

# **Monte Gardens Elementary School Bylaws**

## **ARTICLE I - NAME OF THE COUNCIL**

The Mt. Diablo Unified School District has established the Monte Gardens Elementary School Site Council. Hereinafter, this school site council may be referred to as the council.

## **ARTICLE II - ROLE OF THE COUNCIL**

The school site council is required, under state law, to serve as the school community representative body for determining the focus of the school's academic instructional program and all related categorical resources. The school site council has responsibility for the following duties:

- Analyzing and evaluating the academic achievement of all students in the school;
- Obtaining recommendations from school site Instructional Leadership Team and special committees regarding the focus of the school's Single Plan for Student Achievement ("SPSA");
- Developing and approving the school plan and all related proposed expenditures, involving the expenditures within the SPSA, in accordance with all state and federal laws and regulations;
- Recommending the school plan including related budget expenditures to the local governing board;
- Providing ongoing monitoring of the implementation of the plan and budgets/expenditures;
- Revising the school plan, including expenditures, timelines, and evaluation criteria, as needed;
- Participating in all local, state, and federal reviews of the school's program for compliance and quality;
- Annually evaluating the effectiveness of the school's progress toward meeting school goals to raise student achievement for all students;
- Encouraging broad representation of parents, community members, and teachers, including all socioeconomic, ethnic, and programmatic groups represented in the school in leadership roles and in the activities of the school site council; and
- Carrying out all other duties assigned to the council by the district governing board and by state or federal law.

## **ARTICLE III - MEMBERS**

### **Section 1: Size and Composition**

The school site council will be composed of ten (10) members.

Half of the representation on the council shall be from the school staff. This council half will include:

One (1) Principal;

Three (3) Teachers, selected by teachers;

One (1) Other School Personnel;

and

The remaining half on the council shall be:

Five (5) Parents, Guardians or community members, selected by parents/guardians at the school.

Additionally, the school site council may include non-voting alternate members, who become voting members in the event of a mid-term vacancy on the council to assure site council continuity.

## **Section 2: Term of Office**

All members of the council shall serve for a term of two (2) years of office.

However, in order to achieve staggered membership, one-half, or the nearest approximation, of each representative group may be selected during the odd years and the remaining number of members selected during the even years.

At the end of each representative member's term, their membership terminates. A member of the council can be reelected for an additional term(s), provided that members may serve no more than two (2) consecutive terms. In the event that no one is nominated to run and/or wins a position, at the November meeting, the council will appoint a person to complete the year in that position. All bylaws pertaining to vacancies will be in effect.

## **Section 3: Selection/Election of Members**

Elections of council members shall be held each year in September.

Annually, the school site council may establish an election committee composed of a teacher, other school personnel, and parents/guardians, to oversee the election of council members. The duties of the election committee shall be to supervise the election procedure, to identify nominees on the basis of the nominating procedure, to unseal and count the ballots, and to declare elected representatives on the basis of the election procedure.

The following procedures shall be followed in nominating candidates and selecting/electing council members, and election ballots shall be prepared by the election committee and/or the council with the assistance of the principal and shall be distributed in the following manner to each peer group:

Teachers and Other School Personnel: All teachers and other school personnel will be notified of vacancies in August. Nominations will be online or paper ballots during the first three weeks of the school year. Online or paper ballots will be distributed to all teachers and other school personnel the following week. Ballots will be received through the fourth week of school. Only one (1) ballot will be accepted per teacher or staff member. The ballots will be counted by an administrator and a teacher representative who is a current or outgoing site council member.

Results will be published the next work day.

Parent/Guardians: Parents/Guardians will be notified on vacancies via the school newsletter in August. Nominations will be received at the school during the first three weeks of the school year. Ballots will be sent to all student families the following week. Ballots will be received through the fourth week of school. Only one (1) ballot will be accepted per parent/guardian. The ballots will be counted by an administrator, a teacher representative, and a parent/guardian who is a current or outgoing site council member. Results will be published in the Principal's Newsletter.

In all elections for council members, a lottery will decide ties.

The election of alternates for the council is optional. Alternates may be chosen for each representative group, except for the principal, who cannot delegate authority to another administrator or select an alternate for the principal seat. Alternates are not members until seated to replace current members upon a termination or resignation of membership.

#### **Section 4: Voting Rights**

Each member of the council shall be entitled to one (1) vote and may cast that vote on each matter submitted to a vote of the council. Absentee ballots shall not be permitted.

An alternate representative may not cast a vote in the absence of the selected member or be counted for the establishment of a quorum. The role of an alternate is for information collection only.

#### **Section 5: Termination of Membership**

A member shall no longer hold membership when their affiliation with the school or position for which they are representing ends (e.g., a parent/guardian no longer has a child who is a current student at the school), or should they no longer meet the membership requirements under which they were selected (e.g., a parent/guardian becomes employed by the district and works at the school).

Membership shall automatically terminate for any member who is absent from all regular meetings for a period of three (3) consecutive meetings.

The council, by an affirmative vote of two-thirds of all the members, can suspend or expel a member.

#### **Section 6: Transfer of Membership**

Membership on the council may not be assigned or transferred.

#### **Section 7: Resignation**

Any selected council member may terminate his or her membership by submitting a written letter of resignation to the council chairperson.

#### **Section 8: Vacancy**

Any vacancy on the council that occurs during the term of a member shall be filled by:

- An election of a new member by the appropriate representative group;
- Appointment of a new member to fill the remainder of the term (selected by the remaining peer group members, not the council as a whole); or

- Seating of a previously elected alternate member to fill the remainder of the term of the vacant seat.

## **ARTICLE IV - OFFICERS**

### **Section 1: Officers**

The officers of the council shall include a chairperson, vice-chairperson, secretary, parliamentarian, and any other officers the council shall deem as desirable.

### **Section 2: Election of Officers and Terms of Office**

The officers of the council shall be elected annually and shall serve a term for one (1) year as such officer or until a successor has been elected.

Any member of the council, including the principal, may serve in any officer capacity.

### **Section 3: Removal of Officers**

Any officer may be removed from their office by a two-thirds vote of all council members.

### **Section 4: Vacancy in an Officer Position**

A vacancy in any office because of resignation, removal, disqualification, death or otherwise shall be filled for the remainder of the officer's term.

A vacancy in any office shall be filled by a special election of the council.

This special election will be included in the posted meeting agenda.

### **Section 5: Officer Duties**

Duties assigned to officers may be exchanged as voted on by the school site council.

The chairperson shall:

- Preside at all meetings of the council;
- Sign all letters, reports, and other communications of the council;
- Perform all duties incident to the office of the chairperson; and
- Assume other such duties as prescribed by the council.
- Votes only as needed for tie-breaking

The vice-chairperson shall:

- Represent the chairperson or council in assigned duties; and
- Substitute for the chairperson in his or her absence.

The secretary shall:

- Keep minutes of all regular and special meetings of the council;
- Reflect on the minutes, members name and term of service and whether the member was absent.
- Promptly transmit to each of the council members and district representative true and correct copies of the minutes of such meetings;
- Provide all notices in accordance with the provisions of these bylaws;
- Serve as custodian of the school site council records;

- Perform all duties incident to the office of secretary;
- Perform such duties that are assigned by the chairperson or the council; program; and/or
- Draft positions or plans for council review.

The parliamentarian shall:

- Advise the chairperson and other members on parliamentary procedure and assist the council in ensuring all rules and bylaws are followed; and
- Be knowledgeable about bylaws of the council, parliamentary procedure, and Robert's Rules of Order.

## **ARTICLE V - COMMITTEES**

### **Section 1: Standing and Special Committees**

The school site council may from time to time establish standing or special committees to perform various functions as prescribed by the council. All such committees will include representation from the various representative groups. All appointed individuals and committees serve at the pleasure of the council and are advisory to it. No standing or special committee may exercise the authority of the council. A standing or special committee may be abolished by a majority vote of the council.

The purpose of these committees is to:

- Complete specific assignments provided by the council;
- Gather and analyze data;
- Examine materials, staffing, or funding possibilities; and
- Propose to the council strategies for improving the instructional practices.

### **Section 2: Standing and Special Committee Membership**

Unless otherwise determined by the council, the council chairperson shall appoint members of the standing or special committees. A vacancy on a standing or special committee shall be filled by appointment of the chairperson based on agreement of the council.

### **Section 3: Standing and Special Committee Term of Office**

The council shall determine the membership terms for all standing and special committees. This term should be communicated to the committee members at the beginning of their assignment.

### **Section 4: Standing and Special Committee Rules**

Each standing and special committee will establish procedural rules that are consistent with the council's bylaws and the district governing board.

## **ARTICLE VI - MEETINGS OF THE MONTE GARDENS ELEMENTARY SCHOOL SITE COUNCIL**

### **Section 1: Meetings**

The council shall meet on a regularly scheduled day of the month. The council shall meet a minimum of four (4) times per year. Special meetings of the council may be called by the chairperson or by a majority vote of the council.

## **Section 2: Place of Meetings**

The council shall hold its regular meetings online and/or at a facility provided by the school, unless the school principal determines that such a facility accessible to the public, including handicapped persons, is unavailable or does not meet health and/or safety codes. The school principal and council chairperson will determine an alternative meeting site jointly.

## **Section 3: Notice of Meetings**

Written notice of the meeting shall be posted at least 72 hours in advance of the meeting at the school site, or any other appropriate place that is accessible to the public. This written notice shall specify the date, time, and location of the meeting, and contain an agenda describing each item of business to be discussed or acted upon. Any changes in the established date, time, or location of the meeting need to be especially noted in the agenda. The council shall not take any action on any item of business unless that item appears on the posted agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.

Questions or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school district or that can be resolved solely by the provision of information need not be described on an agenda as items of business.

All required notices shall be delivered to council and committee members no less than 72 hours, and no more than seven (7) days in advance of the meeting, by mail or by email.

The council will annually notice representative groups of the meetings schedules through:

- Inclusion in school communications such as newsletters and the school website; and
- Posted in the school office bulletin board.

## **Section 4: Quorum**

The presence of 51% of the council voting membership in attendance at the meeting will constitute a quorum. No decisions of the council shall be valid unless a quorum of the membership is present.

## **Section 5: Conduct of Meetings**

Meetings of the council shall be conducted in accordance with the rules of order established by Education Code 35147 and the Robert's Rule of Order or an adaptation thereof approved by the council. If a council violates any of the procedural meeting requirements found in Ed. Code Section 35147, and upon demand of any person, the council shall reconsider the item at its next meeting, after allowing for public input.

## **Section 6: Meetings Open to the Public**

All meetings of the council and its appointed committees shall be open to the public. Any member of the public shall be able to address the council during the meeting on any item within the subject matter jurisdiction of the council. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the school site council on any item of interest to the public, before or during the council's consideration of that item.

The council may not take any action on any item of business unless that item appears on the

posted agenda or unless the council members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council subsequent to the posting of the agenda.

Each meeting agenda will include a time for public comment. The school site council will provide opportunities for the public to comment on matters that are not on the agenda, but the council may take no action. The minutes of the council meeting are public records and are available to the public.

Any materials provided to a school site council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Chapter 3.5 (Commencing with Section 6250) of Division 7 of Title 1).

### **Section 7: Communication with the Local Board of Education**

The school site council shall implement the rules and regulations as defined in local board policy. The council may communicate with the board by submitting a letter to the board of education office. A school site council may request to speak at the local board of education meeting by following district procedures for communicating with the school board.

A local board of education has the right to deny the content and related budget found in the school's *Single Plan for Student Achievement*. The board of education will provide written notification to the council about their concerns.

### **Section 8: Uniform Complaint Procedures**

Annually, the school site council shall participate in training about the district's uniform complaint procedures. This training will review procedures for filing a complaint. If any school site council member or member of the public believes that the school site council has taken an action that is in violation of their legal authority, the individual or group may file a uniform complaint form with the district.

## **ARTICLE VII - BYLAW AMENDMENTS**

An amendment of these bylaws may be made at any regular meeting of the council by a vote of two-thirds of the members present. Written notice of the proposed amendment must be posted as a part of the agenda and must be submitted to council members at least three (3) days prior to the meeting at which the amendment is to be considered for adoption.