

# **EJMS - COUNCIL BYLAWS**

## **TABLE OF CONTENTS**

<b>Composition and Terms</b>	<b>2</b>
<b>Eligibility and Elections</b>	<b>2 - 3</b>
<b>Council Training</b>	<b>3 - 4</b>
<b>Standards of Conduct</b>	<b>4</b>
<b>Removal of Members</b>	<b>5</b>
<b>Meetings</b>	<b>5 - 6</b>
<b>Agendas</b>	<b>6 - 7</b>
<b>Records</b>	<b>7</b>
<b>Council Officers and Duties</b>	<b>8</b>
<b>Committees</b>	<b>8</b>
<b>Decision Making</b>	<b>8 - 10</b>

## **I. COMPOSITION AND TERMS**

### ***A. COMPOSITION OF COUNCIL***

The council will consist of the principal, an assistant principal, six teacher members, and four parent members. If the minority enrollment at the school was eight percent or higher on October 1 preceding the start of a new council term, the council will also include at least one minority member.

### ***B. TERMS***

Terms of council members will be one year, beginning July 1 and ending June 30 of the following year. Teacher and parent council members are allowed to seek re-election to serve consecutive terms as long as they are eligible.

### ***C. LEAVE OF ABSENCE***

Leave of absence for a council member will not be granted.

## **II. ELIGIBILITY AND ELECTIONS**

### ***A. TEACHER ELECTIONS***

#### **1. Teacher Qualifications**

- a. All Certified teachers in the building are allowed to vote in the teacher election.
- b. To be elected to the council, a teacher must hold a position at the school that requires certification but may not hold the position of principal, assistant principal or head teacher and must meet all state law required qualifications.
- c. Teachers will be elected by a majority of teachers in an election conducted by teachers.

#### **2. Teacher Election Chair(s)**

The teacher representatives of the council will give name(s) of the selected Teacher Election Chair(s) to the council no later than the April meeting. At one of the regularly called May faculty meetings, the teacher representatives of the council will request teacher elections be included on the agenda. At this meeting the teachers will present and 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 next year

#### **3. Teacher Election Chair(s) Responsibilities**

- a. The Teacher Election Chair (s) will hold the teacher election before May 15<sup>th</sup>. 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. Upon request, the council may provide the Teacher Election Chair (s) with guidelines to help formulate the procedures for the election. (See attachment A)

## ***B. PARENT ELECTIONS***

The parent elections will take place no later than May 15<sup>th</sup>. The parents of all children pre-registered to attend school during the next year may vote. Candidates must meet all state law required guidelines in order to run. 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 of those elected not later than five school days after the election.

## ***C. MINORITY REPRESENTATION***

1. A minority parent and an additional teacher will be elected, if the council formed (including the principal after both teacher and parent elections does not have a minority member, and the school had eight percent or greater enrollment of minority students as of the previous October 1.
2. Minority members must be American Indian; Alaskan native; African American; Hispanic; Pacific Islander; or other ethnic group underrepresented in the school.
3. The principal will be responsible for organizing the minority parent and teacher elections.

## ***D. VACANCIES DURING A TERM OF OFFICE***

Council vacancies shall be filled by a special called election following election guidelines. The person filling the vacancy shall finish the existing term. Based on when the vacancy occurs during the school year may elect not to fill the vacancy.

# **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 July 30 of the current school year. This training must be provided by a person endorsed by the Kentucky Department of Education.

## **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 Oct. 28 of the current school year. This training must be provided by a person endorsed by the Kentucky Department of Education. Experienced member may get training credit by attending any of the approved SBDM training workshops offered by endorsed trainers.

## **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. This training must be provided by a person endorsed by the Kentucky Department of Education.

## **D. REPORTING**

By November 1<sup>st</sup> each year, the principal will ensure that names and addresses, and the training completed of each council member is reported to the Kentucky Department of Education.

# **IV. STANDARDS OF CONDUCT**

## **A. ATTENDANCE**

Any absence from the council which is reported by the member to the principal prior to the meeting shall be an approved absence. Any absence from the council not reported to the principal prior to the meeting is an unexcused absence. A member who has three unexcused absences will resign.

## **B. CONFLICT OF INTEREST**

A school council member cannot participate in the discussion of or decision-making about any issue he or she has a business or financial interest.

## **C. ON-GOING ELIGIBILITY**

Any member who ceases to be eligible to serve on 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.

## **V. REMOVAL OF MEMBERS**

### **A. COMMISSIONER'S RECOMMENDATION**

The Commissioner of Education can recommend removal for immorality, misconduct in office, incompetence, and willful neglect of duty or nonfeasance. The local board of education then holds a hearing into the charges to decide whether removal is warranted.

### **B. OFFICE OF EDUCATION ACCOUNTABILITY**

The Office of Education Accountability (OEA) can investigate claims of intentional interference with school-based decision-making. If OEA cannot resolve the issue, it is forwarded to the Kentucky Board of Education, which holds a hearing to determine whether the charges are valid. The first time the Kentucky Board finds a person guilty of such interference, the person will receive a reprimand. The second time, the person can be removed from office.

## **VI. MEETINGS**

### **A. ALL MEETINGS**

1. Council meetings will comply with the requirements of the Open Meetings Law. (See Attachment B)
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 D of this section.

### **B. REGULAR MEETINGS**

1. The first council meeting shall be held no later than July 15; the council will designate a regular meeting schedule.
2. The principal will post a copy of the regular meeting schedule in a place to make the schedule readily available to teachers and the public.

### **C. SPECIAL MEETINGS**

1. Any meeting not at the regular meeting time or place is a special meeting.
2. A special meeting may be called by the chairperson or by a majority of council meetings.
3. Any special meeting of the council will comply with the requirements of the Open Meetings Law; therefore, the following step will be taken.
  - i. Written Notice

The person or persons call 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.

ii. 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 notice will arrive at least 24 hours before the time set for the meeting.

iii. 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 is held.

#### **D. 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 closed session.

1. A motion will be made and a vote taken that council goes into closed session.
2. The motion and results of the vote will be included in council minutes.
3. Only the topic announced in the open session may be discussed in the closed session.
4. No council action can be taken in closed session.
5. The council will return to open session to make any decisions.
6. The decisions will be recorded in the minutes.

#### **E. PUBLIC INPUT**

1. Every agenda will include a public comment form.
2. Public input may be informal.
3. If more than several people wish to speak, the chairperson will have the option of setting time limits for speakers.

### **VII. AGENDA**

#### **A. AGENDA REQUESTS**

Anyone may submit items for inclusion on the agenda to the chairperson. Items must be submitted no later than 3 school days before a scheduled meeting.

#### **B. PRELIMINARY AGENDA**

The chairperson will prepare a preliminary agenda marked as

such to be posted in the school office and on the website readily accessible to teachers and parents and to all council members at least 2 days prior to regularly scheduled meeting.

1. Opening Business
  - a. Roll Call
  - b. Agenda Approval
  - c. Public Comment
2. Principal's Report
3. Student Achievement
4. Attendance Report
5. Budget Report
6. Committee Reports
7. Council Operations

### **C. APPROVAL OF AGENDA**

At the beginning of each regular council meeting, the council will approve an agenda for the meeting. Items on the preliminary agenda may be added, deleted, or modified at this time.

## **VIII. RECORDS**

### **A. 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, and council minutes for the current year, the current council budget, and the current School Improvement Plan.

### **B. OPEN RECORDS REQUESTS**

The principal will be the official records custodian and will make the notebooks of council by-laws, policies, minutes, budgets, current CSIP, and other council records available in response to written requests. Persons who want copies of documents in the council binder will give the principal a written request.

## **IX. COUNCIL OFFICERS AND DUTIES**

### **A. Chairperson**

The principal will serve as the chairperson of the council. The chairperson will preside at all council meetings and carry out all other specific council duties as assigned by these bylaws.

### **B. Vice-Chairperson**

The assistant principal representative will serve as the vice-chairperson of the council.

### **C. Recorder**

1. The chairperson of the council will appoint a recorder for the council. The recorder will not be a member of council.
2. The duties of the recorder will be to:
  - 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 draft minutes, marked as such, to each member of the council and post in a place readily accessible to all parents. This will be done within five school days after each meeting.
  - c. Make copies of 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 (or designee).

## **X. COMMITTEES**

### **A. USE OF COMMITTEES**

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

### **B. COMMITTEE POLICY**

The council will adopt a committee policy to facilitate the participation of interested persons.

## **XI. DECISION - MAKING**

### **A. QUORUM**

A majority (more than half) of the members, including at least one parent member, will constitute a quorum. A quorum must be present for the council to take action.

## **B. COUNCIL RESPONSIBILITIES**

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

1. School Improvement Planning
2. School Safety Plan
3. Assessment Data Analysis
4. Achievement Gap Analysis
5. Professional Development
6. Spending on textbooks, instructional materials, student support, rewards, and staff (including the determination of the number of persons to be employed for each job classification.
7. Consultation on hiring.
8. Selection of a new principal.
9. Adoption of policies.

## **C. CONSENSUS**

1. The council will operate by consensus decision-making using the following procedures:
2. After council input and discussion, any member may make a motion to accept a proposal. If the proposal being considered is in writing, the motion may be made verbally. If the proposal has not been presented in writing or the member making the motion wants to propose one or more amendments, he or she will write down the motion, read it to the council, and hand the written motion to the recorder for inclusion in the minutes.
3. The chair will then ask if there is further discussion.
4. When that discussion is complete, the chair will test for consensus by asking if there is consensus for approval of motion. Any member who is not willing to support the motion is obligated to say so at this time. Members who support the motion will indicate by word or other sign that they believe there is not a consensus.
5. If no member states unwillingness to support, the chair will direct the recorder that consensus has been reached and the motion passed.

## **D. CONSENSUS FAILURE**

1. Council voting will be done only when the council must have a decision, consensus has failed, and one or more of the following conditions exist:
  - a. When the council will otherwise be unable to meet a legal deadline by which the council is required to have made a decision, or

- b. When the council has failed to reach consensus at a second meeting for that purpose.
2. At the first meeting where an issue is discussed, if the chair tests for consensus but consensus are not reached, the council may postpone further consideration until the next meeting or continue to discuss the issue. After testing for consensus on a issue three times in one meeting, the chair may direct that the proposal be taken up again a the next meeting unless on of the conditions for voting applies.
3. If the council takes up an issue at a second meeting and still unable to reach consensus, the council will consider alternative steps, including but not limited to:
  - a. Asking a committee to bring the council a new proposal on the issue.
  - b. Doing nothing and dropping the issue.
  - c. Voting.

## **E. ADOPTION OF POLICIES**

1. Polices 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 meeting.
3. Adopted policies are binding until the council amends them.

## **F. BYLAWS AMMENDMENTS**

The council may amend these bylaws as needed. No decision or motion to amend the bylaws will be made until after the topic has been on the agenda and discussed for two meetings.