

Southgate Public School

Site Based Decision Making By-Laws

ARTICLE I. PURPOSE

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

ARTICLE II. MISSION

The mission of the Southgate Public School Council is to set school policy and make decisions that will provide an environment to improve student achievement and that will enable the teachers to impact the educational process.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of 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 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. Southgate Public School council membership may consist of but shall be limited to:
 - a. Principal (chairperson)
 - b. 3 teachers
 - c. 2 parents
 - d. 1 non-voting Classified Staff Representative
 - e. 1 minority parent (if required)
 - f. 1 minority teacher (if required)

B. REQUIREMENT FOR MEMBERSHIP

1. All Members: No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six (6) hours of training from a Kentucky Department of Education endorsed trainer. Experienced members (those with more than one year of service) must complete three (3) hours of training from a Kentucky Department of Education endorsed training provided each year, or can meet their training requirement by participating in the new council member training for 3 hours. In the event the council must select a principal, the council is required by law to obtain training in the areas of recruitment and interviewing prior to beginning the principal selection process.
 - New council members will receive the required training.
 - Experienced council members will choose the type of training needed, or 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 for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Counselors may serve as teacher members. Principals or assistant principals may not serve as teacher council members, nor vote in teacher elections.
3. Parent Members: The legal definition of parent (KRS 160.345 1.c.) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child "preregistered to attend" the school for next year. Parents of 8th graders who are exiting our school may nominate but cannot vote for candidates.

Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative office. 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*" of someone who works at the school or in the district administrative office 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. Election Model: School council elections shall be held each May in order to elect parent and teacher members on a staggered basis. School council member positions shall be labeled and numbered (Parent 1, Parent 2, etc., and Teacher 1, Teacher 2, Teacher 3, etc.) for the purpose of determining positions that will be open to election each year. Positions bearing odd numbers shall be open to election on odd-numbered years, and positions bearing even numbers shall be open to election on even-numbered years.
2. Parent Members: Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May by the school's largest parent organization for the purpose of electing one parent council member. Parent elections shall be by plurality vote (parent with the highest number of votes). A representative of the parent organization 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. Teacher Members: Teachers conduct their own elections as per KRS 160.345. Annual elections shall be conducted each May for the purpose of electing one teacher council member on even-numbered years and two teacher council members on odd-numbered years. Teacher members must be elected by a simple majority (one half plus one) of the number of teachers assigned to the school. The process that teachers may use to elect their representatives should address the following areas:

a. Nomination

Nomination forms may be picked up in the school office and returned to the school secretary. Persons interested in serving on Site-Based Council may be nominated by their peers or by themselves. All nomination forms must be received by the Monday preceding the third Wednesday of May.

b. Preparation of Ballot

After confirming acceptance of the nominations, the school secretary will create a ballot consisting of all persons accepting their nominations.

c. Elections

- Elections shall be conducted during the May faculty meeting.
- Teachers will cast one vote on even-numbered years and two votes on odd-numbered years.
- The teacher(s) receiving the majority vote will be the elected teacher representative(s) for Site-Based Council.

d. Absentee Ballots

Teachers may pick up absentee ballots from the school secretary. Ballots must be returned in a sealed envelope to the secretary prior to

the teacher representative election. The voter may select up to one of the names present on the ballot on even-numbered years and up to two names present on the ballot on odd-numbered years. Votes for these persons will count in each round of the election process permitting they are still on the ballot during the subsequent rounds.

e. Procedures after First Round Ballots

- If no nominee receives majority vote, another vote will take place. This process will continue until one nominee on even-numbered years and two nominees on odd-numbered years have received the "majority vote."
- If more than one nominee on even-numbered years or more than two nominees on odd-numbered years receive majority vote during the initial vote, a re-vote consisting of those people will occur.
- If only one teacher during the initial vote receives majority vote on an odd-numbered year, that teacher will fill one seat and a re-vote will occur for the remaining seat. If more than two people receive majority vote and are tied, those people involved with the tie will be involved in a re-vote for the remaining two seats. This process will continue until all seats have been filled.

f. Delivery of Election Materials

The election materials shall be delivered to the principal the next business day after the election by the vice chair.

4. Term Limits: School 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 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. KRS 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. 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 are expected to attend all council meetings.

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.
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 must pass 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. Organizing and maintaining council records (maintaining minutes of meetings and forwarding a copy to the superintendent after approval of the minutes by the council)
3. Stating when a consensus is present for the record
4. Coordinating standing and ad hoc committees and monitoring committee progress
5. Carrying out any additional responsibilities as stated in these by-laws