

## By-Laws

### School Based Decision Making Council

#### Clay City Elementary

#### Article I. Purpose

The purpose of the Clay City Elementary School Council is to maintain a high level of achievement and performance for all students, regardless of socio-economic status, gender, race or previous academic achievement.

#### Article II. Membership

##### 1. Composition

1. The school council shall consist of the principal, three teacher members, two parent members and one ex officio classified member.
2. If the school reaches 8% or more minority student enrollment, and there is no minority elected in the initial elections, a special election shall be conducted by the principal to elect a minority parent to serve on the school council (as required by KRS 160.345)
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, the teachers shall elect a non- minority teacher to represent the interests of the minority students in the school (as required by KRS 160.345)
4. If there is a minority teacher on staff and he or she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher as required by KRS 160.345)

##### 2. Requirements for Membership

1. All Members. No one may serve on the school council who has a legal conflict of interest as designated by KRS 45A.340 except the salary paid to district employees. 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. (Required by KRS 160.345)
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. Principals or assistant principals may not serve as teacher council members. (Required by KRS 160.345)
3. Parent Members. Parent council members must be the parent, step- parent or foster parent of a child who is pre-registered to attend the school during the term of office they are seeking. Legal guardians may serve as parent members if the pre-registered child lives with them. Parent council members may not be employed at the school or have a relative (father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, daughter-in-law) who is employed at the school. (Required by KRS 160.345)

### 3. Elections

1. Parent Members. Parents conduct their own elections as per KRS 160.345. Annual elections will be held each May by the school's PTO/PTA for the purpose of electing two parent council members. The president of the PTO/PTA shall notify the principal in writing of the two parents elected within 24 hours of the final vote.
2. Minority Parent Members. If the school has 8% or more minority students enrolled as of October 1 of the preceding year, the principal shall conduct an election for a minority parent member to the school council in the event that a minority member is not elected during regular elections. The principal shall conduct a special election for a minority member by:

- . Calling for nominations

- Notifying all parents in writing of date, time, and location

- of the election

- Conducting the election by ballot and counting the votes

The nominee with the most votes shall be the minority parent council member.  
(Required by KRS 160.345)

1. 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. Teacher members must be elected by a simple majority of the number of teachers assigned to the school. The election procedure will be in accordance with Powell County Board of Education policy 02.421.
2. Minority Teacher Members: If an election must be conducted to elect a minority parent member, a minority teacher member shall be selected to serve on the council. If there is no minority teacher on staff who will accept the council seat, the seat will remain vacant until such time as a minority teacher can be selected. If there are no minority teachers employed at the school, the teachers shall nominate and conduct a special election for an additional teacher council member from among the certified staff at the school. (Required by KRS 160.345)
3. Term Limits: No term limits shall be imposed on school council members who are nominated and elected to consecutive two-year terms. (as required by KRS 160.345)
4. Removal of Members
  1. According to KRS 156.132 the chief state school officer 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 chief state school officer pursuant to KRS 145.132. Written notices setting out the charges for removal shall be read in the minutes of the board and given to the member of the school council. KRS160.347

#### 5. 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 July1, and be eligible for reelection.

#### 6. Terms of Office

The two- year term of council members shall begin on July1 and end on June 30 concurrent with the accountability testing cycle.

### Article III. Duties of Officers and Council Members

#### 1. Election of Officers

Officers shall include Chair and Vice Chair

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

If a vice chair resigns his or her position, the council shall conduct a vote at that meeting to fill the position with another council member.

#### 2. Chair

The principal shall be the chairperson of the school council (as required by KRS 160.345). Duties of the chair include:

Conducting school council meetings

Compiling and distributing the agenda for council meetings

Serving as official custodian of council records

Stating when a consensus is present for the record

Coordinating standing and ad hoc committees

Maintaining a file of all correspondence addressed to the school council

#### 3. Vice Chair

Duties of the vice-chair shall include

Presiding over council meetings in the absence of the chair

Calling a special meeting of the council in the event a principal vacancy occurs

Conducting meetings necessary for the for the principal hiring process to take place

4. Secretary

A council secretary will be appointed by the principal to keep minutes of all council meetings and to maintain council records.

5. Council Members

Duties of council members include:

Attending all council meetings, both regular and special

Supporting, promoting, and communicating council decisions

#### Article IV. Committees

1. 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 (as required by KRS 160.345)
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

2. Appointment of Committees

1. All certified staff may participate in the shared decision making process at Clay City Elementary School by serving on committees
2. Committee membership is open to all interested persons: faculty, support staff and parents
3. Committee membership will be determined by posting sign up sheets in the school no later than August 1 and notifying teachers and parents of their committee appointment in writing by August 15.
4. Committee membership shall be limited to 18 persons, at the discretion of the school council.

5. Committees shall elect a chairperson from their membership no later than September 1 who shall serve for a term of no longer than one year (as required by KRS 160.345)

### 3. Decision Making

Committee decisions shall be made by 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.

### 4. 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 at each regular council meeting, or as requested by the school council.
5. Committee chairs shall provide the council secretary with written minutes of their meetings no later than ten days after the meeting occurred.

### 5. Meetings

1. Each committee shall choose the time, place, agenda, and schedule for their meetings (as required by KRS 160.345)
2. Committees must comply with all provisions of the Open Records laws (as required by KRS 160.345)

### 6. Standing Committees

1. Standing Committees for Clay City Elementary shall include: Language Arts/ Social Studies Committee and Math/ Science Committee. Sub-committees shall include: Scheduling Committee, School Improvement Plan Needs Assessment/ Implementation Committee.
2. Continued need for standing committees will be reviewed and confirmed by the school council each July at their first scheduled meeting.

## Article V. Schedule of Meetings

### A. Regular Meetings

1. Regular meeting dates will be determined at the first called meeting in July of each new council year. Meetings shall not exceed 90 minutes. If all items on the agenda have not been adequately discussed after 90 minutes, the council may decide by motion, second, and majority vote 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 in the Clay City Elementary conference room.
3. The principal shall provide local news media of the council's regular meeting schedule for the year in July.
4. The principal shall announce the meeting to parents by memorandum at last three days in advance of the meeting. The notice shall include the agenda.
5. The principal shall notify teachers three days in advance of each council meeting via e-mail and shall include agenda items.
6. The principal shall notify the public by notice posted on the bulletin board across from the office at least three days 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:
  - a. Written Notice: 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.
  - b. 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 notice must be received at least 24 hours prior to the time of the meeting.
  - c. Posting of Notice. The notice for the special meeting shall be posted by the chairperson on the bulletin board across from the office at least 24 hours prior to the time of the meeting.

## Article VI. Conduct of Meetings

### A. Quorum

A quorum of four members including at least one parent must be present for the council to conduct business.

### B. Attendance at Meetings

Council meetings are open to the public and all interested persons can attend (as required by KRS 160.345), 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:

1. To discuss proposed or pending litigation by or against the council (KRS 160.345)
2. To discuss candidates for a principal vacancy or conduct consultation in filling other vacancies (KRS 160.345)

Before a closed session can be conducted, the following steps must be taken:

1. Announcement: An announcement of the general nature of the subject to be discussed and the specific section of the law that allows 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, passes by a majority of council members present, and recorded in council minutes.

3. Closed Session: During the closed session, only 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, 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.

C. 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 or she has received

Monthly financial report from the central office

Lists of applicants for vacant positions (as required by KRS 160.345)

Robert's Rules of Order

2. The council secretary and all council members shall bring the binder that he or she uses to maintain copies of the council's by-laws, policies, annual budget, monthly spending reports, and minutes.

D. Agenda

1. Anyone may submit items for inclusion on the agenda to the chairperson in writing.

2. The chairperson shall prepare a preliminary agenda for each regular 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 the final agenda for the current meeting

Item 2: Review and approval of previous meeting minutes.

Item 3: An opportunity during the course of the meeting for school or community persons to address the school council

Item 4: Other items submitted

E. 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.

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

F. 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 school's mission to improve the instructional program, create an environment to enhance student achievement in the school (as required by KRS 160.345) and the goals set out in the school improvement plan.

3. No proposed policy may be approved by the school council at the same meeting which it was initially proposed for study.

4. All decision and policies officially adopted by Clay City Elementary will be reported to the board of education and the superintendent through the 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. A motion and a second are made

b. After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences

c. The chair will ask whether any member disagrees with that statement

d. If all members agree, the decision will be recorded as a unanimous decision in the council minutes

e. 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

#### G. Alternative to Consensus

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

a. Vote to send the issue back to committee

b. Form an ad hoc committee to study the issue further and include a date when the council will hear from the committee

c. Decide the issue by majority vote of the council

## H. 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:

- a. The issue involves the selection of a new principal: the council shall vote and the candidate receiving the majority shall be selected
- b. 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
- c. The issue is whether to continue to meet for longer than 90 minutes.
- d. 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.
- e. The member 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 VII. Minutes and Other Council Records

1. Minutes Kept and Approved
  1. Minutes shall be kept for each meeting of the school council.
  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.
5. A copy of the minutes will be distributed to parent council members prior to the next meeting for their review, and after they become official for their records.
6. The principal will forward an official copy of the minutes to the superintendent and SBDM District Coordinator.
7. A copy of the official minutes will be posted on the bulletin board in the office.

## 2. Council Records Available for Public Inspection

The following official documents will be kept on file in the library for public inspection: school council minutes, committee minutes, school improvement plan, school council policies and by-laws, and school budget documents.

## 3. 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 a copy of the School Planning document shall be the school's cost for one copy, as per printing records.
3. The fee for copying council records shall be ten cents per page unless the request is for the School Planning document
4. The requested records must be provided to the person making the request within three business days.
5. The school council secretary shall make or provide copies of requested documents at the request of the principal.
6. School council records will be available for inspection during school hours.
7. The custodian of records for the school shall be the principal, and the principal shall make the final determination regarding which records not listed above are available for inspection and in all matters in regard to open records requests not covered in this policy.

The process for appealing school council decisions is outlined in Powell County Board of Education policy 02.42411.

#### Article IX. Amendments

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