

# West Marion Elementary School

## School Council By-Laws ARTICLE I – PURPOSE

The purpose of the West Marion Elementary School's Bylaws is to set school policy that will enhance student achievement and to provide the school council with a set of operational guidelines with which to function effectively.

## ARTICLE II – MISSION

The mission of the West Marion Elementary School SBDM is to set school policy and make decisions that will provide an environment to improve student achievement and which will enable the teachers to impact the educational process.

## ARTICLE III – MEMBERSHIP

### A. COMPOSITION

1. The school council shall consist of the principal, three (3) teacher representatives, and two (2) parent representatives. The principal shall serve as the chairperson of the school council.
2. If the school's total minority enrollment reaches 8 percent or more as of the preceding October 1 and no minority representative was elected in the initial elections, a special election shall be conducted by the principal. The principal shall call for nominations and notify parents of the time, date, and location of the special election.
3. If a special election is needed to elect a minority teacher representative, the teachers shall select a minority teacher from the school's staff to serve as minority teacher representative. If any or all of the minority teachers on staff are unable or unwilling to serve, then the position remains vacant. If no minority teachers are on staff at the school, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.

West Marion Elementary School council membership shall be as follows:

- • Principal (chairperson)
- • 3 teachers
- • 2 parents
- • 1 minority parent (if required)
- • 1 minority teacher (if required)

### B. REQUIREMENTS FOR MEMBERSHIP

1. Teacher representatives include all certified staff assigned to the school that possesses the required certification from the Educational Professional Standards Board. This includes all full

time and part time (i.e., itinerant) as well as school counselors and library media specialist. Administrative personnel (e.g., principals, assistant principals, head teachers) may not serve as a teacher representative of the school council.

2. Parent representatives include any parent (i.e., biological parent, stepparent, foster parent, any person with legal custody of a student pursuant to court order and with whom the student resides) who has a child enrolled in the school during the term of service on the school council. Parents who are nominated for parent representative on the school council and/or who wish to vote in school council elections must have a child “preregistered to attend” the school for next 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.

3. Anyone who has a business interest in the school as designated by KRS 45A.340 may not serve on the school council.

4. All school council representatives are required to complete annual training. New school council representatives (i.e., those with less than one year of service) must complete six (6) hours of training on the process and implementation of SBDM from a Kentucky Department of Education endorsed trainer. Experienced members (i.e., those with more than one year of service) must complete three (3) hours of training. Experienced council members may choose from a list of training sessions based on individual need. The school council will prepare a written request for training and present to the Local Board of Education for payment.

## C. ELECTIONS

1. Parent representatives conduct their own elections. Annual elections shall be conducted each May by the school’s largest parent organization. Parents shall determine the procedures for their parent elections. The process that teachers may use to elect their representatives may address the following areas: nomination; preparation of ballot; elections; and absentee ballots. 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.

2. Teacher representatives conduct their own elections. Annual elections shall be conducted each May for the purpose of electing three teacher council members. Teachers shall determine the procedures for their teacher elections. The process that teachers may use to elect their representatives may address the following areas: nomination; preparation of ballot; elections; and absentee ballots. A representative of the teachers shall notify the principal in writing of the three teachers elected within 24 hours of the

final vote, and shall deliver all election materials to the principal the next business day after the election.

3. School council representatives can serve an unlimited number of terms as long as they continue to meet the eligibility requirements and are elected annually by their constituency.

## D. REMOVAL OF MEMBERS

The Kentucky 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. A member of a school council may be removed from the school council for cause, after an opportunity for hearing before the Local Board of Education, 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 included in the minutes of the board and given to the member of the school council.

## E. FILLING VACANCIES

If a member of the school council resigns or is removed from office, another member shall be elected within one month after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until June 30, 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

1. Officers shall include Chair, Vice Chair, and Secretary. The vice chair of the school council shall be elected each August by council members and shall serve for one year.
2. If a vice chair resigns his or her position, the school council shall conduct a vote at that meeting to fill the position with another council member.

## 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. Maintaining minutes of meetings and forwarding a copy to the district SBDM liaison after approval by the school council.
4. Stating when a consensus is present for the record.
5. Coordinating standing and ad hoc committees and monitoring committee progress.
6. Maintaining a file of all correspondence addressed to the school council.

## 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 school council secretary shall be appointed by the principal to keep minutes of all council meetings.

## E. SCHOOL COUNCIL MEMBERS

Duties of council members include:

1. Adhering to the mission, vision, and goals of West Marion Elementary School.
2. Attending all school council meetings.
3. Encouraging and requesting opinions from their constituencies; and
4. Supporting, promoting, and communicating school council decisions.

## 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 school council resource for gathering data and information and making recommendations to the school council.

### B. APPOINTMENT OF COMMITTEES

Standing school council committees include the following and can only be dissolved through the process of amending these by-laws.

- Curriculum and Instruction
- Assessment
- Budget
- Safety and Learning Environment
- Student Recognition

Ad hoc committees are formed and dissolved by the school council as needed.

### C. MEMBERSHIP & ELECTION OF CHAIR

Each school council standing committee shall consist of representatives from the staff. Committee membership will be determined by posting sign up sheets in the school no later than August 31. Committee membership shall be limited to 8 persons, or at the discretion of the school council. Committees shall elect a chairperson from their membership no later than October 15 who shall serve for a term of no longer than one year.

### D. DECISION MAKING

Committee decisions shall be made by consensus. In the event that consensus is not reached, the issue will be brought to the school council for final decision.

### E. DUTIES

1. School council 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 or revised drafts of school council policies. Committee chairs will report as requested by the school council.

### F. MEETINGS

1. Each school council committee shall choose the time, place, and schedule for their committee 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.

## ARTICLE VI – SCHEDULE OF MEETINGS A. 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. 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 principal shall provide local news media of the school council's regular meeting schedule for the year in July, and provide notification of the school council's meeting time and agenda at least one week in advance of each regular meeting.
3. The principal shall notify the school community by notice posted on the bulletin board in the school foyer at least twenty-four hours advance of the meeting.

## B. SPECIAL MEETINGS

If needed, the chairperson or a majority of the school council members may call a special meeting. The following steps must be completed when a special meeting is called:

1. Written Notice: The chairperson shall prepare and sign a written notice that states the date, time, and place of the special meeting and the agenda for each meeting.
2. Delivery of Notice: The chairperson shall arrange for the notice to be delivered to each school council member and to any media organization that has requested notice of the school council meetings. The delivery can be by hand, FAX machine, mail or email if requested. The meeting notice must be received by the members at least 24 hours prior to the time of the meeting.
3. Posting of Notice. The notice for the special meeting shall be posted by the chairperson on the bulletin board in the school foyer at least 24 hours prior to the time of the meeting.

## ARTICLE VII – CONDUCT OF MEETINGS

### A. QUORUM

A quorum is defined as a time when a majority (one-half plus one) of the school council members are present. No school council business shall be discussed or conducted unless a quorum of school council members is present.

### B. ATTENDANCE AT MEETINGS

School 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

By definition a closed session of a regular or special meeting of the school council occurs when the school council members' discussions are not made public. The school council may meet in closed session for the following reasons: (1) to discuss proposed or pending litigation; or (2) to discuss candidates for a personnel vacancies and/or t consultation in filling vacancies. Before a closed session can be conducted, the following steps must be taken:

- (1) notice given in open session for the need of a closed session discussion, stating the reason(s);
- (2) a motion, second and council vote (e.g., saying "I");

During the closed session, only the business stated in the announcement can be discussed with no action taken. Details discussed in closed session shall not be discussed outside the closed session. 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. AGENDA

The chairperson shall prepare an agenda for each council meeting, including items submitted in writing for inclusion by the public, staff, parents, other school council members. The chairperson may declare any item received as not within school council authority.

Each agenda shall include the following items:

1. Review and approval of previous meeting minutes
2. An opportunity for public comment
3. Report on budget expenditures

## E. DISCUSSION OF AGENDA ITEMS

1. The school council shall discuss each agenda item before a decision is made.
2. Each school council member shall be given an opportunity to express his or her opinion on the item.
3. Other persons attending the meeting may be recognized by the chairperson and may address the school council as the chair calls upon them to speak.
4. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the school council.
5. For public comment, the chair may require a sign-in sheet, and set limits on the number of persons who will speak to the issue and a time limit for each.

## F. 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 improvement plan. The school council will make decisions by consensus except as otherwise designated Kentucky statute.
3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All newly proposed policies or policy changes will be referred to the appropriate committee for review. All decisions and policies officially adopted by the West Marion Elementary School Council will be reported to the Local Board of Education and superintendent through the district SBDM coordinator.
5. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:
  1. A motion and a second are made.

2. After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
3. The chair will ask whether any member disagrees with that statement.
4. If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
5. 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.

## **G. 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

## **ARTICLE VIII – MINUTES AND OTHER COUNCIL RECORDS A. MINUTES KEPT AND APPROVED**

1. Minutes shall be kept by the designee at each school council/committee meeting.
2. The minutes shall reflect an accurate record of actions and votes taken at a school council and/or committee 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 school council's policy manual.
4. The minutes of the school council shall not be official until they are reviewed and approved by the school council.
5. The minutes shall be open to public inspection immediately after they are approved.
6. A preliminary copy of the minutes for all school council meetings will be provided to certified and classified staff in written form within 72 hours of the adjournment of the meeting.
7. 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. A copy of the official minutes will be posted on the bulletin board in the foyer by the chairperson.

## B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

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

1. School council minutes and agendas
2. Committee minutes and agendas
3. School improvement plan
4. School council policies and bylaws
5. School council budget documents
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.
2. Requests must include specific documents and dates. The fee for copying of council records shall be 10¢ (\$0.10) per page.
3. School council bylaws, policies and the school improvement plan shall be posted on the school's Web page in PDF format.
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 during the regular school hours. 7. The chair 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.

## ARTICLE IX – APPEALS

### BOARD POLICY

Appeals are in accordance with Local Board of Education policy.

## ARTICLE X – AMENDMENTS

### A. AMENDMENTS TO COUNCIL BYLAWS AND POLICIEIS

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

### ADDENDUM

## West Marion Elementary School SBDM Voting Procedures for Teachers

Teachers must be assigned to W.M.E.S. half-time or more to be eligible to vote or run for the council. The school counselor votes as a teacher and may be nominated for a teacher position on the council. The school principal is not eligible to vote.

Nominations: Nominations will be made in writing and given to any of the current teacher council members, who will compile the ballot. Nominations will run for at least one week and will end at least 5 days prior to voting.

All voting will be done by secret ballot. After everyone votes, the votes will be counted and double-counted by a team of three certified staff members. (This team will be selected at the staff meeting prior to the vote. Names of all interested parties will be placed in a pool and three will be drawn.) Votes will be counted as long as there is at least one name marked on the ballot and the total number of names marked does not exceed the requested amount. In other words, ballots are only not counted if too many names are marked.

Round 1: Teachers will be asked to vote for three candidates. After counting, if three candidates have majority votes, then voting is over. If more than three candidates have majority votes, then the top three vote-getters are the winners and the voting process is complete.

If 2 candidates get majority, then move on to Round 2 voting procedure to elect one more.

If 1 candidate gets majority, then move on to Round 2 voting procedure to elect two more.

If no candidates get majority, repeat the Round 1 voting procedure until at least one candidate is elected.

Round 2: Teachers will be asked to vote for 1 or 2 candidates, depending on how many were elected in round 1. All teachers vote by secret ballot. After counting, candidates receiving majority vote are pronounced the winners. It may be necessary to name only the top 1 or 2 vote-getters if more candidates receive majority votes than needed. If three candidates have now been elected, the voting process is complete. If no candidates receive majority vote, repeat the Round 2 process until at least two candidates have been elected.

Round 3: Teachers will be asked to vote for 1 candidate out of the remaining list. All teachers vote by secret ballot. After counting, the candidate receiving the greatest majority vote is the winner. If all three candidates have now been elected, the voting process is complete. If no candidates receive majority vote, repeat the Round 3 process until the final candidate is elected.

Once the voting process is complete, one of the vote-counters will deliver election materials to the principal no later than the next business day.

Absentee voting: Teachers who are going to be absent should turn in a prioritized list of their top 3 choices in a sealed envelope the day prior to voting. This will be given to the vote-counters, who will actually complete the ballots for those absent teachers based on the prioritized list.

Teachers who have an unplanned absence that day may call in their list to the vote-counters on the day of, but prior to, the election.

## West Marion Elementary School SBDM Voting Procedures for Parents

Any parent, stepparent, foster parent, or legal custody of a student attending West Marion during the term of office may run for the SBDM council. A parent is ineligible if he/ she is an employee of this school or of the District Central Office, the relative of an employee of this school or of a District Central Office employee, a local school board member or spouse of a school board member. Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law.

Nominations: Nominations will be made in writing and given to any of the current P.T.O officers, who will compile the ballot. Nominations will run for at least one week and will end at least 5 days prior to voting. Nominations and voting will occur prior to May 30 each year for the term beginning July 1 of the same year.

All nominees will be sent a letter outlining the responsibilities of a council member. Nominees may decline their nomination at any time.

Voting: Parents, stepparents, foster parents, or legal custodians of a student who will be attending WMES during the upcoming school year will be permitted to vote in the election. Parents of fifth graders who are exiting our school need to be nominated and/ or vote in the middle school election.

On voting day, each person will sign a registry and receive one ballot to vote for two parents. There will be no absentee ballots allowed.

All voting will be done by secret ballot. After 6:00 pm, the votes will be counted and double-counted by the officers of the P.T.O. Votes will be counted as long as there is at least one name marked on the ballot and the total number of names marked does not exceed the requested amount. In other words, ballots are only not counted if too many names are marked.

Voting will take place on a date previously shared with all WMES parents and guardians. Voting will occur from 7:30 am until 6:00 pm to provide all working parents ample time to vote.

The president of the P.T.O. will 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.

Minority election: If WMES had a minority population at or above 8% the previous school year, the school is required to have a minority representative on the council. If a minority parent is elected during the regular parent election process, then we have met that obligation. Otherwise, all minority parents/ guardians in the school will be sent a letter outlining the need for a minority representative. Nominations and voting procedures will occur as outlined above except for the fact that parents/ guardians will only be voting for one representative.