



KENTUCKY DEPARTMENT OF EDUCATION

Bylaws and Policies

A three-hour training for experienced SBDM members

OBJECTIVES:

After this training, council members will be able to...

- Differentiate between bylaws and policies and the characteristics associated with each,
- Understand how bylaws guide school councils by making work more efficient, consistent, open and fair to all shareholders, and
- Determine how policy development can address challenges and improve student achievement.

SESSION OVERVIEW:

This school-based decision making training session is designed to assist school councils in analyzing and improving their school council bylaws and policies and to ensure that those bylaws and policies meet legal expectations and contribute to improving student achievement.

STUDENT ACHIEVEMENT:

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

Getting Started

Imagine a town with no road signs, a society with no government, and a world without rules. Did you manage to feel relieved, stressed, or a combination of the two? Valid arguments could be presented to justify the need for some unruliness, as well as the need for structure. Consider each of the scenarios below and determine what the likely outcome would be if no rules or consistent expectations existed:

Scenario	Potential Outcome
Your mail carrier delivers the mail three days a week and he/she gets to choose which days the mail is delivered to your residence.	
There are no stop signs or traffic signals at a major intersection in your town.	
Two twin sisters who attend the same school constantly turn their homework in late. One sister is never punished while the other student has to sit her recess often.	
Interstate 64 does not have a speed limit to follow.	

Are there any perks to the situations above?

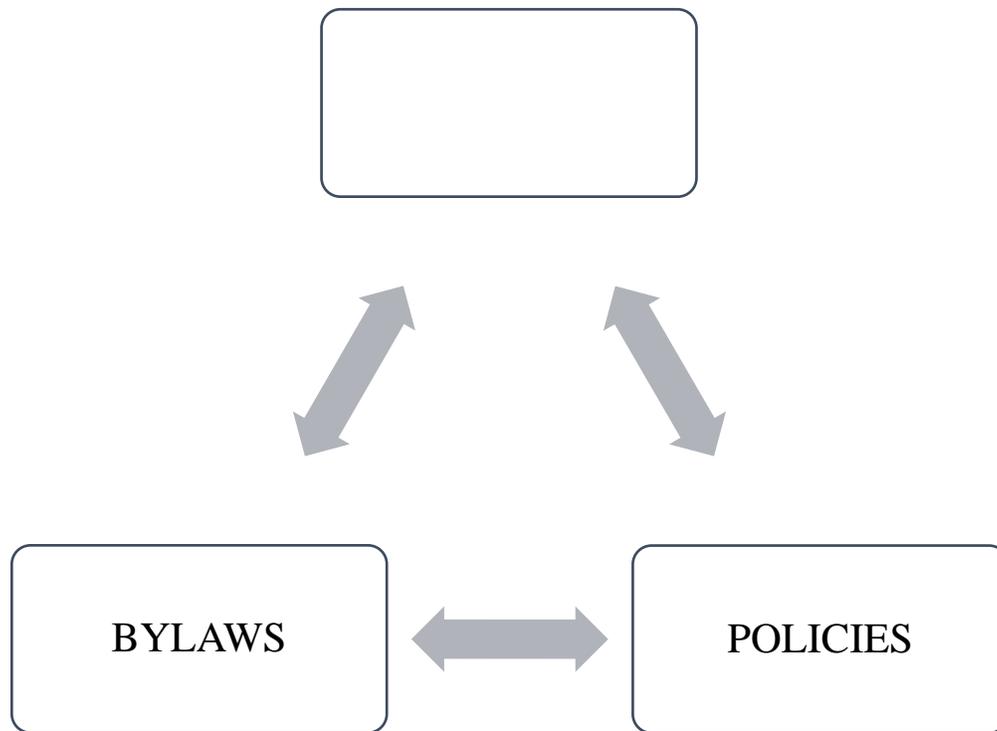
Council Connection:

As an experienced council member, you have likely already made the connection to school-based decision making (SBDM). An SBDM council's bylaws and policies provide structure, cohesiveness, and help to eliminate potential disorder. Without the two, your work as a collective may not be nearly as efficient. As you make your way through this training module, you are encouraged to be mindful of what has been included in your council's bylaws and policies that provide guidance and help to maintain balance.

Bylaws v. Policies: *How do they differ?*

The term *bylaw* is used to describe the operating rules the school council sets to conduct its work while *policy* refers to what the school council develops and adopts concerning how the school itself operates.

- Bylaws are the rules, guidelines, and procedures _____.
- Policies are the rules, guidelines, and procedures _____.
- Both should focus on **enhancing student achievement** in the school.



Activity: Have council members spend 5→10 minutes skimming their council’s bylaws and policies. If these are not readily available, they may review the sample bylaws and policies that are referenced in the Materials’ section. While reviewing the bylaws and policies, have participants jot down answers to the following questions.

What are some of the topics in your school council bylaws?

*What are some of the most recent policies that your school council has adopted or revised?
How do you know they were recently adopted or revised?*

Directions: Read through the topics below and decide if the topic listed is a bylaw or a policy. Place a check in the corresponding oval. Once the trainer has called time, the answers will be revealed. Please keep a running tally of your correct/incorrect responses and record your final tally in the last row.

TOPIC	RESPONSE
Assignment of instructional & non-instructional staff time	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Membership of the council	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Mission of the council	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Consultation procedures	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Roles of the chairperson	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Curriculum	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Committees	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Agenda preparation	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Elections	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
Selection of extracurricular programs	<input type="checkbox"/> Bylaw <input type="checkbox"/> Policy
TOTAL SCORE	/10

REFLECTION: How does your overall score make you feel?

Bylaws

Bylaws are the rules, guidelines and procedures for the school council. School council bylaws make school council work more efficient, consistent, and open and fair to all shareholders. Often situations arise where the school council's bylaws can help keep the meeting positive and productive.

REFLECTION: Think of a time from last year's (or any previous year's) school council meetings **or** from a meeting you recently attended when you had to refer to the school council bylaws for an answer to a procedure or a process. Was the answer in the bylaws? What happened as a result when the answer was included or what ensued because it wasn't?

When serving on the school council, it is easy to skip over reading the bylaws and just proceed as has always been done in the past or in assuming the council's members before your term had it all covered! However, this can lead to confusion and in some cases cause conflict within the school council. There are **four common issues** associated with bylaws:

Bylaws should be reviewed _____ to ensure they are aligned with the current vision and goals of the school council and the school. Refer to the checklist on the next pages and, using your school council bylaws, determine if your bylaws answer the questions. If yes, does the bylaw *still* reflect current practices? If no, how should the bylaws be amended to complement current practices?

School Council Bylaws' Checklist

Issue to be Addressed in the Bylaws	Statutory Authority (or Best Practice)	Our bylaws have this <u>and</u> it is current practice:	Our bylaws do not have this <u>or</u> it does <u>not</u> reflect current practice:
Purpose or Mission Statement: Why has the school council been formed?	KRS 160.345(2)(c)1		
Membership of the School Council: How many members are on our school council? Do we have ex-officio (non-voting) members?	KRS 160.345(2)(a)		
What are the qualifications for membership?	KRS 160.345(2)(b)1		
Is the school required to have minority membership? How will additional minority membership be elected?	KRS 160.345(2)(b)2		
Terms of Office: When does a school council member's term begin and end? How many terms may a school council member serve?	KRS 160.345(2)(b)1		
How are school council members removed?	KRS 160.347		
Elections: Who establishes teacher and parent election procedures?	KRS 160.345(2)(b)1		
When should all elections be completed?	Best Practice		
NOTE: School council bylaws should _____ include established procedures for elections. They may include a date for completing elections in order to arrange the mandated membership training. Election procedures should be submitted with election materials for records retention and may be kept as an appendix to the bylaws as a way to ensure consistency for elections and to have documentation of the protocols used should a question arise after elections are complete.			

Issue to be Addressed in the Bylaws	Statutory Authority (or Best Practice)	Our bylaws have this <u>and</u> it is current practice:	Our bylaws do not have this <u>or</u> it does <u>not</u> reflect current practice:
Chair & Vice Chair: Who serves as the chair of the school council?	KRS 160.345(2)(b)1		
Who may serve as the vice-chair of the school council? How is the vice-chair selected?	Best Practice		
What are the duties of the chair, the vice-chair and other school council members?	Best Practice		
Agenda Preparation & Distribution: How are agendas prepared?	KRS 160.345(2)(d)		
How is input received for non-school council members and/or non-committee members?	Best Practice		
How are meeting agendas distributed to members and non-members of the school council and/or committee?	Best Practice		
Meetings: Where and when are school council meetings?	KRS 61.810(1); 61.820(1); and KRS 61.840		
Who is responsible for notifying the public of the regularly scheduled school council meetings?	KRS 61.820(2)		
Does the agenda include a public comment segment?	Best Practice		
Decision-Making Process: How are decisions made?	Best Practice		
What are the procedures when consensus cannot be reached?	Best Practice		

Issue to be Addressed in the Bylaws	Statutory Authority (or Best Practice)	Our bylaws have this <u>and</u> it is current practice:	Our bylaws do not have this <u>or</u> it does <u>not</u> reflect current practice:
Record Keeping: How will the minutes be structured, approved and distributed?	KRS 61.835		
How are request for public records granted? What are the fees to be charged for copying school council records?	KRS 61.870 to 61.884		
Who will be the custodian of school council records?	Best Practice		
Policy Development: How are policies developed? How many readings of a policy are needed before adoption?	Best Practice		
Appeals Process: Does the appeal process include or require the affected party to file grievance(s) in writing? What is the time frame for filing an appeal?	Best Practice		
NOTE: Appeals to the school council must be about the _____ or _____ created by the school council. The appeal should _____ address a connection to a specific student (i.e. parent disapproves with the disciplinary outcome of a student’s misbehavior and wants to appeal the consequence).			

REFLECTION:

1. What is one item included in your bylaws that is up-to-date and complete?

2. What is one item in your bylaws that needs to be revised or is currently missing?

3. Do your bylaws state when they were adopted or last revised?

Putting Our Bylaws to Use

Directions: Using your school council bylaws, determine whether they address the following situations. If your school council bylaws do **not** have any direction for dealing with the situation, should they? How would you propose addressing this?

Situations	Do our bylaws address this?	If not, how would we address this?
<p>Situation 1: A teacher has contacted the school council about speaking at the next meeting to support changes in the curriculum policy.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Situation 2: The school council has been discussing an item for an extended length of time and cannot reach consensus for a decision.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Situation 3: A new parent member on the council works until 4 p.m. each day.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Situation 4: A new teacher representative on the school council has been assigned the responsibility of taking minutes at each school council meeting.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Situation 5: The new principal at a school wants to know who prepares the materials for the school council meetings.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>Situation 6: A group of teachers object to the change in the master schedule from a six-period day to a seven-period day.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Policies

School council policies are a way to _____ the school's efforts to improve student achievement instead of just a requirement to fulfill. Policies should reflect and keep the focus on achieving the school council's and the school's mission, vision and goals. Policies need to achieve at least one of the following purposes:

- Support and _____ teaching and learning
- Lead to enhancing student _____
- Outline a _____ procedure
- Provide _____
- Meet a _____ requirement

When developing or revising policies, consider the following questions:

1. Is this policy aligned with our mission, vision and belief statements?
2. Is this policy related either directly or indirectly to improving student achievement?
3. Does this policy support our school improvement goals and objectives?
4. Do all of our teachers have the training and resources to implement the policy? Do we have a plan to train new teachers once the policy is implemented?
5. Is this policy within the school council's authority?
6. Does the policy focus on results of students and not compliance of adults?
7. Is the policy valid, as it does not violate any state or federal statutes or regulations, break contracts, or risk lawsuits?

Kentucky Statutory Policy Areas

So, what are the statutorily required policies that each school council *must* develop and adopt? After reviewing your school council's policies, answer the following questions: *Do you have all of the required policies? Are they current?* On the next page and in the third column, list the date when the adoption of the required policy area occurred.

POLICY AREA	STATUTE AUTHORITY REFERENCE	DATE ADOPTED
Determination of Curriculum	KRS 160.345(2)(i)1	
Assignment of Instructional and Non-Instructional Staff Time	KRS 160.345(2)(i)2	
Assignment of Students to Classes and Programs	KRS 160.345(2)(i)3	
Determination of the Schedule of the School Day and Week	KRS 160.345(2)(i)4	
Determination of Use of School Space	KRS 160.345(2)(i)5	
Planning and Resolution of Issues Regarding Instructional Practices	KRS 160.345(2)(i)6	
Selection and Implementation of Discipline and Classroom Management Techniques	KRS 160.345(2)(i)7	
Selection of Extracurricular Programs	KRS 160.345(2)(i)8	
Adoption of the Emergency Plan	KRS 160.345(2)(i)9	
Procedures for Determining Alignment with State Standards, Technology Utilization and Program Appraisal	KRS 160.345(2)(i)10	
Consultation Procedures	KRS 160.345(2)(i)11	
Committees	KRS 160.345(2)(c)2	
Advanced Placement, International Baccalaureate, Dual Enrollment, Dual Credit Courses	KRS 160.348(2)	
Wellness	KRS 160.345(11)	
Writing	KRS 158.6453	
Parent and Family Engagement	Title I, Part A (Every Student Succeeds Act)	

Policy Pitfalls

A pitfall is a danger or problem that is hidden or not clear. School council policies may contain pitfalls if careful attention is not given to the policy's contents. Some pitfalls may become obvious as you start to examine your school council's policies. As you are thinking about policies that may need revisions, consider these pitfalls to avoid:

- Focusing on compliance rather than on _____ to improving student achievement or 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 _____ basis or is already dealt with in another document.
- Being reactive instead of _____ with a situation.
- Setting up staff to be in _____ of the requirements in the policy or not communicating policy requirements to staff, students, families and/or the community.

Activity: Review the policy scenarios on the next page. As you read each scenario, think about the following questions:

1. What are the pitfalls of the policy's requirements?
2. What are some additional pitfalls that may arise because of this policy?
3. What reasons could have prompted the development and adoption of the policies?
4. What is a potential next step for the school council as it addresses these 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.

What potential pitfalls do you envision?

How should the council address this situation?

The budget policy states that the school council must approve every professional learning expense.

What potential pitfalls do you envision?

How should the council address this situation?

The school council has been asked to pass a policy stating basketball players who are coming in late or checking out early will not be allowed to play in the next game.

What potential pitfalls do you envision?

How should the council address this situation?

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.

What potential pitfalls do you envision?

How should the council address this situation?

A committee policy states: Every committee must have one parent member.

What potential pitfalls do you envision?

How should the council address this situation?

One frequently asked question the Kentucky Department of Education receives is, “How do I adopt a new policy, and does it go into effect immediately?” The process to adopt a new policy should be in your bylaws. It is encouraged that the bylaw state whether two readings are required before adopting. Two readings are considered *best practice* and allow for stakeholder input, but two readings are not required by statute. Also, all officially approved bylaws and policies are legally binding and subject to the *Kentucky Open Records’ Act*.

THINK: PAIR: SHARE:

1. Why would two readings be considered *best practice*?
2. What pitfalls do you envision with one reading of a policy prior to adoption?

Activity: Scavenger Hunt

Directions: Read each situation below with your school council's policies in mind. *Do you have a policy that would address this situation? If so, what is the policy? Does your policy address this situation effectively?*

<p style="text-align: center;">Situation</p>	<p style="text-align: center;">Which policy would address this situation?</p>	<p style="text-align: center;">Does our policy address this situation effectively? If <u>not</u>, what are our next steps?</p>
<p>A new teacher wants to know what standards her students are supposed to master.</p>		
<p>Teachers are frustrated because good news announcements are made during the middle of third period.</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>Teachers would like to ensure that reading strategies are taught across content areas.</p>		
<p>The principal needs to fill a vacancy and is going to use an interview committee composed of two teachers (who will be teammates of the future hire), one parent, and the principal.</p>		
<p>The chair of the parent involvement committee isn't conducting regularly scheduled meetings and when meetings are held, they are not advertised and minutes are not taken.</p>		
<p>A team of teachers has begun implementing weekly assessments and review days. The teachers would like extra classroom help on Fridays from the school's instructional assistants to help juggle some of the logistics and offer assistance.</p>		

FINAL ANALYSIS & REFLECTION

The crux of a council's work is *student achievement*. Read the sample bylaw and policy excerpt below and analyze its (direct or indirect) correlation to student achievement:

<p style="text-align: center;">Sample Bylaw:</p>	<p style="text-align: center;">How does this directly/indirectly affect student achievement?</p>
<p style="text-align: center;">Composition:</p> <p>The school council shall consist of the principal, who is the chair, three teacher members, and two parent members. The school council does not wish to exclude any constituency in the school from participation in all council meetings. Therefore, the student council may designate a student council representative, and the support staff of the school (office, cafeteria, custodians, and instructional assistants) may conduct an election for a support staff representative to attend all council meetings as ex officio members.*</p> <p>*Requires approved alternative model.</p>	
<p style="text-align: center;">Policy Excerpt:</p>	<p style="text-align: center;">How does this directly/indirectly affect student achievement?</p>
<p style="text-align: center;">Curriculum Policy:</p> <p>Kentucky Middle School defines curriculum as what students are taught and the connections they make to the real world. The curriculum shall define what students should know and be able to do in all content areas. The curriculum shall also be defined as all experiences provided by the school staff which are designed to assist students in valuing learning and developing academically, socially, emotionally, and physically. Curriculum includes both what is taught and how it is organized for delivery.</p>	

Directions: Read each of the columns below and complete the tasks that follow.

COUNCIL CONNECTION

Choose either a policy excerpt or bylaw that is relative to the school where you serve or the council itself. Copy the bylaw or policy excerpt in the space below:

How does this directly/indirectly affect or impact student achievement?