

**Bylaws of the
Cartersville Middle School Governance Council
2013-14**

Article I

Name

The name of the school council shall be the **Cartersville Middle School Governance Council** hereinafter referred to as the “**School Governance Council**” or “**School Council**” organized under the authority of state law and the Cartersville City Board of Education, hereinafter referred to as the “**Board.**”

Article II

Purpose

Recognizing the importance of communication and participation of parents and the community in the efforts to educate our children, the School Council establishes as its purpose the support of Cartersville Middle School. The School Governance Council shall work to support educational efforts of the school by working in a spirit of cooperation with school staff and other Council members to improve academic achievement and performance, provide support for teachers and administrators, and bring parents into the school-based decision-making process by working on education issues. The School Council shall help the Board develop and nurture participation of parents and the community, 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 role, and share ideas for school improvement.

Specifically, the School Council is created as a council described in the applicable sections of the Official Code of Georgia Annotated (O.C.G.A.) and for the purposes set forth therein. The management and control of Cartersville Middle School shall be the responsibility of the Board, and the school leader shall be the principal. The School Council may provide advice, recommendations, and assistance and represent the community of parents and local businesses. Each member of the council, as a representative, shall be accorded the respect and attention deserving such election or appointment.

Article III

Operational Date and Training

On July 1, 2001, the Cartersville Middle School Governance Council shall be operational in the Cartersville City School System.

The Board 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 of training shall address:

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

The training program shall be offered to school council members at least once per school year and more often if requested by the School Council or by the Board.

Article IV

Membership

Section 1.

Number and Qualifications. School Governance Council shall consist of at least eleven members.

Members shall include:

- a. Three parents or legal guardians of students currently enrolled in Cartersville Middle School, excluding parents or guardians who are also employed at the school. Parents or legal guardians who are employed by the Board, but not assigned to Cartersville Middle School are eligible to serve.
 - 1) *A substitute teacher working in the school system may serve as a parent or guardian representative if they have a child enrolled at the school.*
 - 2) *School Board members, as parents or business persons, are disqualified from serving on the school council but are allowed to vote as a parent from an electing body.*
 - 3) *While terms of office on the school council are for two years, a parent or legal guardian of any grade-level child enrolled in the school is eligible to vote and hold office, regardless of whether or not their child may be promoted from that school in one year, or less.*
 - 4) *A parent or legal guardian of a child receiving a majority of educational services at a school site within the Cartersville City School System other than their home school is eligible to serve at that school.*
 - 5) *A parent or legal guardian who will have a child enrolled at Cartersville Middle School for the following year will be eligible to be elected and serve as a school council member beginning July 1 of the year the student will be enrolled in that school.*
 - 6) *A parent or legal guardian of a child assigned to an alternative education program operated by, contracted for, or in partnership with the Cartersville City School System does qualify to be elected and to serve on the School Council if otherwise eligible.*
 - 7) *More than two parents may serve on the School Council by amendment of these By-laws.*
- b. Three certificated teachers, excluding any personnel employed in administrative positions, who are employed at least four of the six school segments at the school;
 - 1) *“Teacher” is defined as a classroom teacher who provides instruction to students enrolled in the school at least four of the six school segments each day, excluding media personnel, counselors, and itinerant or part-time teachers who serve less than four segments at the school.*
 - 2) *A teacher who has resigned but is currently employed is 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.*
 - 3) *More than two teachers may serve on the School Council by amendment of these By-laws. However, there can be no more teachers than there are parents/guardians on the School Council. There can be more parent than teacher members on the Council as allowed by these By-laws or their amendment. If*

there are more than two certified employees, excluding the principal, the third member of the group may be a full time guidance counselor or media specialist at the school.

- c. Three business persons selected from all businesses that are designated school business partners or, if there are no business partners, from the local business community at large; and

- 1) *There is no requirement that the businessperson's official business address be located within the school district boundaries, but should be in the general area, e.g., Bartow County.*
- 2) *Church personnel, military personnel, and governmental personnel do not meet eligibility criteria for "businessperson." Business persons must be actively engaged in commerce to be eligible.*
- 3) *To be considered as a business person for the purpose of the school council, the person shall be in a leadership or management position which has some decision-making authority at or for the place of business.*

- d. The school principal.

Section 2.

Age. Each member of the School Council shall be at least 18 years of age or older except in the case where amendment to these By-laws a full time student at the school is a student representative.

Section 3.

Tenure. Members shall serve for a term of two years. The term of office shall begin on July 1 and end on June 30. Parent and teacher members are eligible to be re-elected for subsequent terms by their electing body if eligible.

Section 4.

Resignation. Any member may withdraw from the School Governance Council by delivering to the Principal, Chairperson or Secretary a written resignation, or by giving verbal resignation during a meeting of the School Council. Such verbal or written notice of resignation shall be recorded in the official meeting minutes.

Section 5.

Removal. Any member of the School Governance Council who is no longer active, excluding the principal, may be removed by an affirmative vote of five members of the School Council at any regular or called meeting of the School Council. A member of the School Council shall be deemed inactive if the member has missed three (3) consecutive meetings of the School Council. The School Council shall determine the effective date of the removal. Furthermore, any member of the School Council who has violated the any standard of the Georgia Professional Standards Commission' Code of Ethics may be removed from the Council. Such removal shall be by an affirmative vote of five members at any regular or called meeting of the School Council.

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

Section 6.

Compensation. Members shall not receive any remuneration to serve on the School Governance Council or its committees. Reimbursement for travel expenses is not permitted.

Article V

Election of Members

Section 1.

Electing Bodies. The electing body of the parent members shall consist of all parents and legal 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 Governance Council.

Section 2.

Elections. After providing public notice at least two weeks before the meetings, the principal shall call a meeting of the electing body for the parent members and a separate meeting of the electing body for the teacher members during the month of May each year for the purpose of electing members for any and all vacant elected positions on the School Governance Council.

Section 3.

Election Method for Parents and Teachers. The school principal shall chair each meeting of the electing bodies for parent and teacher members. Members of the electing bodies may nominate eligible individuals for election to the School Governance Council, either by submitting such nominations in writing to the principal at least 24 hours before the scheduled election meeting or by making an oral motion which is seconded by another member of the electing body. Individuals eligible to participate in the electing body for teachers shall not nominate parent candidates. Individuals eligible to participate in the electing body for parents shall not nominate teacher candidates. Nominations offered by individuals who are not eligible to participate in these electing bodies shall not be recognized. It shall be the duty of the school principal to assure that nominees are willing and eligible to serve. Only members of the electing body shall be qualified to nominate and elect individuals to the School Council.

Voting shall be by secret ballot, and each electing member shall receive only one ballot. Members of the electing body must be present to vote. Election of School Council members shall be by plurality. One vote shall be taken with the two highest vote recipients being elected to serve as the two members of the School Council representing the electing body. Each qualified voter may vote for two persons on the ballot. Where two individuals tie with the highest number of votes, both shall serve on the School Council if two council positions are open. If only one position on the School Council is open, then subsequent votes are required until one individual receives the highest vote. A person does not have to be present at the time of the vote to be elected to the School Council.

The non-business members of the School Council shall select the two businessperson members of the Council by majority vote.

- 1) *Qualified parents or legal guardians as recorded on official school records of a student enrolled in the school or those whose child is currently enrolled in a lower grade-level school currently and will be enrolled in Cartersville Middle School for the next school year may vote.*

Article VI

Vacancy on the School Governance Council

The office of School Council member shall be automatically vacated:

- (1) if a member resigns,
- (2) if a member is removed by action of the School Council pursuant to Article IV, Section 5 of these Bylaws, or
- (3) if a member no longer meets the qualifications for membership specified by law or these Bylaws.

An election within the electing body for a replacement to fill the remainder of an unexpired term shall be held within 30 days of the date of the resignation, removal, or disqualification; unless there are 90 days or less remaining in the term in which case the vacancy shall remain unfilled until a replacement is selected by normal election/appointment processes as stated in these Bylaws.

Article VII

Officers

Section 1.

Number and Term of Office. The officers of the School Governance Council shall be a chairperson, vice chairperson, and secretary. Officers shall hold office concurrently with their term of membership on the School Council.

Section 2.

Election. Officers of the School Governance Council shall be elected at a meeting of the School Council following the annual election of School Council members, as needed. The Principal shall conduct the election of the officers, as needed.

Section 3.

Vacancies. A vacancy in any office at any time and from any cause may be filled for the unexpired term at the next meeting of the School Governance Council after notice of at least ten (10) days prior to an election. A member does not have to be present at a meeting in order to be elected as an officer.

Section 4.

Chairperson. A non-principal member of the School Council shall serve as chairperson of the School Council and perform all of the duties required by law and these Bylaws of the School Council. The school principal shall 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.

The school principal shall speak for and represent the School Governance Council in all School Council matters before the Cartersville Board of Education; communicate all School Council requests for information and assistance to the Superintendent or his/her designee and inform the School Council of responses or actions of the Superintendent; develop the School Improvement Plan (SIP) and school operational plans and share such plans to the School Council for review, comments and recommendations; develop the agenda along with the Chairperson for each meeting of the School Council after taking into consideration suggestions of School Council members and the urgency of school matters; and provide to the School Council appropriate and applicable information from the State Board of Education and Georgia Department of Education.

The Principal shall cause the signing of the required affidavit on each occasion should the Council elect to close a meeting and enter into executive session. The signed affidavit shall be included in the School Council minutes.

Section 5.

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 School Council.

Section 6.

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

Article VIII

Meetings of the School Council

Section 1.

Place of Meetings. All official meetings of the School Governance Council shall be held at Cartersville Middle School in a location determined by the principal. Training meetings provided by the Board shall be held at a location designated by the Superintendent or his/her designee.

Section 2.

Regular Meetings. School Governance Council shall meet at least eight (8) times annually. The School Council shall prescribe the time, place, and dates of its regular meetings for the following meetings at its first meeting. The schedule of the regular meetings shall be available the general public, including the legal organ of the Cartersville City Schools, and shall be posted in a conspicuous place available to the public at the school.

- 1) *A regularly scheduled meeting which does not have a quorum of the members present does not have to be rescheduled*

Section 3.

Called Meetings. The School Governance Council shall meet at the call of the chairperson or at the request of a majority of the members of the School Council. All required notices of meeting required in law or by these Bylaws must be adhered to for called meetings.

Section 4.

Notice. Notice by mail shall be sent by the Secretary or Principal to Council members at least seven days prior to any and all regular meetings of the School Council. E-mail notification is acceptable. The Secretary or Principal shall notify the legal organ of the Cartersville City Schools, in writing or by telephone or by fax, of any called meetings of the School Council at least 24 hours in advance of the meetings. The Secretary or Principal shall also post a written notice at the school of any called meetings for at least 24 hours at the school.

- 1) *The School Council may meet during normal school hours or before or after school hours, but in all cases must be announced to the public at least 24 hours in advance.*
- 2) *The School Council may notify the media of all dates, times and locations of council meetings for the entire school year, July 1 through June 30, with additional notice to the media for cancellations, date and time changes, and called meetings.*

Section 5.

Agenda. The Chairperson and Principal shall develop an agenda for each meeting of the School Governance Council after taking into consideration suggestions of School Council members and the urgency of school matters. An item may be added to the agenda at the request of three or more School Council members. The agenda shall be available to the public upon request, and the chairperson shall cause to be posted the agenda at the meeting site as far in advance of the meetings as reasonably possible.

Section 6.

Quorum. At meetings of the School Governance Council, a majority of the members shall be necessary to constitute a quorum for the transaction of business.

Section 7.

Vote Required for Action. At all meetings of the School Governance Council, every question shall be determined by a majority vote of members present, representing a quorum. Each member of the School Council is authorized to exercise one vote. Council members must be present to vote. There shall be no representation by proxy of any member of the School Council at any meeting.

Section 8.

Minutes. The secretary shall be responsible for recording all votes and minutes of all meetings. The minutes shall include the names of the members present and a description of each motion or proposal made. In recording votes, the minutes shall state the name of each person voting for or against a proposal if a roll-call vote is taken. In all other votes, it shall be presumed that the action taken was approved by each person in attendance unless the minutes reflect the name of the person voting against the proposal or abstaining. The secretary shall provide a copy of the minutes to each School Council member within 20 days following each School Governance Council meeting.

The minutes shall be open to public inspection once approved as official by the School Governance Council, but no later than immediately following the next regular meeting of the School Council. Minutes shall become permanent records of the School Council and shall be in the custody of the school principal and maintained in the school office.

Section 9.

Public Access. All meetings of the School Governance Council shall be open to the public unless specifically exempt in the Open Meetings Act, O.C.G.A. § 50-14-1, et seq. If a meeting or portion thereof is closed to the public, all School Council members present shall sign the affidavit required by the Act.

Article IX

School Council Responsibilities

Section 1.

Advisory Body. The Cartersville Middle School Governance Council is an advisory body. As an advisory body, the School Council shall maintain the ultimate focus and purpose as being student achievement and performance. The School Council shall provide advice and recommendations to the school principal and, where appropriate, to the Cartersville City Board of Education on any matter including, but not limited to, the following:

- a. School calendar;
- b. School codes of conduct and dress;
- c. Curriculum, program goals, and priorities;
- d. The response of the school to audits of the schools as conducted by the Office of Education Accountability;
- e. Preparation and distribution to the community of a school profile which shall contain data as identified by the School Council to describe the academic performance and progress, services, awards, interventions, environment, and other such data as the School Council deems appropriate;
- f. In the case of a vacancy in the position of school principal *, the recommendation of a school principal according to Cartersville School Board policy;
- g. School budget priorities, including school capital improvement plans;
- h. School-community communication strategies;
- i. Methods of reporting to parents and communities other than through the school profile;
- j. Extracurricular activities in the school;
- k. School-based and community services;
- l. Community use of school facilities;
- m. Recommendations concerning school board policies;
- n. 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,
- o. The method and specifications for the delivery of early intervention services.

Note A: A vacancy in the school principal position relates solely to the school principal, and does not include assistant administrators.

Note B: All personnel discussions by the council shall be held in executive session. All matters discussed in executive session are to be held in confidence and according to Code of Ethics guidelines. No vote may be taken in executive session. A sitting principal shall not participate in Council discussions on his/her successor.

Note C: The School Council may not reject all candidates on any list as submitted to them by the Superintendent. The School Council may not add an applicant or name to any list of recommended candidates. A vote on the list is not required by the school council.

Section 2.

Financial Awards. The School Governance Council shall determine the distribution of the financial award to non certificated personnel received by the school from the Office of Education

Accountability as provided by O.C.G.A. § 20-14-38.

Section 3.

Accountability. The members of the School Governance Council are accountable to the constituents they serve and shall:

- a. Maintain a school-wide perspective on issues;
- b. Regularly participate in School Council meetings;
- c. Participate in information and training programs provided by the Board;
- d. Act as a link between the School Council and the community;
- e. Encourage the participation of parents and others within the school
- i. community; and,
- f. Work to improve student achievement and performance.

Section 4.

Code of Ethics. The members of the School Governance Council shall abide by the letter and intent of the Georgia Professional Standards Commission *Code of Ethics for Educators* hereby included as part of the Bylaws of the School Council.

Article X

Operational Agreements

Section 1.

Relationship with the Cartersville City Board of Education. The School Governance Council may request information, including budget information, from the Board of Education, which will be provided unless specifically made confidential by law. An employee of the school system, as designated by the Superintendent, shall attend School Governance Council meetings as requested by the School Council to respond to questions the Council may have concerning information provided to it by the Board or actions taken by the Board. Requests for information from the Board or Superintendent shall be made by a motion, second and subsequent affirmative vote by the Council. The minutes of the Council shall reflect such action.

The Board shall respond to each recommendation of the School Governance Council within 60 days after being notified in writing of the recommendation. The Board shall have the authority to overturn any decision of the School Council as follows:

- a. Public notice shall be given to the community of the Board's intent to consider School Council reports, recommendations, or other decisions of the School Governance Council. Notification is perfected when the Board of Education officially receives written communication in a meeting (regular, called or work session) of the Board of the School Council's report, recommendation or other decision of the Council. After initial receipt of a School Council item, the Superintendent or his/her designee is responsible for placing the item(s) on the Board agenda within sixty calendar days.

The publishing of the Board of Education meeting agenda listing the Board's intent to consider the School Council's reports, recommendations, or other decisions shall constitute public notice.

- b. The Superintendent or his/her designee is responsible for notifying the Principal at least ten (10) working days in advance, in writing (e-mail is acceptable notice), that the Board shall hold a meeting and at such meeting the Board intends to consider the School Council's report, recommendation or any decision made by the School Governance Council.

Written notice shall be given to the members of the School Governance Council through the Principal at least seven (7) days prior to such Board meeting, along with a notice of intent to consider a School Council report, recommendation, or any other decision of the School Council.

- c. The principal shall speak for and represent the School Governance Council in all council matters before the Board of Education. At the Board President's discretion, other members of the School Governance Council may be allowed the opportunity to present information.
- d. A majority of the Board members present, representing a quorum, may vote regarding a School Governance Council decision.

Section 2.

Relationship with existing governing bodies of the school. The School Governance Council shall recognize the governance structure of the school. The School Governance Council shall recognize that day-to-day operations of the school are under the specified authority of the principal.

Article XI

Committees, Study Groups, Task Forces

The School Governance 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 XII

Immunity

The School Council shall have the same immunity as the Cartersville City Board of Education in all matters directly related to the functions of the School Governance Council.

Article XIII

Parliamentary Authority

Robert's Rules of Order Newly Revised shall govern the School Governance Council in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or state law.

Article XIV

Amendment of Bylaws

These Bylaws may be amended at any meeting of the School Governance Council, provided that the amendments have been submitted in writing at the previous Council meeting and are not inconsistent with applicable federal and state law or Cartersville City Board of Education policy. Action by the School Council with respect to the Bylaws shall be taken by the affirmative vote of at least five members.

