

DRAFT

BYLAWS OF
ECISD STUDENT HEALTH ADVISORY COUNCIL

ARTICLE I
NAME, PURPOSE AND POWERS

Section 1.1 **Name.** The name of the Council shall be the “ECISD Student Health Advisory Council.”

Section 1.2 **Purpose.** The Council is established for the public purpose of recommending the following:

1. The number of hours of instruction to be provided in health education;
2. Curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, and Type II diabetes through coordination of health education, physical education and physical activity, nutrition services, parental involvement, instruction to prevent the use of tobacco/drugs/alcohol, and instruction on human sexuality;
3. Appropriate grade levels and methods of instruction for human sexuality instruction; and
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - a. School health services;
 - b. Counseling and guidance services;
 - c. A safe and healthy school environment; and
 - d. School employee wellness.

5. **Content of Human Sexuality Instruction**

Any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) shall be selected by the Board with the advice of the local school health advisory council. The instruction must:

- 1) **Present abstinence as the preferred choice of behavior for unmarried persons of school age;**
- 2) **Devote more attention to abstinence than to any other behavior;**
- 3) **Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;**
- 4) **Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, infection with HIV or AIDS; and**
- 5) **Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.**
- 6) **Condoms**

The District may not distribute condoms in connection with instruction relating to human sexuality.

1) Separate Classes

If the District provides human sexuality instruction, it may separate students according to sex for instructional purposes.

2) Notice to Parents

The District shall notify a parent of each student enrolled in the District of the basic content of the District's human sexuality instruction and of the parent's right to remove the student from any part of that instruction.

3) Availability of Materials

The District shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection.
Education Code 28.004

Section 1.3 Powers.

1. The Council shall have the necessary authority to fulfill its purpose of submitting health curriculum recommendations to the Ector County Independent School District (ECISD) Board of Trustees.
2. The District must consider the recommendations of the local school health advisory council before changing the District's health education curriculum or instruction. Education Code 28.004

ARTICLE II
COUNCIL

Section 3.1 Qualifications.

1. The Board shall establish a local school health advisory council to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction. Education Code 28.004
2. The Council shall be composed of eleven (11) members to be appointed or elected by the ECISD Board of Trustees, each of whom shall have voting power, and two ~~(2)~~ (3) administration personnel appointed by the Superintendent, who shall serve in a non-voting capacity as resources to the Council. One of the duties of said support administrative personnel is to advise the Board at any time the composition of the Council is failing to meet the mandates of State law or District policy.
3. The Board shall appoint members to the council, a majority of which must be parents of students enrolled in the District and who are not employed by the District. Education Code 28.004
4. Each Board member shall appoint a member of the council who shall be a person who is a parent of a student enrolled in the District and who is not employed by the District ("Appointed Member"). During their term, should any Appointed Member become a nonresident of the District, fail to be a parent of a student enrolled in the District, or become an employee

- of the District, then that position shall be declared vacant and filled by the Board member position originally making the appointment.
5. Each Board member shall nominate one (1) individual to additionally serve on the Council. The Board shall vote on said nominees and the four (4) receiving the highest number of votes will serve on the committee (“Elected Member”) with the three (3) next highest vote members serving as alternates (“Alternate Member”). Elected members do not have to have a student enrolled in the District and may be employed by ECISD. Any Elected member vacancy shall be filled by the highest vote-getting Alternate Member. At such time (if any) that all Alternate Members have become Elected Members, the Board shall elect three (3) new Alternate Members from nominees submitted by each Board member.
 6. The Board may also appoint one or more public school teachers, public school administrators, District students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, or representatives of another group. [See EHAA]

Section 2.2 **Term.** After the adoption of these Bylaws, a member shall serve a two-year term and may be eligible for reappointment or re-election to serve additional terms.

Section 2.3 **Compensation.** Council shall not receive any salary or compensation for their services as members.

~~Section 2.4 **Ex Officio Members.**~~ Former members of the Council may serve as ex officio and nonvoting members.

Section 2.5 **Resignations.** Any Council member may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or if no time be specified, at the time of its receipt by the Chairperson.

ARTICLE III MEETINGS AND CONDUCT OF BUSINESS

Section 3.1 **Meetings.** The Council shall meet for an organizational meeting in August of each year. Meetings shall be conducted a minimum of three (3) times per school year, but may be held more frequently whenever called by the Chairperson, by the Secretary, or by a majority of the Council.

Section 3.2 **Notice.** Notice of the meetings shall be provided by the administrative personnel in writing or by telephone at least one week prior to the meeting.

Section 3.3 **Quorum.** A majority of the members with voting power shall constitute a quorum for the purpose of conducting the business of the Council.

Section 3.4 **Voting**. Any action by the Council shall require the affirmative vote of a majority of all voting members of the Council that are present.

Section 3.5 **Procedure**. At all meetings of the Council, matter pertaining to the business of the Council shall be considered in accordance with the rules of procedure as from time to time prescribed by the Council.

Section 3.6 **Chairperson**. The Council will elect a Chairperson to preside over meetings. In the absence of the Chairperson, one administrative personnel shall exercise the powers of the Chairperson.

Section 3.7 **Secretary**. One administrative personnel will serve as the Secretary for the Council.

ARTICLE IV
EFFECTIVE DATE, AMENDMENTS

Section 4.1 **Effective Date**. These Bylaws shall become effective upon the occurrence of the following events:

- (1) The approval of these Bylaws by the ECISD Board of Trustees; and
- (2) The adoption of these Bylaws by the ECISD Student Health Advisory Council

Section 4.2 **Amendments to Bylaws**. These Bylaws may be amended only with the approval of the Board and the adaptation by the Council.

Submitted by the ECISD Student Health Advisory Council

Rachel S. Dobbs Chairperson

Date

Approved this _____ day of _____, 2005

Approved by the ECISD Board
of Trustees and adopted by the
ECISD Student Health Advisory
Council

Randy Rives, President

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<http://www.capitol.state.tx.us/statutes/statutes.html>

28.004. LOCAL SCHOOL HEALTH ADVISORY COUNCIL AND HEALTH EDUCATION INSTRUCTION. (a) The board of trustees of each school district shall establish a local school health advisory council to assist the district in ensuring that local community values are reflected in the district's health education instruction.

(b) A school district must consider the recommendations of the local school health advisory council before changing the district's health education curriculum or instruction.

(c) The local school health advisory council's duties include recommending:

(1) the number of hours of instruction to be provided in health education;

(2) curriculum appropriate for specific grade levels designed to prevent obesity, cardiovascular disease, and Type 2 diabetes through coordination of:

(A) health education;

(B) physical education and physical activity;

(C) nutrition services;

(D) parental involvement; and

(E) instruction to prevent the use of tobacco;

(3) appropriate grade levels and methods of instruction for human sexuality instruction; and

(4) strategies for integrating the curriculum components specified by Subdivision (2) with the following elements in a coordinated school health program for the district:

(A) school health services;

(B) counseling and guidance services;

(C) a safe and healthy school environment; and

(D) school employee wellness.

(d) The board of trustees shall appoint members to the local school health advisory council. A majority of the members must be persons who are parents of students enrolled in the district and who are not employed by the district. The board of trustees also may appoint one or more persons from each of the following groups or a representative from a group other than a group specified under this subsection:

(1) public school teachers;

(2) public school administrators;

(3) district students;

(4) health care professionals;

(5) the business community;

(6) law enforcement;

(7) senior citizens;

(8) the clergy; and

(9) nonprofit health organizations.

(e) Any course materials and instruction relating to human

sexuality, sexually transmitted diseases, or human immunodeficiency virus or acquired immune deficiency syndrome shall be selected by the board of trustees with the advice of the local school health advisory council and must:

(1) present abstinence from sexual activity as the preferred choice of behavior in relationship to all sexual activity for unmarried persons of school age;

(2) devote more attention to abstinence from sexual activity than to any other behavior;

(3) emphasize that abstinence from sexual activity, if used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with human immunodeficiency virus or acquired immune deficiency syndrome, and the emotional trauma associated with adolescent sexual activity;

(4) direct adolescents to a standard of behavior in which abstinence from sexual activity before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, and infection with human immunodeficiency virus or acquired immune deficiency syndrome; and

(5) teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in curriculum content.

(f) A school district may not distribute condoms in connection with instruction relating to human sexuality.

(g) A school district that provides human sexuality instruction may separate students according to sex for instructional purposes.

(h) The board of trustees shall determine the specific content of the district's instruction in human sexuality, in accordance with Subsections (e), (f), and (g).

(i) A school district shall notify a parent of each student enrolled in the district of:

(1) the basic content of the district's human sexuality instruction to be provided to the student; and

(2) the parent's right to remove the student from any part of the district's human sexuality instruction.

(j) A school district shall make all curriculum materials used in the district's human sexuality instruction available for reasonable public inspection.

(k) A school district shall make available for reasonable public inspection:

(1) a statement of the policies adopted to ensure that students in elementary grades engage in at least 30 minutes per school day or 135 minutes per school week of physical activity; and

(2) a statement of:

(A) the number of times during the year the district's school health advisory council has met;

(B) whether the district has adopted and enforces policies to ensure that district campuses comply with agency vending machine and food service guidelines for restricting student access to vending machines; and

(C) whether the district has adopted and enforces policies and procedures that prescribe penalties for the use of

tobacco products by students and others on school campuses or at school-sponsored or school-related activities.

Added by Acts 1995, 74th Leg., ch. 260, § 1, eff. May 30, 1995.
Amended by Acts 2001, 77th Leg., ch. 907, § 2, eff. June 14, 2001; Acts 2003, 78th Leg., ch. 944, § 1, 2, eff. Sept. 1, 2003.

Ector County ISD
068901

**BOARD INTERNAL ORGANIZATION:
CITIZEN ADVISORY COMMITTEES**

**BDF
(LEGAL)**

**SCHOOL
HEALTH
ADVISORY
COUNCIL**

The Board shall establish a local school health advisory council to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction. The Board shall appoint members to the council, a majority of which must be parents of students enrolled in the District and who are not employed by the District. The Board may also appoint one or more public school teachers, public school administrators, District students, health-care professionals, members of the business community, law enforcement representatives, senior citizens, clergy, representatives of nonprofit health organizations, or representatives of another group.
[See EHAA]

**STATEMENT
FOR PUBLIC
INSPECTION**

The District shall make available for reasonable public inspection a statement of:

1. The number of times during the year the council has met;
2. District policies to ensure compliance with applicable vending machine and food service guidelines for restricting student access to vending machines; and
3. District policies and procedures that prescribe penalties for the use of tobacco products by students and others on school campuses or at school-sponsored or school-related activities.

**CHANGES IN
CURRICULUM**

The District must consider the recommendations of the local school health advisory council before changing the District's health education curriculum or instruction.

Education Code 28.004

DATE ISSUED: 12/16/2003
UPDATE 72
BDF(LEGAL)-P

This online presentation of your district's policy is an electronic representation of TASB's record of the district's currently adopted policy manual. It does not reflect updating activities in progress. The official, authoritative manual is available for inspection in the office of the Superintendent. [See BF (LOCAL) for further information.]

Ector County ISD
068901

BASIC INSTRUCTIONAL PROGRAM:
REQUIRED INSTRUCTION (ALL LEVELS)

EHAA
(LEGAL)

PURPOSE

A primary purpose of the public school curriculum is to prepare thoughtful, active citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic values of our state and national heritage. The District shall foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter, in reading courses, and in the adoption of textbooks. *Education Code 28.002(h)*

As a condition of accreditation, the District shall provide instruction in the essential knowledge and skills at appropriate grade levels. *Education Code 28.002(c)*

The District shall ensure that all children in the District participate actively in a balanced curriculum designed to meet individual needs. *Education Code 28.002(g)*

**REQUIRED
CURRICULUM**

Each district that offers kindergarten through grade 12 shall offer, as a required curriculum, a foundation curriculum and an enrichment curriculum.

**FOUNDATION
CURRICULUM**

The District shall provide instruction in the essential knowledge and skills of the appropriate grade level in the foundation curriculum in all of the following:

1. English Language Arts and reading
2. Mathematics
3. Science
4. Social studies, which consists of history, government, and geography of Texas, the United States, and the world

5. Spanish language arts and English as a Second Language

The District may add elements at its discretion but must not delete or omit instruction in the foundation curriculum specified above.

Education Code 28.002; 19 TAC 74.1(b)

ENRICHMENT
CURRICULUM

The enrichment curriculum shall include all of the following:

1. Languages other than English, to the extent possible
2. Health
3. Physical education
4. Fine Arts
5. Economics, with emphasis on the free enterprise system and its benefits
6. Career and technology education
7. Technology applications

Education Code 28.002(a); 19 TAC 74.1(c)

EXTENSION

Until September 1, 2005, the District may apply for an extension to comply with the rules adopted by the State Board of Education implementing the enrichment curriculum. *Education Code 28.002(c-1)*

LOCAL
INSTRUCTIONAL
PLAN

The District's local instructional plan may draw on state curriculum frameworks and program standards as appropriate. The District is encouraged to exceed minimum requirements of law and State Board rule. *Education Code 28.002(g)*

SCHOOL
HEALTH
ADVISORY
COUNCIL

The Board shall establish a local school health advisory council to assist the District in ensuring that local community values and health issues are reflected in the District's health education instruction.

DUTIES

The council's duties include recommending:

1. The number of hours of instruction to be provided in health education;
2. Curriculum appropriate for specific grade levels designed to

prevent obesity, cardiovascular disease, and Type II diabetes through coordination of health education, physical education and physical activity, nutrition services, parental involvement, and instruction to prevent the use of tobacco;

3. Appropriate grade levels and methods of instruction for human sexuality instruction; and
4. Strategies for integrating the curriculum components specified by item 2, above, with the following elements in a coordinated school health program:
 - a. School health services;
 - b. Counseling and guidance services;
 - c. A safe and healthy school environment; and
 - d. School employee wellness.

**CONTENT OF
HUMAN
SEXUALITY
INSTRUCTION**

Any instruction relating to human sexuality, sexually transmitted diseases, or human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) shall be selected by the Board with the advice of the local school health advisory council. The instruction must:

1. Present abstinence as the preferred choice of behavior for unmarried persons of school age;
2. Devote more attention to abstinence than to any other behavior;
3. Emphasize that abstinence is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted diseases, infection with HIV or AIDS, and the emotional trauma associated with adolescent sexual activity;
4. Direct adolescents to a standard of behavior in which abstinence before marriage is the most effective way to prevent pregnancy, sexually transmitted diseases, infection with HIV or AIDS; and
5. Teach contraception and condom use in terms of human use reality rates instead of theoretical laboratory rates, if instruction on contraception and condoms is included in the curriculum.

CONDOMS

The District may not distribute condoms in connection with instruction relating to human sexuality.

SEPARATE CLASSES If the District provides human sexuality instruction, it may separate students according to sex for instructional purposes.

NOTICE TO PARENTS The District shall notify a parent of each student enrolled in the District of the basic content of the District's human sexuality instruction and of the parent's right to remove the student from any part of that instruction.

AVAILABILITY OF MATERIALS The District shall make all curriculum materials used in human sexuality instruction available for reasonable public inspection.

Education Code 28.004

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