

Paris Middle School

(SBDM) By-Laws

ARTICLE I. PURPOSE

The purpose and responsibility of the Paris Middle School Council is to address the academic, social and emotional needs of our students in order to set school policy that will enhance student achievement and help each student meet the goals established by the school council, consistent with state law. KRS160.345

The council is a policy making body established by Board policy per [KRS 160.345](#). Outside of a legally called council meeting, no council member, other than the Principal, has decision making or administrative authority conferred by office on the council. The Principal is the school's primary administrator and instructional leader. (BP 02.422)

ARTICLE II. MISSION/VISION

Under Construction

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members.
2. If the school reaches 8 percent or more minority student enrollment, and there is 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. (See section C; Minority Representative)

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. 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, 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 “pre-registered to attend” the school for next 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" means, "*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. Each April, the principal shall call a meeting of parents for the purpose of establishing procedures for the election of parent members. Annual elections shall be conducted after April 1 and before May 1st. Parent members will be elected for a 1-year term. Parent elections may be by plurality vote (two parents with the highest number of votes). The chair person of the parents' election organization shall notify the principal in writing of the two parents elected within 24 hours of the final vote, and shall deliver all election materials to the principal the next business day after the election. If a parent cannot fill the term obligation, a special election shall be conducted to fill the remainder of the term. The special election shall take place before July 1 after the parent officially declares he or she cannot fill the term obligation of the position. Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent teacher organization, then parents shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.

A parent council member shall be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent council member shall not be an employee or the relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the District administrative offices. A parent representative shall not be a local Board member or Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law. (BP02.421)

2. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted after April 1st and before May 1st each year, for the purpose of electing three teacher council members for a 1-year term. Teacher members must be elected by a simple majority (one half plus one) of the number of teachers assigned to the school. Teachers may request the Principal to provide administrative assistance in preparing for the election. Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose

of electing teacher council members, a Principal or Assistant Principal, may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school. Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools. Teachers elected to a council shall not be involuntarily transferred during their term of office. (BP 02.421)

3. After the 4th round of the election, the nominated teacher receiving the fewest votes will be eliminated from the election ballot. This process will occur after the 6th round and after every even numbered round thereafter.

The process that teachers may use to elect their representatives should address the following areas:

- a. Nominations
- b. Preparation of Ballot
- c. Elections
- d. Absentee Ballots
- e. Procedures after First Round Ballots
- f. Delivery of election materials to the principal the next business day after the election.

MINORITY REPRESENTATIVES

If the council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall select one (1) minority teacher to serve as a teacher member on the council.
3. 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. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council. (BP 02.421) (KRS 160.345 (2)(2)(b))

Term Limits: School council members can serve an unlimited number of terms as long as they meet the eligibility requirements.

D. 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.

E. TERMS OF OFFICE

The terms of parent and teacher members shall be for 1 year beginning on July 1 and ending on June 30. Between the date of the elections and July 1, members-elect are expected to attend all council meetings.

F. ELECTION OF VICE-CHAIR

1. 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.
2. If a vice chair resigns his or her position, the council shall conduct a vote at that meeting to fill the position with another council member.

G. CHAIR

1. The principal shall be the chairperson of the school council. Duties of the chair include:
2. Conducting school council meetings
3. Compiling and distributing the agenda for council meetings
4. Serving as official custodian of council records
5. Stating when a consensus is present for the record
6. Coordinating standing and ad hoc committees
7. Carrying out any additional responsibilities as stated in these by-laws
8. Other duties as described in these by-laws

H. VICE-CHAIR

1. Duties of the vice-chair shall include:
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

I. SECRETARY

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

J. COUNCIL MEMBERS

1. Duties of council members include:
2. Knowing and adhering to the mission, vision, philosophy, and goals of B. Michael Caudill Middle School
3. Attending all council meetings, both regular and special
4. Encouraging and requesting opinions from their constituencies
5. Supporting, promoting, and communicating council decisions
6. Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council

ARTICLE IV. SCHEDULE OF MEETINGS

The Principal shall be the Chair of the council and shall be responsible for securing minutes that record the council's actions. Minutes shall be approved by the council, kept in a permanent file along with other council records, and open to public inspection. A copy of the minutes of each council meeting shall be forwarded by the Principal to the Superintendent who shall keep the Board informed of council actions.

All meetings of the council are open to the public and subject to the open meetings law. Advance written notice of meetings shall be given to parents and teachers. Council records are also subject to open records law and the Records Retention/Public School District Schedule.

A. REGULAR MEETINGS

1. The first meeting of the council shall be called by the Principal within twenty (20) school days after the formation of the council; thereafter, the council shall set its own meeting schedule. The Principal shall be present and chair all meetings. At this meeting, the council shall adopt a schedule of regular meetings for the fiscal year, identifying the date, time and place of each meeting. Any change to this schedule shall be a special-called meeting.
2. All meetings of the council, and any committees or subcommittees thereof, shall be held at specified times and places which are convenient to the public. The schedule of regular meetings shall be made available to the public.²
3. The regular monthly meeting of the Paris Middle School Council shall be determined at the first meeting of the year. Council meetings shall be open to the public.
4. The regular monthly meetings will be held at the Paris Middle School.

B. SPECIAL MEETINGS

1. If the council needs to meet between regular meetings, or if the regular meeting is rescheduled, the chairperson or a majority of the school council members may call a special meeting. The chairperson must complete the following steps when a special meeting is called:
2. 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.
3. 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, mail, or e-mail, but the notice must be received at least 24 hours prior to the time of the meeting.
4. Posting of Notice. The chairperson shall post the notice for the special meeting for public view at the school at least 24 hours prior to the time of the meeting. If meeting is to be held in a different location than the school, notice must be posted at that location also for at least 24 hours prior to the time of the meeting.

ARTICLE V. CONDUCT OF MEETINGS

A. QUORUM

1. A quorum of the school council shall be a majority (4 members when the council membership is 6 members, 5 members when the council membership is 8 members) of the council, with at least one parent present. No council business shall be discussed or conducted unless a quorum of council members is present.

All meetings of a quorum of the members of the council at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in [KRS 61.810](#).³

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 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.** The council must return to open session to take any official action on the matter. Any actions taken must be recorded in council minutes.

D. AGENDA

1. Anyone may submit items for possible inclusion on the agenda to the chairperson/principal in writing on the standard form provided at least forty-eight (48) hours prior to a regularly scheduled council meeting. A committee representative or the person recommending an agenda item must be present at the meeting for the item to be discussed.
2. The chairperson shall prepare a preliminary agenda for each regular and special council meeting, including items submitted in writing for possible 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. Each agenda shall include the following items:
 1. Approval of agenda
 2. Review and approval of previous meeting minutes
 3. Opportunity during the course of the meeting for school or community persons to address the school council.
 4. Other items

E. DECISION MAKING PROCESS

1. All business and decisions of the school council will relate to the schools mission and purpose to improve the instructional program and/or further the goals in the school's Continuous Improvement Plan, and with students' best interest in mind.
2. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed or introduced for study.
3. All decisions and policies officially adopted by the Paris Middle School Council will be reported to the board of education and superintendent.

4. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:
 - a. A motion and a second are made.
 - b. After discussion of an item, the chair or any member may state the consensus of the group.
 - c. If council is in consensus, the decision will be recorded as a unanimous decision in the council minutes.
 - d. If council cannot reach consensus:
 1. Majority vote to send the issue back to a committee for revision of proposed policy with council recommendations
 2. Majority vote to accept the proposed policy if deemed to be in the best interest of students.

ARTICLE VI. 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.