# CRITTENDEN COUNTY ELEMENTARY SCHOOL COUNCIL BY-LAWS 

## ARTICLE I. PURPOSE

The purpose of the Crittenden Elementary School Council is to address the academic, social, and economical 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. The school council will assess, monitor, and evaluate the policies and programs of Crittenden Elementary School and create an environment that will enhance student achievement in the school (as required by KRS 160.345).

## ARTICLE II. MISSION

Our mission as the faculty, staff, and parents of Crittenden Elementary School is to provide all students an equal opportunity to attain high levels of academic performance, to acquire learner outcomes required by state and district guidelines, and to develop positive social and emotional behaviors and attitudes.

## ARTICLE III. MEMBERSHIP

## A. COMPOSITION

1. The school council shall consist of six (6) voting members having equal status on the council. The voting members shall be: the principal, three teacher members, and two parent members. The principal shall serve as the chairperson. 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.
2. 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 council may designate others to serve as non-voting members that may consist of: assistant principal, classified staff member (s), student council officer (s), and committee chairperson (s).
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.

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## 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 no later than 30 days after the beginning of the service year for which they are to serve. Experienced members (those with more than one year of service) must complete three (3) hours of training from a KDE endorsed trainer each year no later than 120 days after the beginning of the service year. In the event the council must select a principal, the council is required by law to obtain principal selection training by a KDE endorsed council trainer prior to beginning the principal selection process.

- New council members will receive the required 6 hours of training.
- Experienced council members will choose the type of 3 hour experienced training needed, or they can be trained for 3 hours with new council members.
- The council will prepare a written request for training, and the board will fund required training as needed.

2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools and be assigned to the school for which they were elected to serve. Itinerant teachers, counselors, and media specialists may nominate, serve, and vote in our school. Principals or assistant principals may not serve as teacher council members, nor vote in teacher elections. (KRS 160.345)
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. Parents of 5th graders who are exiting the school may not nominate or vote for candidates in the May election.
Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. Parent council members may not be the "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. Parent members cannot be a board member or a board member's spouse, nor can they have a business interest in the school. (KRS 160.345)
4. Terms of Office: Council members shall be elected for two-year terms and shall be eligible to serve an unlimited number of terms. Two teachers and one parent shall be elected one year and one teacher and one parent shall be elected the next year so that the council will not have all new members in a given year. Terms shall begin on July 1 and end on June 30 two years later. All council members shall be elected with the exception of the principal who serves annually as the chairperson of the council. Between the date of the elections and July 1,
members-elect may attend all council meetings. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. [(KRS $160.3452(b)(1)]$.

## C. ELECTIONS

1. Teacher Members: Teacher members conduct their own elections as per ( $K R S$ 160.345.
a. Nomination: Candidates shall be nominated for the office of teacher member on an official nomination form that has been approved by the principal. All nominations must be made in writing on the approved form at least ten (10) workdays before the announced election. Teachers may nominate themselves or others. The form should include a statement that, if elected, the nominee agrees to serve and acknowledges he/she meets eligibility requirements.
b. Notice of the Teacher Election: The principal or designee shall provide notice of this election to the faculty by providing the date, time, and place of the vote in a manner that gives sufficient time for teachers to be present.
c. Preparation of the Ballot: The principal or designee shall prepare the ballot containing the names of all eligible nominated teachers who are willing to serve.
d. Teacher Election: The teacher election shall be held in April or May at a place and time set by the principal that is convenient for the teachers to be there. The principal shall chair/oversee the meeting and shall appoint a teacher to conduct the election and two other teachers shall be appointed to assist with the counting of votes in the presence of the faculty. Each teacher shall be given a ballot and shall vote for one (1) or two (2) nominees depending on the election year. The ballots shall then be collected and counted in the presence of the teachers. Any person on the ballot receiving a majority vote (one more than half ) of teachers present (excluding the principal, assistant principal, but including itinerate teachers, media specialist and guidance counselors assigned to CCES) shall serve as a council member in the upcoming year. If one or two teachers (depending on the election year) do not receive a majority on the first ballot, the voting continues until seats are filled.
e. Procedure if Fewer Than Two Nominees Receive a Majority: If only one candidate receives a majority of votes on the initial balloting in a year in which two members must be elected, the voting will continue on the remaining nominees until a majority is reached. The nominee receiving the fewest number of votes shall be removed from the ballot and voting will resume. As a person receives a majority of votes, he/she becomes a council member and the voting continues until all positions are filled by majority vote from the approved nominees.
f. Absentee Ballots: Absentee ballots shall be given to those teachers who request permission from the principal to be absent from the meeting to elect council members or has a pre-arranged extended duty away from school. If a teacher votes absentee, he/she may vote but the marked ballot will be counted ONLY in the FIRST round of balloting. If a teacher is absent from school on the day of the election for reasons other than stated above, his/her vote cannot be taken.
2. Parent Members: Parents conduct their own elections as per (KRS 160.345):
a. Nomination: In coordination with the principal, the president of the parentteacher organization or largest active parent group in the school shall organize and oversee the election of parent members. If the school does not have a parent organization, the principal shall set the date and time for parents to elect parent council members. Candidates shall be nominated for the office of parent member on an official nomination form that has been approved by the principal. All nominations must be made in writing on the approved form at least ten (10) workdays before the announced election to be held in April or May. The form shall be signed by the nominee indicating, if elected, he/she is willing to serve and meets eligibility requirements.
b. Parent Election: The election shall be held in April or May after normal working hours at a time and place convenient for parents to attend. The parent elections may be by plurality vote (one parent with the highest number of votes) from the qualified parents who are present at the meeting. A representative of the parent organization shall notify the principal in writing of the one 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.

## 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.
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 $4 / 5$ 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. ( $K R S$ 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 using above outlined procedures. 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 elections and July 1, members-elect may attend all council meetings. No term limits shall be imposed on council members who are nominated and elected to consecutive terms. (KRS 160.345)

## ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

## A. ELECTION OF OFFICERS

1. Officers shall include 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. Except for the office of secretary, 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.

## B. DUTIES OF OFFICERS

## 1. CHAIRPERSON

The principal shall be the chairperson of the council. (KRS 160.345) Duties of the chairperson include:

- Conducts school council meetings
- Compiles and distributes the agenda for council meetings
- Serves as official custodian of council records
- States when a consensus is present for the record
- Coordinates standing and ad hoc committees and monitors committee progress
- Maintains a council binder that contains all policies, by-laws, meeting minutes and agendas, budget and committee information
- Maintains a file of all correspondence addressed to the school council
- Carries out any additional responsibilities as stated in these by-laws


## 2. VICE-CHAIR

- Presides over council meetings in the absence of the principal
- Calls a special meeting of the council in the event a principal vacancy occurs
- Conducts meetings necessary for the principal-hiring process to take place


## 3. SECRETARY

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


## D. DUTIES OF COUNCIL MEMBERS

- Knows and adheres to the mission, philosophy, and goals of Crittenden County Elementary School
- Attends all council meetings, both regular and special
- Encourages and requests input from constituencies to assist in establishing building policies reflecting the needs of the school to support student achievement
- Supports, promotes, and communicates council decisions
- Keeps student achievement the main focus of all council activities


## 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. (KRS 160.345)
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.
3. Committee chairs or secretaries shall maintain minutes and/or summary notes of each meeting that are submitted monthly to the council.
4. Committee chairs and/or members shall report to the council as requested.

## 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 bylaws.
3. The council will provide a written charge and/or purpose to the chairperson of each designated committee.

## C. MEMBERSHIP \& ELECTION OF CHAIR

1. All certified staff shall participate in the shared decision making process at CCES by serving yearly on one standing and/or one ad hoc committee. Members of the council are exempt from serving on a standing committee.
2. Committee membership is open to interested persons. (KRS 160.345)
3. Each committee shall consist of representatives/volunteer from the faculty, support staff, parents, students and community members.
4. Sign-up sheets will be distributed in the spring seeking the interest of teachers to participate in committee work the following year. Terms of office for committee members will be for one year. Should a vacancy occur during the year, the position will be filled from the list of responding parents.
5. Sign-up sheets will be distributed in August seeking the interest of parents to participate in committee work for that school year. The principal will notify faculty, staff, and parents of their committee appointments by the end of the second month of school.
6. If any committee fails to receive enough faculty representation (at least 3 members), the principal may appoint members to the committees. Other committee composition may be allowed if their composition has been outlined under that particular committee's heading.
7. Committees shall elect a chairperson from their membership at their first meeting who shall serve for a term of no longer than one year, and who is eligible to seek re-election.

## D. COMMITTEE DECISION MAKING

Committee decisions shall be made by consensus. Council consensus means that all council members understand the problem or issue, have participated in the discussion, have a part in the solution, and will support the council's decision. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be tabled or decided by majority vote. All committee decisions/recommendations shall be forwarded to the council.

## E. DUTIES

1. Committees shall carry out tasks assigned to them by the school council.
2. Committees shall 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 to present to the council.
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 Principal with written minutes of their meetings no later than 10 days after the meeting occurred. Committee minutes will be provided monthly to the council.

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## F. MEETINGS

1. Each committee chairperson 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 laws.
3. Committees will follow the record-keeping procedures used by the school council. All committee meeting minutes should be forwarded to the principal within 10 days of the committee meeting, and the principal will maintain records of the minutes.

## G. STANDING COMMITTEES

1. The eight (5) Standing Committees at CCES include: Comprehensive \& Effective Planning/Professional Growth, Wellness, Budget, Leadership, and School Culture
2. Continued need for standing committees will be reviewed and confirmed by the school council each July 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.

## H. AD HOC COMMITTEES

Ad Hoc committees shall be formed to help complete specific tasks. Once the task is completed, the committee shall be abolished. Ad hoc committees shall be recommended by the chairperson with consensus of the council.

## ARTICLE VI. SCHEDULE OF MEETINGS

## A. REGULAR MEETINGS

1. The regular monthly meeting of the Crittenden County Elementary School Council shall be held at a time agreed upon by Council members at the July meeting each year. Council meetings shall be open to the public. Regular meetings shall not exceed 90 minutes. If all items on the agenda have not been adequately discussed after 90 minutes, the council may decide by motion, second and majority vote to extend the length of the meeting or to place the remaining agenda items on the next month's agenda or on the agenda for a special meeting.
2. The principal shall provide local news media of the council's regular meeting schedule for the year in July.
3. The principal shall place the meeting date, time and location on the monthly school calendar and post a special notice on the school board at least three days 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 or 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: The chairperson shall prepare and sign a written notice that states the date, time, place, and purpose/agenda of the special 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 organization that has requested notice of council meetings at least 24 hours in advance of the meeting. The delivery can be by hand, email, or text. If the council member or media outlet prefers to receive notifications by e-mail or text, the principal must have specifically noted in council minutes at the beginning of the year who prefers text and/or e-mail notification. WMJL and the Crittenden Press will be notified in case of special called meetings.
- Posting of Notice. The notice for the special meeting shall be posted by the chairperson in school lobby at least 24 hours prior to the time of the meeting.

2. In addition to these requirements, the principal shall inform the teachers of the time and the reason for the special-called meeting through email at least 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 must comply with all provisions of the Open Meetings and Open Records laws (KRS 160.345) Meetings are open to the public and all interested persons can attend, except when council is in a closed session.

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## 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: 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 the motion and time 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 in closed session. 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 any official action on the matter. The secretary should note the time the council returned to open session. Any actions taken must be recorded in council minutes.

## D. MATERIALS PRESENT AT COUNCIL MEETINGS

1. The chairperson shall bring:

- Agendas for all present
- The folder containing all items submitted for inclusion on the agenda
- The folder containing all correspondence addressed to the council that he/she has received
- Monthly Munis financial report
- Lists of applicants for vacant positions

2. The council secretary shall bring the binder that he or she uses to maintain copies of the council's by-laws, policies, annual budget, monthly spending reports, and minutes.
3. All council members shall bring their binders containing copies of the council's by-laws, policies, and school improvement plan.

## E. AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing at least three (3) work days prior to the scheduled 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 or she believes should be on the agenda. The chairperson may declare an item received as not within school council authority. Approval of the agenda shall be the first item of business at a council meeting.
3. The agenda shall be posted on the school bulletin board and distributed to all staff members, council members, superintendent, and school or community persons who submitted items in writing for inclusion prior to the meeting.
4. At a special called meeting, only the purpose/agenda 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.
5. Each agenda shall include the following items:

- Approval of the agenda for the current meeting
- Review and approval of previous meeting minutes
- Munis Budget review
- An opportunity during the course of the meeting for school or community persons to address the school council
- Committee reports
- Good news report
- CSIP review/update


## 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. The primary method of decision making shall be by consensus.
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. 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.
2. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study. All policies must have two readings unless there is a health, safety, or legal issue that demands immediate attention.
3. All decisions and policies officially adopted by the Crittenden County Elementary School Council will be reported to the staff and superintendent through submission of approved council minutes.
4. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:

- 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. If a decision is necessary and there is no consensus, the council shall use a simple majority rule vote.


## H. ALTERNATIVE TO CONSENSUS

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

1. Vote to table the discussion until the next meeting
2. Vote to send the issue back to a committee
3. 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
4. Decide the issue by simple majority vote of the council

## I. CRITERIA FOR MAJORITY VOTE

A majority vote of the council shall be taken after consensus fails three times.

## ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

## A. MINUTES

1. Minutes shall be recorded and kept by the council secretary/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 office 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. The principal will forward an approved copy of the minutes to the staff, superintendent, and council members.
6. A copy of the approved minutes will be posted on the council bulletin board.
7. All minutes will be kept on file in the administrative office.

## 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 Policies and By-Laws
2. Council and Committee Minutes and Agendas
3. Comprehensive Improvement Plan (including Targets for Gap Reduction)
4. School Council Budget Documents not in the School Plan
5. School Council and Committee Membership Lists

## 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 the school's cost for one copy, as per printing records.
4. Council By-Laws, 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
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 operational hours of the school.
8. The custodian of records for the school shall be the principal, and the principal shall make the final determination regarding which records 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

## Board Policy 02.42411

## A. ELIGIBILITY PROCESS

Any resident of the district or a parent, student or employee of the school may appeal council decisions. Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed within ten (10) working days following a council decision.
2. 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.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ten (10) calendar days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the Board. The Board shall afford the affected parties an opportunity to be heard within thirty (30) calendar days of the appeal to the Board.
5. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) calendar days from the date of the presentation to the Board.
6. 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) calendar days from the date of the presentation to the Board without the agreement of the affected parties.

## B. BASIS FOR REVIEW

The Board will determine whether the issue on appeal falls within the authority granted to the council by KRS 160.345.

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concern, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with district goals, violates district policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

## C. BOARD ACTION

When the appeal issue falls within statutory council authority, the Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

When the appeal issue falls within the authority of the Board to decide, the Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards

## ARTICLE X. AMENDMENTS

## A. AMENDMENTS TO COUNCIL BY-LAWS AND POLICIES

By-laws and policies may be amended after a first and second reading at two consecutive council meetings.

## Revised March 2017

$1^{\text {st }}$ Reading: October $7^{\text {th }}, 2013$
$2^{\text {nd }}$ Reading: January 13t, 2014

## Signature Chairperson

