

OXNARD SCHOOL DISTRICT

School Site Council

Background

This report is in response to allegations that the Oxnard School District (the District) was in noncompliance with certain California Education Codes (Ed. Code) pertinent to the School Site Council (SSC). Allegations, mostly directed toward the Elm Street School, included the violation of Ed. Codes regulating the selection and appointment of members and officers, agendas and time and place for meetings posted within the allotted time-frame and bylaws which allegedly gave the principal undue authority.

The complainant also expressed concerns with the lack of provisions of staff development on the procedures and responsibilities of SSC for parties involved (Ed. Code 52019 (a), (b), (f)).

These allegations brought about an interest in how parents may become boldly involved in the educational process for their children within their attendance area.

Methodology

The 2002-2003 Ventura County Grand Jury met with the District Superintendent, the Superintendent of Educational Services and the Director of Information and Support Services. An overview of responsibilities of the SSC, which provides directions for spending School Improvement Program (SIP) funds was presented.

From the schools in the District receiving SIP funds, four schools were selected for visitation to SSC meetings. These meetings were scheduled through the Office of Administration of Information and Support Services. The Director accompanied the Jury members on each of the visits.

Information was requested and received from the Administrator of Information and Support Services and from the principals of each of the selected schools. Other related information provided by the complainants was examined.

Findings

- F-1. The District has a revised Document of Instructions for School Improvement Advisory Councils, which includes responsibilities and procedures, limitations and council authority related to SSC. See, Attachment A.

- F-2. Each set of bylaws from the four selected schools included a component concerning membership, which stipulated the composition of representatives (Ed. Code 52012). See, Attachment B and Attachment A (D), Responsibilities and Procedures.
- F-3. While visiting the SSC meeting at the school in question, agenda items included election results of a parent member and teacher representative to SSC. A brief discussion took place on the election process in accordance with Ed. Codes and District guidelines.
- F-4. SSC minutes of the school in question show the bylaws were rewritten. This school submitted a revised edition of the bylaws to the Grand Jury. It was alleged that the original set of bylaws gave the principal authority to select and appoint members and officers to serve on the council. See, Attachment A, Limitation of Authority.
- F-5. The revised Document of Instruction from the District states that members will not have authority as an individual. See, Attachment A, Limitation of Authority.
- F-6. A survey was circulated by the complainant to all of the twenty schools in the District to ascertain pertinent information about SSC. See, Attachment C.
- F-7. According to information presented, the District has \$12,000 budgeted for newspaper announcements. Information about SSC to the general public did not appear in the news until after the visit by the Grand Jury (Ed. Code 35145.5).
- F-8. Three of the four sets of bylaws call for the replacement of members by appointment on the basis of School Site Advisory Council's recommendation until the next regular meeting when the vacancy can be filled. The particular school in question is one of the three. The fourth school states that a special election will be held by the SSC for the unexpired portion of the term (Attachment A, Responsibilities and Procedures (D)).
- F-9. The SSC is to be comprised of members selected by their peers, i.e., teachers by teachers, parents by parents, et cetera:
- Junior High*
1. Administrators (1)
 2. Other personnel (1)
 3. Classroom teachers (3)
 4. Parents/community members (3)
 5. Students (3)
- Elementary*
1. Administrators (1)
 2. Other personnel (1)
 3. Classroom teachers (3)
 4. Parents/community members (5)
- (Ed. Code 52012)
- F-10. The Board of Trustees submitted a letter to the Oxnard Educators Association representative expressing satisfaction with the original set of SSC bylaws from the school in question.
- F-11. SSC is an arena where parents may become boldly involved in the welfare and educational process of children within their attendance area (Ed. Code 52000 and 52016 (a)). See, Attachment B.

- F-12. The complainant followed the District complaint procedures all the way through to the presentation to the School Board.
- F-13. Further discussion at this meeting expressed parent concerns with protocol, amendment of bylaws as needed and the function of SSC at the beginning of the next school year (Ed. Code 52019).
- F-14. Agendas, minutes and other related information for SSC were written in English and Spanish. There were interpreters at each of the meetings.
- F-15. Posting of time and place could be seen as one enters the front office at Elm Street. Jurors did not see a posted agenda for that particular meeting (Ed Code 35147).
- F-16. The survey indicates that there should be emphasis placed on staff development for members of SSC (Ed. Code 52019).
- F-17. Elm Street serves as an overflow school. When enrollments at other schools within the District are at capacity, students are then enrolled in the Elm Street School.

Conclusions

- C-1. During the SSC meeting at the particular school in question, the Administration made a special effort to conduct the items on parent members and teacher representation in accordance with the legislative intent of the law. (F-2, F-9)
- C-2. At the school from which the complaint originated, corrective actions on better communication of time and place of meetings were implemented. (F-16)
- C-3. There were problems with the components on selection and appointment of members and officers of the council. Bylaws were rewritten with the intent to resolve the allegations. (F-3, F-4)
- C-4. Parents were involved in the meetings held at each of the schools selected for protocol visits. Parents served as chairman of the council at some of the schools. (F-11, F-13)
- C-5. If the overflow school is redesignated as a neighborhood school for the new year, this should be an advantage to the functions and responsibilities to the SSC. (F-17)

Recommendations

- R-1. The District should make an aggressive effort to provide all parties involved with the Ed. Codes and District Mandates pertinent to the legislative intent and options that guide the responsibilities and procedures of SSC.
- R-2. The principal of each school site receiving state funds for an improvement program should follow the Ed. Codes and District Mandates to guarantee that all council business and procedures are followed in accordance with the intent of the law.
- R-3. A staff development program for teachers and all other personnel and volunteers should be provided. Ed. Codes and District Mandates should be included in the information provided to ensure that all parties are acquainted with the intent and options of the laws that govern the procedures and responsibilities of SSC.

R-4. It is highly recommended that parents and community representatives seize this opportunity, through SSC, to become totally involved in the welfare and education of children within their attendance area.

Required Responses

Superintendent, Oxnard School District (R-1, R-2, R-3, R-4)

Director of Information and Support Services, Oxnard School District (R-1, R-2, R-3, R-4)

Attachment A

DOCUMENT REVISION

INSTRUCTION

9500(A) AP

SCHOOL IMPROVEMENT ADVISORY COUNCILS

These procedures are intended to provide guidance and direction for School Improvement Advisory Councils that will lead to an improved school program for the students of the School District.

Establishing and implementing School Improvement Advisory Councils shall be governed by the following regulations:

Site Advisory Council Responsibilities and Procedures

Utilizing the leadership and assistance of the school principal, the School Site Advisory Committee shall be responsible for:

- A. Developing an annual School Improvement Plan based upon the assessed needs of the school community and based on the state quality criteria and state frameworks.
- B. Developing a budget plan for operation of the School Improvement Program, Compensatory Education and EIA/LEP.
- C. Developing a plan for ongoing evaluation and modification of the plan.
- D. Adopt bylaws establishing procedures for the nomination, selection and appointment of members and officers; and procedures to govern their own organization and operation.

School Improvement Advisory Council Limitation of Authority

All actions and activities of the School Improvement Advisory Council shall be consistent with board policy, administrative guidelines, the *Education Code*, and Title 5 of the *California Administrative Code*. School Improvement Advisory Council members shall have no authority as individuals, and all actions must represent the majority opinion of the council.

When required for participation in state programs, school site councils shall be composed of the following: (Education Code 52012, 52852, 54724)

1. *The principal*
2. *Teachers selected by the school's teachers*
3. *Other school personnel chosen by the school's other personnel*
4. *Parents/guardians of students attending the school chosen by other such parents/guardians, or community members chosen as representatives by such parents/guardians.*

Half of the school site council membership shall consist of school staff, the majority of whom shall be classroom teachers. For elementary school site councils, the remaining half shall be parents/guardians or parent/guardian representatives. (Education Code 52012, 52852, 54724)

A district employee may serve as a parent/guardian representative on the site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 52852)

School site councils may function on behalf of other committees in accordance with law. (Education Code 52176, 52870, 54425; 5 CCR 3932)

Attachment B

EDUCATION CODE SECTION 52000-52001

52000. The Legislature declares its intent to encourage improvement of California elementary, intermediate, and secondary schools to ensure that all schools can respond in a timely and effective manner to the educational, personal, and career needs of every pupil. The Legislature is committed to the belief that schools should:

(a) Recognize that each pupil is a unique human being to be encouraged and assisted to learn, grow, and develop in his or her own manner to become a contributing and responsible member of society.

(b) Assure that pupils achieve proficiency in mathematics and in the use of the English language, including reading, writing, speaking, and listening.

(c) Provide pupils opportunities to develop skills, knowledge, awareness, and appreciations in a wide variety of other aspects of the curriculum, such as arts and humanities; physical, natural, and social sciences; physical, emotional, and mental health; consumer economics; and career education.

(d) Assist pupils to develop esteem of self and others, personal and social responsibility, critical thinking, and independent judgment.

(e) Provide a range of alternatives in instructional settings and formats to respond adequately to the different ways individual pupils learn.

(f) Maintain a schoolwide process for the involvement of parents broadly reflective of the socio-economic composition of the school attendance area, principals, teachers, other school personnel, pupils attending secondary schools, and members of the community in the development of school improvement plans.

The Legislature, by the provisions of this chapter, intends to support the efforts of each participating school to improve instruction, auxiliary services, school environment, and school organization to meet the needs of pupils at that school.

52001. As used in this chapter:

(a) "Other school personnel" means persons who work directly and on a regular basis with pupils, including administrative employees, as defined in subdivision (e) of Section 33150, pupil services employees, as defined in subdivision (c) of Section 33150, and classified employees.

(b) "Community member" means a person who is neither in the employment of the school district, nor the parent or guardian of a pupil attending the participating school.

(c) "School improvement plan" means a plan that meets the requirements of Section 52014 developed at an individual school and submitted to a local governing board for approval.

(d) "School improvement program" means a program developed pursuant to an approved school improvement plan.

(e) "District master plan" means a plan that meets the requirements of subdivision (b) of Section 52034.

(f) "Planning grant" means allowances as described in Section 52046 to develop a school improvement plan.

(g) "Implementation grant" means allowances as described in Section 52046 to implement school improvement plans.

(h) "Participating schools" means schools that participate in the school improvement program pursuant to this chapter.

(i) "Elementary school" means any school maintaining two or more of grades 1 to 6, inclusive.

(j) "Secondary school" means any school that is not an elementary school.

(k) "Parity" means equal numbers.

EDUCATION CODE
SECTION 52010-52039

52012. A schoolsite council shall be established at each school that participates in the school improvement program authorized by this chapter. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) parents or other community members selected by parents. In schools with fewer than three teachers, this requirement may be met by establishing a council that is composed of equal numbers of school staff and parents or other community members selected by parents.

At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel and (b) equal numbers of parents or other community members selected by parents, and pupils.

At both the elementary and secondary levels, classroom teachers shall comprise the majority of persons represented under subdivision (a) of this section.

Existing schoolwide advisory groups or school support groups may be utilized as the schoolsite council if those groups conform to this section.

School districts that maintain kindergarten or any of grades 1 to 8, inclusive, and that maintain schools with fewer than 100 pupils each, and that share a common attendance area may establish a single schoolsite council for the common attendance area.

The term and method of selection and replacement of council members shall be specified in the school improvement plan developed pursuant to Section 52014.

The Superintendent of Public Instruction shall provide several examples of selection and replacement procedures that may be considered by schoolsite councils.

52016. In elementary schools the school improvement plan shall, in addition, include:

(a) The active involvement of parents in classroom activities and in other aspects of the school improvement program. Parents who work under the supervision of certificated personnel in ongoing delivery of educational services shall be encouraged to participate in a staff development program implemented pursuant to Section 52019.

52019. Each school improvement program shall include a local staff development program. Existing school-level staff development programs conducted pursuant to state and federal laws shall be consolidated with local staff development programs to the extent permitted by federal law. Local staff development programs shall:

(a) Provide opportunities for school personnel, paraprofessionals, and volunteers to participate each year in ongoing staff development activities based on a systematic identification of pupil and personnel needs at the school. Such identification shall address, but need not be limited to, the objectives specified in subdivisions (a), (b), (d), and (e) of Section 52015, Section 52016 and subdivisions (a) and (b) of Section 52017; the capacity of school personnel to implement school improvement

programs; and the capacity of school site councils to monitor and evaluate programs authorized by this chapter.

(b) Be designed and implemented by classroom teachers and other participating school personnel, including the school principal, with the aid of outside personnel as necessary. Classroom teachers shall comprise the majority of any group designated to design staff development programs for instructional personnel to be established pursuant to this article. Development activities for members of the school site council shall be designed in conjunction with such members.

(c) Allow for diversity in staff development activities, including, but not limited to, small groups, self-directed learning, and systematic observation during visits to other classrooms or schools.

(d) Be conducted during time when is set aside throughout the school year, including, but not limited to, time on a continuing basis when school personnel are released from their regular duties.

(e) Be evaluated and modified on a continuing basis by participating school personnel, paraprofessionals, and volunteers with the aid of outside personnel as necessary.

(f) Include the school principal and other administrative personnel as active participants in one or more staff development activities.

EDUCATION CODE
SECTION 35140-35149

35145.5. It is the intent of the Legislature that members of the public be able to place matters directly related to school district business on the agenda of school district governing board meetings. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the governing board on any item of interest to the public, before or during the governing board's consideration of the item, that is within the subject matter jurisdiction of the governing board. Governing boards shall adopt reasonable regulations to insure that this intent is carried out. The regulations may specify reasonable procedures to insure the proper functioning of governing board meetings.

35147. (a) Except as specified in this section, any meeting of the councils or committees specified in subdivision (b) is exempt from the provisions of this article, the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Division 3 of Title 2 of the Government Code), and the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code).

(b) The councils and schoolsite advisory committees established pursuant to Sections 52012, 52065, 52176, and 52852, subdivision (b) of Section 54425, Sections 54444.2, 54724, and 62002.5, and committees formed pursuant to Section 11503 or Section 2604 of Title 25 of the United States Code, are subject to this section.

(c) Any meeting held by a council or committee specified in subdivision (b) shall be open to the public and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee. Notice of the meeting shall be posted at the schoolsite, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The 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. The council or committee may not take any action on any item of business unless that item appeared 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. If a council or committee violates the procedural meeting requirements of this section and upon demand of any person, the council or committee shall reconsider the item at its next meeting, after allowing for public input on the item.

(d) Any materials provided to a schoolsite 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).
