



School Governance Councils

Frequently Asked Questions

Updated March 1, 2013

The State Department of Education (SDE) is providing this collection of questions and answers to assist schools and districts in implementing School Governance Councils (councils). For a description of Connecticut's School Governance Councils and additional guidance, go to www.sde.ct.gov/sde/SGC.

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Note: The list is updated periodically. Recently added questions are marked as new with this symbol  .

1. ELECTION OF COUNCILS

1.1 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. The Department recommends 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.

1.2 Must an election be held even if there are fewer nominees than available parent seats on the School Governance Council?

- A. Yes.

1.3 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 must be completed by a continuing process of soliciting nominations and holding a second election.

1.4 What process should be used to fill parent, teacher, student and community member positions that become vacant following the election?

- A. Replacement members must still be elected, as quickly as possible, in an election process that conforms to the requirements in the law. The members of the council should determine when the election will be conducted and document the process for filling vacancies in the bylaws.

- 1.5 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 and document it in their bylaws.
- 1.6 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 was intended to incorporate community leaders of influence in each community, including, but not limited to, religious leaders, nonprofit leaders and business leaders.
- 1.7 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.
- 1.8 Can the school use its data team as the representation for the teacher members of the council?**
- 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. However, their membership on a data team should not be the determining factor for their nomination or election.
- 1.9 Can the school use its teachers union to nominate teachers to serve on the council? (added December 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 but it cannot be used as the sole means for nominating the teachers.
- 1.10 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 2011)**
- A. No. The law says the parent member has to be a parent or guardian of a student attending the school.
- 1.11 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 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 in the law, the SDE recommends that teachers do not serve in the role of parents on the council. Each school governance council should create bylaws to address such situations.

- 1.12 Can a community member elected to a council be a parent or teacher in that school?** *(added June 2011)*
- A. 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 provide for broad participation among a school’s stakeholders. So while not specifically prohibited, the SDE recommends that parents and teachers do not serve in the role of community members on the council. Each school governance council should create bylaws to address such situations.
- 1.13 Are school counselors, school psychologists and school social workers considered “teachers” for the purposes of serving on a School Governance Council?** *(added September 2012)*
- A. Yes, under Connecticut regulations, certified school counselors, school psychologists and school social workers qualify as teachers and can therefore be elected to a council as a teacher member.
- 1.14 Can two parents from the same family serve on the same council?** *(added March 2013)*
- A. The law does not specify whether two parents from the same family can both serve on the same School Governance Council. However, the intent of the law is to broaden the participation in the school. While not specifically prohibited in the law, the SDE strongly encourages parents from different families to participate in the council in order to provide more varied representation of the student population. Each school governance council should create bylaws to address such situations.
- 1.15 Can a community member who is also a vendor for the after school program serve on the council?** *(added March 2013)*
- A. Persons who serve on the council should not have a financial relationship with the school and should avoid conflicts of interest.



Note: Please see “Guidance on Election Procedures” on the School Governance Council Web page for additional information on the election process and sample forms (available at www.sde.ct.gov/sde/SGC).

2. OPERATION OF COUNCILS

- 2.1 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 SDE recommends that each council do so. The Connecticut Association of Boards of Education (CABE) has developed sample bylaws (available at www.cabe.org).
- 2.2 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, the SDE recommends that each council do so.
- 2.3 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.

- 2.4 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 relevant resources located at www.state.ct.us/foi/.
- 2.5 Are records created and/or maintained by the council 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 relevant resources located at www.state.ct.us/foi/.
- 2.6 Do community members of the School Governance Council vote?**
- A. Yes
- 2.7 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.
- 2.8 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.
- 2.9 If a school is required to institute a School Governance Council, and that school does not receive Title I funds, does it have to develop the parent involvement policy and the 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.
- 2.10 Can Title I funds be used to support the work of the School Governance Council? (added September 2012)**
- A. In some cases schools can use Title I parent involvement funds to support activities of the council. For example, a school operating a Title I school wide program may use Title I funds to support the council’s work if the use of Title I funds is in accordance with the school’s approved school wide plan and supplements the funds made available to the school from state and local resources. However, in other cases, use of Title I funds for this purpose would not be allowed. For example,
- Title I schools that operate targeted assistance programs may not use Title I funds to support the work of the council. In these schools, Title I funds may only be used for programs that provide supplementary services to selected students.
 - Title I funds cannot be used at a non-Title I school even though the district receives Title I funds.

To receive guidance on the use of Title I funds for your particular school, please contact Marlene Padernacht at 860-713-6568 or marlene.padernacht@ct.gov.

- 2.11 Do School Governance Councils need to carry indemnity insurance similar to what local boards of education carry? (added June 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.
- 2.12 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 2011)**
- A. In a situation where a draft budget is not developed at the school level, the council should work with the local or regional board to determine other avenues to advise the district in the development of the budget impacting the school. Such efforts may include but not be limited to the 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.
- 2.13 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 the 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 2011)**
- A. The councils that commence earlier will have an official start date of November 1, 2011.
- 2.15 If a school only has five teachers and not all teachers can attend the School Governance Council meetings, can “all” teachers be members of the council but “rotate” attendance? (added September 2012)**
- A. The expectation is that all members attend the meetings. Usually the bylaws will address this and will identify the number of members that is required for a quorum as well as how many meetings a member may miss before their seat needs to be replaced. Remember that teachers must be elected to the council; elections must be held even if there are only five teachers in the candidate pool.
- 2.16 In the school governance materials it refers to several different models of reconstitution both state and federal. I am trying to help the council members understand them but I cannot locate any clear definitions that provide distinctions between the models. Do you have anything available that provides definitions of the terms that I can share with the group? (added September 2012)**
- A. The federal models are part of the School Improvement Grant (or SIG) program (for more information go to <http://www2.ed.gov/programs/sif/index.html>):
- **Transformation model:** Implement each of the following strategies: (1) replace the principal and take steps to increase teacher and school leader effectiveness; (2) institute comprehensive instructional reforms; (3) increase learning time and create community-oriented schools; and (4) provide operational flexibility and sustained support.

- **Turnaround model:** Replace the principal and rehire no more than 50% of the staff, and grant the principal sufficient operational flexibility (including in staffing, calendars/time and budgeting) to fully implement a comprehensive approach to substantially improve student outcomes.
- **Restart:** Convert or close the school and reopen it under the management of an effective charter school operator, a charter school management organization, or an education management organization that has been selected through a rigorous review process.

The state models are:

- **CommPACT Schools:** CommPACT stands for Community, Parents, Administrators, Children, and Teachers. CommPACT Schools have autonomy in governance, budgeting, and curriculum. They are managed by a partnership of school district administrators, school representatives, teacher union, community leaders and parents (more information is available at <http://www.commpact.uconn.edu>).
- **Innovation schools:** Innovation schools operate under an innovation plan developed either by the school faculty and district leadership or an external partner as determined by the local board of education. The innovation plan must have specified elements of autonomy and flexibility, including plans for curriculum, budget, school schedule, staffing, policies and procedures, professional development, and specified measurable annual goals for school performance and student success (more information is available at <http://www.cga.ct.gov/2011/rpt/2011-R-0001.htm>)

2.17 At our school governance council meeting the parents questioned whether the council can take action regarding the town/school budget and encourage people to vote for the budget. Can the council actively endorse the town budget and encourage people to vote yes? (added September 2012)

- A. Advocacy for the budget is not one of the specific responsibilities of school governance councils outlined in the law. However, individual council members can speak in support of the budget. The only restriction is that once a budget referendum date is set, public funds cannot be expended to promote or defeat a budget proposal (for example, use of the school copier to produce “vote yes” flyers).

2.18 Can School Governance Councils go into executive session? (added September 2012)

- A. Yes, a School Governance Council can go into executive session but must follow certain protocol to do so. There is information about executive sessions on the Connecticut Freedom of Information Commission’s web site at <http://www.ct.gov/foi/cwp/view.asp?a=4161&q=488526> or call 860 566-5682.

2.19 The law says that councils have the responsibility “to 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 district and the local and regional board of education.” How do you define “other administrators”? (added September 2012)

- A. The Teachers’ Negotiations Act. (TNA) defines “administrators’ unit” as certified professional employees . . . employed in a position requiring an intermediate

administrator or supervisor certificate of the equivalent . . . and whose administrative or supervisory duties . . . shall equal at least fifty per cent of the assigned time of that employee.

- 2.20 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 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.
- 2.21 The law states that School Governance Councils must 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. Is it sufficient for one or two members of the council to serve on the interview committee? (added March 2013)** 
- A. No. The law states that participating in the interview process for the principal or other administrators is a council responsibility, but not the responsibility of an individual member or members. Therefore, the council, as a body, must participate by conducting interviews of candidates and reporting on such interviews to the superintendent.
- 2.22 How should School Governance Councils document that they have taken part in the hiring process of the school principal or other administrators of the school? (added March 2013)** 
- A. There are different ways to document such participation. One way is to have the School Governance Council indicate in their meeting minutes that they conducted interviews of candidates and reported on such interviews to the superintendent.
- 2.23 Can School Governance Council members e-mail each other about council business or is that a violation of the Freedom of Information (FOI) Act? (added March 2013)** 
- A. If council members deliberate an issue via e-mail, it could be considered a meeting under the FOI Act. Councils can disseminate information via e-mail but should avoid the conversations and deliberations that should be held in public. More information is available on the Connecticut Freedom of Information Commission Web site (www.state.ct.us/foi/).

3. SCHOOL STATUS

- 3.1 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.
- 3.2 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.

3.3 A school is on the list that requires the formation of a School Governance Council. The school's performance on state testing has now improved significantly. Does the new status mean that the school does not have to form a School Governance Council?

- A. If a school's performance improves after the time it was designated as needing a School Governance Council, it is still required to implement the council. There is no provision in the statute to allow improved performance on subsequent state testing to exempt a school from the requirement to implement a School Governance Council.

3.4 A school is not required to have an School Governance Council, but the district has determined that all schools in the district will have one—regardless of whether they are identified or not. If a school is NOT required to have a council but one is established voluntarily, do the legal requirements apply? (added September 2012; edited March 2013)

- A. If a school is not required to have a School Governance Council, but the district decides that the school should have one and calls it a School Governance Council then that council must operate with the same requirements as a the state mandated council. However, a voluntary council does not have the same authority to recommend school reconstitution that a state mandated council has.

4. OTHER

4.1 What are the consequences/implications for schools that are required to implement school governance councils but do not do so? (revised March 2013)

- A. Local boards of education are responsible for implementation of required School Governance Councils. If a school fails to implement a council, the CSDE will bring the matter to the attention of the appropriate school officials and work with the district and school to ensure future compliance.

4.2 My school is not required by the law to implement a School Governance Council but some parents would like our school to start one. How should a school move forward to start a council voluntarily? (added September 2012)

- A. There is not a process established by the state for voluntary councils. This issue would fall to the local or regional board of education. A group of parents that would like their school to start a council would use the established process the board of education has for bringing requests forward for consideration.