

COLONY ELEMENTARY SCHOOL

COUNCIL POLICY TYPE: Council Operational Policies (By-Laws)

POLICY TOPIC DESCRIPTION: By-Laws

POLICY IDENTIFICATION #: 070-100

STATUTORY AUTHORITY:

POLICY STATEMENT

BY-LAWS

SCHOOL-BASED DECISION MAKING COUNCIL COLONY ELEMENTARY SCHOOL

ARTICLE I. PURPOSE

The purpose of the Colony Elementary 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 Colony Elementary School.

ARTICLE II. MISSION

The staff of Colony School believes ALL students can learn and accepts the responsibility to provide a risk-free learning environment, rich in developmentally appropriate learning experiences, that will result in high levels of academic performance with positive growth in social-emotional behaviors and attitudes to assist in being lifelong learners and contributing citizens in our rapidly changing society.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

The school council shall consist of the principal, three teacher members, and two parent members. If the school has 8% or more minority enrollment on October 1, we must have at least one minority member after our next elections. If the principal is a minority member as defined above or if any elected parent or teacher member is a minority member as defined above, no further election is required. Otherwise, a minority parent and an additional teacher shall be elected.

B. REQUIREMENTS FOR MEMBERSHIP

1. All Members: 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.
2. Teacher Members: Teacher members must hold a position at the school that requires a state certificate and must not hold the position of principal, assistant principal, or head teacher. Itinerant teachers may nominate, serve, and vote in our school. Principals or assistant principals may not serve as teacher council members.
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.

Three groups of parents may not serve on the council:

- a. Employees of our school or their parents, children, siblings, spouses, aunts, uncles, sons-in-law and daughters-in law
- b. Employees in our district administrative offices or their parents, children, siblings, spouses, aunts, uncles, sons-in-law and daughters-in law
- c. Members of the district school board, or spouses of district school board members

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 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.

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. Teacher members must be elected by a simple majority (more than one half) of the number of teachers who actually cast a ballot in the election. The process that teachers may use to elect their representatives should address the following areas:
 - a) Nomination
 - b) Preparation of Ballot
 - c) Elections
 - d) Absentee Ballots
 - e) Procedures after First Round Ballots
3. Term Limits: No term limits shall be imposed on school council members who are nominated and elected to consecutive one-year terms.

D. REMOVAL OF MEMBERS

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.

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. Between the date of the elections and July 1, members-elect are expected to attend all council meetings.

ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

Officers shall include Chair, Vice Chair, and Secretary.

1. 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.
2. 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.
3. The secretary shall be appointed by the principal.

B. 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)
8. Other duties as described in these by-laws

C. VICE-CHAIR

Duties of the vice-chair shall include:

1. Presiding over council meetings in the absence of the chair
2. Calling a special meeting of the council in the event a principal vacancy occurs
3. Conducting meetings necessary for the principal hiring process to take place

D. SECRETARY

A council secretary shall keep minutes of all council meetings and maintain council records.

E. COUNCIL MEMBERS

Duties of council members include:

1. Knowing and adhering to the mission, philosophy, and goals of Colony Elementary 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
6. Not participating in any decision where the member has a conflict of interest pursuant to KRS Chapter 45A.

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 resource for gathering data and information and making recommendations to the Principal and 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 shall participate in the shared decision making process at Colony Elementary School by serving on committees in their particular area of interest as possible.
2. Parental and support staff participation on committees will be encouraged.
3. Each committee shall assemble at the beginning of the school year to select members and elect a chairperson. Each standing committee will establish its own frequency of meetings, date of meetings, and agenda. The meeting dates and agenda will be reported to the principal.

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.

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E. DUTIES

1. Committees shall carry out tasks assigned to them by the principal or school council.
2. Committees may decide to bring issues of concern or interest to the principal or 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 may report at each regular council meeting, or as requested by the school council.
5. Committee chairs shall keep written minutes of their meetings and post these to the Colony Share Folder for all Colony personnel.

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.

G. STANDING COMMITTEES

1. Standing committees for Colony Elementary School are based on Kentucky's Standards and Indicators for School Improvement and shall include: Academic Performance (Standards 1, 2, 3); Learning Environment (Standards 4,5, 6); Efficiency (Standards 7,8,9) and Budget Committee.
2. Continued need for standing committees will be reviewed and confirmed by the school council each August at their regularly scheduled meeting.
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.

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ARTICLE VI. SCHEDULE OF MEETINGS

A. REGULAR MEETINGS

1. The regular monthly meeting of the Colony Elementary School Council shall be determined at the first meeting of each council term. The council shall select one regular meeting date in each month through June of the next calendar year. Council meetings shall be open to the public. Meetings will begin at 3:30 p.m. 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 at the Colony Elementary School Conference room or the Colony Elementary School Cafeteria. Other meeting places may be used if necessary, if all members are notified and the new location is advertised on the posted agenda no less than 24 hours in advance of the meeting.
3. The principal shall provide local news media of the council's regular meeting schedule for the year in July.
4. The principal shall notify parents of council meetings through the use of the school web-site. The web address will be given to parents at the beginning of the school year.
5. The principal shall notify the public by notice posted in the school foyer at least 24 hours 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 or the majority of members when a special meeting is called:
 - A. Written Notice: Contents. The chairperson shall prepare a written notice that states the date, time, and place of the special meeting and the agenda for the 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 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.
 - C. Posting of Notice. The notice for the special meeting shall be posted by the chairperson 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 (more than one-half) of the council members. No council business shall be discussed or conducted unless a quorum of council members is present.

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:
 - a. The folder containing all items submitted for inclusion on the agenda.
 - b. The folder containing all correspondence addressed to the council that he or she has received.
 - c. Monthly financial report from the central office.
 - d. Lists of applicants for vacant positions
 - e. The council secretary 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.
2. All council members should bring their binders containing copies of the council's by-laws and policies.

E. AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing on the standard form provided by the Monday prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items. The "Colony Elementary School SBDM Council Agenda Inclusion Form" can be found on the school web-site or is available in the office.
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 of the final agenda for the current meeting.
 - Item 2: Review and approval of previous meeting minutes.

 - Item 3: Finances/Budget
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 final 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 consensus. 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. 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. Other persons attending the meeting may be recognized by the chairperson and may address the council as the chair calls upon them to speak. The chair may set limits on the number of persons who will speak to an 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.

G. DECISION MAKING PROCESS

1. Unless otherwise specified by these by-laws, the school council shall use consensus to reach decisions.
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 comprehensive plan.
3. A proposed policy change may be approved by the school council at the same meeting at which it was initially proposed for study after review and discussion by present members.
4. All decisions and policies officially adopted by the Colony Elementary 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) A motion and 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 "council in consensus" 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.

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 90 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.

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ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. 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 whether council was in consensus or pass by majority vote.
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 copy of the minutes will be provided to parent council members at or before the next meeting, and after they become official should be added to each member's SBDM binder.
6. The principal, or designee, will forward an official copy of the minutes to the superintendent and SBDM District Coordinator.
7. A copy of the official minutes, after being SBDM Council approved, will be kept in the office and made available to any interested party.

C. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

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

1. School Council Minutes
2. Committee Minutes
3. Comprehensive Plan (Test Scores, Needs Assessment)
4. School Council Policies and By-Laws
5. School Council Budget Documents not in the School Plan
6. School Council and Committee Membership Lists

D. 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 Consolidated Plan document.
3. The fee for a copy of the Consolidated 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.
5. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.
6. School council records will be available for inspection by appointment.
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 all matters in regards to open records requests not covered in this policy.

ARTICLE IX. APPEALS

The Board of Education has established a process of appeals of council decisions, and a copy of that process is attached to these by-laws

ARTICLE X. AMENDMENTS

These by-laws may be amended after review and discussion at a SBDM council meeting and approved by majority vote of those members present at the meeting.

DATE ADOPTED: 09/10/2007

LAST UPDATE: 8/18/2014

Chad Davis
Council Chairperson