

# **Henry County Schools Administrative Procedures School Council Bylaws and Guidelines**

## **Article I**

### **Name**

The name of this school council shall be the Local School Council hereinafter referred to as the school council organized under the authority of state law and the Henry County Board of Education.

## **Article II**

### **Preamble and Purpose**

Recognizing the need to improve communication and participation of parents and the community in the management and operation of local schools, the General Assembly of Georgia and the Henry County Board of Education believe parent and community support is critical to the success of students and schools. The intent of these bylaws and guidelines is to bring communities and schools closer together in a spirit of cooperation to solve difficult education problems, improve academic achievement, provide support for teachers and administrators, and bring parents into the school-based decision-making process.

The establishment of school councils is intended to help the Henry County Board of Education develop and nurture participation, bring parents and the community together with teachers and school administrators to create a better understanding of and mutual respect for each other's concerns, and share ideas for school improvement. School councils shall be reflective of the school community.

The management and control of public schools shall be the responsibility of local boards of education. School councils shall provide advice, recommendations, and assistance and represent the community of parents, educators and businesses. Each member of the council, as a community representative, shall be accorded the respect and attention deserving of such election.

## **Article III**

### **Council Training**

The board of education shall provide a training program to assist schools in forming a school council and to assist school council members in the performance of their duties. Such program shall address:

- (1) the organization of councils;
- (2) their purpose and responsibilities;
- (3) applicable laws, rules, regulations and meeting procedures;
- (4) important state and local school system program requirements; and
- (5) shall provide a model school council organization plan.

The training program shall be offered to school council members at least twice per school year, except that this program shall be offered after election should there be members of

the school council with a term commencing on July 1 who have not previously received this training. Additional training programs shall be offered to school council members annually.

#### **Article IV** **School Council Membership**

Membership on the council shall be open to teachers, parents, and business representatives selected from all businesses that are designated school business partners. Any member may withdraw from the council by delivering to the council a written resignation and submitting a copy to the secretary of the council or school principal. Should school council members determine that a member of the council is no longer active in the council as defined by the bylaws of the council, the council may, by a majority vote of the council, withdraw such person's membership status, effective as of a date determined by the council.

Members of the council shall serve for a term of two years with the exception of when terms are adjusted to create staggered membership. Upon the expiration of the terms of the businessperson council members in office on July 1, 2007, these member positions shall subsequently be filled by parent council members; provided, however, that additional businesspersons from the local business community may serve on the council and shall be selected by the other members of the school council. Council members may serve more than one term.

The property and business of the council shall be managed by a minimum of seven school council members of whom a majority shall constitute a quorum. School council members must be individuals who are 18 years of age or older. Members of the school council shall include:

- (1) A number of parents or guardians of students enrolled in the school, excluding employees who are parents or guardians of such students, so that such parents or guardians make up a majority of the council and at least two of whom shall be businesspersons. Parent council members shall be elected by, and from among, the group they represent.

**Note A:** An employee of the local school system may serve as a parent representative on the council of a school in which his or her child is enrolled if such employee works at a different school.

**Note B:** A parent or guardian of a child assigned to the Alternative School does qualify for election as a parent in the home school where their child would attend.

**Note C:** While terms of office are for two years, parents or guardians of any grade-level child enrolled in the school are eligible to vote and hold office, regardless of whether or not their child may graduate from the school in one year or less.

**Note D:** School Board members, as parents or businesspersons, are disqualified from serving on school councils but are allowed to vote as a parent from an electing body.

**Note E:** There is no prohibition in the law for a qualifying person to serve on two or more school councils, where qualified.

**Note F:** A parent of a student receiving a majority of educational services at a school other than their home school may be eligible to serve at that school.

- (2) Two businesspersons who shall be parents or guardians of students enrolled in the school elected by, and from among, the group they represent; provided that other business persons from the local community may serve on the council and shall be selected by the other members of the school council from the business partners of the school or, if there are no business partners, from the local business community;

**Note A:** There is no requirement that the businessperson's business be located within the school's attendance zone.

**Note B:** Businesspersons must be actively engaged in commerce to be eligible.

**Note C:** There is no requirement that additional businesspersons be added beyond the two who are also parents.

- (3) Two certificated teachers\*, excluding any personnel employed in administrative positions, who are employed at least four of the six school segments at the school; and

**Note A:** \*Teacher is defined as a regular classroom teacher, *media personnel*, or *counselors*.

**Note B:** Teachers who have resigned but are currently employed are eligible to vote and be elected as a teacher representative. Upon the effective date of the resignation, the teacher is disqualified to vote or hold office on the council.

- (4) The school principal is automatically appointed to the council. No election is required. The school principal holds office by virtue of his/her position as principal.

Conflict of interest issues generally do not apply to council members because councils are advisory in nature, as opposed to boards of education which are decision-making bodies.

## **Article V Vacancy on Council**

The office of school council member shall be automatically vacated:

- (1) If a member shall resign;
- (2) If the person holding the office is removed as a member by an action of the council; or
- (3) If a member no longer meets the qualifications specified by law.

An election within the electing body for a replacement to fill the remainder of an unexpired term shall be held within 30 days, unless there are 90 calendar days or less remaining in the term in which case the vacancy shall remain unfilled.

**Article VI**  
**Meeting Notice and Location**

All meetings of the council shall be held at the school or at a location determined by a majority vote of the council. The council shall meet in January, February, March, April, May, September, October and November. Additional meetings may be called by the chairperson, or at the request of a majority of the members of the council. Notice by mail shall be sent to school council members at least seven days prior to a meeting of the council. School councils shall be subject to Chapter 14 of Title 50, relating to open and public meetings, in the same manner as local boards of education.

**Note A:** Councils may meet during normal school hours and before or after school hours, but in all cases must be announced to the public at least twenty-four hours in advance.

**Note B:** Councils may notify the media of all dates, times and locations of council meetings for the entire school year, July 01 through June 30, with additional notice to media for cancellations, date/time/location changes and called meetings.

**Note C:** Because the law requires notice by mail to be sent to school council members at least seven days prior to a meeting of the council, there can be no emergency meetings of the council.

The council secretary shall be responsible for notifying, in writing, the Henry County legal organ of any and all meetings of the council at least twenty-four hours in advance of the meeting. It is the responsibility of the council secretary to maintain a written record of compliance with this notification requirement. Additionally, the council secretary shall provide advance notification, in writing, to the school community of teachers and parents of any and all school council meetings. (See: Article XII, Officers and Duties)

**Article VII**  
**Quorum and Voting Requirement**

Each member of the council is authorized to exercise one vote. Proxy votes are not allowed. Voting members must be present to vote.

A quorum comprised of a majority of council members must be present in order to conduct official council business.

At all meetings of the council every question shall be determined by a majority vote of members present, representing a quorum.

The adoption of bylaws or changes thereto requires a majority of affirmative votes.

**Article VIII**  
**Remuneration**

Members of the council shall not receive remuneration to serve on the council or its committees.

**Article IX**  
**Electing Bodies, Election Method, Ballots**  
**And**  
**Posting of Elections and Meetings**

After providing public notice at least two weeks before the meeting of each electing body, the principal of each school shall call a meeting of electing bodies during the month of May each year for the purpose of selecting members of the school council.

Members of the council shall serve for a term of two years with the exception of when terms are adjusted to create staggered membership.

The electing body for the parent members shall consist of all parents and guardians eligible to serve as a parent member of the school council.

The electing body for the teacher members shall consist of all certificated personnel eligible to serve as a teacher member of the school council.

Election method/procedures: Nominations shall be accepted by the principal from members within the electing body prior to the actual voting meeting. Nominations from the floor shall be accepted at the meeting of the electing body. Teacher and parent election meetings shall use the plurality method of election. One vote shall be taken with the two highest vote recipients being elected to serve on the school council. Where two individuals tie with the highest number of votes, both shall serve on the council, provided two council positions are open. If only one position on the council is open, then subsequent votes are required until one single individual emerges with the highest vote. Teachers/Parents must be present and qualified to vote, proxies not allowed. A person does not have to be present at the time of the vote to be elected to the school council.

**Note A:** Qualified parents or guardians *of record* of a student enrolled in the school may vote.

**Note B:** A job description of council member roles and responsibilities will be sent to prospective nominees.

**Article X**  
**Local School Council Bylaws**

The school council shall adopt the bylaws and guidelines included herein and such additional bylaws and guidelines as it deems appropriate to conduct the business of the council. The adoption of bylaws or changes thereto requires a majority of affirmative votes. The bylaws adopted by local school councils shall not be inconsistent with the language or intent of the Bylaws, Guidelines, and Code of Ethics approved by the Henry County Board of Education, adopted May 14, 2001, and, thereafter, as revised.

**Article XI**  
**Immunity**

The school council shall have the same immunity as the local board of education in all matters directly related to the functions of the council.

## **Article XII Officers and Duties**

The officers of the council shall be a chairperson, vice chairperson, and secretary. Officers of the council shall be appointed by resolution of the council at the first meeting of the council following the election of school council members. The officers of the council shall hold office concurrently with the term of members of the council.

### **The Chairperson**

The chairperson must be a parent or guardian member of the Council and shall have the following duties pertaining to school council activities:

- (1) Perform all of the duties required by law and the bylaws of the council;
- (2) Speak for and represent the council in all school council matters before the local board of education;
- (3) Develop the agenda for each meeting of the council after taking into consideration suggestions of council members and the urgency of school matters. An item may be added to the agenda at the request of three or more council members
- (4) Sign the required affidavit on each occasion the school council elects to close a meeting and enter into executive session. A copy of the affidavit shall be forwarded to the Superintendent's designee along with a copy of the meeting minutes.

### **The Vice-Chairperson**

The vice chairperson shall, in the absence or disability of the chairperson, perform the duties and exercise the powers of the chairperson and shall perform such other duties as shall from time to time be imposed upon him or her by the council.

### **The Secretary**

The secretary shall attend all meetings, act as clerk of the council, and be responsible for recording all votes and minutes of all proceedings in the books to be kept for that purpose. The secretary shall give or cause to be given notice of all meetings of the council and shall perform such other duties as may be prescribed by the council or the chairperson, under whose supervision the secretary shall be.

### **The Principal**

The school principal shall have the following duties pertaining to school council activities:

- (1) Cause to be created a school council by convening the appropriate bodies to select school council members; setting the initial agenda, meeting time, and location; and notifying all school council members of the same;

- (2) Perform all duties required by law and bylaws of the council;
- (3) Communicate all council requests for information and assistance to the local school superintendent and inform the council of responses or actions of the local school superintendent;
- (4) Develop the school improvement plan and school operation plan and submit the plans to the school council for its review, comments, recommendations, and approval;
- (5) Aid in the development of the agenda for each meeting of the council after taking into consideration suggestions of council members and the urgency of school matters.

**Article XIII**  
**Accountability**

The members of the council are accountable to the constituents they serve and shall:

- (1) Maintain a school-wide perspective on issues; and
- (2) Regularly participate in council meetings; and
- (3) Participate in information and training programs; and
- (4) Act as a link between the school council and the community; and
- (5) Encourage the participation of parents and others within the school community; and
- (6) Work to improve student achievement and performance.

**Article XIV**  
**Minutes**

The minutes of the council shall be made available to the public, for inspection at the school office within two working days (Monday-Friday), and shall be provided to the council members, each of whom shall receive a copy of such minutes within 20 days following each council meeting.

A copy of council meeting minutes and a copy of any affidavit executed shall be forwarded to the Superintendent's designee within three working days (Monday-Friday).

School councils shall be subject to Article 4 of Chapter 18 of Title 50, relating to the inspection of public records, in the same manner as local boards of education.

At all meetings of the council every question shall be determined by a majority vote of members present, representing a quorum.

**Article XV  
Term of Office**

The term of office of all council members shall begin on July 01 and end on June 30. Members of the council shall serve for a term of two years with the exception of when terms are adjusted to created staggered membership.

**Article XVI  
Committees, Study Groups and Task Forces**

The council may appoint committees, study groups, or task forces for such purposes as it deems helpful and may utilize existing or new school advisory groups.

**Article XVII  
Board of Education and School Council  
Operational Agreements**

The Henry County Board of Education shall provide all information not specifically made confidential by law, including budget information, to the council as requested\*. The local board shall also designate an employee of the school system to attend council meetings if requested by a school council for the purpose of responding to questions the council may have concerning information provided to it by the local board or actions taken by the local board. The central administration shall be responsive to requests for information from the school council.

*Note A:* \*The Superintendent's designee will develop a list of such information not permitted. This list should include the statement "including but not limited to." Also, requests for information from the council should be reflected by a motion and second.

The local board of education shall receive all recommendations of the school council, including the annual report, and shall have the authority to overturn any decision of the school council as follows:

- (1) Public notice shall be given to the community of the local board's intent to consider school council reports and/or recommendations.
- (2) Written notice shall be given to the members of the school council at least seven days prior to such local board meeting, along with a notice of intent to consider a council report and/or recommendation.

**Procedure A:** The Superintendent's designee is responsible for notifying at least ten (10) working days (Monday-Friday) in advance, in writing (e-mail acceptable notice), the principal of each school council that has matters pending before the board, that the board of education shall hold a meeting and at such meeting the board intends to consider a council's report, recommendation, appointment or any decision made by the council. Such notice shall contain the meeting date of the board of education and the matters to be considered and shall be kept on file for reference should a question arise concerning notification. It then becomes the responsibility of the principal to notify, in writing, each member of the council at least seven days prior to the board of education meeting concerning the notice received.

- (3) The members of the school council shall be afforded an opportunity to present information in support of the school council's report or recommendation.

**Procedure A:** The Chairperson shall speak for and represent the council in all school council matters before the board of education. See, specifically: Article XII, Officers and Duties, The Chairperson (2). At the Board Chairperson's discretion, other members of the council may be allowed the opportunity to present information.

- (4) A majority of the board members present, representing a quorum, vote to overturn the council decision.

The local board of education shall respond to each recommendation of the school council within 60 calendar days after being notified\* in writing of the recommendation.

**Note A:** \*Notification is perfected when the board of education officially receives written notification in a meeting (regular, called or work session) of the board of a school council's report, recommendation, appointment or other decision of a council. After initial receipt of a school council item, the Superintendent's designee is responsible for placing school council item(s) on a board agenda within the sixty (60) calendar day requirement.

### **Article XVIII** **Scope of Council Responsibilities**

(A) School councils are advisory bodies.

(B) Councils shall provide advice and recommendations to the school principal and, where appropriate, the local board of education on any matter related to student achievement and school improvement, including, but not limited to, the following:

- (1) School board policies;
- (2) School improvement plans;
- (3) Curriculum and assessment
- (4) Report cards issued or audits of the school conducted by the Office of Student Achievement;
- (5) Development of a school profile which shall contain data as identified by the council to describe the academic performance, academic progress, services, awards, interventions, environment, and other such data as the council deems appropriate;
- (6) In the case of a vacancy\* in the position of school principal\*\*, the recommendation of a school principal candidates from a list\*\*\* of qualified applicants submitted by the local board of education and local school superintendent to the council;

**Note A:** \*Vacancy is defined as when a principal is separated from employment, resigns or retires.

**Note B:** \*\*School principal as defined herein relates solely to the school principal, and does not include assistant principals or administrative assistants.

**Note C:** \*\*\*The board of education directs the superintendent to provide a list.

**Note D:** Upon receipt of the list of qualified applicants for the position of principal, the school council is required to hold all personnel discussions in executive session. No vote may occur in executive session. The council must vote in open session to recommend a school principal for consideration by the superintendent and board of education.

**Note E:** A sitting principal may not vote on his/her successor.

**Note F:** A school council may not add an applicant to the list.

**Note G:** A school council's recommendation does not supersede the Superintendent's authority to recommend employment under O.C.G.A. 20-2-211(a).

- (7) School budget priorities, including school capital improvement plans;
- (8) School-community communication strategies;
- (9) Methods of involving parents and the community;
- (10) Extracurricular activities in the school;
- (11) School-based and community services;
- (12) Community use of school facilities;
- (13) Student discipline and attendance;
- (14) Receiving and reviewing reports from the school principal regarding progress toward the school's student achievement goals, including progress within specific grade levels and subject areas and by school personnel; and
- (15) The method and specifications for the delivery of early intervention services or other appropriate services for underachieving students.

### **Article XIX Parliamentary Authority**

Roberts Rules of Order, Newly Revised shall be the governing parliamentary authority for school councils in all cases applicable but not inconsistent with these bylaws.