room size must be sufficient to accommodate the public. (See Policy Bulletin 1.150, *Accessibility of Meeting Sites*.)

The meeting room door should remain open during the meeting. If the door is closed to avoid disturbing others, a copy of the open meetings notice or a similar notice indicating the meeting is open to the public must be posted on or near the door.

This policy also applies to virtual meetings. The public must be able to observe a virtual meeting visually if by videoconference or by listening if by telephone conference call. This may be accomplished by providing access in a physical meeting room accessible to the public.



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2. Providing Public Notice

- A. The chief presiding officer of the body (or designee) must provide public notice of each meeting using the "Public Notice of Open Meetings" template (PI-1291) available on the department's intranet site. (<https://fred.dpi.wi.gov/workplace/forms-templates>).
- B. The notice must include:
- The full name of the governmental body.
 - The time and date of the meeting.
 - A full location where the meeting will be held, including building name or location, street address, room number, and city. Include information on how to attend if the session will be virtual.
 - Subject matter of the meeting. While a general statement of the purpose of the group may be part of the notice, the subject matter of the meeting must have sufficient specificity that the public will know what will be discussed and what actions may be taken. Abbreviations and acronyms must be spelled out on first use.
 - Either the name of the chief presiding officer or the DPI liaison to the body with that individual's title, email address, and telephone number.
- C. The department provides two physical locations and two internet sites for notification, as well as notifying the official state newspaper. Copies of the notice must be distributed as follows:
- One printed copy on the DPI bulletin board located in the lobby of GEF 3 (remove after the meeting).
 - One copy emailed to the DPI Outlook Distribution List: DPI DL Open Meetings. Subject line: Meeting Notice: (name of governmental body). (See Sample Open Meetings Email.) This list provides notification to Capitol Tours and Information, which posts a physical copy of the meeting notice near the Capitol Tour Desk, as well as staff in the Office of the State Superintendent.
 - One copy emailed to news and government reporter staff members at the official state newspaper: the *Wisconsin State Journal*; and to *The Wheeler Report Daybook*. The Communications Specialist on the Education Information Services Team will ensure that current email addresses for these contacts are provided on the Open Meetings page of the Department's intranet site.
 - The designated Executive Staff Assistant in the State Superintendent's Office will ensure entry of information on the Wisconsin Education Calendar.
 - If meetings or hearings are to be held outside of Madison, the Communications Specialist will provide a distribution list of area media that must also receive timely copies of the open meetings notice. The meeting notice creator should allow time for this additional step in these cases.



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Special considerations for residential schools and DPI satellite locations

Meetings of governmental bodies affiliated with the residential schools and other offices not at DPI headquarters in Madison must follow these procedures, with these modifications.

- Instead of posting notice on the bulletin board in the lobby of the GEF 3 building in Madison, post the open meetings notice on a central bulletin board in the DPI satellite location or another place likely to provide notice to the public.
- In addition to distributing to the Open Meetings distribution list, send a notice to the official newspaper of that locale.

3. Timing of the Notice

Open meetings law requires a minimum of 24-hour notice. Weekends and holidays are not counted. Whenever practical, notices should be completed by Tuesday noon the week prior to the meeting.

- While open meetings law allows for shorter notice of not less than two hours, it is unlikely any department group subject to open meetings law would have "good cause" for shorter notice.
- Separate notice must be given for each meeting of the body at a time and date reasonably proximate to the time and date of the meeting. One notice with a list of future meeting dates does not comply with open meetings notification requirements.
- If topics to be discussed at the meeting change or there is a substantial addition to the meeting agenda after notice is made, an amended open meetings notice must be issued at least 24 hours in advance of the meeting.

4. Description of Governmental Bodies

All appointed councils, commissions, task forces, work groups, or committees that provide advice or recommendations to the state superintendent or the Department are governmental bodies and are subject to open meetings law. This includes governmental bodies created by constitution or statute or by rule or order of the state superintendent.

A list of departmental governmental bodies can be found on the State Superintendent's Councils and Committees website: <http://dpi.wi.gov/statesupt/councils-and-committees>. This list will be updated biannually.



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5. Examples and Checklist

The Open Meeting Samples page on FRED (<https://fred.dpi.wi.gov/workplace/communications/style-branding/samples/open-meeting-samples>), provides samples as a guide to aid completion of the Open Meetings form (PI-1291), distribution of the notice, and compliance with provisions of open meetings law. Included are:

- Sample Open Meetings Notice 1–Bulleterd Agenda
- Sample Open Meetings Notice 2–Time Specific Agenda
- Sample Open Meetings Notice 3–Attached Agenda and Virtual Meeting
- Sample Open Meetings Email
- Sample Open Meetings Room Sign
- Open Meetings Checklist – Usage is optional

Thank you for your interest and input.

Appendix C: Sample Agendas

**AODA Council/WISH meeting
Wednesday, December 4
Building the Heart of Successful Schools Conference
Wilderness Resort/Glacier Canyon Lodge**

5 pm – Welcome and introductions

- New Members Welcome and Purpose
- DPI Introductions and Updates
- Wisconsin Safe and Healthy Schools (WISH) Training Center Updates
- Online Youth Risk Behavior Survey Update
- ESSA Update Title IV Part A
- Student AODA Mini-Grant Program
- Set a date for Spring 2020 Meeting

Appendix D: Resources

