

**School Governance Councils**  
**Frequently Asked Questions**  
Updated June 1, 2011

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**Note:** Recently added questions are marked as .

**I. ELECTION OF COUNCILS**

**1. Who is responsible for conducting the election?**

A. Pursuant to C.G.S. Sec. 10-223e, the local and regional board of education is the entity required to establish the School Governance Council (council). The Department expects that the local and regional board of education will delegate this task at the school level to the principal and the principal's responsibilities will include coordinating the election with a variety of interested stakeholders.

**2. Must an election be held if there are fewer nominees than available parent seats on the School Governance Council?**

A. Yes.

**3. What process should be used to fill vacant parent positions if there are an insufficient number of candidates on the ballot?**

A. The full membership of the council will be completed by a continuing process of soliciting nominations and an eventual second election.

**4. What process should be used to fill parent, teacher, student and community member positions that become vacant following the election?**

A. The members of the council should determine this process once the council is established.

**5. How are community members nominated?**

A. C.G.S. Sec. 10-223e requires that each council have two members that shall be community leaders within the school district. The community leader members are elected by the parent and teacher members of the council and therefore these members may determine the nomination process once the council is established.

**6. What constitutes a "community member?"**

A. C.G.S. Sec. 10-223e requires only that the community members of the council be a leader within the school district and that they be elected by the parent and teacher members of the council. This definition was intentionally left open by the drafters of the legislation and it is intended to incorporate community leaders of influence in each community, including, but not limited to, religious leaders, nonprofit leaders and business leaders.

**7. Can the school use its Parent Teacher Organization (PTO) to nominate parents to serve on the council?**

A. C.G.S. Sec. 10-223e requires that the parent or guardian members of the council shall be elected by the parents or guardians of students attending the school. Therefore, the nomination process has to be fair and open to the entire parent community (not just members of the PTO). However, the PTO could assist in organizing and staffing the nomination/election process with involvement from administration and staff.

**8. Can the school use its data team as the representation for the teacher members of the council?**

A. The teacher members have to be elected to the council by the teachers of the school. If members of the data team are nominated and elected by their peers, then yes.

**9. Before C.G.S. Sec. 10-223e was passed, a school has been operating with another type of governance council, for example it may be called a school leadership team. Does this existing council or team meet the requirements of C.G.S. Sec. 10-223e?**

A. The School Governance Councils required under C.G.S. Sec. 10-223e must be established through school-wide elections and they have very specific membership requirements. If the membership of the previous school leadership team was not elected pursuant to the requirements of the new law and if the membership composition does not conform to the law, the school must establish a new council. There is no provision in the law to grandfather members of existing councils into the state's model.

**10. Can the school use its teachers union to nominate teachers to serve on the council? (added December 7, 2010)**

A. C.G.S. SEC. 10-223e requires that the teacher members of the council shall be elected by the teachers who work in the school. Therefore, the nomination and election process could be assisted by teacher's union of the school.

**11. A school has been reconstituted as a COMMPACT school under state law. Under the provisions of the COMMPACT state statute, there is a school council. The council does not meet the statutory requirements of the School Governance Council described in C.G.S. Sec. 10-223e but serves a similar function. Should there be two distinct councils in the school? (added December 7, 2010)**

A. Under the COMMPACT School model, the council may not be elected and the membership does not mirror the requirements written in C.G.S. Sec. 10-223e. In fact, the SGC's are tasked with specific responsibilities in the law with limited flexibility for the SGC to conduct other tasks. Given these restrictions and a lack of flexibility in the law, it makes sense for there to be two different bodies to ensure that the council complies with the law and to allow the current council to continue the work that it has been doing.

**12. If a school has a council in place and they used election procedures that conform to the state statute, can those persons continue to serve out their term as that council becomes the school governance council for the purposes of C.G.S. Sec. 10-223e? (added December 7, 2010)**

A. The school governance council required under C.G.S. Sec. 10-223e should start a-new and those members should be encouraged to run for election.

**13. Can a parent whose child has been placed by the school district in an out-of-district education setting be nominated and elected to serve on a council? (added June 1, 2011)**

A. The law says the parent member has to be a parent or guardian of a student attending the school.

**14. Can a teacher of a school who is also the parent of a child attending that school be nominated and elected as a parent member of a council? (added June 1, 2011)**

A. The law does not specify whether a parent who works at the school can also serve on the school governance council. However, the intent of the law is to broaden the participation in the school. While not specifically prohibited, having a teacher serve in the role of parent on the council is not the intent of the law. Each school governance council should create bylaws to address such situations.

**15. Can a community member elected to a council be a parent or teacher in that school? (added June 1, 2011)**

B. Since the law does not define community member it does not exclude that person from being a parent or teacher in the school. However, the intent of the law is to broaden the participation in the school to include people that are in addition to parents and teachers. So while not specifically prohibited, having a teacher or parent serve in the role of community member is not the intent of the law. Each school governance council should create bylaws to address such situations.

## **II. OPERATION OF COUNCILS**

**16. Are School Governance Councils required to develop bylaws?**

A. C.G.S. SEC. 10-223e does not require that a council develop bylaws. However, the State Department of Education (SDE) recommends that each council do so and will be working with the Connecticut Association of Boards of Education (CABE) and other stakeholders to develop model bylaws.

**17. Should councils elect an executive committee (chair, vice-chair, recording secretary, and corresponding secretary)?**

A. C.G.S. SEC. 10-223e does not require that a council elect an executive committee. However, SDE recommends that each council do so.

**18. Must councils use Robert's Rules of Order?**

A. C.G.S. Sec. 10-223e does not make a recommendation as to the procedural rules that a council must follow. However, SDE recommends that each council follow Robert's Rules of Order or a similar process for ensuring that meetings are run in a fair and equitable manner. For more information see [www.robertsrules.com](http://www.robertsrules.com).

**19. Are meetings subject to the Open Meetings Act? If so, is there a Web site or document that provides specific guidance?**

A. Yes, meetings of each council are subject to the provisions of the Connecticut Freedom of Information Act, Connecticut General Statutes Section 1-200 et seq. The Connecticut Freedom of Information Commission has a Web site with various relevant resources located at [www.state.ct.us/foi/](http://www.state.ct.us/foi/).

**20. Are records subject to the Open Records Act? If so, is there a Web site or document that provides specific guidance?**

A. Yes, documents created or maintained by each council are subject to the provisions of the Connecticut Freedom of Information Act, Connecticut General Statutes Section 1-200 et seq. The Connecticut Freedom of Information Commission has a Web site with various relevant resources located at [www.state.ct.us/foi/](http://www.state.ct.us/foi/).

**21. Do community members of the School Governance Council vote?**

A. Yes

**22. We have let our student members (on our current school councils) vote. Can we still do this?**

A. No, C.G.S. Sec. 10-223e requires that the student members of the council be nonvoting members. If a separate council is established to perform tasks not under the purview of the council pursuant to C.G.S. Sec. 10-223e, the student members may vote.

**23. Our current governing board also hears many discipline appeals. Would the new School Governance Council still be able to do this?**

A. No. The councils established pursuant to C.G.S. Sec. 10-223e are tasked with specific responsibilities in the public act. While there is some flexibility in the act for the council to "provide advice on any other major policy matters affecting the school to the principal of the school, except on matters relating to the provisions of any collective bargaining agreement," this language would not encompass ruling on disciplinary appeals.

**24. If a school is required to institute a School Governance Council and that school does not receive Title 1 funds, does it have to develop the parent involvement policy and school-parent compact which are required under the Federal Title 1 Program?**

A. Yes. The council under C.G.S. Sec. 10-223e is required to develop both regardless of the school's Title 1 eligibility.

**25. Do School Governance Councils need to carry indemnity insurance similar to what local boards of education carry? (added June 1, 2011)**

A. There is no express requirement in C.G.S. Sec. 10-223e for councils to carry indemnity insurance. Each local board of education should make its own determination.

**26. The law says that School Governance Councils “shall” advise in particular areas including “reviewing the fiscal objectives of the school’s draft budget and advise the principal before the budget is submitted to the superintendent.” What about the case where a school has no input into its budget; all budget decisions are handled at the central office. Is the council out of compliance because they will never advise in this area?**  
*(added June 1, 2011)*

A. In a situation where a draft budget is not developed at the school level, the council should work with the board to determine other avenues to advise the district in the development of the budget impacting the school. Such efforts could include but not be limited to review and analysis of the prior year’s budget and its fiscal objectives. The council, board and district should participate in developing a process for allowing school governance councils to provide their recommendation regarding the budget.

**27. Some schools that are required to have councils by November 1, 2011 may choose to have elections and constitute their councils earlier, for example before school ends in June. For administrative purposes, can SDE identify their start date as the required date of November 1? This will have implications for tracking schools and the three year clock on recommending reconstitution.** *(added June 1, 2011)*

A. The councils that commence earlier will have an official start date of November 1, 2011.

**28. The law says that the council shall participate in the hiring process of the school principal or other administrators of the school by conducting interviews of candidates and reporting on such interviews to the superintendent and the local board of education. Does this mean that the council serves on the interview committee?** *(added June 1, 2011)*

A. The School Governance Council must be involved in conducting interviews; however, the law does not require that the council serve on or as the board of education’s interview committee. The council should work with the board of education to determine an appropriate role consistent with the local board of education’s hiring practices ensuring that the council’s recommendation is shared with the superintendent and local board of education as a formal part of the process.

### **III. SCHOOL STATUS**

**29. Are the School Governance Councils permanent once a school is identified? If not, how does a school get released from this requirement?**

A. As the law is written, there is no provision for ceasing the operation of a council. However, only those local and regional school boards with a low achieving school due to failing to make adequate yearly progress in mathematics and reading at the whole school level are required to establish such councils.

**30. If a school has been reconstituted previously, can the School Governance Council recommend that it be reconstituted again? What constitutes reconstitution? Does this provision apply only to the schools receiving the School Improvement Grant? Or does it also apply to schools that have been through substantial changes as a result of No Child Left Behind sanctions (restructured, redesigned, etc)?**

A. Pursuant to C.G.S. Sec. 10-223e, the council may not vote to reconstitute if: (1) the school was already reconstituted as a result of receiving a federal school improvement grant that was contingent on reconstitution; or (2) a reconstitution of the school was initiated by another source. Therefore, a council may not vote to reconstitute a school that has already been reconstituted by an outside source, such as the State Board of Education or the local or regional board of education. For this purpose, reconstitution is defined as one of the six models included in the act: (1) turnaround; (2) restart; (3) transformation; (4) CommPACT school; (5) innovation school; and (6) any other model developed under federal law.

**31. A school is on the list that requires the formation of a School Governance Council. The school’s overall performance on either the 2010 Connecticut Mastery Test (CMT) or Connecticut Achievement Proficiency Test (CAPT) has improved leading it to Safe Harbor status. Does the new status mean that the school does not have to form a School Governance Council?**

A. C.G.S. Sec. 10-223e requires that all schools that have not made adequate yearly progress in mathematics and reading at the whole school level prior to July 1, 2010, must form a council. Safe Harbor reached based on the

school's performance on the 2010 CMT(s) or CAPT would not allow a school to be exempt from this requirement.

**32. If a school voluntarily establishes a School Governance Council, does that council have the same powers that are given to the councils in the schools that are mandated (in other words, if a school that is not on the list establishes a council, can that council recommend reconstitution after it has been in place for three years)?** *(added June 1, 2011)*

A. School Governance Councils established voluntarily are not bound by the state statute. A voluntary school governance council is governed by the local board of education's policy.

#### **IV. OTHER**

**33. What are the consequences/implications for schools that are required to implement school governance councils but do not do so?**

A. Noncompliance with the school governance council requirements falls within the same penalty as noncompliance with any other state education law. Connecticut General Statutes Sec. 10-4b provides general enforcement provisions for noncompliance with state education laws. Remedies would include enforcement orders by the Connecticut State Board of Education.