



Thursday, July 22, 2021 3:46pm

Frequently Asked Questions


Links to FAQ for following references:

[FAQ regarding School Improvement Funds](#)

[FAQ regarding the School Improvement Plan](#)

[FAQ regarding SAC Membership](#)

[FAQ regarding SAC and Sunshine Law](#)

 [DOE SAC Frequently Asked Questions](#)

Help: If you have problems that cannot be sorted out at the school or district level and need assistance or information, you may contact:

Bureau of School Improvement

Contacts: Jenna Evans and Jessica Shiver

Phone: 850-245-0426

Email: bsi@fldoe.org

1. [What are the duties of SAC by law?](#)
2. [What about SAC and the school's budget?](#)
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8. [Our Bylaws Committee has discovered discrepancies in our documents. Our Bylaws and state statutes conflict. Which takes precedence?](#)
9. [Our district advocates the use of consensus when SAC must make a decision. What is consensus?](#)
10. [FL DOE SAC Frequently Asked Questions \(3 pages, all topics\)](#)

Answers for the "frequently asked questions" are answered through the law.
Key: SAC = school advisory council SIP = school improvement plan SI = school improvement

1. What are the duties of SAC by law?

1001.452 (replacing 229.58) Title XLVIII District And School Advisory Councils.-

(1)(a) "The school advisory council shall be the *sole body responsible for final decisionmaking at the school relating to implementation of the provisions of ss. 1001.42(16) and 1008.345.*

(2) DUTIES.--Each advisory council shall perform such functions as are prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. *Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to s. 1001.42(16). With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1).*

2. What does state statutes say about SAC and the school's budget?

1001.452 (replacing 229.58) District and school advisory councils. 2) Duties.....

With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1).

3. Our SAC does not have minutes, the meeting dates are not published for the public to attend. Is this allowed?

No. [1001.452](#) (replacing 229.58) District and school advisory councils. (1)(d) Each school advisory council shall adopt bylaws establishing procedures for:

1. Requiring a quorum to be present before a vote may be taken by the school advisory council. A majority of the membership of the council constitutes a quorum.
2. Requiring at least 3-days' advance notice in writing to all members of the advisory council of any matter that is scheduled to come before the council for a vote.
3. Scheduling meetings when parents, students, teachers, business persons, and members of the community can attend.
4. Replacing any member who has two unexcused consecutive absences from a school advisory council meeting that is noticed according to the procedures in the bylaws.
5. Recording minutes of meetings.

Every SAC must have minutes to the meetings, have meetings open to the public and publicized. SACs are governed by the Sunshine Law which requires minutes, open meetings and publicizing the meetings. There are consequences to the law (fines). "[Sunshine Law](#)" (the actual words of the law) - state statute: Title XIX, Chapter 286 - Keeping all SAC meetings open to the public, no closed-door decisions.

4. Are SAC members trained? Who is responsible for the training?

The School Board is must have policies that address SAC training. The law states: [ss 1001.42](#) (17) (a) Adopt policies that clearly encourage and enhance maximum decisionmaking appropriate to the school site. Such policies must include guidelines for schools in the adoption and purchase of district and school site instructional materials and technology, staff training, **school advisory council member training**, student support services, budgeting, and the allocation of staff resources.

5. What is defined as unexcused in the statement "two unexcused consecutive absences"?

Answer - "to be defined by the SAC committee and placed in SAC bylaws," is the answer from Mary Jane Tappen, DOE.

This question relates to [ss. 1001.452 \(1\)\(d\)\(4\)](#). The statute refers to the instruction for SACs to contain language in their [bylaws](#) addressing 2 unexcused consecutive absences.

6. How long must records be kept?

DOE recommends that 5 years of records be kept. Records include (but not limited to) SIP, SAC membership, minutes...

7. What do I do if my SAC is not working?

First, talk to the principal. (do not discuss items coming to vote at a SAC meeting - Sunshine Law) Then the district. The state, DOE may be of assistance, but usually these matters are "local decisionmaking." You may want to invite a school board member. Ask for SAC training for the school SAC. Ask for clarification with the district attorney. Ask FL-SAC newlist (<http://groups.yahoo.com/group/FL-SAC/>), a member may have the perfect advice (been there, done that!)

8. Our Bylaws Committee has discovered discrepancies in our documents. Our Bylaws and state statutes conflict. Which takes precedence?

Most of the time you follow the highest order of priority. Federal and state statutes and laws come first, then district policy, then articles of incorporation (if applicable) followed by bylaws

9. Our district advocates the use of consensus when SAC must make a decision. What is consensus?

Some SACs use voting extensively and some SACs have been using consensus for years. Both are forms of decisionmaking. A city council or school board would be crippled if they used consensus. It takes time. A lot of time. Consensus essentially asks this: "can we LIVE with the decision - we may not agree totally with it but can we LIVE with it". The dictionary defines consensus as "general agreement". Consensus definitely is not voting. SAC is instructed through law to be the final "decisionmaker" in SIP and SI funds. We assist with school budgets. Decisionmaking can be by consensus or vote. Consensus does not use secret ballots, votes or codes, nor does it use abstentions, it can be recorded via video tape or audio tape, it is noted in minutes, and the meeting already 'in the sunshine' if public notice is given.

DOE SAC training the trainer ADVOCATES, RECOMMENDS & TRAINS Trainers how to achieve consensus if

possible. Consensus has been a staple of training for years - the districts have been trained to train SACs to use consensus.

Furthermore, it seems in searching the attorney general site that consensus seems to be viewed as informal whereas voting is formal. I think it is notable that when questioned, Butterworth did not say that the council was illegal to use consensus because it was a government body.

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