



Tolar Independent School District

Bylaws of the

SCHOOL HEALTH ADVISORY COUNCIL

(SHAC)

Council Approved: October 2021

Article I: Authority

Section One. Statute and Policy. Each school district in the State is required in Chapter 28.004 of the Texas Education Code (TEC) to establish and maintain a district-level school health advisory council. The School Health Advisory Council (SHAC) of the Tolar Independent School District is specifically authorized by the Board of Trustees in district policy BDF(Legal).

Section Two. Limitations. The SHAC shall be an advisory body, and shall serve to provide guidance, counsel, and other assistance to the Board of Trustees and district administration as is specifically listed in state law and district policy. The SHAC shall have no power to expend public funds, enter into contracts, or otherwise place obligation or liability upon the district.

Section Three. Staff Support. The administration shall identify an appropriate staff member to serve as SHAC Coordinator (the coordinator).

Section Four. Bylaws. It shall be the responsibility of the Coordinator of District Advisory Bodies, upon the advice and counsel of the coordinator, and upon any direction given by the Board of Trustees, to establish and amend the SHAC bylaws. The SHAC shall observe the bylaws. Any changes to the responsibilities or membership structure of the SHAC must be approved by the Board. Any changes to standard bylaws clauses made by the Coordinator of District Advisory Bodies do not have to be approved by the Board (such changes usually result from incidents that arise that are not clearly addressed in the bylaws, or to correct omissions or errors that have been identified).

Article II: Responsibilities

Section One. Responsibilities. According to state law, district policy, and the direction of the Board of Trustees and district administration, the SHAC shall have the following responsibilities:

- A. To hold regular meetings at least four times each year, pursuant to TEC 28.004(d-1).
- B. To meet the requirements of TEC Chapter 38.013 and district policy EHAA(Legal), including:
 - Provide advice and counsel prior to decisions pertaining to the areas of health education curriculum appropriate for specific grade levels, that may include a coordinated school health program designed to prevent obesity, cardiovascular disease, and Type II diabetes through coordination of health education, physical education, nutritional services, parental involvement, staff wellness, environmental health, mental/emotional wellness, and health services.
 - Approve the district coordinated school health program, subject to adoption by the Board of Trustees.
 - To advise and consult with the district in the development of a comprehensive health education curriculum.
- C. To consult as necessary or appropriate with the Superintendent and district administration regarding the planning, implementation, and evaluation of the district coordinated school health program.
- D. To consult with the Superintendent and district administration in advance of submitting issues, concerns, reports, and recommendations to the Board of Trustees.
- E. To provide a written annual report to the Board of Trustees on or before September 1 of each year.
- D. To consult with the Superintendent and district administration in advance of submitting issues, concerns, reports, and recommendations to the Board of Trustees.
- E. To provide a written annual report to the Board of Trustees.

Article III: Meetings

Section One. Regular Meetings. The coordinator shall work with the officers to establish the regular meeting schedule of the SHAC. An audio or video recording of the regular meeting will be posted on the public SHAC website no later than the 10th day after the meeting.

Section Two. Cancellation of Meetings. If necessary, the coordinator or co-chair may cancel any meeting of the SHAC with good cause (i.e., inclement weather or other adverse conditions), and determine if the meeting should be rescheduled. Members shall be given the reason for meeting cancellations, and be given sufficient notice of cancelled or rescheduled meetings.

Section Three. Open Meetings. Pursuant to the district's Communications and Visitors Requirements, all plenary meetings of the SHAC shall be open to the public, and the public shall have reasonable opportunity to provide comment. The coordinator may limit the time given to speakers. Subcommittee meetings may be open to the public at the discretion of the co-chair.

Section Four. Subcommittees. The coordinator and co-chair may form standing or ad hoc subcommittees on any matter deemed necessary or appropriate. The co-chair is responsible for overseeing subcommittees, the selection of their chairs and memberships, and may provide specific charges or procedures for those subcommittees (which may allow the inclusion of non-members to serve only in a consultative capacity). Pursuant to statutory requirements, there shall be a standing subcommittee maintained to address Physical Education and Activity (TEC 28.004 I-01). Subcommittees may not constitute a quorum of the SHAC. Unless otherwise directed by the co-chair, subcommittee meetings shall be held at the discretion of the subcommittee. The co-chair shall determine whether subcommittee meetings are open to the public (if they are open to the public, meetings must be posted under provisions of Section Nine of this Article). Subcommittees are not required to have a regular meeting schedule. Unless otherwise directed by the vice-chair, subcommittees are not required to take minutes of meetings. Subcommittees shall report findings and recommendations to the SHAC for its consideration.

Section Five. Quorum. For meetings of the full SHAC, a quorum shall be the majority of the current membership. Meetings may still be held without a quorum for purposes of presentations or discussion. However, no actions or voting may take place without a quorum.

Section Six. Attendance. Member attendance shall be monitored by the coordinator, who shall work with members to try and resolve any attendance problems. Non-attendance for three unexcused meetings within a one-year period may result in removal by the coordinator in conjunction with the appointing Trustee or Superintendent, as applicable. Members are encouraged to contact the coordinator if they know they cannot attend a meeting. The coordinator shall determine whether absences are excused.

Section Seven. Virtual Attendance. Members may virtually participate in meetings through various means, to the extent they are readily available to the coordinator. Virtual attendance

shall count as actual attendance for purposes of determining a quorum. Virtual attendance shall also be noted in the minutes of the meeting.

Section Eight. Decision-making. Members shall attempt to reach decisions by consensus. However, if a clear consensus cannot be obtained, members shall reach a decision by majority vote. Proxy voting shall not be permitted. However, members in virtual attendance may vote.

Section Nine. Agendas. Agendas shall be provided for all full SHAC meetings, and posted on the SHAC website at least 72 hours in advance of meetings. Agenda items shall normally be determined by the coordinator and officers. However, a majority of the SHAC may vote to place an item on an upcoming agenda.

Section Ten. Minutes. The coordinator shall ensure that minutes are kept for all plenary SHAC meetings. Minutes are records of meeting highlights and are not intended to provide a high level of detail. At a minimum, minutes shall include: attendance of members, staff, and visitors; the time the meeting was called to order and adjourned; the outcome of any votes or other actions; and a brief synopsis of the meeting proceedings. SHAC Secretary will provide a draft of meeting minutes to district officials within 24 hours of the meeting. A draft copy of meeting minutes will be posted on the public SHAC website within 10 days of the meeting. Minutes from the previous meetings shall be approved at the next regular meeting by the SHAC, and posted on the SHAC website.

Article IV: Membership

Section One. Membership Criteria. Membership of the SHAC will strive to reflect the geographic, ethnic, gender, disability, and economic diversity of the district. The membership composition of the SHAC shall comply with the following:

- A. The majority of the SHAC shall consist of parents, as defined above.
- B. The membership of the SHAC may also include: teachers, administrators, students, health care professionals, business community, law enforcement, senior citizens, clergy, nonprofit health organizations, and local domestic violence programs.
- C. A representative of the Board of Trustees may serve in an ex-officio (non-voting) capacity.

Section Two. Membership Selection. The board shall appoint at least five members to the SHAC.

Section Three. Term of Service. The term of service for a member shall be for two years, with each term beginning in September. Members appointed after January shall serve for the remainder of the term period. Trustees may allow members to serve multiple terms. In such a case, a Trustee shall notify the coordinator through the Board Secretary.

Section Four. Vacancies. Should a SHAC member resign or be removed, creating a vacancy, a Trustee or the Superintendent, as applicable, may select a replacement member.

Section Five. Continued Operation. Any vacated terms left unfilled under provisions of Sections Four and Five of this Article shall not cause the SHAC to discontinue its operations.

Section Six. Conflict of Interest. Conflicts of interest shall include, but are not necessarily limited to, the following:

- Having a pecuniary interest in any discussions or recommendations of the council.
- Involvement in any litigation or procedural challenges against the district.

The coordinator shall report any cases or possible cases of conflict of interest to the Superintendent, for appropriate action. If a member is determined to have a conflict of interest, appropriate action may include:

- Required recusal from a particular agenda item or items.
- Required recusal from a particular meeting or meetings.
- Removal from the council.

Section Seven. Role of the Board Representative. The Board may designate a trustee to serve as a representative to the SHAC. The role of the board representative is to observe, without vote, on deliberations and activities of the SHAC. The board representative shall not speak for the Board of Trustees unless a majority of the Board in a public meeting in accordance with the Texas Open Meetings Act has so directed. The Board representative may actively participate in discussions by providing guidance as may be appropriate and by responding to questions to the best of his/her ability. The Board representative will provide updates, verbal or written, to the

Board as desirable; however, these updates shall not supplant the annual report to the Board of Trustees.

Section Eight. Code of Conduct. The district welcomes freedom of expression and debate. However, SHAC members shall conduct themselves, in meetings and at all other times, with courtesy and respect to fellow members, district parents and students, district staff and Trustees, and members of other district advisory committees. In meetings, members must be recognized by the co-chairs before speaking, and otherwise respect the order maintained by the co-chairs. Unless otherwise authorized by the SHAC, members shall not speak for the SHAC; and, unless otherwise authorized by the administration, members shall not speak for the district. Members, by their comments and/or actions, shall not reflect badly on the SHAC. Violation of this code of conduct may result in reprimand or dismissal by the Coordinator in conjunction with the appointing Trustee or Superintendent, as applicable.

Section Nine. Undue Advantage. SHAC members shall not use their position to gain or attempt to gain an undue advantage for themselves or anyone else. Violation of this requirement may result in dismissal by the Coordinator in conjunction with the appointing Trustee or Superintendent, as applicable. (As examples, it would be considered an undue advantage if a person included his or her membership in the SHAC in the reasoning for allowing a student transfer or for allowing a student entry into a particular program; however, it would not be considered an undue advantage for a person to include SHAC membership on his or her resume.)

Article V: Officers

Section One. Officer Titles, Terms, and Selection. The officers shall consist of a co-chair (who must be a parent), and a secretary. The terms of service for officers is two-years. A majority of the SHAC shall elect the co-chair and secretary.

Section Two. Responsibilities of the Co-Chair. The responsibilities of the co-chair shall include:

1. With the coordinator and other officers, determining agendas for regular and other plenary meetings of the SHAC.
2. Presiding at all regular and other plenary meetings of the SHAC, ensuring that commonly accepted parliamentary procedure is followed.
3. Oversees the subcommittees, and delivers the subcommittee reports at meetings.

Section Three. Responsibilities of the Secretary. The responsibilities of the secretary include:

1. With the coordinator and other officers, determining agendas for regular and other plenary meetings of the SHAC.
2. Working with the coordinator to prepare meeting notices and minutes, and arranging the location of SHAC meetings.
3. Presiding over meetings of the SHAC in the absence of the co-chair.

Section Four. Mid-Term Vacancies. If a vacancy occurs after an officer's term has commenced, a new officer shall be seated to serve for the remainder of the term, following the procedures in Section One of this Article.

Section Five. Removal of Officers. The co-chair and secretary serve at the will of the SHAC. A two-thirds majority of the SHAC may at any time remove the co-chair or secretary. Such actions in themselves do not equate to dismissal from the SHAC.

Article VI: SHAC Coordinator

Section One. Responsibilities. Responsibilities of the coordinator shall include, but are not limited to:

1. Ensuring that adequate facilities arrangements and staff support are secured for all meetings.
2. Providing members and support staff with agendas and background materials prior to meetings.
3. Serving as custodian of all SHAC records. Agendas and minutes of regular meetings must be maintained for a minimum of two years. In addition, the coordinator shall keep a record of member term expirations and length of member service.
4. Promoting public awareness of the SHAC and consulting a database of persons interested in service as SHAC members.
5. Informing Trustees of member vacancies.
6. Providing staff support in the development and submission of SHAC's annual report.
7. Monitoring member attendance, and addressing possible member conflicts of interest and possible instances of undue advantage.
8. Maintaining the SHAC website.
9. Providing such other assistance as requested in accordance with the SHAC authorizing statute, district policy, and the direction of the Board of Trustees.