English Learner Advisory Committee Bylaws
2023-2024
At- a -Glance

Article	Section and/or Topic
I. Name	Name of the Committee
II. Roles	Role of the Committee
III. Members	1. Size and Composition
	2. Term of Office
	3. Selection/Election of Members
	4. Voting Rights
	5. Termination of Membership
	6. Transfer of Membership
	7. Resignation
	8. Vacancy
IV. Officers	1. Officers
	2. Election of Officers and Terms of Office
	3. Removal of Officers
	4. Vacancy in an Officer Position
	5. Officer Duties
V. Committees	1. Standing and Special Committees
	2. Standing and Special Committee Membership
	3. Standing and Special Committee Term of Office
	4. Standing and Special Committee Rules
VI. ELAC Meetings	1. Meetings
	2. Place of Meetings
	3. Notice of Meetings
	4. Quorum
	5. Conduct of Meetings
	6. Meetings Open to the Public
	7. Communication with Schoolsite Council
	8. Uniform Complaint Procedures
VII. Bylaw Amendments	Amending Bylaws

BYLAWS

ARTICLE I – NAME OF THE COMMITTEE

The Central Unified School District has established the El Capitan Middle School (School Name) English Learner Advisory Committee. Hereinafter, this English Learner Advisory Committee may be referred to as the ELAC.

ARTICLE II – ROLE OF THE COMMITTEE

Under state law, the ELAC has responsibility for the following duties:

- Advising the principal and staff in the development of a site plan for English learners and submitting the plan to the School Site Council for consideration of inclusion in the School Plan for Student Achievement.
- Assisting in the development of the schoolwide needs assessment.
- Ways to make parents aware of the importance of regular school attendance.
- Each ELAC shall have the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC).
- **Districts with 31 or more ELACs may use a system of proportional or regional representation.*

Every two years an English Learner Advisory Committee may elect to have the schoolsite council or other advisory committee serve as the site leadership body for the English learner program. If this occurs, the schoolsite council or other advisory committee will assume the responsibilities identified above. Approval by the Central Unified School District State and Federal Program is necessary before this option is executed.

ARTICLE III – MEMBERS

Section 1: Size and Composition

The ELAC shall be composed of parents/guardians or community members of English learners, other parents/guardians or community members of the school, and staff members.

The ELAC will be composed of 6 members.
(enter number)

The percentage of parents/guardians of English learners serving on the ELAC must be at least the same as the percentage of English learners in the school.

2 (# of) Parents/Guardians of English learners in the school.

1 (# of) Parents/Guardians or community members of other students in the school, if elected by parents/guardians of English learners in the school

-and-

(1) Principal or designee:

2 (# of) Note: Other school staff members may be appointed to serve on the ELAC, if space is available.

Section 2: Term of Office

All members of the ELAC shall serve for a term of 2 years.
(enter years)
However, in order to achieve a staggered membership of parents/guardians one-half, or the nearest approximation, of the parents/guardians will be elected each year.

At the end of each representative member's term, membership terminates. In order to continue to serve as an ELAC member, the member must be re-elected.

Section 3: Selection/Election of Members

Elections of ELAC members shall be held each year in August/September.
(*enter month*)
Annually ELAC members will assist the principal in recruiting members to serve on the ELAC and assist with the election of parent/guardian or community members to the committee.

In all elections for parent members, ties will be decided by lot.

Section 4: Voting Rights

Each member of the ELAC shall be entitled to one vote and may cast that vote on each matter submitted to a vote of the ELAC. Absentee ballots shall not be permitted.

Section 5: Termination of Membership

A parent/guardian member may no longer serve on the ELAC should:

- his/her child no longer attend the school;
- he/she becomes an employee of the district.

Membership shall automatically terminate for any member who is absent from all regular meetings for a period of 4 consecutive meetings.
(*enter number*)
The ELAC, by an affirmative vote of two-thirds of all the members, can suspend or expel a member.

Section 6: Transfer of Membership

Membership on the ELAC may not be assigned or transferred.

Section 7: Resignation

Any selected ELAC member may terminate his/her membership by submitting a written letter of resignation to the ELAC chairperson.

Section 8: Vacancy

Any parent vacancy on the ELAC that occurs during the school year shall be filled by:

- An election of a new parent/guardian member, elected by parents/guardians of English learners; or
- Appointment of a new parent/guardian member to fill the remainder of the term (selected by the parents/guardians of English learners).

ARTICLE IV – OFFICERS

Section 1: Officers

The officers of the ELAC shall include a chairperson, vice-chairperson, secretary, DELAC representative, DELAC alternate, and any other officers that the ELAC finds necessary.

Section 2: Election of Officers and Terms of Office

The ELAC officers shall be elected annually and shall serve a term for one year or until a successor has been elected.

Any member of the ELAC, including the principal, may serve in any officer capacity.

Section 3: Removal of Officers

Any officer may be removed from their office by a two-thirds vote of all ELAC members.

Section 4: Vacancy in an Officer Position

If an officer vacancy occurs, the ELAC will elect a new officer.

Section 5: Officer Duties

The chairperson shall:

- Preside at all meetings of the ELAC:
- Sign all letters, reports, and other communications of the ELAC; and
- Assume other such duties as assigned.

The vice-chairperson shall:

- Represent the chairperson or the ELAC in assigned duties; and
- Substitute for the chairperson in his or her absence.

The secretary shall:

- Keep minutes of all regular and special meetings of the ELAC;
- Promptly transmit to each of the ELAC members and DELAC chairperson copies of the minutes of ELAC meetings;
- Serve as custodian of the ELAC records;
- Maintain a list of the address, phone number, and term of office of each ELAC member; and
- Perform such duties that are assigned by the chairperson.

The DELAC representative shall:

- Be a parent/guardian of an English learner who is not being employed by the school or district.
- Attend all DELAC meetings.
- Receive input from the ELAC and share the information with the DELAC.
- Provide the ELAC with information from the DELAC meetings.

ARTICLE V – COMMITTEES

Section 1: Standing and Special Committees

The ELAC may from time to time establish standing or special committees to perform various functions. All such committees will include representation from the various representative groups. All appointed individuals and committees serve at the pleasure of the ELAC and are advisory to it. Standing or special committee may exercise the authority of the ELAC. A standing or special committee may be abolished by a vote of the ELAC.

The purpose of these committees is to:

- Gather and analyze data;
- Examine materials, staffing, or funding possibilities; and
- Propose to the ELAC strategies for improving the instructional practices for English learners.

Section 2: Standing and Special Committee Membership

Unless otherwise determined by the ELAC, the chairperson shall appoint members of the standing or special committees. A vacancy on a standing or special committee shall be filled by appointment of the chairperson.

Section 3: Standing and Special Committee Term of Office

The ELAC shall determine the membership terms for all standing and special committees. This term should be communicated to the committee members at the beginning of their assignment.

Section 4: Standing and Special Committee Rules

Each standing and special committee will establish procedural rules that are consistent with the ELAC's bylaws.

ARTICLE VI – ELAC MEETINGS

Section 1: Meetings

The ELAC shall hold its regular meeting at 5:00PM on the 2nd Thursday of the month
(time) (day of the month i.e., second Tue. of month)
at El Capitan Library.
(location)
Special ELAC meetings may be called by the chairperson or by a majority vote of the ELAC.

Section 2: Place of Meetings

The ELAC shall hold its regular meetings at a facility provided by the school, unless the school principal determines that such a facility accessible to the public, including handicapped persons, is unavailable or does not meet health and/or safety codes. Alternative meeting sites shall be determined jointly by the school principal and ELAC chairperson.

Section 3: Notice of Meetings

Written notice of the meeting shall be posted at least 72 hours in advance of the meeting at the school site, or any other appropriate place that is accessible to the public. This written 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. Any changes in the established date, time, or location of the meeting need to be especially noted in the agenda. The ELAC shall not take any action on any item of business unless that item appeared on the posted agenda or unless the ELAC 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 ELAC after the posting of the agenda.

Questions or brief statements made at a meeting by members of the ELAC 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.
All required notices shall be delivered to ELAC members no less than 72 hours, and no later than three days in advance of the meeting, personally, by mail or by email.

The ELAC agenda will be posted in the following location(s):
El Capitan Front Office
(i.e., in the school office window, staff room)

Section 4: Quorum

The presence of 51% of the ELAC membership in attendance at the meeting will constitute a quorum. No decisions of the ELAC shall be valid unless a quorum of the membership is present.

Section 5: Conduct of Meetings

ELAC meetings shall be conducted in accordance with the rules of order established by Education Code 35147 and the Robert's Rule of Order or an adaptation thereof approved by the ELAC.

If an ELAC violates any of the procedural meeting requirements found in Ed. Code Section 35147, and upon demand of any person, the ELAC shall reconsider the item at its next meeting, after allowing for public input.

Section 6: Meetings Open to the Public

All ELAC meetings shall be open to the public and any member of the public shall be able to address the ELAC during the meeting on any item within the subject matter jurisdiction of the ELAC. Every agenda for regular meeting shall provide an opportunity for members of the public to directly address the ELAC on any item of interest to the public, before or during the ELAC's consideration of that item.

The ELAC may not take any action on any item of business unless that item appeared on the posted agenda or unless the 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 after the agenda was posted.

Each meeting agenda will include a time for public comment. The ELAC will provide opportunities for the public to comment on matters that are not on the agenda, but no action may be taken by the ELAC.

The minutes of the ELAC meeting are public records and are available to the public.

Any materials provided to the ELAC 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).

Section 7: Communication with the Schoolsite Council
The ELAC will periodically provide written communications to the Schoolsite council regarding the needs of English learners. This communication will include the ELAC's input into the School Plan for Student Achievement and its corresponding budgets.
Section 8: Uniform Complaint Procedures
Annually, the ELAC shall participate in training about the district's uniform complaint procedures. This training will review procedures for filing a complaint. If any ELAC member or member of the public believes that the school or ELAC has taken an action that is in violation of their legal authority, the individual or group may file a uniform complaint with the district.
ARTICLE VII – BYLAW AMENDMENTS
An amendment of these bylaws may be made at a regular meeting of the ELAC by a vote of two-thirds of the members present. Written notice of the proposed amendment must be posted as a part of the agenda and must be submitted to committee members at least 3 days prior to (# of days) the meeting at which the amendment is to be considered for adoption.

Adopted: _____
(Date)

Revised: 03/21/2024
(Date)