

San Bernardino City Unified School District
Multilingual Programs Department

DISTRICT ENGLISH LEARNER ADVISORY COMMITTEE

BYLAWS
Preamble

These bylaws will provide clear statements of our obligations and duties as they pertain to English learner programs and services.

The DELAC committee in collaboration with the Multilingual Programs Department will support and advocate for high quality instruction and equitable educational opportunities for children identified as English Learners. The DELAC committee will help to ensure English learner students gain academic and linguistic success through high expectations, equitable access, research-based educational practices that meet individual student needs, and targeted professional development that builds teacher capacity and efficacy. In order to meet the educational, personal, and college and career needs of every English learner student in a timely and effective manner, parent collaboration and authentic participation is key. To this end, we hereby adopt these bylaws

ARTICLE I
Name of Committee

The name of this committee shall be the District English Learner Advisory Committee (DELAC).

ARTICLE II
Purpose of Committee

The DELAC acts as the English learner parent advisory committee under California Education Code Sections 52063(b)(1) and 52062(a)(2).

The purpose of this District English Learner Advisory Committee is to advise the District School Board of Education (in person or in writing) about the services and programs the district offers to English learners. The DELAC shall advise the School District Governing Board on at least the following tasks:

1. Development of a district master plan for education programs and services for English learners. The district master plan will take into consideration the SPSA's.
2. Conducting a district wide needs assessment on a school-by-school basis.
3. Establishment of district goals and objectives for programs and services for English learners.
4. Development of a plan to ensure compliance with any applicable teacher and/or teacher aide requirements.
5. Review and comment on the school district reclassification procedures.
6. Review and comment on the written notification required to be sent to parents and guardians.
7. If the DELAC acts as the English learner parent advisory committee under California *Education Code* Sections 52063(b)(1) and 52062(a)(2), the DELAC shall also review and comment on the development or annual update of the Local Control and Accountability Plan (LCAP).*

This section of the bylaws shall in no way be construed as giving the committee a veto over any educational program for English learners. The committee shall have no power to enter into contracts of any nature or to spend public funds. No committee member shall be required to provide any sum of money, property, or services, other than services described herein, to the committee.

The committee shall not have power to bind any member or the School District to any debt, liability, or obligation. The committee shall have no powers beyond those expressly set forth herein.

ARTICLE III DELAC Site Representatives

Section 1 - Composition

Each school with 21 or more English learners will elect two site representatives (one representative and an alternate) from the site's English Learner Advisory Committee (ELAC) to become representatives of the District English Learner Advisory Committee. During their term of office, each representative must be a parent or guardian of an English learner or reclassified student. The site representatives will become official representatives of the district committee each with the same rights and the responsibility of reporting back to their site committee.

The Director(s) of the Multilingual Programs Department shall be a permanent member(s) of the committee with no voting privileges and shall be the official representative(s) for San Bernardino City Unified School District.

Each official site representative shall abide by the rules and regulations set forth herein.

DELAC representatives that are not part of the governing board (President, Vice-President, Secretary, Parliamentarian, or DELAC Advisor) should not make policy decisions without the consent of the DELAC Governing Board.

Each official site representative shall have the opportunity to express their opinions, share concerns, or suggestions in writing via the plus/delta/minus survey at each meeting.

Section 2 – Voting Rights

Each official site representative that has attended five meetings (non consecutive) by the month of April or by the month prior, during the active school year, shall be entitled to one vote on: Bylaws and DELAC elections (which are conducted biennially). Proxy voting and absentee ballots are not permitted. The director(s) of the Multilingual Programs Department do not have voting privileges.

The decisions of the DELAC General Meeting shall be made only after an affirmative vote of 50% + 1 of the members present.

Section 3 – Transfer of Membership

Membership in the committee is not transferable or assignable. The name, address, email, and phone number of each representative and alternate must be on file with the District Director(s) of the Multilingual Programs Department.

Section 4 – Resignation

Any site representative or alternate (ELAC) may resign by filing a written resignation through the secretary of the committee.

Section 5 - Vacancy

Any site representative vacancy on the general committee (ELAC), shall be filled for the remainder of the unexpired term, through election by the ELAC Representatives at their respective sites.

Section 6 – Notification to Schools

After two consecutive absences by a site representative or alternate, the Multilingual Programs Department will notify the school administration that his/her school is not being represented and that another representative and/or alternate should be elected to represent the school.

ARTICLE IV Governing Board Officers

Section 1 - Composition

The governing DELAC Board shall consist of the officers of the committee (President, Vice-President, Secretary, Parliamentarian, and DELAC Advisor).

The governing board may serve as DELAC officers for a maximum of two years and be re-elected by popular election. Governing board officers can be re-elected to a different position than that which was held during the previous two years. Attendance requires punctuality and being present until the conclusion of each general meeting with the exception of an emergency, such as: death, illness, medical, and catastrophic loss of property. Failure to comply may result in the removal from charge and substitution by the person who obtained the 2nd majority of votes during general voting. This substitution will only be until the end of the school year. If necessary, there will be elections held to fill the vacancy until the end of the term.

Section 2 - Officers

The officers of the governing Board of the committee shall be a President, Vice President, Secretary, Parliamentarian, and immediate past-President to serve as the group advisor. New officers will be given in-service training by the Director(s) of the Multilingual Programs Department.

Section 3 - Qualifications

Governing Board officers shall have been active participants by attending a minimum of 5 meetings of the District English Learner Advisory Committee for at least one year prior to an election. The officers must be parents or guardians of an English learner or reclassified student.

Section 4 - Election/Selection of Officers

In May, the committee officers and the Director(s) of the Multilingual Programs Department will begin the nominating process to select the officers who will serve the following two years. Each official candidate must be a parent or guardian of an English learner or reclassified student during the term of office with the exception of parents of 12th grade students, who will have to complete the two year term even if the student graduates. Within the Committee, 51% of the officers must not be parents employed by the district. Parents who are district employees may only work part-time in positions that do not interfere with the interest of their commitments or decisions. Certificated employees (teachers, administrators) may not be part of the governing Board, with the exception of the Director(s) of the Multilingual Programs Department. At the May meeting, or during the month designated to hold an annual election of officers, candidates will be nominated. There will be three nominations for each position. Voting will take place as designated in Article III, Section 2.

Section 5 - Term of Office

Officers will take office in August for a two-year term. After two years, an official election will take place. Governing Board officers can be re-elected to a different position than that which was held.

Section 6 - Vacancy

An officer vacancy due to death, resignation, removal, disqualification or otherwise, will be filled by the person who obtained the second most votes during the general election, only until the end of the school year. In the event that the person with the next most votes cannot accept the position, the board may exercise a 2/3 vote to appoint someone until the end of the school year. At the beginning of the following school year, elections should be held to fill the vacancy until the end of the term.

Section 7 - Removal

Any DELAC Board officers elected by the DELAC committee may be removed by a two-thirds vote of the governing Board officers, whenever, in the judgment of the governing board officers, the best interests of the DELAC committee would thereby be served. The removal of an officer shall appear as an agenda item. In addition, board officers who have more than three absences may be replaced by two-thirds vote of the governing Board officers. The Director(s) of the Multilingual Programs Department may excuse committee members from a meeting at their discretion.

Section 8 – Duties

a. President:

The president shall preside at all meetings of the committee, conducting the meetings in accord with Parliamentary Procedure, following the agenda. The president will bring all letters, reports, and communications to the attention of the committee. In addition, he/she shall perform all duties inherent to the office of the president and such other duties as may be prescribed by the committee from time to time. The president will collaborate with the Director(s) of the Multilingual Programs Department to establish the agenda.

b. Vice-President:

The vice-president shall represent the president in assigned duties and substitute for the president during his/her absence. The vice-president will call the roll at each meeting. In addition, he/she shall perform such other duties as assigned from time to time by the president or the committee.

c. Secretary:

The secretary shall take the minutes of the meeting, both regular and special, and shall read the minutes of the committee's general meetings. Minutes shall be submitted to the Director(s) of the Multilingual Programs Department office within a week of a meeting. The Multilingual Programs Department shall promptly transmit true and correct copies of the minutes of such meetings to each of the members, to the school sites, and to such other persons as the committee may deem. The secretary shall see that all notices are duly given in accordance with the provisions of these bylaws and the Green Act/Brown Act in both Spanish and English. The Director(s) of the Multilingual Programs Department shall be the custodians of the committee's records, and keep a register of the address and telephone number of each member of the committee, which shall be furnished by the school site. The secretary shall perform such other duties as may be assigned by the committee or president from time to time.

d. Parliamentarian:

The parliamentarian will ensure that all actions are in accordance with the provisions of the bylaws and will keep the committee's archives. In addition, he/she shall perform such other duties as may be assigned by the committee or president from time to time.

- e. Immediate Past-President:
The immediate past-president will have the responsibility of providing advice to the committee according to the responsibility of each official, as well as advising the activities and procedures of the committee. The immediate past-president will advise the active president.
- f. DELAC governing board officers are required to attend the following meetings: DELAC General Meetings and specific LCAP meetings (3 times a year). The president and director(s) will meet to plan the DELAC General Meeting two weeks before the General Meeting. Other DELAC officers will provide feedback via email, text, or phone call to the Multilingual Programs Department. It is the officers' responsibility to participate in district committees in which the English learner students' interests are at stake. The director and president will determine what meetings are important to attend.
- g. All of the officers must participate actively. In the event of an emergency, such as: death, illness, medical, and catastrophic loss of property, the Secretary must be notified of attendance.
- h. Quorum is 50% plus 1 (majority) of the council membership present. "The act of the majority of the members present shall be the act of the DELAC."

ARTICLE V
Meetings

Section 1 - General DELAC Meetings

The DELAC committee shall meet regularly, holding general meetings once each month from August to June taking into consideration that there may be emergency meetings.

What is a meeting?

Section 54952.2 of the Brown Act defines a "meeting" as the following:

Any congregation of a majority of the members of the legislative body at the same time and location, including teleconference location as permitted by Section 54953, to hear, discuss, deliberate or take action upon any agenda item that is within the subject matter jurisdiction of the legislative body; or

A series of communication of any kind, including virtual meetings, directly or through intermediaries to discuss, deliberate or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

Section 2 – Special Meetings

Special meetings may be called by the president, by a majority vote of the committee, or by the Director(s) of the Multilingual Programs Department. All meetings with the Director(s) of the Multilingual Programs Department will be established in accordance with his/her schedule. These planning meetings are exclusively for the members of the board.

Section 3 - Place of Meetings

The committee shall hold its regular meetings in a facility provided by the school District located at 777 N "F" St San Bernardino, CA 92410, unless it is unavailable, in which case, the Director(s) of the Multilingual Programs Department shall decide the location of the meeting.

Section 4 - Notice of General DELAC Meetings

All notifications of meetings, including minutes, shall be in writing; shall state the day, time and location of the meeting; and shall be delivered, by mail, to each member not less than one week before the date of such meeting. They will also be posted at schools 72 hours in advance in a location visible to parents and the community, as per the Green Act.

Section 5 - Decisions of the Committee

Any official business that requires approval shall be approved by a majority vote of site representatives in attendance as per Article IV, Section 8 (h).

Section 6 - Conduct of Meetings

All regular and special meetings of the committee shall be conducted in accordance with Robert’s Rules of Order or in accordance with an appropriate adaptation thereof. Refer to Article V, Section 1 and Section 2.

Section 7 - Open Meetings

All regular meetings of the committee as defined in Article V, Section 1, shall be open at all times to any interested parties/the public.

**ARTICLE VI
Amendments**

These bylaws may be amended at any time by a majority vote of the members of the committee (DELAC Board and Site Representatives) provided that the amendment is to further carry out the objectives of the committee as herein expressed. Any amendments must conform to the Education Code of the State of California.

In witness whereof, the District English Learner Advisory Committee has caused these bylaws to be duly executed on the 4 of June, 2021 .
(Day) (Month) (Year)

_____ Rosa Loera _____
Name of District English Learner Advisory Committee President

Signed: _____ Electronically Signed _____
(President)

(Revised 05/28/2021)