

# Natcher Elementary By-Laws

## ARTICLE I. PURPOSE

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

## ARTICLE II. MISSION

It is the mission of the SBDM council to improve student performance by providing direction for William H. Natcher Elementary School through policies resulting from shared decision making which involves all members of the school community.

## ARTICLE III. MEMBERSHIP

### **A. COMPOSITION**

- a. The school council shall consist of the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.
- b. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of October, and there was no minority elected in the initial elections, a special election shall be conducted by the PTO to elect a minority parent to serve on the school council.
- c. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority teacher to represent the interest of the minority students in the school.
- d. 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.

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

- a. **All Members:** No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340.

All Council Members shall complete the required training.

- b. **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, nor vote in teacher elections.
- c. **Parent Members:** The legal definition of parents (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 wish to vote must have a child “pre-registered to attend” the school for the next year. Parents of 6th graders who are exiting our school may nominate but cannot vote for candidates.

### **C. ELECTIONS**

- a. **Parent Members:** Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each April by the school’s PTO organization that is formed for the purpose of electing two parent council members. Parent elections may be by plurality (two parents with the highest number of votes). The election of parent council members shall be held at a time and place convenient for parents to attend.
- b. **Teacher Members:** Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of electing two council teacher members. Teacher members must be elected by a simple majority (one half plus one) of the number of teachers assigned to the school.
- c. **Terms:** School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirements.

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

Members may be removed according to provisions in KRS 156.132

### **E. TERMS OF OFFICE**

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

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

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

- a. Officers shall include Chair, Vice-Chair and Secretary. The Secretary will be non-voting member appointed by the Chair for the purpose of taking minutes, preparation and organization of council materials.
- b. The Vice-Chair of the school council shall be elected each September by council members and will serve for one year. Re-election is permitted.
- c. If the Vice-Chair resigns his or her position, the council shall conduct a vote at that meeting to fill the position with another council member.

### **B. CHAIRPERSON**

- a. The Principal shall serve as the Chair of the Council.

### **C. VICE CHAIR**

- a. Presides over council meetings in the absence of the Chair.
- b. Calls a special meeting of the Council in the event a Principal vacancy occurs.
- c. Conducts meetings necessary for the Principal hiring to take place.

### **D. COUNCIL MEMBERS**

Duties of council members include:

- a. Knows and adheres to the mission, philosophy, and goals of Natcher Elementary
- b. Attends all council meetings, both regular and special
- c. Encourages and requests opinions from their constituencies
- d. Supports, promotes, and communicates council decisions
- e. Seeks information independently and as needed about issues brought before the school council, and brings that information to the council

## **ARTICLE V. COUNCIL MEETINGS**

### **A. REGULAR MEETINGS**

Regular monthly meetings will be established by the incoming council members-dates, times and location. Meetings will adjourn within a two-hour limit. Any uncompleted agenda items will be included in a subsequent meeting agenda. Meetings shall be held at times convenient to working parents. No council meeting shall be held during the scheduled instructional day. Advance notice of meetings shall be given to the public as required.

### **B. SPECIAL MEETINGS**

The council may hold special meetings as necessary to conduct council business pursuant to the provisions of KRS 61.823.

Delivery of Notice: The chairperson shall arrange for the notice to be delivered to each council member and to any media organization that has requested notice of council meetings. The delivery can be by hand, Fax machine, or mail. The members must receive the meeting notice at least twenty-four hours prior to the time of the meeting.

### **C. 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 61.835. Requirements of the open meetings will apply to committees of the council as well.

#### **D. QUORUM**

A quorum of the Natcher Council shall be defined as four members of a six-member council or five members of an eight-member council. No new council business shall be discussed or conducted unless a quorum of council members is present.

If a quorum of the members of the school council is not available to attend a meeting for the purpose of consulting for the vacancy, the principal shall call a special meeting and conduct consultation with the council members who can attend.

#### **E. AGENDA**

- a. Anyone may submit items for inclusion on the agenda to the Chairperson/Principal in writing by 2 working days to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.
- b. The Chairperson shall prepare an agenda for each council meeting, including items submitted in writing for inclusion by the public, staff, parents, other council members and other items he or she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.
- c. At a special called meeting, only the items listed on the notice of the meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.
- d. The public may address the council on agenda items during the discussion phase of any agenda item. The council chairman may, with the consensus of the council, establish a 5-minute time limit for speakers to maintain order and to ensure the expedient conduct of the council's business.

#### **F. CLOSED SESSION**

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 of council responsibilities, the allowed subjects at closed meetings are proposed or pending litigation by or against the council, allowed by proposed or pending litigation by or against the council, allowed by KRS 61.810 (1)(c), or selection of a new principal or other new staff members, allowed by KRS 61.810 (1)(f). Before a closed session can begin, the following steps must be taken:

- a. **Announcement-Contents:** An announcement must be made in open session. 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.

- b. 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.

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

### **A. MINUTES KEPT AND APPROVED**

- a. Minutes shall be kept by the designee at each council/committee meeting.
- b. 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 suggestions of consensus, and the majority vote on unanimous support.
- c. If the action taken was the adoption of a policy, the entire text of the policy shall be attached to the copy of the minutes kept on file in the office for public inspection immediately and filed in the council's policy manual.
- d. The minutes of the school council shall not be official until they are reviewed and approved by the council. The minutes shall be open to public inspection immediately after they are approved.
- e. An approved copy of the minutes for all council meetings will be provided to all staff and families in email form within two weeks of the adjournment of the meeting. All council members will receive a hard copy of the minutes.
- f. The principal will forward an official copy of the minutes to the SBDM District Coordinator, and keep an official copy on file in the school.

### **B. OPEN RECORDS-REQUEST FOR RECORDS**

- a. The request to inspect records shall be made to the school principal.
- b. A written request may be required by the principal for copies of records.
- c. The principal must respond within three days with a decision.
- d. The original records may not be removed from the school.
- e. If some information is exempt from inspection, these records must be separated from those to be inspected.
- f. The principal will keep a log of all requests for inspection of records.

- g. The fee for copying of council records shall be 10 cents per copy unless the request is for the School Improvement Plan document.
- h. School Council records will be available for inspection during the hours the school's office is open (7:30 am to 4:30 pm)

### **C. PROTOCOL**

Councils may use Robert's Rules of Order (current edition) to conduct meetings except where such rules conflict with Board Policy, Statute, or Regulations. The chair may invoke Robert's Rules of Order as needed. Otherwise, the council will conduct business by consensus.

In event of a tie vote, the issue at hand will be tabled until the next meeting and another vote will be taken.

## **ARTICLE VII. APPEAL OF DECISIONS**

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

- a. 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.
- b. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
- c. If, within ten (10) days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) days, appeal to the Board. The Board shall afford the affected parties a hearing within thirty (30) days of the appeal to the Board.
- d. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) days from the date of the hearing.
- e. 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) days from the date of the hearing without the agreement of the affected parties.

Actions of the council will be reviewed on appeal based on whether the council action was arbitrary, violated District policy, exceeded the authority of the council or was otherwise unlawful under state or federal law.

## **ARTICLE VIII. AMENDMENTS**

### **A. AMENDMENTS TO COUNCIL BY-LAWS**

These by-laws may be amended after a first and second reading at two consecutive council meetings by majority vote of the school council. Council By-Laws will be reviewed annually.