



# SCHOOL GOVERNANCE COUNCIL HANDBOOK:

**Regulations & Procedures for Effective Local Governance of Charter System Schools**



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## **I. INTRODUCTION**

Fulton County Schools became a charter system in July 2012 to increase student achievement and improve organizational effectiveness and efficiency. A key component of the charter system is the establishment of a School Governance Council at each school within the charter system.

School Governance Councils will work with school leadership and the community to help determine the long-term direction of the school, design innovative solutions to increase student achievement, and serve as school ambassadors to the local community.

School Governance Councils will have the power to:

- (a) Approve the school strategic plan and updates
- (b) Manage the Request for Flexibility process
- (c) Manage flexible funding requests
- (d) Approve the annual budget recommendations and related allocations
- (e) Participate in the hiring of the principal, in the case of a vacancy
- (f) Provide annual feedback to the Area Superintendent on principal performance

This document outlines the governance regulations, procedures, and code of conduct for each and every School Governance Council formed in Fulton County Schools.

## II. SCHOOL GOVERNANCE COUNCIL GOVERNANCE REGULATIONS

### ARTICLE I: NAME, LOCATION, AND PURPOSE

**Section 1.1. Name.** The name of the entity will be School Governance Council. It is hereinafter referred to as the “Council.”

**Section 1.2. Location.** The principal office will be located at 6201 Powers Ferry Road NW Atlanta, Georgia 30339.

**Section 1.3. Governance.** The Fulton County Schools System consists of two (2) governance levels:

- (a) The Board of Education and the Superintendent of Schools will retain ultimate oversight and accountability for all the district’s student achievement results. The Board of Education and the Superintendent of Schools comprise system governance and have responsibility for setting system-wide procedures and the curriculum, driving required best practices, and making all hiring decisions.
- (b) The School Governance Council will comprise school-level governance by helping to set the long-term direction of the school, as well as design and implement school-level innovations that are responsive to local school needs.

Additionally, the Fulton County Schools’ Central Administration will continue to support all district schools through system-wide planning processes, managing data systems that drive decision-making at the local school and system level, providing instructional support aligned with the curriculum, setting the system budget and fiscal parameters and allocating resources to schools, and ensuring resources and infrastructure such as facilities, transportation, nutrition services, and technology are available and effective. Central Administration is responsible for managing system-wide compliance with all federal programs.

**Section 1.4. Non-Discrimination.** The Council will not discriminate on the basis of race, religion, national origin, gender, age, disability, sexual orientation, status as a special disabled Veteran, or other protected class in accordance with applicable federal or state laws in electing or appointing Council members. The Council will conduct all its activities in accordance with all applicable local, state, and federal anti-discrimination laws.

## **ARTICLE II: SCHOOL GOVERNANCE COUNCIL MEMBERSHIP AND DUTIES**

**Section 2.1. School Governance Council Operations.** The School Governance Council (Council) operates under the control and management of the Fulton County Board of Education and will follow Board of Education procedures unless otherwise waived.

**Section 2.2. Powers.** Upon successful completion of Fulton County Schools' certification, the Council will have the authority to fulfill the following responsibilities:

- (a) Approve and monitor the school strategic plan and updates
- (b) Manage the Request for Flexibility process
- (c) Manage flexible funding requests
- (d) Approve the annual budget recommendations and related allocations
- (e) Participate in hiring of the principal, in the case of a vacancy
- (f) Provide annual feedback to the Area Superintendent on principal performance

These basic responsibilities align with the following areas of decision-making authority as identified in the Fulton County Charter System Contract and The Charter Schools Act of 1998: personnel decisions, financial decisions, resource allocations, establishing and monitoring progress toward long-term outcomes.

The Council will make decisions by majority vote in all matters except where otherwise indicated.

**Section 2.3. Additional Responsibilities.** The Council is also responsible for the following duties:

- (a) Communicate Council work to stakeholders, including students, parents, community members, faculty, and staff
- (b) Participate in an annual assessment of the Council's performance and results.
- (c) Meet a minimum of six times during the 12-month year beginning July 1
- (d) Abide by the Fulton County Schools' governance regulations and procedures for School Governance Councils at all times
- (e) Abide by state Open Meetings and Open Records laws

**Section 2.4. Membership.** The Council will have the following membership structure:

- (a) Three (3) parents/guardians elected by the parents/guardians of the school
- (b) Two (2) teachers elected by the employees of the school
- (c) Two (2) school-based employees appointed by the principal
- (d) Two (2) community members nominated by the principal and approved by the remaining Council members
- (e) Two (2) students (non-voting; high schools only)
- (f) The principal (non-voting)

**All members must meet eligibility requirements as outlined in the candidate eligibility guide.**

Council members can request to alter the membership of the Council through the Earned Request for Flexibility process. (See Section III. PROCEDURES for information on Council elections and Requests for Flexibility)

**Section 2.5. Qualifications.** The Council will adhere to the following list of qualifications for service on the Council:

<b><u>All Council Members</u></b>			
<ul style="list-style-type: none"> <li>• Only one family member may serve on the Council at any given time, with the exception of student members, who may have a family member that serves on the Council. See Fulton County Schools Code of Conduct for definition of “family.”</li> <li>• Council representatives will be fingerprinted and subject to a criminal background check processed by the school district. The school district will determine if the criminal background check is satisfactory for service.</li> <li>• Council members may NOT be an elected official of a government entity.</li> <li>• Council members must be 18 years of age or older (with the exception of high school student members).</li> </ul>			
<b><u>Parents/Guardians</u></b>	<b><u>Teachers</u></b>	<b><u>School Employees</u></b>	<b><u>Community Members</u></b>
<ul style="list-style-type: none"> <li>• Must be the legal parent/guardian on record of a child attending the school during the entire term of Council service.</li> <li>• May NOT be an employee of the school.</li> </ul>	<ul style="list-style-type: none"> <li>• May NOT be the parent of a child enrolled at the school</li> <li>• Must have a position that appears in the <b><u>SGC Elections Candidate Guide Appendix A: Eligibility Guideline Details for Serving as a Teacher Representative on the School Governance Council</u></b></li> </ul>	<ul style="list-style-type: none"> <li>• May be the parent of a child enrolled at the school</li> <li>• Must have a position that appears in the <b><u>SGC Elections Candidate Guide Appendix B: Eligibility Guideline Details for Serving as a School Employee Representative on the School Governance Council</u></b></li> </ul>	<ul style="list-style-type: none"> <li>• May be the parent of a child enrolled at the school</li> <li>• May NOT be an employee of the school</li> </ul>

If at any time, a member does not meet the above qualifications, the member must resign.

**Section 2.6. Performance of Duties.** Each member of the Council will perform all duties in good faith and with the degree of diligence, care and skill, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstance.

Additionally, each Council member will:

- (a) Attend 75% or more of the scheduled Council meetings within the fiscal year beginning July 1. A Council member who fails to meet 75% of Council meetings, or misses three consecutive meetings, may be asked to resign from the Council.
- (b) Serve actively on at least one committee, attending at least 75% of the scheduled committee meetings and carrying out committee activities within its structure.
- (c) Be an ambassador for the school by being willing to interact, on a regular basis, with the school community. This may include school or district meetings or events.
- (d) Participate in mandatory trainings as required for service on the Council. Upon election or appointment to the Council, a member will complete the required trainings for certification. (See Section 2.14 for Certification Requirements)

**Section 2.7. Code of Conduct.** Each member of the Council must abide by the Council regulations around conflict of interest, code of ethics, confidentiality, gifts and solicitations, and any additional Code of Conduct regulations set forth which affect the Council. Details on the Code of Conduct can be found in the Section IV CODE OF CONDUCT.

**Section 2.8. Vacancies.** Vacancies on the Council must be filled by a temporary replacement member. The replacement will be nominated by the principal and elected by a majority vote of the remaining Council members. The Council must elect a new member to fill the unexpired term of the removed/resigned member no later than sixty (60) days from the departing Council member's removal or resignation. The replacement will fill the vacancy until the scheduled election of the position that's being filled, at which time the replacement must be elected or appointed as specified in the governance regulations, or step down from the Council as soon as his or her successor is duly elected or appointed. Vacancy replacements must be of the same position that was vacated and all rules for Council member participation must be followed.

**Section 2.9. Resignations.** A Council member may resign at any time. Such resignation must be expressed in writing unless waived by majority vote of the remaining Council members. The Council's acceptance of the resignation will not be necessary to make it effective.

**Section 2.10. Removal.** Any voting member may be removed from the Council for lack of attendance (see Section 2.6(a)), not performing Council duties, or for being in violation of the School Governance Council Code of Conduct. A Council member may be removed from the Council following an affirmative vote of two-thirds of the Council members at any meeting of the Council after notice to all Council members of that purpose.

**Section 2.11. Compensation.** All Council members will serve voluntarily and will not receive any compensation for their service as Council members. For FCS employees serving on the Council, this includes restriction of PLUs and paid time off. As volunteers, Council members may be expected to participate in some Council activities during the summer months when school is not in session.

**Section 2.12. Council Assessment.** On an annual basis, the school system will conduct a formal assessment of the Council's performance. The purpose of the assessment is to ensure adherence to the Council's purpose, duties, and responsibilities.

**Section 2.13. Accountability.** In such circumstances when the Council is unable to fulfill its duties and responsibilities, the Board of Education retains the authority to require specific school level interventions, to revoke any and all approved Requests for Flexibility and/or Seed Funds grants; and to dissolve the current Council. Such actions do not require the support of the Council.

**Section 2.14. Certification of School Governance Council.** The Council must earn Fulton County Schools' certification in order to exercise its responsibilities. Certification requires, at a minimum:

- (a) Successful completion of all Fulton County Schools' training requirements by each voting Council member;
- (b) A satisfactory criminal background check by each voting Council member; and
- (c) Compliance with Council election and appointment processes as defined in these regulations.

**Section 2.15. School Governance Council Certification Renewal/Retention.** In addition to each Council member's training requirements to retain certification, the Council, as an entity, must meet certification requirements. This entails the annual compilation and submission of evidence of successful governance in the following areas:

- (a) Approval of the school strategic plan and updates;
- (b) Approval of the annual budget recommendations and related allocations;
- (c) Participation in Fulton County Schools' annual Principal Feedback and Council Self-Assessment;
- (d) Adherence to Open Meeting Laws and required documentation;
- (e) Adherence to the rules and regulations in the School Governance Handbook; and
- (f) Open and inclusive election processes

This evidence will be included in the annual Council Self-Assessment Feedback provided by the Governance & Flexibility Team.

**Section 2.16. Request for Flexibility.** The Council is responsible for managing the Request for Flexibility process at their school. Details about the Request for Flexibility process is found in Section III PROCEDURES.

## **ARTICLE III: COUNCIL MEETINGS**

**Section 3.1. Meetings.** Meetings of the Council will be held a minimum of six times per year at a location that is open and accessible to the public. All Council meetings must be held outside of school instructional hours to protect student instructional time and employee work hours. Such meetings are subject to the requirements of the Georgia Open Meetings Laws (as applicable and amended from time to time), which include:

- Meeting time, date, location and agenda posted seven (7) days before the meeting (at school and on website)
- Summary of Actions from the current meeting and approved minutes from the previous meeting posted within two (2) business days after the meeting (at school and on website)
- Draft of meeting minutes provided to the Council within twenty (20) days after the meeting (not posted, just provided to Council members)

In emergency situations, special meetings of the Council may be called by a quorum of Council members, with at least twenty-four (24) hours' notice of time, date, location, and the general nature of the business to be transacted, on the school website and at the school. The Governance & Flexibility Team must be notified before any special meetings may occur.

**Section 3.2. Executive Session.** The Council may not initiate executive session (meetings that are not open to the public). Executive session may be initiated at the request of the Superintendent or his or her designee on matters related to the purchase, disposition or lease of property or real estate; personnel matters; or any other matter covered by attorney-client privilege. Executive session may also be initiated at the request of the FCS Governance & Flexibility department on matters related to the Council's feedback on principal performance.

**Section 3.3. Notice.** The Parliamentarian or his/her designee will give to each member of the Council prior written notice either at least one week (seven (7) days) or as required under Georgia's Open Meetings Law, whichever is later, of each regular or special meeting of the Council. Notices of meetings of the Council will be posted in the school and on the school's website, and provided to the public seven (7) days in advance, or in accordance with the Georgia Open Meetings Law. Each notice will state the date, time and location of the meeting and, in the case of special meetings, the general nature of the business to be transacted thereat, and be consistent with the Georgia Open Meetings Law.

**Section 3.4. Quorum.** At any meeting of the Council, the presence of a majority of the voting members of the Council (5 out of 9 voting members) will be necessary to constitute a quorum for the transaction of business. No proxies will be allowed. The acts of a majority of Council members present at a meeting at which a quorum is present will be the acts of the Council, except where otherwise indicated.

After a quorum is established at the physical location, a Council member may participate in the meeting by teleconference if necessary due to reasons of health or absence from a reasonable commuting range. No Council member shall participate by teleconference more than twice per calendar year absent emergency conditions or the written opinion of a physician or health professional that reasons of health prevent the member's physical presence.

## **ARTICLE IV: SCHOOL GOVERNANCE COUNCIL OFFICERS**

**Section 4.1. Titles.** The Council will have a Chair, Vice-Chair, and Parliamentarian.

**Section 4.2. Election and Term of Office.** Each officer will be elected from among the Council members at the first meeting of each new fiscal year of the Fulton County Schools. Each officer will serve for a term of one year, and may be eligible for one additional term of one year in the same office. Each officer will serve until a successor is elected and qualified or until said officer resigns or is removed from office.

No officer may hold more than one position at the same time. Only one Council member may occupy an officer position at any time. Non-voting members (principal and students) may not serve in any officer position.

**Section 4.3. Duties and Responsibilities.** Officers will have the duties and responsibilities belonging to their office, including those that follow:

### ***School Governance Council Chair Responsibilities***

#### **Purpose:**

The Council Chair is the leader of the Council and presides at all meetings of the Council.

#### **Key Responsibilities:**

**General:** Ensures the effective action of the Council in governing and adhering to its governance regulations, policies and procedures. Acts as the representative of the Council as a whole, if needed, between meetings of the Council. The Chair will have full and equal vote as afforded to all Council members.

**Procedure and Planning:** Works with the principal and the Council to determine the meeting agenda, and works with all standing and ad-hoc committees to ensure committee work is shared with the Council.

**School Governance Council Meetings:** Leads and facilitates Council meetings by making sure that the agenda is closely followed, ensuring that every Council member has the opportunity to participate in discussions, and that the Council uses proper decision-making procedures. The Chair also ensures that all Council members understand those decision-making procedures that are in place for the Council through an annual orientation to and discussion of those procedures.

**School Governance Council Evaluation:** Ensures that the Council has opportunities to

reflect regularly on how well it is meeting its responsibilities to the school, in part by working with Fulton County Schools' Central Administration to assure participation in the annual Council Assessment.

***Staff Oversight, Compensation, and Evaluation:*** The Chair has no oversight or governance role with regard to staffing of the school, nor does the Council.

***Public Relations and Communications:*** Defers to the principal as the spokesperson for the school.

***Elected By:*** Council members

***Length of Term:*** One-year term as Chair, eligible for one additional term as Chair. A Chair may not serve more than two one-year terms.

***Time Commitment:*** An average of 6-8 hours per month as Chair.

***Reports To:*** Council members.

***Qualifications:***

- A commitment to the school and its values and an understanding of the school's objectives, organization, and services.
- Knowledge of, and ability to work with, the broader school community.
- Ability to understand concepts and articulate ideas.
- Willingness to provide balanced leadership.

***School Governance Council Vice -Chair Responsibilities***

***Purpose:***

The Council Vice- Chair assists the Chair of the Council in providing leadership to the Council, and presides at all meetings of the Council in the absence of the Chair. The Vice - Chair will have full and equal vote as afforded to all Council members.

***Key Responsibilities:***

***General:*** Ensures the effective action of the Council in governing and adhering to its governance regulations, policies and procedures. The Vice-Chair acts as the representative of the Council in the absence of the Chair.

***Procedure and Planning:*** Works with the principal and the Council to determine the meeting agenda, and works with all standing and ad-hoc committees to ensure committee work is shared with the Council.

***School Governance Council Meetings:*** Leads and facilitates Council meetings in the absence of the Chair.

***School Governance Council Evaluation:*** Ensures that the Council has opportunities to reflect regularly on how well it is meeting its responsibilities to the school, in part by

working with Fulton County Schools' Central Administration to assure participation in the annual Council Assessment.

**Staff Oversight, Compensation, and Evaluation:** The Vice-Chair has no oversight or governance role with regard to staffing of the school, nor does the Council.

**Public Relations and Communications:** Defers to the principal as the spokesperson for the school.

**Elected By:** Council members

**Length of Term:** One-year term as Vice -Chair, eligible for one additional term as Vice-Chair. A Vice- Chair may not serve more than two one-year terms.

**Time Commitment:** An average of 4-6 hours per month as Vice-Chair.

**Reports To:** Council members.

**Qualifications:**

- A commitment to the school and its values and an understanding of the school's objectives, organization, and services.
- Knowledge of, and ability to work with, the broader school community.
- Ability to understand concepts and articulate ideas.
- Willingness to provide balanced leadership.

**School Governance Council Parliamentarian Responsibilities**

**Purpose:**

The Council Parliamentarian is responsible for assuring that the Council utilizes Robert's Rules of Order, follows the Open Meetings and Open Records laws, and distributes meeting notices and meeting minutes in a timely manner. The Parliamentarian will have full and equal vote as afforded to all Council members.

**Key Responsibilities:**

**General:** Ensures the effective action of the Council relative to Roberts Rules of Order, Georgia Open Meetings and Open Records laws, and the Council's governance regulations, covenants and procedures. The Parliamentarian is responsible for ensuring that the Council complies with Georgia Open Meetings and Records laws by ensuring the following documents and information are posted on the school website and at the school:

- Meeting time, date, and location seven (7) days before the meeting
- Meeting agenda seven (7) days before the meeting
- Meeting Summary of Actions and approved minutes from the last meeting within two (2) business days after the meeting
- Draft meeting minutes provided to the Council within twenty (20) days after the meeting (not posted, just provided to Council members)

***School Governance Council Meetings:*** The Parliamentarian ensures that all Council members understand those decision-making procedures that are in place for the Council through an annual orientation to and discussion of those procedures. The Parliamentarian also ensures that Council meeting agendas and materials are sent to the Council at least one week prior to each Council meeting.

***Staff Oversight, Compensation, and Evaluation:*** The Parliamentarian has no oversight or governance role with regard to staffing of the school, nor does the Council.

***Public Relations and Communications:*** Defers to the principal as the spokesperson for the school.

***Elected By:*** Council members

***Length of Term:*** One-year term as Parliamentarian, eligible for one additional term as Parliamentarian. A Parliamentarian may not serve more than two one-year terms.

***Time Commitment:*** An average of 6-8 hours per month as Parliamentarian.

***Reports To:*** Council members.

***Qualifications:***

- A commitment to the school and its values and an understanding of the school's objectives, organization, and services.
- Knowledge of, and ability to work with, the broader school in the community
- Willingness to ensure Council compliance
- Organized

**Section 4.4. Removal of Officers.** Any officer of the Council may be removed for lack of attendance or for violation of the Council Code of Conduct, by an affirmative vote of two-thirds of the Council members then in office at any meeting of the Council after notice to all Council members of that purpose. The Council will elect a new officer to fill the unexpired term of the removed officer at the next meeting immediately following the removed officer's departure.

## ARTICLE V: SCHOOL GOVERNANCE COUNCIL COMMITTEES

**Section 5.1. Establishment.** The Council may, by resolution adopted by a majority of the voting Council members, establish such committees as the Council will deem necessary or advisable. All such committees will have and may exercise such powers and authority to support the work of the Council as delegated by the Council. No committee will perform the full duties and responsibilities, or stand in the place of, the School Governance Council.

Council Committees are subject to the requirements of the Georgia Open Meetings Law (as applicable and amended from time to time), which include:

- Meeting time, date, and location posted seven (7) days before the meeting (at school and on website)
- Meeting agenda posted seven (7) days before the meeting (at school and on website)
- Approved minutes from the last meeting posted within two (2) business days after the meeting (at school and on website)
- Provide draft meeting minutes to the Committee within twenty (20) days after the meeting (not posted, just provided to Council members)

**Section 5.2. Standing Committees.** The Council will have the following standing committees:

- Budget & Finance Committee
- Outreach & Communications Committee
- New Principal Selection Committee

Committee membership for all standing committees, must be approved by a majority vote of the council at the first council meeting of each fiscal year. Committee members serve 1-year terms.

**A. Budget & Finance Committee** The Budget & Finance Committee coordinates the Council's financial oversight responsibilities by assuring that the Council understands the school's finances, including coordinating ongoing training. This committee will make recommendations to the Council to approve the annual school budget recommendations, review revenues and expenditures, and assist with acquiring community resources that can be of support to the school.

The Budget & Finance Committee will be chaired by a member of the Council, who is elected by members of the Council. The Chair should have experience in overseeing financial affairs, when possible.

The Budget & Finance Committee will be comprised of the Committee Chair, the principal, and at least three (3) additional members of the Council. The principal will be a non-voting member of this Committee. The Council may add up to three (3) additional external (non-Council) members to serve on the Budget & Finance Committee. Any external committee members must be approved by a majority vote

of the School Governance Council before serving on the committee. No more than eight (8) people may serve on the committee.

**B. Outreach & Communications Committee** The Outreach & Communications Committee is tasked with keeping the community informed of matters within the Council's area of responsibility, including progress on the school's Strategic Plan, budget and Requests for Flexibility. The Outreach & Communications Committee will participate in an annual meeting for the school community, led by the principal, to provide a report on the school's performance. This Committee will also be responsible for gathering input from the school community about any Requests for Flexibility to be submitted by the Council, or any major school initiatives or changes that would trigger public comment.

The Outreach & Communications Committee will be chaired by a member of the Council, who is elected by members of said Council.

The Outreach & Communications Committee will be comprised of the Committee Chair, the principal (or his/her designee) and at least three (3) additional members of the Council. The principal (or his/her designee) will be a non-voting member of this committee. The Council may add up to three (3) additional external (non-Council) members to serve on the Outreach & Communications Committee. Any external committee members must be approved by a majority vote of the School Governance Council before serving on the committee. No more than eight (8) people may serve on the committee.

**C. Principal Selection Committee** The Principal Selection Committee serves as the delegated authority for the Council in the area of principal selection. As the delegated authority for the Council, the Principal Selection Committee will formulate a recommendation for the preferred principal candidate(s) to provide to the Superintendent on behalf of the Council. The Council will not ratify or vote to approve the Committee's recommendation of the preferred candidate, as only Committee members will be present in interviews and permitted access to confidential, legally protected applicant information.

The Principal Selection Committee is a Standing Committee of the Council, selected at the beginning of the fiscal year, and convened on an ad hoc basis once a principal vacancy has been determined. The principal Selection Committee will be comprised of four (4) Council members from the current Council membership, including the Council Chair (or his/her designee). The Council members to serve on the Committee will be nominated and approved by the Council. The Principal Selection Committee will also include the Area Superintendent, the HR Director, the Area Executive Director, and up to three additional members of the school community, as determined and appointed by the Area Superintendent, based on their specific ability to provide valuable input into the selection process (for example, members of the P.T.A., school staff, and/or students).

### **III. PROCEDURES**

#### **A. School Governance Council Elections**

Election of the Council members is the responsibility of the families with children in the school, and of the school employees.

#### **B. Subsequent Terms of Office.**

With the exception of the student members, all Council members serving after the Council's inaugural election/appointment process will serve a two-year term of office. No member will serve more than two consecutive terms on the same Council. No member will serve more than two consecutive terms by shifting to another Council member category or role. Terms will be staggered so that there is at least one new parent, teacher, school employee, community person, and student (as applicable) elected/appointed each year. The term of office will begin July 1 and end June 30.

Student representatives (high school only) will serve one-year terms, from August – May of the school year in which they are participating.

#### **C. Election Timeframe.**

Council elections will be held in the spring (March-April) and appointments will take place after new terms begin (July 1st) and by the end of August.

#### **D. Election Procedures for Parent/Guardian Slots**

Parents/guardians with at least one child in the school will be eligible to vote for the parent/guardian slots. An online process will be created by Fulton County Schools in which each eligible voter can log in to cast their ballot. Fulton County Schools will determine parent/guardian eligibility for voting.

The voting period will be no less than one (1) calendar day and no more than seven (7) calendar days. Notice of the voting period will be published during the voting period in school publications, notices to be sent home to families, and/or on the school's website.

Fulton County Schools' Central Administration will manage the election process. Ballots will be tabulated by an unbiased, external vendor.

Results of the election will be published on the school's website no later than ten (10) days after the closing date of the voting period.

#### **E. Election Procedures for Teacher Slots**

School employees will be eligible to vote for teacher representatives at the school. Each employee in the school will have one vote. An online process will be created by Fulton County Schools in which each school employee can log in to cast their ballot.

The voting period will be between one (1) and seven (7) calendar days for teacher positions. Notice of the voting period will be published in school publications, notices to be sent to teachers via e-mail, and posted on the school's website.

Fulton County Schools' Central Administration will manage the election process. Ballots will be tabulated by an unbiased, external vendor.

Results of the election will be published on the school's website no later than ten (10) days after the closing date of the voting period.

#### **F. Procedure for School Employee Appointments**

The principal will appoint two (2) school employees to serve on the School Governance Council. The school employee appointments will be made following the election of the parent/guardian and teacher representatives.

#### **G. Procedure for Community Member Nominations and Approvals**

Each Council will have two (2) community representatives. The community representatives will be nominated by the principal and approved by the rest of the Council. The principal will call a meeting of the elected and appointed members of the Council to present the list of nominees for community representative. The Council will approve the community representatives by a majority vote of the Council members then in office.

#### **H. Procedure for Selection of Student Representatives on High School Councils**

High school Councils will have two (2) non-voting student representatives. The process for student selection for the Council will be as follows:

- One student will be the president from the elected student government organization and one student will be the president or highest ranking position from a non-elected student organization to be determined by the School Governance Council (e.g., National Honor Society, Beta Club). In the Planning Year, the Council will vote to determine the non-elected student organization from which the second student representative will be selected.
- If these two (2) student organization positions are occupied by the same person, the second student-member of the Council will be the next highest ranking position on the non-elected student organization.
- If the student organization is being led by two student members, the Council may allow both members to serve as student representatives.
- If a student representative chooses not to serve on the Council, the Council must select the next highest ranking position from the student organization of the departing student.
- Students will serve 1-year terms, from August – May of the school-year that they are serving.

- There will be no restrictions on the grade levels of the students serving.

## **I. School Governance Council Assessment**

The purpose of the Council assessment is to identify those areas of Council operations that are working well, and those that may need improvement. The Council assessment speaks to the Council as a whole, not to individual members. It is the evaluation process of the overall effectiveness of the Council as a decision-making group. Each Council member agrees to submit an objective, honest assessment survey regarding council performance at least once per year, and to carefully consider the assessment results provided by the central administration. Failure to participate in the Council assessment may result in revocation of Council certification, and/or approved Requests for Flexibility waivers and Seed Funds.

## **J. Expense Reimbursement**

Council members will not be reimbursed for expenses related to routine Council meetings and service, including mileage, meeting expenses, or other expenses incurred as a result of that service.

## **K. Compensation**

Council members will serve without compensation. For FCS employees serving on the Council, this includes restrictions on PLUs and paid time off. As volunteers, Council members may be expected to participate in some Council activities during the summer months when school is not in session.

## **L. Media Relations**

Council members will not make statements, provide information for distribution, or provide background information to any media source unless specifically directed to do so by the principal and/or a representative of the Fulton County Schools.

## **M. Feedback on Principal Performance**

Area Superintendents will evaluate the principal's performance in each school. Area Superintendents will ask each Council for feedback on the principal's performance during that evaluation process, which will take place annually beginning in the Council's first full year of service.

## **N. Request for Flexibility Process**

The Council is responsible for managing the Request for Flexibility process at their school. The intent of the Request for Flexibility is to improve student achievement through academic and/or organizational innovation. The Council must be certified to engage in the RFF process. Requests for Flexibility are classified into two (2) groups:

1. **Universal Requests for Flexibility** – Universal Requests for Flexibility (RFFs) are proposed ideas or innovations that affect only the local school and require no additional

resources to implement. Universal RFFs are limited to student uniforms, parental involvement standards, and personal fitness waivers (high school only). The Council manages the Universal RFF process and may engage in the Universal RFF process at their discretion once the Council is certified. All Universal RFFs must undergo a 30-day public comment period, organized by the Council, and be approved by a 2/3 majority vote of the Council.

2. **Earned Requests for Flexibility** – Earned Requests for Flexibility (RFF) are strategic efforts that require the school and the system to operate in dramatically different ways, and may require waivers from district or state policy or law. To request a waiver from a state or district law or policy, the Council must submit an Earned RFF proposal to the district that aligns with the school’s strategic plan, provides evidence of sound research or indicates the project’s likelihood of success, and addresses critical factors around the plan’s implications on budget, personnel, operations, etc.

The Council manages Earned RFFs and may engage in the Earned RFF proposal development after Council certification and approval of the school’s strategic plan. All Earned RFFs must undergo a 30-day public comment period organized by the Council, be approved by a 2/3 majority vote of the Council, and must receive the recommendation of the school’s Area Superintendent before being submitted to the Superintendent for final review and approval or denial.

Standards and guidance for Requests for Flexibility will be provided annually to School Governance Councils and posted on the district’s website.

## **IV. CODE OF CONDUCT FOR SCHOOL GOVERNANCE COUNCIL MEMBERS**

### **A. Conflict of Interest**

The Council will adhere to these Conflict of Interest provisions.

1. No Council member will use or attempt to use his or her official position to secure unwarranted privileges, advantages, or employment for himself/herself or any other individual or organization.
2. No Council member will act in his or her official capacity in any matter in which he or she, any of his or her immediate family members, or any business organization in which he or she has a material financial interest that would reasonably be expected to impair his or her objectivity or independence of judgment.
3. No Council member will use, or knowingly allow to be used, his or her official position or any information not generally available to the members of the public which he or she receives or acquires in the course of and by reason of his or her official position for the purpose of securing financial gain for himself or herself, any of his or her immediate family members, or any business organization with which he or she is associated.
4. No Council member will accept a monetary fee or honorarium for a speaking engagement, participation in a seminar, discussion panel, or other activity that directly relates to the official duties of the Council.
5. No Council member represents individual students or student groups in their Council deliberations and decision-making.
6. Any Council member that has a conflict of interest or the appearance of a conflict of interest on a matter before the Council must recuse himself/herself from the discussion and voting on that matter.

### **B. Gifts & Solicitations**

To avoid a conflict of interest or the appearance of a conflict, Council members will not directly or indirectly accept, solicit, receive or agree to receive any gift, rebate, benefit, favor, service or other thing of value from any vendor or prospective vendor of the Fulton County Schools or school or from any other person or company doing or seeking to do business with the Fulton County System or school. Exceptions are: food and/or beverage consumed at an occasional meal or event; food, beverage or expenses associated with normal and customary business or social function or activity; promotional items distributed to the general public or employees, an award, plaque, certificate, memento or similar item given in recognition of the employee's civic, charitable, political, professional or public service; any gift with a value less than \$25.00 or items given for the use and benefit of students of the System or school.

## **C. Code of Ethics**

The Council should operate in the most ethical and conscientious manner possible and to that end the Council will adopt this Code of Ethics and each member of the Council agrees that he or she will:

### ***I: General Governance Structure:***

1. Honor the chain of command and refer problems or complaints consistent with the chain of command.
2. Not undermine the authority of the school's principal or intrude into responsibilities that properly belong to the principal or school administration, including such functions as hiring, transferring or dismissing employees.
3. Consider the needs of all students in the school in deliberations and decision-making. Council members will not advocate for the needs of individual students or student groups to the exclusion of the overall good of the school.
4. Reflect through actions that his or her first and foremost concern is for the educational welfare of children attending the school.
5. Render all decisions based on available facts and his or her independent judgment and refuse to surrender his or her judgment to individuals or special interest groups.
6. Uphold and enforce all applicable laws, all rules and regulations of the State Board of Education and the Fulton County Board of Education and all court orders pertaining to the System.

### ***II. Governance Regulations and Policies:***

1. Work with other Council members to abide by the Council governance regulations and procedures.
2. Make decisions on Council matters only after full discussion at publicly held Council meetings.

### ***III. School and Community Relations:***

1. Seek regular and systemic communications among the Council and students, school employees and the community.
2. Communicate to the principal expressions of public reaction to school procedures and school programs.

### ***IV. Council Meetings:***

1. Attend and participate in regularly scheduled and called Council meetings (see "Council Member Expectations").

2. Be informed and prepared to discuss issues to be considered on the Council agenda.
3. Work with other Council members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during the discussion and resolution of issues at Council meetings.
4. Participate in a closed executive session of the Council only when applicable law or board of education procedure requires consideration of a matter in executive session.
5. Maintain the confidentiality of all discussions and other matters pertaining to the Council and the school, during executive session of the Council.
6. Make decisions in accordance with the interests of the school as a whole and not any particular segment thereof.
7. Express opinions before votes are cast, but after the Council vote, abide by and support all majority decisions of the Council.

***V. Relationship with Principal:***

1. Use reasonable efforts to keep the principal informed of concerns or specific recommendations that any member of the Council may bring to the Council.
2. Work with the principal and Board of Education to ensure prudent and accountable uses of the resources of the school system.
3. Provide feedback on the performance of the principal to the Area Superintendent within established district procedures.

***VI. Financial Interest:***

1. Refrain from using the position of Council member for personal or partisan gain or to benefit any person or entity over the interest of the school.

***VII. . Conduct as Council Member:***

1. Devote sufficient time, thought and study to the performance of the duties and responsibilities of a member of the Council.
2. Become informed about current educational issues by individual study and through participation in programs providing needed education and training.
3. Communicate in a respectful professional manner with and about fellow Council members.
4. Take no private action that will compromise the Council or school administration.
5. Refrain from using your Council position to gather information on individual student

academic performance or disciplinary matters, teacher/staff evaluations, and any other formal or informal documentation on any individually identifiable student, teacher, or staff. There should be no discussion on matters related to individual students, teachers, or staff by Council members (with the exception of academic meetings regarding you or your child).

6. Maintain confidentiality of sensitive, confidential information shared in the process of conducting the work of the Council.

7. Participate in all required training programs developed for Council members by the Fulton County Board of Education or the State Board of Education.

8. Abide by Georgia law and FCS practices for mandatory reporting of child abuse. If a Council member has reasonable cause to believe that a child has been abused, the member will report that abuse to Division Family and Children Services and the principal within 24 hours from the time there is reasonable cause.

#### **D. Confidentiality/Access to Personal Information**

Any information regarding economic status, academic program or service participation, achievement or behavior of individual students is federally protected, deemed confidential and under no circumstances is such student information accessible to any Council member. Any information regarding individual employee performance or personnel action is considered confidential and under no circumstances is such personnel information accessible to any Council member.

Council members may be privy to confidential information not outlined above as a result of their position on the Council. Members may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the school system or the school to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom the Fulton County Schools has authorized disclosure. Council members will use confidential information solely for the purpose of performing services as a Council member. This procedure is not intended to prevent disclosure where disclosure is required by law.

Confidential information includes, but is not limited to: information pertaining to contractual relationships, prospective employees, future land purchases, or any other information the school district deems confidential.

Confidential information does not include any information that:

1. was rightfully within a Council member's possession prior to it being revealed as part of his/her affiliation as a member of the Council;
2. is or becomes generally known to the public at a later date by rightful means;
3. is released for disclosure by the Fulton County Schools; or
4. is received in good faith by the Council member through a source other than the Fulton County Schools.

Council members acknowledge that all confidential information is owned solely by the Fulton County Schools and that the unauthorized disclosure or use of such confidential information would cause irreparable harm and significant injury to the Fulton County Schools and/or individual schools, the degree of which may be difficult to ascertain. Accordingly, Council members will agree in writing that the Fulton County Schools has the right to obtain an immediate injunction enjoining any breach of this section, as well as the right to pursue any and all other rights and remedies available at law for such a breach.

Council members must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations in public places, such as restaurants, elevators, and airplanes, should be limited to matters that do not pertain to information of a sensitive or confidential nature. In addition, Council members should be sensitive to the risk of inadvertent disclosure and should, for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speakerphones to discuss confidential information if the conversation could be heard by unauthorized persons.

At the end of a Council member's term in office, he or she will return, at the request of the Fulton County Schools, all documents, papers, and other materials, regardless of medium, that may contain or be derived from confidential information in his or her possession.

## **APPENDICES.**

### **APPENDIX A: Open Meetings Law**

#### **Open Meetings Act Summary**

The School Governance Council is subject to the Open Meetings Act (Official Code of Georgia Annotated [OCGA] § 20-2-86[f]).

A meeting for the purposes of the Open Meetings Act is defined as a quorum of the members of the Council or any committee of its members at which any public matter, official business, or policy is to be discussed or presented, or at which official action is to be taken, or recommendations on any public matter, official business, or policy are to be formulated, presented or discussed

All meetings are open unless otherwise provided by law.

Regular meetings of the Council must have:

- Announcements of the time, place, and dates of regular meetings posted in a conspicuous location at least one week in advance of the meeting date and time at the place where the meetings are held;
- Notice given to the Council members at least seven days prior to a meeting (OCGA § 20-2-86[f]), and
- Regular meetings may be cancelled or postponed without notice.

Council meeting agendas must:

- Include all matters expected to come before the Council; and
- Be posted at least seven days in advance of the meeting at the meeting site and on the school website.

Note: Failure to include an item on the agenda that becomes necessary to address during the meeting does not prohibit the Council from considering and acting upon the item.

Council meeting summaries must:

- Be written and made available to the public for inspection within two business days of the adjournment of the meeting.
- Include the subjects acted on and the members present at the meeting.

Council meetings must have minutes that:

- Are promptly recorded and open to public inspection once approved as official by the Council no later than immediately following the next regular meeting of the Council;
- Include, at a minimum, the names of Council members present, the description of each motion or other proposal made during the meeting, names of those individuals making and seconding each motion or proposal, and a record of all votes taken and the results

- of those votes;
- Include the name of each person voting for or against the proposal, or abstaining from voting on the proposal;
- Are kept on file at the school office for anyone to request to review (OCGA § 20-2-86[1]); and
- Are sent to Council members within 20 days following each Council meeting (OCGA § 20-2-86[1]).

Visual and/or sound recording of Open Meetings will be permitted.

Meetings, or a portion of a meeting, may be closed to the public (an “executive session”) ONLY if:

- The Governance & Flexibility department requests an executive session for the of providing feedback on principal performance conducted through a formally defined process; or
- The Superintendent or his or her designee requests an executive session for matters related to the purchase, disposition or lease of property or real estate; personnel matters; or any other matter covered by attorney-client privilege.

#### Procedures for a Closed Meeting

- A. Specify reason(s) for closing the meeting; must be within the exceptions listed above and recorded in the minutes
- B. A majority vote of a quorum present for the meeting is necessary to close the meeting
- C. Minutes must reflect the names of the Council members present and the names of those voting to close the meeting
- D. Minutes of the executive session are available to the public as are other meeting minutes
- E. Only the portion of the meeting that deals with exceptions under the law will be closed; other portions of the meeting must be open
- F. When a meeting or portion of a meeting is closed, the Council Chair will execute and file with the minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting of the closed portion of the meeting was devoted to matters within the exceptions provided by law and identifying the specific reason for closing the meeting.

A meeting may not be closed in order to discuss whether or not to close a meeting.

#### Violation of Open Meetings Act

1. Anyone knowingly and willfully conducting or participating in a meeting in violation of the Open Meetings act is guilty of a misdemeanor and, upon conviction, punished by a fine not to exceed \$1000.00. Alternatively, a civil penalty may be imposed by the court in any civil action brought pursuant to this chapter against any person who negligently violates

the terms of this chapter in an amount not to exceed \$1,000.00 for the first violation. A civil penalty or criminal fine not to exceed \$2,500.00 per violation may be imposed for each additional violation that the violator commits within a 12 month period from the date that the first penalty or fine was imposed.

2. Superior courts have jurisdiction to enforce the Open Meetings law; the attorney general has the authority to bring law enforcement actions, criminal or civil.

3. If a superior court determines that a Council has not complied with the act, the court will—unless special circumstances exist—assess in favor of the complaining party reasonable attorney's fees and other litigation costs.

## **APPENDIX B: School Governance Council Member Immunity**

Duly elected and appointed members of School Governance Councils are afforded legal immunity for their voluntary service as Council members under Georgia state law (O.C.G.A. 51-1-20(a)). This immunity protects the Council member from any civil litigation based on actions taken as part of his/her official duties and responsibilities as a Council member as long as the Council member acted in good faith and within the proper scope of his/her role as a Council member.

Federal law also provides a source of immunity from legal liability for Council members due to their volunteer status. As long as the Council member's conduct in question did not occur due to willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of others, the Council member will be immune from liability for the action (42 U.S.C. 14501-14505).