

LEGRANDE ELEMENTARY SCHOOL

SBDM COUNCIL BYLAWS

ARTICLE I. PURPOSE

The purpose of the LeGrande 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 in accordance with state law. The school council will assess, monitor, and evaluate the policies and programs of LeGrande Elementary School. The council shall promote an environment that will enhance student achievement in the school (KRS 160.345).

ARTICLE II. MISSION

The faculty and staff of LeGrande Elementary School accept the responsibility to assure that all students are provided an equal opportunity to attain high levels of academic performance, to acquire learner outcomes required by state and district guidelines, and to develop positive social and emotional behavior and attitudes.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members. (KRS 160.345)
2. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of the preceding October 1, and there was 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. (KRS 160.345)
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. 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. (KRS 160.345)
4. If there is a minority teacher on staff and he or 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 school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six hours of training from a Kentucky Department of Education

endorsed trainer. Experienced members (those with more than one year of service) must complete three hours of training from a Kentucky Department of Education endorsed training provider each year or can meet their training requirement by participating in the new council member training for 3 hours. In the event the council must select a principal, the council is required by law to obtain training in recruitment and interviewing prior to beginning the principal selection process.

2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Counselors may serve as teacher council members. Principals or assistant principals may not serve as teacher council members, nor vote in teacher elections.
3. Parent Members: The legal definition of parent (KRS 160.345 1.c.) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child preregistered to attend the school for next year, including the preschool program. Parents of eighth grade students who are exiting our school may be nominated or vote in the high school election but may not participate in LeGrande Elementary School elections for the following school year.

Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. An Attorney General's Opinion (OAG 90-102) says that "relative" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a "father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law" of someone who works at the school or in the district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member's spouse, nor can they have a business interest in the school.

C. ELECTIONS

1. Parent Members: Parents conduct their own elections as per KRS 160.345. Biannual elections shall be conducted in May by the LeGrande Elementary School Parent-Teacher Organization. Parent elections may be by plurality vote (two parents with the highest number of votes) unless the parent organization requires a majority vote. A representative of the parent organization shall notify the principal in writing of the two parents elected within 24 hours of the final vote, and shall deliver all election materials to the principal the next business day after the election.

The term of office shall be for two years and shall begin July 1. The PTO president shall notify the press of the date, time, and place of the meeting to elect parent council members.

2. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Biannual elections shall be conducted in May for the purpose of electing three teacher council

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

- a. **Conducting Elections.** Teachers must be elected by a majority of teachers in an election conducted by teachers. At an April faculty meeting called by the principal, one teacher shall be selected by a vote of the faculty to serve as a Teacher Election Co-chair. The school secretary shall serve as another Teacher Election Co-chair. The teacher selected as Teacher Election Co-chair may not run for the council during the time he or she serves as Co-chair. The principal shall give the names of the Teacher Election Co-chairs for the spring elections to the council no later than the April council meeting. The names will be recorded in council minutes.
- b. **Date of Election.** The teacher elections for the following term shall be held during May on a date set by the Teacher Elections Co-chairs. The Co-chairs shall notify teachers of the date, place, and time of the teacher elections at least ten school days prior to the election.
- c. **Teacher Qualifications.** Teacher members must hold a position at the school that requires a state certificate and must not hold the position of principal. Itinerant teachers may serve on the council and vote in teacher elections of any school in which they teach.
- d. **Nominations.** Any teacher may nominate himself, herself, or another teacher by completing a nomination form and submitting it to the Teacher Election Co-chairs at least five school days in advance of the teacher election. The Co-chairs will confirm in writing that each teacher that has been nominated is willing to serve on the council if elected.
- e. **Ballot.** The Teacher Election Co-chairs shall prepare a ballot that lists alphabetically the names of all confirmed, eligible candidates. The sample ballot will be distributed to all teachers and posted in the school office by the Co-chairs at least three school days prior to the scheduled election.
- f. **Voting.** All teachers shall convene at the place and time designated by the Teacher Election Co-chairs. Each teachers shall be given a ballot listing the same names as found on the sample ballot and shall vote for the number of seats that are vacant. The Co-chairs shall collect the ballots and count them in the room, announcing the results before the teachers adjourn. Any person or persons receiving a majority on this ballot shall be elected and serve as a council member for the coming term.
- g. **Procedure After First Round Ballots.** If fewer candidates receive a majority of votes than the number needed to fill the open seats, the person getting the smallest number of votes shall be removed from the ballot, and the teachers shall vote again for the number of seats that remain vacant. Any person receiving a majority of votes shall be deemed elected. This process of removing one name shall be repeated as many times as necessary to elect candidates by a majority vote for all open seats.
- h. **Absentee and Proxy Voting.** Any teacher unable to attend the scheduled election may request an absentee ballot from the election Co-chairs; this request must be made at

least five days in advance of the scheduled election. The election Co-chairs will hand deliver an absentee ballot to the requesting teacher; the ballot must be returned to the election Co-chair prior to the scheduled election. Absentee ballots will remain sealed until the first round of ballots is counted. Absentee ballots will include an option for absentees to appoint a proxy to vote on their behalf. This option must be specified in writing and include the name of the teacher to serve as proxy.

D. TERM LIMITS

School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirements.

E. PRINCIPAL ROLE IN SBDM ELECTIONS

Other than completing the duties outlined in these bylaws, principals are not given a role by statute in school council elections. Principals can assist the teachers or parents, if requested, to assist with logistics such as opening the building, providing space in the building, and assisting the PTO and teachers with communication regarding election dates, times, and locations. The principal will not be involved in setting or monitoring election procedures, nominations, balloting, or counting votes. The principal is the custodian of records for the school and must keep the official records of the parent and teacher elections for at least three years.

F. VACANCIES

If a council position becomes vacant, 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 unexpired term and shall be eligible for reelection. The same election procedures shall be conducted as outlined in these bylaws for parent and teacher members.

G. REMOVAL OF MEMBERS

1. 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.
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 commissioner of education 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. KRS 160.347

ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

1. Officers shall include Chair, Vice Chair, and Secretary.
2. The vice chair and the secretary of the school council shall be elected each July by council members and shall serve for one year. Re-election is permitted.

3. If the vice chair or secretary resigns his or her position, the council shall conduct a vote at that meeting to fill the position with another council member.
4. A motion to seek an alternative model allowing a council member other than the principal to serve as chair may be made by any council member at any regular meeting. A majority vote of the full council is required before an alternative model can be sought by the school council. A faculty vote must then be conducted, and the motion must pass by 2/3 in order to proceed with the model.

B. CHAIR

The principal shall be the chairperson of the school council (KRS 160.345). 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 (maintaining minutes of meetings and forwarding a copy to the superintendent after approval of the minutes by the council)
4. Stating when a consensus is present for the record
5. Coordinating standing and ad hoc committees and monitoring committee progress
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

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

E. COUNCIL MEMBERS

Duties of council members include:

1. Knowing and adhering to the mission, philosophy, and goals of the school and SBDM council
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

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 member.
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

B. APPOINTMENT AND OPERATION OF COMMITTEES

The process and procedures for appointment and operation of committee are outlined in LeGrande Elementary School SBDM policy.

C. MEMBERSHIP

The process and procedures for committee membership are outlined in LeGrande Elementary School SBDM policy.

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 at each regular council meeting as requested by the school council.

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.

3. Committees will follow the record keeping procedures used by the school council. All committee meeting minutes should be forwarded to the principal with 3 days of the committee meeting, and the principal will maintain records of the minutes.

G. STANDING COMMITTEES

Standing committees for LeGrande Elementary School shall include Professional Development, Extracurricular, Discipline, and Curriculum.

ARTICLE VI. SCHEDULE OF MEETINGS

A. ALL MEETINGS

1. Council meetings must comply with the requirement of the open meetings law.
2. Council meetings shall be open to the public unless the council goes into closed session under the provisions of the open meetings law in order 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)].

B. REGULAR MEETINGS

1. At the first council meeting on or after July 1 each year, the council shall designate a regular meeting time and place.
2. The principal shall post a copy of the regular meeting schedule in an areas of the school office which is readily accessible to parents and staff. The principal shall also make the regular meeting schedule available to callers to the school office.

C. SPECIAL MEETINGS

1. Any meeting not at the regular meeting time or place is a special meeting.
2. A special meeting of the council may be called by the chairperson or by a majority of council members.
3. Any special meeting of the council must comply with the requirements of the open meetings law. The following steps must be taken:
 - a. Written Notice. The person or persons calling the meeting must prepare and sign a written notice that states the date, time, and place of the special meeting and an agenda for the meeting. No issue not listed on that agenda can legally be discussed at the special meeting.
 - b. Delivery of Notice. The person or persons calling the meeting must arrange for the written notice to be delivered to every council member and to any media organization that has asked to be notified of council meetings. The delivery can be made by hand, facsimile, or mail (not email), but the method must be one that allows the notice to arrive at least 24 hours prior to the time set for the meeting.
 - c. Posting of Notices. The notice must be posted conspicuously at the school and also at the site of the meeting if it will not be held at the school. These copies should be posted as soon as possible after the meeting is called and definitely no less than 24 hours prior to the meeting.

ARTICLE VII. CONDUCT OF MEETINGS

A. QUORUM

A quorum of the school council shall be a majority (one-half plus one) 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

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)].

D. DECISION MAKING PROCESS

1. Unless otherwise specified by these by-laws, the school council shall use parliamentary procedures as specified by Robert's Rules of Order.
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 school improvement plan.
3. No proposed policy or action item may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All decisions and policies officially adopted by 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. In the event consensus cannot be reached, the decision will be made by majority vote.
6. Requests to appeal a decision of the SBDM council shall follow the grievance procedure outlined in the policies and procedures adopted by the Hart County Board of Education.

E. AGENDA

1. The chairperson shall prepare a preliminary agenda for each regular council meeting, including items submitted in writing for inclusion by the public, staff, parents, or other council members. The agenda shall be included posted with the notice of regular and special meetings.

2. At the beginning of each regular council meeting, the council shall approve an agenda for the meeting. The agenda may be the same as or different from the preliminary agenda.
3. In addition to minutes, reports, unfinished business, and new business, each regular council meeting agenda shall include an opportunity for interested individuals and groups to address the council. The chairperson, with consensus of the council members, may set time limits for speakers based on the time allotted for these items, the number wishing to speak, and the content of the agenda.

ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. MINUTES KEPT AND APPROVED

1. Minutes shall be kept by the designee at each council/committee meeting.
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. The minutes of the school council shall not be official until they are reviewed and approved by the council.
4. The principal will email a summary of council actions after each regular and special meeting to all staff within 72 hours of adjournment of the meeting.
5. The principal will forward an official copy of the minutes to the superintendent and SBDM District Coordinator and keep an official copy on file in the school.

B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

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

1. School Council Minutes and Agendas
2. Committee Minutes and Agendas
3. Comprehensive Improvement Plan (including Targets for Gap Reduction)
4. School Council Policies and By-Laws
5. School Council Budget Documents not in the School Plan
6. School Council and Committee Membership Lists
7. Official correspondence

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 fee for copying of council records shall be 10 cents per copy unless the request is for the Comprehensive School Improvement Plan document.
3. The fee for a copy of the Comprehensive School Improvement 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 (The attorney general ruled in 01-ORD-94 (May 2001) that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.)
5. School council records will be available for inspection during the hours the school's library is open (8:00 a.m. - 3:00 p.m.)
6. 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, in compliance with state guidelines and requirements.

ARTICLE IX. AMENDMENTS

A. AMENDMENTS TO COUNCIL BY-LAWS

These bylaws may be amended after a first and second reading at two consecutive council meetings by majority vote of the school council.

B. AMENDMENTS TO COUNCIL POLICIES

Council policies may be amended after a first and second reading at two consecutive council meetings by majority vote of the school council.

BYLAWS WERE REVISED BY SBDM IN JUNE 2007