

School-Based Decision Making Council



BYLAWS

Simons Middle School

242 West Water Street, Flemingsburg, KY 41041


Phone Number (606) 849-9331

Fax Number (606) 849-2309

First Reading: July 28, 2015

Second Reading: August 3, 2015

Date Adopted: August 3, 2015

Signature: 

**Simons Middle School
Flemingsburg, Kentucky**

**School-Based Decision Making Council
Bylaws**



***Teaching and Guiding Today's Learners
Into Tomorrow's Leaders***

I. COMPOSITION AND TERMS

A. Composition of the Council

The school council at Simons Middle School shall consist of three (3) teachers, two (2) parents, and the principal.

B. Terms

Teacher and parent SBDM representatives will be elected for a one-year term beginning July 1 and ending June 30. Teacher and parent members may be elected to consecutive terms without limitation, providing they are eligible by the standards set forth in KRS 160.345.

C. Leave of Absence

Leave of Absence for a council member will not be granted

II. ELIGIBILITY AND ELECTIONS

A. Teacher Elections

Teacher representatives shall be elected by a majority of teachers, assigned to the building for any part of the day, in an election conducted by the teachers and in compliance with KRS 160.345. Principals, assistant principals, or head teachers will not be eligible to participate in the election. The teachers will form a committee to oversee council member election and they should establish written procedures that will be used for their elections. The procedures for the election shall be in full compliance with KRS 160.345.

1. Teacher Eligibility

Teacher members of the Simons Middle School Council shall be limited to those faculty assigned to that school, for election purposes and eligible to cast votes for election of such representatives.

2. Teacher Election Chair(s)

At one of the regularly called March faculty meetings, the teacher representatives of the council will request that teacher elections be included on the agenda. At this meeting the teachers present will select the Teacher Election Chair(s) to run the teacher elections. The Chair(s) will be chosen from among those teachers who do not intend to run for the council that year. The teacher representatives of the council will give the name(s) of the selected Teacher Election Chair(s) to the council no later than the April council meeting. The name(s) will be recorded in the minutes.

3. Teacher Election Chair(s) Responsibilities

The Teacher Election Chair(s) will hold the teacher election before May 1. The Chair(s) will be responsible for running the election including setting procedures to be followed and notifying the teachers of the date, place, and time of the teacher elections.

B. Parent Elections

Parent representatives shall be elected by the parent teacher organization, or largest group of parents formed for the purpose of parent elections. The parent organization should establish written procedures for the purpose of conducting parent representative elections and the

procedures shall be in compliance with KRS 160.345. If no parent-teacher organization exists, the school secretary will accept parent nominations and run the election

1. Parent Eligibility

A "parent" means a parent, stepparent, or foster parent. Guardians also qualify as parents if the student lives with them and they have a court order giving them legal custody. A parent council member will be the parent of a student who will have a student enrolled during the year he/she would serve on the council. Three groups of people may not serve on the council as parent representatives:

- a. Employees of Simons Middle School or their relatives (mother, father, brother, sister, son, daughter, husband, wife, aunt, uncle, son-in-law, or daughter-in-law).
- b. Employees in the district administrative offices or their relatives (mother, father, brother, sister, son, daughter, husband, wife, aunt, uncle, son-in-law, or daughter-in-law).
- c. Members of the Board of Education or their spouses.

2. Parent Elections

The parent elections will take place no later than May 1. The parents of all children who will be enrolled at Simons Middle School during the next year may vote. The parent-teacher organization will determine how the election will be run. The principal will assist the parent-teacher organization in notifying parents of the election schedule. The parent-teacher organization will notify the current council of those elected not later than five school days after the election.

C. Minority Representation

If the school has 8% or more minority enrollment as of October 1 preceding a council election, they must have minority representation on the school council. Minority members must be American Indian; Alaskan native; African American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school. The principal will be responsible for organizing the minority parent and teacher elections as follows:

- a. Following the general elections, if a minority member was not elected, the principal will organize a special election to elect a minority parent to the council. This election will be organized no sooner than ten and no later than twenty school days after the election (teacher or parent) which came last. The principal will notify all parents of the date, time, and location of the election. The notice will call for nominations of minority parents for the ballot. Minority parents for this ballot must meet the qualifications for parent members as outlined in subsection B of this section. At the election, parents may nominate additional minority candidates. The candidate receiving the most votes will be elected. In the event of a tie vote, a run-off will be held.
- b. Following the general elections, if a minority member was not elected, the Principal will call a meeting of all teachers in the building. This meeting will be called within seven school days after whichever election (teacher or parent) came last. The teachers will elect one minority teacher to serve as an additional teacher member on the council. If there are no minority teachers who are members of the faculty an additional non-minority teacher will be

elected. If there are minority teachers on the faculty, but they decline to serve, then no additional teacher will be elected. The election will be conducted using the procedures listed in subsection A of this section.

D. Vacancies During a Term of Office

In the event a vacancy on the council occurs, the respective group shall fill the vacancy in the same way as in the original election. The principal shall inform the respective group of the vacancy and help set a timeline for completion of the election.

III. COUNCIL TRAINING

A. New Members

A member elected for the first time will complete a minimum of six hours of training in the process of school-based decision making no later than thirty (30) days after the start of his or her term. He or she can get that training any time between the date elected and the 30-day deadline.

B. Experienced Members

A member elected who has served on a council previously will complete at least three hours of training in the process of school-based decision making no later than one-hundred-twenty (120) days after the start of his or her term. This training may be obtained up to a year before the 120-day deadline.

C. Mid-Year Vacancies

Members who are elected to fill a vacant position in the middle of the year will complete the required training no more than thirty (30) days after they are elected.

IV. STANDARDS OF CONDUCT

A. Attendance

Members of the council will attend all council meetings. If a member is unable to attend a meeting, he or she will notify the Chair of the Council. If a member is unable to attend on a consistent basis, the Chair of the Council will contact the member to consult and to discuss the possibility of resignation. A member who has three unexcused absences from council meetings will resign.

B. Conflict of interest

No one may serve on a school council who has a conflict of interest pursuant to KRS 45A [KRS 160.345(2)(a)]. A member who discovers a business or financial interest (not covered by KRS 45A), which may cause the appearance of impropriety, should refrain from participating in any discussions or decisions involving those interests.

C. Ongoing Eligibility

Any member who ceases to be eligible to serve on the council will resign.

D. Improper Meeting

Council members will not meet to discuss council business in a group that constitutes a quorum without following the procedures for scheduling a meeting of the full council in accordance with the Open Meetings Law and described in Section VI of these bylaws.

E. Intentional Interference With School-Based Decision Making

No member of the council will intentionally engage in a pattern of practice which is detrimental to the successful implementation of or which circumvents the school-based decision making process.

F. Council Code of Ethics

Code of ethics for a school council is a set of professional standards for council members to follow as they work as a team, making decisions affecting the school, and more specifically the children served by the school. A code of ethics shall be adopted by the first school council at Simons Middle School and shall be reviewed annually by each council thereafter and amended as needed. A written code of ethics shall be included in the school policies. Each council member shall read and show by her/his signature a commitment to the code of ethics.

V. REMOVAL OF MEMBERS

A. Reasons for Removal

Each council member is expected to attend all council meetings except in case of illness or family obligations and to abide by the code of ethics of the council and by school board policies. Council members may be removed from office for the following reasons:

- a. Missing three (3) consecutive council meetings without a valid reason such as illness and family obligations.
- b. Violation of the council's code of ethics.
- c. Violation of the Board of Education policies.
- d. Demonstrating an unwillingness to work cooperatively with the school council and the school.

B. Procedures for Removal

The council begins the removal process by authorizing the chairperson to write the council member a letter explaining the removal procedures and reasons for removal. The letter will include a schedule of a hearing and include the date, time, and location of said hearing. The council shall conduct the hearing and make the final decision. The chairperson shall preside over the hearing. The council member in question may call witnesses to help him/her with validating his/her position. In the event the member is removed, the chairperson informs the member by letter on behalf of the council. Removal of a council member requires unanimous agreement of the other council members.

VI. MEETINGS

A. Types of Meetings

Council members shall attend three (3) types of meetings:

- a. Regular - meetings held on a set day of the month and at a set time of day.
- b. Special- meetings scheduled as they are needed between regularly scheduled meetings
- c. Education - meetings designed for council members to acquire knowledge and/or develop skills.

B. All Meetings

1. Council meetings will comply with the requirements of the Open Meetings Law. (See Attachment D)
2. Council meetings will be open to the public unless the council goes into closed session under the provisions of the Open Meetings Law as outlined in subsection E of this section.

C. Regular Meeting

1. At the first council meeting on or after July 1 each year, the council will designate a regular meeting time and place, each meeting lasting no longer than three (3) hours.
2. The principal will post a copy of the regular meeting schedule in the teachers' workroom and in a place regularly accessible to parents. He or she will use any other methods deemed appropriate to make the schedule readily available to the public.
3. Regular meetings may be canceled by the chairperson if there are no agenda items or in the event of inclement weather.

D. Special Meetings

1. Any meeting not at the regular meeting time or place is a special meeting.
2. Special meetings can be called by the chairperson or by request of three (3) or more council members as needed.
3. Any special meeting of the council will comply with the requirements of the Open Meetings Law; therefore, the following steps will be taken:
 - a. Written Notice: The person or persons calling the meeting will prepare and sign a written notice that states the date, time, and place of the special meeting and an agenda for the meeting. Only issues listed on that agenda may be discussed at the special meeting. Items may be subtracted from that agenda before approval at the meeting but they cannot be added or revised.
 - b. Delivery Of Notice: The person or persons calling the meeting will arrange for the written notice to be delivered to every council member and to any media organization that has made a written request to be notified of council meetings. The delivery can be made ONLY by hand, fax, US mail, or email. To receive email notification, a written request must be on file at the school. The notice will arrive at least 24 hours before the time set for the meeting.
 - c. Posting Of Notice: The notice will be posted conspicuously at the school, and also at the building where the meeting will be held if the meeting will not be held at the school. These copies will be posted as soon as possible after the meeting is called, but definitely no less than 24 hours before the meeting will be held.

E. Closed Sessions

The council may go into closed session only to discuss hiring personnel, or actual or pending litigation. The following procedures will be followed to go into a closed session:

- a. A motion will be made and a vote taken that the council go into closed session to discuss individual applicants for hiring under KRS 61.810(1)(1) or litigation under KRS 61.810(1)(c). (See Attachment D)
- b. The motion and results of the vote including the statute number allowing the closed session will be recorded in the council minutes.
- c. Only the topic announced in the open session motion may be discussed in the closed session.
- d. No council action may be taken in a closed session.
- e. The council will return to open session to make any decisions.
- f. The decisions will be recorded in the council minutes.

F. Public Input

1. Every agenda will include a public comment item.
2. Public input may be informal with the chairperson calling on persons who wish to speak.
3. If more than several people wish to speak, the chairperson will have the option of setting time limits for speakers based on the time allotted for this item, the number wishing to speak, and any extra time left on the agenda; or if the agenda will run over, by consensus of the members present to continue.

VII. AGENDAS

Each regular and special council meeting shall operate by an agenda. The council at the beginning of the meeting shall approve the agenda. The agenda for regular meetings shall be written and disseminated within forty-eight (48) hours prior to the meeting. The agenda for a regular meeting will be posted. Faculty, staff, and parents shall be informed of special meetings by the most convenient method.

Faculty, staff, and parents who are not on the council may recommend items for the agenda by contacting a council member. A person recommending an item shall be present at the meeting for it to be discussed. The person recommending the item must make such recommendation to allow for the agenda to be posted at least 48 hours before the meeting.

VIII. RECORDS

A. Minutes

Minutes of all council's regular and special meetings shall be recorded in writing and kept on file in the principal's office. The council, kept in a permanent file, and open to public inspection, shall approve minutes. The principal shall forward a copy of the minutes of each council meeting to the Superintendent who shall keep the board of education informed of council actions.

B. Library Copies

At least one notebook of council records will be maintained and made available in the school

library as part of normal library operations. This notebook will contain copies of the council bylaws, all council policies, council minutes for the current year, the current council budget, and the current School Improvement Plan.

C. Open Records Requests

The principal will be the official records custodian and will make the notebooks of council bylaws, policies, minutes, budgets, current CSIP, and other council records available in response to written requests. A fee set by the Board of Education may be charged to cover copying costs other than staff time to make the copies in accord with the provisions of the Open Records Law. Persons who want copies of documents in the council binder will give the principal a written request.

D. Office Copies

All council records will be maintained in the school office in accordance with the State Archives Records Retention Schedule (725 KAR 1 :030). (See Attachment E)

IX. COUNCIL OFFICERS AND DUTIES

A. Chairperson

The principal shall serve as chairperson at all meetings. The council shall not meet in the absence of the principal. The responsibilities of the principal as chairperson shall not be delegated to any other member of the council or any other person. If a vacancy occurs, an interim principal shall be appointed until the council selects a new principal.

B. Recording Secretary

A person shall serve as recording secretary who shall be responsible for:

- a. Take minutes at each council meeting that include an accurate record of all motions made and all decisions or actions taken.
- b. Type, copy, and distribute the draft minutes, marked as such, to each member of the council and post a copy in the teacher's lounge and in a place readily accessible to all parents. This will be done within five school days after each meeting.
- c. Make copies of the final approved minutes for the notebooks in the library and the office and send copies to all council members, the president of the parent-teacher organization, and the superintendent. This will be done within five school days following the meeting at which the minutes were approved.

X. COMMITTEES

A. Use of Committees

Committees will be used to support and to accomplish tasks of the council.

B. Committees Policy

The council will adopt a committees policy to facilitate the participation of interested persons. The policy will include the number of committees, their jurisdiction, their composition, and the process for membership selection. (See Attachment G)

XI. DECISION MAKING

A. Quorum

Two-thirds (2/3) of the members of the council must be present for the council to make official decisions with at least one teacher and one parent present. No meeting shall be held without the presence of the principal.

B. Authority of the Principal

1. The principal shall serve as the school's primary administrator and instructional leader and shall have authority over management functions not chosen by the council.
2. The principal shall be responsible for implementing policies set by the council.
3. The principal shall be responsible for supervising the work of committees appointed by the council.
4. The principal has the authority to form committees in areas of management functions not chosen by the council.

C. Authority of the Council

The council will make no decisions on issues that are not under their jurisdiction by law. The following issues are under the purview of the School-Based Decision Making Council:

1. School Improvement Planning
2. School Safety Plan
3. Assessment Data Analysis, including results of Program Reviews
4. Achievement Gap Targets
5. Professional Development
6. Spending on textbooks, instructional materials, student support, and staff (including determination of the number of persons to be employed in each job classification)
7. Consultation before the principal selects people to be hired (See Attachment H)
8. Selection of a new principal (See Attachment F)
9. Adopting policies in the following areas:
 - a. Alignment with State Standards
 - b. Committees
 - c. Consultation
 - d. Curriculum
 - e. Discipline, Classroom Management and School Safety
 - f. Enhancing Student Achievement
 - g. Extracurricular Programs
 - h. Instructional and Non-Instructional Staff Time Assignment
 - i. Instructional Practices
 - j. Parent Involvement
 - k. Program Appraisal
 - l. School Day and Week Schedule
 - m. School Space Use
 - n. Student Assignment
 - o. Technology Use
 - p. Writing

- q. OTHER: Policies not required by law but considered best practice and/or recommended by the local district.

D. Consensus

The primary method of making decisions shall be by consensus. An effort shall be made to thoroughly discuss all possible alternatives, provide everyone ample opportunity to be heard, and make a final choice that can be supported by the group. In the event consensus cannot be reached, a delay in making the decision shall be used as one alternative to help reach consensus. In the event a decision is necessary and the council determines majority rule is an acceptable process to make a decision, then majority rule will be followed. Decision shall require at least four (4) affirmative votes. A tie vote will result in no action. A minimum of three (3) members must call for a vote for the majority rule to be applied.

E. Adoption of Policies

1. Policies are defined as written documents that establish rules, procedures, guidelines, standards, or principles to guide decision-making in various situations.
2. To be officially adopted, a policy will have a reading at two different council meetings.
3. Adopted policies are binding until the council amends them.

F. Bylaws Amendment

The council may amend these bylaws as needed. All motions to amend the bylaws of the council will be submitted in writing. No decision on a motion to amend the bylaws will be made until after the topic has been on the agenda for two meetings and has had two readings.

G. Appeal of Council Decisions

The District Board of Education has established a process of appeals of council decisions. (See Attachment I)

XII. ATTACHMENTS

- A. KRS 160.345 (School-Based Decision Making Law)
- B. KRS 45A
- C. Council Code of Ethics
- D. Open Meetings Law Overview
- E. Records Retention Schedule
- F. Principal Selection Policy
- G. Committees Policy
- H. Consultation Policy
- I. Board Policy on Appeals of Council Decisions