



Los Angeles Unified School District
Office of Parent and Community Services

District English Learner Advisory Committee

DELAC BYLAWS



Approved on February 28, 2019
Correction on page 8 on March 18, 2019





DISTRICT ENGLISH LEARNER ADVISORY COMMITTEE (DELAC)

By-laws

ARTICLE I: AUTHORITY

California Education Code (62002.5, 5 CCR 11308, 52176) requires the establishment of a District English Learner Advisory Committee (DELAC) for districts with at least fifty or more English learner students. The DELAC advises the LAUSD Board of Education on matters pertinent to English learner programs.

These bylaws shall be used to govern guide DELAC. Bylaws may never conflict with District policy and applicable state or federal laws, regulations, and guidelines. Should any provision conflict with District policy or state or federal requirements, such provision will be deemed invalid and unenforceable.

The DELAC is not authorized to make decisions, enter into any contract, spend public funds, or represent the LAUSD without proper authority of PCS.

DELAC is established to ensure the following:

5 CCR 11308 (a) School district advisory committees on programs and services for English learners shall be established in each school district with more than 50 English learners in attendance. School advisory committees on education programs and services for English learners shall be established in each school with more than 20 English learners in attendance. Both school district and school advisory committees shall be established in accordance with Education Code section 62002.5.

(b) The parents or guardians of English learners shall elect the parent members of the school advisory committee (or subcommittee, if appropriate). The parents shall be provided the opportunity to vote in the election. Each school advisory committee shall have the opportunity to elect at least one member to the School District Advisory Committee, except that school districts with more than 30 school advisory committees may use a system of proportional or regional representation.

(c) School District Advisory Committees shall advise the school district governing board on at least the following tasks:

- (1) Development of a district master plan for education programs and services for English learners. The district master plan will take into consideration the school site master plans.
- (2) Conducting of a district wide needs assessment on a school-by-school basis.

- (3) Establishment of district program, goals, and objectives for programs and services for English learners.
- (4) Development of a plan to ensure compliance with any applicable teacher and/or teacher aide requirements.
- (5) Administration of the annual language census.
- (6) Review and comment on the school district reclassification procedures.
- (7) Review and comment on the written notifications required to be sent to parents and guardians pursuant to this subchapter.
- (d) School districts shall provide all members of school district and school advisory committees with appropriate training materials and training which will assist them in carrying out their responsibilities pursuant to subsection (c). Training provided advisory committee members in accordance with this subsection shall be planned in full consultation with the members, and funds provided under this chapter may be used to meet the costs of providing the training to include the costs associated with the attendance of the members at training sessions.

52176 (a) Each school district with more than 50 pupils of limited English proficiency shall establish a districtwide advisory committee on bilingual education. Parents or guardians, or both, of pupils of limited English proficiency who are not employed by the district shall constitute a majority of the committee, unless the district designates for this purpose an existing districtwide advisory committee on which parents or guardians, or both, of pupils of limited English proficiency have membership in at least the same percentage as their children and wards represent of the total number of pupils in the district, provided that a subcommittee on bilingual-bicultural education on which parents or guardians, or both, of pupils of limited English proficiency constitute a majority is established. The district advisory committee and subcommittee, if applicable, shall be responsible for at least six specific tasks. These tasks shall be to advise the district governing board regarding all of the following:

- (1) Establishment of a timetable for development of a district master plan for bilingual education.
- (2) Districtwide needs assessment on a school-by-school basis.
- (3) Establishment of district program goals and objectives in bilingual education.
- (4) A plan to ensure district compliance with the provisions of Section 52178.
- (5) Administration of the annual language census (If required by the California Department of Education)

(C) "Pupils of limited English proficiency" means pupils who do not have the clearly developed English language skills of comprehension, speaking, reading, and writing necessary to receive instruction only in English at a level substantially equivalent to pupils of the same age or grade whose primary language is English. "English learner" shall have the same meaning as provided for in subdivision (a) of Section 306 and as "pupils of limited English proficiency."

ARTICLE II: PURPOSE

The DELAC’s purpose is to advise on the development and implementation of the educational programs, services for EL students at the District level.

ARTICLE III: RESPONSIBILITIES

Per California Education Code section 52176 and 5 C.C.R. section 11308, the DELAC shall carry out the following duties:

1. Establishment of a timetable for development of a district master plan for bilingual education.
2. Districtwide needs assessment on a school-by-school basis.
3. Establishment of district program goals and objectives in bilingual education.
4. A plan to ensure district compliance with the provisions of Section 52178.
5. Administration of the annual language census.
6. Review and comment on the school district reclassification procedures.
7. Review and comment on the written notifications required to be sent to parents and guardians pursuant to this subchapter.

In carrying out the above responsibilities, the DELAC may:

1. Participate in relevant training sessions that assist members in carrying out their responsibilities as specified in this section.
2. Review the Operating Norms and Code of Conduct and provide recommendations.
3. Review bylaws for DELAC and provide recommendations.
4. Review, understand and comprehend the acronyms used in regular committee meetings.

ARTICLE IV: MEMBERSHIP

Members of the DELAC include representatives and alternates. Representatives are members who have been appointed to vote on issues. Alternates are members but are not representatives because they cannot vote unless seated.

A. Composition/Requirements:

The DELAC will have seventy-two (72) English learner parent members; forty-eight (48) representatives and twelve (24) alternates representing each of the six Local Districts. Parents and legal guardians of English learners who are not employed by the District constitute the entire DELAC membership.

	REPRESENTATIVES	ALTERNATES	TOTAL
Local District Central	8 representatives	4 alternates	12
Local District East	8 representatives	4 alternates	12
Local District West	8 representatives	4 alternates	12

Local District South	8 representatives	4 alternates	12
Local District Northeast	8 representatives	4 alternates	12
Local District Northwest	8 representatives	4 alternates	12
Total:			72

A DELAC member’s term will take effect following the PCS acknowledgment of the receipt of a certification form from each Local District pending verification.

B. Term of Membership:

Members may serve for a two-school year term (July 1 to June 30), with half of the committee members’ term expiring on the alternate years. Membership begins on the date of the first official meeting after the election and ends on June 30 of the school year.

C. PCS and the PACE Administrators at each Local District will convene delegates from each school with an established ELAC to elect 8 members and 4 alternates (48 members/24 alternates total) to participate in the DELAC.

D. No parent can be elected as a member or alternate representing two schools simultaneously; should this occur, the second election is null and void.

E. Rights and Norms:

a. Voting: Each member is entitled to vote on those matters submitted to voting under subject matter jurisdiction of the Master Plan, Education code, the California Code of Regulations, Greene Act, and Article III: Responsibilities. No absentee ballots, voting by proxy or secret ballots are permitted. Individuals must be present in order to vote and be elected as a representative, alternate or officer. It is not allowed to persuade someone so that they vote in a certain manner.

b. Operating Norms and Code of Conduct Members’ actions must adhere to the DELAC bylaws and the LAUSD Operating Norms and Code of Conduct. A signature is not required on the Operating Norms and Code of Conduct however failure to adhere to the Code of Conduct may result in termination or suspension from the DELAC.

c. Individual DELAC members may not claim to advocate on behalf of the DELAC without authorization. No individual member may commit the DELAC to any action or recommendation without approval from the Office of Parent and Community Services.

F. Reimbursement:

DELAC members (representatives and alternates) will be reimbursed according to District policy guidelines and/or requirements from the Office of Parent and Community Service’s guidelines

for reimbursement. Representatives and alternates must be present at meetings for at least two hours to receive mileage and childcare reimbursement. A member requesting reimbursement for childcare must provide documentation that includes a copy of the birth certificate or other birth documentation; a current copy of the court order that shows legal custody or custody over the educational rights of a child who is younger than 5 within a month after the meeting.

G. Alternates:

1. Alternates may serve for a one school year term (July 1st – June 30th).
2. Alternates will serve as the official representative member if the member has not arrived thirty (30) minutes from the scheduled start time of the meeting.
3. Alternates who are seated will serve as the official voting members for the duration of that meeting, regardless of whether the official member eventually arrives.
4. Alternate members are not eligible to serve as officers.

H. Attendance:

- a. Members must be present for a minimum of two (2) hours from the scheduled start time to be counted as present.
- b. Any member arriving 30 minutes after the scheduled start time will not be seated officially, will only participate as the public, and be recorded absent.
- c. Representatives may not be absent for more than three (3) of the regularly scheduled meetings, LCAP sessions and meetings connected to the proper functioning of the committee. Members will receive a warning letter after missing the second meeting. After missing the third meeting, a membership will be terminated for a member.

I. Vacancy for Members:

- a. Only elected DELAC alternates are eligible to fill vacancies occurring during the year.
- b. If no alternate is available to fill a member vacancy from the same Local District, an election for a new member will be held at the Local District.
- c. DELAC members may resign their position at any time but must do so orally during a meeting or in writing by submitting a signed letter of resignation to the Administrator of the Parent and Community Services or administrative designee.
- d. Members' information shall be kept confidential and may not be used for personal matters.

J. Vacancy for Officers:

- a. An officer vacancy occurring during the year shall be filled by election for the remaining portion of the term at the next regularly scheduled meeting, except for the Chairperson position, which may be filled through succession by the Vice-Chairperson.

- b. Membership may not be assigned and is not transferable.
- K. DELAC officers may resign their position at any time but must do so orally during a meeting or in writing by submitting a signed letter of resignation to the Administrator of the Parent and Community Services or administrative designee.
- L. Officer's information shall be kept confidential and may not be used for personal matters.

ARTICLE V: TERMINATION

- A. Membership on the DELAC will be terminated when a representative's child no longer attends the school for which the parent was elected to represent.
- B. After three absences to any meeting, the representative will be immediately notified of termination in writing. Member will not be eligible for re-election to the DELAC for a period of one school year, not including the year in which the membership was terminated.
- C. In the case of the graduation of the child or the loss of association with the school, the member will lose membership and the alternate to the member will become the seated member, or in the absence of an available alternate, an election will be held to fill the DELAC vacancy.
- D. A DELAC member who becomes an employee of the Los Angeles Unified School District is not eligible to participate in the committee as of his/her first day of work.
- E. A committee member may also be terminated from the DELAC by the Administrator of Parent and Community Services and the DELAC when the member does not adhere to one or more of the following:
 - 1. These Bylaws, Board of Resolution to enforce respectful treatment of all persons regarding and the LAUSD District's Operating Norms and Code of Conduct
 - 2. District policies regarding the use of District property
 - 3. Reports inaccurate information of residence, guardianship, and of childcare reimbursement or of other qualification for membership
 - 4. Speaks/acts on behalf of LAUSD and or DELAC without authorization

ARTICLE VI: OFFICERS

- A. DELAC officers will serve within a term of one school year from the day elected until June 30th.
- B. All representatives are eligible to serve as officers. Alternates may not serve as an officer.
- C. Officers will be duly and democratically elected by a majority vote of the DELAC membership.
- D. A run-off election is held among the top two vote-getters when no one receives a majority vote.
- E. Officers will assume their positions following the conclusion of elections.

F. DELAC Officers:

1. Chairperson
2. Vice-Chairperson
3. Secretary
4. Parliamentarian
5. Public Relations Officer

G. Officers' Responsibilities:

The DELAC officers will become familiar with the content of these bylaws, the English Learner and Standard English Learner Master Plan, and all federal, state, and District policies pertaining to the DELAC, and programs and services for English learners and the LCAP.

1. Plan the agenda with PCS staff prior to regularly scheduled meetings to recommend resources that will benefit the DELAC membership.
2. Provide recommendations regarding the DELAC's responsibilities.
3. Provide input into the structure of LCAP review and comment sessions.
4. Recommend formation of ad hoc committees as appropriate.
5. Be fair and impartial at all times.

H. Officers' Duties:

1. The Chairperson shall:
 - a. Plan the agenda with the staff of PCS before the meeting.
 - b. Be fair and impartial at all times.
 - c. Preside over all DELAC meetings
 - d. Finalize the DELAC recommendations for the agenda and submit to PCS for approval.
 - e. Sign letters, reports, and other communications as requested of the committee.
 - f. Perform additional duties appropriate to the Chairperson position
 - g. Provide a written or oral report.
 - h. Represent the DELAC in all meetings or Board of Education subcommittees, where DELAC has been required or requested to participate.
 - i. Be involved and engaged in all meetings.
2. The Vice-Chairperson shall:
 - a. Plan the agenda with the staff of PCS before the meeting.
 - b. Be fair and impartial at all times.
 - c. Represent the Chairperson in his/her absence or in assigned duties as prescribed by PCS.
 - d. Assist the Secretary as needed.
 - e. Assist with the written motion forms.

- f. Be involved and engaged in all meetings.
3. The Secretary shall:
 - a. Plan the agenda with the staff of PCS before the meeting.
 - b. Be fair and impartial at all times.
 - c. Keep minutes of all meetings of the DELAC including agenda planning meetings.
 - d. Provide the original meeting minutes to the PCS staff.
 - e. Conduct roll call and establish quorum
 - f. Maintain a current attendance roster.
 - g. Be involved and engaged in all meetings.
 4. The Parliamentarian shall:
 - a. Plan the agenda with the staff of PCS before the meeting.
 - b. Be fair and impartial at all times.
 - c. Announce public comment.
 - d. Assist the Chairperson in ensuring all rules and bylaws are followed.
 - e. Be knowledgeable about bylaws of the committee, parliamentary procedures as prescribed by the PCS, and the Greene Act.
 - f. Abstain from voting, as prescribed in Parliamentary procedures.
 - g. Direct, along with the Chairperson, the question procedures.
 - h. Be involved and engaged in all meetings.
 5. The Public Relations Officer shall:
 - a. Plan the agenda with the staff of PCS before the meeting.
 - b. Be fair and impartial at all times.
 - c. Promote the actions and purpose of the DELAC to the public
 - d. Represent the opinions of the DELAC when authorized by the District
 - e. Assist committee members and guests
 - f. Be involved and engaged in all meetings.

ARTICLE VII: MEETINGS

A. Schedule:

PCS shall hold DELAC regular meetings and LCAP sessions for review and comment. Trainings, elections, orientations, or subcommittee meetings may be called by PCS as needed.

B. Provision:

DELAC operates under the Greene Act, Education Code section 35147.

C. Quorum:

1. The quorum shall be established with the presence of a simple majority of the total membership (25) including any alternates seated in the absence of any elected representative.
2. Quorum shall be established no later than 60 minutes after the scheduled meeting start time.
3. Meetings without establishing a quorum may proceed for informational purposes only.

D. Location of Meetings:

Subject to PCS approval, the DELAC shall hold its regular meetings at the PCS office, or at a school or community facility with accessibility to the public, including persons with disabilities.

E. Meeting Agendas:

Meeting notice in the form of the agenda with date, time and location of a meeting must be publicly and continuously posted outside of the building in a plainly visible location, at least seventy-two (72) hours before the scheduled meeting.

F. Meeting Open to the Public:

1. Members of the public, not to exceed five, will be allotted two minutes per person at the beginning of the meeting prior to any action taken by the committee to speak on matters within the jurisdiction of the DELAC and the meeting agenda
2. Members of the public may sign up for public comment on a first-come, first served basis up to the start of the meeting.

G. Recording:

Any individual is allowed to audio and video record any proceeding at a public meeting as long as it does not interrupt the meeting. Meetings are recorded by PCS, and video files shall be available on the PCS website. Any person who does not want to be recorded has the option to leave the meeting.

ARTICLE VIII: BYLAWS

- A. Severability:** If any provision or provisions of these Bylaws shall be held to be invalid, illegal, unenforceable or in conflict with District policies, state and/or federal guidelines, or state and federal law, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

These bylaws are effective upon their approval by the Administrator of PCS

Dra. Rosalinda Lugo, Administrator
Parent and Community Service

March 29, 2019
Date

The officers and members of the District English Learner Advisory Committee approved the bylaws on the 28 day of February 2019.