

# **Crittenden County Middle School**

## **Council By- Laws**

**1<sup>st</sup> Reading-07/26/10    2<sup>nd</sup> Reading-: 08/04/10**

**Revised- 9/16/20**

**Kara Turley, Principal, Chairperson Signature**

### **Article I. Purpose**

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

## Article II. Mission

**The mission of Crittenden County Middle School's Council is to set school policies and make decisions that will provide an environment to improve student achievement and will enable the teachers to positively impact the educational process.**

## Article III. Membership

### **A. COMPOSITION OF COUNCIL**

**1. The school council shall consist of the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.**

*(Required by KRS  
160.345)*

2. If the school reaches 8 percent or more minority student enrollment on Oct. 1 of the preceding year 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.

*(Required by KRS 160.345)*

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.

*(Required by KRS 160.345)*

4. If there is a minority teacher on staff and he/she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher. *(Required by KRS 160.345)*

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

1. **All Members:** No one may serve on the school council who has a legal conflict of interest as designated by *KRS 45A.340* except the salary paid to district employees.

2. **Member Training:** Members elected for the first time must attend six (6) hours of training from an endorsed trainer no later than 30 days after the beginning of the service year for which they are to serve. Members who have served on the council for at least one year must complete at least three (3) hours of training from an endorsed trainer each year no later than 120 days after the beginning of the service year for which they are to serve. *(Required by KRS 160.345)*

3. **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 council members. *(Required by KRS 160.345)*

4. **Parent Members:** Parent council members must be the parent, stepparent or foster parent of a child who is pre-registered to attend the school during the term of office they are seeking. Legal guardians may serve as parent members if the pre-registered child lives with them. 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 employed at the school or at the district office. *(Required by KRS 160.345)*

5. **Terms of Office:** Two-teacher council members shall be elected for a two-year term with one teacher being elected for a one-year term. All parent members shall be elected for a one-year term. Council members shall be eligible to serve an unlimited number of terms as long as eligibility requirements are met. The term shall begin on July 1 and end on June 30 of the following year. The principal serves annually as the council chairperson. 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. *(Required by KRS 160.345).*

### **C. ELECTIONS**

1. **Teacher Members:** Teachers conduct their own elections as per (KRS 160.345.)

**a. Nomination:** The principal or designee shall prepare the nomination forms. All nominations must be made in writing on the approved form at least five (5) workdays before the announced Election Day. Teachers may nominate themselves or others.

**b. Preparation of Sample Ballot:** The SBDM secretary shall prepare a ballot containing the names of all nominated teachers who are willing and eligible to serve.

**c. Election:** Three teachers with the most seniority at CCMS not nominated will conduct the teacher election. Election of teacher members shall be held in April or May and the principal shall set the time and date. All teachers shall convene in a room for the election. Each shall be given a ballot and shall vote for three (3) names. The ballots shall then be collected and counted

by teacher designee/(s) in the presence of the teachers. Any person receiving a majority on this ballot shall serve as council member in the coming year.

**d. Procedure if Fewer Than Three Candidates Receive A Majority: If**

only one or two candidates receive majorities, a revote will be taken on all remaining candidates until a majority is reached. As a person receives a majority of votes, he/she becomes a council member and the voting continues until all three positions are filled from the names listed on the council ballot. If necessary, the name of the person receiving the least number of votes may be removed from the ballot before the re-vote continues, if no majority can be reached.

**e. Absentee Ballots:** Absentee ballots shall be given to the principal before the election to be counted only in the first round of the election.

**2. Parent Members:** Parents conduct their own elections as per KRS 160.345.

**a. Nominations:** Candidates shall be nominated for the office of parent member on an official nomination form by a candidate nominating himself/herself, or by a parent nominating another parent. To be eligible for nomination, parents must have a child pre-registered to attend the middle school next year. Parents of exiting 8<sup>th</sup> grade students with no other children pre-registered at the middle school for next year would not be eligible for nomination.

Nominations forms shall be turned in to the principal no later than three (3) school days before the election to be held in April or May.

**b. Notice of the Parent Election:** The notice shall state that any parent who has a child enrolled and/or pre-registered in Crittenden County Middle School may run for a seat on the school council and vote to elect the parent council members. The date of the meeting shall be set in cooperation with the principal and the president of the largest parent organization. The meeting shall be held after normal working hours at a time and place convenient for parents to attend. The principal shall provide notice of this meeting to parents by notifying the local news media of the date, time, and place of the vote in a manner that gives sufficient time for the media to provide notification to the community. In addition, the chair shall post the parent election date, time, and location on the school website and preferred social media outlet(s).

**c. Preparation of the Ballot:** The principal/designee shall ask each person to sign the nomination form stating he/she is willing to serve on the council if elected and that he/she meets the qualifications. All names of those nominated, willing, and eligible to serve shall then be listed alphabetically on a ballot form and given to the president of the parent organization no later than five (5) school days before the election.

**d. Election:** Election of parent members shall be held in April or May by a plurality (*two parents with the highest number of votes*) vote of the eligible voting parents who are present at the election. Parents of exiting 8<sup>th</sup> grade students would not be eligible to vote. The time and date of the election shall be set by the president of the largest parent organization and the principal. The president of the parent organization shall conduct the election and shall notify the principal and council in writing of the names of the newly elected parents within 24 hours of the

election. The council will have two parent members serving two year terms with one new parent being elected yearly.

3. **Term Limits:** No term limits shall be imposed on school council members who are nominated and elected to consecutive one-year terms as long as they meet eligibility requirements. *(Required by KRS 160.345)*

### **REMOVAL OF MEMBERS**

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. A member of a school council may be removed from the council for cause after an opportunity for a 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 included in the minutes of the board and given to the school council member.

*(KRS 160.347)*

### **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.

## **Article IV. Duties of Officers and Council Members**

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

- Officers shall include Chair, Vice-Chair, and Secretary.
- 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.
- 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 school council (*Required by KRS 160.345*).

Duties of the chair include:

- Conducting school council meetings
- Compiling and distributing the agenda for council meetings
- Serving as official custodian of council records
- Maintains a council binder that contains all policies, by-laws, meeting minutes and agendas, budget and committee information
- Stating when a consensus is present for the record
- Coordinating standing and ad hoc committees
- Carrying out any additional responsibilities as stated in these by-laws
- Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two council meetings)
- Other duties as described in these by-laws

#### **2. VICE-CHAIR**

- Presiding over council meetings in the absence of the chair
- Calling a special meeting of the council in the event a principal vacancy occurs
- Conducting 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.

### **C. DUTIES OF COUNCIL MEMBERS**

- Knows and adheres to the mission, philosophy, and goals of CCMS
- Attends all council meetings, both regular and special called
- Keeps student achievement the focus of all council business
- Encourages and requests opinions from their constituencies
- Supports, promotes, and communicates council decisions

## **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 by-laws.
3. The council will provide a written charge and/or purpose for each designated committee.

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

1. Committee membership is open to interested persons (*KRS 160.345*).
2. Each committee can consist of representatives from the faculty, support staff, parents, students, and community members.
3. School faculty and staff committee membership will be agreed upon by email correspondence. The principal will notify faculty and staff members of their committee appointments in writing.
4. Committee membership shall be limited to 15 persons at the discretion of the school council.

## **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 the consensus is not possible, a majority of the committee may decide that an issue shall be tabled or decided by a 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 council secretary with written minutes of their meetings no later than 10 days after the meeting occurred.

#### **F. MEETINGS**

1. Each committee chairperson shall choose a 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 (3) Standing Committees include: PBIS, Culture, and Curriculum
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 the committee's policy.

#### **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 CCMS Council shall be the third Wednesday of the month. In the event that school or the meeting is cancelled, the meeting will be moved to a date agreed upon by the majority of the council. Council meetings shall be open to the public. Meetings will begin at 3:30 and 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.

3. The principal shall post all council meetings on the school Facebook page and on the marquee. Meeting reminders will be sent to staff through e-mails and will include time, place and agenda items.

4. The principal will notify all council members at least 24 hours in advance of each meeting.

## **B. SPECIAL CALLED MEETINGS**

1. If the council needs to meet between regular meetings, or if the regular meeting is rescheduled, the principal or a majority of the school council members may call a special meeting. The following steps must be completed by the chair-person when a special meeting is called:

- Written Notice: The chairperson shall prepare and sign a written notice stating the date, time, place and purpose/agenda of the special meeting. This document will be emailed to all members.
- 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 the media (WMJL and the Crittenden Press) at least 24 hours in advance of the meeting. The delivery can be by hand, e-mail, or by phone. If the council member or media outlet prefers to receive notifications by e-mail, the principal must have specifically noted in council minutes at the beginning of the council term those who prefer e-mail notification.
- Posting of Notice: The notice for the special meeting shall be posted by the principal on the marquee at least 24 hours prior to the time of the meeting.

## **Article VII. Conduct of Meetings**

### **A. QUORUM**

A quorum of the council shall be a majority (one more than half) of the council members. No meeting shall be held or council business discussed unless a quorum 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 sessions. (*KRS 160.345*)

### **C. CLOSED SESSIONS**

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 section of

the law that allows the conduct of the closed session must be made in open session and recorded in

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 minutes.

3. Closed Session: During closed session, only the business stated in the announcement may 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
- Monthly Munis financial report from the central office
- Lists of applicants for vacant positions

1. The secretary shall bring the binder that he/she uses to maintain copies of the by-laws, policies, budget,

and minutes.

3. All council members shall bring their council binders containing copies of council by-laws, policies,  
CSIP, minutes, and agendas.

## **E. AGENDA**

1. Anyone may submit items in writing for inclusion on the agenda to the principal at least three (3) work days prior to the meeting. The principal shall maintain a complete file of these items.
2. The principal 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. Approval of meeting agendas 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 meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

## **D. DISCUSSION OF AGENDA ITEMS**

1. Each agenda item shall be discussed by the school council 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 making decisions shall be by consensus. An effort will be made to thoroughly discuss all possible alternatives, provide an opportunity for all to be heard, and make a final decision that can be supported by the group. In the event consensus cannot be reached, the item for discussion may be tabled and/or placed on the next month's agenda. In the event a decision is necessary, the council may vote and the decision shall be made by simple majority rule.
2. Other persons attending the meeting may be recognized by the chairperson to speak. A sign-in sheet will be provided for interested parties to indicate their interest in speaking on an issue. Input must be within the authority of the council. If a significant number of persons wishes to contribute to the discussion on a particular



item, the chair may set time limits on the speeches and/or limit the number of persons who will speak to the issue.

3. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

#### **E. COUNCIL MEETING DECISION MAKING PROCESS**

1. All business and decisions of the school council will relate to the school's mission and purpose to improve student achievement and the instructional program and/or further the goals in the school's improvement. *(Required by KRS 160.345)*

2. The primary method of making decisions shall be by consensus unless 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. An effort will be made to thoroughly discuss all possible alternatives, provide an opportunity for all to be heard, and make a final decision that can be supported by the group.

- If all members agree, the decision will be recorded as a consensus 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.

- Alternative to Consensus: when a third suggestion of consensus fails, the council may by majority vote determine to:

- Decide the issue by simple majority vote
- Vote to table the discussion until the next meeting
- Send the issue back to a committee for further study
- Form an ad hoc committee to further study the issue

3. 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.

4. All decisions and policies officially adopted by the Crittenden County Middle School Council will be reported to the staff and superintendent through submission of approved council minutes.

## **Article VIII. Minutes and Other Council Records**

### **A. COUNCIL MINUTES**

1. Minutes of each meeting shall be recorded and kept by the council secretary.
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 administrative office 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 council 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 administrative office:

- School Council Policies and By-Laws
- School Council Minutes
- School Council and Committee Membership Lists
- Committee Minutes
- CSIP (Comprehensive School Improvement Plan)
- School Council Budget Documents not in the School Plan

### **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 CSIP document.
3. The fee for a copy of the CSIP document shall be the school's cost for one copy, as per printing records.
4. The requested records must be provided to the person making the request within three business days.
5. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.
6. School council records will be available for inspection during the operational hours of the school.
7. 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.

## **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 THE COUNCIL BY-LAWS**

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

