



## KENTUCKY DEPARTMENT OF EDUCATION

# Bylaws and Policies

Three-hour training for experienced school-based decision making membership

## Objectives

- Understand how bylaws guide school councils by making work more efficient, consistent, open and fair to all stakeholders
- Understand how policy development can improve student achievement
- Awareness of the school council policy resources and tools
- Understand how to address school council policy challenges
- Understand the statutorily required policy areas and best practices related to policy work

## Session Overview

This SBDM training session is meant to ensure that school council policies and bylaws meet the legal expectations and contribute to the mission for the school as well as the improvement of student achievement. The session assists school council members in analyzing and improving their own school council policies and bylaws.

## Student Achievement

The school council's mission is to improve student achievement [KRS 160.345(2)(c)1]. Each school council must create an environment in their own schools that will result in students achieving at high levels. All policies and decisions by the school council must contribute to the achievement of the overall school mission.

These SBDM training materials were developed by the Kentucky Department of Education for use in training new school council members in implementing school-based decision making.



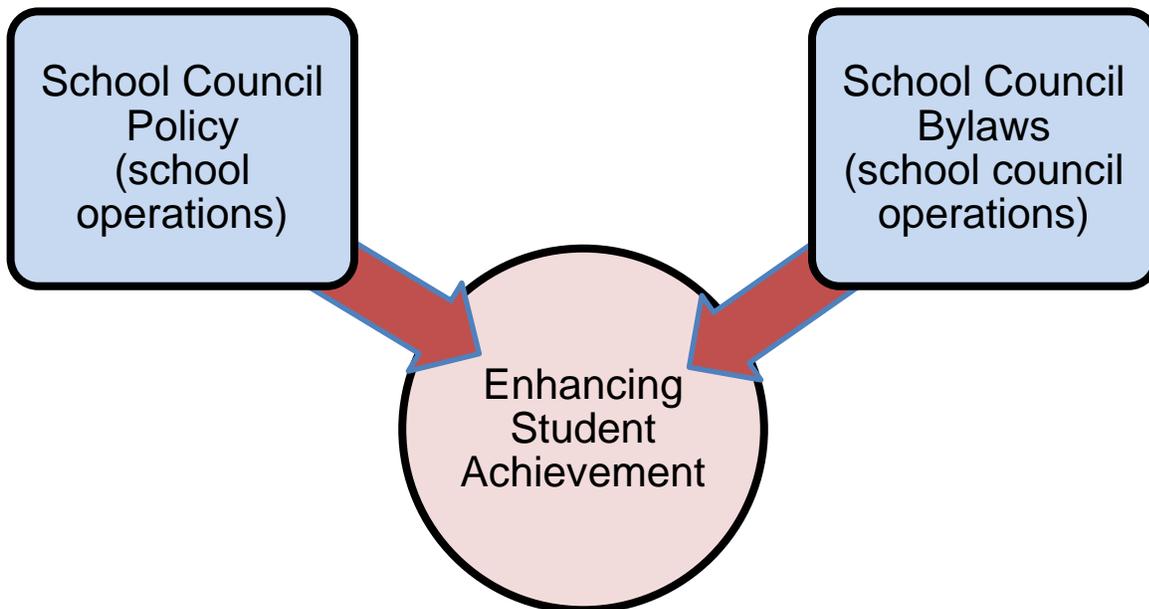
## Bylaws and Policies

### What is the difference between bylaws and policies?

The term *bylaws* is used to describe the operating rules the school council sets to conduct its work. This includes items such as calling meetings, reaching consensus, taking minutes and other operational activities.

The phrase *council policies* refer to what the school council develops and adopts concerning how the school operates. This includes such items as curriculum development, determining school schedule and technology use in the school.

Bylaws are the rules, guidelines and procedures for school council operation. Policies are the rules, guidelines and procedures for school operation.



## Bylaws

School council bylaws make school council work more efficient, consistent, open and fair to all stakeholders. Often, situations arise where the school council's bylaws can help keep the meeting positive and productive.

### Common Issues with Bylaws

- Copies of the bylaws cannot be found
- Hard copies of the bylaws exist, but no electronic copies
- Bylaws are not reviewed on a regular basis or have not been updated
- Bylaws are not made available on the website so everyone can access them

## Putting Bylaws to Use

Look at the following situations. Using your school council bylaws, do they address the situation? If your council bylaws do not have any direction for dealing with the situation, should they?

Sample Situations
<b>Example Situation:</b> The school council is going to develop criteria for selecting a principal and asks all the audience members to leave the meeting.
<b>Situation 1:</b> The principal is asking the council when elections need to be completed. Last year they were held in the fall but in the past they have been held in the spring.
<b>Situation 2:</b> A teacher has contacted the council and would like to speak at the next meeting regarding the council's curriculum policy.
<b>Situation 3:</b> The council has been discussing an agenda item for an extended length of time and cannot reach consensus for a decision. What does it do?
<b>Situation 5:</b> The council has proposed a new staff time policy to be enacted for the upcoming school year and the chairperson is asking how many reads will be required before the policy can be adopted.

## What else is in your bylaws?

When serving on the school council, it's easy to skip over reading the bylaws and just proceed as done in the past. However, this can lead to confusion and in some cases conflict within the school council. Bylaws should be reviewed regularly to ensure they are aligned with the current vision and goals of the school council and school. Refer to the checklist beginning on the next page for school council bylaws. Using your school council bylaws, find the answers to the questions on the checklist.

DEVELOPING SCHOOL COUNCIL BYLAWS CHECKLIST	
<b>Issues to be addressed in the bylaws:</b>	<b>Statutory Authority (or Best Practice)</b>
<b>Purpose or Mission Statement</b>	
Why has the school council been formed?	KRS 160.345(2)(c)(1)
What is the school council charged to do?	KRS 160.345(2)(i)

<b>DEVELOPING SCHOOL COUNCIL BYLAWS CHECKLIST</b>	
<b>Issues to be addressed in the bylaws:</b>	<b>Statutory Authority (or Best Practice)</b>
<b>Membership of Council</b>	
Who is allowed to serve on the school council?	KRS 160.345(2)(a)
How many members will make up the school council?	KRS 160.345(2)(a)
Will non-voting members be elected?	KRS 160.345(7)
What are the qualifications for membership?	KRS 160.345(2)(b)(1)
<b>Term of Office</b>	
When does a school council member's term begin and end?	KRS 160.345(2)(b)(1)
How many terms may members serve?	KRS 160.345(2)(b)(1)
<b>Election Procedure</b>	
Are parent election procedures established by the largest parent organization/group in the school or a parent committee formed for the purpose of the election?	KRS 160.345(2)(b)(1)
Does the faculty establish teacher election procedures?	KRS 160.345(2)(b)(1)
NOTE: School council bylaws should not include mandated procedures for elections. They may include dates for completing elections due to providing the mandated training required for all school council members. The bylaws may contain an appendix with the approved procedures as reference. Keeping written elections procedures, as an appendix is a good way to ensure continuity for elections and to have documentation of election protocols should a question arise after elections are completed.	
<b>Chair and Vice-Chair</b>	
Who is the school council chairperson?	KRS 160.345(2)(b)(1)
Who may serve as the vice-chairperson?	Best Practice
How is a vice-chairperson selected?	Best Practice
What are the job duties of chair, vice-chair and parent/teacher council members?	Best Practice
<b>Committees</b>	
Will the school council establish committees (i.e., standing and/or ad hoc)? If committees are established, a committee policy is also required.	KRS 160.345(2)(c)(2)

<b>DEVELOPING SCHOOL COUNCIL BYLAWS CHECKLIST</b>	
<b>Issues to be addressed in the bylaws:</b>	<b>Statutory Authority (or Best Practice)</b>
Has the school council established guidelines for committees to follow, defining their range of authority and responsibilities; how the chairperson is selected; and what their membership will be and their duties? [Committees decide when to meet and where to meet and set their own agenda.]	KRS 160.345(2)(c)(2)
<b>Agenda Preparation and Distribution</b>	
How are agendas prepared? (Also included in Open Meetings statutes.)	KRS 160.345(2)(d)
How is input received from non-council and non-committee members?	Best Practice
How are meeting agendas distributed to members and non-members?	Best Practice
What are the time frames for preparation and distribution of agendas?	Best Practice
<b>Decision-Making</b>	
How are the decisions made?	Best Practice
Are there procedures for when consensus cannot be reached?	Best Practice
What constitutes a quorum? (Also included in Open Meeting statutes.)	KRS 160.345(2)(e)
<b>Record Keeping</b>	
What is the Records Retention Schedule for SBDM material?	KRS 160.345(3)(h)
Who will be the keeper of school council minutes?	01-ORD-94
How are the minutes structured?	KRS 61.835
How are the minutes approved?	KRS 61.835
How are the minutes distributed?	KRS 61.835
To whom will the minutes be distributed?	Best Practice
Who will maintain the policies developed or revised?	01-ORD-94
<b>Requests for Public Records</b>	
How are requests for public records granted?	KRS 61.870 to 61.884
Are fees to be charged for copies of records?	KRS 61.870 to 61.884

<b>DEVELOPING SCHOOL COUNCIL BYLAWS CHECKLIST</b>	
<b>Issues to be addressed in the bylaws:</b>	<b>Statutory Authority (or Best Practice)</b>
What are the procedures to be followed for the request?	Best Practice
<b>Communications</b>	
What is the communication network for the teachers, school administrators, district administrators, school board members, parents and/or the community?	Best Practice
Will communications be planned for both inside and outside the school building as part of the planning process?	Best Practice
Will there be publications from the school council?	Best Practice
How are persons notified of meetings, agendas and minutes?	Best Practice
<b>Appeals Process</b>	
What is the local board policy as it relates to the district appeals process?	Best Practice
Does the appeals process include or require the affected party to file grievance(s) in writing?	Best Practice
Does the appeals process include how hearings are scheduled?	Best Practice
Are time frames for the hearings included?	Best Practice
Is the appealing person allowed representation by legal counsel?	Best Practice

**Reflection:**

What is the most important idea about bylaws that I can take back to share with the rest of my school council?

**Policy Basics**

School council policies are a way to strengthen the school’s efforts to improve student achievement, instead of just a requirement to fulfill.

Policies need to:

- Contribute to raising student performance
- Keep the focus on achieving the council's and the school's mission and goals
- Achieve the following purposes:
  - Support and improve teaching and learning and lead to enhancing student achievement
  - Outline a common procedure
  - Provide guidelines
  - Meet a legal requirement

## Policy Development Tool

The Policy Development Tool below can be used to discuss a policy before it is adopted. This tool can be used with committees as they develop policies to recommend to the school council. NOTE: Make sure you check your school council's bylaws to see the guidelines for developing policies (e.g., Does your council have two readings before adopting a policy?).

CRITERIA TO LOOK AT <u>BEFORE</u> ADOPTING A POLICY	Yes	ACTION NEEDED, IF ANY
1) Is this policy aligned with your mission and belief statements?		
2) Is this policy related either directly or indirectly to improving student achievement?		
3) Does this policy support your school improvement goals?		
4) Do all your teachers have the training and resources to make this happen?		
5) Is this policy within the school council authority?		
6) Was the policy written after careful and respectful consideration of all points of view?		
7) Where possible, does the policy focus on results of students and not compliance of adults?		
8) Have we listed any needed steps in chronological order?		
9) Does the policy state who is responsible for each step (e.g., school council, committee, principal, teachers)?		
10) Is the policy legal, meaning it doesn't violate any state or federal laws or regulations, break any contracts or risk any lawsuits?		
11) Is this policy a true policy, meaning it sets rules, guidelines, procedures and timelines (where appropriate)?		
12) Does this policy let the principal handle day-to-day implementation?		

# Policy Organization Review

Review each item in the first column of the chart. Look through your school council policies. What are your Next Steps? What are your Priorities? What are your Biggest Concerns?

Policy Organization Review	Have	Need
<p><b>Policy Organization Basics</b></p> <ul style="list-style-type: none"> <li>• Is there a Table of Contents?</li> <li>• Are the policies dated?</li> <li>• Are the policies numbered?</li> </ul>		
<p><b>Statutorily Required Policy Areas</b></p> <ul style="list-style-type: none"> <li>• Determination of Curriculum</li> <li>• Assignment of All Instructional and Non-Instructional Staff Time</li> <li>• Assignment of Students to Classes and Programs</li> <li>• Determination of the Schedule of the Day</li> <li>• Determination of School Space</li> <li>• Planning and Resolution of Issues Regarding Instructional Practices</li> <li>• Selection and Implementation of Discipline and Classroom Management Techniques</li> <li>• Selection of Extracurricular Programs</li> <li>• Adoption of the Emergency Plan</li> <li>• Procedures for Determining Alignment with State Standards, Technology Utilization and Program Appraisal</li> <li>• Consultation</li> <li>• Committees</li> <li>• Advanced Placement, International Baccalaureate, Dual Enrollment, Dual Credit Courses, for secondary schools</li> <li>• Wellness</li> <li>• Writing</li> <li>• Parent Involvement, for Title I Schools</li> <li>• Wellness and Nutrition, for all schools that participate in the Federal Lunch Program</li> </ul>		
<p><b>We have:</b></p> <ul style="list-style-type: none"> <li>• Copies of all policies in one binder</li> <li>• A list of statutorily required policies</li> <li>• A list of recommended best practice policies</li> <li>• All policies available electronically</li> </ul>		
<p><b>Next Steps:</b></p>		
<p><b>Priorities:</b></p>		

Policy Organization Review	Have	Need
<p><b>Biggest Concern:</b></p>		

**Reflection:**

While reviewing my school council policies, how many evaluation responsibilities have been assigned to the principal? Are there some policy areas that could be assigned to another individual? How can I share this information with the rest of my school council members?

**Avoiding Policy Pitfalls**

Some policy pitfalls to avoid:

- Focusing on compliance rather than on commitment to improving student achievement
- Creating requirements for staff that may not lead to improved student achievement
- Writing a policy to address an issue that needs to be dealt with on a more individual basis or is already dealt with in another document

- Being reactive instead of proactive to a situation
- Writing every policy with the same amount or level of detail even if that much detail isn't required
- Including too many evaluation requirements in the policy (It is important to look at all the evaluation requirements from all policies and the plan to see if there is an overload.)
- Setting up staff to be in violation of school council policies
- Not communicating policies to staff, students and families
- Failing to revise school council policies when changes are needed
- Not clearly representing roles of all stakeholder groups
- Running the school on a day-to-day basis
- Failing to review school council policies regularly

Sample policy scenarios begin on the next page. As you read each of the scenarios, think:

- What are the pitfalls?
- What are some of the reasons people experienced these pitfalls?
- What patterns do you see?
- What are some additional pitfalls to watch for?
- What are some of the reasons that these policies might have been developed and adopted?
- What might be the next step for the school council (or its committees) as it addresses these policy issues?

Scenarios	Policy Pitfalls
An instructional practice policy calls for all teachers to submit lesson plans for the upcoming week every Friday to the principal. The principal reviews each lesson plan and provides feedback.	
The budget policy says the council must approve every professional learning expense.	
The school council has been asked to pass a policy saying basketball players who come in late or check out early will not be allowed to play in the game.	
To start the new school year, the parent-student handbook will include the policy that two late homework assignments in a nine-week period will result in after-school detention.	
A committee policy states: "Every committee shall have one parent member."	
The extracurricular programs policy included the following; "The school cheerleaders will cheer for every home game and at least half of the away games during both the football and basketball seasons."	
<p>Reflection: What are some "pitfalls" in our school council policies that I can discuss at a school council meeting?</p>	

## Scavenger Hunt to Review Policies

Read each issue in the first column of the chart. Do you have a school council policy that addresses this issue? If so, what is this policy? Does your policy address this issue effectively?

Issue	Which policy area would you look?	Should your policy address this issue?
<p><b>EXAMPLE:</b> A new teacher wants to know what content her students are supposed to master.</p>	<p><b>Policy:</b> Determination of Curriculum <i>In most cases, content won't be explicitly described in the curriculum policy, but the policy will provide direction for the teacher.</i></p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so that it does address this issue.  <input type="checkbox"/> This issue does not need to be addressed in policy.</p>
<p>Teachers are frustrated because of the "Good News" announcements made during third period.</p>	<p>Policy:</p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so that it does address this issue.  <input type="checkbox"/> This issue does not need to be addressed in policy.</p>
<p>A team of teachers would like to move classrooms to be together for ease of regrouping students to address identified needs.</p>	<p>Policy:</p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so that it does address this issue.  <input type="checkbox"/> This issue does not need to be addressed in policy.</p>
<p>A team of teachers has begun implementing weekly assessments and review days. They would like extra classroom help on Fridays from the specials/elective teachers for teaching small groups and live scoring of constructed response questions.</p>	<p>Policy:</p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so that it does address this issue.  <input type="checkbox"/> This issue does not need to be addressed in policy.</p>
<p>The principal is going to use an interview committee composed of two teachers who will be teammates of the future hire and one parent (plus the principal).</p>	<p>Policy:</p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so that it does address this issue.  <input type="checkbox"/> This issue does not need to be addressed in policy.</p>
<p>The chair of the parent involvement committee isn't conducting regularly scheduled</p>	<p>Policy:</p>	<p><input type="checkbox"/> We have effectively addressed this issue through policy.  <input type="checkbox"/> We need to revise our policy so</p>

Issue	Which policy area would you look?	Should your policy address this issue?
meetings, and when meetings are held, they aren't advertised and minutes aren't taken.		<p>that it does address this issue.</p> <input type="checkbox"/> This issue does not need to be addressed in policy.
Teachers would like to ensure that content reading strategies are taught across the curriculum.	Policy:	<input type="checkbox"/> We have effectively addressed this issue through policy. <input type="checkbox"/> We need to revise our policy so that it does address this issue. <input type="checkbox"/> This issue does not need to be addressed in policy.
Because of a scheduling issue, band and chorus students are not able to take the honors math class.	Policy:	<input type="checkbox"/> We have effectively addressed this issue through policy. <input type="checkbox"/> We need to revise our policy so that it does address this issue. <input type="checkbox"/> This issue does not need to be addressed in policy.
The only time a group of first grade students can be pulled for speech/language time is during their schedule physical education time.	Policy:	<input type="checkbox"/> We have effectively addressed this issue through policy. <input type="checkbox"/> We need to revise our policy so that it does address this issue. <input type="checkbox"/> This issue does not need to be addressed in policy.

## Additional Policies to Consider

School councils can develop and adopt additional policies other than those that are required by statute. Some school councils adopt policies in the required decision areas to guide them.

DECISION AREA	STATUTORY AUTHORITY	HAS POLICY	How important it is to have this policy? (1 being the highest priority.)
Primary Program	KRS 158.031(4)		1 2 3 4 5
Review of Data	KRS 160.345(2)(j)		1 2 3 4 5
Number of Persons per Job Classification	KRS 160.345(2)(f)		1 2 3 4 5
Determining Textbooks, Instructional Materials and Student Support Services	KRS 160.345(2)(g)		1 2 3 4 5

DECISION AREA	STATUTORY AUTHORITY	HAS POLICY	How important it is to have this policy? (1 being the highest priority.)
Principal Selection	KRS160.345(2)(h)		1 2 3 4 5
School Budget	KRS 160.345(3)(a)		1 2 3 4 5
Improvement Planning Process	KRS 160.345(3)(c)		1 2 3 4 5
Professional Learning	KRS 160.345(3)(d) KRS 160.345(8) KRS 158.060(4)		1 2 3 4 5

## What if our school council policies are not being implemented?

There could be many reasons school council policies are not being implemented. First, determine the problem and address it with the principal (or with the person who is required in the policy for monitoring). If your school council policies are not being implemented, and the issue cannot be resolved, the school council must put this issue on an agenda and discuss. Be sure not to discuss individuals, but only the school council policies being implemented in general.

### Reflection

The most important thing I learned (or was reminded of) today was...

Things I want to do on what I've thought about today are...

# Appendix

## Sound Policy Characteristics

It is important that sound policies contribute to the mission of the school. The following guidance is meant to assist councils in assuring policies are focused, legal, and prepare schools to improve student achievement

Are the school council policies legal? Being within council responsibilities, not breaking any legal limits and explaining any related legal requirements. (Example: explaining the obligation not to discriminate in a consultation policy)

Are the school council policies clear? Using simple wording, spelling out who will be responsible for each step and organizing the policy to make it easy to find needed information. (Example: step-by-step chronology or underlined headings)

Are the school council policies practical? Giving each person manageable responsibilities, having a timetable that can work and having a clear process for following up to be sure the policy is implemented well and produces good results

Are the school council policies wise? Setting rules that make sense, supporting student achievement and reflecting school and district goals and vision

Are the school council policies focused on improving student achievement? Directly or indirectly, policy focuses on improving teaching and learning in the school and is focused on student achievement

Do the school council policies support a positive school culture? By building relationships, teamwork and focusing on high expectations, policy will contribute to the culture of the school

POLICY ANALYSIS CHART						
School Council Policy	Legal	Clear	Practical	Wise	Focused	Culture
Curriculum						
Staff Time						
Assignment of Students						
Schedule of the Day						
School Space						
Instructional Practices						
Discipline						
Extracurricular Activities						

POLICY ANALYSIS CHART						
School Council Policy	Legal	Clear	Practical	Wise	Focused	Culture
Emergency Plan						
State Standards*						
Consultation						
Committees						
Advanced Placement**						
Wellness						
Writing						
Parent Involvement***						
Wellness and Nutrition****						

\*Includes alignment with state standards, technology utilization and program appraisal.

\*\* Includes Advanced Placement, International Baccalaureate, dual enrollment and dual credit courses.

\*\*\*Requirement for Title I schools only

\*\*\*\*Requirement for all schools participating in Federal Lunch Program