

Millbrooke Elementary School  
By-Laws

ARTICLE I. PURPOSE

The purpose of the Millbrooke Elementary School Council is to address the academic, social, and emotional needs of our students in order to set school policy that will enhance student achievement and help each student meet the goals established by the school council, consistent with state law. The school council will assess, monitor, and evaluate the policies and programs of Millbrooke Elementary School. The council shall create an environment that will enhance student achievement in the school (as required by KRS 160.345).

ARTICLE II. MISSION

The Millbrooke community challenges students to achieve at higher levels of academic performance and develop positive behavior.

ARTICLE III. MEMBERSHIP

COMPOSITION AND ELIGIBILITY

1. The school council shall be composed of two parents. Three teachers and the principal. (Required by KRS 160.345)
2. If the school reaches 8 percent or more minority student enrollment, and there is 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. (Required by KRS 160.345)

REQUIREMENTS FOR MEMBERSHIP

1. All Members – No one may serve on the school council who has a legal conflict of interest as designated by KRS 45A.340 except the salary paid to district employees. 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 within 120 days of education. (Required by KRS 160.345)
2. Teacher Members- Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Principals or assistant principals may not serve as teacher council members. (Required by KRS 160.345) Teachers are not required to live in the state of Kentucky to serve on the council. (HB -321-State Budget)
3. Parent Members – Parent council members must be the parent, step-parent, or foster parent of a child who is pre-registered to attend the school during the term of office they are seeking. Legal guardians may serve as parent members of the pre-registered child that lives with them. (Required by KRS 160.345) A school employee may serve on

a school council as a parent representative as long as it is not the school where he/she is employed. (HB 321-State Budget)

### ELECTIONS

1. Parent Members – Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted each spring by the school’s PTO for the purpose of electing two parent council members.
2. Minority Member – If the school has 8 percent or more minority students enrolled as of October 1 of the preceding year, the principal shall conduct an election for a minority member to the school council. In the event a minority member is not elected during regular elections, the principal shall conduct a special election for a minority member by:

- Calling for nominations
- Notifying all parents in writing of date, time, and location of the election
- Conducting the election by ballot and counting the votes

The nominee with the most votes shall be the minority council member.

(Required by KRS 160.345)

3. Teacher Members – Teachers conduct their own elections per KRS 160.345. Annual elections shall be conducted each spring for the purpose of electing three council members. Teacher members must be elected by a simple majority (more than one half) of the number of teachers assigned to the school. The process that teachers may use to elect their representatives should address the following areas: Nomination, absentee ballots, preparation of ballot, procedures after first round ballots, elections.
4. Minority Teacher Members – If an election must be conducted to elect a minority parent member, a minority teacher member shall be selected by the teachers to serve on the council. If there is no minority teacher on staff who will accept the council seat, the seat will remain vacant until such time as a minority teacher can be selected. If there are no minority teachers employed at the school, the teachers shall take nominations and conduct a special election for an additional teacher council member from among the certified staff at the school. (Required by KRS 160.345) No term limits shall be imposed on school council members who are nominated and elected to consecutive one-year terms. (Required by KRS 160.345)

### REMOVAL OF MEMBERS

1. According to KRS 156.132, the chief state officer 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 vote of 4/5 of the membership of the board of education after the recommendation of the chief state school officer 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 members of the school council.

### FILLING VACANCIES

If a member of the council resigns from office, another member shall be elected in a special election held not more than one month after the vacancy occurs. The person elected the special election shall serve the remainder of the term until July 1, and be eligible for re-election.

### TERMS OF OFFICE

The terms of parent and teacher members shall begin July 1 and end on June 30. Between the date of elections and July 1, members – elect are expected to attend all council meetings.

## ARTICLE IV. – DUTIES OF OFFICERS AND COUNCIL MEMBERS

### ELECTION OF OFFICERS

- Officers shall include Chair, Vice Chair, and Secretary
- The vice-chair of the school council shall be elected each July by the council members and shall serve for one year. Re-election is permitted.
- Except for the office of secretary, if a vice-chair resigns his or her position with another council member.
- A motion to seek an alternative model allowing a council member other than the principal to serve as chair (as required by KRS 160.345) may be made by any council member at any regular meeting. A majority of the full council is required before an alternative model can be sought by the school council. A faulty vote must then be conducted, and the motion must pass by 2/3 in order to proceed with the model.

### CHAIR

The principal shall be the chairperson of the school council (as required by KRS 160.345).

Duties of the chair include:

- Conducting school council meeting
- Compiling and distributing the agenda for the council meeting
- Stating when a consensus is present for the record
- Coordinating standing and ad hoc committees
- Carrying out any additional responsibilities as stated in these by-laws
- Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two council meetings) and other duties as described in these by laws

### SECRETARY

A secretary shall be appointed by the principal to keep minutes of all council meetings, to maintain council records, and notify the media of council meetings within 24 hours of the meeting time and date.

### COUNCIL MEMBERS

Duties of the council members include:

- Knowing and adhering to the mission, philosophy, and goals of Millbrooke Elementary School by serving on committees in their area of interest.
- Attending all council meetings, both regular and special.
- Encouraging and requesting opinions from their constituencies.
- Supporting, promoting, and communicating council decisions.
- Seeking information independently and as needed about issues brought before the school council, and bringing that information to the council.

## ARTICLE V. COMMITTEES

### 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 a council resource for gathering data and information and making recommendations to the school council.

### APPOINTMENT OF COMMITTEES

1. Standing and ad hoc committees are formed and dissolved by the school council as needed. (Required by 160.345)
2. Standing committees can be dissolved only through the process of amending by-laws.

### MEMBERSHIP & ELECTION OF CHAIR

1. All certified staff shall participate in the school decision making process at Millbrooke Elementary School by serving on committees in their areas of interest.
2. Each committee shall consist of representatives from the faculty, support staff, and parents.
3. Committee membership is open to interested persons. (Required by KRS 160.345)
4. Committee membership will be selected and notified by September 15. Teachers and parents who volunteer to serve on a particular committee shall be considered appointed to the committee.
5. Committee membership shall be limited to 15 persons at the discretion of the school council.
6. A chairperson shall be appointed by the principal for each committee. ( Required by KRS 160.345)

### 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.

### DUTIES

1. Committees shall carry out tasks assigned to them by the school council.
2. Committees may decide to bring issues of concern 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 chairs or their designees will report at each regular council meeting, or as requested by the school council
5. Committee chairs shall provide the council secretary with minutes of their meetings no later than 10 days after the meeting occurred.
6. Committee chairs shall inform council secretary of all meetings in order that all open meeting regulations are met.

#### MEETINGS

1. Committees shall meet at least once a quarter. (Required by KRS 160.345)
2. Committees must comply with all provisions of the Open Meetings and Open Records laws. (Required by KRS 160.345)

#### STANDING COMMITTEES

1. Standing committees for Millbrooke Elementary School shall include: Curriculum, Wellness, CSIP, PBIS, Writing, and Budget
2. Continued need for standing committees will be reviewed and confirmed by the school council each August at their regular scheduled meeting.
3. A list of standing committees, a brief description of their purpose, and a list of each committee's membership shall be contained in the Appendix of this document.

### ARTICLE VI. SCHEDULE OF MEETINGS

#### REGULAR MEETINGS

1. The regular monthly meeting of the Millbrooke Elementary School council shall decide by the new council at their first meeting. Council meetings shall be open to the public. Meetings shall not exceed 90 minutes. If all items on the agenda have not been adequately discussed after 90 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 month's agenda or on the agenda for a special meeting.
2. The regular monthly meetings will be held at Millbrooke Elementary.
3. The principal or their designee shall provide notification of the council's meeting time at least one week in advance of each regular meeting.
4. The principal shall notify parents of council meetings each month using the school newsletter which is to be distributed to all parents.
5. The principal shall notify both teachers and the public by notice posted on the bulletin board behind the office at least three days in advance of the meeting.

#### SPECIAL MEETINGS

1. 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:
  - Written notice : Contents

The chairperson or designee shall prepare a written notice that states the date, time, and place of the special meeting and the agenda for each meeting. Only the items on the agenda may be discussed.

- **Delivery of Notice**

The chairperson shall arrange for the notice to be delivered to each council member and to any media organization this has requested notice of council meetings. The delivery can be by hand, email, or mail but notice must be received at least 24 hours prior to the time of the meeting.

- **Posting of Notice**

The notice for the special meeting shall be posted by the chairperson or designee on the bulletin board behind the office at least 24 hours prior to the time of the meeting.

2. In addition to these requirements, the principal shall announce to teachers the time and the reason for the special called meeting at least 24 hours prior to the meeting either verbally or in written form.

## ARTICLE VII. CONDUCT OF MEMBERS

### QUORUM

A quorum of the school council shall be a majority (more than one-half) of the number of seats on the school council. One of the members present **MUST** be a parent. No council business shall be discussed or conducted unless a quorum of council members is present.

### ATTENDANCE OF MEETINGS

Council meetings are open to the public and all interested persons can attend (Required by KRS 160.345) except for those portions that are conducted as closed session.

### CLOSED SESSION

**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 the council (KRS 61.810(1)(C))
- To discuss candidates for a principal vacancy or conduct consultation in filling other vacancies (KRS 61.801(1)(F))
- To discuss Emergency Management Response Plan

Before a closed session can be conducted, the following steps must be taken:

**Announcement Contents** – An announcement of the general nature of the subject to be discussed and the specific section of the law that allows the conduct of the closed session must be announced in the open meeting and recorded in the council minutes.

**Motion** – The motion to go into closed session must be announced in the open meeting and recorded in council minutes.

**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.

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 the council minutes.

#### MATERIALS PRESENT AT COUNCIL MEETINGS

1. The chairperson shall bring:
  - The folder containing all items submitted for inclusion on the agenda.
  - The folder containing all correspondence addressed to the council that he or she received.
  - Monthly financial report from the central office.
  - List of applicants for vacant positions (Required by KRS 160.345)
  - Updated SBDM technical assistance materials from the KDE web page.
  - Roberts Rules of Order
2. The council secretary and all council members shall bring the binder that he/she uses to maintain copies of the council's by-laws, policies, annual budget, monthly spending reports, and minutes.
3. All council members shall bring that binder containing copies of the council by-laws and policies.

#### AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson / principal in writing on the standard form provided. It must be submitted by the Monday prior to a regularly scheduled council meeting. The principal shall maintain a completed file of these items.
2. The chairperson shall prepare a preliminary agenda for each regular council meeting, including items submitted in writing for inclusion by the public, staff, parents, other council members and other items he/she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.
3. Each agenda shall include the following items:
  - Item 1: Setting of the final agenda for the council meeting
  - Item 2: Review and approval of previous meeting minutes
  - Item 3: An opportunity during the course of the meeting for school or community persons to address the school council.
  - Item 4: Other items submitted.
4. The preliminary agenda shall be distributed to all staff members, school, or community persons who submitted items in writing for inclusion prior to the meeting.
5. Setting of the final agenda shall be the first order of business conducted at each regular council meeting, and council members may introduce issues for inclusion on the agenda at that time. The agenda shall be approved by a motion and vote of the council. At a special called meeting, only items listed on the notice of meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

### DISCUSSION OF AGENDA ITEMS

1. Each agenda item shall be discussed by the school council before a decision is made. Each council member shall be given an opportunity to express his/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 to speak. If a significant number of persons wish to contribute to the discussion on a particular item, the chair may set limits on the number of persons who will speak on the issue, and a time limit for each.
3. Any agenda items may be referred to a standing or ad hoc committee for further student as deemed necessary by the council.

### DECISION MAKING PROCESS

1. Unless otherwise specified by these by-laws, the school council shall use preliminary procedures as specified by Robert's Rules of Order.
2. All business and decisions of the school council will relate to the school's mission and purpose to improve the instructional program, create an environment to enhance student achievement in the school (Required by KRS 160.345) and/or further the goals in the school's plan.
3. No proposed policy may be approved by the school council at the same meeting at which it was initially for study.
4. All decisions and policies officially adopted by Millbrooke Elementary School will be reported to the Board of Education and superintendent through submission of approved council minutes to the SBDM district coordinator.
5. 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 the 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.

### ALTERNATIVE TO CONSENSUS

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

- Vote to send the issue back to a committee
- 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
- Decide the issue by majority vote of the council.



### 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, the textbooks to be purchased, or the budget for or purchase of student support services.
3. The issue is whether to continue to meet for longer than 90 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.
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 or special meeting and the decision may be made at the meeting by majority vote of the council. When voting, any abstention is counted with the majority vote.

### MINUTES KEPT AND APPROVED

1. Minutes shall be kept for each meeting of the school council.
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 suggestions of consensus, and the majority vote or unanimous support.
3. If the action 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 school office 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.
5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form within 5 days of the adjournment of the meeting.
6. The principal will forward an official copy of the minutes to the superintendent and SBDM district coordinator.
7. A copy of the official minutes will be posted on the bulletin board in the hallway behind the office by the SBDM secretary.

### COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

The following official documents that must be kept on file for public inspection in the school office: School Council minutes, Committee Minutes, School Planning Document – (KPREP Scores, Needs Assessment) School Council Policies and By-Laws, School Council Budget Documents not in the school plan, School Council and Committee Membership Lists.

### REQUEST FOR COUNCIL RECORDS

1. Requests for council records must be made in writing to the principal. Requests must include specific documents and dates.
2. The fee for copying of council records shall be 10 cents per copy unless the request is for the school planning document.
3. The fee for a copy of the school planning document shall be the school's cost for one copy, as per printing records.
4. The requested records must be provided to the person making the request within three business days.
5. The school council secretary shall make or provide copies of requested documents at the principal's or chairperson's request.
6. School council records will be available for inspection during the hours the schools' office is open. (7:30-2:30)
7. The custodian of records for the school shall be the principal, and the principal shall make the final determination which records not listed above are available for inspection and all matters in regards to open records requests not covered in this policy.

#### ARTICLE IX. APPEALS OF SCHOOL COUNCIL DECISIONS

- A. REQUEST – For a person(s) to appeal a decision of the council or file a grievance he/she must first request in writing an opportunity to be heard and shall include information about the grievance issue.
- B. SCHEDULE – A council shall schedule a hearing within thirty working days from the date the request is received. The person appealing shall be informed of the hearing by registered letter.
- C. HEARING – The person appealing may be represented by legal counsel and may call witnesses as long as the testimony is germane to the issue.
- D. DECISION – The council shall consider the merits of the complaint, make a decision, and respond in writing concerning the complaint.
- E. REPORT – A copy of the written grievance or appeal, and written reply by the council shall be provided to the superintendent within ten (10) working days of the council decision.

#### ARTICLE X. AMENDMENTS

##### AMENDMENTS TO COUNCIL BY-LAWS

These by-laws may be amended after a first and a second reading at two consecutive council meetings by majority vote of the school council.



Council Chair Signature

Updated August 24, 2022