Office of Superintendent of Schools
Board Meeting of May 12, 2010

May 3, 2010

Milagros R. Fornell, Associate Superintendent
Curriculum and Instruction

SUBJECT: **PROPOSED AMENDMENT OF SCHOOL BOARD RULE: INITIAL READING 6Gx13- 1B-1.031, GUIDELINES FOR THE ESTABLISHMENT OF EDUCATIONAL EXCELLENCE SCHOOL ADVISORY COUNCILS**

COMMITTEE: **INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT**

LINK TO STRATEGIC FRAMEWORK: **STUDENT, PARENT, AND COMMUNITY ENGAGEMENT**

The District Educational Excellence School Advisory Council (EESAC) Support Committee met on March 23, 2010. At this meeting, committee members reviewed the EESAC Board rule and recommended revisions to present language related to:

- the composition of EESAC rosters;
- the duties and responsibilities of the District EESAC Support Committee; and
- the process for School Board review and approval of EESAC membership rosters.

This item is presented to the Board for consideration to implement the listed recommended revisions presented by the District's EESAC Support Committee by incorporating the same into the subject rule.

Attached are the Notice of Intended Action and the amended rule. Changes from the current rule are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act for the amendment of Board Rule 6Gx13- 1B-1.031, Guidelines for the Establishment of Educational Excellence School Advisory Councils.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Rule 6Gx13- 1B-1.031, Guidelines for the Establishment of Educational Excellence School Advisory Councils.

C-101

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on May 12, 2010, its intention to amend Board Rule 6Gx13- 1B-1.031, Guidelines for the Establishment of Educational Excellence School Advisory Councils, at its meeting of June 16, 2010.

PURPOSE AND EFFECT: The purpose of this amendment is to update and clarify the recommended Educational Excellence School Advisory Council (EESAC) roster composition, the duties of the District EESAC Support Committee, and the School Board's review and approval of the EESAC membership.

SUMMARY: All schools will be advised of: the recommended composition of the Educational Excellence School Advisory Council and to add specific language to their bylaws which require that 50%+ 1 of the members be non-school district employees; the process for increasing or decreasing EESAC composition; the duties of the District EESAC Support Committee for approving composition waivers; and the annual review and approval of EESAC membership composition by the School Board.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41(1)(2); 1001.42(26); 1001.43(10), F.S.

LAW IMPLEMENTED, INTERPRETED, OR MADE SPECIFIC: 1001.42(18)(a)(b); 1001.452, F.S.

IF REQUESTED, A HEARING WILL BE HELD DURING THE BOARD MEETING OF June 16, 2010, which begins at 1:00 p.m., in the School Board Auditorium 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided by Section 120.541(1), F.S., must do so in writing by June 8, 2010, to the Superintendent of Schools, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by The School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

A COPY OF THE PROPOSED AMENDED RULE is available at cost to the public for inspection and copying in the Citizen Information Center, Room 158, 1450 N.E. Second Avenue, Miami, Florida 33132

Originator: Dr. Reginald H. Johnson
Supervisor: Dr. Maria P. de Armas
Date: May 3, 2010

Participation by the Public

GUIDELINES FOR THE ESTABLISHMENT OF EDUCATIONAL EXCELLENCE SCHOOL ADVISORY COUNCILS

As stipulated in 1001.452 Florida Statutes (F.S.), District and School Advisory Councils, each school must establish a school advisory council, which shall include in its name the phrase "school advisory council." In Miami-Dade County Public Schools, such councils shall be named Educational Excellence School Advisory Councils. Each Miami-Dade County Public Schools "Council" must be composed of the principal, and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, linguistic, disabled and economic community served by the school. In an effort to meet statutory requirements regarding the establishment and functioning of school advisory councils (Florida Statutes 1001.42(18) an d 1008.345), District and Regional Center Office administrators have worked cooperatively with representatives of parents, teachers, citizen groups, business groups, and students to develop the guidelines which follow:

I. GENERAL CONSIDERATIONS:

A. Each Educational Excellence School Advisory Council is to "be the sole body responsible for final decision-making at the school relating to implementation of the provisions of F.S. 1001.42(18) and 1008.345." This responsibility is to implement the state system of school improvement and accountability, to assist in the preparation and evaluation of the school improvement plan, and to assist in the preparation of the school's annual budget. It may include recommending waivers or changes to Florida Statutes, Florida Board of Education Rules, School Board Rules, and labor contract provisions, where such waivers or changes are deemed necessary to eliminate obstacles to the delivery of necessary and appropriate educational programs and services.

B. The Council must be composed of the principal, teachers, education support employees, students, parents, and other citizens who are representative of the ethnic, racial, linguistic, disabled and economic community served by the school. Every council must include at least one member (administrator, teacher, parent or community member) who represents the students in Special Education (SPED) programs at the school.

C. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

D. Self-standing adult education and postsecondary vocational education centers are required to establish councils.

E. Adult and postsecondary vocational programs which are offered at other facilities, such as high schools, will be considered as part of their "home school's" activities and do not require a separate council.

F. Elections shall be conducted to fill vacancies in accordance with school bylaws.

G. Each Educational Excellence School Advisory Council will establish operating bylaws in accordance with Section IV of this rule.

II. COMPOSITION AND PROCEDURAL REQUIREMENTS:

Florida Statute 1001.452(1)(a) states, "a majority of the members of each school advisory council must be persons who are not employed by the school district." All schools are required to establish an Educational Excellence School Advisory Council which meets the following ~~minimal conditions~~ recommended composition (inclusive of alternative schools and outreach centers).

If a school believes that it has unique circumstances regarding the formation of the Educational Excellence School Advisory Council, it may propose a variation in the composition set forth below.

The proposed variation in composition shall be submitted to the Educational Excellence School Advisory Council Support Committee on FM-7292, which will make recommendations to the Superintendent or his/her designee regarding the appropriateness of the request.

A. **Parents (5)** --- All five parent representatives to the Educational Excellence School Advisory Council must be determined through an election in which all parents have an opportunity to participate. English Language

Learner (ELL) parents or parental representatives will be included.

B. **Student (1)** --- Advisory councils of vocational/adult-technical centers, high schools, middle schools, and elementary schools containing grades five and/or six shall include students. Elementary schools not housing grades five and six may include students on their advisory councils. Elementary schools may include no more than one student representative.

All students at each of the vocational/adult-technical, senior high, middle or elementary schools must be given an opportunity to elect their representative to the Educational Excellence School Advisory Council. Each school may establish its own nomination and election procedures.

C. **Teachers (5)** --- The teacher representatives to the Educational Excellence School Advisory Council must be determined through an election in which all teachers have an opportunity to participate.

--- The term "teacher" shall include classroom teachers, certified student services personnel, and media specialists.

D. **Education Support Employee (1)** --- The term "education support employee" means any person employed by a school, including "paraprofessionals," who are not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week.

--- The education support employee representative to the Educational Excellence School Advisory Council must be determined through an election process in which all education support employees have an opportunity to participate.

E. **Alternates** --- One alternate for each group listed above should be selected in the same manner used to elect representatives for each group.

F. **UTD Steward (1)** --- Automatic representation for the "Designated Steward"

G. **Business/ Community Representative (3)**

--- These individuals are to be appointed by the principal.

--- The principal will make the best effort to notify local businesses, chambers of commerce, community and civic organizations and groups, and the public at large of any vacancy.

H. **Principal** — The principal is required to be a member of the Council and must participate fully in all meetings and decision-making processes.

I. **Representation Additions for Adult/Postsecondary Programs which Share Facilities**

--- In addition to the requirements described above, an administrator, a student, the designated steward, and a teacher, all from the adult/postsecondary program, must be added to the Educational Excellence School Advisory Council in every facility at which both adult/postsecondary and regular K-12 programs are offered. Both the student and teacher must be elected by peers; the administrator shall be the principal of the adult/postsecondary program.

J. **Majority Requirement**

— Having established the Educational Excellence School Advisory Council in accordance with the procedures outlined above, each Council will also add a sufficient number of parents, students, and/or business/community

representatives in order to make the majority of the members of each Educational Excellence School Advisory Council persons who are not employed by the District. Selection of additional members shall be done in a manner consistent with procedures in this Rule.

K. **Increase/Decrease Representation**

--- After having been established in accordance with the preceding composition and procedural requirements, the Educational Excellence School Advisory Council may submit a request, with explanation, to the Educational Excellence School Advisory Council Support Committee, as established by the Superintendent of Schools, to increase or decrease the number of representatives in one, several, or all of the groups for which representation is required. The Educational Excellence School Advisory Council Support Committee will make recommendations to the Superintendent or his/her designee regarding the appropriateness of the request.

--- The specific request to increase or decrease Educational Excellence School Advisory Council representation must be approved by a majority vote of the Council prior to submission to the Educational Excellence School Advisory Council Support Committee for consideration.

--- Requests for an increase or decrease in Educational Excellence School Advisory Council representation, once approved by the Educational Excellence School Advisory Council Support Committee, will remain in effect until a new composition or procedural requirement is requested. This request must be approved by the Educational Excellence School Advisory Council Support Committee.

L. **Special Council Membership for Self-Standing, Adult/Postsecondary Centers** --- Given the unique circumstances related to the implementation of adult/postsecondary programs in facilities which serve adult students only (self-standing), the Educational Excellence School Advisory Councils at these centers shall be composed as follows:

Parents (0)	-- not applicable to these centers
Students (1)	-- elected by peers
Teachers (5)	-- elected by peers
Education Support Employee (1)	-- elected by peers
Alternates	-- one for each of the groups above; elected by peers
UTD Steward (1)	-- automatic representation for the "Designated Steward"
Business/ Community Representatives (2)	-- appointed by the principal
Principal	– The principal is required to be a member of the Council and must participate fully in all meetings and decision-making processes.

III. REVIEW/APPROVAL PROCEDURES:

A. **District Review**

--- Each school will submit its initial Educational Excellence School Advisory Council membership, or any changes to that membership, to the designated District office.

--- Concerns about the composition of the Council at any particular school will be referred to the Educational Excellence School Advisory Council Support Committee. Should the Committee determine that the membership elected by the school is not representative of the ethnic, racial, linguistic, disabled, and economic community served by the school, the Committee shall direct the school to recommend additional members for appointment to the Council to achieve proper representation.

--- The Educational Excellence School Advisory Council Support Committee will propose ~~resolutions~~ recommendations to the Superintendent or his/her designee and to the UTD president or designee.

B. **School Board Review and Approval**

--- The School Board shall annually review and approve the membership composition of each Educational Excellence School Advisory Council. Should the School Board determine that the membership elected by the school is not representative of the ethnic, racial, linguistic, disabled, and economic community served by the school, the Board shall direct the Superintendent to recommend additional members for appointment to the Council to achieve proper representation.

IV. EDUCATIONAL EXCELLENCE SCHOOL ADVISORY COUNCIL BYLAWS

Each Educational Excellence School Advisory Council can include in its operating bylaws provisions similar to those described herein. However, the operating bylaws for each Educational Excellence School Advisory

Council must include the provision herein entitled IV.B.5. Unexcused Absences, IV.C. Election Process, IV.D.5. Convenient Meeting Time, IV.E. Quorum, IV.F.3. Notice to Members, and IV.H.1. Maintenance of Minutes.

A. PURPOSE

The purpose of the _____ School Educational Excellence School Advisory Council is to work to ensure improved student achievement. One of the ways the Council will do this is by preparing and evaluating the school improvement plan as required by 1008.345, F.S. Comprehensive Revision of Florida's System of School Improvement and Education Accountability.

B. COUNCIL MEMBERS

1. Composition

The _____ Council shall be made up of ___ teachers, ___ parents, ___ students, ___ education support employees, ___ business/community representatives, the UTD designated steward and the principal. With the exception of the principal, the UTD designated steward, and the business/community representatives, all other members shall be elected by their constituent groups. Teachers, parents, students, and education support employees shall elect an alternate representative. The designated steward may designate an alternate steward in their absence. The Council will be representative of the ethnic, racial, linguistic, disabled, and economic community served by _____ School. A majority (50% plus 1) of members must not be employed by the District. *(Note: Refer to Section II for required minimums as well as procedures to seek variations or expansion.)*

2. Eligibility

All teachers, student services personnel, and the media specialist employed by the school are eligible to be elected teacher representatives to the Council. All other persons employed by the school, including paraprofessionals, and those who are not defined as instructional or administrative personnel and whose duties require 20 or more hours in each normal working week are eligible to be elected as the education support employee representative. All parents, guardians, or significant others responsible for a child enrolled in _____ School are eligible to be elected as parent representatives, with the exception of those parents who are also employed by _____ School.

3. Terms

   The terms of office shall begin on _____ and end on _____. *(Note: This may be different for the different subgroups of the Council. Consideration may be given to having parents elected to staggered terms. Teachers may be elected for the three year period which corresponds to the teacher contract.)*

4. Responsibilities

   Council members are expected to:

   a. attend all regular and special meetings,
   b. communicate with constituents to collect data and opinions for decision making,
   c. report to constituents the actions taken by the Council, and
   d. consider the needs of all students when making decisions.

5. Unexcused Absences

   Any member who has two consecutive unexcused absences from council meetings shall be considered to have resigned. The member shall be replaced following election/selection procedures as stated in these bylaws.

C. ELECTION PROCESS

(Outline here the process by which teachers, parents, students, and education support employees will be nominated and elected to office, as well as a process to fill vacancies. An additional section could describe how the chair will be elected.)

The school shall give proper notice of the election of Council members in accordance with Florida's Government in the Sunshine Law. The school shall also make its best effort to hold elections for each constituent group during hours that are convenient for each constituent group.

D. MEETINGS

1. Regular Meetings

   The regular meetings of the Council will be held on the ___ day of each month. The meetings will be held in _____ at _____.

2. Special Meetings

   In the event a special meeting is needed, the principal, chair or a majority of Council members may call a meeting.

3. Cancellation

   A regular Council meeting may be canceled by the Council.

4. All meetings shall be open to the public and shall not be held in any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, disability, or economic status or which operates in such a manner as to unreasonably restrict access to such a facility.

5. Convenient Meeting Time

   All meetings will be held at a time that is convenient to parents, students, teachers, and business/community representatives.

E. QUORUM

A majority of the voting members of the Council (or the alternates representing absent voting members) shall constitute a quorum. A quorum must be present before a vote may be taken.

F. AGENDA

1. The Chair shall prepare and distribute the agenda for all regular and special meetings.

2. Adding to the Agenda

   a. Council members may add items to any regular meeting agenda by contacting the Chair in advance.

   b. Non-Council members may propose an agenda item by contacting a Council member.

   c. The agenda may be amended at the meeting by majority vote.

3. Notice to Members

   All members must receive at least three days' advance notice in writing of any matter that is scheduled to come before the Council for a vote.

G. CONSENSUS DECISION MAKING

The primary method of decision making shall be by consensus. Consensus will aim for the maximum agreement among people while drawing on as much of everyone's ideas as possible.

H. MINUTES

1. Maintenance of Minutes
   Minutes shall be kept for all meetings of the EESAC. Copies of the approved minutes shall be maintained by the school as a permanent record. In addition, beginning July 1, 2002, a copy of the minutes of every meeting will be provided electronically to the designated District website.

2. Content

   The minutes shall include the names of those in attendance and any actions taken by the Council. The minutes shall be approved at the next regular meeting of the Council and an official copy kept on file in _____.

I. INPUT FROM NON-COUNCIL MEMBERS

Those who are in attendance at the Council meetings shall be provided an opportunity to discuss issues under consideration in the following manner:

(Describe how this can be done. Consider a specified time at the end of each meeting.)

J. COMMITTEES

(List any standing committees, including their responsibilities, and make provisions to establish special committees. Include guidelines for composition which ensures balanced participation.) School established committees, which must include discipline and safety, are to be given the opportunity to report to the EESAC on a regular basis.

K. AMENDMENTS

These bylaws may be amended at any regular meeting by a 2/3 vote of the membership of the Educational Excellence School Advisory Council, provided that at least 5 working days written notice of the proposed change has been given to all members of the Council.

Specific Authority: 1001.41(1)(2); 1001.42(26);1001.43(10), F.S.
Law Implemented, Interpreted, or Made Specific: 1001.42 (18)(a)(b); 1001.452, F.S.

History: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA
New: 4-22-92
Amended: 9-8-93; 5-25-94; 12-11-96; 10-8-97; 3-17-99; 12-12-01; 8-21-02; 10-14-09