

**Marion County High School  
SCHOOL-BASED DECISION MAKING**

**BYLAWS**

**MARION COUNTY HIGH SCHOOL  
735 East Main Street  
Lebanon, Kentucky 40033**

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**MARION COUNTY HIGH SCHOOL  
Lebanon, KENTUCKY**

**SCHOOL-BASED DECISION MAKING COUNCIL  
BYLAWS**

**SBDM MISSION STATEMENT:** The Marion County High School School-Based Decision Making Council will strive to set policy designed to enhance student achievement by maintaining high academic standards, a safe and orderly environment, and high student and staff morale.

**I. PURPOSE OF THESE BYLAWS**

To provide the council with a set of rules under which to function.

**II. MEETINGS**

A. All Meetings

1. Council meetings must comply with the requirements of the Open Meetings Law (Appendix A).
2. Council meetings shall be open to the public unless the council goes into closed session under the provisions of the Open Meetings Law (Appendix A).

B. Regular Meetings

1. At the first council meeting on or after July 1 each year, the council shall designate a regular meeting time and place.
2. The principal shall post a copy of the regular meeting schedule in the teachers' workroom and in a place regularly accessible to parents. The principal shall also make the regular meeting schedule available to callers to the school office and on the school web site.

C. Special Meetings

1. Any meeting not at the regular meeting time or place is a special meeting.
2. A special meeting of the council may be called by the chairperson or by a majority of council members.
3. Any special meeting of the council must comply with the requirements of the Open Meetings Law (Appendix A). The following steps must be taken:
  - a. WRITTEN NOTICE. The person or persons calling the meeting must prepare and sign a written notice that states the date, time, and place of the special meeting and an agenda for the meeting. No issue not listed on that agenda can legally be discussed at the special meeting.
  - b. DELIVERY OF NOTICE. The person or persons calling the meeting must arrange for the written notice to be delivered to every council member and to any media organization that has asked to be notified of council meetings. The delivery can be made by hand, facsimile machine, or mail, but the method must be one that allows the notice to arrive at least 24 hours before the time set for the meeting.
  - c. POSTING OF NOTICES. The notice must be posted conspicuously at the school, and also at the building where the meeting will be held if the meeting will not be held at the school. These copies should be posted as soon as possible after the meeting is called, but definitely no less than 24 hours before the meeting will be held.

**III. AGENDA/MINUTES**

A. Agenda Requests

Anyone may submit items for inclusion on the agenda to the chairperson. The chairperson will maintain a complete file of those items.

B. Preliminary Agenda

The chairperson shall prepare a preliminary agenda in advance of each regular meeting including all items that the chairperson believes need council attention at that session. Each preliminary agenda will include the following items:

1. Approving agenda for this meeting
2. Approving minutes of previous meeting
3. Student Achievement Report
4. ~~Consolidated Planning Report(s)~~
5. Financial Report
6. ~~Reports from other committees~~

- C. Distribution of Preliminary Agenda  
One week before the meeting, the chairperson shall distribute the agenda to other council members and make it available to other interested persons including the media.
- D. Approval of Agenda  
At the beginning of each regular council meeting, the council shall approve an agenda for the meeting. The agenda may be the same as or different from the preliminary agenda.
- E. Special Meeting Agenda  
For special meetings, the chairperson or the persons calling the meeting shall prepare the agenda and distribute and post it as required by the Open Meetings Law (Appendix A). In accordance with the Open Meetings Law (Appendix A), items may be subtracted from but not added to the agenda of a special meeting
- F. Draft Minutes/Approved Minutes  
Draft Minutes will be distributed within one week of council meetings. As changes are made to draft minutes the revised draft minutes will redistributed prior to the next regular scheduled council meeting. Approved minutes will be distributed within one week following their approval.

**IV. COMPOSITION AND TERMS**

- A. Composition of the Council  
The council shall consist of the principal, three teacher members, and two parent members. If the minority enrollment at the school was eight percent (8%) or higher on the October 1 preceding the start of a new council term, the council shall also include at least one minority member to represent both teachers and parents.
- B. Terms for Teachers  
Terms of teacher council members shall be for one year, beginning July 1 and ending on June 30 of the following year. Teacher council members are eligible to run for re-election.
- C. Terms for Parents  
Terms for Parent council members shall be for one year, beginning July 1 and ending on June 30 of the following year. Parent council members are eligible to run for re-election.
- D. Leave of Absence  
Leave of absence for a council member shall not be granted.

**V. ELECTIONS**

- A. Teacher Elections  
The KASC will be used as the guideline for electing teachers. The committee in charge of election will be appointed by principal.  
In the case of no teacher receiving the majority (half plus one) of the votes during the initial ballot, after the second vote then the teacher receiving the lowest number of votes will be dropped from the ballot, unless only two candidates are remaining. In this case, one of the two candidates must receive a majority.  
  
Majority is the half of the eligible voting staff members plus one.  
  
In order for a teacher to serve on the council, he or she must receive a majority of the votes.  
  
After each vote, the number of votes per candidate will be announced/posted.  
  
Eligible voters must be present to vote.
- B. Parent Elections  
The KASC will be used as the guideline for electing parents.
- C. Minority Representatives  
The KASC will be used as the guideline for electing teachers and parents.
- D. Vacancies During a Term of Office
  - 1. Notice of Vacancy  
When either a teacher or parent vacancy occurs in the middle of a term, a new member shall be elected to complete that term. The principal shall post a notice in the faculty workroom and in a place readily accessible to parents stating that there is a vacancy and including the text of this subsection of the bylaws. The principal shall also communicate this information to the

president of the parent-teacher organization. These steps shall be taken within two school days after the principal learns of the vacancy.

2. Election to Fill a Teacher Member Vacancy  
Nominations shall be submitted to the principal within ten school days after the vacancy occurs, and the election shall be held five school days after that, following the procedure described in the teacher election section of these bylaws.
3. Election to Fill a Parent Member Vacancy  
The president of the parent-teacher organization shall call an election to be held not less than ten or more than twenty school days after the vacancy occurs. The procedures described in Section V B of these bylaws will be used.
4. Election to Replace a Minority Parent Member  
The principal shall implement the procedure described in Section V C of these bylaws.
5. Election to Replace an Additional Teacher Member  
The principal shall implement the procedure described in Section V C of these bylaws.
6. Emergency Vacancy Election Procedures (Summer Break)  
Chairman or vice chairman will take nominations for 3 days and election will be on next available whole staff work day.

## **VI. COUNCIL TRAINING**

### **A. New Members**

Members elected for the first time shall complete a minimum of six hours of training in the process of school-based decision making no later than 30 days after the start of their terms. They can get that training any time between the date they are elected and the 30-day deadline. This training must be provided by a person endorsed by the Kentucky Department of Education or Kentucky Association of Council School trainer for new member training.

### **B. Veteran Members**

Members who have served on a council before shall complete at least three hours of training in the process of school-based decision making no later than 120 days after the start of their terms. They can get that training up to one year before the 120-day deadline. This training must be provided by a person endorsed by the Kentucky Department of Education and a Kentucky Association of Council School trainer for experienced member training.

### **C. Mid-Year Vacancies**

Members who are elected to fill a vacant position in the middle of the year shall complete the required training no more than 30 days after they are elected, from a person with appropriate endorsement from the Kentucky Department of Education and a Kentucky Association of Council School trainer .

### **D. Reimbursements**

Requests to be reimbursed for training costs shall be made according to the Marion County Board of Education Policy and Procedure Manuel (Appendix B).

### **E. Reporting**

By November 1 each year, the principal shall give the superintendent the names and addresses of each council member and verify that the required training has been completed. The superintendent will forward that information to the Department of Education.

## **VII. STANDARDS OF CONDUCT AND REMOVAL OF MEMBERS**

### **A. Standards of Conduct**

#### **1. Attendance**

Members of the council shall attend all council meetings. If a member is unable to attend a meeting, he/she shall 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 with the member and to take appropriate action.

#### **2. Conflict of Interest**

No members shall enter into any business dealing that creates a conflict of interest under KRS 45A.340, and any member who discovers the existence of such a conflict of interest shall resign.

#### **3. Ongoing Eligibility**

Any member who ceases to be eligible to serve on the council shall resign. Examples include teachers who transfer to other schools, parents whose children transfer to other schools, and any other change that makes a person ineligible for their position.

#### **4. Improper Meeting**

No combination of one half or more of the members of the council shall meet to discuss council business without following the procedures for scheduling a meeting of the full council in accordance with The Open Meetings Law (Appendix A) and described in Section II of these bylaws.

5. Intentional Interference with School-Based Decision Making

No member of the council shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of school-based decision making to allow the professional staff members of a 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 exercise the powers granted to councils by state law.

B. Removal of Members

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

1. Commissioner's Recommendation

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

2. Office of Education Accountability

The Office of Education Accountability 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.

## VIII. COUNCIL OFFICERS

A. Chairperson

The principal shall serve as the chairperson of the council. The chairperson shall preside at all meetings. The chairperson will work with the council, directing the affairs of the council, including monitoring committee progress. The chairperson will prepare the preliminary agenda for all regular meetings.

B. Vice Chairperson

The vice-chairperson shall be chosen by consensus from within the council membership. The vice-chairperson shall act as chairperson in the absence of the chairperson.

C. Secretary

1. The chairperson will appoint a secretary. The secretary shall not be a member of the council.

2. The duties of the secretary shall be to:

a. give public notice of all regular meetings;

b. at each council meeting, take minutes which include an accurate record of all actions and votes taken;

c. within 7 days after each meeting, type, copy, and distribute the draft minutes of council meetings to each member of the council, and post a copy in the faculty workroom;

d. compile copies of the final approved minutes in two notebooks for each school year. These will be kept on permanent file in the MCHS library and in the school office and copies will be sent to the Superintendent of Schools. In accordance with the Open Meetings Law (Appendix A), minutes taken at a council meeting shall be open to public inspection at reasonable times no later than immediately following the next meeting of the council after the meeting at which the minutes were taken;

e. compile copies of the final approved minutes in two notebooks for each school year. These will serve as correspondent between the council and other individuals, groups, or agencies as directed by the council.

## IX. OPEN RECORDS

A. Library Copies

The school librarian shall make the notebooks of minutes available to library patrons as part of normal library operations.

B. Office Copies

The principal, as official records custodian, shall make the notebooks of minutes and other council records available in accord with the provisions of the Open Records Law. Persons who want copies

of documents in the council binder shall give the principal a written request. The fee for copies shall be 10 cents per page.

## **X. COMMITTEES**

### **A. Use of Committees**

Committees will be used to support and to accomplish tasks of the council. The council chairperson shall include committee reports on the preliminary agenda for all regular meetings.

### **B. Committee Structure and Process**

The council shall adopt a committee policy to facilitate the participation of interested persons. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection.

## **XI. DECISION MAKING**

### **A. Quorum**

Two-thirds (half plus one) of the members, including at least one teacher and one parent member, shall constitute a quorum. A quorum must be present for the council to take action.

### **B. Abstentions**

1. Any member of the council may abstain on any vote taken by the council.
2. Any member of the council who has a direct or personal conflict of interest in the outcome of any issue before the council must abstain from any discussion of the issue, from the consensus process, or from any vote taken on the issue.

### **C. Adoption of Policies**

1. Policies are written documents that establish rules, procedures, guidelines, standards, or principles to guide decision making in various situations.
2. To be officially adopted, a policy must be approved at two readings held at two different council meetings.
3. Adopted policies are binding until the council amends them.

### **D. Consensus**

1. The council will operate primarily by consensus decision making, as described in numbers 2 to 4 below.
2. Steps to Develop Consensus
  - a. The council shall assign each new issue to an appropriate committee which will be responsible for researching the issue, gathering input, and developing a formal proposal with broad support. The council will act without a committee recommendation only on issues that have urgent time deadlines or very limited impact on the school.
  - b. When a committee brings the council a proposal, the council shall discuss it in enough detail to be sure that all members fully understand it and have had an opportunity to provide input.
  - c. People who are not members of the council may show that they want to comment or to ask questions by raising their hands, and the chair will call upon them to speak. When a significant number of persons wish to speak or when discussion of an issue has taken more than half an hour, the chair may set limits on the number of persons who may speak and the length of time each may speak.
  - d. If discussion reveals substantial concerns or unclear points in a proposal, the council's normal practice will be to return it to committee for further work, taking up any subsequent committee recommendation as a new proposal when it is received. The council will only attempt to decide significant revisions without first asking a committee to address the issue in cases where action is urgently needed because of a timeline or pressing concern.
3. Formal Decision by Consensus
  - a. After the consideration described above, any member may make a motion to accept a proposal for a first reading. If the proposal being considered is in writing, the motion may be made verbally. If the proposal has not been presented in writing or the member making the motion wants to propose one or more amendments, he or she shall write down the motion, read it to the council, and hand the written motion to the secretary for inclusion in the minutes.
  - b. The chair shall then ask if there is further discussion.
  - c. When the chair believes that discussion is complete, the chair shall ask if there is consensus. Any member who is not willing to support the motion is obligated to say so at this time. Members who support the motion shall indicate by word or other sign that they believe there is now a consensus.

- d. If no member states unwillingness to support, the chair shall direct the secretary to record that consensus has been reached and the motion has passed.
  - e. After a policy is accepted for a first reading, it shall be considered again at the next regular council meeting, or at a special meeting if necessary. If it is approved at that second meeting, the secretary shall note that it has been officially adopted as a council decision.
4. Consensus Failures
- a. When the chair tests for consensus but consensus is not reached, the council may postpone further consideration until the next meeting or continue to discuss the issue.
  - b. After testing for consensus on a proposal three times in one meeting, the chair may direct that the proposal be taken up again at the next meeting. If the issue is filling a vacancy other than principal, the chair may instead ask each member to make a final comment on the issue and then declare that consultation has been completed.
  - c. If the council takes up an issue at a second meeting and is still unable to reach consensus, the council shall consider alternative steps, including but not limited to:
    - 1) Asking a committee to bring the council a new proposal on the issue.
    - 2) Scheduling a fact-finding session, at which all members of the school community are invited to present factual information about the issue and such information is recorded where all can see. Opinions without specific factual basis are not recorded because the point of the session is to get a common focus on the knowledge base for deciding the issues. After the fact-finding session, the council may take the issue up again to attempt consensus, or it may choose by vote to try one of the other options listed in this subsection.
    - 3) Seeking the help of a trained mediator to find a consensus solution to the issue.
    - 4) Considering the matter again at the next meeting, and if consensus there fails, decide the matter by majority vote.
  - d. The council will only make decisions by vote:
    - 1) When the council will otherwise be unable to meet a legal deadline by which the council is required to have made a decision, or
    - 2) When the council has agreed at a second meeting to discuss the proposal at a third meeting and decide by majority vote if consensus fails (as allowed under provision c. 4) above).
  - e. If the council cannot agree on what further steps will be taken, and the issue does not meet the requirements for voting, the chair shall announce that no action will be taken on the issue, and the secretary shall note that announcement in the minutes.
- E. Appeals of Council Decisions
- The Marion County Board of Education has established a process of appeals of council decisions. A copy of that process is available from the district central office.

## **XII. COMMUNICATION**

- A. Open Communication
  - 1. The council will strive for open communication between the school council, parents, faculty, and the community.
  - 2. Suggestions or concerns may be voiced to council members, called in to the office, or placed in a suggestion box to be located in the teachers' workroom.
- B. Council Information
 

By August 31 of each school year, the council will develop a plan for communicating during that year with each group comprising the educational community, including but not limited to teachers, other professional staff, school support staff, parents, and students. These groups shall be informed about council tasks and given a chance to offer perceptions, ideas, concerns, and opinions related to those tasks.

## **XIII. AMENDMENTS**

The council may amend these bylaws as needed. All motions to amend the bylaws of the council shall be submitted in writing. No decision on a motion to amend the bylaws shall be made until after the topic has appeared twice in the preliminary agenda for council meetings and the proposed amendment has had two readings during those meetings. If consensus is not reached and a vote is taken, a two-thirds (2/3) majority of council members then in office is required for the adoption of an amendment.