School Council By-Laws

Bowen Elementary School

ARTICLE I. PURPOSE

To provide the council with a set of operational guidelines with which to function effectively.

ARTICLE II. MISSION

The mission of the Bowen Elementary School Council is to set school policy and make decisions that will provide an environment to improve student achievement and which will enable the teachers to impact the educational process.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

The school council shall consist of the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.

B. REQUIREMENTS FOR MEMBERSHIP

1. All Members: No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six (6) hours of training from a Kentucky Department of Education endorsed trainer. Experienced members (those with more than one year of service) must complete three (3) hours of training from a Kentucky Department of Education endorsed training provider each year, or can meet their training requirement by participating in the new council member training for 3 hours. In the event the council must select a principal, the council is required by law to obtain training in the recruitment and interviewing prior to beginning the principal selection process.

    - If the district provides the required training for new and experienced members, then members will receive that training. If not offered or the schedule conflicts then:

        - New council members will receive the required training online or in a school level provided training.

        - Experienced council members will choose the type of training needed, or can be trained for 3 hours with new council members.

        - The council will prepare a written request for training, and the board will fund required training as needed.

2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Counselors may serve as teacher council members. Principals or assistant principals may not serve as teacher council members, nor vote in teacher elections.

3. Parent Members:. The legal definition of parent (KRS 160.345 1.c.) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child "preregistered to attend" the school for next year.

Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. An Attorney General's Opinion [OAG 90-102] says that "relative" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a "*father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law*" of someone who works at the school or in the district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member's spouse, nor can they have a business interest in the school.

C. ELECTIONS

1. Parent Members: Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May by the school's largest parent organization that is formed for the purpose of electing two parent council members who begin their term in July. Parent elections will be by plurality vote (two parents with the highest number of votes). A representative of the parent organization shall notify the principal in writing of the two parents elected within 24 hours of the final vote, and shall deliver all election materials to the principal the next business day after the election.

2. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of electing three teacher council members who begin their terms in July. Teacher members will be elected by vote of the teaching staff. The three highest vote getters (with a majority vote of the certified staff) will be the teacher council representatives

    - Nomination – At the April staff meeting, teachers will nominate and vote to determine an election chairperson who will collect the nominations and compile a ballot in May. Any teacher may nominate or decline to serve as chairperson. At this same meeting, the new chairperson will lead the staff in determining the day and time for the election meeting in May. The result being that at the end of the April staff meeting, the chairperson, the day and date of elections are decided.

    - Preparation of Ballot – Between the April meeting and ending one week prior to the election meeting, council nominations will be submitted in writing to the chairperson. The chairperson will notify nominated staff (in case they wish to decline) and prepare the ballot and a sign in sheet.

    - Notification of Election to Staff – The chairperson will post the final ballot notify and remind staff members of election meeting date and time a week in advance.

    - Elections- The chairperson or their designee will ensure teachers sign on the sign in sheet as they vote (ballots should not be signed – they should remain anonymous.

    - Absentee Ballots – Staff members who will be unable to attend the election meeting may vote absentee, PRIOR to the meeting. Chairperson will collect ballots from teachers who are unable to be present to vote and keep them in a confidential envelope until the election meeting.

    - Election Meeting Procedure: Votes shall be placed face down in the collection envelope. After all ballots are in the envelope, the chairperson will publicly count the ballots in the presence of the staff and the results shared.

    - The chairperson will give all election materials to the principal at the conclusion of the meeting and no later than the next business day.

3. Term Limits: School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirements.

D. REMOVAL OF MEMBERS

1. According to KRS 156.132, the commissioner of education may recommend removal of a school council member whom he has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.

2. A member of a school council may be removed from the council for cause, after an opportunity for hearing before the local board, by a vote of 4/5 of the membership of the board of education after the recommendation of the commissioner of education pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council. KRS 160.347

E. FILLING VACANCIES

If a member of the council resigns or is removed from office, another member shall be elected in a special election held not more than one month after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until July 1, and be eligible for re-election.

F. TERMS OF OFFICE

The terms of parent and teacher members shall begin on July 1 and end on June 30.

ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

1. Officers shall include Chair and Secretary. A Vice Chair shall be elected by council for the principal hiring process.

2. The secretary of the school council shall be elected each July by council members and shall serve for one year. Re-election is permitted.

3. If the secretary resigns their position, the council shall conduct a vote at that meeting to fill the position with another council member.

4. A motion to seek an alternative model allowing a council member other than the principal to serve as chair may be made by any council member at any regular meeting. A majority vote of the full council is required before an alternative model can be sought by the school council. A faculty vote must then be conducted, and the motion must pass by 2/3 in order to proceed with the model.

B. CHAIR

The principal shall be the chairperson of the school council. Duties of the chair include:

1. Conducting school council meetings

2. Organizing and maintaining council records (maintaining minutes of meetings and forwarding a copy to the superintendent after approval of the minutes by the council)

3. Stating when a consensus is present for the record.

4. Coordinating standing and ad hoc committees and monitoring committee progress

5. Carrying out any additional responsibilities as stated in these by-laws

6. Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two council meetings)

7. Other duties as described in these by-laws

C. SECRETARY

A council secretary shall be elected by council to keep minutes of all council meetings and to maintain council records. Other duties of the secretary are to remind the Chair to announce closed sessions. Refer to Article VI, Section 6 of these bylaws.

D. COUNCIL MEMBERS

1. Duties of council members include:

2. Knowing and adhering to the mission, philosophy, and goals of Bowen Elementary

3. Attending all council meetings, both regular and special

4. Encouraging and requesting opinions from their constituencies

5. Supporting, promoting, and communicating council decisions

6. Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council

ARTICLE V. COMMITTEES

A. PURPOSE

1. Standing and ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members.

2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

B. APPOINTMENT OF COMMITTEES

1. Standing and ad hoc committees are formed and dissolved by the school council as needed.

2. Standing committees can be dissolved only through the process of amending by-laws.

C. MEMBERSHIP & ELECTION OF CHAIR

1. All certified staff may participate in the shared decision making process at Bowen Elementary by serving on committees.

2. Committee membership may consist of school staff, students, parents and/or community residents.

3. Committee membership will be determined by posting sign up sheets in the school no later than Staff Opening Day. Principal will determine committee membership equitably (e.g. distributing grade levels, contents, numbers, supports staff) and based on interest if possible and share with staff.

4. Committees shall elect a chairperson from their membership for the school year and they are eligible to seek re-election.

D. DECISION MAKING

Committee decisions shall be made be consensus. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be decided by majority vote.

E. DUTIES

1. Committees shall carry out tasks assigned to them by the school council.

2. Committees may decide to bring issues of concern or interest to the school council.

3. Committees may research issues, gather school-wide input, or prepare first and revised drafts of school council policies.

4. Committee chairs or their designees will report as needed or as requested by the school council.

5. Committee chairs shall maintain records of minutes of their meetings.

F. MEETINGS

1. Each committee shall choose the time, place, agenda, and schedule for their meetings.

2. Committees must comply with all provisions of the Open Meetings and Open Records laws.

3. Committees will follow the record keeping procedures used by the school council. All committee meeting minutes should be forwarded to the principal.

G. STANDING COMMITTEES

1. Standing committees for Bowen shall include: Academics, Learning Environment, and Family/Community Involvement. Academic committee shall be concerned with improving curriculum, classroom evaluation and assessment, instruction. Learning Environment committee shall be concerned with improving school culture, professional learning and growth. Family/Community involvement committee shall be concerned with improving: student, family, and community support and involvement.

2. Continued need for standing committees will be reviewed and confirmed by the school council each July at the regularly scheduled meeting or when bylaws are scheduled to be reviewed.

ARTICLE VI. SCHEDULE OF MEETINGS

A. REGULAR MEETINGS

1. The regular monthly meeting schedule of the Bowen Elementary Council shall be determined at the July meeting each year. Council meetings shall be open to the public. Regular Meetings should not exceed 60 minutes. If all items on the agenda have not been adequately discussed after 60 minutes, the council may decide by consensus to extend the length of the meeting or to place the remaining agenda items on the next month's agenda or on the agenda for a special meeting.

2. The regular monthly meetings will be held at Bowen Elementary in the library.

3. The principal shall provide local news media of the council's regular meeting schedule for the year in July, and provide notification of the council's meeting time and agenda at least one week in advance of each regular meeting.

4. The principal shall notify the public by notice posted on the bulletin board in the school foyer at least one day in advance of the meeting.

B. SPECIAL MEETINGS

1. If the council needs to meet between regular meetings, or if the regular meeting is rescheduled, the chairperson or a majority of the school council members may call a special meeting. The following steps must be completed by the chairperson when a special meeting is called:

    - Written Notice: Contents. The chairperson shall prepare and sign a written notice that states the date, time, and place of the special meeting and the agenda for each meeting. Only the items on the agenda may be discussed.

    - Delivery of Notice. The chairperson shall arrange for the notice to be delivered to each council member and to any media organization that has requested notice of council meetings. The delivery can be by hand, FAX machine, email/text message (so long as council member subscribes to the electronic method chosen), or mail. The meeting notice must be received by the members at least twenty-four hours prior to the time of the meeting.

    - Posting of Notice. The notice for the special meeting shall be posted by the chairperson on the bulletin board in the school foyer at least 24 hours prior to the time of the meeting.

ARTICLE VII. CONDUCT OF MEETINGS

A. QUORUM
A quorum of the school council shall be a majority of the council members. No council business shall be discussed or conducted unless a quorum of council members is present. At least one member must be a parent.

B. ATTENDANCE AT MEETINGS
Council meetings are open to the public and all interested persons can attend, except for those portions that are conducted as closed session.

C. CLOSED SESSIONS
Definition: A closed session is a portion of a regular or special meeting of the council during which the council members meet in private. The council may meet in closed session for the following reasons:
to discuss proposed or pending litigation by or against a council member [KRS 61.810(1)(c)] ; or
to discuss candidates for a principal vacancy or conduct consultation in filling other vacancies [KRS 61.810(1)(f)].
Before a closed session can be conducted, the following steps must be taken:

1. Announcement: Contents. An announcement of the general nature of the subject to be discussed and the specific section of the law that allows the conduct of the closed session must be announced in the open meeting and recorded in council minutes.

2. Motion. The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.

3. Closed Session. During the closed session, only the business stated in the announcement can be discussed, and no action may be taken. No minutes are to be taken in closed session. If the council secretary is not a council member, the secretary shall not enter the closed session. Details discussed in closed session shall not be discussed outside the closed session.

4. Decision. After full discussion of the issue in closed session, the council must return to open session where it may take any official action on the matter. Any actions taken must be recorded in council minutes.

D. MATERIALS PRESENT AT COUNCIL MEETINGS

1. The chairperson shall bring:

    - The folder containing all items submitted for inclusion on the agenda.
    - The folder containing all correspondence addressed to the council that he has received.
    - Monthly financial report from the central office.
    - Lists of applicants for vacant positions

2. The council secretary shall bring the binder or electronic storage system that he or she uses to maintain copies of the council's by-laws, policies, and minutes.

E. AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing provided by 48 hours prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.

2. The chairperson shall prepare an agenda for each council meeting, including items submitted in writing for inclusion by the public, staff, parents, other council members and other items he or she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.

3. Each agenda shall include the following items:

   Item 1: Setting of the final agenda for the current meeting.
   Item 2: Review and approval of previous meeting minutes.
   Item 3: Public comment - An opportunity during the course of the meeting for school or community persons to address the school council. Must complete the official public request form (see attached and stick to 3 minute time limits and confidentiality laws).
   Item 4: Committee Reports to the School Council as Needed

4. At a special called meeting, only the items listed on the notice of meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

F. DISCUSSION OF AGENDA ITEMS

1. The school council shall discuss each agenda item before a decision is made. Each council member shall be given an opportunity to express his or her opinion on the item.

2. Other persons attending the meeting may be recognized by the chairperson and may address the council as the chair calls upon them to speak (again must complete the request form unless they were specifically invited by the council). If a significant number of persons wish to contribute to the discussion on a particular item, the chair may require a sign-in sheet, and set limits on the number of persons who will speak to the issue, and a time limit for each.

3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

BES SBDM Public Comment Request

Name of Person requesting to speak _____

Date: _____

Agenda Item: _____

Brief Summary of Concern/Comment:

_____

Public comment is welcome concerning general suggestions to improve academic program/success. There is a 3 minute time limit per guest. Comments should respect student/teacher confidentiality laws. Direct naming of teachers/students is a personal complaint and should be addressed in private with principal instead of in a public meeting.

G. DECISION MAKING PROCESS

1. Unless otherwise specified by these by-laws, the school council shall use parliamentary procedures as specified by Robert's Rules of Order.
2. All business and decisions of the school council will relate to the schools mission and purpose to improve the instructional program and/or further the goals in the school's improvement plan.
3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All decisions and policies officially adopted by the Bowen School Council will be reported to the board of education and superintendent through submission of approved council minutes to the SBDM district coordinator.
5. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:
    - A motion and a second are made.
    - After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
    - The chair will ask whether any member disagrees with that statement.
    - If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
    - If a member disagrees, the discussion will continue until a suggestion of consensus is made that draws no disagreement, or until the third suggestion of consensus fails.

H. ALTERNATIVE TO CONSENSUS

When a third suggestion of consensus fails, the council may by majority vote determine to:

1. Vote to send the issue back to a committee
2. Form an ad hoc committee to study the issue further (the motion on this vote shall include a regular meeting date when the council will hear from the committee), or
3. Decide the issue by majority vote of the council

I. CRITERIA FOR MAJORITY VOTE

A majority vote of the council shall be taken after consensus fails three times if the issue meets the following criteria:

1. The issue involves the selection of a new principal: the council shall vote and the candidate receiving the majority shall be selected.
2. The issue involves the number of persons to be employed in each job classification, the textbooks to be purchased, or the budget for or purchase of student support services;
3. The issue is whether to continue to meet for longer than 60 minutes.

4. The federal or state government or the district board of education has set a deadline by which the school council must make a final decision and that deadline will occur before the next regular council meeting; and

5. The members of the council cannot agree by consensus to decide the issue at a special meeting and a majority of the council members wish to decide the issue by a majority vote. When the above exceptions do not apply and consensus cannot be reached, the issue may be placed on the agenda for the next regular meeting or special meeting and the decision may be made at that meeting by majority vote of the council. When voting, any abstention is counted with the majority vote.

ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. MINUTES KEPT AND APPROVED

1. Minutes shall be kept by the designee at each council/committee meeting.

2. The minutes shall reflect an accurate record of actions and votes taken at a council meeting. Minutes shall show the words of the motion or suggestion of consensus, and the majority vote or unanimous support.

3. If the action taken was the adoption of a policy, the entire text of the policy shall be attached to the copy of the minutes kept on file in the library for public inspection and filed in the council's policy manual.

4. The minutes of the school council shall not be official until they are reviewed and approved by the council. The minutes shall be open to public inspection immediately after they are approved.

5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form within 72 hours of the adjournment of the meeting. Posting on the school web page is strongly suggested as the means to communicate to all stakeholders.

6. The principal will forward an official copy of the minutes to the superintendent and SBDM District Coordinator, and keep an official copy on file in the school.

B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

The following are official documents that must be kept on file for public inspection in the office:

1. School Council Minutes and Agendas

2. Committee Minutes and Agendas

3. Improvement Plan (including Targets for Gap Reduction)

4. School Council Policies and By-Laws

5. School Council Budget Documents not in the School Plan

6. School Council and Committee Membership Lists

7. Official correspondence

C. REQUESTS FOR COUNCIL RECORDS

1. Requests for council records must be made in writing to the principal. Requests must include specific documents and dates.

2. The fee for copying of council records shall be 10 cents per copy unless the request is for the School Improvement Plan document.

3. The fee for a copy of the School Improvement Plan document shall be the school's cost for one copy, as per printing records.

4. Council By-Laws, Policies and the School Improvement Plan shall be posted on the school's web page and can be accessed by the public at no cost.

5. The requested records must be provided to the person making the request within three business days (The attorney general ruled in 01-ORD-94 (May 2001) that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.)

6. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.

7. School council records will be available for inspection during the hours the school's office is open (est. 8:00 a.m. - 3:00 p.m.)

8. The principal shall make the final determination regarding which records not listed above are available for inspection and all matters in regards to open records requests not covered in this policy, in compliance with local board policy, state guidelines and requirements.

ARTICLE IX. APPEALS

BOARD POLICY
The local board of education's approved process for Appeals of Council Decisions would be followed in the case of appeals.

ARTICLE X. AMENDMENTS

A. AMENDMENTS TO COUNCIL BY-LAWS
These by-laws may be amended after a first and second reading at two consecutive council meetings by majority vote of the school council.

B. **AMENDMENTS TO COUNCIL POLICIES**
Policy will be reviewed at least annually, or more often if needed. The council may amend policy following the decision making process outlined in this document.