




**OFFICE OF THE GENERAL COUNSEL
OAKLAND UNIFIED SCHOOL DISTRICT**

1025 Second Avenue, Rm 406
Oakland, CA 94606
510/879-8535
510/879-1833

MEMORANDUM

TO: BOARD OF EDUCATION
FROM: JACQUELINE P. MINOR, GENERAL COUNSEL 
SUBJECT: BY-LAWS FOR THE DISTRICT ADVISORY COUNCIL
DATE: NOVEMBER 23, 2009
CC: LAURA MORAN, CHIEF SERVICES OFFICER
ADRIAN KIRK, DIRECTOR – FAMILY AND COMMUNITY OFFICE

Action Requested

Approval of the amendments to the By-laws for the District Advisory Council.

Background

The District Advisory Council (DAC) advises the District Categorical programs under the auspices of the State and Federal Programs and ensures that parents are involved in accordance with State and Federal guidelines and laws, including No Child Left Behind.

Discussion

The objective of the District Advisory Council is to give advice and make recommendations regarding the State and Federal Programs in the following areas:

- (1) Developing the comprehensive State and Federal Programs' district plan, including establishment of a timeline.
 - (2) State and Federal Programs' district needs assessment, including the process of school-by-school needs assessment.
 - (3) Establishing goals and program objectives for State and Federal Categorical Programs at the district level.
 - (4) Receiving monthly reports and making recommendations regarding the activities of Categorical programs under the auspices of the State and Federal programs.
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- (5) Receiving annual Adequate Yearly Progress and Academic Performance Index reports from the Chief Academic Officer or his designee.
- (6) Receiving the District's No Child Left Behind consolidated application.

The proposed amendments address procedure and address improvements that have been identified since the Bylaws were initially approved by the Governing Board in 1996. The proposed amendments have been reviewed by the Family and Community Office and approved by the General Counsel.

Fiscal Impact

The purposed By-law amendments have no additional fiscal impact.

Recommendations

Approval of the amendments to the By-laws for the District Advisory Council.

Attachment

- 2009 Amendment – District Advisory Council By-laws (redline)
- 2009 Amendment – District Advisory Council By-laws (clean copy)
- Current District Advisory Council By-laws (1996)

District Advisory Council Bylaws

BY-LAWS
OF THE

DISTRICT ADVISORY COUNCIL
FOR
STATE AND FEDERAL PROGRAMS

ARTICLE I:

NAME OF COUNCIL

The name of the council shall be the Oakland Unified School District, State and Federal Programs' District Advisory Council.

ARTICLE II:

SCOPE

All meetings of the Oakland Unified School District State and Federal Programs' District Advisory Council shall be subject to the provision of California Education Code Sections 35145.5 as amended, Section 35147, and No Child Left Behind law.

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These By-Laws should not be construed as giving the District Advisory Council or any member thereof any authority whatever to veto any Chapter I/Title 1 programs or any other programs under auspices of the Department of State and Federal Programs. The District Advisory Council shall be advising and evaluating council in order to further the purpose of education and the specific purpose of these By-Laws. In the absence of his or her written consent, no Council member shall be required to provide any sum of money, property or service other than services described herein to the District Advisory Council. Members of the Council who are not employees of the District will not be considered based on services provided to the Council nor will they be entitled to any benefits accorded to regularly employed persons. Members of the Council will be reimbursed for certain bonafide expenses (i.e., consultants, facilitators, and mileage). Prior written approval for such expenditures shall be granted by the Council upon motion and vote. The Council member representing the DAC and whose expenses are reimbursed shall submit within 30 days after the expense is incurred written materials, a written report and/or prepared displays/posters detailing the conference.

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The District Advisory Council or any individual member thereof shall have no power whatever to bind the Oakland Unified School District, The Board of Education or any individual member thereof, or any other entity or person in any way connected with the Oakland Unified School District to any debt, contract, liability or obligation of any nature whatsoever, in the absence of any express

written authorization from the person(s) or entity to be bound thereby. The District Advisory Council shall have no powers other than those powers expressly set forth in these By-Laws.

In the interest of bringing people together it should be noted that these By-Laws are not intended to limit participation of any parents, but are designed to establish a method by which recommendations are made regarding the No Child Left Behind programs under the auspices of the Department of State and Federal Programs within District. All parents and community persons who live in the attendance areas served by the programs are encouraged to participate in the activities of the School Advisory Council, School Site Council, the District Advisory Council, and its sub-committees, Gifted and Talented Education Advisory Committee, English Language Advisory Council, Special Education Advisory Council, Community Advisory Council, per State and Federal regulations.

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The District Advisory Council shall be composed of representative from the School Advisory Councils/School Site Councils selected by parents of children to be served. Three types of Advisory Councils are key elements in the entire parent involvement process and are as follows:

Deleted: and who are eligible for categorical services

- (1) The District Advisory Council which participates fully in all district Title I funded programs and State Compensatory Education funded programs by giving reactions to proposals and making recommendations to the district administration and the school district governing board.
- (2) The School Advisory Council which participated fully in each EIA and Title I or other State funded program at the school level.

OR

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- (3) The School Site Council which participates fully in each EIA and Title I or other State funded program at the school level.

ARTICLE III:

PURPOSE OF THE DISTRICT ADVISORY COUNCIL

The objectives and purpose of the District Advisory Council shall be to advise and assist the school district to bring about the cooperation and coordination of community resources which may be of value to the schools in the operation of the Categorical programs under the auspices of the Department of State and Federal Programs and to insure that parents are involved in accordance with State and Federal Guidelines and Laws, including No Child Left Behind.

Categorical Programs currently under the auspices of the State and Federal Programs include but are not limited to:

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- Title I / No Child Left Behind
- EIA/SCE (Economic Impact Aid/State Compensatory Education)
- Program Improvement (Program Initiative)(PII)
- Integrated Program Initiatives
- Gifted & Talented Education Program
- Quality Education Investment Act (QEIA)
- Special Education

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A. COMMITTEE OBJECTIVES

The objective of the District Advisory Council is to give advice and make recommendations regarding the State and Federal Programs in the following areas:

- (1) Developing the comprehensive State and Federal Programs' district plan, including establishment of a timeline.
- (2) State and Federal Programs' district needs assessment, including the process of school-by-school needs assessment.
- (3) Establishing goals and program objectives for State and Federal Categorical Programs at the district level.
- (4) Receiving monthly reports and making recommendations regarding the activities of Categorical programs under the auspices of the State and Federal programs.
- (5) Receiving annual Adequate Yearly Progress and Academic Performance Index reports from the Chief Academic Officer or his designee.
- (6) Receiving the District's No Child Left Behind Consolidated Application for input at least twice a year.

Deleted: <#>Developing evaluating criteria for the State and Federal Categorical Programs, at the district level.¶
<#>Participating in selection Ranking of schools and the allocation of resources.¶

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B. OPERATING PROCEDURES

In order to achieve the objectives and purpose of the District Advisory Council, the council shall operate in the following way:

- (1) Establish regular two-way communication channels with the school district administration as well as the governing board.
- (2) Serve as an advocate for active parental involvement at the school district level in the functions of program planning, implementation, and evaluation at the school site level.
- (3) Advocate processes at the school for providing reports to parent groups and school.

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(4) Serve as a sounding board for concerns and issues related to the State and Federal Categorical Education Programs at local school sites as well as the District level. Site specific concerns pertaining to the State and Federal Categorical guidelines i.e., committee roles and responsibilities and legislative guidelines may be directed to the Director of State and Federal or to the State and Federal District Advisory Council.

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(4a) Concerns and issues regarding compliance of site specific operational activities shall be directed to the Director of State and Federal for resolution.

(5) The district organizational structure shall establish a line of communication to facilitate recommendations of the council into the decision-making process.

Deleted: <#>Receive recommendations from a broad range of bonafide community groups or organizations regarding the programs under the Department of State and Federal Programs.¶

(6) DAC concerns regarding district personnel may be submitted in writing to the Superintendent or his/her designee.

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C. PLANNING PRODUCTS

The following records relating to the District Advisory Council are to be kept at the district office:

- (1) The name and title of person(s) employed by the district who is responsible for organizing, maintaining and supporting the District Advisory Council.
- (2) A list of District Advisory Council members by name, address, and telephone number and a ledger recording changes in membership.
- (3) The schedule and information on content of training activities for District Advisory Council members.
- (4) A schedule of District Advisory Council meeting dates, location and time of meetings.
- (5) A description of the communication channels established for providing information to the council and for bringing recommendations of the council into the decision-making process.

ARTICLE IV:

DISTRICT ADVISORY COUNCIL MEMBERSHIP

SECTION I:

MEMBERSHIP REQUIREMENTS

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A majority of the voting membership of the District Advisory Council shall be parents of children to be served and are eligible for categorical services. The District Advisory Council shall be composed of any of the following (elected representatives):

- (1) Parents and community members representing the SSC or SAC of the school.
- (2) Other members representing the SSC or SAC may include teacher, classified staff, and administrators. Persons who are employed by Oakland Unified School District may become DAC representatives but shall not hold office on the District Advisory Council.
- (3) The District English Learners Advisory Council (DELAC) shall be represented at the District Advisory Council.
- (4) Representatives from the Community who are elected from each site council may become a District Advisory Council representative.

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Deleted: Bilingual Program's Bilingual District Advisory Committee

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SECTION II:

SELECTION OF DISTRICT ADVISORY COUNCIL

The members of the School Advisory Council/School Site Council representatives to the District Advisory Council shall be determined as follows:

SCHOOL WITH ENROLLMENT OF:

- 1 – 350 - one (1) representative
- 351 – 700 - two (2) representatives
- 701 - and above – three (3) representatives

School Advisory Council Representatives/School Site Councils

Members of the District Advisory Council shall be elected by the school site from the membership of the School Advisory Council/School Site Council based upon the member's demonstrated interest and concern for the welfare of young people to be served by State and Federal Programs. Each elected member shall be certified in writing by the School Advisory Council/School Site Council chairperson and the principal. Each alternate shall also be certified in writing by the School Advisory Council/School Site Council chairperson and the principal. The representative may be:

- (A) A parent or caregiver of a participating student
- (B) Community Representative

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- (C) Student enrolled at a Secondary School
- (D) School Advisory / School Site Council Representative

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In order for the SIP Program Representatives to be represented on the District Advisory Council, the Council Chairperson shall request from the School Site Council the names of their representatives, and the District Advisory Council shall certify them as District Advisory Council representatives.

- (E) District English Learners Advisory Council Representation

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In order for the DELAC to be represented on the DAC, the District Advisory Council Chairperson shall request from the DELAC the names of three (3) representatives, and the District Advisory Council shall then certify them as District Advisory Council representatives.

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SECTION III:

CERTIFICATION AND SAC/SSC SELECTION

The list of current members and elected alternates of the DAC shall be provided to the DAC by each school site no later than November 1st of each year.

Deleted: Members of the District Advisory Council shall be certified annually during the October/November meetings of the District Advisory Council.¶

¶ Members representing School Site Advisory Councils/School Site Council may be afforded an opportunity to serve up to a two-year term to provide continuity to the District Advisory Council activities.¶

¶ The School Advisory Council/School Site Council, however, may elect representatives on an annual basis. It shall be emphasized that the School Advisory Council/School Site Council representatives shall be kept informed of the District Advisory Council's activities and shall attend District Advisory Council meetings regularly so that when changes occur in the school site District Advisory Council representation, continuity will be insured

ARTICLE V:

DISTRICT ADVISORY COUNCIL MEMBERSHIP RIGHTS

SECTION I:

VOTING RIGHTS

Current members or elected alternates in the absence of the elected member shall be entitled to one vote and may cast that vote on each matter submitted for a vote of the District Advisory Council. Proxy voting and absentee ballots shall not be permitted.

DAC members representing more than one school shall have the voting rights for each school site that they represent.

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SECTION II:

TRANSFER OF MEMBERSHIP

Membership on the District Advisory Council is not transferable or assignable.

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SECTION III:

VACANCY

Any vacancy on the Council shall be filled for the remainder of the unexpired term through appointment by the School Advisory Council/School Site Council concerned. Such replacements must be certified by the School Advisory Council/School Site Council chairperson and the principal.

SECTION IV:

RESIGNATION

Any member may resign by filing a written resignation with the School Advisory Council/School Site Council he/she represents. Notice of such resignation shall be filed with the Family & Community Office and the DAC Chairperson.

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SECTION V:

TERMINATION OF MEMBERSHIP

- (A) District Advisory Council membership shall automatically terminate for any member who is absent from all regular and special meetings for a period of three (3) consecutive months.
- (B) A member shall no longer hold membership should he/she terminate his relationship with the school.
- (C) The council, by affirmative vote of two-thirds of all of the members of the council present, may suspend or expel a member.
- (D) No employee of the Oakland Unified School District may serve as an executive board officer. Any executive board officer who becomes an employee of his/her position as the District shall resign an executive board officer.
- (E) Any executive board officer shall resign if said officer becomes or is a vendor, or consultant at more than two schools of the Oakland Unified School District.

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SECTION VI:

ATTENDANCE AND REPORTING

- (A) It shall be the duty of the certified voting representative to notify his/her certified voting alternate if he/she is/are unable to attend the DAC meeting. This, however, does not relieve the voting

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representative of his/her obligation under Article 5, Section II of these By-Laws.

- (B) It is the responsibility of the certified voting representative to report back to their respective School Advisory Councils/School Site Council or organizations activities and decisions made by the District Advisory Council.
- (C) Likewise, the District Advisory Council representatives are encouraged to solicit ideas and recommendations from their respective School Advisory Councils/School Site Council on all aspects of the State and Federal Categorical Programs and to submit these recommendations to the DAC for discussion and possible action.

ARTICLE VI:

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DISTRICT ADVISORY COUNCIL EXECUTIVE OFFICERS

SECTION I:

OFFICERS

The executive officers of the District Advisory Council shall be a Chairperson, a Vice Chairperson, a Secretary, a Recording Secretary, and a Parliamentarian.

SECTION II:

ELECTION AND TERM OF OFFICE

The officers of the District Advisory Council shall be elected at the January meeting and shall serve for two (2) years. The term of office is from January 31st through January 30th of the election year. No executive officer shall be elected for more than two (2) consecutive terms to the same office. The DAC election of executive officers shall be held during odd numbered years.

SECTION III:

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ELECTION PROCEDURES

The District Advisory Council shall elect its officers through the democratic process.

Election of executive officers for the District Advisory Council will be determined by a simple majority of District Advisory Council school representatives in attendance and voting. In the event that a candidate does not receive a simple majority – one vote more than half – a second balloting will be required between

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those two candidates receiving the most votes. If there is a tie, the process will be repeated.

SECTION IV:

REMOVAL

Any executive officer elected by the District Advisory Council may be removed by a two-thirds roll call vote of all certified members present on the District Advisory Council whenever in the judgment of the Council, the best interests of the Council would be served thereby pursuant to Article V-Section IV.

SECTION V:

VACANCY/TEMPORARY UNAVAILABILITY

A vacancy in any executive office shall be filled by an appointment by the Chairperson for the unexpired portion of the term, and ratified by the membership by a majority vote.

In the event that the executive chair and the executive vice chair both are unable to perform assigned duties, the executive recording secretary or any of the remaining executive officers will perform said duties for the chair for this said meeting.

ARTICLE VII:

DUTIES AND RESPONSIBILITIES

EXECUTIVE CHAIRPERSON

SECTION I:

The Executive Chairperson shall preside at all meetings of the District Advisory Council and may sign all letters, reports and other communication of the District Advisory Council. In addition, he/she shall perform all duties relative to the office of "Chairperson" and such other duties as may be prescribed by the District Advisory Council from time to time.

SECTION II:

EXECUTIVE VICE CHAIRPERSON

The duties of the Executive Vice Chairperson shall be to represent the Executive Chairperson in assigned duties and to substitute for the Executive Chairperson

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during his/her absence. Additionally, he/she shall perform such duties as from time to time are assigned by the Executive Chairperson or by the District Advisory Council.

SECTION III:

EXECUTIVE RECORDING SECRETARY

The Executive Recording Secretary shall record and keep the minutes of the meetings, both regular and special, of the District Advisory Council and shall promptly transmit to each of the members, to the school district, and to such other persons as the council may deem, true and correct copies of the minutes of such meetings; see that all notices are duly given in accordance with the provisions of the By-Laws; keep a register of the address and telephone number of each member of the council which shall be furnished to the Executive Recording Secretary by such members; and in general, perform all duties, incidented to the office of Executive Recording Secretary and such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION IV:

EXECUTIVE SECRETARY

The Executive Secretary shall serve in the absence of the Executive Recording Secretary to assist in such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION V:

EXECUTIVE PARLIAMENTARIAN

The Executive Parliamentarian shall advise the officers and memberships of the District Advisory Council on questions of procedure in conducting the business of the District Advisory Council in a legal, efficient, and impartial manner. The Executive Parliamentarian shall be well versed in parliamentary procedure and in State and Federal Program procedures, regulations, and guidelines.

ARTICLE VIII:

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COMMITTEES

SECTION I:

STANDING AND SPECIAL COMMITTEES

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The District Advisory Council may, from time to time, establish and abolish such standing or special committees as it may desire. Each member of each standing or special committee shall be a member of the District Advisory Council. No standing or special committee may exercise the authority of the District Advisory Council. The standing committees of the District Advisory Council are the:

- (1) Executive Committee
- (2) Budget Sub Committee
- (3) Workshop/Training Sub Committee
- (4) By-Laws Sub Committee
- (5) Legislative Sub Committee

SECTION II:

MEMBERSHIP

Unless otherwise determined by the District Advisory Council in its decision to establish a committee, the District Advisory Council shall vote nominated members to the various committees and their appointment must be ratified by the District Advisory Council.

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SECTION III:

TERM OF OFFICE

The term of office on a standing committee shall not exceed two years, provided however, a member may be re-elected to serve additional terms.

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SECTION IV:

QUORUM FOR COMMITTEES

A quorum for the committees shall follow Article IX, Section I establishment of the quorum for the general meeting.

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SECTION V:

VACANCY

A vacancy in the membership of any special or standing committee may be filled by the same procedure for determining membership in said committee.

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ARTICLE IX:

MEETINGS OF THE DISTRICT ADVISORY COUNCIL

SECTION I:

QUORUM

At the beginning of each meeting a proper quorum will be established to conduct business. A majority of parent representatives attending the meeting shall constitute a Quorum.

SECTION II:

REGULAR MEETINGS

The District Advisory Council shall meet regularly once each month on the third Thursday of each month.

SECTION III:

SPECIAL MEETINGS

Special meetings may be called by the Executive Chairperson or by a majority vote of the District Advisory Council at a regular District Advisory Council meeting.

SECTION IV:

PLACE OF MEETINGS

The District Advisory Council shall hold its regular monthly meetings and its special meetings in a facility provided by the school district.

SECTION V:

NOTICE OF MEETINGS

Public notice shall be given of regular meetings at least one (1) week in advance of the meeting. Any change in the established date, time, or location must be given special notice. All meetings changes shall be publicized. Any such notice shall be in writing; shall state the day, hour, and location of the meeting and be posted at the District office and at school sites for the benefit of the general public. The agenda shall be posted in a public place at least 72 hours in advance of each meeting and shall briefly describe each item of business to be transacted or discussed.

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SECTION VI:

SPECIAL MEETINGS

Special meetings may be called by the executive chairperson or by majority vote of the DAC. Notice shall be given of special meetings at least 72 hours in advance of the special meeting and shall be delivered in writing either personally, by mail or by email to each School site. The agenda and notice of the meeting will be posted for the benefit of the general public.

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SECTION VII:

DECISION OF DISTRICT ADVISORY COUNCIL

All decisions of the District Advisory Council shall be made only after an affirmative vote of a majority of its members in attendance, provided a quorum was established. These decisions by the District Advisory Council will then be forwarded to the Director of State and Federal Programs and sent to the District Superintendent for review and guidance. The DAC requests that the District Superintendent respond within thirty (30) days after receipt of a communication from the District Advisory Council.

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SECTION VIII:

EXPENDITURES FROM DISTRICT ADVISORY COUNCIL BUDGET

All expenditures of District Advisory Council budget funds must be approved by a vote of the members of the District Advisory Council. Expenditures must comply with State and Federal Program guidelines.

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The budget of the DAC shall be presented to the body at each monthly meeting. All expenditures, including those for conferences, travel, workshops, housing and food shall first be approved by the DAC general body.

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SECTION IX:

CONDUCT OF MEETINGS

All regular and special meetings of the District Advisory Council shall be conducted in accordance with "Revised Robert's Rules of Order" or in accordance with an appropriate adaptation thereof.

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¶
QUORUM REGULAR MEETINGS¶
¶
At the beginning of each meeting a proper quorum will be established to conduct business. A majority of parent representatives attending the meeting shall constitute a Quorum.¶
¶

All regular meetings shall follow the agenda as listed. Changes in the agenda must comply with the Brown Act regarding open meetings.

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SECTION X:

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MEETING OPEN TO THE PUBLIC

All regular and special meetings of the District Advisory Council and of its standing or special committees, shall be open to the public at all times and to representatives from the school district.

ARTICLE X:

MAINTENANCE OF BY-LAWS AND BY-LAW PROCEDURE

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SECTION I:

AMENDMENTS

The By-Laws may be amended after review and revisions by the By-laws subcommittee and by a two-thirds affirmative vote of the members of the District Advisory Council present and with the help of an appropriate staff member of the Oakland Unified School District, provided that the amendment is to further carry out the purposes and objectives of the District Advisory Council as herein above expressed. Any amendments must conform with the Federal and State laws.

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SECTION II:

BY-LAWS APPROVAL

These By-Laws will become effective only after a review and majority approval by the District Advisory Council, review by the Legal Advisor's Office, and review and approval by the Oakland Unified School District Board of Education. Approval by the District Advisory Council and the Board of Education should be accomplished within thirty-five (35) days of the final presentation by the By-Laws Committee.

In witness whereof, the Superintendent of the Oakland Unified School District and the Chairperson of the Oakland Unified School State and Federal Programs' District Advisory Council have caused these By-Laws to be duly executed on the

_____ day of _____, 2009.

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Signed: _____

Superintendent,
Oakland Unified School District

Signed: _____

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Chairperson, State & Federal Programs'
District Advisory Council
Oakland Unified School District

Approved by:

Signed: _____ Date _____
Board of Education, President
Oakland Unified School District

Signed: _____ Date _____
General Counsel
Oakland Unified School District

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Signed: _____ Date _____
Secretary
Board of Education

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LEGISLATIVE FILE

No. 09-3387

Introduction date: 12-8-09

Enactment Number: 09-2535

Enactment Date: 12-16-09



District Advisory Council Bylaws

District Advisory Council Bylaws

BY-LAWS
OF THE
DISTRICT ADVISORY COUNCIL
FOR
STATE AND FEDERAL PROGRAMS

ARTICLE I:

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ARTICLE II:

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All meetings of the Oakland Unified School District State and Federal Programs' District Advisory Council shall be subject to the provision of California Education Code Sections 35145.5 as amended, Section 35147 and No Child Left Behind law.

These By-Laws should not be construed as giving the District Advisory Council or any member thereof any authority whatever to veto any Chapter I/Title 1 programs or any other programs under auspices of the Department of State and Federal Programs. The District Advisory Council shall be advising and evaluating council in order to further the purpose of education and the specific purpose of these By-Laws. In the absence of his or her written consent, no Council member shall be required to provide any sum of money, property or service other than services described herein to the District Advisory Council. Members of the Council who are not employees of the District will not be considered based on services provided to the Council nor will they be entitled to any benefits accorded to regularly employed persons. Members of the Council will be reimbursed for certain bonafide expenses (i.e., consultants, facilitators, and mileage). Prior written approval for such expenditures shall be granted by the Council upon motion and vote. The Council member representing the DAC and whose expenses are reimbursed shall submit within 30 days after the expense is incurred written materials, a written report and/or prepared displays/posters detailing the conference.

The District Advisory Council or any individual member thereof shall have no power whatever to bind the Oakland Unified School District, The Board of Education or any individual member thereof, or any other entity or person in any way connected with the Oakland Unified School District to any debt, contract, liability or obligation of any nature whatsoever, in the absence of any express

written authorization from the person(s) or entity to be bound thereby. The District Advisory Council shall have no powers other than those powers expressly set forth in these By-Laws.

In the interest of bringing people together it should be noted that these By-Laws are not intended to limit participation of any parents, but are designed to establish a method by which recommendations are made regarding the No Child Left Behind programs under the auspices of the Department of State and Federal Programs within District. All parents and community persons who live in the attendance areas served by the programs are encouraged to participate in the activities of the School Advisory Council, School Site Council, the District Advisory Council, and its sub-committees, Gifted and Talented Education Advisory Committee, English Language Advisory Council, Special Education Advisory Council, Community Advisory Council, per State and Federal regulations.

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ARTICLE III:

PURPOSE OF THE DISTRICT ADVISORY COUNCIL

The objectives and purpose of the District Advisory Council shall be to advise and assist the school district to bring about the cooperation and coordination of community resources which may be of value to the schools in the operation of the Categorical programs under the auspices of the Department of State and Federal Programs and to insure that parents are involved in accordance with State and Federal Guidelines and Laws, including No Child Left Behind.

Categorical Programs currently under the auspices of the State and Federal Programs include but are not limited to:

- Title I / No Child Left Behind
- EIA/SCE (Economic Impact Aid/State Compensatory Education)
- Program Improvement (Program Initiative)(PII)
- Integrated Program Initiatives
- Gifted & Talented Education Program
- Quality Education Investment Act (QEIA)
- Special Education

A. COMMITTEE OBJECTIVES

The objective of the District Advisory Council is to give advice and make recommendations regarding the State and Federal Programs in the following areas:

- (1) Developing the comprehensive State and Federal Programs' district plan, including establishment of a timeline.
- (2) State and Federal Programs' district needs assessment, including the process of school-by-school needs assessment.
- (3) Establishing goals and program objectives for State and Federal Categorical Programs at the district level.
- (4) Receiving monthly reports and making recommendations regarding the activities of Categorical programs under the auspices of the State and Federal programs.
- (5) Receiving annual Adequate Yearly Progress and Academic Performance Index reports from the Chief Academic Officer or his designee.
- (6) Receiving the District's No Child Left Behind Consolidated Application for input at least twice a year.

B. OPERATING PROCEDURES

In order to achieve the objectives and purpose of the District Advisory Council, the council shall operate in the following way:

- (1) Establish regular two-way communication channels with the school district administration as well as the governing board.
- (2) Serve as an advocate for active parental involvement at the school district level in the functions of program planning, implementation, and evaluation at the school site level.
- (3) Advocate processes at the school for providing reports to parent groups and school...

- (4) Serve as a sounding board for concerns and issues related to the State and Federal Categorical Education Programs at local school sites as well as the District level. Site specific concerns pertaining to the State and Federal Categorical guidelines i.e., committee roles and responsibilities and legislative guidelines may be directed to the Director of State and Federal or to the State and Federal District Advisory Council.
- (4a) Concerns and issues regarding compliance of site specific operational activities shall be directed to the Director of State and Federal for resolution.
- (5) The district organizational structure shall establish a line of communication to facilitate recommendations of the council into the decision-making process.
- (6) DAC concerns regarding district personnel may be submitted in writing to the Superintendent or his/her designee.

C. PLANNING PRODUCTS

The following records relating to the District Advisory Council are to be kept at the district office:

- (1) The name and title of person(s) employed by the district who is responsible for organizing, maintaining and supporting the District Advisory Council.
- (2) A list of District Advisory Council members by name, address, and telephone number and a ledger recording changes in membership.
- (3) The schedule and information on content of training activities for District Advisory Council members.
- (4) A schedule of District Advisory Council meeting dates, location and time of meetings.
- (5) A description of the communication channels established for providing information to the council and for bringing recommendations of the council into the decision-making process.

ARTICLE IV:

DISTRICT ADVISORY COUNCIL MEMBERSHIP

SECTION I:

MEMBERSHIP REQUIREMENTS

A majority of the voting membership of the District Advisory Council shall be parents of children to be served and are eligible for categorical services. The District Advisory Council shall be composed of any of the following (elected representatives):

- (1) Parents and community members representing the SSC or SAC of the school.
- (2) Other members representing the SSC or SAC may include teacher, classified staff, and administrators. Persons who are employed by Oakland Unified School District may become DAC representatives but shall not hold office on the District Advisory Council.
- (3) The District English Learners Advisory Council (DELAC) shall be represented at the District Advisory Council.
- (4) Representatives from the Community who are elected from each site council may become a District Advisory Council representative.

SECTION II:

SELECTION OF DISTRICT ADVISORY COUNCIL

The members of the School Advisory Council/School Site Council representatives to the District Advisory Council shall be determined as follows:

SCHOOL WITH ENROLLMENT OF:

- 1 – 350 - one (1) representative
- 351 – 700 - two (2) representatives
- 701 - and above – three (3) representatives

School Advisory Council Representatives/School Site Councils

Members of the District Advisory Council shall be elected by the school site from the membership of the School Advisory Council/School Site Council based upon the member's demonstrated interest and concern for the welfare of young people to be served by State and Federal Programs. Each elected member shall be certified in writing by the School Advisory Council/School Site Council chairperson and the principal. Each alternate shall also be certified in writing by the School Advisory Council/School Site Council chairperson and the principal. The representative may be:

- (A) A parent or caregiver of a participating student
- (B) Community Representative

- (C) Student enrolled at a Secondary School
- (D) School Advisory / School Site Council Representative

In order for the SIP Program Representatives to be represented on the District Advisory Council, the Council Chairperson shall request from the School Site Council the names of their representatives, and the District Advisory Council shall certify them as District Advisory Council representatives.

- (E) District English Learners Advisory Council Representation

In order for the DELAC to be represented on the DAC, the District Advisory Council Chairperson shall request from the DELAC the names of three (3) representatives, and the District Advisory Council shall then certify them as District Advisory Council representatives.

SECTION III:

CERTIFICATION AND SAC/SSC SELECTION

The list of current members and elected alternates of the DAC shall be provided to the DAC by each school site no later than November 1st of each year.

ARTICLE V:

DISTRICT ADVISORY COUNCIL MEMBERSHIP RIGHTS

SECTION I:

VOTING RIGHTS

Current members or elected alternates in the absence of the elected member, shall be entitled to one vote and may cast that vote on each matter submitted for a vote of the District Advisory Council. Proxy voting and absentee ballots shall not be permitted.

DAC members representing more than one school shall have the voting rights for each school site that they represent.

SECTION II:

TRANSFER OF MEMBERSHIP

Membership on the District Advisory Council is not transferable or assignable.

SECTION III:

VACANCY

Any vacancy on the Council shall be filled for the remainder of the unexpired term through appointment by the School Advisory Council/School Site Council concerned. Such replacements must be certified by the School Advisory Council/School Site Council chairperson and the principal.

SECTION IV:

RESIGNATION

Any member may resign by filing a written resignation with the School Advisory Council/School Site Council he/she represents. Notice of such resignation shall be filed with the Family & Community Office and the DAC Chairperson.

SECTION V:

TERMINATION OF MEMBERSHIP

- (A) District Advisory Council membership shall automatically terminate for any member who is absent from all regular and special meetings for a period of three (3) consecutive months.
- (B) A member shall no longer hold membership should he/she terminate his relationship with the school.
- (C) The council, by affirmative vote of two-thirds of all of the members of the council present, may suspend or expel a member.
- (D) No employee of the Oakland Unified School District may serve as an executive board officer. Any executive board officer who becomes an employee of the District shall resign as executive board officer.
- (E) Any executive board officer shall resign if said officer becomes or is a vendor, or consultant at more than two schools of the Oakland Unified School District.

SECTION VI:

ATTENDANCE AND REPORTING

- (A) It shall be the duty of the certified voting representative to notify his/her certified voting alternate if he/she is/are unable to attend the DAC meeting. This, however, does not relieve the voting

representative of his/her obligation under Article 5, Section II of these By-Laws.

- (B) It is the responsibility of the certified voting representative to report back to their respective School Advisory Councils/School Site Council or organizations activities and decisions made by the District Advisory Council.
- (C) Likewise, the District Advisory Council representatives are encouraged to solicit ideas and recommendations from their respective School Advisory Councils/School Site Council on all aspects of the State and Federal Categorical Programs and to submit these recommendations to the DAC for discussion and possible action.

ARTICLE VI:

DISTRICT ADVISORY COUNCIL EXECUTIVE OFFICERS

SECTION I:

OFFICERS

The executive officers of the District Advisory Council shall be a Chairperson, a Vice Chairperson, a Secretary, a Recording Secretary, and a Parliamentarian.

SECTION II:

ELECTION AND TERM OF OFFICE

The officers of the District Advisory Council shall be elected at the January meeting and shall serve for two (2) years. The term of office is from January 31st through January 30th of the election year. No executive officer shall be elected for more than two (2) consecutive terms to the same office. The DAC election of executive officers shall be held during odd numbered years.

SECTION III:

ELECTION PROCEDURES

The District Advisory Council shall elect its officers through the democratic process.

Election of executive officers for the District Advisory Council will be determined by a simple majority of District Advisory Council school representatives in attendance and voting. In the event that a candidate does not receive a simple majority – one vote more than half – a second balloting will be required between

those two candidates receiving the most votes. If there is a tie, the process will be repeated.

SECTION IV:

REMOVAL

Any executive officer elected by the District Advisory Council may be removed by a two-thirds roll call vote of all certified members present on the District Advisory Council whenever in the judgment of the Council, the best interests of the Council would be served thereby pursuant to Article V-Section IV.

SECTION V:

VACANCY/TEMPORARY UNAVAILABILITY

A vacancy in any executive office shall be filled by an appointment by the Chairperson for the unexpired portion of the term, and ratified by the membership by a majority vote.

In the event that the executive chair and the executive vice chair both are unable to perform assigned duties, the executive recording secretary or any of the remaining executive officers will perform said duties for the chair for this said meeting.

ARTICLE VII:

DUTIES AND RESPONSIBILITIES

EXECUTIVE CHAIRPERSON

SECTION I:

The Executive Chairperson shall preside at all meetings of the District Advisory Council and may sign all letters, reports and other communication of the District Advisory Council. In addition, he/she shall perform all duties relative to the office of "Chairperson" and such other duties as may be prescribed by the District Advisory Council from time to time.

SECTION II:

EXECUTIVE VICE CHAIRPERSON

The duties of the Executive Vice Chairperson shall be to represent the Executive Chairperson in assigned duties and to substitute for the Executive Chairperson

during his/her absence. Additionally, he/she shall perform such duties as from time to time are assigned by the Executive Chairperson or by the District Advisory Council.

SECTION III:

EXECUTIVE RECORDING SECRETARY

The Executive Recording Secretary shall record and keep the minutes of the meetings, both regular and special, of the District Advisory Council and shall promptly transmit to each of the members, to the school district, and to such other persons as the council may deem, true and correct copies of the minutes of such meetings; see that all notices are duly given in accordance with the provisions of the By-Laws; keep a register of the address and telephone number of each member of the council which shall be furnished to the Executive Recording Secretary by such members; and in general, perform all duties, incidented to the office of Executive Recording Secretary and such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION IV:

EXECUTIVE SECRETARY

The Executive Secretary shall serve in the absence of the Executive Recording Secretary to assist in such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION V:

EXECUTIVE PARLIAMENTARIAN

The Executive Parliamentarian shall advise the officers and memberships of the District Advisory Council on questions of procedure in conducting the business of the District Advisory Council in a legal, efficient, and impartial manner. The Executive Parliamentarian shall be well versed in parliamentary procedure and in State and Federal Program procedures, regulations, and guidelines.

ARTICLE VIII:

COMMITTEES

SECTION I:

STANDING AND SPECIAL COMMITTEES

The District Advisory Council may, from time to time, establish and abolish such standing or special committees as it may desire. Each member of each standing or special committee shall be a member of the District Advisory Council. No standing or special committee may exercise the authority of the District Advisory Council. The standing committees of the District Advisory Council are the:

- (1) Executive Committee
- (2) Budget Sub Committee
- (3) Workshop/Training Sub Committee
- (4) By-Laws Sub Committee
- (5) Legislative Sub Committee

SECTION II:

MEMBERSHIP

Unless otherwise determined by the District Advisory Council in its decision to establish a committee, the District Advisory Council shall vote nominated members to the various committees and their appointment must be ratified by the District Advisory Council.

SECTION III:

TERM OF OFFICE

The term of office on a standing committee shall not exceed two years, provided however, a member may be re-elected to serve additional terms.

SECTION IV:

QUORUM FOR COMMITTEES

A quorum for the committees shall follow Article IX, Section I establishment of the quorum for the general meeting.

SECTION V:

VACANCY

A vacancy in the membership of any special or standing committee may be filled by the same procedure for determining membership in said committee.

ARTICLE IX:

MEETINGS OF THE DISTRICT ADVISORY COUNCIL

SECTION I:

QUORUM

At the beginning of each meeting a proper quorum will be established to conduct business. A majority of parent representatives attending the meeting shall constitute a Quorum.

SECTION II:

REGULAR MEETINGS

The District Advisory Council shall meet regularly once each month on the third Thursday of each month.

SECTION III:

SPECIAL MEETINGS

Special meetings may be called by the Executive Chairperson or by a majority vote of the District Advisory Council at a regular District Advisory Council meeting.

SECTION IV:

PLACE OF MEETINGS

The District Advisory Council shall hold its regular monthly meetings and its special meetings in a facility provided by the school district.

SECTION V:

NOTICE OF MEETINGS

Public notice shall be given of regular meetings at least one (1) week in advance of the meeting. Any change in the established date, time, or location must be given special notice. All meetings changes shall be publicized. Any such notice shall be in writing; shall state the day, hour, and location of the meeting and be posted at the District office and at school sites for the benefit of the general public. The agenda shall be posted in a public place at least 72 hours in advance of each meeting and shall briefly describe each item of business to be transacted or discussed.

SECTION VI:

SPECIAL MEETINGS

Special meetings may be called by the executive chairperson or by majority vote of the DAC. Notice shall be given of special meetings at least 72 hours in advance of the special meeting and shall be delivered in writing either personally, by mail or by email to each School site. The agenda and notice of the meeting will be posted for the benefit of the general public.

SECTION VII:

DECISION OF DISTRICT ADVISORY COUNCIL

All decisions of the District Advisory Council shall be made only after an affirmative vote of a majority of its members in attendance, provided a quorum was established. These decisions by the District Advisory Council will then be forwarded to the Director of State and Federal Programs and sent to the District Superintendent for review and guidance. The DAC requests that the District Superintendent respond within thirty (30) days after receipt of a communication from the District Advisory Council.

SECTION VIII:

EXPENDITURES FROM DISTRICT ADVISORY COUNCIL BUDGET

All expenditures of District Advisory Council budget funds must be approved by a vote of the members of the District Advisory Council. Expenditures must comply with State and Federal Program guidelines.

The budget of the DAC shall be presented to the body at each monthly meeting. All expenditures, including those for conferences, travel, workshops, housing and food shall first be approved by the DAC general body.

SECTION IX:

CONDUCT OF MEETINGS

All regular and special meetings of the District Advisory Council shall be conducted in accordance with "Revised Robert's Rules of Order" or in accordance with an appropriate adaptation thereof.

All regular meetings shall follow the agenda as listed. Changes in the agenda must comply with the Brown Act regarding open meetings.

SECTION X:

MEETING OPEN TO THE PUBLIC

All regular and special meetings of the District Advisory Council and of its standing or special committees, shall be open to the public at all times and to representatives from the school district.

ARTICLE X:

MAINTENANCE OF BY-LAWS AND BY-LAW PROCEDURE

SECTION I:

AMENDMENTS

The By-Laws may be amended after review and revisions by the By-laws subcommittee and by a two-thirds affirmative vote of the members of the District Advisory Council present and with the help of an appropriate staff member of the Oakland Unified School District, provided that the amendment is to further carry out the purposes and objectives of the District Advisory Council as herein above expressed. Any amendments must conform with the Federal and State laws.

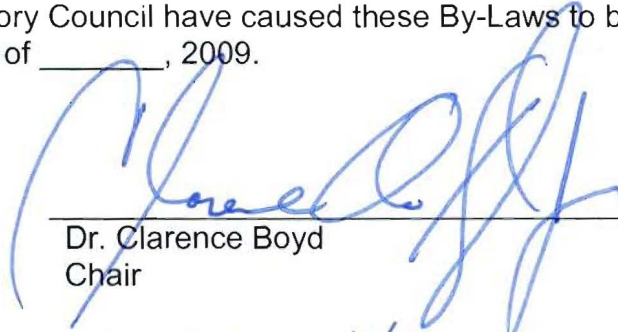
SECTION II:

BY-LAWS APPROVAL

These By-Laws will become effective only after a review and majority approval by the District Advisory Council, review by the Legal Advisor's Office, and review and approval by the Oakland Unified School District Board of Education. Approval by the District Advisory Council and the Board of Education should be accomplished within thirty-five (35) days of the final presentation by the By-Laws Committee.

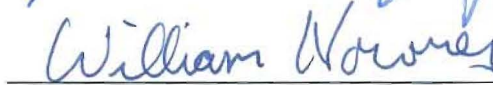
In witness whereof, the Superintendent of the Oakland Unified School District and the Chairperson of the Oakland Unified School State and Federal Programs' District Advisory Council have caused these By-Laws to be duly executed on the _____ day of _____, 2009.

Signed:



Dr. Clarence Boyd
Chair

Signed:



William Nownes
State & Federal Programs

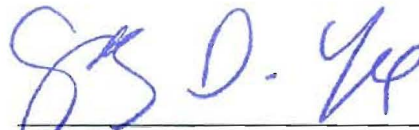
Signed:



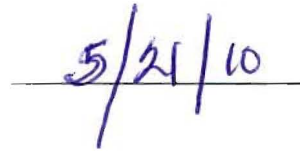
Anthony Smith, PhD
Superintendent,
Oakland Unified School District

Approved by:

Signed:




Date

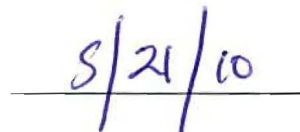


Dr. Gary Yee
Board of Education, President
Oakland Unified School District

Signed:




Date

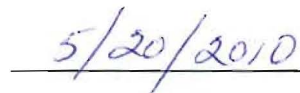


Edgar Rakestraw, Jr.
Secretary, Board of Education
Oakland Unified School District

Signed:



Date



Jacqueline P. Minor
General Counsel
Oakland Unified School District



OAKLAND UNIFIED SCHOOL DISTRICT

State And Federal Programs
District Advisory Council
By-Laws

BY-LAWS
OF THE

DISTRICT ADVISORY COUNCIL
FOR
STATE AND FEDERAL PROGRAMS

ARTICLE I:

NAME OF COUNCIL

The name of the council shall be the Oakland Unified School District, State and Federal Programs District Advisory Council.

ARTICLE II:

SCOPE

All meetings of the Oakland Unified School District, State and Federal Programs District Advisory Council shall be subject to the provision of California Education Code, Sections 35145.5 as amended & Section 35147.

These By-Laws should not be construed as giving the District Advisory Council or any member thereof any authority whatever to veto any Chapter I/Title I programs or any other programs under the auspices of the Department of State and Federal Programs. The District Advisory Council shall be advising and evaluating council order to further the purpose of education and the specific purpose of these By-Laws. In the absence of his or her written consent, no Council member shall be required to provide any sum of money, property or service other than services described herein to the District Advisory Council. Members of the Council who are not employees of the District will not be considered based upon services provided to the Council nor will they be entitled to any benefits accorded to regularly employed person. Members of the Council will be compensated or reimbursed for certain bonafide expenses (i.e., consultants, facilitators and mileage). Prior written approval for such expenditures shall be granted by the Council upon motion and vote.

The District Advisory Council or any individual member thereof shall have no power whatever to bind the Oakland Unified School District, the Board of Education or any individual member thereof, or any other entity or person in any way connected with the Oakland Unified School District to any debt, contract, liability or obligation of any nature whatsoever, in the absence of an express written authorization from the person(s) or entity to be bound thereby. The District Advisory Council shall have no powers other than those powers expressly set forth by these By-Laws.

In the interest of bringing people together it should be noted that these By-Laws are not intended to limit participation in project parents, but are designed to establish a method by which recommendations are made regarding the Categorical Education programs under the auspices of

the Department of State and Federal Programs with District. All parents and community persons who live in the attendance areas served by the programs are encouraged to participate in the activities of the School Advisory Council, School Site Council, the District Advisory Council and its subcommittees, per State and Federal regulations.

The District Advisory Council shall be composed of representatives from the School Advisory Councils/School Site Councils selected by parents of children to be served and who are eligible for categorical services. Three types of Advisory Councils are key elements in the entire parent involvement process and are as follows:

- (1) The District Advisory Council which participates fully in all district Title I funded programs and State Compensatory Education funded programs by giving reactions to proposals and making recommendations to the district administration and the school district governing board.
- (2) The School Advisory Council which participates fully in each EIA and Title I or other State funded program at the school level.
- (3) The School Site Council which participates fully in each EIA or Title I or other State funded program at the school level.

ARTICLE III:

PURPOSE OF THE DISTRICT ADVISORY COUNCIL

The objectives of the District Advisory Council shall be to advise and assist the school district to bring about the cooperation and coordination of the community resources which may be of value to the schools in the operation of the Categorical programs under the auspices of the Department of State and Federal Programs and to insure that parents are involved in accordance with State and Federal Guidelines and Laws.

Categorical Programs currently under the auspices of the Department of State and Federal Programs include but are not limited to:

- Title I
- EIA/SCE (Economic Impact Aid/State Compensatory Education)
- Program Improvement (Program Initiative) (PII)
- Integrated Program Initiative

A. COMMITTEE OBJECTIVES

The objective of the District Advisory Council is to give advice and make recommendations regarding the State and Federal Programs in the following areas:

- (1) Developing the comprehensive State and Federal Programs district plan, including establishing a timeline.

- (2) State and Federal Programs district needs assessment, including the process of school-by-school needs assessment.
- (3) Establishing goals and program objectives for State and Federal Categorical Programs, at the district level.
- (4) Developing evaluation criteria for the State and Federal Categorical Programs at the district level.
- (5) Participating in selection of Ranking of schools and the allocation of resources.
- (6) Receiving monthly reports and making recommendations regarding the activities of Categorical programs under the auspices of the Department of State and Federal programs.
- (7) Assisting in the identification and use of human and material resources available from the community to State and Federal Programs.

B. OPERATING PROCEDURES:

In order to achieve the objectives and purpose of the District Advisory Council, the council shall operate in the following ways:

- (1) Establish regular two-way communication channels with the school district administration as well as the governing board.
- (2) Serve as an advocate for active parental involvement at the school district level in the functions of program planning, implementation and evaluation at the school site level.
- (3) Advocate processes at the school level for providing reports to parent groups and school and non-school community groups at times other than annual reporting times.
- (4) Serve as a sounding board for concerns and issues related to the Department of State and Federal Categorical Education Programs at local school sites as well as at the District level. Site specific concerns pertaining to the Department of State and Federal Categorical guidelines i.e., committee roles and responsibilities and legislative guidelines may be directed to the Director of State and Federal or to the State and Federal District Advisory Council.
- (4A) Concerns and issues of site specific operational activities shall be directed to the Director of State and Federal for resolution.
- (5) Receive recommendations from a broad range of bonafide community groups or organizations regarding the programs under the Department of State and Federal Programs.
- (6) The district organizational structure shall establish a line of communication to facilitate recommendations of the council into the decision-making process.

C. PLANNING PRODUCTS:

The following records relating to the District Advisory Council are to be kept at the district office:

- (1) The name and title of person(s) employed by the district who is responsible for organizing the District Advisory Council.
- (2) A list of District Advisory Council members by name, address and telephone number and a ledger recording changes in memberships.
- (3) The schedule and information on content of training activities for District Advisory Council members.
- (4) A schedule of District Advisory Council meeting dates, location and time of meetings.
- (5) A description of the communication channels established for providing information to the council and for bringing recommendations of the council into the decision-making process.

ARTICLE IV:

DISTRICT ADVISORY COUNCIL MEMBERSHIP

SECTION I:

MEMBERSHIP REQUIREMENTS

A majority of the voting membership of the District Advisory Council shall be parents of children to be served and are eligible for categorical services. The District Advisory Council shall be composed of any of the following (elected representatives):

- (1) Parents who reflect the ethnic and socio-economic composition of the school district; parents of all students in all age spans should be included.
- (2) Other members which may include teachers, classified staff and administrators. Persons who are employed by Oakland Unified School District may become DAC representatives but shall not hold office on the District Advisory Council.
- (3) Representatives from the School Site Council.
- (4) The Bilingual Program's Bilingual District Advisory Committee shall be represented at the District Advisory Council.
- (5) Representatives from the Community who are elected from each site council may become a District Advisory Council representative.

SECTION II:

SELECTION OF DISTRICT ADVISORY COUNCIL

The members of the School Advisory Council/School Site Council representatives to the District Advisory Council shall be determined as follows:

SCHOOLS WITH ENROLLMENT OF:

1-350	-one (1) representative
351-700	- two (2) representatives
701	-and above - three (3) representatives

School Advisory Council Representatives/School Site Councils

Members of the District Advisory Council shall be elected by the school site council from the membership of the School Advisory Council/School Site Council based upon the member's demonstrated interest and concern for the welfare of young people to be served by State and Federal Programs. Each elected member shall be certified in writing by the School Advisory Council/School Site Council chairperson and the principal. Each alternate shall also be certified in writing by the School Advisory Council/School Site Council and the principal. The representative may be:

- (A) A parent or caregiver of a participating student
- (B) Community Representative
- (C) Student enrolled at a Secondary School
- (D) School Improvement Program Representative, School Advisory Council Representative

In order for the SIP Program Representatives to be represented on the District Advisory Council, the Council Chairperson shall request from the School Site Council the names of their representatives, and the District Advisory Council shall certify them as District Advisory Council representatives.

- (E) Bilingual Program Representation

In order for the Bilingual Program to be represented on the DAC, the District Advisory Council Chairperson shall request from the District Bilingual Advisory Council the names of three (3) representatives, and the District Advisory Council shall then certify them as District Advisory Council representatives.

SECTION III:

CERTIFICATION AND SAC SELECTION

Members of the District Advisory Council shall be certified annually during the October/November meetings of the District Advisory Council.

Members representing the School Site Advisory Council/School Site Council may be afforded an opportunity to serve up to a two-year term to provide continuity to the District Advisory Council activities.

The School Advisory Council/School Site Council, however, may elect representatives on an annual basis. It should be emphasized that the School Advisory Council/School Site Council representatives shall be kept informed of the District Advisory Council's activities and shall attend District Advisory Council meetings regularly so that when changes occur in the school site District Advisory Council representation, continuity will be insured.

ARTICLE V:

DISTRICT ADVISORY COUNCIL MEMBERSHIP RIGHTS

SECTION I:

VOTING RIGHTS

Each member, or certified alternate, in the absence of the elected member, shall be entitled to one vote and may cast that vote on each matter submitted for a vote of the District Advisory Council. Proxy voting and absentee ballots shall not be permitted.

SECTION II:

TRANSFER OF MEMBERSHIP

Membership on the District Advisory Council is not transferable or assignable.

SECTION III:

VACANCY

Any vacancy on the Council shall be filled for the remainder of the unexpired term through such appointment by the School Advisory Council/School Site Council concerned. Such replacements must be certified by the School Advisory Council/School Site Council chairperson and the principal.

SECTION IV:

RESIGNATION

Any member may resign by filing a written resignation with the School Advisory Council/School Site Council he/she represents. Notice of such resignation shall be filed with the district State and federal Programs central office and the District Advisory Council.

SECTION V:

TERMINATION OF MEMBERSHIP

(A) District Advisory Council membership shall automatically terminate for any member who is absent from all regular and special meetings for a period of three (3) consecutive months.

(B) A member shall no longer hold membership should he/she cease to be a resident of the projected attendance area to be served or terminate his relationship with the school or organization which he/she was selected to represent.

(C) The council, by affirmative vote of two-thirds of all members of the council present, may suspend or expel a member.

(D) If a non-parent member representing a School Advisory Council/School Site Council obtains an employment position within the school district, he/she is automatically terminated as a District Advisory Council representative representing the School Advisory Council.

SECTION VI:

ATTENDANCE AND REPORTING

- (A) It shall be the duty of the certified voting representative to notify his/her certified voting alternative if he/she is/are unable to attend the DAC meeting. This, however, does not relieve the voting representative of his/her obligation under Article 5, Section II of these By-Laws.
- (B) It is the responsibility of the certified voting representative to report back to their respective School Advisory Council/School Site Council or organizations activities and decisions made by the District Advisory Council.
- (C) Likewise, the District Advisory Council representatives are encouraged to solicit ideas and recommendations from their respective School Advisory Council/School Site Council on all aspects of the State and Federal Categorical Programs and to submit these recommendations to the DAC for discussion and possible action.

ARTICLE VII:

DISTRICT ADVISORY EXECUTIVE OFFICERS

SECTION I:

OFFICERS

The executive officers of the District Advisory Council shall be a Chairperson, a Vice Chairperson, a Secretary, a Recording Secretary and a Parliamentarian.

SECTION II:

ELECTION AND TERM OF OFFICE

The officers of the District Advisory Council shall be elected at the January meeting and shall serve for two (2) years. The term of office is from January 31st through January 30th of the election year. The DAC election of executive officers shall be held during odd numbered years.

SECTION III:

ELECTION PROCEDURES

The District Advisory Council shall elect its officers through the democratic process.

Election of the executive officers for the District Advisory Council will be determined by a simple majority of District Advisory Council school representatives in attendance and voting. In the event that a candidate does not receive a simple majority – one vote more than half – a second balloting will be required between those candidates receiving the most votes. If there is a tie, the process will be repeated.

SECTION IV:

REMOVAL

Any executive officer elected by the District Advisory Council may be removed by a two-thirds recall vote of all certified members present on the District Advisory Council whenever in the judgment of the Council, the best interests of the Council would be served thereby, pursuant to Article, Section IV.

SECTION V:

VACANCY

A vacancy in any executive office shall be filled by appointment by the Chairperson for the unexpired portion of the term, and ratified by the membership by a majority vote.

ARTICLE VII:

DUTIES AND RESPONSIBILITIES

SECTION I:

EXECUTIVE CHAIRPERSON

The Executive Chairperson shall preside at all meetings of the District Advisory Council and may sign all letters, reports and other communication of the District Advisory Council. In addition, he/she shall perform all duties relative to the office of “Chairperson” and such other duties as may be prescribed by the District Advisory Council from time to time.

SECTION II:

EXECUTIVE VICE CHAIRPERSON

The duties of the Executive Vice Chairperson shall be to represent the Executive Chairperson in assigned duties and to substitute for the Executive Chairperson during his/her absence. Additionally, he/she shall perform other such duties from time to time are assigned by the Executive Chairperson or by the District Advisory Council.

SECTION III:

EXECUTIVE RECORDING SECRETARY

The Executive Recording Secretary shall record and keep the minutes of the meetings, both regular and special, of the District Advisory Council and shall promptly transmit to each of the members, to the school district, and to such other persons as the council may deem, true and correct copies of the minutes of such meetings; see that all notices are duly given in accordance with the provisions of the By-Laws; keep a register of the address and the telephone number of each member of the council which shall be furnished to the Executive Recording Secretary by such members; and in general, perform all duties, incidented to the office of Executive Recording Secretary and such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION IV:

EXECUTIVE SECRETARY

The Executive Secretary shall serve in the absence of the Executive Recording Secretary to assist in such other duties as from time to time may be assigned to the office by the Executive Chairperson or by the District Advisory Council.

SECTION V:

EXECUTIVE PARLIAMENTARIAN

The Executive Parliamentarian shall advise the officers and membership of the District Advisory Council on questions of procedure in conducting the business of the District Advisory Council in a legal, efficient, and impartial manner. The Executive Parliamentarian shall be well versed in parliamentary procedure and in State and Federal Program procedures, regulations, and guidelines.

ARTICLE VIII:

COMMITTEES

SECTION I:

STANDING AND SPECIAL COMMITTEES

The District Advisory Council may, from time to time, establish and abolish such standing or special committees as it may desire. Each member of every standing or special committee shall be a member of the District Advisory Council. No standing or special committee may exercise the authority of the District Advisory Council. The standing committees of the District Advisory Council are:

- (1) Executive Committee
- (2) Budget Sub Committee
- (3) Workshop/Training Committee
- (4) By-Laws Sub Committee
- (5) Legislative Sub Committee

SECTION II:

MEMBERSHIP

Unless otherwise determined by the District Advisory Council in its decision to establish a committee, the Executive Chairperson of the District Advisory Council shall appoint members to the various committees and their appointment must be ratified by the District Advisory Council. Membership to a standing committee will be appointed in the October District Advisory Council meeting, or at the discretion of the council.

SECTION III:

TERM OF OFFICE

The term of office on a standing committee shall be for one (1) year. Each member of a committee shall continue as such for the term of his/her appointment and until his/her successor is appointed at the October District Advisory Council, unless the committee shall be terminated or abolished, or unless such member shall cease to qualify as a member thereof.

SECTION IV:

QUORUM FOR COMMITTEES

Unless otherwise provided in the decision of the District Advisory Council designating a special or standing committee, a majority of the special or standing committees shall constitute a quorum and the decision of the majority of the members present at a meeting at which a quorum is present shall be an act of the special or standing committee.

SECTION V:

VACANCY

A vacancy in the membership of any special or standing committee may be filled by an appointment made in the same manner as provided in the case of the original appointment.

ARTICLE IX:

MEETINGS OF THE DISTRICT ADVISORY COUNCIL

SECTION I:

QUORUM

At the beginning of each meeting a proper quorum will be established to conduct business. A majority of parent representatives attending the meeting shall constitute a quorum.

SECTION II:

REGULAR MEETINGS

The District Advisory Council shall meet regularly once each month on the third Thursday of each month.

SECTION III:

SPECIAL MEETINGS

Special meetings may be called by the Executive Chairperson or by a majority vote of the District Advisory Council at a regular District Advisory Council.

SECTION IV:

PLACE OF MEETINGS

The District Advisory Council shall hold its regular monthly meetings and its special meetings in a facility provided by the school district.

SECTION V:

NOTICE OF MEETINGS

Public notice shall be given of a regular meeting at least one (1) week in advance of the meeting. Any change in the established date, time, or location must be given special notice. All meeting changes shall be publicized. Any such notice shall be in writing; shall state the day, hour, and location of the meeting and be posted at the District office and school sites for the benefit of the general public. The agenda shall be posted in a public place at least 72 hours in advance of each meeting and shall briefly describe each item of business to be transacted or discussed.

SECTION VI:

SPECIAL MEETINGS

Special meetings may be called by the executive chairperson or by majority vote of the DAC. Notice shall be given of special meetings at least 72 hours in advance of the special meeting and shall be delivered in writing either personally or by mail to each School site. The agenda and notice of the meeting will be posted for the benefit of the general public.

SECTION VII:

DECISION OF THE DISTRICT ADVISORY COUNCIL

All decisions of the District Advisory Council shall be made only after an affirmative vote of the majority of its members in attendance, provided a quorum was established. These decisions by the District Advisory Council will then be forwarded to the Director of State and Federal Programs and sent to the District Superintendent for review and guidance. The DAC requests that the District Superintendent respond within thirty (30) days after the receipt of the communication from the District Advisory Council.

SECTION IX:

EXPENDITURES FROM THE DISTRICT ADVISORY COUNCIL BUDGET

All expenditures of the District Advisory Council budget funds must be approved by a roll call vote of the District Advisory Council. Expenditures must comply with State and Federal Program guidelines.

SECTION X:

CONDUCT OF MEETINGS

All regular and special meetings of the District Advisory Council shall be conducted in accordance with "Revised Robert's Rules of Order" or in accordance with an appropriate application thereof. Concerns regarding district personnel must be submitted in writing to the Executive Chairperson of the District Advisory Council for appropriate routing to the Superintendent's staff.

All regular meetings shall follow the agenda as listed. Changes in the agenda require a majority vote.

SECTION XI:

MEETING OPEN TO PUBLIC

All regular and special meetings of the District Advisory Council and of its standing or special committees, shall be open to the public at all times and to representatives from the school district.

ARTICLE X:

SECTION I:

AMENDMENTS

The By-Laws may be amended at any time by a two-thirds affirmative vote of the members of the District Advisory Council present and with the help of an appropriate staff member of the Oakland Unified School District, provided that the amendment is to further carry out the purposes and objectives of the District Advisory Council as herein expressed. Any amendments must conform with the Federal and State laws.

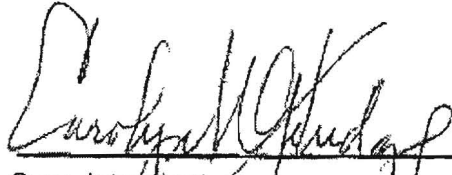
SECTION II:

BY-LAWS APPROVAL

These By-Laws will become effective only after a review and majority approval by the District Advisory Council, review by the Legal Advisor's Office, and review and approval by the Oakland Unified School District Board of Education. Approval by the District Advisory Council and the Board of Education should be accomplished within thirty-five (35) days of the final presentation by the By-Laws committee.

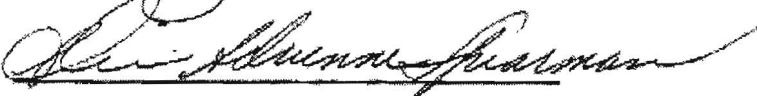
In witness thereof, the Superintendent of the Oakland Unified School District and the Chairperson of the Oakland Unified School State and Federal Programs District Advisory Council have caused these By-Laws to be duly executed on the sixth day of August, 1996.

Signed:




Superintendent,
Oakland Unified School District

Signed:

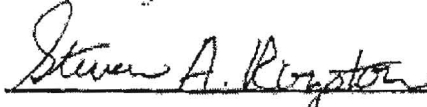


Chairperson, State & Federal Programs'
District Advisory Council
Oakland Unified School District


Approved by:

Signed:  Date 4/22/96

Board of Education, President
Oakland Unified School District

Signed:  Date 9/16/96

Legal Advisor's Office
Oakland Unified School District)

Signed:  Date 4/22/97

Edgar Rakestraw, Jr.
Deputy Secretary, Board of Education