

FLORIDA DEPARTMENT OF EDUCATION



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MEMORANDUM

TO: District School Superintendents

FROM: Betty Coxe *BC*

SUBJECT: Newly Enacted CS/House Bill 1661 amending section 229.58, Florida Statutes, adding requirements for school advisory councils.

Enacted in the regular session, 2002 CS/House Bill 1661 (enclosed) amends section 229.58, Florida Statutes, by adding process requirements to the duties of each school advisory council in each district. Councils are now required to adopt bylaws that may be reviewed by the local school board and that include some specificity regarding council membership and how meetings must be noticed.

This bill delineates the legislative expectation that all school advisory councils in the state will have bylaws that establish specific requirements or procedures.

- Votes may only be taken if a quorum is present. (A quorum is defined as a majority of the membership of the council.)
- At least a three-day written, advance notice must be given to all council members when a matter is coming before the council that requires a vote.
- Meetings should be scheduled when all stakeholders can attend.
- Members with two unexcused consecutive absences from a properly noticed meeting should be replaced.
- Meetings must have minutes recorded

Further, district school boards may review each set of bylaws. They are not required to approve them, but must maintain a record of the minutes of council meetings for each of their schools.

School districts need to inform all schools of this requirement and set up procedures for compliance by each council. The review of bylaws could be handled at regular meetings under a timeframe locally designated. The maintenance of a record of the minutes for each SAC may require additional storage space or media in some of the larger districts.

Schools need to ensure that bylaws were developed and forwarded for review. Additionally, the bylaws would need to be followed to ensure appropriate procedures were followed when conducting the business of the SACs.

School Advisory Councils (SACs) continue to be a key component of Florida's system of school improvement and accountability. Currently section 229.58, F.S., requires each school board to establish school advisory councils or district advisory councils if the district has fewer than 10,000 students. In addition, each SAC shall be composed of the school's 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, and economic community served by the school.

Section 229.58(2), F.S., also specifies that each SAC shall perform such functions as are prescribed by regulations of the school board; however, no SAC shall have any of the powers and duties now reserved by law for the school board. SACs assist in preparing and evaluating the school improvement plan (SIP), and shall provide assistance in the preparation of the school's annual budget. SIPs are locally developed "blueprints" for achieving the state education goals and student performance standards.

A portion of the Educational Enhancement Trust Fund (lottery money) is distributed to each school (through their districts) for the SAC to use for programs and projects to enhance school performance through the implementation of the SIP. The money may not be used for capital improvements or for projects or programs with a duration of more than one-year. A principal may not override the selection of the use of the money. The clearly earmarked amount in the General Appropriations Act (since 1997) for discretionary use by SACs is currently ten dollars per unweighted FTE student.

Resources for support to SACs with the implementation of this bill include "Florida's Sunshine Law," where SACs must comply with the open meetings requirements, and "Robert's Rule of Order, Revised," which is considered as the standard for conducting public assemblies in the United States.

- Florida Attorney General's Florida Government-in-the-Sunshine Law, at <http://legal.firn.edu/sunshine/> which includes:
- About the Sunshine Law
- Frequently Asked Questions About Florida's Sunshine Law
- View and search Florida's Government-in-the-Sunshine Manual
- Download an abridged Electronic Edition of the Government-in-the-Sunshine Manual
- How to obtain a published copy of Florida's Government-in-the-Sunshine Manual
- Open Government Mediation Program
- "Robert's Rules of Order Revised," by General Henry M. Robert, <http://www.constitution.org/rror/rror--00.htm>

Bylaw Tips

Bylaws are the ground rules which school advisory council members agree to follow. They give structure to the meeting process, but SAC meetings focus on the SIP and student achievement. Listed below are guidelines for writing bylaws:

- They should be brief, but complete.
- They should be simply written and understandable to all.
- They should not try to cover every possible problem that might arise.
- They should state clearly who on the council is responsible for what.
- They should give enough authority to the School Advisory Council Chairperson so he or she can act.
- They should be in compliance with Florida statutes.
- They should be available to all SAC members.

A minimal list of sections that are recommended for School and District Advisory Council bylaws includes:

- Name of School Advisory Council
- Purpose of School Advisory Council (see s. 229.58, F.S.)
- Membership (see s. 229.58, F.S.)
- Officers: elections (see s. 229.58, F.S.), terms, and duties
- Meetings: scheduling and notice (see s. 229.58, F.S.)
- Parliamentary Procedures (see "Robert's Rules of Order Revised")
- Voting: quorum (see s. 229.58, F.S. and "Robert's Rules of Order Revised")
- Standing and Special Committees
- Replacement of Members: leaving members, attendance requirements (see s. 229.58, F.S.)
- Utilization of School Improvement Funds (see General Appropriations Act)
- Amendments

BC/mjt
Enclosure