



# **SCHOOL HEALTH ADVISORY COUNCIL BYLAWS**

## Article I: Authority

*Section One: Statue and Policy.* Each school district in the State is required in Chapter 28.004 of the Texas Education Code (TEC) to establish and maintain a district-level advisory council [BDF (LEGAL)].

*Section Two: Limitations.* The School Health Advisory Committee (SHAC) is an advisory body, and shall serve to provide guidance, counsel, and other assistance to the Board of Trustees and district administration as specified in state law and district policy. The SHAC shall have no power to expend public funds, enter into contracts, or otherwise place obligation or liability upon the district.

*Section Three: Staff Support.* The administration shall identify an appropriate staff member to serve as SHAC Coordinator (the coordinator).

*Section Four: Bylaws.* It shall be the responsibility of the Advisory Council, upon the advice and counsel of the SHAC Coordinator, and upon any direction given by the Governing Board, to establish, and amend the SHAC Bylaws. Any changes to the SHAC Bylaws must be approved by the Board of Trustees.

## Article II: Responsibilities

*Section One: Responsibilities.* According to state law, district policy, and direction of the Board of Trustees and district administration, the SHAC shall have the following responsibilities.

- A. Hold plenary meetings at least four times each year, pursuant to TEC 28.004(d-1).
- B. Meet the requirements of TEC Chapter 38.013 and district policy EHAA (Legal), including:
  - a. Provide advice and counsel prior to decisions pertaining to the areas of health education curriculum appropriate for specific grade levels, that may include a coordinated school health program designed to prevent obesity, cardiovascular disease, and Type II Diabetes through coordination of health education, physical education, nutritional services, parental involvement, staff wellness, environmental health, mental/emotional wellness, and health services.
  - b. Approve the district coordinated school health program, subject to adoption by the Board of Trustees.
  - c. Advise and consult with the district in the development of a comprehensive health education curriculum.
- C. Consult as necessary or appropriate with the Superintendent and district administration regarding the planning, implementation, and evaluation of the district coordinated school health program.
- D. Consult with the Superintendent and district administration in advance of submitting issues, concerns, reports, and recommendations to the Board of Trustees.
- E. Provide a written annual report to the Board of Trustees on or before June 1 of each year [BDF (Legal)]
- F. The SHAC shall meet at least four times each year.

## Article III: Meetings

*Section One: Plenary Meeting.* The coordinator shall work with officers to establish the plenary (regular) meeting schedule of the SHAC. At least 72 hours before the meeting, notice of the meeting shall be posted on a bulletin board in the central administrative office and of each district, as well as on the district's website. An audio or video recording of the regular meeting will be posted on the public SHAC website on later than the 10th day after the meeting. (New addition)

*Section Two: Cancellation of Meetings.* If necessary, the coordinator and officers may cancel any meeting of the SHAC with good cause (i.e., inclement weather or adverse conditions), and determine if the meeting should be rescheduled. Members shall be given the reason for meeting constellations, and be given sufficient notice of cancelled or rescheduled meetings.

*Section Three: Open Meetings.* Pursuant to the district's communications and visitor's requirements, all plenary meetings of the SHAC shall be open to the public, and the public shall have reasonable opportunity to provide comment. The co-chairs may limit the time given to speakers. Subcommittee meetings may be open to the public at the discretion of the co-chair.

*Section Four: Subcommittees.* The coordinator and officers may form standing or ad hoc subcommittees on any matter deemed necessary or appropriate. The co-chair is responsible for overseeing subcommittees, the selection of their chairs and membership, and may provide specific charges or procedures for those committees (which may allow the inclusion of non-members to serve only in a consultative capacity).

- A. Subcommittees may not constitute a quorum of the SHAC. Unless otherwise directed by the co-chair, subcommittee meetings shall be held at the discretion of the subcommittee.
- B. The co-chair, subcommittee meetings shall be held at the discretion of the subcommittee. The co-chair shall determine whether subcommittee meetings are open to the public (if they are open to the public, meetings must be posted under provisions of Section Nine of the Article).
- C. Subcommittees are not required to have a regular meeting schedule. Unless otherwise directed by the co-chair, subcommittees are not required to take minutes of the meetings.
- D. Subcommittees shall report findings and recommendations to the SHAC for its consideration.

Pursuant to statutory requirements, there shall be a standing subcommittee maintained to address Physical Education and Activity (TEC 28.004 (I -1)).

*Section Five: Quorum.* For meetings of the full SHAC, a quorum shall be the majority of the current membership. Meetings may still be held without a quorum for purposes of presentation or discussions. However, no actions or voting may take place without a quorum.

*Section Six: Attendance.* Member attendance shall be monitored by the coordinator, who shall work with members to try and resolve any attendance problems. Non-attendance for three

unexcused meetings within a one-year period may result in removal by the coordinator in conjunction with the appointing Trustee or Superintendent, as applicable. Members are encouraged to contact the coordinator if they know they cannot attend a meeting. The coordinator shall determine whether the absences are excused.

*Section Seven: Virtual Attendance.* Members may participate in meetings virtually through various means, to the extent they are readily available to the committee coordinator. However, members shall not participate virtually on a recurring basis. (New addition)

*Section Eight:* Members shall attempt to reach decisions by consensus. However, if a clear consensus cannot be obtained, members shall reach a decision by majority vote. Proxy voting shall not be permitted. However, members in virtual attendance may vote.

*Section Nine: Agendas.* Agendas shall be provided for all SHAC meetings, and posted on the SHAC website at least 72 hours in advance of meetings. Agenda items shall normally be determined by the coordinator and officers. However, a majority of the SHAC may vote to place an item on an upcoming agenda.

*Section Ten: Minutes.* The coordinator shall ensure that minutes are kept for all plenary SHAC meetings. Minutes are records of the meeting highlights and are not intended to provide a high level of detail. At a minimum, minutes shall include: attendance of members, staff and visitors; the time the meeting was called to order and adjourned; the outcome of any votes or other actions; and a brief synopsis of the meeting proceedings. The committee coordinator will provide a draft of meeting minutes.

- A. A draft copy of meeting minutes will be posted within 10 days of the meeting. Minutes from previous meetings shall be approved at the next regular meeting by the SHAC, and posted on the SHAC website. (New addition)

#### Article IV: Membership

*Section One: Membership Criteria.* Membership of the SHAC will strive to reflect the geographic, ethnic, gender, disability, and economic diversity of the district. The membership composition of the SHAC shall comply with the following:

- A. The majority of the SHAC shall consist of parents, as defined above.
- B. The membership of the SHAC may also include other residents of the district such as: teachers, administrators, counselors, students, health care professionals, business community, law enforcement, senior citizens, clergy, nonprofit health organizations, and local domestic violence programs.
- C. A representative of the Board of Trustees may serve in an ex-officio (non-voting) capacity.

*Section Two: Membership Selection.* Each Trustee may appoint up to two individuals to serve as members of the SHAC. Trustees may consult with the coordinator of the district advisory bodies to identify member candidates and to obtain their applications for consideration.

- A. The two-year term of a member of a Board-appointed advisory committee shall coincide with the term of the appointing trustee and shall begin on June 1 of an odd-numbered year. When a newly elected or appointed trustee assumes office, the trustee may appoint a new member from the trustee's district to the committee. In the case of a trustee filling a vacancy on the Board, the trustee may reaffirm the current committee member or appoint a new member to serve the remainder of the member's two-year term. A newly elected trustee, including a re-elected trustee, may appoint a member to serve one additional term. *(New addition)*

The Board of Trustees delegates to the Superintendent the designation of other members of the SHAC to include:

- A. One teacher;
- B. One administrator;
- C. One student;
- D. One mental health professional; and
- E. One health care professional

This does not preclude a trustee from naming other teachers, administrators, students, mental health professionals, or health care professionals as their appointment members of the SHAC.

*Section Three: Term Services.* The term service for a member shall be two years. Members may serve one additional term, but renewed membership is not automatic. Members appointed after September shall serve for the remainder of the term period. Trustees may allow members to serve one additional term.

*Section Four: New Trustees.* A new trustee may opt to replace a SHAC member appointed by the trustee's predecessor. Committee members appointed after September shall serve for the remainder of the term period. Trustees may allow members to serve multiple terms. In such a case, a trustee shall notify the coordinator through the Board Secretary or Superintendent.

*Section Five: Vacancies.* Should a SHAC member resign or be removed, creating a vacancy, a trustee or the Superintendent, as applicable, may select a replacement member.

*Section Six: Continued Operation.* Any vacated left unfilled under the provisions of Sections Four and Five of this Article shall not cause the SHAC to discontinue its operations.

*Section Seven: Conflict of Interest.* Conflict of interest shall include, but are not necessarily limited to, the following:

- A. Having a pecuniary interest in any discussion or recommendations of the council; and
- B. Involvement in any litigation or procedural challenges against the district.

The coordinator shall report any cases or possible causes of conflict of interest to the Superintendent, as applicable, for appropriate action. If a member is determined to have a conflict of interest, appropriate action may include:

- A. Required recusal from a particular agenda item or items;
- B. Required recusal from a particular meeting or meetings; and
- C. Removal from the council.

*Section Eight: Role of the Board Representative.* The Board may designate a trustee to serve as a representative to the SHAC. The role of the board representative is to observe, without vote, on deliberations and activities of the SHAC. The board representative shall not speak for the Board of Trustees unless a majority of the Board in a public meeting in accordance with the Texas Open Meetings Act has so directed. The board representative may actively participate in discussions by providing guidance as may be appropriate and by responding to questions to the best of his/her ability. The Board representative will provide updates, verbal or written to the Board as desirable; however, these updates shall not supplant the annual report to the Board of Trustees.

*Section Nine: Code of Conduct.* The district welcomes freedom of expression and debate. However, SHAC members, as well as subcommittee members, district parents and students, district staff and trustees. In meetings, members must be recognized by the co-chairs before speaking, and otherwise respect the order maintained by the co-chairs. Unless otherwise authorized by the SHAC, members shall not speak for the SHAC, and unless otherwise authorized by the administration, members shall not speak for the district. Members, by their comments and/or actions, shall not reflect badly on the SHAC or the district. Violation of this code of conduct may result in reprimand or dismissal by the SHAC Coordinator in conjunction with the appointing trustee or Superintendent, as applicable.

*Section Ten: Undue Advantage.* SHAC members shall not use their position to gain or attempt to gain an undue advantage for themselves or anyone else. Violations of this requirement may result in dismissal by the SHAC Coordinator in conjunction with appointing trustee or Superintendent, as applicable. (As examples, it would be considered an undue advantage if a person included his or her membership in the SHAC in the reasoning for allowing a student to transfer or for allowing a student entry into a particular program; however, it would not be considered an undue advantage for a person to include SHAC membership on his or her resume.)

#### Article V: Co-Chairs

*(Change to Co-Chairs from Chair, Vice Chair and Secretary)*

*Section One: Eligibility.* The officers shall consist of two co-chairs (at least one of whom must be a parent of a student enrolled in the district and cannot be an employee of the school district), the terms of service for officers is two years.

- A. The SHAC officers shall determine the co-chairs.

*Section Two: Responsibilities of the Co-Chairs.*

- A. With the coordinator and other officers, determining agendas for regular and other plenary meetings of the SHAC;

- B. Presiding at all plenary meetings of the SHAC, ensuring that commonly accepted parliamentary procedures are followed;
- C. Signing all letters, reports, and other communications on behalf of the SHAC;
- D. Serving as the spokespersons for the SHAC;
- E. Presenting progress reports to the Board of Trustees; and
- F. Performing other responsibilities as may be prescribed by the Board of Trustees.

*Section Three Midterm Vacancies.* If a vacancy occurs after a co-chair's term has commenced, a new co-chair shall be seated to serve for the remainder of the term, following the procedures in Section One of this Article.

*Section Four Removal of Officers.* The co-chairs serve at the will of the Board, who may at any time remove a co-chair. Such actions in themselves do not equate to dismissal from the SHAC.

#### Article VI: SHAC Coordinator

*Section One: Responsibilities.* Responsibilities of the coordinator shall include, but are not limited to:

- A. Ensuring that adequate facility arrangements and staff support are secured for all meetings;
- B. Providing members and support staff with agendas and background materials prior to meetings;
- C. Serving as custodian of all SHAC records. Agendas and minutes of regular meetings must be maintained for a minimum of two years. In addition, the coordinator shall keep a record of member term expirations and length of member service;
- D. Promoting public awareness of the SHAC and consulting a database of persons interested in service as SHAC members;
- E. Informing the Superintendent and Board of Trustees of vacancies;
- F. Providing staff support in the development and submission of SHAC's annual report;
- G. Monitoring member attendance, and addressing possible member conflicts of interest and possible instances of undue advantage;
- H. Maintaining the SHAC website;
- I. Providing such other assistance as requested in accordance with the SHAC authorizing statute, district policy, and the direction of the Board of Trustee.

#### Article VII: Review of the Committee *(New addition)*

*Section One: Review.* Consistent with BDF (Local) the committee is subject to review and evaluate necessary revisions.

*Section Two: Date.* The committee shall undergo a review every two years to coincide with the year of the regular session of the State Legislature. The committee's review shall be completed by August 31st.

#### Attachment *(New addition)* Subcommittee Guidelines

## 1. Applicability

- a. These guidelines apply to subcommittees formed under Article III, Section Four.

## 2. Formation

- a. The committee coordinator and co-chairs may form a subcommittee if the advisory committee or the administration deems a subcommittee is necessary or advisable.
- b. The SHAC committee coordinator will call for volunteers to serve on the subcommittee.
- c. To provide diverse and fresh perspectives, SHAC members who have not previously served on subcommittees are encouraged to volunteer.
- d. The co-chairs and SHAC committee coordinator may attend and take part in subcommittee meetings.

## 3. Responsibility

- a. Subcommittees do not constitute a quorum of the SHAC, and therefore do not take any formal vote or action.
- b. Subcommittees do not speak on behalf of the SHAC or the district.
- c. The SHAC committee coordinator and co-chairs will develop a charge for each subcommittee.
- d. The SHAC committee coordinator and co-chairs will designate subcommittee chair(s), who shall:
  - i. Ensure adherence to subcommittee guidelines and charges;
  - ii. Develop agendas, messages and information to the subcommittee;
  - iii. Convey agendas, messages and information to the subcommittee;
  - iv. Pace meetings and encourage participation of all members;
  - v. Bring any problems or concerns to the SHAC committee coordinator; and
  - vi. Bring committee recommendations to the SHAC committee coordinator.
- e. The SHAC will consider subcommittee recommendations and determine the extent to which they are forwarded to the Superintendent - any recommendations to the Board are through the Superintendent.
- f. The SHAC committee coordinator and co-chairs may direct the subcommittee to accelerate, conclude, or extend its work.

## 4. Meetings

- a. The SHAC committee coordinator will establish a date, time and location for the initial meeting of the subcommittee.
- b. At the initial meeting, the minimum order of business is:
  - i. Ask for a volunteer to record meeting attendance and highlights (or this responsibility may rotate from meeting to meeting);
  - ii. Review the subcommittee guidelines;
  - iii. Review the subcommittee charge;
  - iv. Initiate discussion of issues;
  - v. Establish a contact list of subcommittee communications; and
  - vi. Agree on a schedule for subsequent meetings.
- c. The subcommittee chair(s) provides meeting schedules and highlights to the SHAC committee coordinator.



- d. The subcommittee may invite non SHAC members to meetings to provide information or input, and as such may take part in meetings.
- e. The subcommittee may not conduct or direct school or community meetings, interviews, or surveys without prior approval of the SHAC committee coordinator, who may consult with the co-chairs.
- f. The subcommittee may request staff support or other district resources through the SHAC committee coordinator.
- g. In addition to making recommendations, the subcommittee may also conduct research and provide findings or reports.