

Oakland Elementary

Site-Based Decision Making Council

Bylaws

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Article I – Mission Statement

It is the mission of the Oakland family to provide a safe, caring environment, which will enable all students to reach their highest level of potential.

Article II – Membership

A. Composition of Council The school council at Oakland Elementary School shall consist of three (3) teachers, two (2) parents, and the principal. If the student enrollment reaches 8% or more of minority students, then the council shall consist of at least one (1) minority member.

B. Eligibility Teacher positions are open to any full or part time school employee for whom certification is required as a basis of employment with the exception of the principal, assistant principal, and head teacher.

A parent council member shall be a parent, stepparent, or foster parent of a preschool through sixth grade student to be enrolled in the school during the parent's term of council service. A parent council member can also be a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, or daughter-in-law. An employee is any person eligible to receive compensation from the Board of Education for work.

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees.

C. Terms Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year.

Annual elections for the following year's terms shall be held during the last two months of the school year.

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Teacher and parent members are eligible for reelection.

D. Elections

1. Teachers All teachers assigned to Oakland Elementary full time, and all itinerant teachers assigned to Oakland Elementary shall have the opportunity to participate in the annual election of teacher representatives. Teachers may nominate themselves or another teacher. Nominations shall be made on a form provided by the school secretary no less than twenty (20) calendar days before the election. Nominations shall be returned to the school secretary no later than five (5) days before the election.

The school secretary shall prepare the list of candidates and shall distribute them to the faculty prior to the election. The school secretary shall prepare a ballot for the election. The election shall be completed during the last two months of the school year.

All voting will be done by secret ballot. Balloting shall continue until teacher council members are elected by a majority of the number of teachers assigned to the school. Eligible faculty members must be present to vote. Any person who has a majority vote is a winner and removed from any other ballots. Later ballots cover only the remaining slots. For each round of voting, the candidate receiving the lowest number of votes is removed from any other ballots.

Two (2) teachers shall count the ballots and announce the results. The principal shall forward results of the vote to the Superintendent and the Board of Education.

2. Parents The parent members shall be elected by the parents of students pre-registered to attend the school during the term of office in

an election conducted by the PTO of the school, or if no PTO exists, the largest organization of parents formed for this purpose.

E. Council Training School council members elected for the first time shall complete a minimum of six (6) clock hours of training in the process of school-based decision making, no later than thirty (30) days after the beginning of the service year for which they are elected to serve. School council members who have served on a school council at least one (1) year shall complete a minimum of three (3) clock hours of training in the process of school-based decision making no later than one hundred twenty (120) days after the beginning of the service year for which they are elected to serve. By November 1 of each year, the principal, through the local superintendent, shall

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forward to the Department of Education the names and addresses of each council member and verify that the required training has been completed. School council training required under this subsection shall be conducted by trainers endorsed by the Department of Education.

School council members elected to fill a vacancy shall complete the applicable training within thirty (30) days of their election.

F. Vacancies In the event of a vacancy, the principal will notify respective groups, establish timelines, and facilitate elections – according to Section D and KRS 160.345(2)(b)1.

G. Minority Membership Representation School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (A) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following:

a. Organizing a special election to elect an additional member. The principal shall call for nominations and shall notify the parents of the students of the date, time, and location of the election to elect a minority parent to the council by ballot.

b. Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty.

H. Standards of Conduct Each council member is expected to attend all council meetings except in case of illness or family obligations and to abide by Board policies. Elected council members may be removed from office for the following reasons:

1. Missing three (3) consecutive council meetings.
2. Willful violation of Kentucky Revised Statutes, Board policy, or council policy.
3. Demonstrating unwillingness to work collaboratively with the school council and the school.

Any member of the council convicted of a felony while in office shall resign.

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I. Council Member Removal 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 four-fifths (4/5) of the membership of a board of education after the recommendation of the chief state school officer 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.

J. Council Member Resignation A council member may resign from the council by submitting a letter of resignation to the principal.

Article III – Officers of the Council

A. Chairperson The principal shall serve as chairperson. In the absence of the principal, the Vice-Chairperson will conduct the meeting.

B. Vice Chairperson A Vice-Chairperson shall be elected from the faculty members of the council by majority vote of council members during the first meeting of the fiscal year. The Vice Chairperson shall be responsible for presiding over council meetings in the event of the chairperson's absence for a personal or family emergency.

C. Custodian of Records The principal shall be the official custodian of council records.

The council records shall be filed in the school office and subject to KRS 61.870 open records law.

D. Secretary The council shall elect a qualified person to serve as recording secretary during its first council meeting of the new fiscal year who shall be responsible for:

1. Recording in writing all minutes of meetings.
2. Processing minutes.

The council secretary in conjunction with the school secretary shall be responsible

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for typing and disseminating meeting minutes to all council members and forwarding minutes to the Superintendent.

Additional copies shall be made available to faculty, PTO officers, and parents.

Article IV – Functions

A. Policy Responsibilities

The council shall set policy on:

1. Determination of curriculum, including needs assessment and curriculum development.
2. Assignment of all instructional and non-instructional staff time.
3. Assignment of students to classes and programs within the school.
4. 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.
5. Determination of use of school space during the school day.
6. Planning and resolution of issues regarding instructional practices.
7. Selection and implementation of discipline and classroom management techniques, including responsibilities of the student, parent, teacher, counselor, and principal.

8. Selection of extracurricular programs and policies relating to student participation based on academic qualifications, attendance requirements, program evaluations, and supervision.

9. Procedures for determining alignment with state standards, technology utilization, and program appraisal. Council policy on this issue must be consistent with board policy.

10. Procedures to assist the council with consultation in the selection of personnel by the principal, including but not limited to, meetings, timelines, interviews, review of written applications, and review of references.

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Procedures shall address situations in which members of the council are not available for consultation.

11. Facilitating participation of interested persons, including but not limited to, classified employees and parents and shall include the number of committees, their jurisdiction, composition, and the process for membership selection.

12. Other issues to provide an environment to enhance students' achievement and to meet the goals set by KRS 158.645 and 6451. If the council makes a policy that fits this area, but not any of the areas listed in 1-11 above, that policy must be consistent with board policy

B. Other Responsibilities

The council shall also:

1. Determine the number of persons to be employed in each job classification at the school.

2. Determine which textbooks shall be used at the school.
3. Determine which instructional materials shall be used at the school.
4. Determine what student support services shall be provided in the school.
5. Determine the professional development to be paid for out of the council's allocation.
6. Adopt a school improvement plan that meets the requirements set in board policy.
7. Determine the organization of the school's ungraded primary program.
8. Select a new principal for the school.

C. Functions Not Under Council Authority

The council shall not:

1. Recommend the transfer or dismissal of any member of school staff.
2. Violate federal or state law or regulations.
3. Take any action that risks the health or safety of students, staff, or others.

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4. Take any action that exposes the council or the district to unreasonable risk

or legal liability.

5. Authorize any purchase that exceeds the financial resources available to it.

6. Take any action that violates contractual obligations already made by the district or the council to personnel and other providers of goods and services.

Article V – Schedule of Meetings

A. Regular Meetings The first meeting of the council for the fiscal year shall be called by the Principal. At that meeting, the council shall set its regular meeting dates and times for the year. Each meeting will last no longer two (2) hours and will be held at that school.

Regular meetings may be canceled with the approval from a majority of the council providing proper notice is given.

Regular meetings may be canceled if inclement weather makes it necessary to close school on the day of the meeting. The meeting shall be rescheduled at the discretion of the principal.

B. Special Meetings If the council needs to meet before its next regular meeting, the principal may call a special meeting. A special meeting may also be called by a majority of members of the council. Once the decision is made to call a special meeting, the following steps must be taken:

1. Content of Written Notice: The person or persons calling the meeting must prepare and sign a written notice that states the date, time, and place of the special meeting and the agenda for the meeting. No issue not listed on that agenda can legally be discussed at the special meeting.

2. Delivery of Notice: The person or persons calling the meeting must arrange for the notice to be delivered to every council member and to any

media organization that has asked to be notified of council meetings. The delivery can be made by hand, facsimile machine, mail, email, or text but the method must be one that allows the notice to arrive at least 24 hours before the time set for the meeting.

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3. Posting of Notice: The notice must be posted 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 must be posted as soon as possible after the meeting is called, and definitely not less than 24 hours before the meeting will be held.

C. Training – Planning Meetings A training-planning meeting shall be called to provide initial and additional training for the development of decision making skills providing proper notice is given.

The Board shall provide a budget allocation for training council members. Councils shall designate the training areas and programs for council members within the budget allocations.

D. Open Meetings All meetings of the council are open to the public and subject to the open meetings law in KRS 61.820 and KRS 61.825.

Meetings shall be held at times convenient to working parents. Advance notice of meetings shall be given to the public as required.

Article VI – Conduct of Meetings

A. Quorum Two-thirds (2/3) of the members of the council must be present for the council to make official decisions. Members will have the option of attending the meeting through video teleconferencing if they are unable to attend the meeting in person. The member's presence will count toward the quorum, and they will have all voting privileges. (First Reading - November 7, 2018; Second Reading - January 9, 2019)

B. Attendance Council meetings shall be open to the public. Anyone who wants to attend a council meeting may do so

C. Closed Sessions A closed session is a portion of regular or special meetings of the council during which the members meet in private. Within the realm of council responsibilities, the allowed subjects at closed meetings are proposed or pending litigation by or against

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the council, allowed by KRS 61.810(1)(c), or selection of a new principal or consultation on other vacancies allowed by KRS 61.810(1)(f). Before a closed session can begin, the following steps must be taken.

1. Announcement: Contents. The announcement must state that the council needs to discuss business involving a topic that the law allows to be discussed in closed session. The announcement must state the general nature of business that needs to be discussed in closed session and identify the specific section of the law that allows the session to be closed.

“It was moved by _____ and seconded by _____ that the Council go into Closed Session pursuant to the authority of KRS 61.810(1)(c) or KRS 61.180(1)(f) for the purpose of _____.”

2. Motion. A motion must be made and passed by a majority of members

present to go into closed session to discuss that business. During the closed session, only the business stated in the announcement can be discussed, and no final decision can be made. After full discussion, the council must return to open meeting and make any official decision needed on the matter, and the decision must be recorded in the minutes of the open session.

D. Agenda Meetings shall operate by an agenda. The agenda shall be formed with items provided by council members. Non-council members may recommend items for the agenda by contacting a council member.

All agenda items must be within the authority of the council.

A Special Meeting agenda cannot be changed.

E. Discussion of Agenda Each item on the agenda shall be fully discussed by the council before any decisions are made.

Those who are in attendance at the council meeting shall be provided an opportunity to discuss issues under consideration by the council by the following procedure:

1. As each topic is discussed, the chairperson shall call on speakers from the floor. Each speaker will be given an equal amount of time to speak based on the chair's decision. Time limits will be shared before discussion begins. Input will be allowed before the council makes a decision.

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2. Input and reaction must be relevant to the topic and must be within the authority of the council.

3. The council may act to terminate discussion.

4. Items from the floor or new business items will be taken under advisement and considered for action.

F. Decision Making The primary method of making decisions shall be by consensus. An effort shall be made to thoroughly discuss all possible alternatives, provide everyone with the opportunity to be heard, and make a final choice that can be supported by the group. All policies shall be adopted by the council shall be subject to two (2) readings.

In the event a decision is necessary and the council determines majority rule is an acceptable process to make the decision, then majority rule will be followed. Decisions by majority rule shall require a simple majority of the members present. A tie vote will result in no action.

No member of the council shall participate in any decision in which he or she has a conflict of interest under KRS 45A.

G. Consultation The council will follow all guidelines and procedures set forth in the established Oakland Elementary SBDM Policies.

Article VII – Minutes and Other Council Records

A. Minutes Kept and Approved The council secretary shall keep minutes of each council meeting. the minutes shall state accurately each council decision taken. If the decision was to adopt a written statement of policy or a written statement of some other decision, the entire text of that statement shall be attached to the minutes. The minutes shall be reviewed and approved by the council at its next meeting.

B. Council Documents and Records A copy of all council documents shall be kept in the school office where it can be reviewed by all interested persons at any time that the office is open.

The principal, upon request, shall make official council records available within three

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(3) business days unless the records are subject to a specific exception of the Open Records Law.

Article VIII – Fiscal Management

A. Authority The council shall have oversight of all monies and resources allocated, assigned to, or generated by the school.

The principal shall prepare a budget to be submitted for approval to the council.

The principal will approve all instructional material purchase orders and present a financial report during each regular meeting.

Article IX – Appeals Process

A. Eligibility Any resident of the District or a parent, student, or employee of the school may appeal council decisions.

B. Process Council decisions may be appealed following the rules found in board policy number 02.42411.

Article X – Policy Development and

Review

A. Policy Development Council policy shall be developed by the council and/or through its committee system. All policies adopted by the council shall be subject to two (2) readings.

B. Policy Review Council policies may be reviewed annually.

C. Policy Amendment Upon review, the council may amend policy.

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D. Policy Manual The principal shall maintain a manual of current council policy for staff and public inspection and shall provide each council member a current manual. A copy of the manual and its amendments shall be provided to the Superintendent.

E. Amendments to Bylaws All motions to amend the bylaws of the council shall be submitted in writing. No decision on a motion to amend the bylaws shall be made until after the topic has appeared twice in the agenda for council meetings and the proposed amendment has had two readings during those meetings.

Article XI – Committees

The Oakland Elementary Council shall establish committees, as it deems appropriate. The council will determine the time of service for each committee. Committees established by the council will -

1. Committees shall be representative of the school and community.
2. All committees shall select a chairperson and a secretary from its membership.
3. Committees will meet as needed or determined by the principal.
4. Each committee meeting shall be subject to the Open Meeting Law in KRS 61.820 and KRS 61.825.
5. It is the responsibility of the chairperson to set the agenda for the meeting. He/She will accept items for the agenda prior to the meeting.
6. The committee secretary shall keep attendance and minutes of each meeting and file them in the school office as part of the council's official records.
7. The committee shall use consensus as the primary method of making decisions. The quorum will consist of at least half the committee membership.
8. Committees will report their work and findings back to the council in a timely manner.

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