

School Council By-Laws

Caverna Elementary School

ARTICLE I. PURPOSE

The purpose of the Caverna 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, consistent with state law. The school council will assess, monitor, and evaluate the policies and programs of Caverna Elementary School.

ARTICLE II. MISSION

The mission of Caverna Elementary School is to put students first. Every day we seek to unlock each child's leadership potential. Every Student, Every Day, Building Leaders.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members.
2. If the school reaches 8 percent or more minority student enrollment, and there is 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.
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.

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.

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 (6) hours of training from a Kentucky Department of Education endorsed trainer. Experienced members (those with more than one year of service) must complete three (3) hours of training from a Kentucky Department of Education endorsed training provider each year. In the event the council must select a principal, the council is required by law to obtain training in the 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. If a child is in preschool this year and will attend our school next year, the parents of that child would be eligible to be nominated, or vote in the election for next year's school council.
4. 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.
ELECTION
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1. Parent Members: Parents conduct their own elections as per KRS 160.345.

Annual elections shall be

conducted each May by the school's PTO for the purpose of electing two parent council members. Parent elections may be by plurality vote (two parents with the highest number of votes) unless PTO's bylaws require a majority vote. The president of the PTO 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 Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each 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. The process that teachers may use to elect their representatives should address the following areas:

- 1.

Nomination

2. Preparation of

Ballot

3. Elections

4. Absentee

Ballots

5. Procedures after First

Round Ballots

6. Delivery of election materials to the principal

the same day of the election

3. Term Limits:

Each council member shall be elected for a one-year term that begins July 1 and ends June 30. Newly elected council members shall meet with the council in the June meeting as a council member elect. During this time they can help the council plan for the next school

year and can participate in training session. They are not eligible to participate in the decision-making process.

4. Principal Role in SBDM Elections:

Other than conducting the election for the minority teacher and parent members in the event the school is required to do that, principals are not given a role by statute in school council elections. Principals can assist the teachers or parents if requested to do so with logistics such as opening the building, providing space in the building, and assisting the PTO and teachers with communicating election meeting times and dates. The principal should 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 from the parent and teacher elections for at least three years.

D. 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

E. FILLING VACANCIES

If a member of the council resigns or is removed from office, another member shall be elected in a special election held not more than one month after the vacancy occurs, with the exception of the summer months (June, July). Then, the special election can/should occur within the month of August. The person elected in the special election shall serve the remainder of the term until July 1, 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.
2. The vice chair of the school council shall be elected each July by council members and shall serve for one year. Re-election is permitted.
3. Except for the office of secretary, if a vice chair 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 the school council can seek an alternative model. 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 chairperson of the school council shall be elected.

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
4. Stating when a consensus is present for the record
5. Coordinating standing and ad hoc committees
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

Duties of the secretary shall include:

1. Keeping a record of the meeting.
2. Emailing the preliminary minutes to the principal.

E. COUNCIL MEMBERS

Duties of council members include:

1. Knowing and adhering to the mission, philosophy, and goals of Caverna Elementary School
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. Ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members.
2. Ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

B. APPOINTMENT OF COMMITTEES

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

C. MEMBERSHIP & ELECTION OF CHAIR

1. All certified staff may participate in the shared decision making process at Caverna Elementary School by serving on the Ad hoc committees.
2. Each committee shall consist of representatives from the faculty, support staff, and parents.
3. Committee membership is open to other interested stakeholders.
4. The principal will determine committee membership and notify teachers and parents in writing of their committee

appointment.

5. Committee membership shall be limited to nine teachers and at least one parent. The standing committees shall have no more than two teacher representatives from each of the following areas: K-1, 2-3, 4-5, and no more than three specialty teachers (including preschool).
6. Committees shall elect a chairperson from their membership at the first meeting.

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 may research issues, gather school-wide input, or prepare first and revised drafts of school council policies. (Example; dress code, discipline policies)
2. Committee chairs or their designees will report at regular council meetings as requested by the school council.
3. Committee chairs shall provide one copy of the minutes to the council secretary and post one copy in the hallway next to the school office.

F. MEETING S

1. Each committee shall meet as needed with a 24-hour notice given to the public, committee members, and SBDM chair. The meeting should last no longer than 60 minutes.

2. Committees must comply with all provisions of the Open Meetings and Open Records laws.

ARTICLE VI. SCHEDULE OF MEETINGS

REGULAR MEETINGS

1. The regular quarterly meeting of the Caverna Elementary School Council shall be set annually at the July SBDM meeting. Meetings shall not exceed 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 regular quarterly meetings will be held at Caverna Elementary School, unless otherwise posted.
3. The principal shall notify the public of regular council meetings dates and times at the beginning of each new school year.

B. SPECIAL MEETINGS

1. If the council needs to meet between regular meetings, or if the regular meeting is rescheduled, the chairperson or a majority of the school council members may call a special meeting. The following steps must be completed by the chairperson when a special meeting is called:
 2. Written Notice: Contents. The chairperson shall prepare a written notice that states the date, time, and place of the special meeting and the agenda for each meeting. Only the items on the agenda may be discussed.
 3. Delivery of Notice. The chairperson shall arrange for the notice to be delivered to each council member and to any media organization that has requested notice of council meetings. The delivery can be by hand, FAX machine, e-mail or mail but the notice must be received at least 24 hours prior to the time of the meeting.
 4. 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 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

Definition: 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

discuss candidates for a principal vacancy or conduct consultation in filling other vacancies (KRS 61.810(1)(f)). Before a closed session can be conducted, the following steps must be taken:

1. **Announcement: Contents.** An announcement of the general nature of the subject to be discussed and the specific section of the law that allows the conduct of the closed session must be announced in the open meeting and recorded in council minutes.
2. **Motion.** The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.
3. **Closed Session.** During the closed session, only the business stated in the announcement can be discussed, and no action may be taken. No minutes are to be taken in closed session. If the council secretary is not a council member, the secretary shall not enter the closed session. Details discussed in closed session shall not be discussed outside the closed session.
4. **Decision.** 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. MATERIALS PRESENT AT COUNCIL MEETINGS

The chairperson shall be prepared with all items for the meeting (agenda, budget, other documents (according to the agenda), etc.)

1. The council secretary shall bring materials he or she uses to maintain copies of the council's by laws, policies, and minutes.
2. All council members shall bring their materials containing copies of the council's by-laws, policies, and school plan,

E. AGENDA 1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in via e-mail or printed material at least one week in advance to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.

2. The chairperson shall prepare a preliminary agenda for each regular council meeting, including items submitted in writing for inclusion by the public, staff, parents, other council members and other items he or she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.

3. Each agenda shall include the following items:

Item 1: Setting of the final agenda for the current meeting
Item 2: Review and approval of previous meeting minutes.
Item 3: An opportunity during the course of the meeting for school or community persons to address the school council.
Item 4: Budget

Item 5: Principal's Report which may include upcoming events, good news or concerns. Item 6: Other items submitted

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The preliminary agenda shall be available prior to the meeting. Setting of the final agenda shall be the first order of business conducted at each regular council meeting, and council members may introduce issues for inclusion on the current agenda at that time. The agenda shall be approved by motion and vote of the council. At a special called meeting, only the items listed on the notice of meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

F. DISCUSSION OF AGENDA ITEMS 1. Each agenda item shall be discussed thoroughly by the school council before a decision is made. Each

council member shall be given an opportunity to express his or her opinion on the item.

2. Other persons attending the meeting may be recognized by the chairperson and may address the council as

the chair calls upon them to speak. If a significant number of persons wishes to contribute to the discussion on a particular item, the chair may set limits on the number of persons who will speak to uphold a five minute time limit for each.

3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary

by the council with a majority vote of the council.

G. 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 consolidated plan.

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The school council at the same meeting it was initially proposed for study may approve proposed recommendations.

4. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:

A motion and a second are made.

After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.

The chair will ask whether any member disagrees with that statement.

If all members agree, the decision will be recorded as a unanimous decision in the council minutes.

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.

H. ALTERNATIVE TO CONSENSUS

When a third suggestion of consensus fails, the council shall decide the issue by majority vote of the council or vote to send the issue back to a committee.

ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. MINUTES KEPT AND APPROVED 1.

Minutes shall be kept for each meeting of the school council.

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. 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 in the council's policy manual or electronic form and kept on file for public inspection.

4. The minutes of the school council shall not be official until they are reviewed and approved by the council.
5. A copy of the minutes will be stored in the SBDM Google Drive for review by council members prior to the next meeting and after the meeting if amendments are made to the minutes.
6. 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 and available on the school website.

1. School Council Minutes and Agendas
2. Consolidated Plan (CSIP)
3. School Council Policies and By-Laws
4. School Council and Committee Membership Lists

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 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.)

3. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.

4. School council records will be available for inspection on the school website.

5. 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. APPEALS

A. REQUEST For a person (s) to appeal a decision of the council or file a grievance he/she must first request in writing an opportunity to be heard and shall include information about the grievance issue.

B. SCHEDULE A council shall schedule a hearing within thirty (30) working days from the date the request is received. The person appealing shall be informed of the hearing by registered letter.

C. HEARING The person appealing may be represented by legal council and may call witnesses as long as the testimony is germane to the issue.

9. DECISION

he council shall consider the merits of the complaint, make a decision, and respond in writing to the complainant.

E. REPORT A copy of the written grievance or appeal, and a written reply by the council shall be provided to the superintendent with ten (10) working days of the council's decision.

ARTICLE X. AMENDMENTS

A. AMENDMENTS TO COUNCIL BY-LAWS

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