

SCHOOL-BASED DECISION MAKING

Williamstown Jr/Sr High School

BYLAWS

Date Adopted: _____

Date(s) Reviewed or Revised: _____

Williamstown Jr/Sr High School

**SCHOOL-BASED DECISION MAKING COUNCIL
BYLAWS**

Our mission is to establish a secure environment and create a foundation for lifelong learning by engaging, educating, and empowering students to reach their full potential.

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COUNCIL BYLAWS

I. COMPOSITION AND TERMS

A. COMPOSITION OF THE COUNCIL

The council will consist of the principal, three teacher members, and two parent members. If the minority enrollment at the school was eight percent or higher on the October 1 preceding the start of a new council term, the council will also include at least one minority member.

B. TERMS

Terms of council members will be one year, beginning July 1 and ending June 30 of the following year. Teachers and parent council members are allowed to seek re-election to serve consecutive terms as long as they are eligible. New council members are encouraged to attend and observe council meetings between the time they are elected and the July meeting when their term starts.

C. LEAVE OF ABSENCE

Leave of absence from the council will not be granted.

II. ELIGIBILITY AND ELECTIONS

A. TEACHER ELECTIONS

1. *All certified teachers who work in the school are allowed to run for teacher council member and vote in the election.*
2. *To be elected to the council, a teacher must meet the KRS 160.345(1) definition of a teacher: “any person for whom certification is required as a basis of employment in the public schools of the state with the exception of principals and assistant principals...”*
3. Eligible teachers may include classroom teachers, counselors, library media specialists, and other teachers, whether assigned only to our school or serving as itinerant staff.
4. *Teachers will be elected by a majority of the teachers assigned to the school in an election conducted by teachers.*
5. *Teachers in the school will write procedures for teacher elections.* [See Resource for Suggestions for Teacher Elections from KASC]
6. Teachers in the school will elect teacher chairs to run the election.
7. The elections will take place no later than May 1st *[or insert your own date]*.
8. The teacher election chairs will notify the current council and the school community of those elected not later than five school days after the election.

B. PARENT ELECTIONS

1. Role of Parent-Teacher Organization

The parent-teacher organization of the school will develop procedures for and conduct the election. If no parent-teacher organization exists, a group of parents will be formed for this purpose and will run the election.

2. Parent Qualifications

A "parent" means a parent, stepparent, or foster parent. Guardians also qualify as parents if the student lives with them and they have a court order giving them legal custody. A parent council member must be the parent of a student pre-registered to attend the school during the parent's term of council service. Three groups of people may not serve on the council as parent representatives:

- a. Employees of [name of school] or their relatives (mother, father, brother, sister, son, daughter, husband, wife).*
- b. Employees in the district administrative offices or their relatives (mother, father, brother, sister, son, daughter, husband, wife).*
- c. Members of the Board of Education or their spouses.*

3. Parent Elections

The parent elections will take place no later than May 1st [or insert your own date]. The parents of all children pre-registered to attend the school during the next year may participate in the parent election. The parent-teacher organization or, if none exists, the group of parents formed for this purpose will determine how the election will be run. The principal will assist the parent organization in notifying parents of the election schedule. The parent organization will notify the current council and the school community of those elected no later than five school days after the election.

C. MINORITY REPRESENTATION

- 1. A minority parent and a minority teacher will be elected, if the council formed (including the principal) after both teacher and parent elections does not have a minority member, and the school had eight percent or greater enrollment of minority students as of the previous October 1.*
- 2. Minority members must be American Indian; Alaskan native; African American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school.*
- 3. The principal will be responsible for organizing the minority parent and teacher elections as follows:*

PARENT ELECTION

- a. Following the general elections, if a minority member was not elected, the principal will organize a special election to elect a minority parent to the council.*
- b. This election will be organized as soon as possible after the regular elections.*
- c. The principal will notify all parents of the date, time, and location of the election. The notice will call for nominations of minority parents for the ballot.*
- d. Minority parents must meet the qualifications for parent members as outlined in subsection B.*
- e. At the election, parents may nominate additional minority candidates.*
- f. The candidate receiving the most votes will be elected. In the event of a tie vote, a run-off will be held.*

TEACHER ELECTION

- a. Following the general elections, if a minority member was not elected, the principal will call a meeting of all teachers in the school.*
- b. This meeting will be called within seven school days after the regular elections.*
- c. The teachers will elect one minority teacher to serve as an additional teacher member on the council.*

- d. *If there are no minority teachers who are members of the faculty an additional non-minority teacher will be elected.*
- e. *If there are minority teachers on the faculty, but they decline to serve, then no additional teacher will be elected and the seat will remain vacant.*
- f. *The election will be conducted using the procedures listed in subsection A of this section.*

D. VACANCIES DURING A TERM OF OFFICE

1. Notice of Vacancy

When either a teacher or parent vacancy occurs in the middle of a term, a new member will be elected to complete that term. The principal will post a notice in the faculty workroom and in a place readily accessible to parents stating that there is a vacancy and including the text of this subsection of the bylaws. The principal will also communicate this information to the parent-teacher organization. These steps will be taken within five school days after the principal learns of the vacancy.

2. Election to Fill a Teacher Member Vacancy

As soon as possible, after the announcement of the vacancy, Teacher Election Chair(s) will *use the procedures established to conduct a teacher election to fill the vacancy.*

3. Election to Fill a Parent Member Vacancy

The parent-teacher organization will call for an election to be held as soon as possible after the vacancy occurs. *The procedures described in subsection B of this section will be used.*

4. Election to Replace a Minority Parent Member

The principal will implement the procedures described in subsection C of this section.

5. Election to Replace a Minority Teacher Member

The principal will implement the procedures described in subsection C of this section.

III. COUNCIL REQUIREMENTS

A. TRAINING FOR NEW MEMBERS

A member elected for the first time will complete a minimum of six hours of training in the process of school-based decision making no later than thirty days after the start of his or her term. He or she can get that training any time between the date elected and the 30-day deadline. A person endorsed by the Kentucky Department of Education must provide this training.

B. TRAINING FOR EXPERIENCED MEMBERS

A member elected who has served on a council previously will complete at least three hours of training in the process of school-based decision making no later than one-hundred-twenty days after the start of his or her term. This training may be obtained up to a year before the 120-day deadline. A person endorsed by the Kentucky Department of Education must provide this training. Experienced members may get training credit by attending any of the approved SBDM training workshops offered by endorsed trainers.

C. TRAINING FOR MID-YEAR VACANCIES

Members who are elected to fill a vacant position in the middle of the year will complete the required training no more than thirty days after they are elected. If they have never been on a council before, they must get six hours of training; if they have been on a council, they must get three hours of training. A person endorsed by the Kentucky Department of Education must provide this training.

D. TRAINING REPORTING

By November 1st each year, the principal will ensure that names, addresses, and the training completed of each council member are reported to the Kentucky Department of Education.

E. BACKGROUND CHECK FOR PARENT MEMBERS

The law requires that *parent school council representatives must submit to a criminal fingerprint background check by the Kentucky State Police and the Federal Bureau of Investigation. The results of the background check are sent to the school district superintendent. The law also requires that parent school council members submit a letter from the Cabinet for Health and Family Services stating the member has no findings of substantiated child abuse or neglect through a background check of child abuse and neglect records.*

F. DOCUMENTATION FOR PROOF OF RECEIPT

Within sixty days of the beginning of their term all council members will receive two documents: Your Duty Under the Law and Managing Public Records All council members will sign a Proof of Receipt form and return it to the principal (or designee).

G. REQUEST TO RECEIVE EMAIL NOTIFICATION

The Open Meetings Law requires *council members who choose to receive notification of special called meetings by email to file a written request which includes their email address. The request will be kept on file in the school. (See Resource for Request to Receive Email Notification sample form)*

IV. STANDARDS OF CONDUCT

A. MEETING ATTENDANCE

Members of the council will attend all council meetings. If a member is unable to attend a meeting, he or she will notify the Chair of the Council. If a member is unable to attend on a consistent basis, the Chair of the Council will contact the member to consult and to discuss the possibility of resignation. A member who has three unexcused absences, as determined by the Council Chair, will be asked to resign.

B. CONFLICT OF INTEREST

No one may serve on a school council who has a conflict of interest pursuant to KRS 45A per KRS 160.345(2)(a). A member who discovers a business or financial interest (not covered by KRS 45A), which may cause the appearance of impropriety, should refrain from participating in any discussions or decisions involving those interests.

C. ONGOING ELIGIBILITY

Any member who ceases to be eligible to serve on the council will resign.

D. IMPROPER MEETING

Council members will not meet to discuss council business in a group that constitutes a quorum without following the procedures for scheduling a meeting of the full council in accordance with the Open Meetings Law and described in Section VI of these bylaws.

E. INTENTIONAL INTERFERENCE WITH SCHOOL-BASED DECISION MAKING

The SBDM law states that *no member of the council "shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or which circumvents the intent of school-based decision making."*

V. REMOVAL OF MEMBERS

A member who violates the standards of conduct in the previous section (Section IV) and does not submit a written letter of resignation to the council could be reprimanded or removed in one of the following ways:

A. COMMISSIONER'S RECOMMENDATION

The Commissioner of Education can recommend removal for immorality, misconduct in office, incompetence, and willful neglect of duty or nonfeasance. The local board of education then holds a hearing into the charges.

B. OFFICE OF EDUCATION ACCOUNTABILITY

The Office of Education Accountability (OEA) can investigate claims of intentional interference with school-based decision-making. If the OEA cannot resolve the issue, it is forwarded to the Kentucky Board of Education, which holds a hearing to determine whether the charges are valid. The first time the Kentucky Board finds a person guilty of such interference, the person will receive a reprimand. The second time, the person can be removed from office.

VI. MEETINGS

A. ALL MEETINGS

1. *Council meetings will comply with the requirements of the Open Meetings Law. (See Appendix Attachment: Open Meetings Law Basics.)*
2. *Council meetings will be open to the public unless the council goes into closed session under the provisions of the Open Meetings Law as outlined in subsection D of this section.*

B. REGULAR MEETINGS

1. *The council chair will call the first council meeting of each new term. At this first meeting each year, the council will designate a regular meeting date, time, and place.*
2. *The principal (or designee) will post a copy of the regular meeting schedule in the teachers' workroom and in a place regularly accessible to parents. He or she will use any other methods deemed appropriate to make the schedule readily available to the public.*

C. SPECIAL MEETINGS

1. *All meetings which are not regular scheduled meetings are special meetings. This includes rescheduled regular meetings.*
2. *A special meeting of the council may be called by the chairperson or by a majority of council members.*
3. *Any special meeting of the council will comply with the requirements of the Open Meetings Law; therefore, the following steps will be taken:*
 - a. *Written Notice The person or persons calling the meeting will prepare and sign a written notice that states the date, time, and place of the special meeting and an agenda for the meeting. Only issues listed on that agenda may be discussed at the special meeting. Items may be subtracted from that agenda before approval of the agenda at the meeting but they cannot be added or revised.*

- b. Delivery Of Notice The person or persons calling the meeting will arrange for the *written notice to be delivered to every council member and to any media organization that has made a written request to be notified of council meetings. The delivery must be made by hand, fax, US mail, or email. To receive email notification, council members must have a written request on file at the school. [See Resource Request to Receive Email Notification sample form.] The notice must arrive at least 24 hours before the time set for the meeting.*
- c. Posting Of Notice The person or persons calling the meeting will *post a notice conspicuously at the school and also at the building where the meeting will be held if the meeting will not be held at the school. These copies will be posted as soon as possible after the meeting is called but definitely no less than 24 hours before the meeting will be held.*

D. CLOSED SESSIONS

The council may go into closed session *only to discuss hiring personnel, the school's emergency plan, or actual or pending litigation.* The following procedures will be followed to go into a closed session:

1. *A motion will be made and a vote taken that the council go into closed session to discuss individual applicants for hiring under KRS 61.810(1)(f), or the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2), or litigation under KRS 61.810(1)(c). (See Appendix Attachment: Open Meetings Law Basics)*
2. *The motion and results of the vote including the statute number allowing the closed session will be recorded in the council minutes.*
3. *People who have relevant or needed knowledge or information may be invited into a council closed session by a consensus of the council.*
4. *Only the topic announced in the open session motion may be discussed in the closed session.*
5. *No council action may be taken in a closed session.*
6. *The council will return to open session to make any decisions.*
7. *The decisions will be recorded in the council minutes.*

E. PUBLIC INPUT

1. *Every agenda will include a public comment item.*
2. *Public input may be informal with the chairperson calling on persons who wish to speak.*
3. *If more than several people wish to speak, the chairperson will have the option of setting time limits for speakers based on the time allotted for this item, the number wishing to speak, and any extra time left on the agenda; or if the agenda will run over, by consensus of the members present to continue.*

VII. AGENDAS

A. AGENDA REQUESTS

Anyone may submit items for inclusion on the agenda to the chairperson. Items must be submitted in writing.

B. PRELIMINARY AGENDA

The chairperson will prepare a preliminary agenda, marked as such, to be posted in the teacher's lounge and posted in a place readily accessible to all parents and distributed to all council members before each regularly scheduled council meeting. (See Resource for sample of a council agenda outline recommended by KASC.)

C. APPROVAL OF AGENDA

At the beginning of each council meeting, the council will approve an agenda for the meeting. At regular council meetings, items on the preliminary agenda may be added, deleted, or modified. At special meetings, items on the agenda may be deleted but not added or modified.

VIII. RECORDS

A. PUBLIC COPIES

A public inspection binder(s) of council records will be maintained by the council secretary and made available. This binder(s) will contain up-to-date copies of the following council records:

- Council bylaws
- Council policies
- Council minutes for the current year
- Council annual budget
- School improvement plan

B. OPEN RECORDS REQUESTS

The principal will be the official Custodian of the Records and will make the council records available in response to written requests. A fee set by the Board of Education may be charged to cover copying costs other than staff time to make the copies in accord with the provisions of the Open Records Law. Persons who want copies of documents in the council binder will give the principal a written request.

C. OFFICIAL COPIES

All council records will be maintained in accordance with the State Archives Records Retention Schedule. (See Appendix Attachment: Records Retention Schedule Basics)

IX. DUTIES OF COUNCIL OFFICERS AND MEMBERS

A. CHAIRPERSON

1. *The principal will serve as the chairperson of the council.*
2. The duties of the council chairperson will be to:
 - a. Preside at and conduct all school council meetings.
 - b. Compile the preliminary agenda for council meetings.
 - c. State when a consensus is present for the record.
 - d. *Serve as the official Custodian of the Records in accordance with the state's Records Retention Schedule. (See Appendix Attachment: Records Retention Schedule Basics.)*
 - e. Coordinate standing and ad hoc committees.
 - f. Carry out any additional responsibilities or duties as stated in these bylaws.

B. VICE-CHAIRPERSON

1. The vice-chairperson will be chosen by consensus from within the council membership.
2. The duties of the vice-chair will be to:
 - a. Preside over council meetings in the absence of the chairperson.
 - b. In the event a new principal must be hired, become the liaison to the superintendent (or designee) when he/she becomes the chair of the council. (See Appendix Attachment: Principal Selection Policy.)

C. SECRETARY

1. The chairperson of the council will appoint a secretary for the council. The secretary will not be a member of the council.
2. The duties of the secretary will be to:
 - a. *Take minutes at each council meeting* that include:
 - 1) Date and times meeting began and ended.
 - 2) Names of members present.
 - 3) *Record of motions made and final decisions made.*
 - 4) Names of people giving reports and name of committee they represent if applicable.
 - 5) Summary of people responsible for work and deadlines if applicable.
 - 6) Attachments of documents revised or adopted.
 - b. Type and distribute the draft minutes, marked as such, to each member of the council and post a copy in the teacher's lounge and in a place readily accessible to all parents. This will be done within five school days after each meeting.
 - c. Make copies of the final approved minutes for the public inspection and official copies binders.
 - d. Send copies to all council members, the president of the parent-teacher organization, the SBDM coordinator, and the superintendent. This will be done within five school days following the meeting at which the minutes were approved.
 - e. Maintain and keep up-to-date all documents in the public inspection binder(s).

D. MEMBERS

1. Teacher and parent council members will represent the shareholders that elected them.
2. The duties of council members will be to:
 - a. Be familiar with and adhere to the mission of the school and council.
 - b. Attend all council meetings.
 - c. Bring necessary documents/materials to meetings.
 - d. Keep the focus of discussions and decisions on students and the improvement of student achievement.
 - e. Encourage/request opinions from the shareholders who elected them.
 - f. *Provide input by consulting with the principal during the hiring of staff.* (See Appendix Attachment: Consultation Policy)
 - g. *Participate in the process and hiring of a new principal if that process becomes necessary.* (See Appendix Attachment: Principal Selection Policy)
 - h. Maintain confidentiality related to closed council sessions.
 - i. Support, promote, and communicate council decisions and actions.

X. COMMITTEES

A. USE OF COMMITTEES

Committees will be used to support and to accomplish tasks of the council.

B. COMMITTEES POLICY

The council will adopt a committee policy to *facilitate the participation of interested persons*. As required by SBDM law, the policy will *include the number of committees, their jurisdiction, their composition, and the process for membership selection*. (See Appendix Attachment: Committees Policy)

XI. DECISION-MAKING

A. QUORUM

A majority of the members will constitute a quorum. *A quorum must be present for the council to make any decisions or take any action.*

B. COUNCIL DECISIONS

Student needs and the school's and council's vision, as well as the overall mission of specific programs, will guide decision-making. When possible, decisions will be based on applicable data. When making decisions, the council will give priority to improvement plan goals and strategies.

C. COUNCIL RESPONSIBILITIES

1. The council will make no decisions on issues that are not under their jurisdiction.
2. *The following issues are under the purview of the School-Based Decision Making Council:*
 - a. *School Improvement Planning*
 - b. *School Safety Plan*
 - c. *K-3 Program (Elementary)*
 - d. *Assessment Data Analysis*
 - e. *Achievement Gap Targets*
 - f. *Professional Development*
 - g. *Spending on textbooks/instructional resources, student support, and staff (including determination of the number of persons to be employed in each job classification)*
 - h. *Consultation before the principal selects people to be hired (See Appendix Attachment: Consultation Policy)*
 - i. *Selection of a new principal (See Appendix Attachment: Principal Selection Policy)*
 - j. *Adopting policies in the following areas: (See KASC sample policies)*
 - 1) *Alignment with State Standards*
 - 2) *College-Level Courses (Secondary)*
 - 3) *Committees*
 - 4) *Consultation*
 - 5) *Curriculum*
 - 6) *Discipline, Classroom Management, and School Safety*
 - 7) *Emergency Management Plan*
 - 8) *Enhancing Student Achievement*
 - 9) *Extracurricular Programs*
 - 10) *Instructional and Non-Instructional Staff Time Assignment*

- 11) *Instructional Practices*
- 12) *Parent and Family Engagement (Title 1 Schools and best practice for others)*
- 13) *Program Appraisal*
- 14) *School Day and Week Schedule*
- 15) *School Space Use*
- 16) *Student Assignment*
- 17) *Technology Use (including an Acceptable Use Policy/Form)*
- 18) *Wellness (K-5 Schools and best practice for secondary)*
- 19) *Writing*
- 20) Other: Policies not required by law but considered best practice and/or requested by the local district.

k. Following are activities in which councils should not be involved:

- 1) Run the school on a day-to-day basis
- 2) Break state/federal laws, risk lawsuits, or break contracts
- 3) Risk health or safety of students or staff
- 4) Spend money they don't have
- 5) Make decisions outside the areas of responsibility listed above

D. CONSENSUS

1. The council will operate by consensus decision-making using the following procedures:
 - a. Only decisions that have an immediate deadline or will have very limited impact on the school will be made without a committee recommendation.
 - b. All council members who choose to do so will be given a chance for input on issues requiring a consensus decision.
 - c. If council input and discussion reveal significant concerns or ambiguities related to an issue, the council's normal practice will be to give or return the issue to a committee for further work. Exceptions may be made for urgent timelines or pressing concerns.
2. After council input and discussion, any member may make a motion to accept a proposal. If the proposal being considered is in writing, the motion may be made verbally and then seconded. 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 will write down the motion and read it to the council. After a second the member will give the written motion to the secretary for inclusion in the minutes.
3. The chair will then ask if there is further discussion.
4. When that discussion is complete, the chair will test for consensus by asking if there is consensus for approval of the motion. Any member who is not willing to support the motion is obligated to say so at this time. Members who support the motion will indicate by word or other sign that they believe there is now a consensus.
5. If no member states unwillingness to support, the chair will direct the secretary to record that consensus has been reached and the motion has passed.

E. CONSENSUS FAILURE

1. Council voting will be done only when the council must have a decision, consensus has failed, and one or more of the following conditions exist:
 - a. When the council will otherwise be unable to meet a legal deadline by which the council is required to have made a decision, or
 - b. When the council has failed to reach consensus at a second meeting for that purpose.

2. At the first meeting where an issue is discussed, if 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. After consensus has failed twice on a proposal in one meeting, the chair may direct that the proposal be taken up again at the next meeting unless one of the conditions for voting listed in this section applies.
3. If the council takes up an issue at a second meeting and is still unable to reach consensus, the council will consider alternative steps, including but not limited to:
 - a. Asking a committee to bring the council a new proposal on the issue.
 - b. Doing nothing and dropping the issue.
 - c. Voting.

F. ADOPTION/REVISION OF POLICIES

1. Policies are defined as written documents outlining procedures, rules, guidelines, or processes concerning how a particular issue will be handled. When applicable, policies may also provide timelines and general criteria.
2. To be officially adopted or revised, a policy will have a reading at two different council meetings.
3. Adopted policies are binding until the council amends them.
4. Council policies will be reviewed regularly and revised as needed.

G. WAIVER OF POLICY

The school council may, through the normal decision-making process, waive SBDM bylaws and policies at any regular or special meeting when the school council determines there are unusual circumstances which necessitate the change. The effective date and duration of the waiver will be determined and recorded in the minutes in each instance when a waiver is used.

H. BYLAWS AMENDMENT

The council may amend these bylaws as needed. All motions to amend the bylaws of the council will be submitted in writing. No decision on a motion to amend the bylaws will be made until after the topic has been on the agenda for two meetings and has had two readings.

I. APPEALS OF COUNCIL DECISIONS

The District Board of Education has established a process for appeals of council decisions. (See Appendix Attachment: Appeal of Council Decisions Policy)

XII. APPENDIX ATTACHMENTS

APPEALS OF COUNCIL DECISIONS (Your Board Policy)

COMMITTEES POLICY (Your School Policy)

CONSULTATION POLICY (Your School Policy)

OPEN MEETINGS LAW BASICS (KASC)

PRINCIPAL SELECTION POLICY (Your School Policy)

RECORDS RETENTION SCHEDULE BASICS (State Archives)

SCHOOL BASED DECISION MAKING (SBDM) LAW (KRS 160.345)

APPENDIX

Board Policy on Appeals of Council Decisions for *[name of district]*

ADMINISTRATION 02.42411

Appeal of Decisions

ELIGIBILITY PROCESS

Any resident of the District or a parent, student or employee of the school may appeal council decisions. Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed within ten (10) working days following a council decision.
2. An appeal on a decision made by a school council must first be reviewed by the school council, which shall make a timely response to the appealing party.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ten (10) calendar days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the Board. The Board shall afford the affected parties an opportunity to be heard within thirty (30) calendar days of the appeal to the Board.
5. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) calendar days from the date of the presentation to the Board.
6. At any point in the process the Board may direct a review and report on the issues, but shall not extend its decision beyond sixty (60) calendar days from the date of the presentation to the Board without the agreement of the affected parties.

BASIS FOR REVIEW

The Board will determine whether the issue on appeal falls within the authority granted to the council by [KRS 160.345](#).

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with District goals, violates District policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

BOARD ACTION

When the appeal issue falls within statutory council authority, the Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

When the appeal issue falls within the authority of the Board to decide, the Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards.

REFERENCE:

[KRS 160.345](#)

Adopted/Amended: 09/09/2004
Order #: 758

COMMITTEES POLICY



PURPOSE OF COMMITTEES

School-based decision-making works best with active, effective committees. The council makes final decisions, but the council alone cannot possibly understand all the major issues in depth. The council needs many other people involved in learning about best practices, gathering community input, and developing proposals that will work well for Williamstown Jr/Sr High School.

STANDING COMMITTEE COMPOSITION AND MEMBERSHIP SELECTION

At the beginning of the school year, the principal (or designee) will **ensure that all shareholders and interested persons, including but not limited to classified employees and parents**, are extended the opportunity to become engaged in the shared-decision making process of our school through membership in school council standing committees. The following steps should be taken to set up committees each year:

1. On an ongoing basis, parents will be invited to sign up for committees via multiple forms of communication (i.e., newsletters, social media, website).
2. Faculty and staff will be given an opportunity to sign up for committees via various forms of communication.
3. Students will be encouraged to serve on committees.
4. At each committee's first meeting, the committee will:
 - Elect a chair, vice-chair, and recorder.
 - Receive information about the council timeline for regular committee reports.
 - Set up a meeting schedule for the rest of the year.
 - If necessary, discuss the additional recruitment of parents, families, students, staff, and/or community members to serve on the committee.
 - Review this committee policy.
 - Discuss ongoing and any new charges from the council and develop a plan of action that includes a timeline.

Every effort will be made for each standing committee to include appropriate representation and numbers to accomplish their work. An extensive effort will be made to include at least one parent and one student on every standing committee and to provide representation of the ethnic and cultural diversity of our school community.

AD HOC COMMITTEES

As needed, the council may create an ad hoc committee to accomplish a specific goal/task that isn't the right fit for a standing committee.

For these ad hoc committees, the council will identify the specific topic to be addressed in a written charge. The principal (or designee) will invite persons to serve on the ad hoc committee and will also designate a

committee member to convene the first meeting. Ad hoc committees automatically dissolve at the completion of the assigned task.

OPERATING RULES FOR ALL COMMITTEES

All committees established by the **SBDM council are public agencies subject to Kentucky's Open Meetings Law**. To comply with that law, each committee will:

1. **Establish a regular meeting schedule** at its first meeting of each school year and **make that schedule available to the public by posting it in a place convenient to the public.**
2. Hold meetings that are not on the regular schedule only after following these **special meeting procedures**:
 - a. **The committee chair or a majority of members decide the date, time, place, and agenda.**
 - b. **Those who make the decision to have the meeting will put the date, time, place, and agenda in a written notice, which they will post in a place convenient to the public at least 24 hours before the meeting.**
 - c. **Notice of a special meeting will be hand-delivered, faxed, *emailed, or sent by U.S. mail to all members of the committee early enough so that they will receive it at least 24 hours before the meeting.**
 - d. **If any media organization has asked for notice of special meetings, those calling the meeting will hand-deliver, fax, *email, or send by U.S. mail copies of the written notice to the agency requesting the notice.**

**Those wishing to receive notification by email must have a request in writing on file at the school.*

3. **Take minutes of the actions and decisions made by the committee at every meeting.**
4. **Review the minutes of each meeting at the next meeting and, after making any needed corrections, approve those minutes.**
5. **Make committee minutes for each meeting available to the council and to any interested party after final approval.**
6. **Ensure that an official copy of the minutes is kept with school records as required by Kentucky's Archive rules.**

POLICY EVALUATION

We will evaluate this policy through our **annual policy review** process.

DATES ADOPTED, REVIEWED, OR REVISED: 3/7/2023

CONSULTATION POLICY



INTERVIEW COMMITTEE

For each vacancy that occurs at our school (*except principal), the principal will decide which of the two types of committees in the chart below is best suited for the particular vacancy situation. Regardless of the type of interview committee used, ***consultation with the council must take place during a regular or special called meeting.***

COUNCIL as the Interview Committee	APPOINTED Interview Committee
<ul style="list-style-type: none"> ● Council members plus at least one staff member who will work directly with the person to be hired (if not already on the council) will form the Interview Committee. ● The principal may add other staff to the Interview Committee who can contribute to the interviewing process. ● All interviews will take place in a regular or special called council meeting. ● <i>Consultation</i> will take place after the last interview for the vacant position. 	<ul style="list-style-type: none"> ● The principal will appoint an Interview Committee. The Interview Committee will include at least one staff member who will work directly with the person to be hired. ● All interviews will take place in a special called committee meeting. ● Consultation with the <u>council</u> will take place after the Interview Committee has finished the last interview for the vacant position. <i>This consultation with the council must take place during a regular or special called council meeting.</i>

*** See the Principal Selection — Consultation Policy for procedures for this vacancy.**

TIMELINE, APPLICATIONS/REFERENCES, and CRITERIA/INTERVIEW QUESTIONS

The principal will:

1. Chair the Interview Committee and ensure that the Open Meetings Law is followed during all procedures for filling vacancies.
2. ***Establish a timeline for filling each vacancy.***
3. ***Review and screen all applications and references***
4. Decide on ***applicants to interview*** and ***check references.***

The principal or their designee will:

1. Arrange all ***interviews.***

The Interview Committee will:

1. Develop a set of criteria for a strong candidate. These criteria will not discriminate based on gender, ethnicity/race, marriage or family status, religion, political affiliation, disability, age, or other illegal grounds.
2. Use the criteria they have developed to write standard interview questions that fit those criteria. These questions will be asked of all candidates in an in-person interview.
3. Determine if information in the written application or résumé points to any specialized questions that should be asked of a particular applicant and develop those questions if they are necessary.

INTERVIEWS

The following procedures will be followed during scheduled closed session interviews:

1. All the standardized questions will be asked of each candidate in the same order.
2. Following the standardized questions, specialized questions (if any) and follow-up questions (if any) will be asked.
3. Following each interview, committee members will discuss how well each candidate meets the criteria and any other input requested by the principal, which may include a prioritized list.

CONSULTATION WITH THE COUNCIL

After interviews are complete, in a closed session, the council will meet to discuss the findings (of the council interview committee or appointed interview committee) and offer comments on the contributions each applicant could make and provide any additional input requested by the principal.

If a quorum of the council fails to attend this meeting, the principal may either call another meeting or declare an emergency and conduct the required consultation with the council members present so the hiring process can continue.

SELECTION OF THE PERSON TO BE HIRED

After considering the input from all the closed session meetings, ***the principal will make the final selection*** of the person he or she believes will contribute most to the success of the school's students and notify the superintendent and council of his or her choice. ***The decision made by the principal is binding on the superintendent, who will complete the hiring process.***

POLICY EVALUATION

We will evaluate this policy through our annual policy review process.

Date(s) Adopted, Reviewed, or Revised: 3/7/2023

(Attach to bylaws)

COUNCILS FROM KASC

Kentucky's Open Meetings Law protects the right of the general public to know what public agencies are doing. It applies to councils and their committees.

1. Bodies created pursuant to statute (councils and maybe committees).
2. Entities appointed by public agencies (definitely committees).
3. A variety of other types of entities.

1. A majority is present.
2. Public business is discussed (even if no action taken).

- | | |
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| <ol style="list-style-type: none">1. are held at dates and times on a regular meeting schedule.1. are listed on a regular meeting schedule that is "available to the public." (There are many ways to make the schedule available.) | <ol style="list-style-type: none">1. are held at dates or times not on regular meeting schedule.1. are called by chairperson or majority.2. require a written notice that states date, time, place, and agenda (agenda cannot be added to during meeting).3. require that the notice be:<ul style="list-style-type: none">• sent to all members by fax, mail, email* or hand delivery 24 hours in advance.• posted at your location and meeting location 24 hours in advance.• sent to media by fax, mail, email* or hand delivery 24 hours in advance <u>if they have asked to receive it.</u> |
|--|--|

**To receive e-mail notification, a written request must be on file at the school*

1. Every part of every regular meeting and every special meeting must be open to the public,
2. Except for those parts when a closed session is allowed and properly called.
3. All council and committee decisions must be made in open session.

1. A closed session is allowed:
 - to discuss actual or potential litigation under KRS 61.810(1)(c).
 - to discuss appointment of individuals under KRS 61.810(1)(f).
 - to discuss the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2).
 - for other reasons that apply to other agencies but don't come up for councils.
2. A closed session must be called by:
 - announcing a need for closed session and
 - providing general description of issue to be considered and
 - identifying statutory section that allows it and
 - obtaining a motion to go into closed session and
 - obtaining a majority vote.
3. During a closed session, the council or committee can only discuss the issue described.
4. The council or committee must return to open session before taking any action.

1. Must describe motion and outcome (description of discussion is optional).
1. Need to be approved (after any needed amendments) at next meeting.
2. Must be available to public immediately after next meeting.

(Attach to bylaws)

PRINCIPAL SELECTION - CONSULTATION POLICY



Text in bold italics addresses legal requirements.

LEGAL PARAMETERS

If the vacancy to be filled is the position of principal, the superintendent shall fill the vacancy after consultation with the school council.

Consultation is a discussion between the council and the superintendent and must occur ***in a regular or special council meeting***. This process may involve advice, opinions, prioritizing candidates, etc. ***After consultation, the superintendent has the final decision on principal selection.***

SELECTION PROCESS

When a principal vacancy occurs, the council and the superintendent/designee will meet to:

1. Establish that the superintendent/designee will serve as chair of the council
 - It is best practice for the outgoing principal to excuse him/herself from the council for the principal selection process.
 - The council may elect a Vice-Chairperson (if none exists) to act as a liaison and contact person with the superintendent during this process.
2. Review this Principal Selection — Consultation Policy and the *Best Practices for Principal Selection* document available on the Kentucky Association of School Councils website.
3. Discuss the needs for training and/or facilitation for the selection process; including, but not limited to: recruitment, non-discrimination, legal requirements, surveys of the school community, criteria and question development, interviewing techniques, open meetings and record laws, and confidentiality.
4. ***Each council member must sign a nondisclosure agreement forbidding sharing of information shared and discussions held during consultation.*** Council members still retain the right to share information that is publicly known at the time of disclosure or publicly shared by the superintendent.
5. ***Establish a timeline for completing each step of the principal selection process.***
6. Decide the process for ***reviewing and screening applications and references.***
7. Design and carry out processes to get shareholder input on what traits will make the best leader for this school. Shareholder input will involve, but not be limited to: faculty and staff, families, and students.

8. Develop a set of criteria for a strong candidate using the shareholder input plus council members' ideas. ***These criteria will not discriminate based on race, ethnicity, gender, marriage or family status, religion, political affiliation, disability, or age.***
9. Use the criteria to develop/select questions that will be asked of all candidates during in-person interviews.
10. Decide additional methods to gather information about the candidates. The methods may include, but not be limited to: applications and résumés, checking off-list references, applicant portfolios, open forums, and written responses to hypothetical work-related challenges.
11. ***Review and screen applications and references.***
12. ***Select applicants to interview.***
13. Schedule interviews with selected applicants.
14. ***Conduct each interview in a special called meeting in closed session*** during which:
 - a. The same questions will be asked in the same order for every candidate.
 - b. Any specialized or follow-up questions will be asked after the standard questions.
 - c. A discussion will be held immediately following each interview about how well the applicant meets the criteria.

CONSULTATION AND PRINCIPAL SELECTION

1. After all information is gathered, the superintendent/designee and the council will meet in ***closed session*** for consultation on principal selection:
 - a. discuss of the merits of the candidates
 - b. work toward consensus on the principal selection

If a quorum of the council fails to attend this meeting, the superintendent may either call another meeting or conduct the required consultation with the council members present so the hiring process can continue.

2. After consultation, the superintendent shall select the principal.

3. As soon as possible, the council will announce the decision to shareholders.

POLICY EVALUATION

The council will evaluate the effectiveness of this policy through an annual review.

Date Adopted: Date(s) Reviewed or Revised:

This handout has been adapted from requirements set in a much longer document. The original comes from the State Archives and Records Commission's Public Records Division. You can download the original document from:

<https://kdla.ky.gov/records/recollectionschedules/Documents/Local%20Records%20Schedules/PublicSchoolDistrictRecordsRetentionSchedule.pdf> Updated March: 2017, Kentucky Dept. of Library and Archives

RECORDS TO BE KEPT PERMANENTLY
Annual Financial Audit Report
Annual School Report
Budget Allocation to Council
Official Correspondence
School Council By-laws
SBDM Council Minutes
SBDM Council Committee Minutes
SBDM Council Policy
RECORDS TO BE KEPT 5 YEARS
Request for Waiver of Board Policy — 5 years, then destroy
School Council Policy Appeals — 5 years, then destroy
Annual Transformation Plan (CSIP) — 5 years, then destroy
RECORDS TO BE KEPT 3 YEARS
Budget Expenditure Report (3 years AND destroy after audit)
Request for Professional Development — 3 years, then destroy
Parent Council Member Election Records — 3 years, then destroy
Teacher Council Member Election Records — 3 years, then destroy
Council Member Training Record File — 3 years, then destroy
RECORDS TO BE KEPT 2 YEARS OR LESS
Routine Correspondence — 2 year requirement
SBDM Council/Committee Meeting Notification – 1 year requirement, then destroy