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## **Model Laboratory School School-Based Decision-Making Council By-Laws**

### **ARTICLE I. PURPOSE**

To provide the Model Laboratory School School-Based Decision-Making (SBDM) Council with a set of operational guidelines.

### **ARTICLE II. MISSION**

The mission of the Council is to set school policy and make decisions that will provide a supportive curricular and extracurricular environment to increase student achievement and enable faculty to positively impact the educational process.

### **ARTICLE III. MEMBERSHIP**

#### **A. COMPOSITION**

1. The Council shall consist of the two Directors, six teachers (two from each division—elementary, middle school, and high school), and four parents (one from each division and one from the MPO).
2. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of the preceding October 1, and no minority parent was elected in the initial elections, a special election shall be conducted by the Director to elect a minority parent.
3. If 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, or if no minority teachers elect to serve, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.

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

1. All Members:
  - A. No one may serve on the Council who has a business interest in the school as designated by KRS 45A. 340.
  - B. 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.
  - C. Experienced members (those with one or more years 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.
  - D. In the event the Council must select a Director, the Council must obtain training in recruitment and interviewing prior to beginning the Director selection process.
2. Teacher Members: The teacher must be employed in at least a half-time position at MLS and be certified as required for employment in Kentucky public schools. Counselors may serve as teacher council members. Directors and the Dean of Students may not serve as teacher council members, nor vote in teacher elections.
3. Parent Members: "Parent" includes biological parents, stepparents, foster parents, or persons who have court-ordered legal custody. The Parent member must have a child

pre-registered to attend MLS for next year. Parent council members cannot be employed in or be related to someone who is employed in the school.

### **C. ELECTIONS**

1. Parent Members: Parents conduct their own elections as per KRS 160.345.
2. Teacher Members: Per KRS 160.345 teachers conduct their own elections annually in May. Two teachers from each division (elementary, middle, and high school) must be elected by a simple majority (one half plus one) of the number of teachers assigned to that division. The teachers will determine the following:
  - Nomination
  - Preparation of Ballot
  - Elections
  - Absentee Ballots
  - Procedures after First Round Ballots
  - Delivery of election materials to the Director the next business day after the election
3. Term Limits: 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 council member whom he has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.
2. When the Council has a concern about the conduct of a council member, it shall request the Dean of the College of Education to mediate the concern. If it is deemed that removal of a council member is necessary, KRS 160.347 and KRS 156.132 shall be followed.

### **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. The person elected in the special election shall serve the remainder of the term until June 30, 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.

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

### **A. OFFICERS**

1. The two Directors shall alternate as chairs from meeting to meeting.
2. A secretary shall be chosen by the Council.
3. A motion to seek an alternative model allowing a council member other than the Director to serve as chair may be made by any council member at any regular meeting. A majority vote of the full council is required for the motion to take effect at the current meeting.

### **B. CHAIR**

The Directors shall be the co-chairs of the Council. Duties of the chair include:

1. Conducting council meetings, with Directors alternating as chair from meeting to meeting.
2. Compiling and distributing the agenda and accompanying materials for council meetings three days in advance of the meeting.
3. Serving as official custodian of council records (maintaining minutes of meetings and forwarding a copy to the Dean of the College of Education or the Dean's designee after approval of the minutes by the Council).
4. Stating for the record when a consensus is present.
5. Coordinating standing and ad hoc committees and monitoring committee progress.
6. Maintaining a file of all correspondence addressed to the Council.
7. Other duties as described in these by-laws.

### **C. SECRETARY**

The secretary shall keep minutes of all council meetings and maintain council records.

### **D. COUNCIL MEMBERS**

Duties of council members include:

1. Knowing and adhering to the mission, philosophy, and goals of MLS.
2. Attending all council meetings, both regular and special.
3. Encouraging and requesting opinions from their constituencies.
4. Supporting, promoting, and communicating council decisions.
5. Seeking information independently and as needed about issues brought before the Council and bringing that information to the Council.

## **ARTICLE V. COMMITTEES**

### **A. PURPOSE AND APPOINTMENT OF COMMITTEES**

1. Standing and ad hoc committees shall serve as council resources for gathering data and information and making recommendations to the Council.
2. Standing and ad hoc committees are formed and dissolved by the Council as needed.

### **B. MEETINGS AND DUTIES**

1. Committee meeting dates, times, and locations shall be determined at an organizational meeting.
2. Committees shall elect a chair from their membership.
3. Committee chairs will appoint a secretary who will record written minutes of each meeting. This secretary will provide a copy of all committee minutes to the council secretary.
4. Committee chairs or their designees will report as requested at regular council meetings.

## **ARTICLE VI. SCHEDULE OF MEETINGS**

### **A. REGULAR MEETINGS**

1. At the September meeting, the Council will set the time and date for meetings through September of the next year.
2. The Directors shall provide local news media with the Council's regular meeting schedule for the year.

3. The Directors shall keep a file in the central office of the agenda and minutes from each meeting for the current school year. This file shall be available upon request to interested parties.
4. At least a week in advance of each regular meeting, the council secretary shall post a sign in the school lobby notifying the public of the meeting date and time.

## **B. SPECIAL MEETINGS AND EMERGENCY MEETINGS**

1. If the Council needs to meet between regular meetings, or if the regular meeting is rescheduled, a co-chair or a majority of the council members may call a special meeting. Only the items on the meeting agenda may be discussed.
2. The following steps must be completed by a co-chair when a special meeting is called:
  - The chair shall arrange for a 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, U.S. mail, or electronic means, but the notice must be received by the members at least twenty-four hours prior to the time of the meeting.
  - The notice for the special meeting shall be posted by the chair in the school lobby at least 24 hours prior to the time of the meeting.
3. For extraordinary situations, an emergency meeting may be called by the chair with fewer than 24 hours notice.

## **ARTICLE VII. CONDUCT OF MEETINGS**

### **A. QUORUM**

A quorum of the Council shall be a majority (one-half plus one) of the council members.

### **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**

1. 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)],
  - To discuss candidates for a Director vacancy or conduct consultation in filling other vacancies [KRS 61. 810(1)(f)], or
  - To review embargoed reports or information.
2. Before a closed session can be conducted, the following steps must be taken:
  - 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.
  - The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.
3. 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. 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. Any actions taken must be recorded in council minutes.

#### **D. MATERIALS PRESENT AT COUNCIL MEETINGS**

1. The chair shall bring the folder containing all items submitted for inclusion on the agenda and any correspondence addressed to the Council that has been received.
2. The council secretary shall bring a copy of *Robert's Rules of Order* and the binder used to maintain copies of the Council's by-laws, policies, and minutes.
3. All council members shall bring their binders containing copies of the Council's by-laws, policies, school plan, and current agenda.

#### **E. AGENDA**

1. Requests for items to be included on the agenda shall be made in writing to the chair at least one week in advance of the meeting date.
2. The chair may declare an item received as not within council authority.
3. The agenda shall be approved at the beginning of each council meeting.

#### **F. DISCUSSION OF AGENDA ITEMS**

1. The 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.
2. Other persons attending the meeting may be recognized by the chair 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, set limits on the number of persons who will speak to the issue, and determine a time limit for each speaker.
3. If deemed necessary by the Council, any agenda item may be referred to a standing or ad hoc committee for further study.

#### **G. DECISION-MAKING PROCESS**

1. Unless otherwise specified by these by-laws, the Council shall use parliamentary procedures as indicated by *Robert's Rules of Order*.
2. No proposed policy may be approved by the Council at the same meeting at which it was initially proposed for study.
3. All decisions and policies officially adopted by the Council will be reported to the Dean of the College of Education.
4. When making decisions by consensus, the Council will use the following guidelines:
  - A motion and a second are made.
  - 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 either consensus is reached or one of the following alternatives is selected.

**H. ALTERNATIVE TO CONSENSUS**

When the Council decides that there is no consensus, the Council may by majority vote determine to:

1. Send the issue to a committee.
2. 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
3. Decide the issue by majority vote of the Council.

**ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS****A. MINUTES KEPT AND APPROVED**

1. Minutes shall be kept by the 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 central office for public inspection and filed in the Council's policy manual.
4. The minutes of the Council shall not be official until they are reviewed and approved by the Council.
5. The Director will forward an official copy of the minutes to the Dean of the College of Education and keep an official copy on file in the school.

**B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION**

The following are official documents that must be kept on file for public inspection in the central office:

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

**C. REQUESTS FOR COUNCIL RECORDS**

1. Requests for council records must be made in writing to the Director. 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 business days.
6. The council secretary shall make or provide copies of requested documents at the Director or chair's request.
7. Council records will be available for inspection during the hours the school's central office is open (8:00 a.m. - 4:00 p.m.)

8. The custodian of records for the school shall be the Directors, and the Directors 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**

### **A. REQUEST**

For a person(s) to appeal a decision of the Council or file a grievance, he/she must first request in writing an opportunity to be heard and include information about the grievance issue.

### **B. SCHEDULE**

The Council shall schedule a hearing within thirty (30) working days from the date the request is received. The person appealing shall be informed of the hearing by registered letter.

### **C. HEARING**

The person appealing may be represented by legal counsel and may call witnesses as long as the testimony is germane to the issue.

### **D. DECISION**

The Council shall consider the merits of the complaint, make a decision, and respond in writing to the complaint.

### **E. REPORT**

A copy of the written grievance or appeal and a written reply by the Council shall be provided to the Dean of the College of Education within ten (10) working days of the Council's decision.

## **ARTICLE X. AMENDMENTS**

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

These by-laws may be amended after a first and second reading at two council meetings by majority vote of the Council.

### **B. AMENDMENTS TO COUNCIL POLICIES**

Policy will be reviewed at least annually, or more often if needed. The Council may amend policy following the decision-making process outlined in this document.