

Wurtland Middle School Council Bylaws

Policy Number
Bylaws

1. Purpose

- 1.1. To provide the council with a set of operational guidelines under which to function.

2. Mission

- 2.1. The teachers, staff, parents, students and community at Wurtland Middle School agree to work together to ensure a learning community where all belong and are successful.

3. Membership

3.1. Composition

- 3.1.1. The school council shall consist of the principal, three teacher members and two parent members.
- 3.1.2. The principal shall serve as the chairperson.
- 3.1.3. 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 to elect a minority parent to serve on the school council.
- 3.1.4. 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.
- 3.1.5. 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.

3.2. Requirements for membership

3.2.1. All Members

- 3.2.1.1. 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 (1) year of service) must complete three (3) hours of training from a Kentucky Department of 9/17/2009 requirement by participating in the new council member training for three (3) hours. 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.
- 3.2.1.2. New council members will receive the required training.
- 3.2.1.3. Experienced council members will per KDE approved training.
- 3.2.1.4. The council will prepare a written request for training, and the board will fund required training as needed.

3.2.2. Teacher Members

- 3.2.2.1. 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.

3.2.3. Parent Members

- 3.2.3.1. 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 "pre-registered to attend" the school for next year. If a child is in grade 5 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. Parents of eighth graders who are exiting our school may nominate or vote for candidates.

- 3.2.3.2. 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 schools 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.

3.3. Elections

3.3.1. Parent Members

- 3.3.1.1. Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each April by the school's largest parent organization that is formed for the purpose of electing two (2) parent council members. Parent elections may be by plurality vote (two (2) parents with the highest number of votes) unless the parent organization requires a majority vote. 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 to the principal the next business day after the election.

3.3.2. Teacher Members

- 3.3.2.1. Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each April for the purpose of electing three (3) 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:

- 3.3.2.1.1. Nomination
- 3.3.2.1.2. Preparation of ballot
- 3.3.2.1.3. Elections
- 3.3.2.1.4. Absentee ballots
- 3.3.2.1.5. Procedures after first round ballots
- 3.3.2.1.6. Delivery of election materials to the principal the next business day after the election

3.3.3. Term Limits

- 3.3.3.1. School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirement.

3.4. Removal of Members

- 3.4.1. 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.
- 3.4.2. 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.

3.5. Filling Vacancies

- 3.5.1. 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 (1) 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.

- 3.6. Terms of Office
 - 3.6.1. The terms of parents and teacher members shall begin on July 1 and end on June 30.

4. Duties of Officers and Council Members

- 4.1. Election of Officers
 - 4.1.1. Officers shall include, chair, vice-chair and secretary.
- 4.2. Chair
 - 4.2.1. The principal shall be the chairperson of the school council. Duties of the chair include:
 - 4.2.1.1. Conducting school council meetings.
 - 4.2.1.2. Compiling and distributing the agenda for council meetings.
 - 4.2.1.3. Serving as official custodian of council records (maintaining minutes of meetings and forwarding a copy to the superintendent after approval of the minutes by the council).
 - 4.2.1.4. Stating when a consensus is present for the record.
 - 4.2.1.5. Coordinating ad hoc committees and monitoring committee progress.
 - 4.2.1.6. Carrying out any additional responsibilities as stated in these Bylaws.
 - 4.2.1.7. Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two (2) council meetings).
 - 4.2.1.8. Other duties as described in these Bylaws.
- 4.3. Vice-Chair
 - 4.3.1. The duties of the Vice-Chair shall include:
 - 4.3.1.1. Presiding over council meetings in the absence of the chair.
 - 4.3.1.2. Calling a special meeting of the council in the event a principal vacancy occurs.
 - 4.3.1.3. Conducting meetings necessary for the principal hiring process to take place.
- 4.4. Secretary
 - 4.4.1. A council secretary shall be appointed by the principal to keep minutes of all council meetings and to maintain council records.
- 4.5. Council Members
 - 4.5.1. Duties of council members include:
 - 4.5.1.1. Knowing and adhering to the mission, philosophy and goals of Wurtland Middle School.
 - 4.5.1.2. Attending all council meetings, both regular and special.
 - 4.5.1.3. Encouraging and requesting opinions from their constituencies.
 - 4.5.1.4. Supporting, promoting and communicating council decisions.
 - 4.5.1.5. Seeking information independently, as needed about issues brought before the school council, and bringing that information to the council.

5. Committees

- 5.1. Purpose
 - 5.1.1. Committees at Wurtland Middle School will be ad hoc in structure, organized to deal with specific issues as the need arises.
 - 5.1.2. Ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents and community member.
 - 5.1.3. Ad hoc committees shall serve as council resource for gathering data and information and making recommendations to the school council.
- 5.2. Appointment of Committees
 - 5.2.1. Ad hoc committees are formed and dissolved by the school council as needed.
- 5.3. Membership & Election of Chair
 - 5.3.1. All certified are expected to participate in the shared decision making process at Wurtland Middle School by serving on committees in their areas of interest.
 - 5.3.2. Each committee to the best of its ability, as documented by the chairperson should consist of representatives from the faculty, support staff and parents.

- 5.3.3. Committee membership is open to interested persons, including school district staff, parents and community residents.
- 5.4. Decision Making
 - 5.4.1. 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.
- 5.5. Duties
 - 5.5.1. Committees shall carry out tasks assigned to them by the school council.
 - 5.5.2. Committees may decide to bring issues of concern or interest to the school council.
 - 5.5.3. Committees may research issues, school wide input, or prepare first and revised drafts of school council policies.
 - 5.5.4. Committee chairs or their designees will report at each regular council meeting, or as requested by the school council.
 - 5.5.5. Committee chairs shall provide the council secretary with written minutes of their meetings no later than three (3) days after the meeting occurred.
- 5.6. Meetings
 - 5.6.1. Each committee shall chose the time, place, agenda and schedule for their meetings.
 - 5.6.2. Committees must comply with all provisions of the open meetings and open records laws.
 - 5.6.3. Committees will follow the record keeping procedures used by the school council. All committee-meeting minutes should be forwarded to the principal within three (3) days of the committee meeting and the principal will maintain records of the minutes.

6. Schedule of Meetings

- 6.1. Regular Meetings
 - 6.1.1. The principal shall call the first meeting of the Wurtland Middle School Council. Thereafter, the council shall meet as scheduled by the council at least monthly. Council meetings shall be open to the public. Meetings will be held at times convenient to parents and teachers. Meetings shall not exceed ninety (90) minutes. If not all items on the agenda have been adequately discussed after ninety (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.
 - 6.1.2. The regular monthly meetings will be held at Wurtland Middle School in a room identified in the meeting agenda.
 - 6.1.3. The principal or designee shall provide local news media of the council's regular meeting schedule for the year after the July meeting and provide notification of the council's meeting time and agenda at least one (1) week in advance of each regular meeting.
 - 6.1.4. The principal or designee shall notify teachers three (3) days in advance of each council meeting by email or written notice to include the time, place and agenda items.
- 6.2. Special Meetings
 - 6.2.1. 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:
 - 6.2.1.1. Written Notice
 - 6.2.1.1.1. The chairperson or designee shall prepare and chairperson will 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.
 - 6.2.1.2. Delivery of Notice

6.2.1.2.1. The chairperson or designee shall arrange for the notice to be delivered to each council member and to any media organization, which has requested notice of council meetings. The delivery can be by hand, fax machine, email or mail, but the notice must be received by the members at least twenty-four (24) hours prior to the time of the meeting.

6.2.1.3. Posting of Notice

6.2.1.3.1. The notice for the special meeting shall be posted by the chairperson or designee on the bulletin board in the school foyer at least 24 hours prior to the time of the meeting.

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

7. Conduct of Meetings

7.1. Quorum

7.1.1. A quorum of the school council shall be a majority (one-half plus one) of the council members, with at least one (1) teacher member and one (1) parent member present. No council business shall be discussed or conducted unless a quorum of council members is present.

7.2. Attendance at meetings

7.2.1. Council meetings are open to the public and all interested persons can attend, except for those portions that are conducted as a closed session.

7.3. Closed sessions

7.3.1. Definition

7.3.1.1. 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:

7.3.1.1.1. To discuss proposed or pending litigation by or against a council member [KRS 61.810(1)(c)]; or

7.3.1.1.2. To discuss candidates for a principal vacancy or conduct consultation in filling other vacancies [KRS 61.810(1) (f)].

7.3.1.2. Before a closed session can be conducted the following steps must be taken:

7.3.1.2.1. Announcement

7.3.1.2.1.1. 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.

7.3.1.2.2. Motion

7.3.1.2.2.1. The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.

7.3.1.2.3. Closed session

7.3.1.2.3.1. 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.

7.3.1.2.4. Decision

7.3.1.2.4.1. 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.

7.4. Materials Present at Council Meetings

7.4.1. The chairperson shall bring:

- 7.4.1.1. The folder containing all items submitted for inclusion on the agenda.
- 7.4.1.2. The folder containing all correspondence addressed to the council that has been received.
- 7.4.1.3. Monthly financial report from the central office.
- 7.4.1.4. Lists of applicants for vacant positions.
- 7.4.2. The council secretary shall bring the binder that he or she uses to maintain copies of the council's Bylaws, policies, annual budget, monthly spending reports and minutes.
- 7.4.3. All council members shall bring their binders containing copies of the council's Bylaws, policies and school plan.
- 7.5. Agenda
 - 7.5.1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing, three (3) days prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.
 - 7.5.2. The chairperson shall prepare an agenda for each 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.
 - 7.5.3. Each agenda shall include the following items:
 - 7.5.3.1. Roll Call
 - 7.5.3.2. Approval of Consent Agenda
 - 7.5.3.2.1. Meeting Agenda
 - 7.5.3.2.2. Minutes of Last Meeting
 - 7.5.3.2.3. Budget Report
 - 7.5.3.3. Good News Reports
 - 7.5.3.4. Public Comment
 - 7.5.3.5. Principal's Report
 - 7.5.3.6. Committee Reports (if available)
 - 7.5.3.7. Planning for Student Achievement
 - 7.5.3.7.1. Announcements.
 - 7.5.4. 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.
- 7.6. Discussion of Agenda Items
 - 7.6.1. The school council shall discuss each agenda item before a decision is made. Each council member shall be given an opportunity to express his or her opinion on the item.
 - 7.6.2. 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 wish to contribute to the discussion on a particular item, 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.
 - 7.6.3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.
- 7.7. Decision Making Process
 - 7.7.1. Unless otherwise specified by these Bylaws, the school council shall use parliamentary procedures as specified by Robert's Rules of Order.
 - 7.7.2. All business and decisions of the school council will relate to the school's mission and purpose to improve the instructional program and/or further the goals in the school's improvement plan.
 - 7.7.3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
 - 7.7.4. All decisions and policies officially adopted by Wurtland Middle School Council will be reported to the board of education and superintendent through submission of approved council minutes to the superintendent and/or designee.

7.8. Consensus

7.8.1. The council will operate primarily by consensus decision making, as described below.

7.8.1.1. Formal Decision by Consensus

7.8.1.1.1. Any member may make a motion to accept a proposal for a first reading. If the proposal being considered is in writing, the motion may be made verbally. If the proposal has not been presented in writing or the member making the motion wants to propose one or more amendments, he or she shall write down the motion, read it to the council, and hand the written motion to the secretary for inclusion in the minutes.

7.8.1.1.2. The chair shall then ask if there is further discussion.

7.8.1.1.3. When the chair believes that discussion is complete, the chair shall ask if there is consensus. Any member who is not willing to support the motion is obligated to say so at this time. Members who support the motion shall indicate by word or other sign that they believe there is now a consensus.

7.8.1.1.4. If no member states unwillingness to support, the chair shall direct the secretary to record that consensus has been reached and the motion has passed.

7.8.1.1.5. After a policy is accepted for a first reading, it shall be considered again at the next regular council meeting, or at a special meeting if necessary. If it is approved at that second meeting, the secretary shall note that it has been officially adopted as a council decision.

7.8.1.2. Consensus Failure

7.8.1.2.1. When the chair tests for consensus but consensus is not reached, the council may postpone further consideration until the next meeting or continue to discuss the issue.

7.8.1.2.2. After testing for consensus on a proposal three times in one meeting, the chair may direct that the proposal be taken up again at the next meeting. If the issue is filling a vacancy other than principal, the chair may instead ask each member to make a final comment on the issue and then declare that consultation has been completed.

7.8.1.2.3. If the council takes up an issue at a second meeting and is still unable to reach consensus, the council shall consider alternative steps, including but not limited to:

7.8.1.2.3.1. Asking a committee to bring the council a new proposal on the issue.

7.8.1.2.3.2. Scheduling a fact-finding session, at which all members of the school community are invited to present information about the issue and such information is recorded where all could see. Opinions without specific factual basis are not recorded because the point of the session is to get a common focus on the knowledge base for deciding the issues. After the fact-finding session, the council may take the issue up again to attempt consensus, or it may choose by vote to try one of the other options listed in this subsection.

7.8.1.2.3.3. Seeking the help of a trained mediator to find a consensus solution to the issue.

7.8.1.2.3.4. Considering the matter again at the next meeting, and if consensus there fails, decide the matter by majority vote.

7.8.1.2.4. The council will only make decisions by vote:

7.8.1.2.4.1. When the council will otherwise be unable to meet a legal deadline by which the council is required to have made a decision, or

7.8.1.2.4.2. When the council has agreed at a second meeting to discuss the proposal at a third meeting and decide by majority vote if consensus fails (as allowed under provision above).

7.8.1.2.5. If the council cannot agree on what further steps will be taken, and the issue does not meet the requirements for voting, the chair shall announce that no action will be taken on the issue, and the secretary shall note that announcement in the minutes.

8. Minutes and Other Council Records

8.1. Minutes Kept and Approved

8.1.1. Minutes shall be kept by the secretary or principal designee at each council/committee meeting.

8.1.2. 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.

8.1.3. 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 library for public inspection and filed in the council's policy manual.

8.1.4. The minutes of the school council shall not be official until they are reviewed and approved by the council.

8.1.5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form within 72 hours of the adjournment of the meeting.

8.1.6. 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.

8.1.7. A copy of the official minutes will be posted on the bulletin board in the foyer by the chairperson.

8.1.8. The official minutes will be signed by the chairperson and the council secretary.

8.2. Council Records Available For Public Inspection

8.2.1. The following are official documents that must be kept on file for public inspection in the library:

8.2.1.1. School council minutes and agendas

8.2.1.2. Committee minutes and agenda

8.2.1.3. School improvement plan (including targets for gap reduction)

8.2.1.4. School council policies and Bylaws.

8.2.1.5. School council budget documents not in the school plan

8.2.1.6. School council and committee membership lists

8.2.1.7. Official correspondence

8.3. Requests for Council Records

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

8.3.2. Council Bylaws, policies and the school improvement plan shall be posted on the school's web page and can be accessed by the public.

8.3.3. The requested records must be provided to the person making the request within three (3) 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 offices does not prevent the clock from running on the three (3) day response requirement).

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

8.3.5. School council records will be available for inspection during the regular school day.

8.3.6. 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 the state guidelines and requirements.

9. Appeals

9.1. Request

9.1.1. 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.

9.2. Schedule

9.2.1. 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.

9.3. Hearing

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

9.4. Decision

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

9.5. Report

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

9.6. Board Policy

9.6.1. A copy of the local board of education's approved process for appeals of council decisions is attached in the appendix.

10. Amendments

10.1. Amendments to Council Bylaws

10.1.1. These Bylaws may be amended after a first and second reading at two (2) consecutive council meetings by majority vote of the school council.

10.2. Amendments to Council Policies

10.2.1. Policy will be reviewed at least annually or more often if needed. The council may amend policy following the decision making process outlined in this document.

11. Supersede Previous Bylaws

11.1. These Bylaws supersede all Bylaws previously issued.