

*Southern Pulaski County
Middle School
School Based Decision Making Council
By-Laws*

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Southern Pulaski County Middle School
Site Based Decision Making Council

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By-Laws
Southern Pulaski County Middle School
Site Based Decision Making Council

Article I. Purpose

The purpose of Southern Middle School's Site Based Decision Making Council is to establish school policy and to facilitate and enhance student learning.

Article II. Mission

The mission of Southern Middle School is to provide each student with a positive environment of academic achievement and character development leading to the pursuit of individual excellence.

Article III. Membership

A. Composition

1. The school council shall consist of the Principal, Assistant Principal, six teachers members and four parent members. (As required by KRS 160.345)
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. (As required by KRS 160.345)
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. (As required by KRS 160.345)
4. If there is a minority teacher on staff and he/she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher. (As required by KRS 160.345)

B. Requirements for Membership

1. All Members: No one may serve on the council who has a legal conflict of interest as designated by KRS 45A.340. Further, all members must complete training as required by law. (KRS 160.345)
2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Any teacher at Southern Middle School may serve on the site based decision making council. Itinerant teachers may nominate, serve and vote if the majority of their time is spent at Southern Middle School.

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. Parent council members may not be employed at the school or have a relative (father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law who is employed at the school. (As required by KRS 160.345)

C. Elections

1. Parent Members: Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted by the school's parents for the purpose of electing four parent council members. The Principal shall be notified by the parents of the four council members elected, in writing, in a timely manner.

2. Minority Parent Members: If the school has 8 percent or more minority students enrolled as of October 1 of the preceding year, the PTA shall conduct an election for a minority parent member to the school council in the event a minority member is not elected during the regular election. The PTA shall conduct a special election for a minority 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. The nominee with the most votes shall be the minority parent council member. (As required by KRS 160.345)

3. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted no later than the third week of May for the purpose of electing six 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.

4. Minority Teacher Members: If a minority teacher representative is required they shall be selected in accordance with KRS 160.345.

5. Term Limits: No term limits shall be imposed on school council members who are nominated and elected to consecutive one year terms. (As required by KRS 160.345)

D. Removal of Council Members

1. According to KRS 156.132, the chief state school officer 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 chief state school officer pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council. (As required by 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 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.
- Principal and Assistant Principal shall serve as Chair and Vice Chair, respectively.
- Except for the office of secretary, 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.
- The chair shall appoint the secretary in consultation with the council.

B. Chair

The Principal shall be the Chairperson of the council. (As required by KRS 160.345)
Duties of the Chair shall include:

- Conducting and scheduling council meetings and carrying out the policies of the council and other duties as required by KRS 160.345.

C. Vice-Chair

Duties of the Vice-Chair shall include:

- Presiding over council meetings in the absence of the Chair and other duties as assigned by the Chair.

D. Council Members

Duties of the council members shall include :

- Council members are expected to adhere to and support the rules and policies as set forth by the Site Based Decision Making Council.

Article V. Committees

A. Purpose

1. To gain input from all stakeholders including certified and classified staff, parents, students and community members. (As required by KRS 160.345)

B. Appointment of Committees

1. Ad hoc committees shall be appointed, as needed.

C. Membership and Election of Chair

1. Ad hoc committee membership may be voluntary or as appointed by Principal.

D. Decision Making Process

1. Committees will determine their method of decision making.

E. Duties

1. Committees shall carry out tasks assigned to them by the council and/or Principal.

F. Meetings

1. Each committee shall choose the time, place, agenda, and schedule for their meetings. (As required by KRS 160.345)
2. Committees must comply with all provisions of the Open Meetings and Open Records laws. (As required by KRS 160.345)

G. Committees

1. Ad hoc committees shall be appointed, as needed.

Article VI. Schedule of Meetings

A. Regular Meetings

1. The regular monthly meeting of the Southern Middle School Council shall be the second Tuesday of every month. Council meetings shall be open to the public. Meetings will begin at 5:00 p.m. and end at 6:30 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 Southern Middle School library.

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.

4. The Principal shall notify the public by notice posted on the bulletin board 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 Principal or Assistant Principal shall announce to teachers the time and the reason for the special called meeting at least 24 hours prior to the meeting.

Article VII. Meeting Guidelines

A. Meetings

- All meetings will be conducted in accordance with open meetings laws.

B. Quorum

A quorum of the school council shall be a majority (more than one half) of the number of seats on the school council. No council business shall be discussed or conducted unless a quorum of council members is present.

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:

1. To discuss proposed or pending litigation by or against the council. (KRS 61.810 (1)(c))

or

2. 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 action taken must be recorded in council minutes.

D. Agenda

1. Anyone may request items for inclusion on the agenda to the Chairperson/Principal no later than 24 hours prior to scheduled meeting.

2. The Chairperson shall prepare a preliminary agenda for each regular council meeting, including items requested 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: An opportunity during the course of the meeting for school or community persons to address the school council.

Item 4: Other items submitted.

4. The preliminary agenda shall be posted prior to the meeting.

5. Setting of the final agenda shall be the first order of business conducted at each regular council meeting. 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.

E. Discussion of Agenda Items

1. Open Session will be no longer than five minutes.

F. Decision Making Process

1. Consensus shall be the method of decision making unless otherwise specified by the school council.

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 Southern Middle School council will be reported to the board of education and Superintendent through submission of approved council minutes to the Site Based Decision Making Council District Coordinator.

G. Alternative to Consensus

If no consensus can be reached, a majority vote may be requested and if a majority cannot be reached, the motion will die.

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 the majority vote or unanimous support.
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 in the library 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 Site Based Decision Making District Coordinator.
6. A copy of the official minutes will be posted on the bulletin board in the foyer by the secretary.

B. Council Records Available for Public Inspection

School council records will be made available for public inspection in the library.

C. Requests for Council Records

1. Requests for council records must be made in writing to the Principal. Requests must include specific documents, dates of records requested and reasons for the request.
2. The fee for copying of council records shall be 30 cents per page unless the request is for the School Planning document.
3. The school council secretary shall make or provide copies of requested documents at the Principal's and/or the Assistant Principal's request.
4. School Council records will be available for inspection during the school's regular business hours.
5. The custodian of records for the school shall be the Principal and/or the Principal's designee.

Article IX. 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 first request in writing an opportunity to be heard and shall include information about the grievance issue.

B. Schedule

A council shall schedule a hearing within thirty (30) working days from the date the request is received. The person(s) 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 to the complaint.

E. 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

A. Amendments to the 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 school council.