

BERKELEY UNIFIED SCHOOL DISTRICT
BYLAWS FOR
SCHOOL GOVERNANCE COUNCILS (SGC)

I. Purpose and Philosophy

The success of a school and the students it serves comes through the shared responsibility of the staff and entire school community.

II. Charge of the School Governance Council

A School Governance Council (SGC), composed of the school's principal, teachers, staff members, parents/guardians, residents, or community members, shall be established at each pre-K-12 school site or designated program in accordance with California law, local statute, and policies and bylaws adopted by the Board of Education.

Each School Governance Council shall develop a *Single Plan for Student Achievement (School Plan)* which shall be focused on improving student learning and shall direct the revenues from the *Berkeley Public Schools Educational Excellence Act of 2006* (BSEP/Measure A), together with State and Federal Program funds allocated to the school such as Title I, EIA, SIP, and other funds, to implement the Board-approved *School Plan*.

The School Governance Council shall have as its major responsibility the monitoring and evaluation of the elements of the *School Plan* to ensure that BSEP funds, Title I, EIA, SIP, and other resources, are improving student success and being spent appropriately. The School Governance Council shall insure that the BSEP/Measure A funds in the *School Plan* are clearly delineated from all other funds in the Plan. At least annually, the School Governance Council must formally review the Plan goals, outcomes, expenditures and data, before submission to the Board of Education for annual approval.

The School Governance Council shall also have as its responsibility the recommendation of alternative methods of class size reduction at the school, should this be necessary or desirable in a particular year (pursuant to Section 3.A.ii, *Berkeley Public Schools Excellence Act of 2006*). In such an instance the recommendation shall be forwarded to the Board of Education for action.

Responsibilities of the District

As per Board policy, the Superintendent or designee will provide training and information to the members of School Governance Councils that will facilitate their ability to collaboratively analyze data, design measurable goals, and

SCHOOL GOVERNANCE COUNCIL BYLAWS

develop, monitor, and evaluate programs. This training will include a written handbook distributed to all School Governance Council members.

The District will also make available regularly to the Principal and the School Governance Councils revenue and expenditure reports, including an annual revenue and expenditure report, to enable the School Governance Council to prepare its *Single Plan for Student Achievement*. The District will provide student data to the Principal to be shared with the SGC in a format that allows the data to be used as a basis for decision-making in developing the *School Plan*.

The District will also make available to the BSEP Planning & Oversight Committee (P&O) information needed to demonstrate that SGCs are properly constituted and also actively and properly involved in the development, monitoring, and evaluation of the *School Plan*.

Responsibilities of the School Principal

A principal's leadership is critical to the success of the School Governance Council. The greater the principal's ability to engage and involve the SGC and other members of the community in planning, program and budget development, the more effectively student learning will be improved at that site.

The principal is a voting member of the School Governance Council, and vital to the success of the planning and implementation of the *School Plan*. By law, the principal has no administrative authority over the SGC and therefore may not veto decisions made by the SGC nor make changes to the *School Plan* after it has been approved by the School Governance Council. Because it is the principal's responsibility to implement the *School Plan*, the School Governance Council should give weight and consideration to the principal's view.

The principal has the following duties with respect to the development of the School Plan:

- Provide vision, leadership and information to the School Governance Council.
- Provide student data to the SGC in a format that allows the data to be used as a basis for decision-making in developing the *School Plan*.
- Provide clear revenue and expenditure information for the SGC to use in developing a realistic and accountable *School Plan*.
- Administer the school-level activities of the approved *Single Plan for Student Achievement*.
- Ensure that District guidelines with respect to hiring, procurement of materials and conflict of interest are followed.
- Together with members of the previously elected SGC, ensure that elections for the School Governance Council are open, widely publicized, and timely.

SCHOOL GOVERNANCE COUNCIL BYLAWS

Responsibilities of School Governance Council Members

The School Governance Council must demonstrate that they have disseminated information about their work widely in the school community and that they have solicited input from all groups *and individuals* included in their community. While the School Governance Council may not, in every case, include members representing each group comprising the school community, the elected members must consider the needs of the children of all the various school groups and individuals, and must demonstrate the means by which the needs of all children have been considered in developing and implementing the *Single Plan for Student Achievement*. All members of the school community must have opportunities to bring their interests and concerns before the SGC.

School Governance Council members are strongly encouraged to attend the annual SGC orientation meeting, and other workshops provided by District staff relevant to the SGC's charge and responsibilities.

Responsibilities of School Governance Council Chair/Co-Chairs

Responsibilities of the SGC Chair/Co-Chairs:

- Preside over the meetings of the School Governance Council.
- Make arrangements for an alternate Chair or Co-Chair to preside over any meetings which the Chair is unable to attend.
- Communicate regularly with the school's Planning and Oversight Committee Representative.
- With the SGC membership, publicize the upcoming SGC election each year, via a welcoming letter to parents and staff, announcements and tables at PTA meetings and Back-to-School Night, encouraging parents and staff to participate on the School Governance Council.
- Attend SGC orientations and training meetings as provided by District staff.

And, in collaboration with the Principal:

- Set the SGC meeting agendas.
- Assure the SGC's compliance with the Brown Act (e.g. SGC meeting notices and agendas widely disseminated to the school community at least 72 hours in advance of the meeting, meeting minutes kept, records properly kept, etc.).
- Submit the SGC election report and membership roster, and the contact information for school's Planning and Oversight Committee Representative(s) to the appropriate District office.
- With the support of District staff, guide the SGC to analyze student data, assess school needs, review school budgets, and develop school goals and the *Single Plan for Student Achievement*.
- Submit any requested changes to the *School Plan* in the required manner.
- With the SGC membership, publicize the role and work of the School Governance Council and the contents of the *School Plan* throughout the year.

SCHOOL GOVERNANCE COUNCIL BYLAWS

III. Election and Term of Office of School Governance Council Members

Election Period and Term of Office

A well-publicized election to the School Governance Council shall be conducted by each school during September each year, with the elections completed by October 1. The term of office is October 1 through September 30 of the following year. Staggered two year terms are allowed if the site so chooses, with the terms ending September 30. To ensure a fully constituted School Governance Council throughout the school year, non-voting Alternates from each represented group (parents, classified and certificated staff, and students for 9-12 schools) shall also be elected at this time. Elected alternate members should attend all meetings, so that they may be prepared to fully participate as voting members should the need arise. In the absence of voting members, Alternates may be counted for the quorum and may vote in their place. A School Governance Council member may be re-elected for subsequent terms, without limit.

Parent Election

Parents/guardians, residents, or community members shall be elected from the school at large, in an election conducted by the Principal or designee and outgoing School Governance Council members.

Recruitment of candidates and election of members should be conducted in such a manner as to promote a SGC which reflects the ethnic, linguistic, socioeconomic and programmatic composition of the site. As an example, members might be those from diverse ethnic backgrounds, and those participating in special programs such as bilingual education, special education, gifted and talented, and compensatory education. To this end, efforts should be made to ensure that information is disseminated and the election process is made accessible to all members of the school community. Parents nominated for re-election may not be involved in the supervision and oversight of the election process, i.e., chairing the election meeting, counting the votes, distributing fliers, and so forth.

Staff Elections

Representatives of the teachers, selected by teachers, and other school personnel, selected by other school personnel, shall constitute staff representatives to the School Governance Council. They shall be selected using the school's normal process for selecting committee members, as coordinated by the Principal. This process shall be completed during the month of September.

Student Election

Student members of the BSEP Site Committee shall be elected from Berkeley High School. Student members of the School Governance Council shall be elected from Berkeley Technology Academy (B-Tech) and the Independent Study Program. Non-voting student representatives to the School Governance Council may be elected from the three Middle Schools.

SCHOOL GOVERNANCE COUNCIL BYLAWS

Composition & Quorum Requirements

The size, composition and quorum requirements of the School Governance Council vary by school type (see page 14).

Conduct of Elections

For suggestions about how to conduct a School Governance Council election see Appendix.

IV. Selection of Planning & Oversight Committee Representative(s)

Upon completion of the School Governance Council election, the SGC shall select the school's Representative(s) to the district-wide BSEP Planning and Oversight Committee (P&O Committee). The number of P&O Committee Representatives varies by school type (see chart). An equal number of Alternates shall be chosen by the SGC to represent the school in the absence of the Representative(s).

Planning and Oversight Committee Representatives need not sit on the school's School Governance Council, but they are required to communicate regularly with the SGC. It is generally expected that Planning and Oversight Committee Representatives will have a definite connection to the school that they represent, such as being a parent or staff member at that school.

The term of office of Planning and Oversight Committee Representatives is one year, from October 1 until September 30 of the following year. There is no limit to the number of terms, consecutive or interrupted, which Planning and Oversight Representatives may serve.

For more details regarding the responsibilities of Planning and Oversight Committee Representatives, see the *BSEP Planning and Oversight Committee Bylaws*.

Submission of SGC Roster

Upon completion of the School Governance Council election and the selection of the school's Planning and Oversight Committee Representative(s), the Principal or Chairperson shall submit an election report and membership roster of the School Governance Council and the P&O Representatives to the appropriate District office.

V. Operations of the School Governance Councils

The School Governance Councils are governed by the State of California Brown Act and these Bylaws. School site rules consistent with these Bylaws should be established by individual sites to cover such operating agreements as:

- the term and election procedures of SGC members and officers
- the SGC's regular meeting times

SCHOOL GOVERNANCE COUNCIL BYLAWS

- quorum requirement if the size of the SGC exceeds the minimum
- minimum attendance required of members
- other operating agreements.

Meeting notice, time and place

School Governance Council meetings shall be in a public place, open to the public, and noticed at least 72 hours in advance (preferably longer). Such notice could be given in the Principal's bulletin, on the school e-tree, sent home with students where appropriate, etc. The day and time of SGC meetings shall be agreed upon among the Council members (both parents and staff). Meeting times should be regular, preferably set times, (for example, the first Tuesday of each month at a particular time), and a calendar of meetings should be established at the first meeting and then published, to allow maximum community participation.

Election of officers

The SGC needs to elect officers with stated responsibilities and authority, including:

- Chair or co-Chairs to preside over SGC meetings. If co-Chairs are elected, at least one should be a parent. It is strongly recommended that the principal not be the Chair.
- Secretary, to insure meeting minutes are recorded.

Filling Vacancies

Every effort should be made to have a complete SGC. Alternates fill in automatically when there is a vacancy. In the event that a vacancy occurs and there is no Alternate, consideration should be given to the need for representation from the entire school community.

Accessible meetings

Effort should be made to arrange child care for meetings, if requested by the participants. Likewise, effort should be made to provide an interpreter in the event that non-English speaking individuals wish to participate in School Governance Council meetings.

Conduct of meetings

School Governance Council meetings are public meetings; the regulations and procedures governing meetings of other public bodies (such as the Brown Act and Roberts Rules of Order) generally apply to meetings of the School Governance Council. SGC meetings should be conducted in an open, civil manner.

Rules of Order

School Governance Council meetings must operate according to the following rules:

SCHOOL GOVERNANCE COUNCIL BYLAWS

- Meetings must be open to the public.
- The public may address the SGC on any item within the jurisdiction of the SGC.
- Notice of the meeting must be posted at the school site at least 72 hours before the meeting (preferably longer).
- The notice must specify the date, time, and place of the meeting and the agenda.
- The SGC cannot take action on an item not described on the posted agenda.
- Questions and brief statements of no impact on students or employees that can be resolved by providing information need not be described on the posted agenda.
- If these procedures are violated, upon demand of any person, the SGC must reconsider the item at its next meeting, after allowing for public input on the item.

Voting

Although reaching consensus in decision-making is desirable, when a vote is taken it must be open and recorded; secret ballots are not permitted.

Record keeping

The School Governance Council shall maintain records of the following:

- elections
- official correspondence
- agendas of SGC meetings
- evidence of input from school advisory committees and groups
- minutes of meetings, copies of current and prior year *School Plans*.

All records pertinent to a funded project must be retained for three years. SGC records must be kept available for public review upon request.

After each SGC meeting a School Governance Council “Meeting Summary Report” recording attendance, discussions, recommendations, and actions shall be submitted to the District office.

SCHOOL GOVERNANCE COUNCIL BYLAWS

Annual Timeline of School Governance Council Activities

Tasks	Responsible	Date
Conduct elections for School Governance Council (SGC) at each school site	School Principal and outgoing SGC Chair person or designee	September 30
Collect SGC membership, election data, and select P&O Rep(s); submit to District Office for review	School Principal and SGC Chair or designee	mid-October
Participate in orientation / training	All new and returning SGC members; District staff coordinate	Fall-Winter
Review each SGC to certify the election and compliance with the guidelines; submit membership rosters to the Board of Education	District staff with P&O Committee representatives	October – November
Conduct regular meetings of the SGC to review all pertinent information about the effectiveness of the strategies adopted in the <i>School Plan</i> ; submit minutes of meetings	SGC Chairperson & School Principal; District staff to implement budget changes	ongoing
Collect and review student evaluation data from prior year and draw conclusions; prepare a report for the Board	Each SGC with school's Principal and District staff support	October thru December
Review school's student data analysis with selected School Board members & Educational Services Department staff	SGC Chairperson, members and Principal	January
Solicit input from school community re: the status, performance, and needs of the students and school	SGC Chair and members	January
Discuss funding priorities and possible new programs for the new year; develop (every 3 years) or revise the school's Action Plans and Strategies to meet the three year Goals	Each SGC	February-March
Develop budgets based on the Action Plans of the <i>Single Plan for Student Achievement</i>	Each SGC	March
Submit the <i>Single Plan for Student Achievement</i> with budgets for administrative review	Each SGC	March-April (deadline varies)
Adopt each school's <i>Single Plan for Student Achievement</i> (after 2 readings)	School Board	May-June
Prepare recruitment activities for election of next year's SGC members	Each SGC	May-August
Publish BSEP Annual Plan, including Site Plans	District Staff	June-September

SCHOOL GOVERNANCE COUNCIL BYLAWS

VI. Development of the *Single Plan for Student Achievement (School Plan)*

The Single Plan for Student Achievement involves a continuous development, implementation, and monitoring cycle, shown in the following six steps:

- Step One: Measure effectiveness of improvement strategies at the school
- Step Two: Seek input from school advisory committees/school community
- Step Three: Reaffirm or revise school goals
- Step Four: Review improvement strategies and expenditures
- Step Five: Recommend the approved School Plan to the School Board
- Step Six: Monitor implementation of the School Plan.

These six steps are elaborated in the *Guide and Template for the Single Plan for Student Achievement, A Handbook for School Site Councils*, published by the California Department of Education.

Soliciting Input from School Community

Prior to plan development, the School Governance Council shall solicit input from members of the school community, advisory groups, teachers, administrators, parents and students, when appropriate, regarding the status, performance and needs of the students and school. Such solicitation may come through surveys, informational meetings, and the exchange of information with other sites.

All Students versus Targeted Groups of Students

The *Single Plan for Student Achievement* must benefit all the children at a school, although particular site funds may be targeted toward special purposes. Not every program that a site develops must directly benefit every child. Site decisions related to program development and financial allocations should consider qualitative and quantitative data that may determine the needs of each school.

Two Readings of School Plan and Budget

To ensure a more collaborative process in development of the *School Plan*, the budget presented by the Principal to the SGC must be presented for review and discussion at a meeting of the SGC at least one week prior to the meeting where the vote for approval of the entire plan will take place. Therefore, the final approval of the *School Plan*, including final budget allocations, may not be approved by a vote of the Council at the same meeting at which it was presented for the first time.

Conflict of Interest

A "Conflict of Interest" occurs when a School Governance Council member or an individual in the member's immediate family **stands to gain financially from adoption of a particular proposal** submitted to the School Governance Council. Avoidance of a "conflict of interest" position should be taken into account during the election of School Governance Council members, e.g., personnel paid by

SCHOOL GOVERNANCE COUNCIL BYLAWS

funds to be allocated by the SGC should not be elected to the School Governance Council, since funding for their position will need to be reconsidered and approved each year by the School Governance Council.

When a "conflict of interest" occurs, the "Interested Member" must resign from the Council and be replaced by an Alternate.

An exception to the above-stated rule shall exist in the case of programs that are generally available to a substantial number of teachers at the school. If needed, arbitration of conflict of interest disputes shall be conducted by the Superintendent or designee.

Delineation of BSEP/Measure A funds in the School Plan

The School Plan must clearly delineate the use of the BSEP/Measure A revenues from all other revenues in the Plan.

VII. Mid-year Changes to the School Plan

Any of the following factors may indicate a need to amend the *School Plan* during the school year:

- A major service or activity proves ineffective, and students are at risk.
- Material changes occur that affect the academic programs.
- Staff, equipment, or materials essential to the *School Plan* cannot be procured.
- School boundaries or demographics suddenly change.
- An activity is found to be non-compliant with state or federal law.
- A planned activity is not supported by staff, parents, or students.

The SGC may amend the *School Plan* at any time, in accordance with Board policy and SGC Bylaws. Whenever the SGC makes a material change to the Plan, the School Board must approve the change.

VIII. Dispute Resolution & Accountability

Because the School Board, administration, and School Governance Council have separate but related responsibilities for the *School Plan*, they need to work cooperatively. Every effort should be made to resolve disputes regarding the development and implementation of the *School Plan* and SGC compliance issues. Should an impasse occur, several remedies are available:

- The School Governance Council or an individual member of the SGC may communicate with the Educational Services Office in an effort to clarify policy or resolve a dispute.
- The P&O Committee or its designee may offer support to a School Governance Council seeking clarification.
- Individuals may file a formal complaint under the district's Uniform Complaint Procedure.

SCHOOL GOVERNANCE COUNCIL BYLAWS

- The School Governance Council may appeal to the School Board to resolve issues of planning or implementation, to clarify an issue in doubt, or to establish a needed policy.
- The administration may recommend that the Board not approve a Single Plan believed to be flawed.
- The School Board may develop policies to regulate or inform School Governance Councils and staff in the performance of their duties.

IX. Berkeley High School BSEP Committee and School Governance Council

Effective in the 2007-08 school year, each school except Berkeley High School combined the former BSEP Site Committee and School Site Council into a single body, the School Governance Council. At Berkeley High, due to its size and complexity, the BSEP Committee remains a discrete committee, focused on the school's BSEP/Measure A Site Discretionary Funds. The Berkeley High School Governance Council acts as the School Site Council (SSC), allocating state and federal categorical funds.

The Berkeley High School BSEP Committee shall be composed of elected parents, community members, students, staff, and teachers. The charge of the Berkeley High BSEP Committee is to develop a budget to allocate BSEP/Measure A School Site Discretionary Funds for the personnel, services and materials required to deliver effective activities leading to improved student performance as outlined in the *Single Plan for Student Achievement*. The BSEP Committee's proposed Plan and Budget will be sent to the Berkeley High School Governance Council where it will receive a vote to approve or disapprove. If disapproved, the BSEP Committee will subsequently submit another Plan and budget for approval.

In the event that the BHS School Governance Council rejects the BSEP Committee recommendations in whole or in part, the BSEP Committee shall have an opportunity to respond directly to the concerns of the SGC, and if the BHS SGC insists on changes contested by the BSEP Committee, the Plan shall be forwarded to the Board with a written BSEP Committee response to the proposed changes to their recommendations.

The BHS BSEP Committee will have at least two joint meetings with the School Governance Council: one in the fall, once both new committees are constituted, to review the Berkeley High School *Single Plan for Student Achievement (SPSA)* for the current year, and once in the Spring when the School governance Council is considering adopting the budget proposed by the BSEP Site Committee. Additional meetings will be scheduled as needed to insure collaborative planning. Toward this end, the SGC shall notify the BHS BSEP Site Committee when revisions to the Single Plan are taking place.

SCHOOL GOVERNANCE COUNCIL BYLAWS

The BHS BSEP Committee composition, quorum, and P&O Representative allocation is shown on the *SGC Composition, Quorum & P&O Representation Chart* (attached following).

Regarding elections:

- Parents/guardians, residents, or other community members will be elected in September at the first PTSA meeting of the school year. Such members may not all reside in the same BUSD attendance zone, or have children who all attend the same BHS Small School or Program,
- Student members will be elected by the student body during the spring prior to the school year in which they will serve,
- Administrative/Classified staff will be appointed by the Principal,
- Teacher members will be elected by the certificated staff.

The BHS BSEP Committee will elect one parent, one student member, and Alternates for each to non-voting seats on the School Governance Council.

At least two of the four BHS P&O Committee Representatives shall be parents or community members.

X. Amendment or Suspension of Bylaws

Amendment or suspension of these bylaws must be authorized by the School Board. These bylaws shall remain in effect until amended or rescinded by the Berkeley School Board.

School Governance Council Composition, Quorum & P&O Committee Representation

School/Program Type	Parent* Members	Staff Members	Student Members	Minimum Size	Quorum**	P&O Committee Representatives
Elementary	6 parents + 2 Alternates (elected at large)	6 staff + 2 Alternates (includes Principal & at least 1 Classified staff member)	N/A	12	7 = quorum** At least: • 3 parent members & • 3 staff members	1 + Alternate(s)
Middle	6 parents + 2 Alternates (elected at large)	6 staff + 2 Alternates (includes Principal & at least 1 Classified staff member)	2 students may serve as non-voting members	12	7 = quorum** At least: • 3 parent members & • 3 staff members	2 + Alternate(s)
Berkeley High BSEP Committee	5 parents + 2 Alternates (elected at large)	5 staff + 2 Alternates (includes Principal or designee & at least 1 Classified staff member)	5 students + 2 Alternates	15	8 = quorum** At least: • 2 parent members • 2 staff members & • 2 student members	4 (minimum 2 must be parents/community) + 2 Alternates
B-Tech	2 parents (+ Alternate)	4 staff (+ Alternate) (includes Principal or designee; Classified staff optional)	2 students (+ Alternate?)	8	5 = quorum** At least: • 1 parent member • 2 staff members & • 1 student member	1 +Alternate(s)
Independent Study Program	3-4 parents (+ Alternate) (parents + students = 5; minimum 1 student)	5 staff (+ Alternate) (includes Principal or designee; Classified staff optional)	1-2 students (+ Alternate) (parents + students = 5; minimum 1 student)	10	6 = quorum** At least: • 2 parent members • 2 staff members & • 1 student member	1 + Alternate(s)
Pre-K Program	4 parents (+ Alternate)	4 staff (+ Alternate) (includes Principal or designee and both Certificated & Classified staff)	N/A	8	5 = quorum** At least: • 2 parents + 2 staff	1 + Alternate(s)

* Per Measure A of 2006 Section 5-B-ii: "Parents/guardians, residents, or community members."

**Quorum must include Principal or designee.