

School Council By-Laws

Walton-Verona Middle School

Revised 11/28/18

ARTICLE I

PURPOSE

The purpose of the Walton-Verona Middle School School-Based Decision Making Council is to address the academic, social, and emotional needs of students in order to enhance student achievement and assist each student and teacher in meeting the goals established by the Kentucky Department of Education, Walton-Verona Board of Education, and Walton-Verona Middle School School-Based Decision Making Council.

ARTICLE II

MISSION

A. MISSION STATEMENT

The mission of Walton-Verona Middle School is to provide, in partnership with the home and community, a safe and comfortable educational atmosphere, which respects the diversity of individuals. Within this environment, it is our goal to motivate all students to achieve at high academic levels, to engage in a lifelong pursuit of learning, and to become responsible citizens of the world.

B. SCHOOL BELIEFS

1. Students learn in different ways with various levels of success.
2. A safe and comfortable learning environment promotes student learning.
3. High expectations are set for both academics and student behavior.
4. Students learn best when they are motivated and actively engaged in the learning process.
5. Teachers, parents, students, and the community share the responsibility for the support of the school's mission including effective decision-making.
6. Positive relationships and mutual respect among the students and the staff enhance a student's self-esteem.
7. Students should understand their role as responsible citizens in a democratic society and of the world.
8. Students must have self-motivation in order to succeed at the highest possible level.
9. Each student is a valued, unique individual who is part of and responsible to a collective group of individuals.
10. Students should be provided appropriate opportunities for success.
11. The school should provide an educational atmosphere for faculty and students which recognizes respect for diversity of individuals.
12. Participation in clubs and extra-curricular activities provides leadership opportunities for students.

School Council By-Laws
Walton-Verona Middle School

ARTICLE III
MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of six (6) members -- the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.
2. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of the preceding October 1, and there was no minority elected in the initial elections, a special election shall be conducted by the principal to elect a minority parent to serve on the school council.
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.
4. If there is a minority teacher on staff and he or she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher.
5. 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 Student Council may designate a student council representative, and the support staff of the school (office, cafeteria, custodians, and instructional assistants) may conduct an election for a support staff representative to attend all council meetings as ex officio members.
6. Walton-Verona Middle School council membership shall be as follows:
 - Principal (chairperson)
 - 3 teachers
 - 2 parents
 - 1 minority parent (if required)
 - 1 minority teacher (if required)

B. REQUIREMENTS FOR MEMBERSHIP

1. All Members: No one may serve on the school council who has conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employee. New members (those with less than one year of service) must complete six hours of training from a Kentucky Department of Education

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School Council By-Laws

Walton-Verona Middle School

endorsed trainer. Experienced members (those with more than one year of service) must complete three hours of training from a Kentucky Department of Education endorsed trainer 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: All certified teachers who work in the school are allowed to run for teacher council member and vote in the election. To be elected to the council, a teacher must meet the KRS 160.345(1) definition of a teachers: “any person for whom certification is required as a basis of employment in the public schools of the state with the exception of principals and assistant principals...” Eligible teachers may include classroom teachers, counselors, library media specialists, and other teachers, whether assigned only to our school or serving as itinerant staff.
3. Parent Members: The legal definition of parent (KRS 160.345 1.d.) allows a parent, stepparent, foster parent, or a person who has legal custody of student pursuant to a court order and with whom student resides 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 the 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" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a "*father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law*" of someone who works at the school or in the district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member's spouse nor can they have a business interest in the school.

C. ELECTIONS

1. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of electing teacher council members. Teacher members serve one-year terms. Teacher members must be elected by a simple majority (one-half plus one) of the number of teachers assigned to the school for any part of their day. The process that teachers may use to elect their representatives should address the following areas:
 - a. Nominations
 - b. Preparation of ballots
 - c. Elections
 - d. Absentee ballots
 - e. Procedures after first round ballots

School Council By-Laws

Walton-Verona Middle School

- f. Delivery of election materials to the principal the next business day after the election
2. **Parent Members:** Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May by the school's PTSA for the purpose of electing a parent council member. Parent members serve one-year terms. Parent members must be elected by simple majority of the number of parents assembled for that purpose. The president of the PTSA shall notify the principal in writing of the parent elected within 24 hours of the final vote and shall deliver all election materials to the principal the next business day after the election.
3. **Principal Role in SBDM Elections:** Other than conducting the election for the minority teacher and parent members in the event the school is required to do so, principals are not given a role by statute in school council elections. Principals can assist the teachers or parents if requested to do so with logistics such as opening the building, providing space in the building, and assisting the PTSA and teachers with communicating election meeting times and dates. Principals should not be involved in setting or monitoring election procedures, nominations, balloting, or counting votes. The principal is the custodian of records for the school and must keep the official records of the parent and teacher elections for at least three years. By November 1st each year, the principal will ensure that names, address, and the training completed of each council member is posted to the school website.

D. REMOVAL OF MEMBERS

A member who violates the standards of conduct in the previous section (Section IV) and does not submit a written letter of resignation to the council could be reprimanded or removed in one of the following ways:

A. COMMISSIONER'S RECOMMENDATION

The Commissioner of Education can recommend removal for immorality, misconduct in office, incompetence, and willful neglect of duty or nonfeasance. The local board of education then holds a hearing into the charges.

B. OFFICE OF EDUCATION ACCOUNTABILITY

The Office of Education Accountability (OEA) can investigate claims of intentional interference with school-based decision-making. If the OEA cannot resolve the issue, it is forwarded to the Kentucky Board of Education, which holds a hearing to determine whether the charges are valid. The first time the Kentucky Board finds a person guilty of such interference, the person will receive a reprimand. The second time, the person can be removed from office.

School Council By-Laws

Walton-Verona Middle School

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 30th, and be eligible for re-election.

F. TERMS OF OFFICE

The terms of parent and teacher members shall begin on July 1st and end on June 30th. Between the date of the election and July 1st, members-elected are expected to attend all council meetings. Teachers and parent council members are allowed to seek re-election to serve consecutive terms as long as they are eligible.

ARTICLE IV

DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

1. Officers shall include Chair; Vice Chair; and Secretary, appointed by the council at its August meeting.
2. The vice chair of the school council shall be elected each August by council members and shall serve for one year. Re-election is permitted.
3. 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.
4. A motion to seek an alternative model allowing a council member other than the principal to serve as chair may be made by any council member at any regular meeting. A majority vote of the full council is required before an alternative model can be sought by the school council. A faculty vote must then be conducted, and the motion passes by 2/3 in order to proceed with the model.

B. CHAIR

The principal shall be the chairperson of the school council. Duties of the chair include:

1. Conducting school council meetings
2. Serving as official custodian of council records
3. Stating for the record when a consensus is reached
4. Coordinating standing and ad hoc committees
5. Other duties and responsibilities as described in these by-laws
6. Compiling and distributing the agenda for council meetings

C. VICE CHAIR

Duties of the vice chair shall include:

School Council By-Laws

Walton-Verona Middle School

1. Presiding over council meetings in the absence of the chair.
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.

D. SECRETARY

Duties of the secretary shall include:

1. Keeping minutes of all council meetings.
2. Maintaining council records.
3. Notification of meetings.
4. Other responsibilities as chair delegates.

E. COUNCIL MEMBERS

Duties of all council members include:

1. Knowing and adhering to the mission, philosophy, and goals of Walton-Verona Middle School.
2. Members of council will attend all council meetings. If a member is unable to attend a meeting, he or she will notify the Chair of the Council. If a member is unable to attend on a consistent basis, the Chair of the Council will contact the member to consult and discuss the possibility of resignation. A member who has three absences from regular council meetings may be asked to resign.
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 school council and bringing that information to the council.
6. Council members will not meet to discuss council business in a group that constitutes a quorum without following the procedures for scheduling a meeting of the full council in accordance with the Open Meetings Law.
7. No member of the council will intentionally engage in a pattern of practice which is detrimental to the successful implementation of or which circumvents the school-based decision making process.

ARTICLE V

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School Council By-Laws
Walton-Verona Middle School

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.
2. Standing and ad hoc committees shall serve as council resources for gathering data and information and making recommendations to the school council.

B. APPOINTMENT OF COMMITTEES

1. Standing committees are formed/ revised/ dissolved by the school council each August during the regular scheduled meeting.
2. Ad hoc committees are formed and dissolved by the school council as needed.

C. MEMBERSHIP

1. Membership on council committees is open to all parents, teachers, administrators, students and staff of Walton-Verona Middle School. Each committee shall seek representation from parents, teachers, administrators, students and staff of Walton-Verona Middle School.
2. Standing committees include: Assessment, Curriculum, and School Culture.
3. It shall be the responsibility of the council secretary to advertise the formation of the council committees to teachers, staff, students, parents, and the community through the local media, notices posted in the school building, and annual mailings.
4. Committee membership shall be at the discretion of the council.
5. Committees shall elect a chair, vice chair, and secretary who shall serve a term no longer than one year, who is eligible for re-election.

D. DECISION MAKING

Committee decisions shall be made by consensus. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be decided by majority vote.

E. DUTIES

1. Committees shall carry out tasks assigned to them by the school council.

School Council By-Laws

Walton-Verona Middle School

2. Committees may decide to 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.
4. Committee chair or their designees will report at each regular council meeting 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. Committees 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.

ARTICLE VI

SCHEDULE OF MEETINGS

A. REGULAR MEETINGS

1. The annual schedule of meetings of the Walton-Verona Middle School Council shall be determined no later than the regular council meeting for August of each school year. Council meetings shall be open to the public. Meetings will begin at 3:00 PM. and end at 4:00 PM. Meetings shall not normally exceed 60 minutes. If all items on the agenda have not been adequately discussed after 60 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 scheduled meeting's agenda or on the agenda for a special meeting.
2. The regular meetings will be held in the WVMS Library Media Center or other designated area.
3. The chairperson shall provide local news media with the council's regular meeting schedule for the year in August and provide notification of the council's meeting time, place, and agenda at least one week in advance of each regular meeting.
4. The chairperson shall notify the public of the agenda posted in the school and on the school website at least three days in advance of the meeting.

B. SPECIAL CALLED MEETINGS

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School Council By-Laws

Walton-Verona Middle School

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:

1. Written Notice: Contents. The chairperson shall prepare a notice that states the date, time, and place of the special meeting and the agenda for the meeting. Only the items on the agenda may be discussed.
2. 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, email or mail, but the notice must be received at least 24 hours prior to the time of the meeting. Walton-Verona Middle School may satisfy the requirements KRS 61.823 by transmitting the written notice of a special meeting by electronic mail to School Based Council Members that have filed a written request with Walton-Verona Middle School indicating their preference to receive electronic mail notification in lieu of notice by personal delivery, facsimile machine, or mail.
3. Posting of Notice: The chairperson shall post the notice for the special meeting in the school 24 hours prior to the time of the meeting.

C. EMERGENCY MEETINGS

Emergency meetings may be called according to Open Records law and the Kentucky Revised Statutes.

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. At least one member of the quorum must be a parent. No council business shall be discussed or conducted unless a quorum of council members is present.

B. ATTENDANCE AT MEETINGS

Council meetings are open to the public and all interested persons may attend, except those portions of meetings that are conducted as closed sessions.

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)], to

School Council By-Laws

Walton-Verona Middle School

discuss candidates for a principal vacancy, to conduct consultation in filling other vacancies [KRS 61.810(1)(f)], **or the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2),**

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 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: 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. AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson in writing prior to a regularly scheduled council meeting. The chairperson 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.
3. At a special called meeting, only the items listed on the notice of meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

E. 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.
2. Other persons attending the meeting may be recognized by the chairperson and may address the council as the chair calls upon them

School Council By-Laws

Walton-Verona Middle School

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.

F. 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 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.
3. All decisions and policies officially adopted by the Walton-Verona Middle School Council will be reported to the board of education 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:
 - 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 a suggestion of consensus is made that draws no disagreement, or until the third suggestion of consensus fails.

G. ALTERNATIVE TO CONSENSUS

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

1. Vote to send the issue back 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

School Council By-Laws

Walton-Verona Middle School

H. CRITERIA FOR MAJORITY VOTE

A majority vote of the council shall be taken after consensus fails three times if the issue meets the following criteria:

1. The issue involves the selection of a new principal: the council shall vote and the candidate receiving the majority shall be selected.
2. The issue involves the number of persons to be employed in each job classification.
3. The issue is whether to continue to meet for longer than 60 minutes.
4. The federal or state government or the district board of education has set a deadline by which the school council must make a final decision and that deadline will occur before the next regular council meeting; and
5. The members of the council cannot agree by consensus to decide the issue at a special meeting and a majority of the council members wish to decide the issue by a majority vote. When the above exceptions do not apply and consensus cannot be reached, the issue may be placed on the agenda for the next regular meeting or special meeting and the decision may be made at that meeting by majority vote of the council. When voting, any abstention is counted with the majority vote.

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 library 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. The minutes shall be open to public inspection immediately after they are approved.
5. The chairperson will forward an official copy of the minutes to the superintendent.
6. A copy of the official minutes will be posted in the school by the chairperson.

B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

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School Council By-Laws
Walton-Verona Middle School

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

1. School Council Minutes and Agendas
2. Committee Minutes and Agendas
3. Improvement Plan
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 chairperson. Requests must include specific documents and dates.
2. The fee for copying of council records shall be 10 cents per page.
3. Council By-Laws, Policies and the School Improvement Plan shall be posted on the school's web page and can be accessed by the public at no cost.
4. The requested records must be provided to the person making the request within three business days (The attorney general ruled in 01-ORD-94 (May 2001) that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.)
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 school's operational day (8:00 AM - 3:30 PM)
7. 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 local board policy, state guidelines and requirements.

ARTICLE IX
APPEALS

BOARD POLICY

A copy of the local board of education's approved process for Appeals of Council Decisions is attached in Appendix.

First Read 8/29/11 Second Read 10/3/11; Revised:1/2015 2nd read of Revision: 4/2015; 1st read of revision 9/2015; 2nd read of revision 10/2015; Revised: 1st reading 12/15; 2nd reading 1/16; Revised: 1st reading 8/17; 2nd Reading 9/17 Revised: 1st Reading 9/18; 2nd Reading 11/18.

School Council By-Laws
Walton-Verona Middle School

ARTICLE X
AMENDMENTS

A. 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.

B. POLICIES

Policy will be reviewed annually or more often if needed. The council may adopt or amend policies after a first and second reading at two consecutive council meetings by majority vote of the school council.