

Site Based Decision Making Council By-Laws

Rich Pond Elementary School

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ARTICLE I. PURPOSE

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

ARTICLE II. MISSION

The mission of the Rich Pond Elementary School Council is to set school policy and make decisions that will provide an environment to improve student achievement and which will enable the teachers to impact the educational process.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.
2. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of 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. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.
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. Rich Pond Elementary School council membership shall be as follows:
 6. Principal (chairperson)
 7. 3 teachers
 8. 2 parents
 9. 1 minority parent (if required)
 10. 1 minority teacher (if required)

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 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.
 - New council members will receive the required training.
 - Experienced council members will choose the type of training needed, or can be trained for 3 hours with new council members.
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, nor vote in teacher elections.

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 “preregistered to attend” the school for next year. If a child will attend our school next year as a Kindergartner, the parents of that child would be eligible to be nominated, or vote in the election for next year’s school council. Parents of students who are exiting our school to enter middle school may nominate but cannot vote for candidates, unless that parent has younger children who will return the next school year.

Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. An Attorney General's Opinion [OAG 90-102] says that "relative" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to 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: Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May by the school’s largest parent organization that is formed for the purpose of electing a parent council member. Parent elections will be held each year, and the parent receiving the highest number of votes will be elected to the council. A representative of the parent organization shall notify the principal in writing of the parent elected within 24 hours of the final vote, and shall deliver all election materials to the principal the next business day after the election.
2. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of maintaining three teacher council members. Teacher members must be elected by a simple majority (one half plus one) of the number of teachers assigned to the school. The process that teachers may use to elect their representatives should address the following areas:
 - Nomination
 - Preparation of Ballot
 - Elections
 - Absentee Ballots
 - Procedures after First Round Ballots
 - Delivery of election materials to the principal the next business day after the election
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 has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.

