

**Jessamine Early Learning Village**  
**SBDM Council By-Laws and Policies**

**Article I. Purpose**

This School Based Decision Making Council of the Jessamine Early Learning Village (JELV) is dedicated to the service of our students and their families. The council will set policy as well as assist, implement, monitor and evaluate programmatic and individual needs of all children.

**Article II. Mission**

The Jessamine Early Learning Village is committed to providing a child-centered learning environment with high expectations for all.

**Article III. Membership**

A. Composition

1. The school council shall consist of the Principal, 3 teachers and 2 parents.
2. If the school reaches 8% 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. The principal will hold a special election for all parents to elect a minority member. The principal shall call for nominations and notify parents of the details of the election. If no minority parent is elected or wishes to serve, the position should be listed as vacant.
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, or a minority teacher on staff does not wish to serve on the council, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.

B. Requirements for Membership

1. All Members: No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six (6) hours of training from a Kentucky Department of Education (KDE) endorsed trainer. Experienced members (those with more than one year of service) must complete three (3) hours of training from a KDE endorsed training provider each year. In the event the council must elect a Principal, the council is required by law to obtain the training in the recruitment and interviewing prior to beginning the principal selection process.

2. Teacher Members: Teacher council members must possess certification required for their position as basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve and vote in our schools. Administrative staff members may not serve as a teacher member.
3. Parent Members: The legal definition of parents (KRS 160.3451.c) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child enrolled to attend the school for the year.
4. Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. The Attorney General's Opinion (OAG 90-102) says that "relative" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a "father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, or daughter-in-law" of someone who works at the school or district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member's spouse, nor can they have a business interest in the school.

### C. Elections

1. Parent Members: Two parents will serve as members of the JELV SBDM. Parents conduct their own elections as per KRS 160.345. Annual elections shall be conducted in August/September with support from the guidance office. Biography sheets will be submitted by each parent representative running for council and shared with families for review prior to them casting their votes. Parent elections may be plurality vote (Parents with the highest number of votes). The guidance counselor shall notify the Principal in writing of the two parents elected within 24 hours of the final vote, and shall deliver all election materials to the principal the next business day after the election.
2. Teacher Members: Three teachers will serve on the JELV SBDM. Teachers conduct their own elections per KRS 160.345. Annual elections shall be conducted each August/September for the purpose of electing three teacher council members. Teachers may nominate another teacher or themselves. Teacher members and administrative staff must be elected by majority vote of the number of teachers assigned to the school. The process that teachers may use to elect their representatives should address the following areas:
  - i. Nomination
  - ii. Preparation of the ballot
  - iii. Elections
  - iv. Absentee ballot

- v. Delivery of election materials to the principal; the next business day after the election.

#### D. Removal of Members

1. According to KRS 156.132 the Commissioner of Education may recommend removal of a school council member whom he/she has reason to believe is guilty of immorality, misconduct in office, incompetence, or willful neglect of duty.
2. A member of a school council from council for cause, after an opportunity for hearing before the local board, by a vote of 4/5 of the membership of the board of education after the recommendation of the Commissioner of Education pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council. KRS 160.347

#### E. Filling of Vacancies

If a member of the council resigns or is removed from office, another member shall be elected in a special election held not more than twenty school days after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until September 1, and be eligible for re-election.

#### F. Terms of Office

The terms of parent and teacher members shall begin on October 1 and end of September 30. Between the date of elections and October 1, members –elect are expected to attend council meetings. Terms for teacher representatives will be for one two-year consecutive term. Parent representative terms will be for a one year term unless the parent will have a child at JELV for 2 consecutive years. Parents may serve consecutive years for up to three years but will have to run after the 2nd year and must have a child enrolled at JELV each year that they serve.

### **Article IV. Duties of Officers and Council Members**

#### A. Composition

1. Offices shall include Chair, Vice-Chairs and Secretary
2. The Vice-Chairs and recording Secretary shall be appointed each November by council members and shall serve one year. Re-election is permitted.
3. If the Vice-Chairs or Secretary resigns his/her position, the council shall appoint another member to fill the position.

B. Chair: The Principal shall be the chairperson for the school council. Duties of the chair include:

1. Sets the agenda based on input from council members-

2. Communicates to the community the date, time and place for each meeting in the monthly school newsletters and school website.
3. Posts and communicates the agenda at least one day prior to each meeting.
4. Chair council meetings. In the event that the chair cannot attend, the vice chair will serve as chair.
5. Gathers all necessary information to be presented at each meeting.
6. Ensures minutes are distributed to all interested parties.
7. Advises the Council on state law or council by-laws when needed.
8. Serves as official custodian of council records including maintaining a file of all correspondence addressed to the school council.

C. Vice Chair(s): Duties of the Vice-Chair include:

1. Asks for clarification or a summary of a topic during a council meeting.
2. Conducting meetings necessary for the Principal hiring process to take place.
3. Assists in distributing council records, agendas and correspondence to council meetings.

D. Secretary

1. Records all minutes of the council meetings.
2. Asks for clarification or a summary of a topic during a council meeting.
3. Publishes and distributes minutes to the principal and vice chair(s) within one week of the last meeting date.

E. Council Members

1. Address the needs, concerns, and programs of the school and form committees as needed to study and report to the council.
2. Adhere to the mission, philosophy, and goals of the JELV.
3. Attend all council meetings and complete assigned duties. Members may not miss any more than three scheduled meetings per academic year. IF this happens, it will result in the member stepping down and the runner-up from the previous election being asked to take his/her place on the Council.
4. Are given the opportunity to serve on at least one committee per year.
5. Promote open communication between council and the school.
6. Participate in training. All council members will receive training prior to the first council meeting.
7. Respects and practices confidentiality.

**Article V. Committees**

#### A. Purpose:

1. Committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members based on current needs of students and program. The Vice-Chairs and recording secretary shall be appointed each November by council members and shall serve one year. Re-election is permitted.
2. Committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

#### B. Appointments of Committees

Certified staff members will be assigned to serve on at least one committee each school year. The leadership team will develop the membership of each committee.

#### C. Membership and Election of Chair

1. Each committee can include certified staff members, classified staff members and will offer the opportunity for parents to serve.
2. The first priority will be to assign leadership team members as chairperson(s) of committees but chairperson(s) will not be limited to leadership team.
3. Additional leadership will be elected or appointed as needed in each committee.

#### D. Decision Making

Committee decisions shall be made by consensus. In the event that a consensus is not possible, a majority of the committee may decide that an issue shall be decided by a majority vote.

#### E. Standing Committees

1. People
2. Places
3. Processes
4. Policy
5. Procedures
6. FRC Committee
7. FRC Programs Committee \*\*\*Continued need for standing committees will be reviewed and confirmed by the teacher leader members with monthly updates to the JELV Council.

#### F. Duties

1. Committees shall carry out tasks assigned to them by the JELV Leadership Team and reviewed by SBDM as needed.
2. Committees may decide to bring issues of concern or interests to the SBDM.

3. Committee chairs or their designees may be asked to report at council meetings, if requested. Co-Chair(s) will add minutes to the notebook of committee minutes on a regular basis.
4. Committee chairs or their designees shall provide council chair with written minutes of their meetings at least 3 days prior to council meetings.

#### G. Meetings

1. Each committee will meet monthly or as deemed needed and decided time, place, agenda, and schedule for their meetings.
2. Committees must comply with all provisions of the Open Meetings and Open Records Laws.

### **Article VI. Schedule of Meetings**

#### A. Regular Meetings

1. Meetings will occur monthly unless otherwise decided upon by the SBDM council.
2. During the October meeting, the council will make the decision regarding the day and time of meetings depending on the needs of the elected council and community. The times and day may change from year to year.
3. The Principal shall notify parents of council meetings.
4. School staff will be notified of upcoming council meetings in "Teacher Talk."
5. The principal shall notify the public by posting on website, and social media.
6. Agenda items will be turned in to the Principal 2 days before the meeting. If all agenda items are not addressed council members will decide to continue the agenda at the next meeting. Council meetings will not exceed 90 minutes. Additional meetings may be called at the direction of the council.
7. Quorum of the council must be present for action to be taken. At least one parent must be present.
8. Meetings will be open to the community and all interested parties may attend.
9. Most decisions will be reached by consensus in the council meeting in which the agenda item is introduced. When council deems necessary, unresolved agenda items may require a second reading, which will occur at the next council meeting.

#### B. 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 council members may call a special meeting. The chairperson must complete the following steps when a special meeting is called.

- a. Written Notice: Contents. The chairperson shall prepare and sign a written notice that states the date, time and place of the special meeting and the agenda for the meeting. Only the items on the agenda may be discussed.
  - b. Delivery of Notice: The chairperson shall arrange for the notice to be delivered to each council member and to any media organization that has requested notice of council meetings. The delivery can be by hand, FAX, machine, or email but the notice must be received at least 24 hours prior to the time of the meeting.
  - c. Posting of Notice: the chairperson on the bulletin board and the marquee shall post the notice for special meetings 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.

### **Article VII. Conduct of Meeting**

#### A. Quorum

A quorum of the school council shall be a majority (one-half plus one) of the council members. No council business shall be discussed or conducted unless a quorum of council members is present.

#### B. Attendance at Meetings

Council meetings are open to the public and all interested persons can attend, except for those portions that are conducted in closed session.

#### C. Closed Session

1. 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 a closed session for the following reason: To discuss proposed or pending litigation by or against a council member (KRS 61.810(1)), or to discuss candidates for principal vacancy or conduct consultation in filling other vacancies (KRS 61.810(1)).
2. Before a closed session can be conducted, the following steps must be taken:
  - a. Announcement: Contents. An announcement of the general nature of the subject to be discussed and specific section of the law that allows the conduct of the closed session must be announced in open meeting and recorded in council minutes.
  - b. Motion: The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.
  - c. 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.

- d. 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 council minutes.

#### D. Agenda

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing, 7 school days prior to a regularly scheduled council meeting. The Principal shall maintain a complete file of these items.
2. Each agenda shall include:
  - a. Every agenda will include a public comment form.
  - b. Setting of the final agenda for the current meeting.
  - c. Review and approval of previous meeting minutes.
  - d. An opportunity during the course of the meeting for school or community persons to address the school council.
  - e. Other items submitted.

#### E. Discussion of Agenda Items

1. The school council shall discuss each agenda item before a decision is made. Each council member shall be given an opportunity to express his or 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 to the issue, and a time limit for each.
3. Any agenda item may be referred for further study as deemed necessary by the Council.

#### F. Decision Making Process

1. Unless otherwise specified by these by-laws, the school council shall use parliamentary procedures as specified by Robert's Rule 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 and/or further the goals in the school's CSIP.
3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All decisions and policies officially adopted by JELV 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 as otherwise designated in the by-laws.
6. Alternative to Consensus: When a consensus fails, the council may use majority vote, determine to either vote to send the issue back to 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.

### **Article VIII. Minutes and Other Council Records**

#### A. Minutes Kept and Approval

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 the council meeting.
3. If the action taken 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 foyer and on line on the JELV website 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 copy of the minutes will be emailed to parent council members prior to the next meeting for their review and after they become official for their records.
6. The Principal or Co-Chair(s) will forward an official copy of the minutes to the SBDM District Coordinator's office, and keep an official copy on file in the school.
7. A copy of the official minutes will be posted on the bulletin board in the foyer by the co-chairs.

B. Council Records Available for Public Inspection: The following are official documents that must be kept on file for public inspection in the foyer during school hours:

- a. School Council minutes and agendas
- b. CSIP
- c. School Council Policies and By-Laws
- d. School Council budget documents not in the school plan
- e. School Council and committee membership lists
- f. Official correspondence
- g. The custodian of records for the school shall be the Principal.

### **Article IX. Appeals**

A. Request: For a person to appeal a decision of the council or file a grievance he/she must first submit a written request to the chair no later than 7 school days prior to the next scheduled meeting to have an opportunity to be heard and shall include the information about the grievance issue.

B. Schedule: A council shall schedule a hearing within thirty school days from the date the request is received. The person appealing shall be informed of the hearing by letter.

C. Hearing: The person appealing may be represented by legal council 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 to the complaint.

E. Report: A copy of the written grievance or appeal and a written reply by the council shall be provided to the superintendent within 10 school days of the council's decision.

F. Board Policy: the Board policy on council is 2.42411

#### **ARTICLE X. AMENDMENTS**

A. Amendments to Council By-Laws: These by-laws may be amended after a first and second reading at two consecutive council meetings by a majority vote of the school council.

Adopted and Approved by the Jessamine Early Learning Village SBDM Council on May 5, 2020.