

**PASADENA UNIFIED SCHOOL DISTRICT
DISTRICT ENGLISH LEARNER ADVISORY COMMITTEE (DELAC)**



Language Assessment & Development Department

Bylaws

Approved: January, 1995

Last Revision: July, 2015

ARTICLE I

REQUIREMENT

Each California public school district, grades kindergarten through 12, with 51 or more English learners must form a District-level English Learner Advisory Committee (DELAC)

NAME

The name of this organization shall be herein known as Pasadena Unified School District English Learner Advisory Committee, DELAC

ARTICLE II

DISTRICT ENGLISH LEARNER ADVISORY COMMITTEE, DELAC

The District English Learner Advisory Committee, DELAC shall assist and advise in the development of the District English Learner Educational Program. The term advice is defined as:

Suggest

(2) Recommend

(3) Evaluate

The DELAC shall assist in obtaining the cooperation and coordinating of all available resources in the community and the school district to implement an effective and viable EL Educational Program. To reach this goal, the DELAC shall assist the Pasadena Unified School District, herein after referred to as District, with the responsibilities as outlined in Federal Case Law, by all appropriate court decisions, California Education Code, State English Learner guidelines, the PUSD Master Plan for ELs and any and all District policies pertaining thereto.

Section 1 Purpose and Responsibilities

To collaborate and establish a timetable with the District in the development of a process for the on-going revision and development of the District's Master Plan for English Learners. Such a plan shall take into consideration the school site Single School Plans required by the **Education Code, Section 62002**.

Conduct an annual district-wide needs assessment on a school-by-school basis.

Assist the District in the development of the District's English Learner Education Program goals and objectives, to ensure state regulations compliance for the teachers and instructional aids to meet the minimum requirements of skills and competency.

Review the Annual Language Census and assist the District to develop and implement a plan to ensure the District's compliance with Federal and State Education Codes.

Assist the school ELAC committees in the annual revision of the EL Education Program at each school site and review the EL Education Program annually at the District level in order to ensure compliance with all applicable Federal Case Law, California State Guidelines, the District's EL Education Master Plan and all other policies relating thereto.

Confer with the Director of the English Learner Program regularly on the status of the District's EL Education Program and submit recommendations, annually, including the parent involvement component.

Make budgetary recommendations for all English Learners in planning and implementing DELAC objectives and activities.

Adopt Bylaws to govern monthly meetings in accordance with an agenda and in a language that is understandable to all members.

Oversee that the District publicizes the agenda, time and location of meetings **72** hours in advance.

1.10 Participate in the training sessions that shall provide the necessary skills and practices to carry out all responsibilities and sanctions specified in this section.

1.11 Confer in meetings, prepare report and make suggestions to the School District Board of Education.

1.12 Develop an ongoing Parent Training Institute.

1.12.1 The DELAC Executive Board, in collaboration with the District Community Liaison for ELs will provide individual training to the ELAC Executive Board whenever necessary at the ELAC request in order to enable parent representatives to carry out their duties.

1.12.2 During the month of November, the DELAC Executive Board in collaboration with the District Community Liaison for ELs will provide general training to the ELAC Executive Board, Resource Teachers and Community Assistants in order to enable parent representatives and school personnel to carry out their duties.

The training shall include school and District processes with emphasis on but not limited to the following:

- Grievance Procedures including but not limited to school grievance procedures, District's grievance procedures and California State Title V grievance complaint process.
- School Records, Personnel and Curriculum.
- Parent Leadership Training.
- All facets of how deliberative assemblies function but not limited to development, organization, structure, decision making, parliamentary Procedure, Based on Robert's Rules of Order.
- Public-Speaking, development of presentation organization and delivery including the use of multi-media.
- Master Plan analysis including but not limited to: all District Master Plans, Local Control and Accountability Plan, (LCAP), School Site Plan analysis and any other document pertaining to any and all facets of education.
- Formulation of budget and analysis relating to the Pasadena Unified School District.
- Legal rights and Responsibilities for all students and parents according to the Federal and State Laws and EL Master Plan.

Section 2 Membership

2.1 The DELAC Executive Board shall consist of three representatives from each of the District's schools elected by their respective ELAC as detailed in Article III, Section 4.

In addition there shall be the following:

School Community Assistants
School Language Development Resource Teachers/Coach, (LDRT/Coach)
District Community Liaison Specialist
District EL Director/Coordinator and PUSD employees

2.2 The membership for this body shall include parents of EL students, community representatives who live within the attendance zone of the District or work with/for the District.

2.3 All members of the DELAC shall have the right to participate in any and all discussions and activities, with the exception of voting and holding office, which is the exclusive function and obligation of the parents of English Learners who are representatives to DELAC.

2.4 The DELAC Representative; parent of English Learners will have the right to vote and to also hold a position in the committee.

Section 3 Quorum

3.1 There must be a minimum of ten (**10**) school ELAC representatives to DELAC in order for the organization to carry out business at any DELAC regularly scheduled meeting or special meeting.

Section 4 Election of Officers

4.1 The candidates shall be nominated from the floor of the assembly by a member in attendance. The candidates must be present. Once all nominations are made, the president will declare the nomination closed. The names of the candidates for each position shall be written in a slate in the same order in which the nominations were made or accepted. The slate shall be reproduced by the District Community Liaison for ELs. Each candidate is to be given three (**3**) minutes to address the members in attendance. Thereafter, the president will direct the candidates to leave the room or remain, as the attendee consensus dictates. The president will direct each ELAC representative to DELAC to cast their vote by checking the name of the candidate of preference. The vice president will count the votes and declare the winner.

4.2 Elections shall take place every two years. Elections to fill vacated positions may be held on a yearly basis, or as needed when there is a vacant position.

4.3 To elect DELAC officers, an election shall take place every two years in the month of April. The elections to fill vacant positions shall take place once a year or whenever is necessary. The elections shall be organized by the immediate past DELAC officers with the support of the District Community Liaison for ELs.

4.4 The New DELAC Elected Executive Board shall assume responsibilities at the beginning of the following school year.

Section 5 Procedure for removal of Officers

5.1 Any officer who does not comply with these By-Laws shall be removed from office at a regularly scheduled meetings or at a special meeting of the DELAC.

5.2 At a regularly scheduled meeting, a member must request that the position be vacated and the officer removed from office. Such request must be presented in writing.

5.3 The presiding officer will identify allegations as being violations of specific sections of the By-Laws and set removal as an agenda item for the next regularly scheduled meeting or call a special meeting to determine validity of the allegations.

5.4 At the meeting, the presiding officer announces the item on the agenda.

5.5 A member shall request removal of the officer for cause.

5.6 Another member shall second the motion.

5.7 The presiding officer will open the meeting for discussion, limited to a total of fifteen (**15**) minutes for those who wish to argue for the motion and a total of fifteen (**15**) minutes for those who wish to argue against the motion.

5.8 The presiding officer will close the discussion at the expiration of time, or when the last person wishing to speak on motion does so, or whichever occurs first, at which time the members in attendance will decide with secret ballot and by majority vote to remove or not remove the officer. The decision will be conveyed to the officer in reference by U.S. Postal Registered Mail.

5.9 An officer who ceases to or fails to attend meetings without approval or proper notification of the DELAC Executive Board, may cause the position to be vacated. After (**3**) absences from regularly scheduled monthly DELAC meetings his/her position may be vacated and the DELAC Executive Board may fill said vacancy pursuant to the guidelines herein for election of officers. For the purpose of processing attendance, three (**3**) absences are computed cumulatively, beginning September of each school year.

5.10 The DELAC sign-in-sheet is strictly for the use of DELAC officers and not for personal or business purpose. Violation to this rule may be cause for removal and for the position to be vacated.

5.11 The term of office shall be for two years with an option for reelection for another two years.

5.12 No one shall serve for more than two consecutive terms in the position that has been served for four years; each term being for two years. However, the officer shall be able to hold another position. The past officer should wait two years in order to be elected in the same position.

5.12.1 In the event that an officer of the DELAC transfers his/her children to a school outside the district, the officer has the option to finish the term of office if the transfer occurs within the second year of the term. Otherwise the position shall be vacated and elections shall take place pursuant to the guidelines herein for election of officers, if the transfer occurs within the first term year, the officer has the option to finish this year. Otherwise, the position shall be vacated and election shall take place pursuant to the guidelines herein for the election of officers.

5.12.2 The immediate DELAC past officers will become DELAC Advisors indefinitely.

Section 6 Executive Board

6.1 Composition: The Executive Board of the DELAC, herein after Executive Board, shall consist of the following officers:

- President
- Vice President
- Secretary
- Parliamentarian
- Advisory Board to the DELAC

6.2 Composition: The Advisory DELAC Executive Board will consist of the Immediate Past DELAC Executive Board.

Section 7 Duties of the Executive Board

7.1 Prepare DELAC agenda.

7.2 Represent the District English Learner Advisory Committee, (DELAC) before the School District Board of Education, the State of California and any other entity that relates to the school education in general.

7.3 Establish and maintain continuous communication with the Language Assessment & Development Department, (LADD) and the District Board of Education for the purpose of providing and obtaining precise information pertaining to the academic instruction of the District English Learner Program, (EL).

7.4 Promote district personnel procedures to provide EL reports to parents and schools.

7.5 Promote in collaboration with the District Community Liaison for ELs active participation from parents at the local schools, and district levels in DELAC activities as well as the implementation and evaluation of English Learner Programs.

7.6 Shall have full knowledge and will sign the Title III Application for EL Migrants, will participate in the procedures and implementation of the Local Control Accountability Plan, (LCAP). These procedures will include preparation, fiscal and evaluation responsibilities.

7.7 Shall receive regular process reports from the Language Assessment and Development Department, (LADD) at regularly scheduled DELAC Executive Board meetings. These reports will include results of the State Department's Federal Monitoring Program, (FPM).

7.8 Present Recommendations and Suggestions once per year in the month of October to the Pasadena Unified School District Board of Education in relations to planning, implementation and evaluation of the English Learner Program.

7.9 Shall report to or inform the PUSD Board of Education during the year as necessary in one of their regularly scheduled meetings.

7.10 The DELAC shall invite the PUSD Board of Education Members to attend any regularly scheduled DELAC meeting.

7.11 Provide an opportunity for members of any group or organization with an interest in the English Learner Programs to be placed on the agenda.

7.12 In collaboration with the District Community Liaison for ELs will provide an annual general training; as indicated on **Article II Section 1.12.2**. It will also provide individual training for each school site that shall include the participation of the school principal, the language resource teacher/Coach, (LDRT/Coach), the community assistant and the ELAC officers.

7.12.1 Will maintain contact with appropriate government and legislative bodies.

7.12.2 It shall remain under the DELAC discretion to delegate certain functions or responsibilities to subcommittees.

7.12.3 Shall ensure the district's technical support so that EL parents can be trained in all respective areas.

7.12.4 Shall be vigilant that ELAC is functioning according to the state codes of education.

7.12.5 Analyze and review the EL Master Plan to ensure access and equality to educational opportunities.

7.12.6 The District Community Liaison for ELs will plan, coordinate and follow through with the end of year EL parent recognition

Section 8 DELAC Officers

8.1 The Executive Board of the DELAC Committee shall be composed of a President, Vice President, Secretary, Parliamentarian and the Advisory DELAC Executive Board.

8.2 The President shall preside over all DELAC and the Executive Board meetings and at the direction of the Executive Board will sign all correspondence and documents related to ELs.

8.3 During the President's absence, the Vice President shall assume the duties of the president and shall perform other duties as assigned by the Executive Board.

8.4 The Secretary shall be responsible for maintaining all records, including minutes, shall make sure that all notices are done in a legal and timely fashion and shall keep an up-to-date list of all committee members.

8.5 The Parliamentarian shall be responsible for ensuring that all business is transacted according to Robert's Rules of Order, Revised.

Section 9 Duties of the Advisory Board to the DELAC

9.1 Purpose: Provide leadership and continuity

9.2 Provide training to the new DELAC Executive Board

9.3 Update the new committee in the planning process presented to the PUSD Board of Education

9.4 Provide information and give general advice according to the Federal and State Laws

9.5 Participate in Local and State Conferences and Trainings

9.6 Will have the right to one vote in any and all decisions and activities.

ARTICLE III
SCHOOL ENGLISH LEARNER ADVISORY COMMITTEE, (ELAC)

Each California public school, grades kindergarten through 12, with 21 or more English learners must form an English Learner Advisory Committee (ELAC).

Section 1 Purpose and Responsibility

To assist the principal in the development and implementation of an appropriate training program which shall empower the members to exercise their responsibilities under California state guidelines and relevant Federal and State Laws and District policies.

Advise the principal in the development and process of the SPSA, School Single Plan for ELs.

Under the DELAC guidelines, conduct an annual review and advise the principal and staff on the school's program for English Learners.

Assist the school in conducting the needs assessment, (SPSA).

Revision of the Annual Language Census.

Advise the School Site Council, SSC on the development of the Single Plan for Student Achievement, SPSA.

Section 2 Membership

2.1 The ELAC parents should represent the same percentage of the school population of ELs; for example, if 25% of the students' population is ELs, the same percentage of EL parents should represent the ELAC membership. If the minimum percentage of ELs is met as required, other members of ELAC may be parents/guardians, school personnel and or community members.

2.2 All ELAC members shall have the right vote and participate in any and all discussions and activities. Community representatives, who live within the school's attendance zone, work at the school or parents with children who are not ELs may not vote or be elected officers for the ELAC Executive Board.

2.3 School employees and teachers cannot hold office or vote to elect ELAC officers.

Section 3 Quorum

3.1 There must be a minimum of five (5) parents of English Learners in order for the organization to carry out business at any regularly scheduled meetings or special meetings.

Section 4 Election of Officers

4.1 The candidates shall be nominated from the floor by any member in attendance; all candidates shall be parents/guardians of ELs and should be present. Once all nominations are made, the president shall declare the nomination closed. The names of the candidates for each position shall be written in a slate in the order in which the nominations were made and accepted. The slate shall be reproduced by the immediate ELAC past president. Each candidate shall be given three (3) minutes to address the members in attendance. The president shall direct the parents of each English Learner in attendance to cast his/her vote by checking the name of the candidate of preference, with the exception of school employees whom shall not vote nor be elected as ELAC officers; as referred by **Article III Section 2.2**. The DELAC Representative or the School Community Assistant shall count the votes and will declare the winner.

4.2 ELAC Elections shall take place every two years in April, or annually, whenever necessary to fill vacated position(s). This process shall be carried out by the ELAC officers or a DELAC officer. ELAC officers and representatives should be parents of English Learners, (ELs).

4.3 The new ELAC Elected Executive Board shall assume its responsibilities at the beginning of the following school year.

4.4 No one shall serve for more than two consecutive terms in the position that has been served for four years; each term being for two years. However, the officer shall be able to hold another position. The past officer should wait two years in order to be elected in the same position.

4.5. The immediate past officer may be elected for another position.

4.6. The ELAC Executive Board shall name a representative to the School Site Council, (SSC).

4.7 An officer who ceases to or fails to attend meetings without approval or proper notification of the ELAC Executive Board may cause the position to be vacated. After three (3) absences from regularly scheduled monthly ELAC meetings his/her position may be vacated and the ELAC Executive Board may fill said vacancy pursuant to the guidelines herein for election of officers. For the purpose of processing attendance, three (3) absences are computed cumulatively, beginning September of each school year.

4.8 In the event that an ELAC officer transfers his/her child/ren to a school in the district, the officer at his/her option shall finish his/her term of office at the end of the school year. Otherwise the position shall be vacated and elections shall take place pursuant to the guidelines herein for election of officers.

Section 5 Removal of Officers

5.1 Any officer who does not comply with these By-Laws shall be removed from office at regularly scheduled meetings or at a special meeting of the ELAC.

5.2 The ELAC Member Sign in Sheet is strictly for the use of the ELAC officers and not for personal or business purpose. A violation herein warrants the removal of officer and the position shall become vacant.

Section 6 Procedure for removal from office

6.1 At a regularly scheduled meeting, a member must request that the position be vacated and the officer removed from office. Such request must be presented in writing.

6.2 The presiding officer will identify allegations as being violations of specific sections of the By-Laws and set removal as an agenda item for the next regularly scheduled meeting or call a special meeting to determine validity of the allegations.

6.3 At the meeting, the presiding officer announces the item on the agenda.

6.4 A member shall request removal of the officer for cause.

6.5 Another member shall second the motion.

6.6 The presiding officer will open the meeting for discussion, limited to a total of fifteen (**15**) minutes for those who wish to argue for the motion and a total of fifteen (**15**) minutes for those who wish to argue against the motion.

6.7 The presiding officer will close the discussion at the expiration of time, or when the last person wishing to speak on motion does so, whichever occurs first, at which time the members in attendance will decide with secret ballot and by majority vote to remove or not remove the officer. The decision will be conveyed to the officer in reference by U.S. Postal Registered Mail.

Section 7 ELAC Officers

7.1 The Executive Board of the school site ELAC herein after Executive Board shall be the President, the Vice-president, the Secretary, the Parliamentarian, and three elected Representatives to the DELAC and past ELAC Advisory Executive Board.

7.2 The ELAC Officers shall have the option to hold the additional positions of representative to DELAC in the event that other parents are not available.

Section 8 Duties of the ELAC Executive Board

8.1 Shall have full knowledge and be involved in the development of the Single School Plan for Student Achievement, (SPSA). These procedures will include budget preparation and evaluation responsibilities.

8.2 The President shall preside over all meetings of the Executive Board of the ELAC, the meetings of the ELAC, and sign all correspondences authorized by the Executive Board.

8.3 The Vice-president shall assume the duties of the Chairperson during the Chairperson's absence and shall perform other duties as assigned by the Executive Board.

8.4 The Secretary shall be responsible to maintain all records, including minutes, shall ensure that all notices are prepared in a legal and timely fashion and shall keep an up-to-date list of all ELAC members.

8.5 The Parliamentarian shall be responsible for ensuring that all business is transacted according to *Robert's Rules of Order, Revised*.

8.6 The Representatives to the DELAC shall represent the school ELAC at all meetings and functions of the DELAC and shall report to the school ELAC on all DELAC activities.

8.7 The representative(s) of the school ELAC shall represent the ELAC at all School Site Council and or Leadership Team meetings and functions. The representatives shall report to the ELAC on all activities of the School Site Council and/or Leadership Team.

8.8 ELAC shall present one report per year to the School Site Council (SSC). The report to the School Site Council will relate to planning, implementation and evaluation of the English Learner Programs.

Section 9 Duties of the Advisory Board to the ELAC

9.1 Purpose: Provide leadership and continuity

9.2 Provide training to the new ELAC Executive Board

9.3 Provide information and give general advice according to the Federal and State Laws

9.4 Participate in Local and State Conferences and Trainings

9.5 All Officers shall participate in trainings at the school and district level

9.6 Will have one vote in any and all decisions and activities.

ARTICLE IV
Grievance Procedures

Section 1

In the event that difficulties should arise as to the functioning of the ELAC or DELAC, the following procedures will be followed:

1.1 For the ELAC

Level I

The ELAC Executive Board or its designee and the Executive Board of the DELAC or its designee; herein known as Complainant, will first meet informally with the school site principal. If the Complainant's concerns are not clear or cannot be resolved at this level, the school site principal may request that the Complainant's concerns be put in writing and submitted to the school site principal. The school site principal will respond to the Complainant in writing within ten working days.

Level II

In the event that a grievance or complaint cannot be satisfactorily resolved at **Level I**, the Complainant may present the case to the DELAC Executive Board.

May bring concerns to a regularly scheduled DELAC meeting
May call a special meeting with DELAC or its designees

The ELAC president will present in writing describing specifically the violations of policies, procedures or acts which are alleged to have taken place. The complaint will be documented by the DELAC Executive Board.

Level III

The DELAC/ELAC herein known as the Complainant in collaboration with the District Community Liaison for ELs will present the complaint to the District Director/Coordinator of the Language Assessment and Development Department (LADD). The complaint will be presented in writing describing specifically the violations of policies, procedures or acts which are alleged to have taken place and a copy will be sent to the superintendent. The Director/Coordinator of LADD will respond to the Complainant in writing within ten working days. In the event that a response from third parties is necessary to resolve the complaint, the District Director/Coordinator of LADD can designate up to ten additional days for investigation of the

complaint without the consent of the Complainant. An additional period of time, with the Complainant's consent, can be allowed for resolution of the grievance.

Level IV

In the event that the matter cannot be resolved, the Complainant shall have the right to meet with the Superintendent, following the same procedure as in **Level III**.

Level V

In the event that the matter cannot be resolved at **Level IV**, the Complainant may request a hearing before the Board of Education. The Board of Education shall grant the hearing request for the next regular meeting.

1.2 For the DELAC

Level I

The Executive Board of the DELAC or its designee; herein known as Complainant in collaboration with the District Community Liaison for ELs will present the concern to the Director/Coordinator of LADD. The Complainant's concerns shall be presented in writing describing specifically the violations of policies, procedures or act(s) which are alleged to have taken place. A copy shall be sent to the Superintendent. The District Director/Coordinator of LADD will respond to the Complainant in writing within ten working days. In the event that a response from third parties is necessary to resolve the complaint, the Director/Coordinator of LADD can designate up to ten additional days for investigation of the complaint and resolution of the grievance.

Level II

In the event that the matter cannot be resolved at **Level I**, the Complainant shall have the right to a hearing with the PUSD Superintendent, following the same procedures of **Level I**. A copy shall be sent to the PUSD Board of Education.

Level III

In the event that the matter cannot be resolved at **Level II**, the Complainant shall request a hearing with the PUSD Board of Education. The Board of Education shall grant the hearing request for the next regular meeting.

1.3 In the event that the difficulty and/or complaint is not resolved by the steps mentioned in **Article IV, Sections 1.1 and 1.2** arbitration may be sought through the American Arbitrators Association, at the expense of the District, by the District and/or Executive Board of the DELAC or its designee.

ARTICLE V
AMENDMENTS

Section I

Amendment to DELAC and ELAC By-Laws

Any proposed changes or amendments to these By-Laws shall be presented in written form by a member of the DELAC at a regularly scheduled meeting. Discussion shall ensue at this meeting.

The members shall vote on the change and/or amendment to the By-Laws at the following month's regularly scheduled meeting.

A two-thirds majority of the total membership of the DELAC is needed to approve any changes and/or amendments to these By-Laws.

Section II

Amendment to DELAC and ELAC By-Laws

The Executive Board or Officers shall meet in special sessions, shall revise and correct the necessary points and clarifications under the California Education Code for English Learners. Once these points are revised and corrected, they will be presented in a DELAC regular meeting and the ELAC Representatives to DELAC.

Legal Reference for DELAC/ELAC

- ***Education Code, section 35147 (c), 52176 (b) and (c), 62002.5, and 64001 (a).***
- ***Title 5, California Code of Regulations, Section, 11208 (b) and (d).***