

# *Breathitt County High School*

## *Council Bylaws*

### **ARTICLE I. PURPOSE**

To provide the council with a set of operational guidelines with which to function effectively.

### **ARTICLE II. MISSION**

The mission of Breathitt County High School's council is to set school policy and make decisions that will provide an environment to improve student achievement.

### **ARTICLE III. MEMBERSHIP**

#### **A. COMPOSITION**

1. The school council shall consist of the principal, three (3) teacher members, and two (2) parent members. The principal shall serve as the chairperson.
2. If the school's total minority enrollment reaches 8% or more minority students enrolled on the preceding October 1, and there was no minority elected in the initial elections, a special election shall be conducted by the principal to elect a minority parent to serve on the school council.
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. This special election is conducted by the principal. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority teacher to fill the seat.
4. If there is a minority teacher on staff and he or she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher.
5. Although there is no provision in KRS 160.345 for additional school council members, the school council does not wish to exclude any constituency in the school from participation in all council meetings. Therefore, the BHS Student Council may designate a student council representative, and the support staff of the school (office, cafeteria, custodians, instructional assistants) may conduct an election for a support staff representative to attend all council meetings as ex officio members.

#### **B. REQUIREMENTS FOR MEMBERSHIP**

1. All Members: No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six (6) hours of training from a Kentucky Department of

Education endorsed trainer. Experienced members (those with more than one year of service ) must complete three (3) hours of training from a Kentucky Department of Education endorsed training provider each year, or they can meet their training requirement by participating in the new council member training for 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.

2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Counselors may serve as teacher council members. Principals or assistant principals may not serve as teacher council members.
3. Parent Members: The legal definition of parent (KRS 160.345 1.c.) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child “pre-registered to attend” the school for next year. If a child is in Grade 8 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 12<sup>th</sup> graders who are exiting our school may nominate and vote for candidates.

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 would have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a “father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, or daughter-in-law” of someone who works at the school or in the district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member’s spouse, nor can they have a business interest in the school.

## C. ELECTIONS

1. Parent Members: Parent Members conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May by the school’s largest parent organization for the purpose of electing two (2) parent members. The parent organization determines the election procedure. A representative of the parent organization shall notify the principal of the results and deliver election materials to the principal.
2. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of electing three (3) teacher council members. Teachers determine the elected procedure. A representative of the teacher organization shall notify the principal of the results and deliver election materials to the principal.
3. Term Limits: School council members can serve an unlimited number of terms as long

as they continue to meet the eligibility requirements.

#### **D. REMOVAL OF MEMBERS**

1. According to KRS 156.132, the Commissioner of Education may recommend removal of a school council member whom he/she has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.
2. A member of a school council may be removed from the council for cause, after an opportunity for hearing before the local board, by a vote of 4 out of 5 of the membership of the board of education after the recommendation of the Commissioner of Education pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council.  
KRS 160.347

#### **E. FILLING VACANCIES**

If a member of the council resigns or is removed from office, another member shall be elected in a special election held not more than one month after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until July 1 and be eligible for re-election.

#### **F. TERMS OF OFFICE**

The terms of parent and teacher members shall begin on July 1 and end on June 30. Between the date of the election and July 1, members-elect are expected to attend all council meetings.

### **ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS**

#### **A. ELECTION OF OFFICERS**

1. Officers shall include a Chair, Vice Chair, and Secretary
2. The vice chair of the school council shall be elected each July by council members and shall serve for one year. Re-election is permitted.
3. If a vice chair resigns his/her position, the council shall conduct a vote at that meeting to fill the position with another council member.
4. A motion to seek an alternative model allowing a council member other than the principal to serve as chair may be made by any council member at any regular meeting. A majority vote of the full council is required before an alternative model can be sought by the school council. A faculty vote must then be conducted, and the motion must pass in order to proceed with the model. Pursuant to KRS 160.345, it must be submitted to

the local board of education and Kentucky Board of Education for approval.

## **B. CHAIR**

The principal shall be the chairperson of the school council. Duties of the chair include:

1. Conducting school council meetings
2. Compiling and distributing the agenda for council meetings
3. Serving as an official custodian of council records (maintaining minutes of meeting and forwarding a copy to the superintendent after approval of minutes by the council)
4. Stating when a consensus is present for the record.
5. Coordinating standing and ad hoc committees, as well as monitoring committee progress.
6. Carrying out any additional responsibilities as stated in these bylaws
7. Maintaining a file of all correspondence addressed to the school council. These records must be maintained for 5 years
8. Other duties as described in these bylaws

## **C. VICE-CHAIR**

Duties of the vice-chair include:

1. Presiding over council meetings in the absence of the chair
2. Calling a special meeting of the council in the event a principal vacancy occurs
3. Conducting meetings necessary for the principal hiring process to take place

## **D. SECRETARY**

A council secretary shall be appointed by the principal to keep minutes of all council meetings and to maintain council records.

## **E. COUNCIL MEMBERS**

Duties of council members include:

1. Knowing and adhering to the mission and belief statements of Breathitt County High School
2. Attending all council meetings, both regular and special

3. Encouraging and requesting opinions from their constituencies
4. Supporting, promoting, and communicating council decisions
5. Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council

## **ARTICLE V. COMMITTEES**

### **A. PURPOSE**

1. Standing and ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members.
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

### **B. APPOINTMENT OF COMMITTEES**

1. Standing and ad hoc committees are formed and dissolved by the school council as needed.
2. Standing committees can be dissolved only through the process of amending the bylaws.

### **C. MEMBERSHIP & ELECTION OF CHAIR**

1. All certified staff may participate in the shared decision making process at Breathitt County High School by serving on committees in their areas of interest.
2. Each committee shall consist of representatives from the faculty, support staff, parents, and student.
3. Committee membership is open to interested persons, including school district staff, students, parents, and community residents.
4. Committee membership will be determined by posting sign-up sheets in the school and community no later than May 1 and notifying teachers and parents in writing of their committee appointment by July 1. Teachers or parents who volunteer to serve on a particular committee through the sign-up process below shall be considered appointed to the committee.
5. Committee membership shall be limited to 15 persons at the discretion of the school council.

6. Committees shall elect a chairperson from their membership no later than September 1 who shall serve for a term of no longer than one year and who is eligible to seek re-election.

#### **D. DECISION MAKING**

Committee decisions shall be made by consensus. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be decided by majority vote.

#### **E. DUTIES**

1. Committees shall carry out tasks assigned to them by the school council.
2. Committees may decide to bring issues of concern or interest to the school council.
3. Committees may research issues, gather school-wide input, or prepare first and revised drafts of school council policies.
4. Committee chairs or their designees will report at each regular council meeting, or as requested by the school council.
5. Committee chairs shall provide the council secretary with written minutes of their meetings no later than 10 days after the meeting occurred.

#### **F. MEETINGS**

1. Each committee shall choose the time, place, agenda, and schedule for their meetings.
2. Committees must comply with all provisions of the Open Meetings and Open Records Law.
3. Committees will follow the record keeping procedures used by the school council. All committee minutes should be forwarded to the principal within (three) 3 days of the committee meeting, and the principal will maintain records of the minutes.

#### **G. STANDING COMMITTEES**

1. Standing committees for Breathitt County High School shall include \_\_\_\_\_.
2. Continued need for standing committees will be reviewed and confirmed by the school council each August at the regularly scheduled meeting.

3. A list of standing committees, a brief description of their purpose, and a list of each committee's membership shall be contained in Appendix A of this document.

## **ARTICLE VI. SCHEDULE OF MEETINGS**

### **A. REGULAR MEETINGS**

1. The regular monthly meeting of the Breathitt County High School Council shall be the second Tuesday of every month. Council meetings shall be open to the public. Meetings will begin at 4:00 pm. Meetings shall not exceed 90 minutes. If all items on the agenda have not been adequately discussed after the 90 minutes, the council may decide by motion, second, and majority to extend the length of the meeting or to place the remaining agenda items on the next month's agenda or on an agenda for a special meeting.
2. The regular monthly meetings will be held at Breathitt County High School in the conference room.
3. The principal shall provide local news media of the council's regular meeting schedule for the year in July and provide notification of the council's meeting time and agenda at least one week in advance of each regular meeting.
4. The principal shall notify teachers three days in advance of each council meeting by email to include the time, place, and agenda items.
5. The principal shall notify the public by notice posted on the bulletin board in the school foyer at least 24 hours in advance of the meeting.

### **B. SPECIAL MEETINGS**

1. If the council needs to meet between regular meetings, or if the regular meeting is rescheduled, the chairperson of 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:
  - Written Notice: Contents. The chairperson shall prepare and sign a written notice that states the date, time and place of the special meeting and the agenda for each meeting. Only the items on the agenda may be discussed.
  - Delivery of Notice. The chairperson shall arrange for the notice to be delivered to each council member and to any media organizations that has requested notice of council meetings. The delivery can be by hand, fax, email, or mail, but the notice must be received by the members at least twenty-four hours prior to the time of

the meeting.

-Posting of Notice. The notice for the special meetings shall be posted by the chairperson on the bulletin board in the school foyer at least twenty-four (24) hours prior to the time of the meeting.

2. In addition to these requirements, the principal shall announce to teachers by email or announcement the time and the reason for this special called meeting at least twenty-four (24) hours prior to the meeting.

## **ARTICLE VII. CONDUCT OF MEETINGS**

### **A. QUORUM**

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

### **B. ATTENDANCE AT MEETINGS**

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

### **C. CLOSED SESSIONS**

Definition: A closed session is a portion of a regular or special meeting of the council during which the council members meet in private. The council may meet in closed session for the following reasons: to discuss proposed or pending litigation by or against a council member [KRS 61.810(1)(c)]; or to discuss candidates for a principal vacancy or conduct consultation in filling other vacancies [KRS 61.810(1)(f)]

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

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

to open session where it may take official action on the matter. Any actions taken must be recorded in council minutes.

#### **D. MATERIALS PRESENT AT COUNCIL MEETINGS**

1. The chairperson shall bring:
  - the folder containing all items submitted for inclusion on the agenda
  - the folder containing all correspondence addressed to the council that has to be received.
  - monthly financial report from the central office
  - list of applicants for vacant position
  - updated SBDM technical assistance materials from the KDE web page
2. The council secretary shall bring the binder that he/she uses to maintain copies of the council's bylaws, policies, annual budget, monthly spending reports, and minutes.
3. All council members shall bring their binders containing copies of the council's bylaws, policies, and school plan.

#### **E. AGENDA**

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing or email by the Monday prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.
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/she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.

Each agenda shall include the following items:

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

- 3 At a special called meeting, only the items listed on the notice can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

#### **F. DISCUSSION OF AGENDA ITEMS**

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.

2. Other persons attending the meeting may be recognized by the chairperson and may address the council as the chair calls upon them to speak. If a significant number of persons wishes to contribute to the discussion on a particular item, the chair may 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.
3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

#### **G. DECISION MAKING PROCESS**

1. Unless otherwise specified by these bylaws, the school council shall use parliamentary procedures as specified by *Robert's Rules of Order*.
2. All business and decisions of the school council will relate to the school's mission and purpose to improve the instructional program and/or further the goals in the school's comprehensive improvement plan.
3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All decisions and policies officially adopted by the Breathitt County High School Council will be reported to the board of education and superintendent through submission of approved council minutes to the SBDM district coordinator.
5. The school council will make decisions by consensus except as otherwise designated in the bylaws using the following guidelines:
  - A motion and a second are made.
  - After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
  - The chair will ask whether any member disagrees with that statement
  - If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
  - If a member disagrees, the discussion will continue until a suggestion of consensus is made that draws no disagreement, or until the third suggestion of consensus fails.

#### **H. ALTERNATIVE TO CONSENSUS**

When a third consensus fails, the council may by majority vote determine to:

1. Vote to send the issue back to a committee
2. Form an ad hoc committee to study the issue further (the motion on this vote shall include a regular meeting date when the council will hear from the committee) , or
3. Decide the issue by majority vote of the council.

## **I. CRITERIA FOR MAJORITY VOTE**

A majority vote of the council shall be taken after consensus fails three times if the issue meets the following criteria:

1. The issue involves the selection of a new principal: the council shall vote and the candidate receiving the majority shall be selected.
2. The issue involves the number of persons to be employed in each job classification, the textbooks to be purchased, or the budget for or purchase of student support services.
3. The issue of whether to continue to meet for longer than 90 minutes.
4. The federal or state government or the district board of education has set a deadline by which the school council must make a final decision and that deadline will occur before the next regular scheduled council meeting.
5. The members of the council cannot agree by consensus to decide the issue at a special meeting and a majority of the council members wish to decide by a majority vote. When the above exceptions do not apply and consensus cannot be reached, the issue may be placed on the agenda for the next regular meeting or special meeting and the decision may be made at the meeting by majority vote of the council. When voting, any abstention is counted with the majority vote.

## **ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS**

### **A. MINUTES AND OTHER COUNCIL RECORDS**

1. Minutes shall be kept by the designee at each council/committee meeting.
2. The minutes shall reflect an accurate record of actions and votes taken at a council meeting. Minutes shall show the words of the motion or suggestion of consensus, and the majority vote or unanimous support.
3. If the action taken was the adoption of a policy, the entire text of the policy shall be attached to the copy of the minutes kept on file in the school for public inspection and filed in the council's policy manual.
4. The minutes of the school council shall not be official until they are reviewed and

approved by the council.

5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form via email within 72 hours of the adjournment of the meeting.
6. The principal will forward an official copy to the superintendent and the SBDM District coordinator, and keep an official copy on file in the school.
7. A copy of the official minutes are posted on the Breathitt High School official SBDM website.

## **B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION**

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

1. School Council Minutes and Agendas
2. Committee Minutes and Agendas
3. Comprehensive Improvement Plan (including targets for gap reduction)
4. School Council Policies and Bylaws
5. School Council Budget Documents not in the school plan
6. School Council and Committee Membership Lists
7. Official Correspondence

## **C. REQUESTS FOR COUNCIL RECORDS**

1. Requests for council records must be made in writing to the principal. Requests must include specific documents and dates.
2. The fee for copying of council records shall be 10 cents per copy unless the request is for the Comprehensive School Improvement Plan document.
3. The fee for a copy of the Comprehensive School Improvement Plan document shall be at the school's cost for one copy, as per printing records.
4. Council Bylaws, Policies, and the Comprehensive School Improvement Plan shall be posted on the school's web page and can be accessed by the public at no cost.
5. The requested records must be provided to the person making the request within three (3) business days (The attorney general rule in 01-ORD-94 (May 2001) is that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.)
6. The school council secretary shall make or provide copies of requested

documents at the principal or chairperson's request.

7. School council records will be available for inspection during the hours the school is open (8:00 am – 3:15 pm)
8. The custodian of records for the school shall be the principal, and the principal shall make the final determination regarding which record not listed above are available for inspection and all matters in regards to open records requests not covered in this policy, in compliance with state guidelines and requirements.

## **ARTICLE IX. APPEALS**

### **A. REQUEST**

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

### **B. SCHEDULE**

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

### **C. HEARING**

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

### **D. DECISION**

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

### **E. REPORT**

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.

### **F. BOARD POLICY**

A copy of the local board of education's approved process for Appeals of Council Decisions is attached in Appendix B.

## **ARTICLE X. AMENDMENTS**

### **A. AMENDMENTS TO COUNCIL BYLAWS**

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

### **B. AMENDMENTS TO COUNCIL POLICIES**

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.