

# *Bylaws for Shasta County SARB*

## **I. Name**

The name of the organization shall be “The Shasta County School Attendance Review Board,” referred to as County SARB.

## **II. Intent and Responsibilities**

### **A. Intent**

The intent of County SARB is to promote interagency and community cooperation and to reduce the duplication of services provided to youth who have serious school attendance and behavior problems.

### **B. Responsibilities**

The responsibilities of County SARB are set forth in *Education Code* sections 48321 and 48322; and *Welfare and Institutions Code* sections 601 and 601.2. County SARB shall:

1. Provide for the establishment of local school attendance review boards in such number as necessary.
2. Review the organizational structures of all SARBs.
3. Accept appeals from parents/students regarding procedures used in a local SARB meeting.
4. Provide guidance to local school attendance review boards.
5. Encourage local school attendance review boards to:
  - a. Maintain a continuing inventory of community resources, including alternative educational programs.
  - b. Make recommendations for the improvement of such resources and programs.
  - c. Create new resources and programs where none exist.
  - d. Apply for and utilize available state and federal funds.
6. Accept a report from each local SARB. This report may include the following information:
  - a. Name of chairperson, names of SARB members, and which organization each member represents
  - b. Types and number of referrals (attendance or insubordination)
  - c. Number of students referred at each grade level, with total students referred
  - d. Disposition of and number of referrals as follows: student moved, student attending, transfer to alternative setting, student dropped out, student not attending according to agreement, student expelled.
  - e. Number of cases, by grade level, referred to County SARB
  - f. Number of cases referred to the local district attorney
  - g. Dropout numbers and ratio at each level: elementary, junior high, and high school
  - h. Submitted by the superintendent(s) or designee of the local school district(s)
7. Coordinate County SARB with the Shasta County Office of Education SARB Office.
  - a. The County Office of Education provides direction, guidance and clerical support to promote the activities of County SARB.
  - b. An Annual Report will be completed based on the information of activity by Local SARBs by the SCOE SARB office staff on behalf of County SARB.
  - c. All publicity, news or other information concerning County SARB will only be released by SCOE with approval of the current County SARB Chair.

## **III. Procedures**

County SARB procedures must meet the legislative intent of *Education Code* sections 48321-48324 and *Welfare and Institution Code* section 601 and 601.

#### **IV. Membership**

**County SARB shall include one representative from the following groups or agencies, as set forth in *Education Code Section 48321*:**

##### *A. Mandated Representatives*

1. Parent (Community Member)
2. School districts/ Local SARB Chairpersons
3. County probation department
4. County welfare department (Dept. of Social Services)
5. County Office of Education
6. Law enforcement agencies
7. Community-based youth service centers
8. School guidance personnel
9. Child welfare and attendance personnel
10. County school or health care personnel
11. School, county or community mental health personnel
12. County District Attorney's office
13. County Public Defender's office

**The school district representatives on the county SARB shall be nominated by the governing boards of school districts and shall be appointed by the county Superintendent of Schools.**

##### *B. Optional Representatives*

1. *As Needed (The board shall consist of no more than 3 optional representatives).*

Designated optional representatives shall be nominated, appointed, or approved by the same process as that of all mandated representatives.

##### *C. Resignation, Removal, and Replacement*

1. Resignation from County SARB will become effective upon acceptance by County SARB *at any regular SARB meeting.*
2. Removal of a representative may be made by County SARB for failure to attend three consecutive meetings or failure to attend 50 percent of the meetings.
3. Replacement of a representative, who has resigned or who has been removed, will be by the same process as that of the previous appointment to that position.
4. If a representative finds it impossible to attend the meetings regularly, he/ she shall submit resignation in writing to the chairperson.

#### **V. Process for approving members to County SARB**

1. **Nominations for membership will be accepted at the SCOE SARB Office in September of each year and as necessary as a vacancy is created.**
2. **The SCOE SARB Office will prepare a list of nominations and present it to the County SARB membership for approval at the November meeting and as necessary as a vacancy is created.**
3. **Members may serve a one-year term with the possibility of being reappointed to additional one-year terms.**
4. **The nominations for district representatives will be submitted to the Superintendent of Schools for approval and the nominations for all other positions will be submitted to the County Board of Education in November of each calendar year and as necessary as a vacancy is created.**

5. **Terms for new members will begin in January following approval by the County Board of Education.**
6. **Vacancies created and filled during any other time during the year will be approved by the County SARB membership and become effective immediately, subject to further approval by the County Board of Education in November of that calendar year.**

## **VI. Financial Obligations**

*Financial obligations shall be borne by each agency participating in County SARB.*

## **VII. Officers**

### *A. Personnel*

The chairperson shall be an elected officer. The chairperson shall be the only officer. The term shall be February to January.

### *B. Election*

1. The chairperson shall be nominated and elected annually in February of each calendar year. The position of the chairperson may be filled by majority vote of those present at the board meeting.
2. The elected Chairperson shall take office in February

### *C. Duties*

The chairperson shall:

1. Preside at all meetings.
2. Appoint committees and sub-committees as needed to accomplish the work of

County SARB.

3. The chairperson or designee, shall notify the appointing or nominating agency when its representative's term is about to expire or when the representative has resigned or has been removed.

### *D. Absence of Chairperson*

In the absence of the chairperson, members present shall elect by a simple majority vote a temporary chairperson to preside over that meeting.

### *E. Vacancies*

Vacancy of a chairperson may be filled by a simple majority vote of those present at the board meeting.

## **IX. Meetings**

### *A. Regular Meetings*

1. Regular meetings shall be held at a time and place to be specified. The chairperson will give notice of the meeting seven (7) calendar days prior to the meeting. The agenda shall be posted at least 72 hours prior to the meeting.
2. The Shasta County Office of Education SARB representative shall:
  - a) Arrange for necessary secretarial help.
  - b) Compile agendas and prepare materials for members.

### *B. Special Meetings*

Special meetings may be called at the discretion of the chairperson. Notice of the meeting shall be given at least 24 hours prior to such meeting.

### *C. Quorum*

A simple majority shall constitute a quorum at any meeting of County SARB.

### *D. Voting*

1. On matters of adding or deleting from policies or amendments to the bylaws, the vote must be a simple majority of the total SARB voting membership.
2. In other matters, the vote may be by a simple majority of the members present.

## **X. Amendments and Parliamentary Authority**

The bylaws may be amended by a simple majority vote of the total SARB voting membership. The proposed amendments will be presented for discussion at the regular meeting. Voting will take place at the following regular SARB meeting.

### **Appeals from local SARBs**

1. The County SARB will hear appeals upon request by a parent or guardian of a student involved in a local SARB meeting.
2. The request for the appeal will be submitted in writing to the County SARB Chair within 10 calendar days of the local SARB meeting. The request for appeal must include a clear reason for the parent/guardian's dissatisfaction with the procedures of the local SARB.
3. Upon receipt of request for appeal, the County SARB Chair will determine whether an appeal hearing will be granted. This decision will be reviewed and approved by the SARB Administrator from the Shasta County Office of Education.
4. The appeal hearing will be held at the next regularly scheduled County SARB meeting following receipt of the request for appeal.
5. Appeals will be limited to review of the procedures, policies and Education Code related to SARB operations that were required of the school district and local SARB in the referral process and SARB meeting.
  - a. If the County SARB determines that an error occurred, the decision of the local SARB is set aside and resolution of the issue by consensus is made with the school, SARB and parent. A new SARB meeting may also be scheduled to provide resolution of the issues raised during appeal.
6. The student shall be enrolled and attending school pending the appeal, or the request for appeal may be denied, and/or the parent/guardian may be subject to prosecution by the Office of the District Attorney as allowed by Education Code 48200/48293. The School District may place the student on independent study at the time that the parent(s) express intent to appeal the procedures of the local SARB or provide an alternative educational setting pending the appeal.

## Scope of appeals

### Due Process

1. Was an effort, as outlined in California Education Code 48262, made by the school to attempt to correct the problem prior to the SARB meeting?
2. Was timely notice (at least 10 calendar days prior) of the SARB meeting sent to the parent?
  - a. If not, did the parent sign a waiver of timely notice?
2. Did the parent receive the notice? It will be assumed that the parent received the notice if it was sent to the most recent address provided to the school by the parent, and if any of the following delivery methods were utilized:
  - a. Certified with proof of delivery
  - b. First class mail, and not returned to sender
  - c. Hand delivery
4. Was the SARB meeting held according to standard procedure as outlined below?
  - a. The parent/guardian was present, or was notified in a timely manner and forfeited the opportunity to be present at the meeting by not responding to the summons.
  - b. The SARB script was read
  - c. Everyone present introduced themselves
  - d. The case was presented by the school district representative
  - e. The parent/guardian and student were given the opportunity to respond
  - f. The parent/guardian, student, and school district representative left the room as the panel deliberated
  - g. The parent/guardian, student, and school district representative were called back into the meeting room, and the directives were read aloud and explained.