

duPont Manual High School School-Based Decision Making Council By-Laws

I. PURPOSE

The School Council of duPont Manual High School has been established in accordance with KRS 160.345 for the purpose of exercising its responsibility to set school policy in the areas specified in the law. The Council's goal is to set school policy which shall provide an environment to enhance students' achievement and help the school meet the goals established by KRS 158.645 and 158.6451. Throughout its deliberations, the Council will be guided by the principles contained in the School's Mission Statement and Comprehensive School Improvement Plan.

II. MEMBERSHIP

1) Composition

The Council will consist of the Principal, three teacher members, and two parent members, unless additional members are necessary to ensure minority representation following KRS 160.345(2)(b)2. In addition, one classified staff member and one student shall voluntarily serve as non-voting advisors to the Council.

2) Qualifications for Membership

Members must meet all requirements given in KRS 160.345(2)(a).

3) Terms

One parent member and one teacher member will be elected in each odd-numbered year. One parent member and two teacher members will be elected in each even-numbered year. All members will serve from July 1 of the year when elected until June 30 two years later. School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirements, but council members may serve a maximum of four consecutive years.

4) Elections

Election of parent, teacher, and classified representatives will be completed by May 1 of each year. The duPont Manual High School Parent Teacher Student Association shall develop procedures to oversee the election of parent representatives. Teachers assigned to the school shall each develop procedures for electing their representatives. The Principal is responsible for organizing a special election to ensure minority representation, if such an election is necessary, according to KRS 160.345(2)(b)2.

5) Vacancies On The Council

If a member of the Council resigns or is removed from office, that member's constituent group shall conduct an election, not more than one month after the vacancy occurs, to choose a representative to complete the remainder of the vacated term.

6) Standards Of Conduct For Council Members

Any member who is unable to fulfill his or her duties to the Council will immediately submit a letter of resignation to the Council Chair. Examples of actions which warrant resignation include, but are not limited to:

- failure to obtain training under KRS 160.345(6);
- absence from more than three (3) regular meetings during an academic year;
- becoming aware of a conflict of interest under KRS 45A.340;

The council may refer any member to the Commissioner of Education for recommendation of removal from office under KRS 156.132 for immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.

III. COUNCIL OFFICERS

1) Chair

On the first meeting of each Council term, the Council will elect a Chair from its membership by majority vote. The Principal will act as Chair during the meeting at which the Chair is elected. In addition to presiding at Council meetings, the Chair of the Council will:

- provide all members of the Council with copies of all school-wide assessment results, provided by the principal, at the next meeting after those results are delivered to the school, and remind Council members of the terms of any embargo that applies to that data;
- coordinate standing and ad hoc committees and monitor committee progress;
- maintain a file of all correspondence addressed to the Council, and only remove items from that file, either to discard them or to file them elsewhere, after they have been brought to two regular Council meetings;
- make available a cost center budget printout, provided by the Principal, on all school spending, for the previous calendar month, as available, at each regular Council meeting;
- be the official custodian of Council records;
- exercise any other responsibility specified in these By-Laws.

2) Vice-Chair

On the first meeting of each Council term, the Council will elect a Vice-Chair from its membership by majority vote. The Vice-Chair will preside at any Council meeting that the Chair is unable to attend.

3) Secretary

A Secretary will be selected by the Council at its first meeting each year. The Secretary does not have to be a member of the Council, but must be willing to perform the duties of the office. The Secretary will prepare minutes for the Council in accordance with Section VII below.

IV. COUNCIL FUNCTIONS

- 1) **Compliance with Board Policy-** Unless the Council specifies otherwise, the Council will adopt the policies of the Jefferson County Board of Education.
- 2) **Compliance with Contracts-** The provisions of any collective bargaining agreement negotiated between the Board and any group of its employees will bind this Council and will in all matters pertaining to the operation and governance of the school. This clause may not be suspended, altered, or deleted for any specific employee group without prior consent by secret ballot of 2/3 of the affected employee group at Manual High School.
- 3) **Required Functions - The Council will:**
 - Be responsible for the appropriation of all funds, regardless of source, not specifically designated for a particular program or job class.
 - Determine, within the parameters of the total available funds, the number of persons to be employed in each job classification at the school.
 - Determine which textbooks will be used at the school.
 - Determine which instructional materials will be used at the school.
 - Determine what student support services will be provided in the school.
 - Select a new Principal for the school.
 - Consult with the Principal before he or she selects persons to be hired to fill other positions at the school.

- Work with appropriate stakeholders to adopt policies to be implemented by the Principal in the following areas:
 - Determination of curriculum, including needs assessment and curriculum development;
 - Assignment of all instructional and non-instructional staff time;
 - Assignment of students to classes and programs within the school;
 - Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
 - Determination of use of school space during the school day;
 - Planning and resolution of issues regarding instructional practices;
 - Selection and implementation of discipline and classroom management techniques, including responsibilities of the student, parent, teacher, counselor, and Principal;
 - Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision;
 - Procedures, consistent with Jefferson County Board of Education policy, for determining alignment with state standards, technology utilization, and program appraisal;
 - Procedures to assist the council with consultation in the selection of personnel by the principal, including, but not limited to, meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation.
- Other issues, consistent with Jefferson County Board of Education policy, necessary to provide an environment to enhance students' achievement and to meet the goals established by KRS 158.645 and KRS 158.6451.
- Determine the professional development offerings to be paid for out of the School's allocation.
- Adopt a policy on committees, which will facilitate the participation of interested persons, including, but not limited to, faculty, administrators, classified employees, students, and parents and will include the number of committees, their jurisdiction, composition, and the process for membership selection.
- Adopt a school improvement plan that meets the requirements set in the board policy attached to these By-Laws.
- Other powers that may be granted by the Jefferson County Board of Education and/or the Kentucky Department of Education.

V. SCHEDULE OF MEETINGS

1) Regular Meetings

At the first meeting of each Council term, the Council will select at least one regular meeting date each month through June of the next calendar year. The Chair will post a copy of the schedule on the main school office bulletin board. He or she will provide a copy of the schedule to the PTSA president, and may notify the local news media in advance of each meeting.

2) Special Meetings

2.1) Calling a Special Meeting - If the Council needs to meet before its next regular meeting, the Chair, the Principal, or at least four members of the Council may call a special meeting.

2.2) Procedure For Holding A Special Meeting

2.2.1) Preparation Of Notice - The Council Member(s) calling the meeting must prepare and sign a written notice that states the date, time, and place of the special meeting and the agenda for the meeting. Only issues listed on that agenda can legally be discussed at the special meeting. The

agenda must be specific, and cannot contain topics such as "other or misc."

2.2.2) Council Member and Media Notice - The Council Member(s) calling the meeting must arrange for the notice to be delivered to every Council member, to the district SBDM specialist, and to any media organization that has asked to be notified of Council meetings. Notice must arrive at least 24 hours before the time set for the meeting.

2.2.3) Posting of Notice - The notice must be posted conspicuously at the school as soon as possible after the meeting is called, and definitely not less than 24 hours before the meeting will be held.

2.2.4) Teacher, Administrator, and Staff Notice - The Council Member(s) calling the meeting must notify all Manual teachers, administrators, and staff of the meeting in writing at least 24 hours before the meeting will be held.

3) Closed Sessions

3.1) Allowed Topics — Closed sessions are allowed only to discuss the topics specified in KRS 61.810. Among those topics, the ones pertaining to SBDM Councils are as follows:

3.1.1) Possible or actual litigation - KRS 61.810(3)(c);

3.1.2) To discuss appointment of individuals - KRS 61.810(3)(f) 3.2) Procedure For Starting Closed Sessions

3.2.1) Notice must be given in an open meeting that a closed session is needed, stating the general nature of the business to be discussed, the reason for the closed session and the specific Section of KRS 61.810(3) that allows the closed session to be held. (See V-3.1.1, V—3.1.2, V-3.1.3.)

3.2.2) A motion must be made in open session to hold a closed session.

3.2.3) The members must vote in open session on the motion, and it must carry by majority vote.

3.3) Conduct of a Closed Session

3.3.1) The Council can only discuss the topics announced in the notice given in the open session.

3.3.2) No final action can be taken. Instead, after discussing the topic fully, the Council must return to open session and make a final decision in public. The minutes of the open session must accurately record all actions taken.

VI CONDUCT OF MEETINGS

1) Quorum –

1.1) In order for the Council to meet, a quorum must be present. A quorum is reached when at least 2/3 of the Council members are present. At least one parent member and two teacher members must be present to have a quorum. Either the Chair or the Vice-Chair must be present to have a quorum.

1.2) The definition of quorum for the purpose of consultation in the hiring of personnel other than the principal, shall be the following:

After prior verbal and written notification of the special meeting (at least 24 hours prior to the meeting) to all SBDM Council members, those who are in attendance shall constitute a quorum.

2) Attendance

The Council will abide by the Open Meetings Law which requires that meetings be open to the public unless the special procedure for closed meetings (Section V—3) is followed.

3) Materials To Be Brought to (or to have available for) Council Meetings

3.1) By The Chair

3.1.1) All items submitted for inclusion on the agenda.

3.1.2) All correspondence addressed to the Council that he or she has received.

3.1.3) A cost center budget printout, provided by the Principal, on all school spending for the previous calendar month, as available.

3.1.4) A copy of any school-wide testing results received since the previous regular meeting.

3.2) By the Secretary

3.2.1) A binder he or she maintains that holds copies of the Council's Bylaws, policies, annual budget, monthly spending reports, and minutes.

4) Agenda

4.1) Each regular or special Council meeting will operate by a written agenda that is developed for the Council by the Chair in cooperation with other Council Members, in advance of the meeting.

4.2) Council members may add items to a regular meeting agenda by contacting the Chair at least 72 hours in advance of the meeting. Items must be submitted in writing.

4.3) The Chair has the authority and responsibility to redirect agenda item requests from non-Council members to the appropriate Committee. Whenever possible, issues should be sent first to Committee. The Chair will operate under the principle that agenda items should come from Committees unless time or circumstances make this impossible.

4.4) Emergency agenda items (which, by their nature, could not be postponed to a later SBDM meeting) may be added at the time of the SBDM meeting only by unanimous consent of all members present at the time of the meeting.

4.5) The agenda will be distributed to all staff, the president of the PTSA, and other constituent groups at least 48 hours in advance of regular meetings and 24 hours in advance of special meetings.

5) Policy Making Procedure

5.1) Individuals or groups wishing to convey a concern or policy proposal for Council consideration should, whenever possible be directed to the appropriate SBDM Committee. Only if the concern or proposed policy does not fall appropriately under the jurisdiction of an existing Committee (or urgency of time does not permit Committee action) will it be added directly to the SBDM agenda.

5.2) If a Committee finds merit in a concern or proposed policy, it may elect to present it to the SBDM Council for consideration. New business before the Council should be developed through the Committee process.

5.3) Each concern and proposed policy for Council consideration will be presented to the SBDM Council by a Council member, the Chair of an SBDM Committee, or a Committee member designated by the Committee Chair. All policy proposals brought before the SBDM Council should include a completed Policy Form which explains the proposal and cites which specific principles contained in the Manual School Learner Goals and/or Objectives the proposal will promote. A proposal will be out of order if it:

5.3.1) is not consistent with the principles in the Manual Learner Goals and Objectives;

5.3.2) is contrary to local, state, or federal law or regulations;

5.3.3) is in conflict with JCPS collective bargaining agreements;

5.3.4) exposes the school or district to unreasonable liability;

5.3.5) exposes the students, staff, and/or others to unnecessary health and/or safety risks;

5.3.6) recommends the transfer or dismissal of any member of the school staff;

5.3.7) authorizes any purchase that exceeds the financial resources available;

5.3.8) is inconsistent with existing Council policy;

5.3.9) is inconsistent with Jefferson County Board of Education policy except for those areas listed in Sections IV-3.8.1 to IV-3.8.8.

5.4) The Council will discuss each policy proposal and concern in enough detail to be sure that members fully understand it. Council and non-Council members who are in attendance at the Council meetings will be provided an opportunity to discuss issues under consideration by the Council using the following procedures:

5.4.1) Input will be allowed before the Council makes its decision.

5.4.2) A Council member, Committee Chair, or Committee Chair designee who has recommended an item on the agenda will be given the opportunity to speak first on the issue.

5.4.3) As each topic is discussed the Chair will call on speakers in a fair manner, allowing equal opportunity for each to be heard. For the purpose of maintaining order or insuring the progress of the meeting the Chair may, at the request of any Council member including the Chair, limit the number of non-Council speakers and/or the time allowed per speaker (Council or non—Council members).

However, in no case will the number of non-Council speakers be

limited to less than 6 for any agenda item, nor will the time per speaker be limited to less than two

minutes.

5.5) After discussion of each issue, any member of the Council may make a motion as follows:

5.5.1) Concerns

5.5.1.1) Refer the concern to an existing Committee which may develop a proposal to address the concern. A resulting proposal would be presented at a later SBDM Council meeting by the Committee Chair or Committee Chair designee;

5.5.1.2) Form an ad hoc Committee to develop a proposal to address the concern which would be presented at a later SBDM Council meeting by the ad hoc Committee Chair or ad hoc Committee Chair designee;

5.5.1.3) Take direct Council action by recommending a policy to the faculty, administrators, classified employees, students, and parents (Only when VI-5.5.1.1 and VI-5.5.1.2 are not appropriate.)

5.5.2) Policy proposals from Committees (and revised proposals from Committees)

5.5.2.1) Recommend the proposed policy to the faculty, administrators, classified employees, students, and parents;

5.5.2.2) Amend the proposed policy

5.5.2.3) Return the proposed policy to Committee for revision.

5.5.3) Policy proposals not from Committees

5.5.3.1) Recommend the proposed policy to the faculty, administrators, classified employees, students, and parents;

5.5.3.2) Refer the proposed policy to an existing Committee for further development. A revised proposal could be presented at a later SBDM Council meeting by the Committee Chair or Committee Chair designee;

5.5.3.3) Form an ad hoc Committee to revise the policy proposal, which would be presented at a later SBDM Council meeting by the ad hoc Committee Chair or ad hoc Committee Chair designee.

5.6) Without objection any such motion will pass by consensus. If consensus cannot be reached, the motion will be added to the agenda for the next regular or special called Council meeting where consensus will again be sought. If consensus is still not possible upon a second hearing, the motion will be decided by majority vote of the members present.

5.7) All policy proposals recommended by the Council will be submitted to the faculty for further reflection at the next faculty meeting. The faculty will be given time during the faculty meeting to discuss the recommended policy proposals and give feedback.

5.8) After recommended policy proposals have been submitted to faculty, administrators, classified employees, students, and parents, the SBDM will meet again to assess the faculty. At this time any Council member may make a motion as follows:

5.8.1) Adopt the recommended proposal as policy,

5.8.2) Amend the recommended proposal minimally to address minor problems;

5.8.3) Refer the proposal back to an existing Committee for more significant revision. A revised policy proposal could be presented at a later SBDM Council meeting by the Committee Chair or Committee Chair designee (see VI—5.5.2 above);

5.8.4) Form an ad hoc Committee to revise the proposal more significantly. A revised policy proposal could be presented at a later SBDM Council meeting by the ad hoc Committee Chair or ad hoc Committee Chair designee (see VI-5.5.2 above).

5.9) Without objection any such motion will pass by consensus. If consensus cannot be reached, the motion will be added to the agenda for the next regular or special called Council meeting where consensus will again be sought. If consensus is still not possible upon a second hearing, the motion will be decided by majority vote of the members present.

5.10) If a motion, other than a routine motion such as adopting the agenda, adjournment, etc., is not already in written form when it is made, the Secretary will write the motion as it has been presented and read it back to the Council.

6) Non-Agenda Item Speakers

At the end of regularly scheduled Council meetings, time will be provided for individuals wishing to address the Council regarding issues not included on the meeting agenda. Speakers will be limited to a

maximum of three minutes each. Individuals wishing to address the Council on non-agenda issues must sign, on a first come basis, a speakers list which will be provided immediately prior to the start of the meeting. The speaker must indicate the topic to be addressed. The speakers list will be limited to a maximum of 5 individuals. Groups expressing a similar position are encouraged to choose a spokesperson. Any further discussion or action must be forwarded to the appropriate Committee or added to the agenda for the next Council meeting. The chair will explain these rules to new speakers.

7) Staffing, Instructional Material Selection, Professional Development, And Budgeting Procedures

The Council will, through consultation with the appropriate committees, establish, maintain, and follow specific policies for staffing, planning professional development, selecting instructional materials, and budgeting.

8) Rules Of Procedures For Meetings

It is the goal of the Council to facilitate productive discussion by conducting meetings in a casual but orderly fashion; however, for the purpose of maintaining order or insuring the progress of the meeting, the Chair may, at the request of any Council member including the Chair, conduct the discussion of individual agenda items using Roberts Rules Of Order, Newly Revised.

9) Appeals Of Council Decisions

The Jefferson County Board of Education has established a process of appeals of Council decisions, and a copy of that process is attached to these By-Laws.

10) Special Responsibilities For The First Meeting Of Each Council Term

10.1) Review these By-Laws and policies adopted by the Council, with particular attention to any revisions which may be needed due to changes in the law.

10.2) Select a Chair, Vice-Chair, and Secretary.

10.3) Set a regular meeting schedule for the year. _

10.4) Verify that all members have copies of the following documents:

10.4.1) the Manual SBDM By-Laws;

10.4.2) the Manual High School Vision and Mission Statements, Learner Goals, and Objectives;

10.4.3) the Jefferson County Board of Education SBDM appeals policy and reimbursement policy;

10.4.4) all Council policies now in effect;

10.4.5) budgets, budget amendments, and spending reports in effect this year (as available) and the preceding year (as available);

10.4.6) the school's most recent testing data;

10.4.7) the school's current Comprehensive School Improvement Plan.

VII MINUTES AND OTHER COUNCIL RECORDS

1) Minutes To Be Kept And Approved

1.1) The Secretary will keep minutes of each Council meeting. The minutes will include the names of those in attendance and will state accurately each motion made and the action taken on it by the Council. If the action was to adopt a written statement of policy or a written statement of some other decision, the entire text of that statement will be attached to the minutes.

1.2) The Secretary will prepare a typed copy of the minutes of that meeting, marking them clearly as "Not Yet Approved By Council." To the minutes, the Secretary will attach copies of any policy, budget, By-Law, amendment, or other document approved by the Council. The Secretary will send copies of this document to each member of the Council.

1.3) The Council will review, revise, and approve the copy of the minutes at its next meeting. Immediately after the meeting at which they were approved, any member of the public is entitled to inspect them.

2) Distribution Of Council Documents

2.1) After each Council meeting, the Secretary will make copies of the approved minutes and any documents attached to them. The Secretary will distribute those documents as follows:

2.1.1) One copy will be distributed to each member of the SBDM Council.

2.1.2) One hard copy and one electronic copy, along with all supporting documents, will be sent to the SBDM Specialist.

2.1.3) One copy with all supporting documents will be kept in a binder in the possession of the Secretary, and that binder will be brought to each Council meeting.

2.2) Prior to the next regular SBDM meeting, the Secretary will enter the approved minutes into the computer to be used for reference at future SBDM meetings.

VIII. COMMITTEES

It will be the policy of the Manual School Council that several Committees be established, and that these Committees provide the bulk of the staff work done on behalf of the Council. All Manual teachers, counselors, administrators, support personnel, parents, students, and interested community members may be members of one or more of the Committees. Committees are encouraged to seek diverse members from all these groups. The Council will provide each Committee with a copy of the school's Committees Policy, explaining Committee responsibilities, membership, operating procedures, etc. The committees will be specified by the Committees Policy.

IX. AMENDMENT TO BY-LAWS

These bylaws may not be suspended. All motions to amend these By-Laws will be submitted in writing. No decision on a motion to amend the By-Laws will be made until after the topic has appeared twice in the preliminary agenda for regular Council meetings. Amendments will require at least 2/3 affirmative vote of those present to be adopted, and must take place during a regularly scheduled SBDM meeting.