Calloway COUNTY MIDDLE SCHOOL
School-Based Decision Making (SBDM) Council By-Laws

By-Laws
Revised August 14th, 2024

Mission Statement

We, of the Calloway County Community, shall empower all students academically, socially, and personally to be lifelong learners capable of thinking or solving problems and of serving as responsible citizens ready to meet the challenges for tomorrow.

Purpose of the council

The school council shall have the responsibility to set school policy consistent with district board policy, which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and 158.6451. The principal shall be the primary administrator and the instructional leader of the school and with the assistance of the total school staff shall administer the policies established by the school council and the local board.

I. Membership of the council

A. Composition

Members shall be elected for one-year terms and may be reelected for multiple terms. The terms of parent and teacher members shall begin on July 1 and end on June 30. Between the date of the election and July 1, members-elect are encouraged to attend all council meetings. The council shall be composed of three (3) teachers, two (2) parents, and one (1) administrator, unless increased proportionally by a two-thirds (2/3) vote of the teacher membership of the school or as established under the policies for alternate models.

B. Requirements for membership

1. <u>All Members</u>: No one may serve on the school council who has a legal conflict of interest as designated by KRS 45A.340. New members (those with less than one year 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.
2. <u>Teacher Members</u>: A teacher council member must possess certification required for his/her position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in the school. Principals or assistant principals may not serve as teacher council members. (Required by KRS 160.345)
3. <u>Parent Members</u>: a parent council member must be the parent, stepparent, or foster parent of a child who is pre-registered to attend the school during the

term of office he/she is seeking. A legal guardian may serve as a parent member if the pre-registered child lives with him/her. Ineligible parents include the following: an employee or relative of an employee at the school, and employee or relative of an employee at the district administrative offices, and a local board of education member or member's spouse. *Relative* is defined in KRS 160.380(1)(c) as "father, mother, brother, sister, husband, wife, son, and daughter." (Required by KRS 160.345)

C. Elections

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 teacher council members. Teacher members must be elected by a simple majority (more than one half) of the number of teachers assigned to the school.

   The process that teachers may use to elect their representatives should address the following areas:
   - Preparation of the ballots
   - Elections
   - Absentee ballots
   - Procedures after first round ballots
   - Nominations

   A teacher elected to a council shall not be involuntarily transferred during his/her terms of office.

2. Parent members: The parent-teacher organization shall organize and oversee the election of parent council members, unless a parent representative from the organization is unavailable to do so. In those instances, the largest organization of parents formed for this purpose will conduct the election.

3. Minority members: If the school has 8% or more minority students enrolled as of October 1 of the preceding year, the council must have at least one (1) minority member.
   a. The principal shall conduct an election for a minority parent member to the school council in the event a minority member is not elected during regular elections. The principal shall conduct a special election to elect an additional parent 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 and
   b. The principal shall also allow the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an

additional teacher member shall be elected by a majority vote of all teachers.

Note: Term limitations shall not apply for a minority teacher member who is the only minority on faculty. (Required by KRS 160.345)

D. Removal of members

- According to KRS 156.132, the chief of state school officer may recommend removal of a school council member whom he has reason to believe has exhibited immorality, misconduct in office, incompetence or willful neglect of duty.
- 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 156.132. Written notices setting out the charges for removal shall be documented in 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 June 30, and be eligible for re-election

II. School hiring

A. Principal selection

When a vacancy exists in the position of school principal, the superintendent (or designee) shall fill the vacancy from a list of applicants after consultation with the SBDM Council, who will sign a non-disclosure agreement forbidding sharing of information shared during the consultation period.

B. Other Vacancies

When the position to be filled in the school is other than that of the Principal, the Principal, after consulting with the council in accordance with procedures established by the council, shall fill the position from a list of applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants upon request when qualified applicants are available.

III. Election of officers

A. Officers shall include Chair, Vice Chair, and Secretary.

B. The principal will serve as chair (as required by KRS 160.345). A motion to seek an alternative model may be made by any council member at any regular meeting. A consensus of the full council is required before the school council can seek an

alternative model. A faculty vote must then be conducted and the motion must pass by 2/3 in order to proceed with the model.

C. The vice chair of the school council shall be elected each July by council members and shall serve for one year. Reelection is permitted. If a vice chair resigns his or her position the council shall reach a consensus to fill the position with another council member.

D. The secretary of the school council shall be selected by the council and may or may not be a council member.

IV. Duties of officers

A. Chair

Duties of the chair shall include:

- Conducting school council meetings
- Bringing a monthly financial report to each council meeting
- Informing the press, teachers, and PTSA president of meeting times and dates
- Compiling and distributing the agenda for council meetings etc.
- Serving as official custodian of council records
- Stating when a consensus is present for the record
- Coordinating ad hoc committees
- Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two (2) council meetings)
- Maintaining a list of applicants for vacant positions (as required by KRS 160.345)
- Carrying out any additional responsibilities as stated in these by-laws.
- Maintaining copies of the council minutes

B. 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 principal hiring process to take place
- Monitoring time of non-council members who are addressing the council and announcing when five (5) minutes have elapsed when necessary

C. Secretary

Duties of the secretary shall include:

- Recording in writing all minutes of meetings
- Processing minutes & distributing to all council members

V. Duties of council members

Duties of council members include:

- Knowing and adhering to the mission, philosophy, and goals of Calloway County Middle School
- Attending all council meetings, both regular and special
- Encouraging and requesting opinions from their constituents
- Supporting, promoting, and communicating council decisions
- Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council

VI. Committees

A. Purpose

1. Ad hoc committees will be established to gain input from all stakeholders including certified and classified staff, parents, students, and community members (as required by KRS 160.345)
2. 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

Ad hoc committees will be formed and dissolved by the school council. (As required by KRS 160.345)

C. Membership and election of chair

1. All certified staff may participate in the shared decision-making process at Calloway County Middle School by serving on committees in their areas of interest.
2. Committee membership is open to interested persons. (As required by KRS 160.345)
3. The school council will determine the appropriate groups to be on each committee, and each committee shall select a chairperson from their members.

D. 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.

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 council.

VII. Schedule of council meetings

A. Regular meetings

1. The Calloway Middle School Council shall establish regular meeting dates, times, and locations at the first meeting of each council term. Council meetings will be open to the public.
2. The principal shall notify the local news media of the council's meeting time one week in advance of each regular meeting. KRS 61.820

B. Special meetings

The chairperson or a majority of the members of the council may call special meetings. The agenda for special called meetings will be posted 24 hours prior to that meeting. Discussion will be limited to those agenda items.

VIII. Conduct of meetings

A. Quorum

A quorum shall consist of at least two thirds of the council and must include a minimum of two (2) teachers, one parent, and the chairperson or vice-chairperson, regardless of the size of the council.

B. Attendance at meetings

Council meetings are open to the public and all interested persons may attend (as required by KRS 160.345), except for those portions that are conducted as closed sessions.

C. Closed sessions

The school council may go into closed (executive) session according to KRS 61.810. The procedure for conducting a closed session must be as follows:

1. Notice must be given in a regular open meeting of the general nature of the business to be discussed in closed session, the reason for the closed session, and the specific provision of KRS 61.810 authorizing the closed session.
2. A motion must be made to re-convene in closed session and the motion must be approved by a majority vote or consensus conducted in open session.

3. Once the council has convened in a closed session, no final action may be taken in that session. The school council must re-convene in an open meeting and take its final action there.
4. No subjects may be discussed during closed session other than that publicly announced prior to convening the session.
5. During a closed session, the council or committee cannot take any final action. An issue can be thoroughly discussed, but if a decision is to be made, the council or committee must return to open session. In an open session a motion must be made, and council members indicate their support by voting or otherwise confirming a consensus. That motion and action must then be recorded in the minutes that are available to the public.

D. Agenda

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing prior to a regularly scheduled council meeting. The chairperson shall maintain a complete file of these items.
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 the school council authority.
3. The preliminary agenda shall be the first order of business conducted at each regular council meeting, and council members may introduce an issue for inclusion on the current agenda at that time. Motion and vote of the council shall approve the agenda. 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.

E. 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 on the item.
2. Those who are in attendance at the council shall be provided an opportunity to discuss issues under consideration by the council in the following manner:

    a. At the discretion of the chairperson a sign-in sheet may be provided by topic for interested parties to indicate their interest in speaking on an issue.
    b. As each topic is discussed, the chairperson will call on speakers in the order they signed the sign-in sheet. Each speaker will be limited to five (5) minutes. Input will be allowed before the council makes a decision.
    c. Input reactions must be germane to the topic and must be within the authority of the council.
    d. New items brought before the council by parents, teachers, or students will normally be considered and acted upon at the next meeting.
    e. Any agenda items may be referred to an ad hoc committee for further study as deemed necessary by the council.

F. Decision making process

1. All business and decisions of the school council will relate to the school's mission and purpose to improve the instructional program, create an environment to enhance student achievement in the school (as required by KRS 106.345) and/or further the goals in the school's plan.
2. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
3. All decisions and policies officially adopted by the Calloway County Middle School will be reported to the board of education and superintendent through submission of approved council minutes to the SBDM district coordinator.
4. 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.

G. Alternative to consensus

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

- Vote to send issue back to the committee
- 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
- 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 (3) times if the issue meets the following criteria:

a. The issue involves the number of persons to be employees in each job classification, the textbooks purchased, or the budget for purchase of student support services.
b. 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.
c. The members of the council cannot agree by consensus to decide the issue at a special meeting and 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 of the council. When voting, an abstention is counted with the majority vote.

IX. Council records

A. Minutes kept and approved
   1. Minutes shall be kept for each meeting of the school council. (As required by KRS 61.835)
   2. The minutes shall reflect an accurate record of actions and consensus 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 should be attached to the copy of the minutes kept on file in the principal's office 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. The principal will forward an official copy of the minutes to the superintendent and SBDM district coordinator.
   6. A copy of the official minutes will be posted on the bulletin board in the foyer by the chairperson.

B. Council records available for public inspection

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

   1. School council minutes
   2. Committee reports
   3. School planning document (KSA scores, CSIP, etc.)
   4. School council policies and by-laws
   5. School council budget documents not in the school plan
   6. School council and committee membership lists

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 person making an open records request must be responded to within five (5) business days.
   3. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.
   4. 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.)

X. Appeals of school council decisions

A. Request

For a person(s) to appeal a decision of the council or file a grievance he/she must request in writing an opportunity to be heard and shall include information about the grievance issue. KRS 160.345

B. Scheduling

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.

C. Hearing

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

D. Decision

The council shall consider the merits of the complaint, make a decision, and respond in writing concerning this complaint within ten (10) working days of the council's decision.

E. Report

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

XI. Amendments

Amendments to council by-laws

These by-laws may be amended after a first and second reading of two (2) consecutive council meetings by majority vote of the school council.

Adopted: August 27, 2007
Last Review: August 14th, 2024