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# SAMPLE BYLAWS

SAMPLE SBDM BYLAWS

KENTUCKY DEPARTMENT OF EDUCATION

The Sample SBDM Bylaws’ document is a quick reference tool for School-based Decision Making council members. The booklet provides information regarding example bylaws that council members may consider when drafting/revising their own. A complete list of topics can be found in the Table of Contents below:

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# Kentucky Middle School Bylaws

## **ARTICLE I – PURPOSE**

The purpose of the Kentucky Middle School’s Bylaws is to provide the school council with a set of operational guidelines with which to function effectively, and therefore, improve student achievement.

## **ARTICLE II – MISSION**

The mission of the Kentucky Middle School Council is to set school policy and to make decisions that will provide an environment to improve student achievement and will accordingly enable the teachers of Kentucky Middle School an opportunity to positively impact the educational process.

## ARTICLE III – MEMBERSHIP

### A. COMPOSITION

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. 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 (or designee). The principal shall call for nominations and notify parents of the time, date, and location of the special election.

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 select a non-minority teacher to represent the interests of the minority students in the school (for the purpose to maintain council proportions).

Kentucky Middle School council membership shall be as follows:

1. Principal (chairperson)
2. 3 teachers
3. 2 parents
4. 1 minority parent (as required by statute)
5. 1 minority teacher (as required by statute)

### B. REQUIREMENTS FOR MEMBERSHIP

**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 (i.e., principals and assistant principals) may not serve as a teacher representative of the school council.

**Parent representatives** include any parent (i.e., biological parent, stepparent, foster parent and/or 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 or local board members and their spouses.

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

**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 Kentucky School District Board of Education for payment.

### **C. ELECTIONS**

**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, including the written procedures, to the principal the next business day after the election.

**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, including the written procedures, to the principal the next business day after the election.

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 Kentucky School District 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. However, if the teacher or parent election for the upcoming term has been completed, the respective constituency group (i.e., teacher or parents) may determine if the vacancy will be filled or will remain vacant until the end of the term.

## **F. TERMS OF OFFICE**

The terms of parent and teacher members shall begin on July 1 and end on June 30. Between the date of the elections and July 1, members-elect are expected to attend all council meetings.

## **ARTICLE IV – DUTIES OF OFFICERS AND COUNCIL MEMBERS**

### **A. ELECTION OF OFFICERS**

Officers shall include Chair, Vice Chair, and Secretary. The vice chair of the school council shall be elected each August by council members and shall serve for one year. 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 the following:

1. Conducting school council meetings;
2. Organizing and maintaining council records by maintaining minutes of meetings and forwarding a copy to the district SBDM Coordinator after approval by the school council;
3. Stating when a consensus is present for the record;
4. Coordinating standing and ad hoc committees and monitoring committee progress; and
5. Maintaining a file of all correspondence addressed to the school council.

### **C. VICE-CHAIR**

Duties of the vice-chair shall include presiding over council meetings in the absence of the chair.

### **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 the following:

1. Adhering to the mission, philosophy, and goals of Kentucky Middle 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**

Standing and ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members. 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 are included in the Committee Policy and can only be dissolved by amending the policy.

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

### **C. 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.

### **D. DUTIES**

School council committees shall carry out tasks assigned to them by the school council.

Committees may decide to bring issues of concern or interest to the school council.

Committees may research issues, gather schoolwide input, or prepare revise or prepare drafts of school council policies. Committee chairs will report at each regular council meeting, or as requested by the school council. Committee chairs shall provide the council secretary with written minutes of their meetings no later than 10 days after the committee meeting has occurred.

### **E. MEETINGS**

Each school council committee shall choose the time, place, and schedule for their committee meetings. Committees must comply with all provisions of the Open Meetings and Open Records laws. Committees will follow the record keeping procedures used by the school council.

## ARTICLE VI – SCHEDULE OF MEETINGS

### A. REGULAR MEETINGS

The SBDM regular monthly meeting of the Kentucky Middle School Council shall be the second Tuesday of every month. School council meetings shall be open to the public.

Meetings will begin at 5:30 p.m. The regular monthly meetings will be held at Kentucky Middle School in the media center.

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. The principal shall notify teachers three days in advance of each school council meeting during the morning announcements, to include the time, place and agenda items. The principal shall notify the school community by notice posted on the bulletin board in the school foyer at least three days in advance of the meeting.

In the case of inclement weather where the school district is closed the day of the regular school council meeting, the principal shall determine whether or not to cancel and/or reschedule the school council meeting. The principal must make this determination by noon (12:00 p.m.) and inform all school council members, the district SBDM Coordinator and the media. If the meeting is rescheduled, the principal shall follow all of the guidelines of calling a special 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 twenty-four 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.

In addition to these requirements, the principal shall announce to teachers the time and the reason for the special called meeting during announcements at least 24 hours prior to the meeting.

## **ARTICLE VII – CONDUCT OF MEETINGS**

### **A. QUORUM**

A quorum is defined as a time when a majority 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; (2) to discuss candidates for a personnel vacancies and/or consultation in filling vacancies; or (3) to discuss items where state or federal law specifically requires privacy. 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 "yes");

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. Committee reports;
4. Update on items in the school improvement plan; and
5. Report on budget expenditures.

### **E. DISCUSSION OF AGENDA ITEMS**

The school council shall discuss each agenda item before a decision is made. Each school council member shall be given an opportunity to express his or her opinion on the item. 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. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the school council.

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**

Unless otherwise specified by these bylaws, the school council shall use parliamentary procedures as specified by Robert's Rules of Order. 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.

No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study. All newly proposed policies or policy changes will be referred to the appropriate committee for review. All decisions and policies officially adopted by the Kentucky Middle School Council will be reported to the Kentucky School District Board of Education and superintendent through the district SBDM coordinator.

## **ARTICLE VIII – MINUTES AND OTHER COUNCIL RECORDS**

### **A. MINUTES KEPT AND APPROVED**

Minutes shall be kept by the designee at each school council/committee meeting. 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.

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. The minutes of the school council shall not be official until they are reviewed and approved by the school council. The minutes shall be open to public inspection immediately after they are approved. 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. 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 library:

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; and
7. Official correspondence.

### **C. REQUESTS FOR COUNCIL RECORDS**

Request for council records must be made in writing to the principal. Requests must include specific documents and dates. The fee for copying of council records shall be 10¢ (\$0.10) per page. School council bylaws, policies and the school improvement plan shall be posted on the school's Web page in *pdf* format.

The requested records must be provided to the person making the request within three business days. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.

School council records will be available for inspection during the regular school hours. 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**

### **A. BOARD POLICY**

Appeals are in accordance with Kentucky School District Board of Education policy.

## **ARTICLE X – AMENDMENTS**

### **A. AMENDMENTS TO COUNCIL BYLAWS AND POLICIES**

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.