



MEYZEEK MIDDLE SCHOOL SCHOOL-BASED DECISION MAKING COUNCIL BY-LAWS

I. PURPOSE

The School Based Council of Albert E. Meyzeek Middle 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. Throughout its deliberations, the Meyzeek School Council will be guided by the principles contained in school improvement plans.

II. COUNCIL MEMBERSHIP

- a. **Composition.** The Council will consist of six teachers, four parents, two administrators (including the Principal), and one nonvoting classified employee. A chairperson and vice-chairperson shall be selected from the council members by a majority vote, serve a term of one year (From May of the current year through May of the following year). The vice-chairperson shall serve in the absence of the chairperson.
- b. **Minority Representation.** As long as Meyzeek maintains a minority student population equal to or greater than eight percent (8%), the school will have at least one minority representative (in any of the role groups) to the SBDM Council (KRS 160.345). Minority qualifications are listed in II.C.iii.
- c. **Qualifications for Membership.** No one may serve on the Council who has a legal conflict of interest as defined in KRS 45A.340.
 - i. **Teacher Members.** To serve as a teacher member of the Council, one must hold a teaching or counseling position at Meyzeek Middle School requiring a state certificate, and must not hold the office of Principal or Assistant Principal.
 - ii. **Parent Members -** To serve as a parent member of the Council, one must be the parent, stepparent, foster parent, or legal guardian of a child who is enrolled or pre-registered to attend the school during the term of office. One must not be a district employee, a relative of a district employee, a member of the district school board, or the spouse of a district school board member.
 1. At least one parent member will be from Meyzeek's resides population.

2. At least one parent member will be from Meyzeek's magnet population.
 3. In the event that elections do not yield the balance described, parents from the represented constituency may fill the parent member vacancy.
- iii. **Minority Members.** Minority members must be American Indian; Alaskan Native; African American; Hispanic, including person of Mexican, Puerto Rican, Cuban, and Central or South American origin; Asian American or Pacific Islander; or other ethnic group under-represented in the school. Parent minority members and teacher minority members must also meet the appropriate eligibility requirements listed above.
- d. **Terms.** Three teacher members and two parent members will be elected in each odd-numbered year. Three teacher members and two parent members will be elected in each even-numbered year. All members—parents, teachers, and administrators—will serve from the first May meeting of their term through the May meeting at the end of their two-year term. After serving a two-year term, a Council member must wait at least one year before seeking another term on the Council.
- e. **Elections.**
 - i. **Teacher Members:** All full-time and part-time teachers (including counselors) assigned to the school may participate in the selection process for the teacher members of the Council. The selection process will be completed by **April 30** of each year, with the results being reported in writing to the principal by **May 1** of each year. Teacher members must be elected by a simple majority vote of all teachers assigned to the building. An Election Committee consisting of teacher volunteers shall determine the nomination and balloting procedures. The Election Committee may want to consider procedures for the following: nominations, ballots, the election, ties, or failure to receive a majority vote.
 - ii. **Parent Members.** Election of parent members will be completed by the Meyzeek Middle School Parent Teacher Student Association no later than the end of April. The Principal will assist the PTSA in alerting parents to the election schedule. The president of the PTSA will notify the current council of the names of those elected not later than the end of the first full week of May.
 - iii. **Additional Minority Members.** If the Principal or other Administrator is a minority as defined above or if any elected teacher or parent

member is a minority member as defined above, no further election is required. Otherwise, additional members will be elected as provided below within two school days of the election of all Council members.

- iv. **Minority Teacher.** If the school has one or more minority teachers, the Principal will notify those minority teachers of their right to run as a candidate for an additional seat on the Council. Within one week of notification, all certified Meyzeek Middle School teachers will either nominate at least one willing minority teacher candidate for the additional seat on the Council or determine that they will not name a minority candidate.
 - v. **Minority Parent.** The Principal will notify the parents of all students in writing of the date, time and place she or he has selected for an additional election. At that time, parents will nominate candidates and elect one additional minority parent member. Only parents who are themselves minority members may be elected to the minority position.
 - vi. **Classified Employee Member.** The classified staff shall meet to determine its candidates and select a representative by the end of the first full week of May.
- f. **Vacancies on the Council.** When a Council member resigns, is removed, or dies, a new member will be elected to complete that term.
- i. **Teacher Vacancy.** Within two school days after the Principal becomes aware of the need to elect a replacement teacher Council member, she or he will notify in writing all certified teachers of the vacancy. This communication will include the text of this subsection (II-f) of the By-Laws. Nominations for a replacement Council member must be submitted within ten school days after the staff is notified of the vacancy. The election will be held five school days after that, following the procedure outline in Section II-e above.
 - ii. **Parent Vacancy.** Within two school days after the Principal becomes aware of the need to elect a replacement parent Council member, she or he will notify in writing the president of the PTSA of the vacancy. The PTSA president will call an election to be held not less than ten days nor more than twenty school days after the notification occurs. The PTSA President, with approval by the Principal, will send notices of the election home with each student at the school.
 - iii. **Minority Vacancy.** In the event that the vacancy is a minority seat, the seat will be filled by a minority according to the procedures outlined in Section II-e-iv and timeline outlines in Section II-f-i and II-f-ii.

- iv. Term of Vacancy Seat. The person elected in the special election will serve the remainder of the term of the person she or he replaces and will be eligible for re-election if no more than one school year has been served.

g. Standards of Conduct for Council Members

- i. Attendance. Members of the Council will attend Council meetings consistently with no more than three (3) absences from regularly scheduled meetings per term year. If a Council member cannot do so, she or he will submit immediately a letter of resignation to the Council chair.
- ii. Conflict of Interest. No member will enter into any business dealing that creates a conflict of interest under KRS 45A.340, and any member who is discovered to be in such a conflict of interest will submit immediately a letter of resignation to the Council chair.
- iii. Teacher Departure. A teacher member who ceases to be assigned to the school before her or his term is completed, will submit immediately a letter of resignation to the Council chair.
- iv. Parent Departure. A parent member whose child ceases to attend the school before her or his term is completed, will submit immediately a letter of resignation to the Council chair.
- v. Criminal Conduct. Any member of the Council who is convicted of a felony during her or his term of office will immediately submit a letter of resignation to the Council chair.
- vi. Professional Development. Adequate knowledge of school based decision making and related aspects of Kentucky's educational system are essential to effective Council membership. Within thirty (30) days of the beginning of the Council's term year—or by the first available district-sanctioned training session—all council members will obtain six (6) hours of training on SBDM issues in their first year on the Council and an additional three (3) hours of training in each term of office thereafter. Council members who are elected to fill a vacancy will complete the appropriate training within thirty (30) days of their election or by the first available district-sanctioned training session.
- vii. Intentional Interference with SBDM. No member of the Council will intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of SBDM to allow the professional staff members of our school and parents to be involved in the decision making process in working

toward meeting the educational goals of the Kentucky Education Reform Act or to make decisions in the policy areas listed in Section IV below (See Removal Process, Section VII).

III. COUNCIL OFFICERS

a. Chair

- i. On the first meeting of each Council term, the Council will elect, by secret ballot, 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 will:
 1. Request that the Principal provide all members of the Council with copies of all district, state, and federal assessment results within seven (7) school days after those results are delivered to the school, and remind Council members of the terms of any embargo that applies to that data;
 2. Have final authority in resolving questions regarding the appropriate committee to which an issue, concern, or proposal should be assigned;
 3. 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;
 4. Make available a cost center budget printout, provided by the Principal, on all school spending for the previous calendar month when requested by a Council member three (3) school days prior to a regular Council meeting.
 5. Be the official custodian of Council records;
 6. Exercise any other responsibility specified in these By-Laws.
- ii. If the elected SBDM Chair is a teacher, during the Chair's term of office he or she will be allotted—if possible—additional planning time. This time will be used to coordinate SBDM activities and discharge the responsibilities of the office of the SBDM Chair.

b. Vice-Chair

- i. On the first meeting of each Council term, the Council will elect, by secret ballot, 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.

- ii. At Council meetings that the Vice-Chair presides, s/he will be afforded all responsibilities and authority given the Chair.

c. Secretary

- i. 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 (Section **VI-3-2**).
- ii. The Secretary will prepare minutes for the Council in accordance with Section VII.

IV. COUNCIL FUNCTIONS

- a. Once elected to the SBDM Council, members must adhere to all SBDM By-Laws.
- b. Responsibilities of members include the following:
 - i. Attending all regular and special-called meetings of the Council;
 - ii. Considering the needs of all students when making decisions as a Council Member,
 - iii. Supporting, promoting, and communicating Council decisions to constituents.

V. SCHEDULE OF MEETINGS

- a. Regular Meetings. The principal shall call the May meeting of the Council each year. At this meeting, the SBDM Council shall determine all regularly scheduled meeting times, dates, and locations for one calendar year. Notices for regular meetings will be provided to the media through the local District Central Office designee and posted publicly within the building and communicated directly to parents via the PTSA newsletter or school-generated written communications.
- b. Special Meetings. In the event a special meeting is needed, the principal or a majority of the other members of the SBDM Council may call a meeting. During special meetings, the SBDM Council may discuss only those issues listed as the purpose for the meeting. Whoever calls the meeting has the responsibility of the following:

- i. Posting of the Notice. The date, time, place, and purpose of the meeting shall be posted publicly within the school. This must be done a minimum of 24 hours in advance and must include the date, time, place, and purpose of the meeting.
 - ii. Notice Distribution. A written and verbal notice, which includes the date, time, place, and purpose of the meeting, must be provided to each Council member. Written notification must be forwarded to the District Central Office designee so media notification can be obtained. This must be done a minimum of 24 hours in advance and must include the date, time, place, and purpose of the meeting.
 - iii. Announcement. The principal or designee will announce the date, time, place, and purpose of the special meeting when school is in session.
- c. Meeting Status. All SBDM meetings shall be open to the public. The SBDM Council may go into closed session from the open meeting under specific circumstances, outlined below.
- d. Closed Meetings. Allowed topics for closed meetings are those specified in KRS 61.810. Among those topics, the ones pertaining to SBDM Councils are as follows:
 - i. Possible or actual litigation taken against or taken by the SBDM Council (see KRS 61.810(3)(c))
 - ii. Appointment, dismissal, or discipline of an employee, member, or student—KRS 61.810(3)(f). (However, if the affected individual asks for a public hearing, that request must be granted.) General personnel matters not involving a specific individual may not be discussed in a closed session. (Since Councils have no direct role in evaluating or disciplining staff or students, only appointment of employees are likely to be discussed in closed session.)
 - iii. Review of the principal’s actions in dealing with a staff or student situation to determine whether or not the action was consistent with the Council’s policy (See KRS 61.810(3)(f))
- e. Procedure for Starting Closed Sessions
 - i. 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.

- ii. A motion must be made in open session to hold a closed session.
- iii. The members must vote in open session on the motion, and it must carry by majority vote.

f. Conduct of a Closed Session

- i. The Council can only discuss the topics announced in the notice given in the open session.
- ii. 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.

g. Meeting Cancellation.

- i. A meeting of the SBDM Council may be canceled by a majority of the Council. In the event school is canceled or dismissed early due to inclement weather, the SBDM Council meeting will be canceled and later re-scheduled.
- ii. Following cancellation, a meeting can be re-scheduled using the procedures delineated for special sessions.

VI. CONDUCT OF MEETINGS

- a. Quorum. In order for the Council to vote on any issue, a quorum must be present. A quorum is reached when at least 2/3 of the Council members are present. At Meyzeek, a quorum is reached when eight voting members of the Council are present. Parent and teacher representatives, as well as at least one administrator, must be present to reach a quorum.
- b. Attendance. The Council will abide by the Open Meetings Law which requires that meetings be open to the public unless the special procedure for a closed meeting is followed.
- c. Materials to be Available for Council Meetings
 - i. By the Chair
 - 1. All items submitted for inclusion on the agenda;
 - 2. All correspondence addressed to the Council that she or he has received;

3. A cost center budget printout, provided by the Principal, on all school spending for the previous calendar month when requested by a council member three (3) school days in advance of a regularly scheduled SBDM meeting;
4. A copy of any district, state, or federal assessment results received since the previous regular meeting.

ii. By the Secretary

1. A binder she or he maintains that holds copies of the Council's By-Laws, policies, annual budget, monthly spending reports, and minutes;
2. A computer or computer files containing all past SBDM decisions in a form that may be searched for particular issues or key words;
3. A timer for the purpose of limiting speakers' time.

d. Agenda

- i. 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.
- ii. Council members may add items to a regular meeting agenda by contacting the Chair no later than three school days in advance of the meeting. Items must be submitted in writing. Special-called meeting agenda may not have additions.
- iii. 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.
- iv. 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.
- v. The agenda will be distributed to Council members at least 24 hours in advance and posted publicly in the school.

e. By-Law and Policy Making Procedure

- i. By-laws and policies shall be developed by the SBDM Council or committees established by the Council. All policies and by-laws shall require two readings before they are adopted. No policy or by-law shall be adopted by the Council at the meeting in which it is introduced. Amendments to by-laws and policies shall require two readings as outlined here.
- ii. Individuals or groups wishing to propose a by-law or policy for Council consideration should—whenever possible—be directed to the SBDM Chairperson, who will determine the appropriate next steps for the proposal. If the concern or proposed policy falls appropriately under the jurisdiction of an existing and viable Committee, the chair shall refer the matter to said committee. If urgency of time does not permit Committee action, it will be added directly to the SBDM agenda.
- iii. If a Committee finds merit in a proposed by-law or 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.
- iv. Each proposed by-law or 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 proposals brought before the SBDM Council should include a completed by-law or policy form which explain the proposal and cites which specific principles contained in the Meyzeek school improvement plan the proposal will promote. A proposal will be out of order if it:
 1. is not consistent with the principles in the Meyzeek school improvement plan;
 2. is contrary to local, state or federal law or regulations;
 3. is in conflict with JCPS collective bargaining agreements;
 4. exposes the school or district to unreasonable liability;
 5. exposes the students, staff, and/or others to unnecessary health and/or safety risks;
 6. recommends the transfer or dismissal of any member of the school staff;

7. authorizes any purchase that exceeds the financial resources available;
 8. is inconsistent with existing Council policy;
 9. is inconsistent with Jefferson County Board of Education policy except for those areas listed in Sections IV.
- v. The Council will discuss each proposed by-law and policy 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:
1. Input will be allowed before the Council makes its decision;
 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;

As each topic is discussed, 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 (3) minutes each. Individuals wishing to address the Council on non-agenda issues must sign, on a first come basis, a list of speakers which will be provided immediately prior to the start of the meeting. The speaker must indicate the topic to be addressed. The list of speakers will be limited to a maximum of twenty (20) individuals. Groups expressing a similar position are encouraged to choose a spokesperson.

- vi. Without objection any such motion will pass by consensus after the second reading. Only one reading may be completed at each Council meeting. 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 two-thirds (2/3) majority vote of the members present.
- f. Non-Agenda Item Speakers. At the beginning and 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 (3) minutes each. Individuals wishing to address the Council on non-agenda issues must sign, on a first come basis, a list of speakers which will be provided immediately prior to the start of the

meeting. The speaker must indicate the topic to be addressed. The list of speakers will be limited to a maximum of twenty (20) 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.

- g. Staffing, Instructional Material Selection, Professional Development and Budget 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.
- h. 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*.
- i. Appeals of Council Decisions. The Jefferson County Board of Education has established a process of appeals of Council decisions; a copy of that process is attached to these By-Laws.
 - i. For a person(s) to appeal a decision of the SBDM Council, she or he must first request in writing an opportunity to be heard, and the request shall include information on the purpose of the appeal.
 - ii. The SBDM Council shall schedule a hearing within thirty (30) days from the day of the request. The person(s) bringing the appeal shall be given written notification of the hearing date and time.
 - iii. The parties may be represented by legal counsel and may call witnesses relative to the appeal.
 - iv. The SBDM Council shall consider the merits of the complaint, make a decision, and respond in writing to the complainant.
 - v. A copy of the reply shall become a part of the official minutes of the SBDM Council.
 - vi. If the matter is not satisfactorily resolved within no longer than ten (10) calendar days of the hearing, an appeal may be submitted in writing to the superintendent/designee who will refer it to the District's SDBM Appeals Board (Policy BLCC).

- j. Special Responsibilities for the First Meeting of each Council Term
 - i. Review these By-Laws and policies adopted by the Council, with particular attention to any revisions which be necessary due to changes in the law;
 - ii. Select a Chair, Vice-Chair , and Secretary;
 - iii. Set a regular meeting schedule for the year;
 - iv. Verify that all members have copies of the following documents:
 - 1. the Meyzeek Middle School SBDM By-Laws;
 - 2. the Meyzeek Middle School current school improvement plan;
 - 3. the Jefferson County Board of Education SBDM appeals policy;
 - 4. all Council policies now in effect;
 - 5. budgets, budget amendments, and spending reports in effect for the current year and the preceding year;
 - 6. the school's most recent district, state, and federal assessment results;

VII. REMOVAL OF A COUNCIL MEMBER

- a. A member of an SBDM Council may be removed by the Kentucky Board of Education if he or she engages in a pattern of practice that circumvents or is detrimental to the process (KRS 160.345(9)).
- b. A member of an SBDM Council may be removed for cause, after an opportunity for a hearing before the local board, by a vote of four-fifths (4/5) of the membership of the board of education and after recommendation of the chief state school officer (KRS 156.132 & KRS 160.347).

VIII. MINUTES AND OTHER COUNCIL RECORDS

- a. Minutes
 - i. Written minutes of each regular and special called meeting of the school SBDM Council will be kept.

- ii. The SBDM Council secretary will keep minutes for each meeting of the Council.
 - iii. The minutes must be an accurate record of actions and votes taken by the Council at each meeting.
 - iv. If the action taken was the adoption of a by-law, policy, or other written materials (i.e. the school improvement plan, budget allocations, committee report), these will be attached to the minutes of the meeting when the action occurred.
 - v. The Council will review a copy of the minutes, make amendments, and approve them at their next meeting. The minutes shall be available for inspection immediately following the meeting when they are approved.
 - vi. Copies of approved minutes will be posted publicly at the school, filed for public review in the school's office and forwarded to the superintendent/designee (three copies).
- b. Requests for Council Records. SBDM Council records are available for inspection during the hours of operation of the school's library/media center. Requests for copies of the Council records must be made to the principal. This request must include specific dates and documents. Within three (3) days of receiving the request, the principal will provide the requested records or a written explanation of why these will not be provided.

IX. STANDING COMMITTEES

- a. The SBDM Council will utilize an ad hoc and standing committee structure to encourage expanded participation in the decision-making process and to facilitate the functioning of the SBDM Council.
- b. Faculty, administrators, classified staff, parents, and community members are encouraged to serve on SBDM-assigned committees.
- c. Standing and ad hoc committees are formed and dissolved by the School Council as needed. The Council will determine the needed standing committees and the responsibilities of these committees each year at their first meeting of the new Council members.
- d. Committee membership will be obtained through a sign up of volunteers. The council will review to determine if additional representation is needed and/or to approve this list by the end of August each year. Once approved, committee volunteers will be notified of their first meeting by the Council

Chair. No less than one SBDM Council member must be on each standing committee.

- e. Each committee shall elect a chairperson by majority vote at their first meeting. The term of the chairperson will be one year. The chairperson may be elected to consecutive terms.
- f. Each committee shall determine the frequency and agenda of meetings. Written minutes of each committee meeting will be kept as an open, permanent record of the activities of each assigned committee. The agenda and minutes will be forwarded to the SBDM Council and will become part of the required documentation filed by the Council secretary.
- g. Committees have the responsibility to carry out tasks assigned to them by the School Council. Committees may research issues, gather school-wide input, or prepare drafts for the SBDM Council.
- h. Decisions of the SBDM assigned committees shall be made by consensus. In the event consensus cannot be reached, a majority vote will be used to decide the issue.
- i. Committee chairperson/designee must report (both oral and written) to the SBDM Council as requested by the Council.
- j. Committees are empowered only to make recommendations to the Council; no binding decisions are made in committees.