



## **District English Learner Advisory Committee (DELAC) Bylaws**

### **ARTICLE I**

#### **Name of the Committee**

The name of the committee shall be the District English Learners Advisory Committee (hereafter referred to as the “DELAC”).

#### **Mission and Purpose of DELAC**

The mission of the DELAC for the Napa Valley Unified School District (NVUSD) is to provide opportunities for parents to advise and provide appropriate input to the NVUSD Board of Trustees, Superintendent, Assistant Superintendents, Directors and the decision-making process concerning programs, services, teachers and instructional staff and policies regarding English Learner students and to provide input toward allocation of funds (as required by the Local Control Funding Formula- LCFF) towards these and documented in the Local Control Accountability Plan (LCAP).

### **ARTICLE II**

#### **Responsibility of DELAC**

Through its Executive Committee, DELAC advises, reviews and provides input to the NVUSD Instructional Division staff, at least, the following seven (7) areas, as outlined in the California Education Code:

1. Development of a district master plan for education programs and services for English learners. The district master plan will take into consideration the school site master plans.
2. Conducting a district wide needs assessment on a school-by-school basis, using the survey form and submitted at Cohort meetings.
3. Establishment of district program, goals, and objectives for programs and services for English learners.

4. Development of a plan to ensure compliance with the applicable teacher and/or teacher aide requirements.
5. Review and comment on the school district reclassification procedures.
6. Review and comment on the written notifications 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).

### **Legal References:**

- California Department of Education / Categorical Programs Claims Management Unit / Language Proficiency and Academic Accountability Unit.
- Legal References: E.C. Sections 52069, 62002.5 and 64001(a) 5 California Code of Regulations section 11308 and 15495(b)
- Former E.C. Sections 52176; 52168; and Title 5, CCR, Sections 4312 and 11303(a).

The committee shall receive the training support and materials to carry out its responsibilities.

## **ARTICLE III**

### **Structure of the DELAC**

#### **DELAC Membership**

Committee members must be elected to office. Each ELAC elects a DELAC representative and, at their option, an alternate. These representatives comprise the DELAC. Only the main representatives elected in an official ELAC election at their respective school, or their alternates when the incumbents are absent, shall have the right to one vote. Only schools that have elected an official representative or alternate shall be officially represented on the DELAC. Schools that do not meet this requirement will be designated with "Provisional" representation (by, for example, an ELAC member who has not yet been elected as the DELAC representative) until an official

representative has been elected and a new or updated “Assurance Form” is submitted to the Instructional Support Services Office

Parents of the following categories of students are eligible to represent the school that their children attend:

- Newly Reclassified Student.
- Student in Reclassified status (2 to 5 years).
- Newcomer Student (with a permanence of 1 to 3 years).
- EVER English Learner
  - An EVER English Learner has been previously identified as an English language learner but is no longer classified as such.

No individual may represent more than one school on the DELAC.

#### Election and Total Number of Members (Officers and Alternates)

1. Membership of the DELAC/ELAC (school level English Learner Advisory Committee)

The DELAC Executive Committee shall consist of the following officers. An alternate may be selected for each position:

- President
- Vice-President
- Secretary

Each member of the DELAC Executive Committee may identify an alternate. The alternate’s role will be to receive training, instruction, and provide support at all DELAC meetings.

Each school shall hold ELAC Committee meetings independently and in accordance with its respective school level. Parents or guardians of English Learners shall

constitute the majority membership of the ELAC. Current English Learners and reclassified students may also participate in the ELAC committee.

The ELAC of each school shall elect members of the committee to serve as a main and/or alternate representative to the DELAC by a vote of the parents of EL students from each school. Executive Committee members are also official members of the DELAC committee. Elected alternate representatives shall also be considered official members, but each school shall have only one vote.

## 2. Official Documentation and Membership Registration

Any formally elected DELAC representatives and their alternates must be identified on the English Learner Assurance Form, signed by the appropriate ELAC designee. This document must contain the name and contact information of the representative. This document will be sent by the principal of each school to the Instructional Support Services Office as soon as possible after the election has been held, in order to document that the election has taken place at the school.

3. Term of office of DELAC members (excluding Executive Committee members) and ELAC Committee members.

The term of office for DELAC members and the DELAC Executive Committee shall be two school years, beginning in August of the first school year and ending in June of the following school year. The term of office for the ELAC committee shall be one school year, with the opportunity for reelection.

Vacancies shall be filled by a special election to be held at the next scheduled meeting of the relevant school ELAC.

The Instructional Support Services Office shall be notified in writing when a member will no longer serve or when their participation has been terminated due to non-attendance and, if possible, shall receive an updated Assurance Form.

In the event that the DELAC's primary representative is unavailable, a designated alternate may serve in his or her place. The alternate will assume all the representative's responsibilities for the duration of the meeting.

## **ARTICLE IV**

### **Duties of Executive Committee Members**

## **President**

Preside at all meetings of the DELAC.

1. Stay informed about matters pertaining to the education of English Language Learners (ELs).
2. Appoint special committees as necessary or appropriate.
3. Develop, with the other officers, calendars and agendas.
4. Perform such other auxiliary duties as may be required. Additional representative duties include:
  - a. DELAC will provide suggestions to the NVUSD Board of Education.
  - b. Will submit DELAC recommendations, along with other DELAC members, to the LCAP on an annual basis.
  - c. Will advise the district regarding the Seal of Biliteracy process.
5. Maintain direct contact with the administration responsible for the English Learners programs.

## **Vice-President**

1. Preside at meetings and perform all duties of the President in his/her absence
2. Coordinate the activities of the subcommittees.
3. Shall perform other auxiliary duties as required. Additional representative duties include:
  - They will present DELAC recommendations to the NVUSD Board of Education.
  - They will advise the district regarding the Seal of Biliteracy process.
  - They will present DELAC recommendations, along with other DELAC members, to the LCAP (Local Control Accountability Plan) on an annual basis.

## **Secretary**

1. Present the minutes of the previous meeting for approval by the General Assembly at the beginning of each meeting.
2. Draft the minutes of each meeting.
3. Responsible for communication between DELAC and/or organizations, authorities, and institutions.
4. Collect questions that have not been addressed during the general meeting and forward them to the Instructional Support Services Office.
5. Performs other auxiliary duties as required.

Executive Committee members do not have a vote on the DELAC unless they also serve as the DELAC representative from their student's school.

### **Provision for Consolidation of Responsibilities of DELAC Executive Committee Members**

If a vacancy or vacancies arise on the DELAC Executive Committee due to a lack of candidates during the official elections, at least two members must be present to constitute a quorum and preside over the governance of the committee. These two roles shall be consolidated as follows:

- a. A President, combining the duties of the Vice-President.
- b. A Secretary.

### **Eligibility Criteria for Official Nominations to the DELAC Executive Committee**

1. Must be a parent of a student who is considered an English Learner at the time of the election.
2. Parents or legal guardians of students who are not employees of NVUSD.
3. Parents may continue to participate in the ELAC/DELAC after their student is reclassified.
4. Must have been an active DELAC representative or Executive Committee member in good standing (in the case of re-election) during the current school year.

### **Election Process to be a member of the DELAC Executive Committee (Election Years Only)**

1. Candidacy shall be formally declared on the official form provided by the school district.
2. The candidate must submit an official statement of his/her program.
3. The election shall be conducted by a majority vote of the official representatives of the DELAC during the official election at the last general meeting at the end of the school year in preparation for the following school year. This takes place once every two years.

### **Vacancies in non-election periods**

In the event of Executive Committee vacancies outside of election years, an eligible candidate may declare his/her candidacy during the “Public Announcements” slot at any official meeting. The procedure shall be as follows:

1. The candidate shall request a Declaration of Candidacy Form from the DELAC Executive Committee.
2. The candidate shall submit the form to the DELAC Executive Committee and the Instructional Support Services Office, duly signed.
3. Be elected by a majority vote at the current or subsequent official meeting.
4. In the absence of a declared candidate, any member of the DELAC executive committee may suggest one of the assembly members to fill the vacant position.
5. In urgent/imperative/unpostponable cases, the DELAC committee may select a member of the assembly without a vote to fill the vacant position immediately.

#### **Criteria for Termination of a DELAC Executive Committee Member**

1. After two (2) consecutive absences from official meetings of the DELAC without reasonable justification, and by consensus of the Executive Committee, the DELAC representatives have the option to elect a replacement by special election at the next scheduled meeting of the committee.
2. If a committee member engages in serious misconduct, malpractice or immoral acts, he/she shall be immediately removed from the DELAC/ELAC Committee.

## **ARTICLE V**

### **Decision Making Process**

Voting shall be by simple majority, which shall be required for the approval of any resolution.

The existence of a quorum shall be indispensable for decisions to be binding.

**Definition of quorum:** A quorum is defined as the minimum number of members required to carry out the official duties of the Committee.

Regarding the DELAC, a quorum shall be constituted by the presence of at least:

- Two (2) members of the Executive Committee.
- DELAC members representing seven (7) schools.

The absence of a quorum will prevent the meeting from officially taking place, and it must be postponed until the next scheduled date.

## **ARTICLE VI**

### **Communication Process**

1. At least seven (7) days prior to the meeting, the Instructional Support Services Office shall send an e-mail reminder of the meeting to all DELAC representatives whose contact information is on record.
  2. No later than seventy-two (72) hours prior to the meeting, the agenda shall be posted in the lobby area of the district office and, to the extent possible, in the main office of each school, as well as on the District Office bulletin board.
  3. The items on the agenda and final decisions made shall be reported to the ELACs through the appropriate DELAC representative at the next scheduled meeting at each school.
  4. Schools whose DELAC representatives do not attend the meeting will receive a participation packet identical to the one distributed at the general meeting. This packet will be forwarded to the school's ELAC designee via internal district mail.
  5. All DELAC meetings will be open to the public. Any person wishing to address the DELAC may do so in writing or verbally during the "Public Announcements" agenda slot.
- To request to be placed on the agenda, any individual must first inform a member of the Executive Committee via email, [delac@nvusd.org](mailto:delac@nvusd.org) and/or the Instructional Support Services Office of the proposed topic and the time required.
- The request will be considered at the next scheduled meeting of the DELAC Executive Committee, and the applicant will receive a written, electronic or telephonic response with the decision rendered.

## **ARTICLE VII**

### **Rules of Procedure and Operation of Meetings**

#### **Number of Meetings**

A minimum of four (4) regular meetings shall be held during the school year to attend to all official business and duties of the DELAC.

**Absences:**

Each member is expected to attend all meetings or, failing that, to be represented by an alternate or an active ELAC member.

More than two (2) absences in a school year may result in expulsion from the DELAC through a special election held by the ELAC at their school at the discretion of the school ELAC.

A school will be considered officially represented if the alternate attends in the place of the main representative.

Attendance is recorded in the minutes and in the DELAC's official Attendance Register, which will be made available to ELAC Designees and school principals on a monthly basis.

**Meeting Procedures:**

Meetings shall be conducted in accordance with the Parliamentary Procedures and approved DELAC bylaws.

Committee members shall be trained in these procedures in English or in their native language, as appropriate.

**Minutes of Meetings:**

Minutes shall be recorded by the DELAC Secretary or alternate.

Minutes will be provided to the Director for Multilingual Learners and Parent Engagement within 2 weeks of the DELAC meeting.

DELAC members will receive a copy of these minutes at the next scheduled DELAC meeting for final approval.

Minutes will be made available to the Superintendent, District Office administrators, and school administrators through the official NVUSD DELAC website ([www.nvUSD.org](http://www.nvUSD.org)), as well as to ELACs through the DELAC packet provided to each elected representative.

**Voting:**

Each school is assigned only one voting card.

Only the chief elected representative (or an alternate if the chief representative is absent) has the privilege of casting a vote.

Alternates may attend all meetings but may only vote in substitution for their main representative when the main representative is absent.

Representatives must be present at a meeting in order to vote.

## **ARTICLE VIII**

### **Amendments to the By-Laws**

The DELAC Committee, in the exercise of its powers, expertise and in accordance with the provisions of this instrument, shall have the power to propose, formulate and evaluate amendments to the bylaws during the school year, provided that such amendments respond to substantial needs of the council or are duly justified by reasons of institutional, operational or common good interest.

Amendment proposals may be submitted by:

1. The DELAC President / Vice President / Secretary.
2. Any member of the committee with voice and vote, by means of a written request supported by at least two additional members.
3. Any proposed amendment shall be accompanied by a justification.

The members of the DELAC must be notified of any amendment proposal at least five (5) working days prior to the session in which it will be discussed. The members may request an extension of time for review, which must be approved by a simple majority.

For an amendment to these by-laws to be binding, it must be approved by a majority vote of the DELAC representatives present at the meeting.

Amendments shall become effective immediately upon approval.

### **Appeal Mechanism**

1. In case of disagreement with the approval of an amendment, any member may submit a written appeal to the DELAC Executive Committee within ten (10) working days following the meeting.
2. The Executive Committee shall review the appeal and issue a resolution within fifteen (15) working days.
3. The resolution shall be final and not subject to appeal.

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