

Foster Heights Elementary School Council By-Laws

Article I. Purpose: 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. .

Article II. Mission: Foster Heights Elementary, in partnership with our families and community, will provide instruction that meets the needs of all learners to prepare:

**Honorable
Understanding
Successful
Knowledgeable
Independent
Empowered
Students**

Article III. Membership

A. Composition

The council shall be composed of two parents, three teachers and the principal. Although there is no provision in KRS 160.345 for additional school council 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.

B. Parent Eligibility:

1. A parent must have (a) child/ren enrolled in the school where the parent serves on the council during the term of office, although the parents may be elected to that office before the child/ren enrolls in the school.
2. Parent council members shall be a parent, stepparent, or legal guardian of a student.
3. Parent council members shall not be an employee or relative of an employee in the school.
4. Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law.
5. Certified Central Office employees or their spouses shall not be parent council members.
6. School board members or their spouses shall not be parent council members
7. Teachers shall not serve on the council as parent representatives.
8. A teacher cannot serve on one SBDM Council as a teacher and another school SBDM Council as a parent.
9. A parent cannot serve on more than one SBDM Council.

C. Teacher Eligibility

1. The term “teacher” for the purpose of these by-laws means any person for whom certification is required as a basis of employment in the public schools of the state with the exception of principal, assistant principals, and head teachers.
2. Itinerant teachers may nominate, serve, and vote for teacher members.
3. Counselors may serve as teacher council members.

D. Minority Membership

1. If the school’s total minority enrollment reaches 8 percent or more minority students enrolled as of the preceding October 1, and there was 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.
2. 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.
3. 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.

E. Membership Requirements

1. No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340 except the salary paid to district employees.
2. 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.
3. 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.
4. 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.

F. Annual Elections

Annual election of council members for the following school year shall be held according to teacher and parent election policy.

Selection process:

- Parent representation election will be conducted by the PTO under the established PTO guidelines.
- Teacher representation election will be conducted by certified staff members using the guidelines established by the certified staff members.
- Annual election of Council members for the following school year shall be held during the month of April with a specific date determined by the Election Committee for each group.

G. Terms of Office Policy

Term Limits: No term limits shall be imposed on school council members who are nominated and elected to consecutive one-year terms.

H. Removal of Members

1. According to KRS 165.132, 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 a 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.

I. Vacancies

1. Vacancies shall be filled within thirty calendar days following the vacancy, with a special election and shall follow the guidelines set forth for election purposes.
2. A vacancy is created when a teacher is no longer assigned to the school, a parent no longer has a child enrolled in the school (and the school year has not ended), or a member of the council submits a letter of resignation.

ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. Council officers

1. The council officers shall consist of a chairperson, vice-chairperson, and other positions deemed necessary by the council.
2. The principal shall serve as the chairperson of the council.
3. The vice-chairperson shall be elected by a majority of the members at the first council meeting of the term.
4. The secretary is a paid position and is not a voting member of the council.

B. Duties of Officers

1. The principal shall be the chairperson of the school council. Duties of the chairperson include:
 - a. Preside at the meetings
 - b. Secure the minutes that record the council's actions
 - c. Work with the council, directing the affairs of the council including coordinating standing and ad hoc committees and monitoring committee progress
 - d. Prepare any official correspondence that may be requested
 - e. Serve as official custodian of council records. Maintain a council file containing copies of all minutes, policies. Council plans and progress reports, any council related information from the district or state and a current copy of the by-laws
 - f. Compiling and distributing the agenda for council meetings.
 - g. Give public notice of all meetings

- h. Forward a copy of all minutes to Superintendent to inform board members
 - i. Carrying out additional responsibilities as stated in these by-laws
2. The duties of the Vice-Chairperson shall include:
 - a. Shall preside in the absence of the chairperson
 - b. Assist the chairperson as needed
 - c. Serve as the chairperson for the principal selection committee
 3. The secretary shall be responsible for:
 - a. Keeping full and accurate accounts of the proceedings and transactions of all meetings of the council
 - b. Providing copies of the minutes to the council, within one week of each meeting so they can be approved at the next meeting
 - c. Annually providing a copy of the by-laws to all council members by the third meeting of the year
 - d. Maintaining a listing of the membership with phone numbers and addresses.
 - e. Notifying the news media and school staff of upcoming meetings
 4. Council Members duties include:
 - a. Knowing and Adhering to the mission, philosophy, and goals of the Foster Heights Elementary School.
 - b. Attending all council meetings, both regular and special; any council member absent from three consecutive meetings, either regular or a special, may be removed in accordance with KRS 156.132.
 - c. Encouraging and requesting opinions for their constituencies
 - d. Supporting, promoting, and communicating council decisions
 - e. Seeking information independently and as need about issues brought before the school council, and bringing that information to the council.

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 council resource for gathering data and information and making recommendations to the school council.
3. Standing and ad hoc committees can be formed and dissolved by the school council as needed. Standing committees can be dissolved through the process of amending by-laws.
4. Standing committees shall address Curriculum and Instruction, Budget, Professional Development, Assessment, Technology/Library/Media, Student Support Services, and School Culture and Climate.

B. APPOINTMENT OF COMMITTEES

1. A list of standing committees and a brief description of their purpose will be reviewed and confirmed by the school council each July at their regularly scheduled meeting.
2. Standing committees will have given jurisdictions and responsibilities written and adopted by the council
3. Ad Hoc Committees may be established by the council to address specific issues not otherwise within the jurisdiction of any Standing Committee.
4. Ad Hoc Committees will be abolished by action of the council upon completion of its work.

C. MEMBERSHIP AND ELECTION OF CHAIRPERSON

1. All certified staff may participate in the shared decision making process at Foster Heights Elementary School by serving on committees in their areas of interest.
2. Each committee shall consist of representatives from the faculty, support staff, and parents. Students may be represented in committees at the discretion of the SBDM council.
3. Committee membership is open to interested persons.
4. By August 31st, teachers, parents and support staff should be invited to sign-up to serve on a committee.
5. Teachers or parents who volunteer to serve on a committee through the sign-up process shall be considered appointed to the committee.
6. Committee membership shall be limited to 15 persons, at the discretion of the school council. Effort should be made to include a staff representative from each grade level and from the Related Arts Team.
7. The SBDM shall appoint a chairperson for the first meeting of a committee. Each committee shall elect a chairperson, co-chair and recorder.
8. A list of each committee's membership will be included in September minutes.
9. Only those committee members that were appointed by SBDM processes described above will be eligible to vote.
10. When a vacancy occurs on a committee, the committee chairperson may request that a replacement be appointed by the council.

D. DECISION MAKING

1. Committee decisions shall be made by consensus. In the event consensus is not possible, a majority of the committee may decide that an issue shall be decided by majority vote.
2. Council members may attend any committee meetings and participate in discussion but may not serve as voting members except those of which the council member officially chooses to be a member.

E. COMMITTEE DUTIES

1. 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 and revised drafts of school council policies.

4. Committee chairs or their designees will report at each regular council meeting, or as requested by the school council.
5. Committee chairs shall provide the council secretary with written minutes of their meetings no later than 10 days after the meeting occurred.
6. Chairperson reports shall be listed on each council agenda for the purpose of receiving committee reports. The chair or the designee shall submit a monthly summary of action.
7. Copies of all committee recommendations for action by the council shall be presented in writing to each council member.
8. Special Committees shall report in the same fashion as Standing Committees except that they will be listed on the council agenda as Special Committee Reports

F. COMMITTEE MEETINGS.

1. Each committee shall choose the time, place, agenda and schedule for their meetings.
2. Committees shall prepare and distribute meeting agendas in the same manner as the Council.
3. All meetings, unless otherwise provided for in the Council by-laws, shall be open to the public.
4. Notice for the meeting (time and place) should be posted in an area designated by the principal and accessible to the public.
5. Each committee shall keep minutes, copies of which shall be maintained for public review at the school.
6. Policy may be proposed by committees of the Council after respective groups have had the opportunity for input.
7. Recommendations for Council actions presented by committees should include:
 1. A brief statement describing the activity.
 2. A proposed timetable for completion.
 3. An annual cost projection.
 4. A description of who is expected to complete the project.
 5. The expected benefit of the recommendation.

ARTICLE VI: SCHEDULE OF COUNCIL MEETINGS

A. Regular Meetings

1. Regular monthly meeting dates and times shall be determined by the school council each July at the regularly scheduled meeting.
2. Council meetings shall be open to the public and must comply with the requirements of the Open Meetings Law.
3. Meetings shall be held on a regular basis
4. The monthly meetings may be cancel/rescheduled at the discretion of Council members with adequate notification to the public.
5. The length of each meeting will not exceed 90 minutes unless a quorum of the Council members agrees to extend the time of that meeting.
6. The regular monthly meetings will be held in the SBDM Conference room unless otherwise stated.
7. Non-Council members will be provided time for input at a specific point on the agenda.

8. Notification of the council's meeting time and agenda should be provided to local news media at least one week in advance of each regular meeting.
9. Parents should be notified of council meetings each month.
10. The public will be notified by notices posted on the bulletin board in the school foyer at least three days in advance of the meeting.

B. Special Meetings

1. If the council needs to meet between regular meetings, or if the regular meeting is re-scheduled, the chairperson or majority of the school council members may call a special meeting. The following steps must be taken by the chairperson when a special meeting is called:

a. **Written Notice: Contents.** 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. Only the items on the agenda may be discussed.

b. **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, electronic mail, or postal mail, but the notice must be received at least 24 hours prior to the time of the meeting.

c. **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.

2. In addition to these requirements, the principal shall announce to teachers the time and reason for the special called meeting during announcements on the schools' PA system or via e-mail at least 24 hours prior to the meeting.

ARTICLE VII. CONDUCT OF MEETINGS

A. PROCEDURES

Consensus will be used to conduct SBDM meetings.

B. Quorum

A quorum of the school council shall be a majority (one-half plus one- 4) of the council members. No council business shall be discussed or conducted unless a quorum of council members is present.

C. 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.

D. Closed Sessions

1. **Definition:** A closed session is a portion of a regular or special meeting of the council during which the council members meet in private.

2. Topics—KRS 61.810 allows only two topics to be discussed in closed sessions: Discussion of litigation by or against a council member or to discuss candidates for principal vacancy or conduct consultation in filling other vacancies.
3. Announcement: An announcement of the general nature of the subject to be discussed and the specific law that allows the conduct of the closed session must be announced in the open meeting and recorded in council minutes.
6. A member of the Council must make a motion to hold a closed session to address that business. The Council must vote openly on whether to hold the closed session, pass by majority of council members present and record it in council minutes.
7. Any minutes taken during the closed session, including taped transcripts, may be kept confidential. (OAG 85-136: 81-235)
8. 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 member, the secretary shall not enter the closed session. It is permissible to take a “straw vote” to determine the position of the members. Details discussed in closed session shall not be discussed outside the closed session.
9. 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.

E. Decision Making

1. Consensus

All decisions shall be made by consensus using the following guidelines:

- a. After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
 - b. The chair will ask whether any member disagrees with that statement.
 - c. If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
 - d. 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 the consensus fails.
2. Alternative to Consensus: When a suggestion of consensus fails, the council may by majority vote determine to:
- a. Vote to send the issue back to a committee
 - b. 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
 - c. Decide the issue by majority vote of the council. (Note: the council should take only one vote per issue. If not successful in achieving majority, revert back to “a” or “b” above.

F. MATERIALS PRESENT AT COUNCIL MEETINGS

1. Folder containing all items to be submitted for inclusion on the agenda
2. Folder containing all correspondence addressed to the council that he or she has received.
3. Monthly financial report from the central office
4. List of applicants for vacant positions
5. The council secretary shall bring the binder that he or she uses to maintain copies of the council's by-laws, policies, annual budget, monthly spending, reports and minutes.

G. AGENDA

1. The principal shall prepare an agenda for each meeting with the understanding that any Council member may request to have an item placed on the agenda. A written agenda shall be prepared. Copies will be made available to the public at all meetings of the Council. The agenda of each Council meeting shall provide the opportunity for interested persons to address the Council.
2. For an item to be included on the agenda, the chairperson must receive a written and signed Agenda Form prior to the meeting.
3. The chairperson may declare an item received as not within school council authority.
4. The Council agenda shall follow the following format:
Meeting Body _____ Date _____
Place _____ Time _____

Order of Business
 1. Call to order
 2. Approval of Meeting Agenda
 3. Reading of the minutes
 4. Approval of Financial Statements
 5. Guest Comments
 6. Standing Committee Reports
 7. Special Committee Reports
 8. Old Business
 9. New Business
 10. Arrange next meeting and agenda
Date _____ Time _____ Place _____
 11. Other (to include non-council members' input)
 12. Adjournment
5. The preliminary agenda shall be distributed to all staff members and school or community persons who submitted items in writing for inclusion prior to meetings. A copy of the preliminary agenda shall be mailed to local news media.
6. 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 consensus of the school 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.

H. Discussion of Agenda Items

1. Each agenda item shall be discussed 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. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

I. Policy Development, Amendments and Review

1. Policy development shall comply with board policy that prohibits discrimination based on sex, age, race religion, origin, political affiliation, marital status, or handicap.

2. The council shall be responsible for policy, consistent with district board policy, which shall provide an environment to enhance the students' achievement and help the school meet the KERA goals. In addition, the Council may set policies in the following areas:

- a) Determination of curriculum, including needs assessment and curriculum development
- b) Assignment of instructional and on-instructional staff time
- c) Assignment of students to classes and programs within the school
- d) Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board.
- e) Determination of the use of school space during the school day.
- f) Planning and resolution of issues regarding instructional practices
- g) Selection and implementation of discipline and classroom management techniques, including responsibilities of the student, parent, teacher, counselor, and principal.
- h) Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision
- i) Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal.
- j) Policies may be proposed by Council Members of committees of the Council by written submission to the principal for placement on the Council's meeting agenda

3. New Policy

- a) Upon official introduction of a new policy at a Council meeting, the policy shall have an initial or "first" reading upon which no action can be taken.
- b) Prior to the second reading, Council policies will be submitted to local Board Council's for determination of legality and compliance with Board policy.
- c) The time period between the first reading and its re-introduction at a future Council meeting (at least one month) shall be used to edit, amend or rewrite the policy as deemed necessary.

- d) Upon re-introduction of the policy at a future Council meeting, the policy shall have a “second” reading and can then be adopted by the Council’s decision-making policy procedure.
4. Amendments to existing Council policies or by-laws shall be adopted by the same procedures prescribed for the adoption of new policies.
 5. A review of any and all Council policies is to be done at the discretion of the Council.
 6. A council policy manual shall be developed and maintained in an updated fashion and shall be available in the school office for inspection by the general public during normal school hours.

ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. Minutes and Record Keeping

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 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 office for public inspection and filed in the council’s policy manual.
4. The minutes of the school council shall not be official until they are reviewed and approved by the council.
5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form within 5 working days of adjournment of the meeting.
6. The principal shall be responsible for securing minutes that record the Council’s actions. Minutes shall be approved by the Council, kept in a permanent file, and open to public inspection.
7. The secretary shall provide access to the Council minutes of each Council meeting.
8. The minutes of each Council meeting shall be forwarded to the superintendent and District SBDM coordinator, by the principal, who shall keep the board informed of council actions.
9. The principal shall provide copies of the minutes to the Council within one week of the next regular meeting.
10. The secretary shall maintain the policies that have been developed or revised.
11. A copy of the official minutes will be posted on the SBDM bulletin board 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:

- a) School council minutes
- b) Committee minutes
- c) Comprehensive School Improvement Plan (CSIP)
- d) Kentucky Performance Report (school CATS scores)

- e) Needs Assessments
- f) School council policies and by-laws
- g) School council budget documents not in the CSIP
- h) School council and committee membership lists

C. Requests for Council Records

Requests for council records must be made in writing to the principal. Requests must include specific documents and dates.

- a) The requested records must be provided to the person making the request within three business days.
- b) The school council secretary shall make or provide copies of the requested documents at the principal or chairperson's request.
- c) School council records will be available for inspection during regular school hours.
- d) 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.

ARTICLE IX: APPEALS

Appeals Process

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. Appeals may be made by any resident of the district, parent, student or employee of the school.

1. Prior to being appealed, the Council shall have thirty days from that date to formally consider the appeal and to render an appeals judgment.
2. Actions of the Council will be reviewed on appeal based on whether the council action was arbitrary, violated district policy, exceeded the authority of the Council or was otherwise unlawful under state or federal law.

B. Schedule

The principal shall immediately provide all members of the council a copy of the written appeal.

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.

D. Decision

The council shall consider the merits of the complaint, make a decision, and respond in writing to the complaint. (All responses are to be made in writing)

1. If the aggravated party is not satisfied with the response from the Council, then the party shall have ten days from the end of the preceding thirty day period to submit an appeal in writing to the superintendent.
2. The superintendent shall issue a judgment not later than ten school days after receiving the request for appellate reconsideration.
3. After the superintendent's judgment has been rendered, the aggravated party may then appeal to the Board of Education.
4. The School Board will then have thirty school days to issue a judgment in the matter. This decision will be final.

E. Report

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

Fiscal Management

A. Board Allocation

1. Subject to available resources, the Board shall appropriate to each school an amount of funds equal to or greater than that specified in Kentucky Administrative Regulations to purchase instructional materials, supplies and equipment.

B. School Responsibility

1. The school shall in expending allocated funds, comply with all state and board budgeting, purchasing and reporting laws, regulations policies and procedures. Board purchasing procedures shall be followed in the expenditure of these funds. Expenditure of these funds shall be accomplished only by completing a central office purchase order.

2. The allocation for instructional materials, supplies and equipment is the total financial resource available to that school in those categories of purchase for the fiscal year. The school shall not expend or commit to expend any funds in excess of funds allocated.

C. Superintendent's Responsibility

1. The superintendent shall prepare and provide the school a monthly statement of the current financial status of funds allocated for purchasing instructional materials, supplies and equipment.

D. Expenditure of Funds

1. In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated for purchasing instructional materials, supplies, and equipment. In schools where SBDM has not been implemented, the principal of the school shall determine the expenditure of these funds.

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 decision making procedures established in Article VII, section E.