

CURRENT

Title 28 EDUCATION

Part I. Board of Elementary and Secondary Education

Chapter 5. Organization

§503. Advisory Councils

A. Functions. In general, the function of an advisory council is to advise the board, directly or through its committees, in the discharge of its policymaking, supervisory control, and budgetary duties and responsibilities. Specific functions of an advisory council are determined by the creating law or policy. Advisory councils deal exclusively with matters referred to them by the board or the LDE. Matters referred to advisory councils are those that require external input regarding funding decisions, policy matters that need to be reviewed for local impact, bulletin revisions containing policies or supervisory controls, and matters particular to a council for which it was created. The LDE staff provides the board with a statewide and nationwide perspective on certain issues, while advisory councils respond from a local or community perspective.

B. Composition. Unless otherwise provided by state or federal law, each advisory council of the board is created by board policy. The policy determines the size of the council membership; the number of persons to be appointed by the board; the persons, organizations, affiliations, or interest groups to be represented on a council; and the length of terms. Unless required by law, no member of the board is a member of an advisory council.

C. Creation. The following advisory councils are created.

1. 8(g) Advisory Council:
 - a. authority—per BESE policy;
 - b. membership—16 members as follows:
 - i. eleven members, one member recommended by each BESE member from the member's assigned category, as follows:
 - (a). one representative of a business partner in education;
 - (b). one LEA grant administrator;
 - (c). one elementary principal;
 - (d). one secondary principal;
 - (e). one representative of a nonpublic school system;
 - (f). one representative of a public charter school;
 - (g). one LEA supervisor;
 - (h). one teacher, grades preK-6;
 - (i). one teacher, grades 7-12;
 - (j). one LEA superintendent; and
 - (k). one 8(g) evaluator;
 - ii. Louisiana PTA president; and
 - iii. two ex officio members from the legislature, recommended by the senate president, from the following categories:
 - (a). chair or member of the Senate Committee on Education; and
 - (b). chair or member of the Senate Committee on Finance;

iv. two ex officio members from the legislature, recommended by the speaker of the House, from the following categories:

(a). chair or member of the House Committee on Education; and

(b). chair or member of the House Committee on Appropriations;

c. referrals/responsibilities:

i. make recommendations with respect to the board's annual establishment of priorities;

ii. make recommendations concerning any Louisiana Quality Education Support Fund policies, procedures, and/or activities;

iii. participate in any public hearing conducted by the board relative to the Louisiana Quality Education Support Fund;

iv. consider all matters referred by the board or the LDE.

2. Nonpublic School Council:

a. authority—per state statute (R.S. 17:11);

b. membership—eleven members, one member recommended by each board member, representing approved nonpublic schools;

c. referrals/responsibilities:

i. advise the board relative to standards and guidelines affecting nonpublic schools;

ii. consider all matters referred by the board or the LDE.

3. Superintendents' advisory council:

a. authority—per BESE policy;

b. membership—24 members as follows:

i. two city, parish, or other local public school superintendents recommended by each board member. It is recommended that the composition reflect all sizes of systems and be equitable in the regions represented, to the extent possible;

ii. the superintendent of the recovery school district (RSD), who is appointed by the state superintendent of education;

iii. the president of the Louisiana Association of School Superintendents (LASS), who shall serve as chair of the council;

c. expenses. Members shall not receive reimbursement for travel expenses from the board.

d. Referrals/responsibilities:

i. consider all matters referred by the board or the LDE;

ii. recommendations from the superintendents' advisory council shall be reported to the appropriate board committee. The LDE shall provide responses to the recommendations.

4. Textbook/media/library advisory council:

a. authority—per state statute (R.S. 17:415.1);

b. membership—14 members as follows:

i. one member of the legislature (state senator), recommended by the senate president;

ii. one member of the legislature (state representative), recommended by the speaker of the house;

iii. one member recommended by the governor; and

iv. eleven members, one member recommended by each board member, from the member's assigned category, as follows:

- (a). one teacher, grades K-6;
- (b). one teacher, grades 7-12;
- (c). one teacher (any grade) or coordinator of technology;
- (d). two school librarians;
- (e). one curriculum supervisor;
- (f). two textbook supervisors;
- (g). one parent or business representative;
- (h). one LEA superintendent; and
- (i). one school principal;

c. referrals/responsibilities:

- i. Advise the board on policy and procedure issues relating to the textbook adoption process.
- ii. Consider all matters referred by the board or the LDE.

D. Special Advisory Councils/Task Forces/Commissions/Study Groups. Special advisory groups may be created by the board with a limited charge and scope to study a specific topic as referred by the board. Such groups shall adhere to all advisory council officers, membership, and meetings policies, as described herein.

E Officers. Unless otherwise provided by state or federal law or board policy, each advisory council shall select from among its membership in attendance a chair and a vice-chair. Elections shall be held annually at the first meeting in a fiscal year, and the councils shall report election results to the board.

F. Membership

1. Terms. Unless otherwise provided by state or federal law, persons appointed by board members shall serve two-year staggered appointments at the pleasure of their recommending authority. Persons appointed by organizations and agencies other than BESE shall serve terms determined by the appointing authority. All appointments shall be made in July of the appropriate year, as determined by BESE staff. A council member may be removed without cause by the board member recommending the appointment, by the board member's successor, or by the recommending agency at any time. Appointees must maintain employment/qualifications appropriate to the organizational category being represented. Once a member retires, becomes employed in a different capacity, or otherwise fails to maintain eligibility, the member shall become ineligible to continue to serve and shall be replaced.

2. Vacancies. A vacancy in an appointed position shall occur if an appointee, for any reason, is unable to serve the full extent of his/her term. Appointments to fill vacancies shall be considered interim appointments.

3. Expenses. Members of advisory councils may be entitled to reimbursement for travel expenses, if specified by statute or not prohibited by board policy, pending availability of funds. Requests for reimbursement for expenses shall be submitted in accordance with the regulations promulgated by the commissioner of administration in the *Louisiana Travel Guide*.

4. Quorum. Unless otherwise provided, a quorum is a majority of the appointed membership. In the absence of a quorum, the advisory council may take unofficial action, but minutes submitted to the board shall indicate that the recommendations are being presented without the required quorum being present. When it is known beforehand that a quorum is unlikely, the council chair shall be so notified and the meeting shall be canceled.

5. Proxy. Any person serving on an advisory council who cannot attend a scheduled meeting may designate a person to attend as that member's proxy if the appointing authority does not object. Proxies shall retain voting privileges. To receive reimbursement for travel and other expenses, a proxy must be properly designated by the active member and recorded in the minutes as being present. If the proxy is representing an advisory council member who is prohibited by board policy from receiving reimbursement for travel expenses, the proxy is likewise prohibited from receiving reimbursement.

6. Attendance Policy

a. Appointed members are expected to attend all scheduled meetings of an advisory body. Unless otherwise provided, if a member is unable to attend a meeting, a request for an excused absence should be submitted to the council chair or the executive director one week prior to the meeting and a proxy may be named by the appointed member to serve for a total of three meetings. A council member shall be removed and his/her seat declared vacant if he/she is no longer a legal resident of Louisiana, fails to remain active in or is no longer employed by the organization or agency he/she was appointed to represent, or misses more than two meetings, unless excused prior to the meeting by the council chair.

b. The appointing authority for each member shall be notified immediately following each scheduled meeting indicating nonattendance of the appointee. The notification should include:

- i. name of the council member and council on which serving;
- ii. date of the meeting; and
- iii. board policy on attendance.

G.. Meetings

1. Each advisory council shall meet as scheduled in order to consider referrals from the board or the LDE. Special meetings shall be by call of the board, and emergency meetings may be called at the discretion of the executive director.

2. Regular meeting dates shall be scheduled one year in advance and shall be determined by the executive director or the executive director's designee.

3. Notices of council meetings shall be distributed to council members by the board staff at least 10 days in advance of a meeting, calendar permitting. All council meetings shall be conducted in accordance with the Louisiana Open Meetings Law (R.S. 42:11). In the event that no items have been referred by the Board to an advisory council for consideration, there are no items pending on an advisory council agenda, and the LDE has no items to bring forward to the advisory council at least 10 days prior to a scheduled meeting, the meeting shall be cancelled and the members shall be notified of the cancellation.

4. In accordance with Act 131 of the 2008 Regular Legislative Session, the agenda may be amended upon unanimous approval of the members present at a meeting and subject to other provisions of the Act.

5. In all particulars, except for those listed in these rules and procedures, the business in advisory councils shall be conducted according to *Robert's Rules of Order*.

6. Every motion passed by an advisory council, whether or not made as a recommendation, shall be made as a main motion and must be seconded. All motions must be voted on and roll call votes may be requested by any of the membership in attendance at a meeting.

a. Requests from advisory councils for data/reports must be made in the form of a motion, requesting that the board direct the LDE or BESE staff to provide such information to the council making the request.

7. The minutes and reports of each advisory council shall be presented to the board's executive director for referral to the board. Actions taken in response to referrals shall be forwarded to the appropriate committee(s). A committee, after consideration of the recommendations of the advisory council, shall report its recommendations to the board for final action.

8. All meetings of advisory councils shall be considered official functions of the board to assist in the execution of board responsibilities and duties.

AUTHORITY NOTE: Promulgated in accordance with R.S. 17:6(A)(10), R.S. 17:6(A)(15), R.S. 17:24.4, and R.S. 17:11.

HISTORICAL NOTE: Promulgated by the Board of Elementary and Secondary Education, LR 34:416 (March 2008), amended LR 35:1874 (September 2009), LR 36:2851 (December 2010), LR 37:2140 (July 2011), LR 38:772 (March 2012), LR:38:3152 (December 2012), LR 39:3263 (December 2013).