



“Civic engagement in public education.”

Guide for Adapting the *Sample SIC Bylaws* for Elementary and Middle School SICs

STEP 1. Check to make sure that you are using the correct version of the *Sample SIC Bylaws*. State law requirements for SICs at schools that include Grade 9 or above are slightly different than requirements for the lower grades. If your school does not include Grade 9 or above, you should use the *Sample SIC Bylaws for Elementary and Middle School SICs*. If it does, you should be using the *Sample SIC Bylaws for High School SICs*.

STEP 2. Review the provisions of the *Sample SIC Bylaws for Elementary and Middle School SICs* listed below. The language that is marked in bold and underlined is language that SICs can change based on their own needs and preferences. Underneath each provision, you will find an explanation of the sample language and several questions that will help your SIC discuss options and decide what changes, if any, your SIC would like to make.

The list of *Sample SIC Bylaw* provisions below does not include language that cannot be changed because it is based on state law requirements or SC-SIC recommended language that reflects SIC best practices.

Title, Article 1, Article 2, and Article 6.

Replace **Spruce Elementary School** with the name of your school.

Article 3, Sections (A) (1) - (3).

(A) The SIC will be made up of the following representatives:

- (1) **Three** parents elected by parents of students enrolled in the school.*
- (2) **Three** teachers elected by teachers assigned to the school.*
- (3) **Three** members of the local community appointed by the Principal. . . .*

Explanation:

SICs at schools that do not include grade 9 or higher can determine the number of elected members on their Council so long as they have at least two (2) elected parent representatives and two (2) elected teacher representatives as required by law. The SIC may provide for more of one type of elected representative than another as long as there are at least two (2) of each type.

The number of appointed community members must always be half the total number of elected parent and teacher positions on the Council. (Ex-officio positions should not be counted for this purpose.) For example, *the Sample SIC Bylaws* call for a total of six (6) elected SIC members (three (3) parents and three (3) teachers) and half that many or three (3) appointed community members. If the total number of elected members cannot be divided evenly in half, SICs should round down to the nearest whole number.

SIC Discussion Questions:

- How large is our school? A large school will likely need more SIC representatives than a small school.
- How diverse is our school? A school that includes many different racial and ethnic groups or other diverse demographic characteristics may need a larger number of SIC representatives than a school whose population is not as diverse.
- How large is too large? An SIC with too many members can make it difficult to get things done in an efficient way.
- If we increase the number of elected members, how many additional community members will we need?

In summary, your SIC will need to balance the need to represent the size and diversity of students and families at your school with the need to keep the size of your SIC manageable.

Article 3, Section (A) (5).

(A) *The SIC will be made up of the following representatives: . . .*

(5) Two ex-officio members in addition to the Principal: the current Teacher of the Year and the current PTA/PTO Chairperson. . . .

Explanation:

An ex-officio SIC member is not elected or appointed, but is a member because he/she holds another position or leads another organization within the school or community. The school's Principal is always an ex-officio member of the SIC in accordance with state law. Your SIC can create additional ex-officio membership positions if it so chooses by listing them in the bylaws.

Teacher of the Year and PTA/PTO Chairperson are just examples of the kinds of ex-officio members your SIC may want to create. Your SIC should revise the list of ex-officio members in the *Sample SIC Bylaws* so that it matches the number and type of ex-officio positions, in addition to the Principal, that your SIC decides it needs.

SIC Discussion Questions:

- Are there certain key positions in the school that are held by individuals who have special expertise, knowledge, or skills that would be valuable to our SIC? Examples of such positions might include the school's Teacher of the Year, Parent Liaison, Immediate Past SIC Chair, an Assistant Principal, or other positions within the school's professional or administrative staff.
- Are there other organizations in our school or community that work on the same kinds of issues as our SIC or who are frequent SIC partners? An example might be the school's PTA/PTO, the band booster club, or the local public library. Creating a position on your

SIC for a representative of such an organization will help you to find areas where you can work together. It will also help you to coordinate your work so that you are complimenting -- not duplicating -- each other's efforts.

Article 3, Section (D).

(D) Ex-officio positions in addition to the Principal may only be created by the SIC through a properly adopted amendment to these bylaws. These additional ex-officio members have a voice but shall not be voting members of the SIC.

Explanation:

It is up to the SIC to decide whether ex-officio members will be voting or non-voting members of the Council. The *Sample SIC Bylaws* grant voting rights to the ex-officio position held by the Principal (Article 3, Section (C)), but not to other ex-officio positions on the Council.

If the SIC decides to grant voting rights to one or more ex-officio members, it must be so stated in the bylaws. If the bylaws do not state whether an ex-officio member is a voting or non-voting member, it is assumed that the ex-officio member does not have a vote. Any bylaw provision that affects the voting rights of ex-officio members is effective only after it is approved by the SIC and cannot be applied retroactively to change the results of past SIC votes.

SIC Discussion Questions:

- How many ex-officio members do we currently have? If we give all ex-officio members a vote, how will that affect the balance of voting power on our SIC between elected representatives and appointed/non-elected members?

Article 4, Section (A).

*(A) Nominations and elections for SIC parent and teacher representatives will be held each year **no later than August 31st**. The specific date, time, and location that SIC nominations and elections are to be held will be determined by the SIC from year to year and publicized in advance within the school community. The Principal will appoint community member representatives, in consultation with elected SIC members, **no later than September 15** of each year. Council members will assume their responsibilities immediately upon their election or appointment.*

Explanation:

SIC elections may be held any time between late May-early June of the preceding school year and October 15 of the new school year, the state law deadline for completing SIC elections. SICs that hold their elections in May or June have the summer to get organized and are ready to hit the ground running at the start of the school year. When SIC elections are held in the spring, however, SICs and their schools must take steps to ensure that the parents of students who will be entering in the fall have an opportunity to participate in nominations and elections. There is not a statutory deadline for completing community member appointments. As a practical matter, however, community member appointments must be completed by November 15, the state law deadline for reporting the full SIC membership roster for the current school year to the *SC-SIC Member Network*.

It is strongly recommended that SIC elections and appointments be completed well before the state law deadlines or your SIC may find that the school year has passed before it has a chance to get started.

SIC Discussion Questions:

- Do we want to hold SIC nominations and elections in late spring or early fall? What are the advantages and disadvantages of each for our school?
- Do we want to add language to this section of the bylaws stating that elections will always be held in the spring (or always in the fall)? Do we want to be even more specific and designate a specific month (e.g. August) or a specific week (e.g. the last week in August)?
- Do we want to tie our elections to an annual event rather than a date (e.g. "SIC elections will be held during the week that the school holds its "Back to School Night")? Do the bylaws need to include different election timelines for parent and teacher elections?
- Do our bylaws give us enough flexibility to make adjustments in the election schedule from year to year without having to amend our bylaws every year?
- How much additional time does the Principal need to complete community member appointments for the new school year once elections are completed? Will providing the Principal with this extra time unduly delay the SIC in holding its first meeting and beginning work on activities for the coming year?

Article 4, Section (B).

(B) The SIC, in consultation with the Principal, will develop and approve procedures for parent nominations and elections that are fair and encourage participation by all parents. . . .

Explanation:

State law does not contain any specific requirements regarding the procedures that SICs must use in nominating and electing parent representatives. So long as they are fair to all candidates and are designed to encourage maximum participation, SICs may develop procedures that are best suited for their school.

SIC Discussion Questions:

- Do we want to keep the bylaw language about election procedures general so that we have some flexibility to try different types of election procedures without having to amend our bylaws every time we make a change?
- Have we already identified election procedures that work well for our school? If so, should we put these procedures in the bylaws so that future SICs will continue to use them?

Article 4, Section (C).

(C) Teachers will nominate and elect their representatives to the SIC during a regularly scheduled faculty meeting.

Explanation:

SICs may use any procedure that is fair and inclusive to nominate and elect SIC teacher representatives. Most schools conduct nominations and elections during a regularly scheduled faculty meeting or other meeting that all teachers are required to attend.

SIC Discussion Questions:

- Do the bylaws reflect the procedures actually used by teachers in nominating and electing their SIC representatives? If not, do we need to change how teachers are conducting elections or do we need to change the bylaws to reflect the procedures they actually use?
- Are there any adjustments or improvements that need to be made to the current method teachers use to elect their representatives?

Article 5, Section (A).

(A) The term of office for all elected and appointed SIC members is two (2) years. . . .

Explanation:

SICs may determine the term of office for community member representatives. (The term of office for elected members is set by state law at two years and may not be changed.)

SIC Discussion Questions:

- What are the advantages, if any, to giving community member representatives a two year term, the same as elected members?
- Would it make it easier for our SIC to recruit community member representatives if we shortened their term to one year? What are the potential disadvantages to setting a shorter term?

Article 5, Section (C).

(C) There is no limit on the number of terms that an SIC member may serve.

Explanation:

State law does not set any limits on the number of terms than an individual may serve on an SIC. The question of term limits is one that can be discussed and decided by your SIC.

SIC Discussion Questions:

- If we don't adopt term limits, what is the longest amount of time that any one parent might be eligible to serve as a parent representative? What about teachers? Does it make sense to set term limits for one type of elected member but not the other?
- Do we need term limits in order to ensure that the SIC will regularly be infused with new ideas and energy and/or to protect against the SIC being controlled for a long period of time by the same individuals?
- Will term limits cause our SIC to lose too many valued, experienced members?

- Would it be better to just limit the number of terms a member can serve consecutively rather than creating an absolute limit on the total number of terms?

ARTICLE 6, Section (A).

*(A) The officers of the Spruce Elementary School Improvement Council will consist of a **Chairperson, Vice Chairperson, and Secretary.** . . .*

Explanation:

SICs may choose to provide for SIC Co-Chairs instead of a Chair and Vice-Chair. They may also provide for additional officer positions such "Second Vice Chairperson." SICs do not have Treasurers, however, as SICs do not handle or maintain funds directly and do not have bank accounts in their own name.

SIC Discussion Questions:

- Should we provide the option of having SIC Co-Chairs in the bylaws? What are the advantages/disadvantages?
- Is it practical or necessary to create additional officer positions given the total number of members on our SIC?

ARTICLE 7.

Duties of Officers (entire Article)

Explanation:

It is strongly recommended that SICs not eliminate any of the duties assigned to each of the officers under Article 7 of the *Sample SIC Bylaws*. SICs may, however assign additional duties to officer positions.

SIC Discussion Questions:

- Are there any additional duties that we want to assign to the Chairperson, Vice Chairperson, or Secretary?
- Have we added a list of duties for any additional officer positions that we created in our bylaws?

ARTICLE 9, Section (B).

*(B) In the event that an elected parent or teacher representative's membership terminates before the end of his/her term, **the individual who received the next highest number of votes in the most recent election shall fill the vacancy for the remainder of the term. If for any reason such an individual cannot be identified or is unwilling to serve, the SIC Chairperson, in consultation with the Principal and full SIC, shall appoint another eligible parent or teacher as appropriate to fill the vacancy for the remainder of the term.***

Explanation:

SICs may determine what procedures will be used to fill vacancies in elected membership positions.

SIC Discussion Questions:

- Is it practical to look to the individual who had the next highest number of votes in the last election to fill a vacancy? Are past election records readily available?
- Does the relative convenience of filling a vacancy by appointment outweigh the democratic interests served by filling vacancies by election?
- Would the interests of democracy be better served by requiring that vacancies be filled by election in cases where the remaining term of office is greater than one year, and by appointment where the remaining term of office is less than one year?

ARTICLE 10, Section (A).

*(A) The first regular SIC meeting of the school year will be held **no later than September 30.***

Explanation:

State law does not impose a date by which an SIC must hold its first meeting; whether and when to set such a deadline in the bylaws is an issue to be determined by your SIC.

SIC Discussion Questions:

- What are the benefits and drawbacks of having a deadline for holding the first SIC meeting of the year?
- If SIC elections are held in the fall, should we require SIC members who are returning for the second year of their term to hold an SIC meeting in August so that they can help coordinate SIC elections and start getting things organized for the coming year?
- If SIC elections are held in the spring, should we set an earlier deadline for the first SIC meeting of the year?

ARTICLE 10, Section (C).

(C) The SIC will meet monthly during the school year, except that the SIC may choose not to schedule a meeting in December. . . .

Explanation:

SC-SIC strongly recommends that Councils meet at least 8 times during the school year. If the SIC has its first meeting in September, this works out to one meeting a month with one month off. SICs usually schedule their month off in either December or May as these tend to be the busiest months for members.

SIC Discussion Questions:

- How often does our SIC need to meet in order to fulfill our statutory duties and responsibilities, accomplish our goals, and maintain a sense of momentum during the school year?

- Do we want to name the specific month that we will take off in the bylaws, or should we just state that the SIC will take one month off each year so that future SICs can change the month without having to amend the bylaws?

ARTICLE 10, Section (D).

*(D) All SIC meetings are open to the public and anyone showing an interest in the SIC and its activities will be encouraged to attend. Persons who wish to be placed on the agenda must submit a request to the SIC Chairperson or Principal **at least five (5) days before the meeting date.** . . .*

Explanation:

SICs are considered public bodies within the meaning of the SC Freedom of Information Act (FOIA). This means that SIC meetings are always open to the public. It is important, therefore, that SICs have procedures in place to ensure that all interested members of the public are treated fairly and have an opportunity to be heard while at the same time ensuring that the SIC can conduct an orderly meeting. Providing a procedure for individuals to request a place on the agenda in advance of the meeting is one of the ways that an SIC can achieve this objective.

SIC Discussion Questions:

- How far in advance does the Chairperson usually issue the agenda? Will the five (5) day advance notice requirement in the *Sample SIC Bylaws* give our Chairperson and Principal enough time to consider and respond to such a request?
- Is the five (5) day notice requirement too burdensome on individuals who may want to request a place on the agenda? Considering that the bylaws (and the SC Freedom of Information Act) require that the agenda be issued at least 24 hours in advance of the meeting, how much notice do we think is reasonable?
- Should the bylaws require that a request to be placed on the agenda be in writing?

ARTICLE 11, SECTION (A).

(A) Whenever possible, the SIC will make decisions by consensus. If voting is necessary, a simple majority vote will be sufficient to constitute an action of the SIC. A simple majority of the Council membership (elected and appointed) will constitute a quorum so long as at least one parent and one teacher representative are present.

I. Consensus Decision Making

Explanation:

Consensus decision making is not the same thing as making decisions by a majority vote. A decision reached by consensus is one that -- while not necessarily everyone's first choice -- is one that all members of the group agree that they can live with and support. While it is essential that individual needs and concerns are heard and considered in the process, the overall focus is on reaching a decision that is in the best interest of the whole.

SIC Discussion Question:

- To what degree do we want our bylaws to require that the SIC engage in consensus decision making?

II. Quorum

Explanation:

The SIC may decide how many members are required to reach a quorum. A quorum is the number of members (elected and appointed) who must be present at an SIC meeting in order for the SIC to take formal action on any matter before it. The SIC can still meet even if a quorum is not present -- but a majority of SIC members will need to confirm any action taken at the meeting before it becomes effective.

Most groups define a quorum as a simple majority of members. It is strongly recommended that SICs not reduce the number required for a quorum to less than a majority of members. The *Sample SIC Bylaws* include an additional requirement that at least one teacher and one parent representative be among the members making up the quorum. This is to ensure that SICs do not take action without input from at least one representative of each of these important stakeholder groups.

SIC Discussion Questions:

- Are there any special circumstances that would lead us to consider increasing the number of members needed to make a quorum?
- Is our SIC membership so large that it will be difficult to get a majority of members present at a meeting? (If this is the case, your SIC should consider whether it is too large to operate effectively and reduce the number of members accordingly).
- Do we want to keep the *Sample SIC Bylaws* requirement that a quorum must include at least one parent and one teacher representative? Will this requirement make it too difficult for the SIC to reach a quorum on a regular basis?

** Final Tip: Remember to record the date that your SIC formally approves its bylaws and any amendments in the spaces provided at the end of the sample bylaws. Future SIC members will thank you as it will make it easier for them to identify whether they have the most current version of the bylaws in their hands.*