“Out of the public schools grows the greatness of a nation.”

- Mark Twain
Overview of State Law and Connecticut State Department of Education Guidance
Learn more about the state law requiring School Governance Councils, as well as the Connecticut State Department of Education Guidance. Learn the answers to some of the most frequently asked questions.
Presenter: Patrice McCarthy, Deputy Director and General Counsel, CABE

Roles and Responsibilities of School Governance Council Members
Learn more about what the roles and responsibilities of School Governance Councils are and, equally as important, what they are not.
Presenter: Robert Rader, Executive Director, CABE
The state education reform law (Public Act 10-111) includes provisions for School Governance Councils in Section 21(g). Former Commissioner McQuillan stated that School Governance Councils provide an unprecedented opportunity for stakeholders in Connecticut schools to craft a productive collaboration to support student success. The intent of councils is to enable parents, school staff, students (where appropriate) and community leaders to work together to improve student achievement in the state’s lowest performing schools.

**Impacted Schools and Timeline:** The statute requires the following schools to establish School Governance Councils within the following timelines:

- Schools that are among the lowest five percent of the state’s schools based on student achievement and failing to make adequate yearly progress in mathematics and reading at the whole school level prior to July 1, 2010, must establish councils no later than January 15, 2011. Fourteen schools located in Bridgeport, Hartford, New Britain, New Haven, Windham, and Stamford Academy are impacted by this timeline. A list of the specific schools in each of the districts listed above was provided in the Commissioner’s Circular Letter C-3; and
- Schools that have been identified as not making adequate yearly progress in mathematics and reading at the whole school level and are not among the lowest five percent of schools prior to July 1, 2010, must establish councils by November 1, 2011. This impacts a total of 184 schools in districts throughout Connecticut. The list of schools affected by this timeline is also provided in the aforementioned Circular Letter.

In addition to the schools mandated to establish councils, any board of education could voluntarily establish a council for any school this school year and use the model described in the statute or an alternate model. The law states a council is considered a component of parental involvement for purposes of federal funding under NCLB.

**Membership, Voting Rights, and Terms**
The school governance councils consist of 14 voting members plus non-voting members, as listed below.

**Governance Council Membership and Selection Process**

<table>
<thead>
<tr>
<th>Member</th>
<th>Number</th>
<th>Selection/Election Process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents or guardians of students at the school</td>
<td>7</td>
<td>Elected by the parents or guardians of students attending the school, each household with a student attending the school will have one vote</td>
</tr>
<tr>
<td>Community leaders within the school district</td>
<td>2</td>
<td>Elected by the parent or guardian members and teacher members of the governance council</td>
</tr>
<tr>
<td>Teachers at the school</td>
<td>5</td>
<td>Elected by the teachers of the school</td>
</tr>
<tr>
<td>School principal or designee (non-voting)</td>
<td>1</td>
<td>Principal may name a designee</td>
</tr>
<tr>
<td>Student members, high school councils only (non-voting)</td>
<td>2</td>
<td>Elected by the school’s student body</td>
</tr>
</tbody>
</table>
Voting members have two-year terms, and no member can serve more than four terms on a council. The nonvoting student members serve a one-year term, and no student member can serve more than two terms.

**Council Responsibilities**

School Governance Councils serve in an *advisory* capacity and are responsible to assist the school administration in the areas listed below:

1. Analyze school achievement data and school needs as they relate to the school’s improvement plan;
2. Review the fiscal objectives of the school’s draft budget and advise the principal before the budget is submitted to the superintendent;
3. Participate in the hiring process of the school principal or other administrators for the school by conducting candidate interviews and reporting on them to the superintendent and the local and regional board of education;
4. Assisting the principal in making programmatic and operational changes to improve the school’s achievement;
5. Develop and approve a written school parent involvement policy that outlines the role of parents and guardians (Note: Schools that receive federal Title I funds are required to have a parent involvement policy developed jointly with, approved by, and distributed to parents. A school’s Title I parent involvement policy can serve the purpose of the policy required under this section if it is approved by the Council.); and
6. Work with school administrators in developing and approving a school compact for parents, legal guardians, and students that outlines the school’s goals and academic focus identifying ways that parents and school personnel can build a partnership to improve student learning. (Note: Schools that receive federal Title I funds are required to have a school-parent compact, developed with parents. A school’s Title I compact can serve the purpose of the compact required under this section, if approved by the Council.)

**Additional Powers of a Governance Council**

In addition to the responsibilities a council must address, the act authorizes councils to address other issues. A council may:

1. in those schools that require an improvement plan, review the annual draft report detailing the goals in the state accountability plan prepared under existing law for low-achieving schools and advise the principal before the report is submitted to the superintendent of schools;
2. in those schools where an improvement plan becomes required under state accountability law for low-achieving schools, assist the principal in developing the plan before it is submitted to the superintendent of schools;
3. work with the principal to develop, conduct, and report the results of an annual survey of parents, guardians, and teachers on issues related to the school climate and conditions; and provide advice to the principal on any other major policy matters affecting the school, except on matters relating to collective bargaining agreements between the teachers and the board of education.

Limitations on the Responsibilities of the Council

In addition to the School Governance Council’s responsibilities, it is also important to recognize the limits of their advisory function. The duties of these councils do not entail activities including, but not limited to:

- managing the school;
- supervising staff;
- entering into contracts or purchase agreements;
- discussing individual issues between teachers and students and/or parents;
- determining student eligibility for school admission; or
- determining class allocations or student assignments.

Reconstituting Schools

A governance council can vote to reconstitute a school under the act’s provisions during the third year after the council was established. A council may not vote to reconstitute if (1) the school was already reconstituted as a result of receiving federal education grants that were contingent on reconstitution (Sec. 10003(g) of Title I of the Elementary and Secondary Education Act, 20 USC 6301 et seq.) or (2) a reconstitution was initiated by another source. A vote to reconstitute must recommend one of the following models for reconstitution:

1. turnaround;
2. restart;
3. transformation;
4. CommPACT school, pursuant to Connecticut statute;
5. an innovation school; or
6. any other model developed under federal law.

No later than 10 days after the council tells the local or regional board of education about its vote to reorganize, the board must hold a public hearing to discuss the vote. At the board’s next regularly scheduled meeting or 10 days after the public hearing, whichever is later, it must vote on whether to (1) accept the model recommended by the council, (2) select an alternative model described in the act or (3) maintain the current school status. If the board selects an alternative model, it must meet with the governance council within 10 days of its vote to discuss which alternative to adopt.

If the board and council cannot agree, the Commissioner of Education must decide, no later than 45 days after the last meeting between the board and the council, which of the alternatives to implement.
If the board votes to maintain the current school status, no later than 45 days after the vote, the Commissioner must decide whether to implement the council’s recommended model or to maintain the current school status.

**Reorganization Implementation**
If the final decision is adoption of a model, the board must implement the model during the following school year in conformance with the state law and applicable regulations, federal regulations and guidelines for school restructuring under NCLB, or any other applicable federal laws or regulations. It is not clear if a reconstitution decision made in May or June would give a school district enough time to reorganize a school by September.

**Training**
The statute requires local boards of education to provide appropriate training and instruction to members of governance council to aid them in executing their duties. The State Department of Education is working with CABE to provide this training. Districts could use their Title I parent involvement funding, where applicable, to support the work of the councils.

**Evaluating School Governance Councils**
The Commissioner must evaluate the councils established on or before January 15, 2011, based on the act’s criteria for monitoring reconstituted schools. By October 1, 2014, the Commissioner must report to the Education Committee of the General Assembly on the evaluation. The report must include recommendations whether to continue to allow school governance councils to recommend reconstitution.

**Policy Implications**
Previously, upon the enactment of P.A. 10-111, a new policy was developed and codified as #5123.1, “Supervision/Actions Required for Schools Designated as Needing Improvement.” A section of that policy contained language pertaining to School Governance Councils. That policy, published in the June 30th edition of the Policy Update Service publication is still applicable to this issue. It is available upon request.

A new policy, #1110.3, “School Governance Councils” has been developed and follows for your consideration and use. An appendix to this new policy contains sample bylaws for a School Governance Council. The bylaw details sections pertaining to membership, selection process and election of members, officers, duties of council members, subcommittees, responsibilities of the council, meetings, and other related material. It is provided as a sample to assist the school site School Governance Council in developing its own bylaws. Each School Governance Council can customize these bylaws for their school or use them as a general guide for developing their own bylaws. It is strongly recommended that the governing councils adopt bylaws to govern their activities.

**Resources:**
(Recommended by State Department of Education)
1) [http://www.sde.ct.gov/sde/SCG](http://www.sde.ct.gov/sde/SCG)
2) [http://tinyurl.com/39yphrj](http://tinyurl.com/39yphrj) (Chicago Public Schools)
3) [http://tinyurl.com/348exsc](http://tinyurl.com/348exsc) (Georgia School Council Institute)
4) [http://tinyurl.com/238pbzz](http://tinyurl.com/238pbzz) (Department of Education in Victoria, Australia)
5) [http://tinyurl.com/26jhg4p](http://tinyurl.com/26jhg4p) (Ontario)
School Governance Councils
Responsibilities

PER PUBLIC ACT 10-111 (2010)

School Governance Councils serve in an advisory capacity and shall assist the school administration in the areas listed below:

- analyze school achievement data and school needs as they relate to the school's improvement plan;
- review the fiscal objectives of the school's draft budget and advise the principal before the budget is submitted to the superintendent;
- participate in the hiring process of the school principal or other administrators of the school by conducting interviews of candidates and reporting on such interviews to the superintendent of schools for the school district and the local and regional board of education;
- assist the principal in making programmatic and operational changes to improve the school's achievement;
- develop and approve a written school parent involvement policy that outlines the role of parents and guardians (Note: Schools that receive federal Title 1 funds are required to have a parent involvement policy developed jointly with, approved by, and distributed to parents. A school’s Title 1 parent involvement policy can serve the purpose of the policy required under this section.); and
- work with school administrators in developing and approving a school compact for parents, legal guardians, and students that outlines the school's goals and academic focus identifying ways that parents and school personnel can build a partnership to improve student learning. (Note: Schools that receive federal Title 1 funds are required to have a school-parent compact, developed with parents. A school's Title 1 compact can serve the purpose of the compact required under this section.)

In addition to its required responsibilities, a council may:

- assist in developing and reviewing the school improvement plan and advise the principal before the report is submitted to the superintendent of schools;
- work with the principal to develop, conduct, and report the results of an annual survey of parents, guardians, and teachers on issues related to the school climate and conditions; and
- provide advice to the principal on any other major policy matters affecting the school, except on matters relating to collective bargaining agreements between the teachers and the board of education.

In addition to School Governance Councils’ responsibilities, it is also important to recognize the limits of their advisory function. The duties of School Governance Councils do not entail the following activities including, but not limited to:

- managing the school;
- supervising staff;
- entering into contracts or purchase agreements;
- discussing individual issues between teachers and students and/or parents;
- determining student eligibility for school admission; or
- determining class allocations or student assignments.
After being in place for three years, a council may vote to recommend that a school be reconstituted using one of the following models for reconstitution: (1) turnaround; (2) restart; (3) transformation; (4) CommPact school; (5) innovation school; and (6) any other model developed under federal law. However, a council cannot vote to reconstitute a school if it was already reconstituted for another purpose. The statute provides a process whereby the council’s recommendation for reconstitution must be heard by the local board of education which must accept, modify or reject the proposal. In a case where the council and the local board of education cannot agree on reconstitution, the Commissioner of Education must decide. The State Board of Education cannot allow more than 25 schools per year to be reconstituted under this law.

Per Public Act 12-116 (2012)

School Governance Councils in Commissioner’s Network Schools:

- The turnaround committee established for schools in the Commissioner’s Network shall consult with the School Governance Council regarding the operational and instructional audit, the turnaround plan and monitoring the implementation of the plan.

- Following the operations and instructional audit for the school selected to participate in the Commissioner's Network of Schools, the turnaround committee shall develop a turnaround plan for such school. The school governance council for each turnaround school may recommend to the turnaround committee for the school district one of the turnaround models described in subparagraphs (A) to (E), inclusive, of subdivision (3) of this subsection. The turnaround committee may accept such recommendation or may choose a different turnaround model for inclusion in the application submitted under this subsection.

School Governance Councils Participation in educator evaluation:

- School Governance Councils shall assist in whole-school surveys, if applicable, in order to encourage alignment with school improvement goals.
School Governance Councils
Frequently Asked Questions

Contents:
I. Election of Councils
II. Operation of Councils
III. School Status
IV. Other

Note: Recently added questions are marked as .

I. ELECTION OF COUNCILS

1. Who is responsible for conducting the election?
A. Pursuant to C.G.S. Sec. 10-223e, the local and regional board of education is the entity required to establish the School Governance Council (council). The Department expects that the local and regional board of education will delegate this task at the school level to the principal and the principal’s responsibilities will include coordinating the election with a variety of interested stakeholders.

2. Must an election be held if there are fewer nominees than available parent seats on the School Governance Council?
A. Yes.

3. What process should be used to fill vacant parent positions if there are an insufficient number of candidates on the ballot?
A. The full membership of the council will be completed by a continuing process of soliciting nominations and an eventual second election.

4. What process should be used to fill parent, teacher, student and community member positions that become vacant following the election?
A. The members of the council should determine this process once the council is established.

5. How are community members nominated?
A. C.G.S. Sec. 10-223e requires that each council have two members that shall be community leaders within the school district. The community leader members are elected by the parent and teacher members of the council and therefore these members may determine the nomination process once the council is established.

6. What constitutes a “community member?”
A. C.G.S. Sec. 10-223e requires only that the community members of the council be a leader within the school district and that they be elected by the parent and teacher members of the council. This definition was intentionally left open by the drafters of the legislation and it is intended to incorporate community leaders of influence in each community, including, but not limited to, religious leaders, nonprofit leaders and business leaders.

7. Can the school use its Parent Teacher Organization (PTO) to nominate parents to serve on the council?
A. C.G.S. Sec. 10-223e requires that the parent or guardian members of the council shall be elected by the parents or guardians of students attending the school. Therefore, the nomination process has to be fair and open to the entire parent community (not just members of the PTO). However, the PTO could assist in organizing and staffing the nomination/election process with involvement from administration and staff.

8. Can the school use its data team as the representation for the teacher members of the council?
II. OPERATION OF COUNCILS

A. The teacher members have to be elected to the council by the teachers of the school. If members of the data team are nominated and elected by their peers, then yes.

9. Before C.G.S. Sec. 10-223e was passed, a school has been operating with another type of governance council, for example it may be called a school leadership team. Does this existing council or team meet the requirements of C.G.S. Sec. 10-223e?
A. The School Governance Councils required under C.G.S. Sec. 10-223e must be established through school-wide elections and they have very specific membership requirements. If the membership of the previous school leadership team was not elected pursuant to the requirements of the new law and if the membership composition does not conform to the law, the school must establish a new council. There is no provision in the law to grandfather members of existing councils into the state’s model.

10. Can the school use its teachers union to nominate teachers to serve on the council? (added December 7, 2010)
A. C.G.S. Sec. 10-223e requires that the teacher members of the council shall be elected by the teachers who work in the school. Therefore, the nomination and election process could be assisted by teacher’s union of the school.

11. A school has been reconstituted as a COMMPACT school under state law. Under the provisions of the COMMPACT state statute, there is a school council. The council does not meet the statutory requirements of the School Governance Council described in C.G.S. Sec. 10-223e but serves a similar function. Should there be two distinct councils in the school? (added December 7, 2010)
A. Under the COMMPACT School model, the council may not be elected and the membership does not mirror the requirements written in C.G.S. Sec. 10-223e. In fact, the SGC’s are tasked with specific responsibilities in the law with limited flexibility for the SGC to conduct other tasks. Given these restrictions and a lack of flexibility in the law, it makes sense for there to be two different bodies to ensure that the council complies with the law and to allow the current council to continue the work that it has been doing.

12. If a school has a council in place and they used election procedures that conform to the state statute, can those persons continue to serve out their term as that council becomes the school governance council for the purposes of C.G.S. Sec. 10-223e? (added December 7, 2010)
A. The school governance council required under C.G.S. Sec. 10-223e should start a new and those members should be encouraged to run for election.

13. Can a parent whose child has been placed by the school district in an out-of-district education setting be nominated and elected to serve on a council? (added June 1, 2011)
A. The law says the parent member has to be a parent or guardian of a student attending the school.

14. Can a teacher of a school who is also the parent of a child attending that school be nominated and elected as a parent member of a council? (added June 1, 2011)
A. The law does not specify whether a parent who works at the school can also serve on the school governance council. However, the intent of the law is to broaden the participation in the school. While not specifically prohibited, having a teacher serve in the role of parent on the council is not the intent of the law. Each school governance council should create bylaws to address such situations.

15. Can a community member elected to a council be a parent or teacher in that school? (added June 1, 2011)
B. Since the law does not define community member it does not exclude that person from being a parent or teacher in the school. However, the intent of the law is to broaden the participation in the school to include people that are in addition to parents and teachers. So while not specifically prohibited, having a teacher or parent serve in the role of community member is not the intent of the law. Each school governance council should create bylaws to address such situations.
16. Are School Governance Councils required to develop bylaws?
A. C.G.S. SEC. 10-223e does not require that a council develop bylaws. However, the State Department of Education (SDE) recommends that each council do so and will be working with the Connecticut Association of Boards of Education (CABE) and other stakeholders to develop model bylaws.

17. Should councils elect an executive committee (chair, vice-chair, recording secretary, and corresponding secretary)?
A. C.G.S. SEC. 10-223e does not require that a council elect an executive committee. However, SDE recommends that each council do so.

18. Must councils use Robert’s Rules of Order?
A. C.G.S. Sec. 10-223e does not make a recommendation as to the procedural rules that a council must follow. However, SDE recommends that each council follow Robert’s Rules of Order or a similar process for ensuring that meetings are run in a fair and equitable manner. For more information see www.robertsrules.com.

19. Are meetings subject to the Open Meetings Act? If so, is there a Web site or document that provides specific guidance?
A. Yes, meetings of each council are subject to the provisions of the Connecticut Freedom of Information Act, Connecticut General Statutes Section 1-200 et seq. The Connecticut Freedom of Information Commission has a Web site with various relevant resources located at www.state.ct.us/foi/.

20. Are records subject to the Open Records Act? If so, is there a Web site or document that provides specific guidance?
A. Yes, documents created or maintained by each council are subject to the provisions of the Connecticut Freedom of Information Act, Connecticut General Statutes Section 1-200 et seq. The Connecticut Freedom of Information Commission has a Web site with various relevant resources located at www.state.ct.us/foi/.

21. Do community members of the School Governance Council vote?
A. Yes

22. We have let our student members (on our current school councils) vote. Can we still do this?
A. No, C.G.S. Sec. 10-223e requires that the student members of the council be nonvoting members. If a separate council is established to perform tasks not under the purview of the council pursuant to C.G.S. Sec. 10-223e, the student members may vote.

23. Our current governing board also hears many discipline appeals. Would the new School Governance Council still be able to do this?
A. No. The councils established pursuant to C.G.S. Sec. 10-223e are tasked with specific responsibilities in the public act. While there is some flexibility in the act for the council to “provide advice on any other major policy matters affecting the school to the principal of the school, except on matters relating to the provisions of any collective bargaining agreement,” this language would not encompass ruling on disciplinary appeals.

24. If a school is required to institute a School Governance Council and that school does not receive Title 1 funds, does it have to develop the parent involvement policy and school-parent compact which are required under the Federal Title 1 Program?
A. Yes. The council under C.G.S. Sec. 10-223e is required to develop both regardless of the school’s Title 1 eligibility.

25. Do School Governance Councils need to carry indemnity insurance similar to what local boards of education carry? (added June 1, 2011)
A. There is no express requirement in C.G.S. Sec. 10-223e for councils to carry indemnity insurance. Each local board of education should make its own determination.
26. The law says that School Governance Councils “shall” advise in particular areas including “reviewing the fiscal objectives of the school’s draft budget and advise the principal before the budget is submitted to the superintendent.” What about the case where a school has no input into its budget; all budget decisions are handled at the central office. Is the council out of compliance because they will never advise in this area? (added June 1, 2011)

A. In a situation where a draft budget is not developed at the school level, the council should work with the board to determine other avenues to advise the district in the development of the budget impacting the school. Such efforts could include but not be limited to review and analysis of the prior year’s budget and its fiscal objectives. The council, board and district should participate in developing a process for allowing school governance councils to provide their recommendation regarding the budget.

27. Some schools that are required to have councils by November 1, 2011 may choose to have elections and constitute their councils earlier, for example before school ends in June. For administrative purposes, can SDE identify their start date as the required date of November 1? This will have implications for tracking schools and the three year clock on recommending reconstitution. (added June 1, 2011)

A. The councils that commence earlier will have an official start date of November 1, 2011.

28. The law says that the council shall participate in the hiring process of the school principal or other administrators of the school by conducting interviews of candidates and reporting on such interviews to the superintendent and the local board of education. Does this mean that the council serves on the interview committee? (added June 1, 2011)

A. The School Governance Council must be involved in conducting interviews; however, the law does not require that the council serve on or as the board of education’s interview committee. The council should work with the board of education to determine an appropriate role consistent with the local board of education’s hiring practices ensuring that the council’s recommendation is shared with the superintendent and local board of education as a formal part of the process.

III. SCHOOL STATUS

29. Are the School Governance Councils permanent once a school is identified? If not, how does a school get released from this requirement?

A. As the law is written, there is no provision for ceasing the operation of a council. However, only those local and regional school boards with a low achieving school due to failing to make adequate yearly progress in mathematics and reading at the whole school level are required to establish such councils.

30. If a school has been reconstituted previously, can the School Governance Council recommend that it be reconstituted again? What constitutes reconstitution? Does this provision apply only to the schools receiving the School Improvement Grant? Or does it also apply to schools that have been through substantial changes as a result of No Child Left Behind sanctions (restructured, redesigned, etc)?

A. Pursuant to C.G.S. Sec. 10-223e, the council may not vote to reconstitute if: (1) the school was already reconstituted as a result of receiving a federal school improvement grant that was contingent on reconstitution; or (2) a reconstitution of the school was initiated by another source. Therefore, a council may not vote to reconstitute a school that has already been reconstituted by an outside source, such as the State Board of Education or the local or regional board of education. For this purpose, reconstitution is defined as one of the six models included in the act: (1) turnaround; (2) restart; (3) transformation; (4) CommPACT school; (5) innovation school; and (6) any other model developed under federal law.

31. A school is on the list that requires the formation of a School Governance Council. The school’s overall performance on either the 2010 Connecticut Mastery Test (CMT) or Connecticut Achievement Proficiency Test (CAPT) has improved leading it to Safe Harbor status. Does the new status mean that the school does not have to form a School Governance Council?

A. C.G.S. Sec. 10-223e requires that all schools that have not made adequate yearly progress in mathematics and reading at the whole school level prior to July 1, 2010, must form a council. Safe Harbor reached based on the
school’s performance on the 2010 CMT(s) or CAPT would not allow a school to be exempt from this requirement.

32. If a school voluntarily establishes a School Governance Council, does that council have the same powers that are given to the councils in the schools that are mandated (in other words, if a school that is not on the list establishes a council, can that council recommend reconstitution after it has been in place for three years)? *(added June 1, 2011)*

A. School Governance Councils established voluntarily are not bound by the state statute. A voluntary school governance council is governed by the local board of education’s policy.

IV. OTHER

33. What are the consequences/implications for schools that are required to implement school governance councils but do not do so?

A. Noncompliance with the school governance council requirements falls within the same penalty as noncompliance with any other state education law. Connecticut General Statutes Sec. 10-4b provides general enforcement provisions for noncompliance with state education laws. Remedies would include enforcement orders by the Connecticut State Board of Education.