

SCHOOL COUNCIL BY-LAWS BUTLER COUNTY MIDDLE SCHOOL

ARTICLE I PURPOSE

The purpose of the Butler County Middle School Council is to address the academic, social and emotional needs of our students in order to set school policy that will enhance student achievement and help each student meet the goals established by the school council, consistent with state law. The school council will assess, monitor, and evaluate the policies and programs of Butler County Middle School.

ARTICLE II MISSION

Expand minds, strengthen bodies, and nurture spirits for life-long success is the mission of Butler County Middle School.

ARTICLE III MEMBERSHIP

Section 1: COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members.
2. If the school reaches 8 percent 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. (KRS 160.3457)
3. In the event a special election is needed, a minority teacher from the school's staff shall be elected by the teachers. 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.
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.
5. Within the discretion of the Council Members, from time to time, an eighth grade student may be selected by a majority of the student council to serve as a non-voting council member.

Section 2: 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. In the event they 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.

No person shall be eligible to membership on the school council who at the time of election, or after the election is directly or indirectly interested in the sale to the school system of any property, supplies, equipment, materials, or services for which school funds are expended.

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 l.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. If a child is in 5th grade this year and will attend our school next year, the parents of that child would be eligible to be nominated, or vote in the election for next year’s school council. Parents of 8th graders who are exiting our school need to be nominated or vote in the high school elections.

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.

Section 3: 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 PTO for the purpose of electing two parent council members. The president of the PTO 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. Minority Parent Members: If Butler County Middle School has 8 percent 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 if the event a minority member is not elected during the regular elections. The principal shall conduct a special election for a minority parent members by:
 - a. Calling for nominations.
 - b. Notifying all parents by one-call or in writing of date, time, and locations of the election.
 - c. Conducting the election by ballot and selecting a representative to count the votes. The nominee with the most votes shall be the minority parent council member.

Section 4: 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 on the board and given to the member of the school council. KRS 160.347
3. The council chairperson shall first, at the request and with the approval of council, communicate concerns of neglect of duty to the member in question in an effort to correct the situation and avoid removal procedures. However, if the situation fails to improve procedures for removing a council member will be initiated.

Section 5: FILLING VACANCIES

If a vacancy occurs on the council, the respective group shall fill the vacancy in the same way as the original election. The principal shall inform the respective group of the vacancy and help set a time line for completion of the election. The person elected in the special election shall serve the remainder of the term until July 1, and be eligible for re-election.

Section 6: TERMS

Parent and teacher council members shall be elected for one-year term that begins July 1 and ends June 30. New parent/teacher council members shall meet with the council as council members elect. During this time they can help the council plan for the next school year and can participate in the training sessions. They may enter into discussions, but their opinions shall not be considered for consensus.

ARTICLE IV DUTIES OF OFFICERS AND COUNCIL MEMBERS

Section 1: CHAIR

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

1. Conducting school council meetings
2. Compiling and distributing the agenda for council meetings
3. Serving as official custodian of council records
4. Stating when a consensus is present for the record
5. Coordinating standing and ad hoc committees
6. Carrying out any additional responsibilities as stated in these by-laws
7. 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)

Section 2: COUNCIL MEMBERS

Duties of council members include:

1. Knowing and adhering to the mission, philosophy, and goals of Butler County Middle School
2. Attending all council meetings, both regular and special
3. Encouraging and requesting opinions from their constituencies
4. Supporting, promoting, and communicating council decisions
5. Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council

ARTICLE V

COMMITTEES

Section 1: COMMITTEES

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.

Section 2: 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.

Section 3: MEMBERSHIP & ELECTION OF CHAIR

1. All certified staff shall participate in the shared decision making process at Butler County Middle School by serving on committees in their areas of interest. Each content area shall select a representative to serve on the committee(s) by the end of the first two weeks of school.
2. Representatives from the faculty, support staff, and parents shall be invited to serve on committees.
3. Committee is open to interested persons.
4. Committee membership shall be limited to 15 persons, at the discretion of the school council.

Section 4: 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.

Section 5: 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 shall provide the agenda and written minutes of their meetings no later than 10 days after the meeting occurred.

Section 6: MEETINGS

1. At the first scheduled meeting each committee shall choose the time and place for their next meeting and provide this information to the principal.
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 within 3 days of the committee meeting, and the principal will maintain records of the minutes.

Section 7: STANDING COMMITTEES

1. Standing committees for Butler County Middle School shall include: School Culture, Professional Development and Technology, Parent Involvement, and Curriculum and Assessment.
2. Continued need for standing committees will be reviewed and confirmed by the school council by the opening day of school.
3. A list of standing committees, a brief description of their purpose, and a list of each committee's membership shall be contained in Appendix A of this document.

ARTICLE VI SCHEDULE OF MEETING

Section 1: REGULAR MEETINGS

1. The regular monthly meeting of the Butler County Middle School Council shall be as scheduled by the council in the July meeting and as changes are needed. Council meetings shall be open to the public. Meetings times will be determined by consensus at the July meeting.
2. The regular monthly meetings will be held at the Butler County Middle School's conference room.
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 24 hours in advance of each regular meeting.
4. The principal shall notify parents of council meetings each month by placing the agenda at the school's main entrance and through the school's newsletter.

5. The principal shall notify teachers one day in advance of each council meeting by posting agenda through the school's e-mail system, to include the time, place, and agenda items.
6. If the regular meeting cannot occur that monthly meeting is cancelled.

Section 2: SPECIAL MEETINGS

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

1. Written Notice: Contents. The chairperson shall prepare and post 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.
2. 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, e-mail or mail but the notice must be received at least 24 hours prior to the time of the meeting.
3. Posting of Notice. The notice for the special meeting shall be posted by the chairperson on the school's main entrance at least 24 hours prior to the time of the meeting.
4. In addition to these requirements, the principal shall announce to teachers the time and the reason for the special called meetings by the school's e-mail system at least 24 hours prior to the meeting.

ARTICLE VII CONDUCT OF MEETINGS

Section 1: QUORUM

A quorum of the school council shall be a majority (more than one-half) of the council members. No council business shall be discussed or conducted unless a quorum of council members is present. At least one teacher and one parent must be present.

Section 2: ATTENDANCE AT MEETINGS

Council meetings are open to the public and all interested persons can attend, except those portions that are conducted as closed sessions.

Section 3: 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.

Section 4: MATERIALS PRESENT AT COUNCIL MEETINGS

1. The chairperson will bring all items needed for the meeting – agenda, budget, etc.

Section 5: AGENDA

1. Anyone may submit items for inclusion on the agenda to the principal in writing or e-mail seven school days prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.
2. The chairperson shall prepare the 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:
 - a. Setting of the final agenda for the current meeting
 - b. Review and approval of previous meeting minutes
 - c. An opportunity during the course of the meeting for school or community persons to address the school council

- d. Other items submitted
- 4. The preliminary agenda shall be distributed to all staff members, school or community persons who submitted items in writing for inclusion prior to the meeting.
- 5. Setting of the agenda shall be the first order of business conducted at each regular council meeting, and council members may introduce issues for inclusion on the current agenda at that time. The agenda shall be approved by motion and vote of the council. (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.)

Section 6: DISCUSSION OF AGENDA ITEMS

- 1. Each agenda item shall be discussed by the school council before a decision is made. Each council member shall be given an opportunity to express his or her opinion at the time.
- 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. If a significant number of persons wished to contribute to the discussion on a particular item a sign-up sheet will be provided, the chair may set time limit for each up to 5 minutes.
- 3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

Section 7: DECISION MAKING PROGRESS

- 1. The council shall use standard parliamentary procedures as specified in by-laws.
- 2. All business and decisions of the school council will relate to the school's mission and purpose to improve the instructional program and/or further the goals in the school's consolidated 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 Butler County Middle School Council will be reported to the board of education and superintendent through submission of approved council minutes to the SBDM district coordinator.

Section 8: ALTERNATIVE TO CONSENSUS

The school's council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines.

- 1. A motion and a second are made.
- 2. After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.

3. The chair will ask whether any member disagrees with that statement.
4. If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
5. If a member disagrees, the discussion will continue until a suggestion of consensus is made that draws no disagreement, or until the third suggestion on consensus fails.

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.

Section 9: 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 federal or state government or the district board of education has set a deadline will occur before the next regular council meeting; and
4. 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.

ARTICLE VIII ***MINUTES AND OTHER COUNCIL RECORDS***

Section 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.

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 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 preliminary copy of the minutes for all council meetings will be provided to certified and classified staff through the e-mail system.
6. A copy of the minutes will be distributed, as specified in the first meeting by parent council members, to parent council members prior to the next meeting for their review.
7. The principal will forward an official copy of the minutes to the superintendents and SBDM District Coordinator, and keep an official copy on file in the school.
8. A copy of the official minutes will be posted in e-mail.

Section 2: COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

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

1. School Council Minutes and Agendas
2. Committee Minutes and Agendas
3. Consolidated Plan
4. School Council Policies and By-Laws
5. School Council and Committee Membership Lists

Section 3: REQUEST FOR COUNCIL RECORDS

1. Request 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 Comprehensive School Improvement Plan document.
3. The fee for a copy of the Comprehensive School Improvement Plan document shall be the school's cost for one copy, as per printing records.
4. 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 legal holidays and weekends.
5. School council records will be available for inspection during the office hours of 8:00 a.m. – 3:00 p.m.
6. 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 all matters in regards to open records requests not covered in this policy in compliance with state guidelines and requirements.

ARTICLE IX

APPEALS

Section 1: REQUEST

For a person(s) to appeal a decision of the council or file a grievance he/she must first request in writing an opportunity to be heard and shall include information about the grievance issue.

Section 2: SCHEDULE

A council shall schedule a hearing within thirty (30) working days from the date the request is received. The person appealing shall be informed of the hearing by registered letter.

Section 3: HEARING

The person appealing may be represented by legal counsel and may call witnesses as long as the testimony is germane to the issue.

Section 4: REPORT

A copy of the written grievance or appeal, and a written reply by the council shall be provided to the superintendent within ten (10) working days of the council's decision.

ARTICLE X

AMENDMENTS

Section 1: POLICY DEVELOPMENT

Section 2: 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 council.

Section 3: POLICY REVIEW

Section 4: COMPLIANCE

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APPENDIX A

STANDING COMMITTEES

Curriculum/Assessment

The committee will make recommendations with regard to the status of the school's curriculum and instruction. It will also research and discuss appropriate curriculum and instruction issues, make recommendations to the school council, and complete assignments from the council related to curriculum and instruction.

This committee will also make recommendations to the council regarding the annual assessment process and review the K-Prep and Explore test scores.

School Culture

This committee will make recommendations to the council for establishing the school's code of conduct. It will gather information and develop guidelines designed to keep our kids safe.

This committee will also examine school attendance issues and look for ways to improve our average daily attendance.

Professional Development/Technology

The committee will make recommendations to the council for assisting the principal in the development of a professional development plan.

Parent Involvement

This committee will be charged with finding ways to increase the flow of communication between all stakeholders in the school community. The committee will also promote the involvement of parents/guardians.