

# Central Davis Junior High Community Council Bylaws

*Last Amended May 6, 2021*

**(1) Purpose and Intent** – These Bylaws shall be the operating guidelines of the Central Davis Junior High School Community Council (“CDCC”). The intent of these Bylaws is to comply with the statutes enacted by the Utah State Legislature, currently contained in Utah Code Ann. §§53F-2-404, 53G-7-1202, 53G-7-1203, 53G-7-1205, 53G-7-1206, 53G-7-1305, and administrative rule.

**(2) Composition of Council, Voting Rights, Term of Office** – CDCC shall have six parent or guardian-member (“parent-member”) positions, and shall have three educator–member positions, comprised of the Central Davis principal and two licensed teachers. Additionally, the Central Davis PTA president, co-president, or their designee will serve on CDCC.

Parent-members may be elected to serve individually or as couples with full voting rights; however, a single position, regardless of whether held by an individual or a couple, only has one vote for any business conducted by CDCC. Educator-members have full voting rights. The Central Davis principal shall serve as an ex officio member with full voting rights. The Central Davis PTA president, co-president, or their designee will serve as an ex officio, non-voting member of CDCC.

Parent-members are elected to two–year terms, and are eligible to serve in office so long as they have a child enrolled in the school or will have a child enrolled in the school during their term in office. Parent-member elections shall be staggered so that approximately fifty percent of the parent-members stand for election in a given year. Educator-members also serve two-year terms. The Central Davis PTA president’s, co-president’s, or their designee’s term coincides with the term of the PTA president/co-president.

In order to ensure that elected members are properly representing their constituents, any parent-member who fails to attend at least half of the scheduled council meetings during a single school year will be deemed to have vacated their position, regardless of the reasons for the excessive absences. Additionally, any parent-member who no longer lives within school boundaries, no longer has a child attending the school, and no longer otherwise meets the eligibility requirements to serve on the council shall automatically be deemed to have vacated their position upon concurrence by the principal and the chair and/or vice-chair. The vacant position will be filled in accordance with the procedures below.

**(3) Election Procedures, Non-Election Vacancies** – Elections for parent-members and educator-members, including qualifications and notice requirements, will be conducted as outlined in Utah Code Ann. § 53G-7-1202. CDCC shall determine a proposed timetable of specific dates for the annual fall elections the preceding spring at the final CDCC meeting of the school year.

Should a CDCC member vacate their position before his or her normal term of office expires, or if vacancies remain after an election, then the parent-members of CDCC shall appoint a qualified parent or guardian of a Central Davis student (“community member”) to fill any parent-member vacancies and the educator-members shall appoint a qualified educator to fill any educator-member vacancies. The new member shall serve the remaining portion of the term for which they were appointed.

**(4) Council Leadership** – CDCC shall elect a chair, vice-chair, and secretary from its membership at the first meeting of the school year. The chair and vice-chair will be selected from the parent-members. The secretary may be a parent-member or an educator-member. The leadership shall be elected to serve a one-year term.

The chair shall conduct CDCC meetings; prepare the meeting agenda; be familiar with and seek to help CDCC follow the laws and rules required of community councils; and coordinate issues falling under CDCC jurisdiction between CDCC, school administration, and the community at large.

The vice-chair shall assist the chair in carrying out the chair's duties, including assuming the chair's duties due to a short-term absence.

The secretary shall assist the chair and vice-chair in carrying out their duties, shall take minutes and roll for all members and visitors present at CDCC meetings, and shall assemble the minutes as a record copy.

**(5) Meetings** – All CDCC meetings will comply with the notice requirements of Utah Code Ann. § 53G-7-1203. The first meeting of a new school year will be set at the last meeting of the prior school year. The remaining regular meetings of a school year will be set at the first meeting of the school year. Additional meetings may be scheduled as needed throughout the year provided that appropriate notice is given to the public.

At each CDCC meeting, the principal or their designee shall provide an updated accounting of the current year's funding status for the school, including the balance of expenditures, what monies remain encumbered, and any remaining unspent funds.

Discussion and/or debate of any item in any council meeting shall be limited to no more than ten minutes; however, should additional time for discussion and/or debate be required, the council may vote to suspend the ten-minute rule to allow for additional time.

Consistent with the Utah Public and Open Meetings Act, Utah Code Ann. § 52-4-101 et seq., CDCC may conduct a meeting by electronic means in a manner otherwise consistent with these bylaws and state law, so long as:

- (a) there exists a substantial risk to the health and safety of those who would otherwise be physically present at the meeting;
- (b) the chair, or the vice-chair in the absence of the chair, and the principal jointly make a written finding that there exists a substantial risk to the health and safety of those who would otherwise be physically present at the meeting, and state the facts supporting such a finding, with said finding to expire not more than thirty (30) days after signing; and,
- (c) the appropriate notice to both the council members and the public of how to participate and/or observe the meeting is provided.

**(6) Rules of Order and Procedure, Conduct, Conflicts of Interest** – CDCC will conduct its meetings using *Robert's Rules of Order* as guidance; however, it is not the intent of CDCC to allow debate of parliamentary rules to overshadow the main purposes and goals of CDCC. Members of CDCC may speak freely during discussion of agenda items regarding the current topic without the need to be recognized by the chair. All members shall conduct themselves professionally and show respect for other members' and the public's positions even if they disagree with the stated position. In short, civil discourse is not only encouraged but expected.

All community members as defined above are welcome to attend and observe CDCC meetings.

Community members are urged to share their opinions with CDCC members in advance of CDCC meetings. CDCC parent-members in particular are elected or appointed to represent community members and their views. CDCC members may reasonably sponsor community members as witnesses on specific agenda items, but are encouraged wherever possible to arrange this in advance of the meeting with the chair. Anyone attending a CDCC meeting who becomes disruptive will be warned and if the disruption continues will be required to leave.

Due to the fiduciary nature of some of CDCC's responsibilities, any CDCC member with a conflict of interest regarding a specific agenda item shall disclose the conflict at the outset of the discussion. If the conflict is financial in nature, the member shall recuse themselves from any vote on the matter and shall refrain from debate on the matter, but may be invited to participate in the discussion at the discretion of the council. If the conflict is something other than financial in nature, the member may still participate in the discussion but shall recuse themselves from any vote on the matter.