

By-Laws

ARTICLE 1

MISSION STATEMENT AND OFFICES

- 1.1 Statement
- a. We, the faculty, parents and administration of Paul Laurence Dunbar High School (PLD) believe that the education of our students should be a cooperative effort. We further believe that the input of diverse points of view from the community is necessary to assure that all students are given the opportunity for success at Paul Laurence Dunbar High School. We believe that a philosophy of participatory management and shared authority will best achieve these goals.
 - b. It is with these goals in mind that we establish the School Based Decision Making Council of Paul Laurence Dunbar High School. Its purposes shall be to set school policies, in accordance with the laws prescribed by the Kentucky Education Reform Act, to promote the efficient operation of the total school program and to create the best possible environment for student achievement.
- 1.2 Council Office The official office of the Paul Laurence Dunbar High School - School Based Decision Making Council shall be located in the administration office of Paul Laurence Dunbar High School.

ARTICLE 2

COMMUNICATIONS

- 2.1 Agenda Preparation and Distribution.
- a. Items to be placed on the Council Agenda must be presented in writing in a timely manner to the Chairperson prior to the regular meeting of the Council. The request must state the topic or issue to be addressed, the name(s) of the person(s) who wish to present the item, and the group(s) they represent. The Chairperson may present an amended agenda at the beginning of a regular meeting.
 - b. The Council Chairperson shall compile the agenda and the recording secretary will circulate it to all Council members three working days prior to the regular meeting of the Council. The agenda shall be available to all teachers and parents. The agenda will be posted in the following four areas:
 - i. the marquee in the front hall next to the administration office.
 - ii. The teacher's lounge
 - iii. The PLD web site
 - iv. Emailed to all faculty and staff
 - c. In the event of a special called meeting, an agenda shall be prepared and distributed as early as possible if the lead time of three working days is not feasible.
- 2.2 Record Keeping

- a. The Principal shall maintain formal minutes of all council actions. The Chairperson shall appoint a recording secretary, other than the Chairperson, to record and publish official actions taken by the council. (section 4.4)
 - b. It shall be the responsibility of the Principal to maintain a formal ledger located in the council office for public inspection. It shall also be the Principal's responsibility to distribute minutes of the previous meeting to all Council members, and make them available to the public no later than immediately following the next Council meeting. Additional copies will be available upon request from the Principal's secretarial staff.
 - c. The Council speaks officially only through its minutes. Minutes must be approved at the beginning of each official meeting. Minutes may only be amended to correct errors or clarify meaning. Actions and votes properly recorded cannot be changed by amending the minutes.
- 2.3 Public Access to Records In accordance with KRS 61.082 and 61.823 all communications regarding regular and special meetings shall be open to public inspection.

Article 3

Council Members

- 3.1 Number, Tenure and Qualifications. The Council shall be comprised of twelve voting members, and until otherwise changed by the Council bylaws, shall be appointed and/or elected in the following manner:
- a. Principal and Associate Principal Members. Two Council Members shall be the PLD Principal and one Associate Principal. The PLD Principal shall automatically serve as a Council Member without the necessity of appointment or election, and without a term duration. The Associate Principal serving as Council Member shall be selected by the PLD Principal, as determined by the Principal, at the Principal's sole and absolute discretion. All Associate Principal members shall serve for a term determined by the PLD Principal.
 - b. Teacher Members. (i) Six Council Members shall be elected for one-year terms by a majority of the PLD teachers assigned to the school. Teacher Members are eligible to be elected if they are assigned to the school as a Teacher in a position for which certification is required.
 - c. If one or more seats are not filled by a majority after two ballots, the person receiving the smallest number of votes shall be removed from the ballot, and the teachers shall vote again for the number of persons needed to fill the remaining vacancies. In the case of a tie for fewest votes, both names shall remain on the ballot. This process of removing one name each time ballots are cast shall be used as long as there is one name more than the number required to fill the remaining vacancies. Any person receiving a majority shall be deemed elected.
 - (ii) The PLD faculty shall hold elections in April and submit to the Council the names of the newly elected Council Members in May of each year. The terms of the newly elected Teacher Council Members shall commence on July 1 and end on June 30 of the following year.
 - d. Parent Members. Four Council Members shall be elected for one year terms by the parents of students enrolled in the school in an election conducted by the parent and teacher organization of the school or, if none exists, the largest

organization of parents formed for this purpose. An individual shall be ineligible to serve as a Parent Member if:

- i. The individual is an employee of the Fayette County Board of Education (District) or a "relative" (as defined below) of a District employee. The term "relative" shall mean the individual's father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law, or daughter-in-law.
- ii. The Individual is a local member of the Fayette County Board of Education (Board) or spouse of a local board member; or
- iii. The individual no longer has a child enrolled at PLD.
- iv. No Council Member shall have a conflict of interest under KRS Chapter 45A.
- v. The responsible organization shall hold elections in April and submit to the Council the names of the newly elected Council Members in May of each year. The terms of the newly elected Parent Council Members shall commence on July 1 and end on June 30 of the following year.

~~3.2 Ex Officio Members – The Council may include two nonvoting ex officio members, and until otherwise changed by these by-laws, shall be appointed or elected in the following manner:~~

- ~~a. Student Council President – The President of the PLD Student Council shall serve as an Ex Officio Member (non-voting) of the council.~~
- ~~b. Classified Non-voting Member – One ex officio member (non-voting) may be elected for a one-year term by a majority of the PLD classified employees.~~

SECOND READING FOR STRIKE THROUGH 8/14/2017

3.3 Removal and Resignations

- a. General – Any member may resign from the council at any time by giving written notice to the chairperson or secretary of the council, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. The vacancy created by resignation shall be filled by the group or organization at the first regularly scheduled meeting of the organization following the resignation.
- b. Excessive Unexcused Absences – Any parent or teacher member missing in excess of three (3) council meetings during the elected term without an excused absence, determined by the Council, shall cease being a member of the council, and shall be replaced by the group or organization originally electing the member for the unexpired term.
- c. Child Enrollment – The failure of a Parent Council Member to have a child enrolled as a student at PLD shall be treated as a resignation.

3.4 Regular Meetings – At the first meeting of the council in July, the council shall provide the time and place of the regular meetings.

3.5 Special Meetings – Special meetings of the council may be called by, or at the request of, the Chairperson upon the Chairperson's own call, or upon the written request of a majority of the council. All special meetings of the council shall be held at PLD or such other place as may be specified in the notice.

3.6 Notice

- a. Except as provided in Section 3.6 (e), Special Meetings shall be held in accordance with the provisions of Article 3, including Sections 3.5, 3.6 (b), and 3.6 (c).
- b. The individual or individuals calling the Special Meeting shall provide written notice of the special meeting. The notice shall consist of the date, time and place of the special meeting and the agenda. Discussions and action at the meeting shall be limited to items listed on the agenda in the notice.
- c. As soon as possible, written notice shall be delivered personally, transmitted by fax machine, mailed or electronically mailed to every member of the council. The notice shall be calculated so that it shall be received at least twenty-four (24) hours before the special meeting.
- d. As soon as possible, written notice shall also be posted in a conspicuous place in the building where the special meeting will take place and in the marquee in the front hall of the PLD School building. The notice shall be calculated so it shall be posted at least 24 hours before the special meeting.
- e. In the case of emergency which prevents compliance with Section 3.6 (b), 3.6 (c) and 3.6 (d), this subsection shall govern the conduct of a special meeting. The special meeting shall be called pursuant to subsection 3.6 (b). The Council shall make a reasonable effort, under emergency circumstances, to notify the members of the council and the public of the emergency meeting, the person chairing the meeting shall briefly describe for the record the emergency circumstances preventing compliance with Sections 3.6 (b), 3.6 (c) and 3.6 (d). These comments shall appear in the minutes. Discussions and action at the emergency meeting shall be limited to the emergency for which the meeting is called.

3.7 Quorum. For the transaction of business, the required quorum is half the number of members plus one. For staffing purposes only, the council will establish a summer quorum of as many council members as possible to provide consultation.

3.8 Manner of Acting. The act of a simple majority of the Members present at a meeting at which a quorum is present shall be the act of the Council, unless otherwise required by law or these By-Laws.

3.9 General Powers. The Council shall have these powers permitted or established pursuant to KRS 160.345.

3.8 Minority Representation. Council Member composition shall be in conformity with the minority representation requirements set forth in KRS 160.345 (b).

ARTICLE 4

OFFICERS

4.1 Classes. The officers of the Council shall be a Chairperson, a Vice Chairperson and a Recording Secretary, each of whom shall be selected in the manner set forth in this Article 4. Such other officers and assistant officers as may be deemed necessary may be elected or appointed by the Council.

4.2 Chairperson.

- (a) The Chairperson shall be the chief executive officer of the Council and, shall, in general, supervise and control the affairs and business of the Council, subject to the rights, duties and limitations set forth in this Section 4.2.
- (b) The Principal of PLD shall serve as the Chairperson for as long as the Principal is designated principal of PLD pursuant to KRS 160.345. The Chairperson shall have the same privileges as other members of the Council, including but not limited to making motions, seconding motions, expressing positions on subjects brought before the Council and voting on all issues brought before the Council.
- (c) The Chairperson shall: (i) preside at all Council meetings; (ii) prepare the Agenda for all Council meetings in accordance with Section 2.1 (b) of these By-Laws; (iii) be responsible for providing advanced public notice of all regular Council meetings, dates and times; and

4.3 Vice-Chairperson .

- (a) So long as there are two or more administrators of PLD acting as Council Members, the Vice Chairperson shall be either of the Associate Principals of PLD, and shall be designated by the Chairperson. In the event only one PLD administrator serves as a Council Member, the Council will nominate candidates and elect a Vice Chairperson.
- (b) In the absence of the Chairperson, or in the event of the Chairperson's inability to act, the Vice Chairperson shall perform the duties of the Chairperson and when so acting shall have all the powers of and be subject to all the restrictions upon the Chairperson. The Vice Chairperson shall perform such other duties as from time to time may be assigned to such Vice Chairperson by the Chairperson or by the Council.

4.4 Recording Secretary.

- (a) The Recording Secretary shall be appointed by the Chairperson. An individual need not be a Council member in order to serve as Recording Secretary. If a Council member is selected as the Recording Secretary, that Council Member will have all privileges of any other Council Member. In the event the Recording Secretary is not present at a scheduled meeting, the Chairperson will appoint a Council Member to act as a temporary Recording Secretary for purposes of recording the proceedings.

4.5 The Recording Secretary shall

- i. record and document proceedings from all Council meetings;
- ii. provide a copy of the minutes to the Chairperson and all Council members within seven days prior to the next regularly scheduled meeting.
- iii. prepare any official correspondence that may be requested.
- iv. maintain a Council file containing
 - (a) minutes of all council meetings,
 - (b) Council plan and progress reports,
 - (c) Council related information from District/State offices, and
 - (d) a current copy of the Council By-Laws;
 - (e) Annually provide current copies of the Council By-laws to council members by the first meeting of the new term.

- 4.6 Removal and Resignation.
- (a) Chairperson. The Chairperson shall be removed from the office of Chairperson at such time as that individual no longer serves as the PLD Principal. The Chairperson shall not be entitled to resign.
 - (b) Recording Secretary. The Recording Secretary may be removed by the Council whenever, in its judgment, the best of interests of the Council would be served thereby. The Recording Secretary may resign at any time by giving written notice to the Chairperson, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- 4.7 Vacancies.
- (a) Chairperson. A vacancy in the office of the Chairperson because of death, retirement or other discontinuation of position as PLD Principal shall be filled by the acting or incoming PLD Principal.
 - (b) Vice-Chairperson. A vacancy in the office of Vice Chairperson by a person selected by the Chairperson shall be filled by the Chairperson.
 - (c) Recording Secretary. A vacancy in the office of Recording Secretary be filled by appointment by the Chairperson.

Article 5

COMMITTEES

- 5.1 Committee Structure. The Council may designate such committees as from time to time it may consider necessary to enlist issue analysis and recommendations to assist in the conduct of the affairs of the Council. Each committee shall have such power and authority as the Council may, from time to time, legally establish for it provided, the Council shall have final authority and approval on any issues delegated to a Committee. The tenure and qualifications of the members of each committee; the time, place, and organization such committee's meetings; the notice required to call any such meeting; the number of members of each such meeting; the number of members of each such committee that shall constitute a quorum; the affirmative vote of the committee members required effectively to take action at any meeting at which a quorum is present; the recommendation to the council that any such committee can take without a meeting; the method in which a vacancy among the members of such committee can be filled and the procedures by which resignations and removals of members of such committee shall be acted upon or accomplished shall be fixed by the resolution adopted by the council relative to such matters.
- 5.2 Committee Officers. Each committee shall select a chairperson and a recording secretary. The recording secretary shall prepare written reports of each committee meeting which shall be presented to the council members at the next regularly scheduled council meeting at which action will be recommended by the committee.
- 5.3 Tenure and Qualifications. Each member of a committee shall hold office during the current SBDM calendar year. A committee member may be reappointed for additional terms by the council. The membership of each committee may include but not be limited to parents, faculty, PLD staff and students.
- 5.4 Meetings. Unless otherwise directed by the Council, each committee shall hold at least two (2) regular meetings during the school year, at such times and places as the committee may fix from time to time by resolution. Special meetings shall be held in

compliance with 3.5 and 3.6. Committees may notify faculty, staff, parents and students to ask for input prior to submitting proposals to the Council.

- 5.5 Quorum. Unless otherwise directed by the Council, a majority of the members of the committee shall constitute a quorum for the transaction of business at any meeting thereof. Action of the committee must be authorized by an affirmative vote of a majority of the committee members present at a meeting at which a quorum is present.
- 5.6 Vacancies. Any vacancy in the committee may be filled by the committee chairperson.
- 5.7 Resignations and Removal. Any members of the committee may be removed at any time, with or without cause, by resolution adopted by the council. Any member of the committee may resign from the committee at any time by giving written notice to the chairperson of the council, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- 5.8 Standing Committees. The council shall establish standing committees, define the scope of responsibilities and solicit and appoint committee members. Standing committees shall include, but not be limited to:
- a. Building and grounds, which shall be chaired by a PLD Associate Principal – Council Member;
 - b. Finance and Curriculum, which shall be chaired by the Principal;
 - c. Professional Development, which shall be chaired by a PLD Associate Principal – Council Member;
 - d. School Climate
 - e. Assessment
 - f. Technology
- 5.9 Ad Hoc Committees. The Council shall appoint and dissolve ad hoc committees as needed.
- 5.10 Committee Policy. Consistent with KRS 160.345c (2), no committee shall be formed or activated until the council adopts a policy to facilitate the participation of interested persons, including but not limited to, classified employees and parents. The policy shall include the number of committees, their jurisdiction, composition and the process for membership selection. Committee composition shall be consistent with minority representation required pursuant to KRS 160.345.

ARTICLE 6

POLICY DEVELOPMENT, AMENDMENTS AND REVIEW

6.1 Policy Department.

- (a) When issues requiring the council to formulate a policy arise, it shall be the responsibility of the Chairperson to facilitate discussion to ensure that those having legitimate interests in the matter have the opportunity to present their views. If, after proper discussion, it appears consensus cannot be attained the following shall be taken:
 - i. an official motion will be stated and duly seconded.
 - ii. A maximum of 10 minutes will be granted to discuss the motion.
 - iii. The Chairperson will call for a vote polling each council member;
 - iv. A majority (half plus one) of the council members present must vote in favor of the motion in order for it to pass;

- v. The minutes of the meeting shall record each member's vote on all votes which are not unanimous; and an abstention implies agreement with the majority vote.
 - vi. Any council member who identifies himself or herself as having a conflict of interest in the outcome of any issue being considered by the council must not participate in any votes taken on that specific issue. The person shall leave the room during the discussion and vote and the minutes shall reflect that the individual left the room.
- (b.) A proposed policy may not be introduced and voted on at the same meeting. The next meeting's agenda should acknowledge that a final vote will be taken on the specified topic.
- (c.) The discussion time devoted to any single agenda item, and each presentation on any particular agenda item shall be limited to no more than twenty (20) minutes, unless the council adopts a longer time for any item.

6.2 Amendment Process. The Council shall have the power and authority to alter, amend or repeal these by-laws by the vote of not less than a two-thirds (2/3rds) majority of the entire council.

ARTICLE 7

APPEAL OF DECISIONS

- 7.1 Eligibility for Appeal. Appeals of decisions of the council may be made by any resident of the PLD attendance area or any approved out of district student or their parent or legal guardian.
- 7.2 Appeal Procedure. (a) In accordance with Fayette County Schools Board policy number 02.42411, prior to being appealed, the issue shall be presented in writing to the Principal, who shall bring the matter before the council at its next meeting. If the matter is not satisfactorily resolved within 10 school days from the date the issue is presented to the council, the appeal may be submitted in writing to the High School Director.
- (b) If, within ten school days after receiving the appeal, the High School Director has not been able to resolve satisfactorily the concern, a further appeal may be made in writing to the Superintendent.
- (c) If, within ten school days after receiving the appeal, the Superintendent has not been able to resolve satisfactorily the concern, a further appeal may be made in writing to the Board of Education. The Board shall act on the appeal within 40 school days of the Board meeting when the appeal was made. The decision of the Board shall be final.
- 7.3 Grounds for Appeal. Council action may be appealed on the following grounds: arbitrariness, violation of district policy, the action exceeded the authority of the Council or was otherwise unlawful under state or federal law.

The above by-laws of the Paul Laurence Dunbar High School-School Based Decision Making Council were adopted by the Council as of March 21, 2012

Respectfully submitted: Read and approved:
 Ellen Fore, Recording Secretary
 Betsy Rains, Chairperson

