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# School-based Decision Making

HANDBOOK

KENTUCKY DEPARTMENT OF EDUCATION

The purpose of this handbook is to provide detailed information regarding School-based Decision Making processes, laws, and best practices. Topics covered within the handbook can be found in the Contents' chart below:

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## The Primary Responsibility for Every School Council

KRS 160.345(2)(c)1

The school council shall have the responsibility to set school policy consistent with district board policy which shall **provide an environment to enhance the students' achievement** and help the school **meet the goals** established in KRS 158.645 and 158.6451.

# Chapter 1: School-based Decision Making Statute

As you review [KRS 160.345](#), the primary School-based Decision Making (SBDM) statute, please note that the exact text of the **SBDM statute is written first** and the **preceding bullet points are the implications of the text**. [Appendix A](#) includes the entire statute without implications. Likewise, you may also find related Opinions of the Attorney General (OAG) and preceding implications indicated by a bullet point.

## SECTION 1

For the purpose of this section:

- (a) “Minority” means American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school;
  - (b) “School” means an elementary or secondary educational institution that is under the administrative control of a principal or head teacher and is not a program or part of another school. The term “school” does not include district operated schools that are:
    1. Exclusively vocational-technical, special education, or preschool programs;
    2. Instructional programs operated in institutions or schools outside of the district; or
    3. Alternative schools designed to provide services to at-risk populations with unique needs;
  - (c) “Teacher” means any person for whom certification is required as a basis of employment in the public schools of the state with the exception of principals and assistant principals; and
  - (d) “Parent” means:
    1. A parent, stepparent or foster parent of a student; or
    2. A person who has legal custody of a student pursuant to a court order and with whom the student resides.
- In the SBDM statute, when the term “minority” is used, it refers to all of the groups included in this statutory definition.
  - In this statute, when the term “teacher” is used, it refers to all staff occupying positions requiring certification within the school, with the exception of principals and assistant principals, including itinerant teachers, part-time teachers, counselors, and library media specialists assigned to the school for payroll purposes, regardless of the amount of time they are assigned to the school.

- In this statute, when the term “parent” is used, it includes parents of students currently enrolled or pre-registered to attend a school and who meet the requirements of the definition.

### **SECTION 2(a)**

Each local board of education shall adopt a policy for implementing School-based Decision Making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:

(a) Except as provided in paragraph (b) 2 of this subsection, each participating school shall form a school council composed of two (2) parents, three (3) teachers, and the principal or administrator. The membership of the council may be increased, but it may only be increased proportionately. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member's spouse. None of the members shall have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees.

- Local school boards may require school councils to give an annual progress report in a public meeting that will describe their school's progress toward meeting the goals for students in KRS 158.6451.
- The administrative structure for school councils required in this section of the statute includes two parents, three teachers and the principal or administrator of the school. This administrative structure may increase proportionately without Kentucky Board of Education (KBE) approval in schools with more than one administrator.
- Parents elected to the council may not be employees of or be related to an employee of the school where they will serve or be employed in the district administrative offices or have an identified conflict of interest.

## SECTION 2(b)

1. The teacher representatives shall be elected for one (1) year terms by majority of the teachers. A teacher elected to a school council shall not be involuntarily transferred during his or her term of office. The parent representatives shall be elected for one (1) year terms. The parent members shall be elected by the parents of students pre-registered to attend the school during the term of office 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. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. The principal shall be the chair of the school council.
  2. School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following:
    - a. Organizing a special election to elect an additional member. The principal shall call for nominations and shall notify the parents of the students of the date, time, and location of the election to elect a minority parent to the council by ballot; and
    - b. Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty.
- A school council elected for the current term may not adopt a bylaw setting a different term for the current school council, but may adopt a bylaw setting different terms of office for parent and teacher members to be elected for the next term and beyond.
  - Parent and teacher members may be re-elected to consecutive terms as established in school council bylaws as long as they are members of the constituency groups, and in the case of parents, as long as they have a child pre-registered to attend the school.
  - Parents of students pre-registered to attend or who will be attending the school during the term for which the election is being conducted must elect parents. The parent election must be conducted by the parent organization of the school, if one exists. If no parent organization exists, the election is conducted by the largest group of parents *formed for the purpose* of electing parent representatives to the school council.
  - A school with a combined minority population of 8 percent or more must have at least one minority member on the school council. Combined minority population is determined by the annual reporting of attendance and ethnicity to the Kentucky Department of Education (Superintendents Annual Attendance Report [SAAR]); however, a district may opt to use internal data of enrollment from the previous October 1 Infinite Campus (IC) report. If so, the district is responsible for maintaining the documentation.

- If minority representation is required and no minority was elected in the general election cycle or the principal is not a minority, the principal must organize the special election for an additional parent and teacher member. The parent and teacher elected must be a minority. If the school has no minority teachers, the school faculty will elect, by majority, an additional teacher member to the school council. Term limitations do not apply to a minority teacher council member who is the only minority teacher on the school's faculty. [See Appendix B for a flowchart regarding this process.](#)
- Principals serve as the chair of the school council.

### **Related Attorney General Opinions**

#### **OAG 94-60**

Requiring the election to be held in a timely manner is a safeguard to prevent circumvention of this statute by failing to schedule the special election within a reasonable time span. By scheduling the special elections on the same night as the regular election the policy fails to allow for the minority parents to be notified of the special election.

... Additionally, the school policy fails to provide for reasonable notification to the minority parents of the special election as required by KRS 160.345(2)(b). This statute contemplates that the minority parents would receive notice of the special elections so that nominations may be made and eligible parents may vote for the minority parent representative.

- The attorney general's opinion requires that principals organize a special election within a reasonable time frame from the regular election. These elections cannot occur on the same evening.
- The language of the statute has since been amended from the original writing to include ALL parents in the election of the minority representative.

#### **OAG 12-011**

... The race or ethnicity of parents and children should be determined independently, and the eligibility of a parent to serve as a minority member on a school council under KRS 160.345(2)(b)2 is determined by whether the parent qualifies as a minority under KRS 160.345(1)(a).

- For a parent to serve as a minority member on a school council, the parent must fit the definition of minority based in the SBDM statute.

## **SECTION 2(c)-(e)**

(c) 1. The school council shall have the responsibility to set school policy consistent with district board policy which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and 158.6451. The principal shall be the primary administrator and the instructional leader of the school, and with the assistance of the total school staff shall administer the policies established by the school council and the local board.

2. If a school council establishes committees, it shall adopt 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.

(d) The school council and each of its committees shall determine the frequency of and agenda for their meetings. Matters relating to formation of school councils that are not provided for by this section shall be addressed by local board policy.

(e) The meetings of the school council shall be open to the public and all interested persons may attend. However, the exceptions to open meetings provided in KRS 61.810 shall apply;

- The primary role of the principal is as administrator and instructional leader.
- If school councils establish committees, the committee policy shall facilitate participation of all interested people, including parents and classified employees.
- School council committee policy must include the number of school council committees, their area of authority or responsibility, membership of the committees, and how people will be selected for committee membership.
- School councils and committees determine their own meeting schedules and set their own agendas. The school council and/or committee should agree upon meeting schedules and agendas.
- School councils and their committees must have meetings at times and places convenient for the public, and they must abide by the [Open Meetings Law](#).

## **Related Attorney General Opinions**

### **OAG 94-8**

... whether a local school board has the authority to adopt a policy requiring school councils to have committees. It is our opinion that a local school board does not have this authority. KRS 160.345(2)(d) and (e) grant the school council the power to establish committees. KERA does not authorize a local school board to adopt policy requiring school councils to form committees. The individual school council has the discretion to form committees.

... whether a local school board may require parental representation on school council committees. To answer this question KRS 160.345(3) must be analyzed to determine the



issues relating to implementing School-based Decision Making that shall be addressed by the local board ...

It is the opinion of this office that KRS 160.345(3)(e) authorizes the local school board to adopt policies requiring parental representation school council committees. Thus ... a local school board may not require a school council to form committees; however, if committees are formed the school board has statutory power to enact a policy requiring the school council to allow parents to serve on committees.

- The authority whether or not to form committees rests with the school council; however, the local school board may require parent participation if committees are formed.

### **SECTION 2(f) and (g)**

(f) After receiving notification of the funds available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the number of persons to be employed in each job classification at the school. The council may make personnel decisions on vacancies occurring after the school council is formed but shall not have the authority to recommend transfers or dismissals;

(g) The school council shall determine which textbooks, instructional materials, and student support services shall be provided in the school. Subject to available resources, the local board shall allocate an appropriation to each school that is adequate to meet the school's needs related to instructional materials and school-based student support services, as determined by the school council. The school council shall consult with the school media librarian on the maintenance of the school library media center, including the purchase of instructional materials, information technology, and equipment;

- School councils must determine annually the number of staff needed in each job classification, within allocated funds, and have this decision reflected in their school council minutes. School councils cannot recommend transfers or dismissals.
- School councils decide which textbooks, instructional materials and/or student support services to provide for their students.
- School councils must consult with the school's media librarian when considering their instructional budget, but the final decision relative to school media budget and expenditure belongs to the school council.
- Each school council will be notified by its local school board of the school's allocation for the next budget year by May 1 as specified by 702 KAR 3:246. The allocation covers instructional materials and supplies, professional development, and school staff for the coming school year. Staffing levels are determined by state statute and school board policy. The school must receive from the school board allocation the number of staff it needs to at least meet the maximum class size required by KRS 157.360. Even though school councils are exempt from class cap size requirements by statute, they must still

receive funding that will allow them to staff their schools to meet class cap sizes if they choose to do so.

- After the school council receives notification of its allocation for the next school year, the school council has some decisions to make. If there are vacancies, the school council will decide whether to fill the position with a person from the same job classification or to employ someone in a different job classification. The school council also may opt not to fill the vacancy and use the money for other initiatives in the school. If a school council decides not to fill the position and requests the funds instead, it will receive 95 percent of the district's average 185-day certified salary for non-categorical staff in the previous year budget for other initiatives. This decision has to be made each year and is only in effect for one year.
- If the school council decides that purchasing instructional materials would benefit students more than purchasing additional textbooks, textbook money may be used to purchase additional instructional materials for the school. School-based student support services include efforts of the school that help students become ready to learn. These services can include, but are not limited to, counseling, hearing/vision testing, screening students for special learning needs and tutoring. The school council may determine the level of student support services and provide for the services with money from the allocation or ask the district for additional dollars to meet student needs. School councils should also work cooperatively with the Family Resource Youth Services Center (FRYSC) staff serving their students to help provide student support services.

## **SECTION 2(h)**

Personnel decisions at the school level shall be as follows:

1. From a list of qualified applicants submitted by the local superintendent, the principal at the participating school shall select personnel to fill vacancies, after consultation with the school council, consistent with paragraph (i)11 of this subsection. The superintendent shall provide additional applicants to the principal upon request when qualified applicants are available. The superintendent may forward to the school council the names of qualified applicants who have pending certification from the Education Professional Standards Board based on recent completion of preparation requirements, out-of-state preparation, or alternative routes to certification pursuant to KRS 161.028 and 161.048. Requests for transfer shall conform to any employer-employee bargained contract which is in effect;
2.
  - a.
    - i. If the vacancy to be filled is the position of principal, the outgoing principal shall not serve on the council during the principal selection process. The superintendent or the superintendent's designee shall serve as the chair of the council for the purpose of the hiring process and shall have voting rights during the selection process.
      - ii. Except as provided in subdivision b. of this subparagraph, the council shall have access to the applications of all persons certified for the position. The principal shall be elected on a majority vote of the membership of the council. The school council shall receive training in recruitment and interviewing techniques prior to

carrying out the process of selecting a principal. The council shall select the trainer to deliver the training;

b. An alternative principal selection process may be used by the school council as follows:

i. Prior to a meeting called to select a principal, all school council members shall receive informational materials regarding Kentucky open records and open meetings laws and sign a nondisclosure agreement forbidding the sharing of information shared and discussions held in the closed session;

ii. The superintendent shall convene the school council and move into closed session as provided in KRS 61.810(1)(f) to confidentially recommend a candidate;

iii. The council shall have the option to interview the recommended candidate while in closed session; and

iv. After any discussion, at the conclusion of the closed session, the council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended principal candidate;

c. If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session;

d. i. If the recommended candidate is not accepted by the school council under subdivision b. of this subparagraph, then the process set forth in subdivision a. of this subparagraph shall apply.

ii. The confidentially recommended candidate's name and the discussions of the closed session shall remain confidential under KRS 61.810(1)(f), and any documents used or generated during the closed meeting shall not be subject to an open records request as provided in KRS 61.878(1)(i) and (j).

iii. A recommended candidate who believes a violation of this subdivision has occurred may file a written complaint with the Kentucky Board of Education.

iv. A school council member who is found to have disclosed confidential information regarding the proceeding of the closed session shall be subject to removal from the school council by the Kentucky Board of Education under subsection (9)(e) of this section;

3. No principal who has been previously removed from a position in the district for cause may be considered for appointment as principal in that district;

4. Personnel decisions made at the school level under the authority of subparagraphs 1. and 2. of this paragraph shall be binding on the superintendent who completes the hiring process;

5. Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020;
  6. Notwithstanding other provisions of this paragraph, if the applicant is the spouse of the superintendent and the applicant meets the service requirements of KRS 160.380(3)(a), the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council; and
  7. Beginning June 27, 2019, notwithstanding the requirement that a principal be elected on a majority vote of the council in subparagraph 2. of this paragraph, if the school council is in a county school district in a county with a consolidated local government adopted under KRS Chapter 67C, then the selection of a principal shall be subject to approval by the superintendent. If the superintendent does not approve the principal selected by the council, then the superintendent may select the principal;
- The principal fills all school-based instructional vacancies from a list of qualified candidates submitted by the superintendent, after consultation with the school council. Unless the vacancy to be filled is that of principal, the principal has the final decision on who is to fill vacant positions in the school. If the school district and the teachers in a school have a bargained contract that defines how vacant teaching positions can be filled by transfer, the school council and principal must comply with terms of that contract. Any applicant selected must provide evidence of certification prior to beginning employment.
  - The **alternative principal selection process** became effective April 10, 2017. See [Chapter 12: Principal Selection Overview](#) for additional information.
  - KRS 160.345 was amended during the 2019 legislative session, which impacted Jefferson County. Effective June 27, 2019, the superintendent of JCPS has the right to select the school's principal if he/she does not approve of the candidate the council selects.
  - If the vacancy is the principal, the outgoing principal may not serve as part of the school council during the principal selection process. The superintendent or designee serves as the chair of the school council during the principal selection process and has full voting rights. The principal is selected by majority vote of the school council. If a principal has been removed by cause in the district, he or she cannot be considered for the position of principal. Prior to beginning the selection process, all school council members must be trained in recruitment and interviewing techniques. The school council as a whole selects the trainer.
  - Certified and classified school-based vacancies that occur in an SBDM school, including but not limited to the positions of teacher, special education teacher, counselor, assistant principal and instructional paraeducator, require consultation with the council per school council policy before the principal makes a final selection.
  - For the purpose of filling vacancies, itinerant positions are considered district-wide positions and are filled by the superintendent.

## SECTION (2)(i)

The school council shall adopt a policy to be implemented by the principal in the following additional areas:

1. Determination of curriculum, including needs assessment, curriculum development and responsibilities under KRS 158.6453(19);
  2. Assignment of all instructional and non-instructional staff time;
  3. Assignment of students to classes and programs within the school;
  4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
  5. Determination of use of school space during the school day related to improving classroom teaching and learning;
  6. Planning and resolution of issues regarding instructional practices;
  7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and principal;
  8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
  9. Adoption of an emergency plan as required in KRS 158.162;
  10. Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal; and
  11. Procedures to assist the council with consultation in the selection of personnel by the principal, including but not limited to meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation; and
- In SBDM schools, the principal is responsible for seeing that school council policy is implemented. While school councils do not have absolute and unchecked authority, they do have authority to make policy to change schools in significant areas. School council authority is retained and exercised at the school level, with oversight by and assistance from the school district.
  - Curriculum policies must include how the school will determine the curricular needs and how the curriculum will be developed. KRS 158.6453(19) describes the writing policy that councils will adopt.
  - Policies relating to staff time apply only to the amount of instructional time (e.g., number of classes taught, professional learning community time) and non-instructional time (e.g., how often supervise bus duty, how often supervise hallway duty) for the certified and classified

instructional staff. The principal has the responsibility of assigning teachers to courses and classes.

- Policies relating to student assignment apply to classes and programs within the school; however, school staff must adhere to the *Family Educational Rights and Privacy Act* (FERPA) when discussing student needs and placement.
- Policies relating to the schedule of the day and week only apply to the time between the time the school day begins and ends. The district sets the school calendar as well as the time that each school day begins and ends.
- Policies relating to the use of school space apply only to the use of the space during the school day for the purpose of improving classroom teaching and learning.
- Policies relating to discipline and classroom management must be part of the comprehensive school safety plan and must be consistent with the local board's code of student conduct.
- Policies relating to extracurricular activities must be in alignment with organizational requirements and/or procedures (e.g., National Honor Society guidelines, Fellowship of Christian Athletes) and in the case of high school athletics, follow guidelines established by the Kentucky High School Athletic Association (KHSAA), as well as local board of education policies and procedures.
- Discussions relating to specifics of the school's emergency plan may be conducted in closed session of a school council meeting. The *Emergency Plan* is exempt from open records requests.
- School councils, through their policy development and adoption, must set up procedures to ensure that the policies are consistent with state and national standards. School councils must set up procedures for technology usage including student usage and how each program will be evaluated for effectiveness. These procedures need to be outlined in school council alignment with state standards, program appraisal and technology utilization policy. These can be combined in one policy or in separate policies.
- School councils must have a policy for consultation on School-based vacancies. This policy may include, but is not limited to, meetings, timelines, interviews, review of applications and review of references. The consultation policy must include a statement to address a situation when a quorum cannot be met.

### **Related Attorney General Opinions**

#### **OAG 93-55**

... There is a lack of clarity and consensus as to the extent of the school council's authority relative to assignment of staff time. You state that one interpretation of this statute is this provision authorizes the school council to set policy relative to the use of staff time during the school day, such as the number of classes teachers will teach, use of planning periods, and policies relative to assignment of additional duties, but not authority to make assignments as

to specific individuals. Under this interpretation, the school council sets the policy to be implemented and administered by the principal who assigns specific individual staff.

... Another interpretation is that this statutory provision authorizes the school council to not only include in its policy general assignment policies, but also to make assignments as to individual staff, i.e., “name names.”

It is the opinion of the Attorney General that your first interpretation is correct and that school councils have the authority to set policy regarding the assignment of all instructional and non-instructional staff time and the principal is authorized to administer the policy and the assignments as to individual staff members.

- School councils set the guidelines for specifics around instructional and non-instructional staff time. The principal implements the policy and assigns specific teachers to specific roles. The school council cannot name a specific teacher to a specific role.

#### **OAG 93-5**

... We will discuss the requirements of the federal laws governing disclosing students’ records and also the educational duties of a School-based Decision Making council.

... In order to achieve the educational goals envisioned by the Kentucky Education Reform Act (KERA) the school council must be intricately aware of the grades, test scores and special needs of the students attending the school.

#### **OAG 93-35 (clarification of OAG 93-5)**

... Because of the risk in allowing unauthorized persons to review confidential student records we believe that the best policy is to strictly interpret the “school officials” exception to FERPA and not include parent members of school council in the defining of “school officials” for purposes of 20 U.S.C. 1232g(b)(1)(A). While we understand that the school council needs significant data involving the students prior to forming school policies, we believe that this information can be compiled by the principal and other authorized school personnel in an unidentifiable manner and presented to the council members.

... This conservative approach will protect the school districts, the schools and the individual school personnel and school council members from allegations of FERPA violations resulting from an unauthorized record examination.

- When determining student placement, the school council must review data as a whole. The school council policy on student placement should only include the courses offered and the number of students in each course. The principal and authorized staff places individual students with individual teachers at specific times during the school day.

#### **SECTION (2)(j)**

Each school council shall annually review data as shown on state and local student assessments required under KRS 158.6453. The data shall include, but not be limited to information on

performance levels of all students tested, and information on the performance of students disaggregated by race, gender, disability, and participation in the federal free and reduced price lunch program. After completing the review of the data, each school council with the involvement of parents, faculty and staff shall develop and adopt a plan to ensure that each student makes progress toward meeting the goals set forth in KRS 158.645 and 158.645(1)(b) by April 1 of each year and submit the plan to the superintendent and local board of education for review as described in KRS 160.340. The Kentucky Department of Education shall provide each school council the data needed to complete the review required by this paragraph no later than November 1 of each year. If a school does not have a council, the review shall be completed by the principal with the involvement of parents, faculty, and staff.

- School councils must review their school's student performance data each year. The data must include, but not be limited to, information on the performance of students disaggregated by race, gender, disability and participation in the federal free and reduced-price school meals program.
- School councils must adopt a plan annually, with the involvement of parents, faculty and staff, that will establish specific goals for ensuring each student's progress.

### **SECTION (3)**

The policies adopted by the local board to implement School-based decision-making shall also address the following:

- (a) School budget and administration, including: discretionary funds; activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses;
- (b) Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state;
- (c) School improvement plans, including the form and function of strategic planning and its relationship to district planning as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446;
- (d) Professional development plans developed pursuant to KRS 156.095;
- (e) Parents, citizen, and community participation including the relationship of the council with other groups;
- (f) Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
- (g) Requirements for waiver of district policies;
- (h) Requirements for record keeping by the school council; and
- (i) A process for appealing a decision made by a school council.



- Local school boards must have adopted policies for the implementation of School-based Decision Making within the district. Included in the policies is the district's role, as well as the school councils' role (if any).
- Local school boards must have policies in place that describe how funds will be allocated to school councils and what fiscal procedures will be used in the district. Board policies must describe a procedure for reimbursing council members for training and other expenses related to their duties as school council members.
- Local school boards must have a policy for school councils to follow regarding how individual student progress will be assessed and what testing and reporting methods will be used in the district.
- Local school boards must have a policy for school councils to follow regarding the format to use for planning and how school plans are related to district plans. This includes a policy for professional development.
- Local school boards must develop a policy for school councils to follow on how parents and community members can participate in school council initiatives and activities, as well as a policy for the school council to follow on how personnel, parents and students cooperate and collaborate within the school district and with other districts.
- Local school boards must have policies for school councils to follow when they need a waiver of local board policy regarding how and where to keep council records that allows individuals to appeal a school council policy or decision.

#### **SECTION (4)**

In addition to the authority granted to the school council in this section, the local board may grant to the school council any other authority permitted by law. The board shall make available liability insurance coverage for the protection of all members of the school council from liability arising in the course of pursuing their duties as members of the council.

- Local school boards may give additional authority to school councils. Liability insurance must be provided for school council members by the school board.

#### **SECTION (5)**

All schools shall implement School-based Decision Making in accordance with this section and with the policy adopted by the local board pursuant to this section. Upon favorable vote of a majority of the faculty at the school and a majority of at least twenty-five (25) voting parents of students enrolled in the school, a school meeting its goal as determined by the Department of Education pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for exemption from the requirement to implement School-based Decision Making, and the state board shall grant the exemption. The voting by the parents on the matter of exemption from implementing School-based Decision Making shall be in an election conducted by the parent and teacher organization of the school or, if none exist, the largest organization of parents formed for this purpose. Notwithstanding the provisions of this section, a local school district

shall not be required to implement School-based Decision Making if the local school district contains only one (1) school.

- All A1 schools must implement School-based Decision Making. Schools that fall under one of three exemptions are not required to implement School-based Decision Making. Those exemptions include being identified as a comprehensive support and improvement school [KRS 160.346], being a one-school district [KRS 160.345(5)], or having a Kentucky Board of Education exemption based on making achievement goals [KRS 160.345(5)].
- If a school is performing above its threshold level requirement, and upon a vote to do so by a majority of the faculty and a majority of at least 25 voting parents, the school may apply to the Kentucky Board of Education for an exemption from the requirement for implementing SBDM for the current biennium.
- In a one-school district, the decision for a school to have a school council is at the discretion of the local board of education. The school in a one-school district may have a school council, which acts as an advisory body to the board of education, operating only under board policy.

#### **SECTION (6)**

The Department of Education shall provide professional development activities to assist schools in implementing School-based decision-making. School council members elected for the first time shall complete a minimum of six (6) clock hours of training in the process of School-based Decision Making, no later than thirty (30) days after the beginning of the service year for which they are elected to serve. School council members who have served on a school council at least one (1) year shall complete a minimum of three (3) clock hours of training in the process of School-based Decision Making no later than one hundred twenty (120) days after the beginning of the service year for which they are elected to serve. School council member training required under this subsection shall be conducted by trainers endorsed by the Department of Education, and school council members shall complete the required training no later than thirty (30) days after the beginning of the service year for which they are elected to serve. By November 1 of each year, the principal, through the local superintendent, shall forward to the Department of Education the names and addresses of each council member and verify that the required training has been completed. School council members elected during a school year to fill a vacancy shall complete the applicable training within thirty (30) days of their election.

- First-time school council members must complete six hours of training in the implementation of School-based Decision Making within 30 days of the first day of service. School council members who have served for one year or more must complete three hours of training in the implementation of school-based decision making within 120 days of the first day of the new term annually.
- To effectively provide all Kentucky schools with high-quality professional development activities, KDE has trained district SBDM coordinators and various external providers in the policies and procedures for effective implementation of SBDM. These people are endorsed to provide the required SBDM training for SBDM membership.

- By November 1 of each year, school districts must submit training verifications to KDE.

### **SECTION (7)**

A school that chooses to have School-based Decision Making but would like to be exempt from the administrative structure set forth by this section may develop a model for implementing School-based Decision Making including, but not limited to, a description of the membership, organization, duties, and responsibilities of a school council. The school shall submit the model through the local board of education to the chief state school officer and the Kentucky Board of Education, which shall have final authority for approval. The application for approval of the model shall show evidence that it has been developed by representatives of the parent, students, certified personnel, and the administrators of the school and those two-thirds (2/3) of the faculty have agreed to the model.

- The Kentucky Board of Education must approve all alternative administrative structure models before they may be implemented.
- An application is available for schools that wish to apply for an alternative administrative structure. The alternative model application process requires schools to involve administrators, teachers, parents and, if applicable, students, and requires a two-thirds vote of the faculty to approve the model.

### **SECTION (8)**

The Kentucky Board of Education, upon recommendation of the commissioner of education, shall adopt by administrative regulation a formula by which school district funds shall be allocated to each school council. Included in the school council formula shall be an allocation for professional development that is at least sixty-five percent (65%) of the districts per pupil state allocation for professional development for each student in average daily attendance in the school. The school council shall plan professional development in compliance with requirements specified in KRS 156.095, except as provide in KRS 158.649. School councils of small schools shall be encouraged to work with other school councils to maximize professional development opportunities.

- School councils are allocated at least 65 percent of the local district professional development funds allocated based on per-pupil average daily attendance (ADA) figures for their school.

### **SECTION (9)**

- (a) No board member, superintendent of schools, district employee, or member of a school council shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of School-based Decision Making to allow the professional staff members of a school and parents to be involved in the decision making process in working toward meeting the educational goals established in KRS 158.645 and 158.6451 or to make decisions in areas of policy assigned to a school council pursuant to paragraph (i) of subsection (2) of this section.

- (b) An affected party who believes a violation of this subsection has occurred may file a written complaint with the Office of Education Accountability. The office shall investigate the complaint and resolve the conflict, if possible, or forward the matter to the Kentucky Board of Education.
  - (c) The Kentucky Board of Education shall conduct a hearing in accordance with KRS Chapter 13B for complaints referred by the Office of Education Accountability.
  - (d) If the State Board determines a violation has occurred, the party shall be subject to reprimand. A second violation of this subsection may be grounds for removing a superintendent, member of a school council, or school board member from office or grounds for dismissal of an employee for misconduct in office or willful neglect of duty.
- Board members, school council members, superintendents, principals, teachers, counselors and any employees of the school district are prohibited from intentionally interfering with the rights of teachers, parents and principals to be involved in making decisions for schools that help students accomplish the educational goals.
  - Complaints under this section must be filed in writing with the Office of Education Accountability (OEA). The Kentucky Board of Education will use the process for conducting a hearing established by KRS Chapter 13B when a complaint is referred to the board from OEA. KBE may reprimand the first violation. A second violation could be grounds for removal from office or grounds for dismissal of a school district employee for misconduct and willful neglect of duty.

#### **SECTION (10)**

Notwithstanding subsections (1) to (9) of this section, a school's right to establish or maintain a School-based Decision Making council and the powers, duties, and authority granted to school council may be rescinded or the school council's role may be advisory if the commissioner of education or the Kentucky Board of Education takes action under KRS 160.346.

- The school council authority is rescinded if the school is identified for comprehensive support and improvement under KRS 160.346.

#### **SECTION (11)**

Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the principal shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. Each school council, or if there is no school council, the principal, shall adopt an assessment tool to determine each child's level of physical activity on an annual basis. The council or principal may utilize an existing assessment program. The Kentucky Department of Education shall make available a list of available resources to carry out the provisions of this subsection. The department shall report to the Legislative Research Commission no later than November 1 of each year on how the schools are providing physical activity under this subsection and on

the types of physical activity being provided. The policy developed by the school council or principal shall comply with provisions required by federal law, state law, or local board policy.

- School council policy in an elementary school must permit moderate to vigorous physical activity every day, not to exceed 30 minutes per day or 150 minutes per week. Time for this required physical activity is considered part of the school day for each student.
- Students with disabilities must receive accommodations and adaptations to allow them to participate with other students at a level that is appropriate based on the goals in their individual education plan as determined by the Admissions and Release Committee (ARC) at the school.
- The school council must adopt an assessment tool that will be used to determine each child's level of physical activity on an annual basis, or it can approve a tool that is part of any existing school wellness program. The school council may ask for an annual report from the principal from all of the data that is gathered from the assessment tool. Data can be disaggregated for the school council's consideration.

## Chapter 2: Achievement Gaps and Planning Requirements

As you review [KRS 158.649](#), which is the statute related to achievement gaps and planning requirements, please note that the exact text of the statute is written first and the preceding bullet points are the implications of the text.

### SECTION 1

"Achievement gap" means a the difference between performance goals and actual performance on each of the tested areas by grade level of the state assessment program for each of the various subgroups of students as described in the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor, including male and female students, students with and without disabilities, students with and without English proficiency, minority and nonminority students, and students who are eligible for free and reduced lunch and those who are not eligible for free and reduced lunch.

- An achievement gap exists if there is a substantive difference within accountability scores of the various targeted groups of students mentioned.
- Subgroups include male and female students, students with and without disabilities, minority students, and students who are eligible and those who do not qualify for free and reduced-price meals.

### SECTION 2

By October 1 of each year, the Department of Education shall provide each school council, or the principal if a school council does not exist, data on its students' performance as shown by the state assessment program described in KRS 158.6453. The data shall include, but not be limited to, information on performance levels of all students tested, and information on the performance of students disaggregated by race, gender, disability, English proficiency, and participation in the federal free and reduced price lunch program, and any other subgroups as described in the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor. The information from the department shall include an equity analysis that shall identify the substantive differences among the various groups of students identified in subsection (1) of this section. Beginning with the 2012-2013 school year, the reporting requirement in this subsection shall be no later than seventy-five (75) days following the first day the assessment can be administered.

- KDE must provide schools and school districts student performance data on the targeted groups by October 1 of each year. This data must be based on the state assessment program.

- The data will include performance data on all disaggregated groups mentioned in Section 1 of this statute.

### **SECTION 3**

Each local board of education upon the recommendation of the local district superintendent shall adopt a policy for reviewing the academic performance on the state assessments required under KRS 158.6453 for various groups of students, including major racial groups, gender, disability, free and reduced price school lunch eligibility, and limited English proficiency. The local board policy shall be consistent with Kentucky Board of Education administrative regulations. Upon agreement of the school-based decision making council, or the principal if there is not a council, and the superintendent, the local board shall establish an annual target for each school for reducing identified gaps in achievement as set out in subsection (4) of this section.

- Each local board of education must adopt a district policy for reviewing student performance on the state assessments. This review must include information on all applicable subgroups.

### **SECTION 4**

By February 1 of each year, the school-based decision making council, or the principal if there is not a council, with the involvement of parents, faculty, and staff shall set the school's targets for eliminating any achievement gap and submit them to the superintendent for consideration. The superintendent and the school-based decision making council, or the principal if there is not a council, shall agree on the targets before they are submitted to the local board of education for adoption.

- The school council, in consultation with parents, faculty, and staff, must set targets for eliminating any achievement gap and submit them to the superintendent for consideration.
- The school council and superintendent must agree on the targets before they are submitted to the local board of education for adoption.

### **SECTION 5**

By January 1 of each year, the school council, or the principal if a school council does not exist, with the involvement of parents, faculty, and staff, shall review the data and revise the school improvement plan to include the targets, strategies, activities, and a time schedule calculated to eliminate the achievement gap among various groups of students to the extent it may exist. The plan shall include but not be limited to activities designed to address the following areas:

- (a) Curriculum alignment within the school and with schools that send or receive the school's students;

- (b) Evaluation and assessment strategies to continuously monitor and modify instruction to meet student needs and support proficient student work;
  - (c) Professional development to address the goals of the plan;
  - (d) Parental communication and involvement;
  - (e) Attendance improvement and dropout prevention; and
  - (f) Technical assistance that will be accessed.
- The school council must review data and include targets, activities and a time schedule in its school improvement plan for eliminating achievement gaps in various targeted groups.
  - The plan must address the areas mentioned in this section of the statute.
  - The council must include specific activities and timelines for eliminating achievement gaps in its school improvement plan. Activities should be measurable and specific completion dates should be included.

#### **SECTIONS 6 and 7**

(6) The principal shall convene a public meeting at the school to present and discuss the plan prior to submitting it to the superintendent and the local board of education for review, in the public meeting required under KRS 160.340.

(7) Based on the disaggregated assessment results, the local board shall determine if each school achieved its targets for each group of students. Only data for a group of students including ten (10) or more students shall be considered.

- The principal must call a public meeting at the school to present and discuss the plan with shareholders before submitting it to the superintendent and local board.
- The local board of education must determine whether the school has achieved its target for each identified group.
- Only groups of 10 or more students will be considered.



## **SECTIONS 8, 9 and 10**

(8) Notwithstanding KRS 160.345(8) and 158.070(8), if a local board determines that a school has not met its target to reduce the identified gap in student achievement for a group of students, the local board shall require the council, or the principal if no council exists, to submit its revisions to the school improvement plan describing the use of professional development funds and funds allocated for continuing education to reduce the school's achievement gap for review and approval by the superintendent. The plan shall address how the school will meet the academic needs of the students in the various groups identified in subsection (1) of this section.

(9) The superintendent shall report to the local school board and the commissioner of education if a school fails to meet its targets in any academic content area to reduce the gap in student achievement for any student group for two (2) consecutive years. The school's improvement plan shall be subject to review and approval by the Kentucky Department of Education and the school shall submit an annual status report. The Department of Education may provide assistance as defined in KRS 160.346 to schools as it deems necessary to assist the school in meeting its goals.

(10) The school-based decision making council, or the principal if there is not a council, shall no longer be required to seek approval of the plan under subsections (8) and (9) of this section when it meets its target for reducing the gap in student achievement for the various groups of students identified in subsection (1) of this section.

- If the local board of education deems that the school improvement plan does not meet the target for reduction in achievement gaps, the local board must require the school council to submit revisions of the school improvement plan.
- The plan revision must include a description of the use of professional development funds, funds allocated for continuing education, and how the academic needs of the various groups identified in Section 1 will be met.
- The superintendent must approve the school improvement plan.
- The superintendent must report to the commissioner of education any school that fails to meet set achievement gap targets for two consecutive years.
- The school's improvement plan will be subject to review by KDE, with the school submitting annual status reports.
- KDE may provide assistance to schools as needed to assist in meeting goals.
- Once the school meets its targets, the school council will no longer be required to seek approval of its school improvement plan.

## Chapter 3: Other Kentucky Statutes Related to School Council Work

Several other statutes impact school council work, which are addressed in this chapter. Similar to Chapters 1 and 2, Chapter 3 lists the exact text of the related statutes first and the preceding bullet points are the implications of the text. You will notice that the statutes included in this chapter do not include the full text. Instead the sections of those statutes related to school councils, decision areas, and/or authority were used. To view the full text of each statute referenced in Chapter 3, please visit the [Legislative Research Commission website](#).

### KRS 157.360(5), (6), (14) and (15): Staffing Allocations

#### SECTION 5 (a), (b) and (c)

- (a) Except for those schools which have implemented school-based decision making, the commissioner of education shall enforce maximum class sizes for every academic course requirement in all grades except in vocal and instrumental music, and physical education classes. Except as provided in subsection (5) of this section, the maximum number of pupils enrolled in a class shall be as follows:
1. Twenty-four (24) in primary grades (kindergarten through third grade);
  2. Twenty-eight (28) in grade four (4);
  3. Twenty-nine (29) in grades five (5) and six (6);
  4. Thirty-one (31) in grades seven (7) to twelve (12).
- (b) Except for those schools which have implemented school-based decision making, class size loads for middle and secondary school classroom teachers shall not exceed the equivalent of one hundred fifty (150) pupil hours per day.
- (c) The commissioner of education, upon approval of the Kentucky Board of Education, shall adopt administrative regulations for enforcing this provision. These administrative regulations shall include procedures for a superintendent to request an exemption from the Kentucky Board of Education when unusual circumstances warrant an increased class size for an individual class. A request for an exemption shall include specific reasons for the increased class size with a plan for reducing the class size prior to the beginning of the next school year. A district shall not receive in any one (1) year exemptions for more classes than enroll twenty percent (20%) of the pupils in the primary grades and grades four (4) through eight (8).
- Local school districts use their board of education staffing allocation policies and processes to determine annually the number of staff for each school from local monies. District staffing allocations must be formula-based and follow procedures set forth in [702 KAR 3:246](#).

- School-based decision making councils, as part of the decision-making process outlined in KRS 160.345(2)(f), determine job classifications from the total number of staff allocated to the school each spring. Class size may increase beyond the recommended maximums based on this decision.
- Primary grades are considered multi-aged. Primary staffing allocation is based on the total number of students in entry level (kindergarten) until they enter the 4th grade. Primary school is defined in KRS 158.031.
- Secondary schools (grades 7-12) are allocated at 31:1 and must meet the 150 per pupil hour requirement. This also can be calculated at a 25:1 ratio without any additional discretionary staff.

## **SECTION 6**

In grades four (4) through six (6) with combined grades, the maximum class size shall be the average daily attendance upon which funding is appropriated for the lowest assigned grade in the class. There shall be no exceptions to the maximum class size for combined classes. In combined classes other than the primary grades, no ungraded students shall be placed in a combined class with graded students. In addition, there shall be no more than two (2) consecutive grade levels combined in any one (1) class in grades four (4) through six (6). However, this shall not apply to schools which have implemented school-based decision making.

- For blended classrooms in grades 4-6, maximum class size is the lowest of the grade spans.
- School-based decision making councils, as part of the decision making process outlined in KRS 160.345(2)(f), determine job classifications from the total number of staff allocated to the school each spring. Class size may increase beyond the recommended maximums based on this decision.

## **Related Attorney General Opinions**

### **OAG 92-42**

... At present, fourth grade students may not participate in a joint class with ungraded students, due to a prohibition in KRS 157.360(6) which states in part:

In combined classes other than the primary grades, no ungraded students shall be placed in a combined class with graded students. Note, however, that KRS 157.360(6) sets limits on class size for classes combining students from two or more grade levels, including grade 4.....

- Students in grades 4-6 cannot be in a combined class with ungraded students. However, if the school council, through job classification and primary program determination, establishes a graded program, they may establish a combined class with grades 1-3.

## **SECTION 14**

Except for those schools which have implemented school-based decision making and the school council has voted to waive this subsection, kindergarten aides shall be provided for each twenty-four (24) full-time equivalent kindergarten students enrolled.

- Classroom paraeducators are provided for each 24 full-time equivalent kindergarten students.
- School-based decision making councils, as part of the decision-making process outlined in KRS 160.345(2)(f), determine job classifications for classroom instructional assistants, including kindergarten assistants.

## **SECTION 15**

Effective July 1, 2001, there shall be no deduction applied against the base funding level for any pupil in average daily attendance that spends a portion of his or her school day in a program at a state-operated career and technical education or vocational facility.

- For base funding of staff, the allocation cannot discount students who attend a vocational or career technical facility, including area technical centers (ATCs) any part of a school day.

## **KRS 160.346 (7) and (13): Comprehensive Support and Improvement**

### **SECTION 7 (b), (c), (d) and (e)**

(b) The authority of the school council granted under KRS 160.345 shall be transferred to the superintendent;

(c) The superintendent may either retain the principal or reassign him or her to a comparable position in the district;

(d) The superintendent shall select a principal for the school if a principal vacancy or reassignment occurs. The superintendent shall consult with the turnaround team, parents, certified staff, and classified staff before appointing a principal replacement;

(e) Upon recommendation of the principal, the superintendent may reassign certified staff members to a comparable position in the school district.

- If a school is identified as comprehensive support and improvement (CSI), then the current school council's authority is transferred to the superintendent.
- The superintendent will have the authority to keep the current principal at the CSI school or reassign him or her to another position in the district. The superintendent will also select a principal if there is a vacancy.

### **SECTION 13**

A school's right to establish a council granted under KRS 160.345 may be restored by the local board of education two (2) years after the school exits comprehensive support and improvement status.

- A council may be restored at the CSI school two years after the school exits CSI status upon approval from the local board of education.

### **KRS 158.031: Primary Program**

#### **SECTION 1 AND 2**

- (1) In this section, "primary school program" means that part of the elementary school program in which children are enrolled from the time they begin school until they are ready to enter the fourth grade. Notwithstanding any statute to the contrary, successful completion of the primary school program shall be a prerequisite for a child's entrance into fourth grade.
  - (2) The Kentucky Board of Education shall establish, by administrative regulation, methods of verifying successful completion of the primary school program in carrying out the goals of education as described in KRS 158.6451.
- Primary school programs are avenues within an elementary school that contain students from the time they enter school until they are prepared for 4th grade.
  - Successful completion of the primary school program is outlined in 704 KAR 3:440. Districts must have procedures to verify successful completion of the primary program attributes prior to determining that a student is ready for grade 4.

#### **SECTION 3**

- (3) The primary program shall include the following critical attributes: developmentally appropriate educational practices; multiage and multiability classrooms; continuous progress; authentic assessments; qualitative reporting methods' professional teamwork and positive parent involvement.
- Primary programs are to be considered multi-age and multi-ability and must address the seven critical attributes outlined in the statute. A primary program is considered to be ungraded.

#### **SECTIONS 4 and 5**

- (4) Each school council or, if none exists, the school shall determine the organization of its ungraded primary program including the extent to which multiage groups are necessary to implement the critical attributes based on the critical attributes and meeting individual student needs.
- (5) The implementation of the primary program may take into consideration the necessary arrangements required for students attending part-time and will allow for grouping of

students attending their first year of school when determined to be developmentally appropriate.

- The school council, as part of the job classification decision-making process, determines the structure of the primary school program.
- Implementation of a primary program must take into effect students that attend school part time (i.e., those kindergarten students that attend half-day).

#### **SECTION 6 AND 7**

(6) A school district may advance a student through the primary program when it is determined that it is in the best educational interest of the student. A student who is at least five (5) years of age, but less than six (6) years of age, and is advanced in the primary program may be classified as other than a kindergarten student for purposes of funding under KRS 157.310 to 157.440 if the student is determined to have acquired the academic and social skills taught in kindergarten as determined by local board policy in accordance with the process established by Kentucky Board of Education administrative regulation.

(7) Data shall be collected by each school district on the number of students, in each school having a primary program, who take five (5) years to complete the primary program. The data shall be reported in the annual performance report described in KRS 158.6453.

- The school district makes the determination as to whether or not a child may accelerate through the primary program.
- A primary student may take up to five years to complete primary school before being considered as retained.

### **KRS 158.102: Library Media Specialist**

#### **SECTION 1**

The board of education for each local school district shall establish and maintain a library media center in every elementary and secondary school to promote information literacy and technology in the curriculum, and to facilitate teaching, student achievement, and lifelong learning.

- Each school **must** have a library media center.

#### **SECTION 2**

(a) Schools shall employ a school medial librarian to organize, equip, and manage the operation of the school media library. The school media librarian shall hold the appropriate certificate of legal qualifications in accordance with KRS 161.020 and 161.030. A certified school media librarian may be employed to serve two (2) or more schools in a school district with the consent of the school councils.

- (b) If a vacancy occurs, the school council may fill the vacancy on a temporary basis by employing:
1. A person who is pursuing certification as a school media librarian in accordance with administrative regulations promulgated by the Education Professional Standards Board; or
  2. A temporary employee for a period not to exceed sixty (60) days.
- Each district must allocate a media librarian to each A1 school. An A1 school is defined as a school under administrative control of a principal or head teacher and eligible to establish a school-based decision making council. An A1 school is not a program operated by, or as a part of, another school.
  - The employed media librarian must be fully certified. In the case of a vacancy, the school may fill the vacancy on a temporary basis.
  - Two or more schools may share a media librarian; however, each of the school councils must agree.

## **KRS 160.347: Removal of SBDM Members**

### **SECTION 1**

A member of a school council may be removed from the council for cause, after an opportunity for hearing before the local board, by a vote of four-fifths (4/5) of the membership of a board of education after the recommendation of the chief state school officer pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council.

- There must be cause to remove a school council member, which should be presented to the local board of education and documented in the meeting's minutes.
- The school council member must receive written notice of all proceedings and must be able to see any evidence that is presented.
- The local board of education must notify the commissioner of education of any proceedings. If the commissioner of education concludes the charges are meritorious, he/she will then issue a recommendation to the local board to proceed with a hearing on the merits for decision by four-fifths vote.

## **KRS 160.348: Advanced Placement**

### **SECTION 1**

- (a) The Kentucky Department of Education shall make available to middle and high schools information concerning the prerequisite content necessary for success in secondary courses, Advanced Placement or AP courses, and International Baccalaureate or IB courses. The department shall provide sample syllabi, instructional resources, and instructional supports for teachers that will assist in preparing students for more rigorous coursework. Instructional supports shall include professional development for assisting students enrolled in the Kentucky Virtual High School or other virtual learning settings.
- (b) Each secondary School-based Decision Making council shall offer a core curriculum of AP, IB, dual enrollment, or dual credit courses, using either or both on-site instruction or electronic instruction through the Kentucky Virtual High School or other on-line alternatives. In addition, each School-based Decision Making council shall comply with any additional requirements for AP, IB, dual enrollment, and dual credit courses that may be established cooperatively by the Kentucky Department of Education, the Education Professional Standards Board, and the Council on Postsecondary Education in accordance with the definitions in KRS 158.007.
- Every secondary school must offer Advanced Placement (AP), International Baccalaureate (IB), dual enrollment and/or dual credit courses either on-site or online.
  - School councils must comply with any additional requirements for AP, IB, dual enrollment and/or dual credit that may be established by KDE, the Education Professional Standards Board and the Council on Postsecondary Education.

### **SECTION 2**

Each secondary School-based Decision Making council shall establish a policy on the recruitment and assignment of students to AP, IB, dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum. All students who are willing to accept the challenge of a rigorous academic curriculum shall be admitted to AP courses, including AP courses offered through the Kentucky Virtual High School and accepted for credit toward graduation under KRS 158.622(3)(a), IB courses, dual enrollment courses, and dual credit courses, if they have completed the prerequisite coursework or have otherwise demonstrated mastery of the prerequisite content knowledge and skills as determined by measurable standards. If a school does not offer an AP course in a particular subject area, the school shall permit a qualified student to enroll in the AP course offered by the Kentucky Virtual High School and receive credit toward graduation under KRS 158.622(3)(a).

- Each secondary school must have a policy on recruiting and assigning students to AP, IB, dual enrollment and/or dual credit courses. The school council policy must recognize that



all students have the right to and should be encouraged to participate in AP, IB, dual enrollment and dual credit courses.

### **SECTION 3**

Effective with the 2008-2009 school year and thereafter, students enrolled in AP or IB courses in the public school shall have the cost of the examinations paid by the Kentucky Department of Education.

- The Kentucky Department of Education assumes cost for AP or IB course examinations.

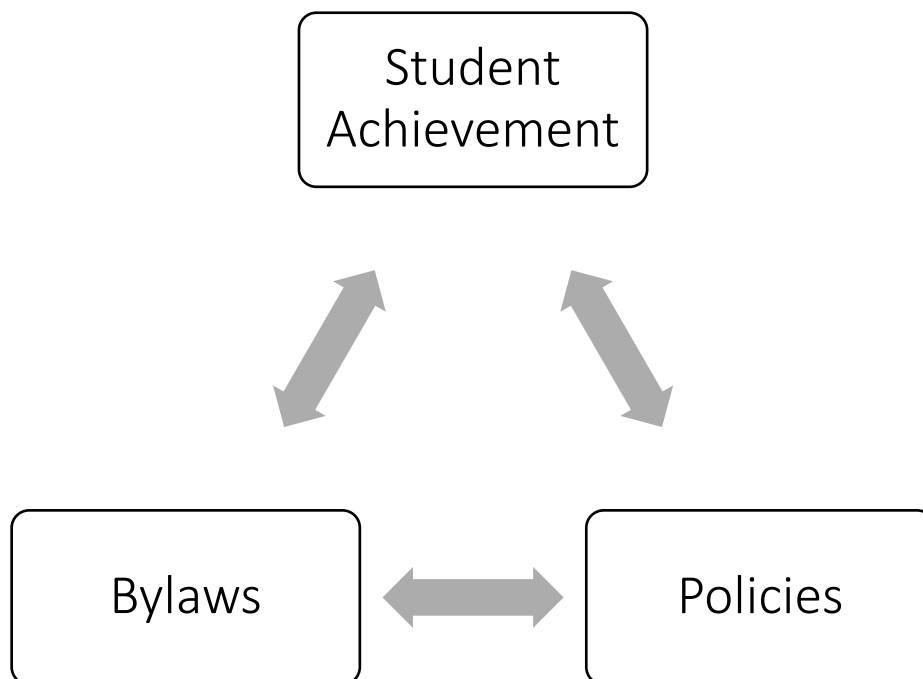
## Chapter 4: Council Bylaws and School Policies

Two common terms associated with school councils and council work are bylaws and policies. Often these two terms are used interchangeably; however, the two are separate and distinct. So, how do bylaws and policies differ?

The term **council bylaw** defines the operating rules that the school council sets to conduct its work. This includes items such as calling meetings, reaching consensus, taking minutes, and other operational activities.

The term **school policy** refers to what the school council develops and adopts concerning how the school itself operates. This includes such items as curriculum development, determining the school schedule, and student use of technology in the school.

Bylaws are the rules, guidelines, and procedures for school council operation while policies are the rules, guidelines, and procedures for school operation; however, both should focus on enhancing student achievement.



## BYLAWS

School council bylaws make school council work more efficient, consistent, open and fair to all shareholders. Situations may arise where the school council's bylaws can help keep the meeting positive and productive.

There are some **common issues** relating to bylaws that council members should be aware:

- Bylaws cannot be found.
- Bylaws have not been reviewed or are not up-to-date.
- Bylaws are not made available where they can be accessed readily.

When developing, adopting, and implementing sound school council bylaws, a school council should address the following within the text of the bylaws:

- The **purpose or mission** of the school council: Why has the school council been formed? What is the school council charged to do? [KRS 160.345(2)(c)1 and KRS 160.345 (2)(i)].
- The **membership** of the school council: Who is allowed to serve on the school council? How many members are on the school council? Will there be non-voting members? What are the qualifications for membership? [KRS 160.345(2)(a); KRS 160.345(7) and KRS 160.345(2)(b)1].
- The **term of service**: When will school council members' terms begin and end? How many terms can a school council member serve? [KRS 160.345(2)(b)1].
- **Elections**: Do the bylaws call for the largest parent organization to establish its own procedures for electing parent school council representatives? Do the bylaws call for the teachers to establish their own procedures for electing teacher representatives? **NOTE**: School council bylaws **should not** include mandated procedures for elections. They may include dates for completing elections due to the mandated training required for all school council members. The bylaws may contain an appendix with the approved procedures as reference. [KRS 160.345(2)(b)1]; however, these may be amended annually by the teachers or the parent organization.
- **Roles** of the chairman and vice chairman of the school council: What is the role of the principal as school council chairman? Who may serve as the school council vice chairman? How is a vice chairman selected? What are the responsibilities of the school council chairman and vice chairman? [KRS 160.345(2)(b)1].
- School council **agenda preparation and distribution of materials**: How are agendas prepared? How is input received from non-school council and non-committee members? How are meeting agendas distributed to members and non-members? What are the time frames related to preparation and distribution of agendas? [KRS 160.345(2)(d)].
- **Decision-making process**: How are the decisions made? Are there procedures for when consensus cannot be reached or the vote is tied? What constitutes a quorum? **NOTE**:

School councils must follow the requirements in Kentucky's open meeting statutes. [KRS 160.345(2)(e)].

- **Record-keeping process:** Who will be the custodian of school council minutes? How are the minutes structured, approved and distributed? To whom will the minutes be distributed? [KRS 160.345(3)(h); KRS 61.835].
- **Public requests for school council records:** How are requests for public records granted? Are fees to be charged for copies of records? What are the procedures to be followed for the request? [KRS 61.870 to 61.884].
- **School council communications:** What is the communication network for the teachers, school administrators, district administrators, school board members, parents and the community? Will communications be planned for both inside and outside the school building as part of the planning process? Will there be publications from the school council? How are people notified of meetings, agendas and minutes?
- **Appealing a school council decision:** What is the local board policy as it relates to the district appeals process? Does the appeals process include or require the affected party to file grievances in writing? Does the appeals process include how hearings are scheduled? Are time frames for the hearings included? Is the appealing person allowed representation by legal counsel?

For sample bylaws that the Kentucky Department of Education has developed, please see [Appendix C](#).

## POLICIES

School policies are written by the council for the school and are designed to strengthen the school's efforts to improve student achievement. Policies are written documents that include the rules, procedures, guidelines, and/or standards for addressing specific situations within the school itself. Policies are binding unless amended or repealed by the school council. Policies ensure consistency and stability, assist in clarifying expectations, and eliminate confusion. Policies also provide accountability and are informative to the public. Policies need to contribute to raising student performance and focus on achieving the school's mission and goals, as well as achieve the following:

- support and improve teaching and learning,
- lead to enhancing student achievement,
- outline a common procedure,
- provide guideline, and
- meet a legal requirement.

## SOUND POLICY CHARACTERISTICS

It is important that policies contribute to the mission of the school. When drafting policies, councils should consider the following:

- **Are the school council policies legal?**
  - Being within council responsibilities, not breaking any legal limits and explaining any related legal requirements.
- **Are the school council policies clear?**
  - Using simple wording, spelling out who will be responsible for each step and organizing to make it easy to find needed information.
- **Are the school council policies practical?**
  - Giving each person manageable responsibilities, having a timetable that can work and having a clear process for following up to ensure implementation produces good results.
- **Are the school council policies wise?**
  - Setting rules that make sense and support student achievement.
- **Are the school council policies focused on improving student achievement?**
  - Policy directly or indirectly focuses on improving teaching and learning in the school.
- **Do the school council policies support a positive school culture?**
  - By building relationships, teamwork and focusing on high expectations, school councils contribute to the culture of the school.

When drafting policies, school councils should avoid the following **policy pitfalls**:

- Creating requirements for staff that may not lead to improved student achievement; focusing on compliance.
- Being reactive instead of proactive; writing a policy to address an issue that needs to be dealt with on a more individual basis or is already dealt with in another document.
- Writing every policy with the same amount or level of detail even if that much detail isn't required.
- Including too many monitoring requirements in the policy. (It is important to look at all the monitoring requirements from all policies and the plan to see if there is an overload.)
- Setting up staff to be in violation of school council policies.
- Not communicating policies to staff, students and families.
- Failing to revise school council policies when changes are needed or required.
- Not clearly representing roles of all stakeholder groups.
- Running the school on a day-to-day basis.

## REQUIRED POLICY AREAS

Councils must adopt a policy in the following areas:

1. **Curriculum:** what students will learn
2. **Assignment of instructional and non-instructional staff time:** how all staff will use work time
3. **Student assignment:** how students will be assigned to classes and programs
4. **School schedule:** how the school day will be divided and used
5. **School space:** how classrooms and other areas of the school will be used
6. **Instructional practices:** how students will be taught
7. **Discipline:** how students will learn to behave well
8. **Extracurricular programs:** which activities students will be offered beyond the curriculum
9. **State standards alignment:** how the school will make sure it meets or exceeds state standards
10. **Technology use:** how the school will utilize technology tools
11. **Program evaluation:** how the school will check whether its programs are effective
12. **Consultation:** process for working with the principal on filling vacancies
13. **College-level courses:** recruiting students for Advanced Placement (AP) or area college classes
14. **Committees:** number, jurisdiction, composition, membership selection, involvement
15. **Wellness:** physical activity and healthy choices (required K-5)

- 16. **Writing:** the rules and guidelines adopted by the SBDM to be implemented in the school's writing program (KRS 158.6453(19))
- 17. **Emergency Plans:** satisfies requirements of KRS 160.345(2)(i)(9)
- 18. **Parent and Family Engagement:** meets the requirements of Title 1, Part A

For sample policies that the Kentucky Department of Education has developed, please see [Appendix D](#).

## REQUIRED DECISION AREAS

In addition to the areas in which school councils are required to have adopted policies, the same law creates areas where school councils must **make decisions**. Implied with the charge to make the decision is the responsibility to establish procedures on how that decision will be made. School councils are not required to have an adopted policy in all areas of decision-making; however, in some instances a policy or procedure can make the process more efficient.

- **Principal Selection** – KRS 160.345(2)(h)
- Number of Persons in each **Job Classification** – KRS 160.345(2)(f)
- Determining **Textbooks, Instructional Materials** and **Student Support Services** – KRS 160.345(2)(g)
- School **Budget** and Administration (based on board of education policies and procedures) – KRS 160.345(2)(g),
- Annually **Review Data** as Shown on State and Local Student Assessments
- KRS 160.345(2)(j),
- **Professional Development** Plans (based on board of education policies and procedures) – KRS 160.345(8), and
- Configuration of **Flexible Grouping** – KRS 158.031
- **Primary Program** (elementary) – KRS 158.031(4)
- School **Improvement Planning** Process – KRS 160.345(3)(c)
- **Meeting Frequency and Agenda**- KRS 160.345(2)(d)
- **Student Support Services**- KRS 160.345(2)(g)
- **Mandated School Council Member Training**- KRS 160.345(6)

The Kentucky Department of Education has created a checklist councils can use when reviewing their own policies. See [Appendix E](#).

## Chapter 5: Open Meetings and Open Records

Kentucky's **open meeting laws** protect the rights of the general public to know the actions and decisions of its public agencies. School councils and their committees are public agencies and therefore are required to comply with all aspects of the open meeting laws. All meetings where a quorum of the membership is present, where public business is being discussed, or actions or decisions are made are considered open to the public.

Because school councils are public agencies, a school council or committee can only act when together in an official meeting. Individually, the members of a school council cannot take action on behalf of the council. The council must be assembled and act in accordance with the requirements for open meetings in order to conduct official business. The legal requirements governing the conduct of school council and committee meetings are found in the Kentucky open meetings statutes; however, a summary of the open meeting laws and definitions can be found below:

A well-planned and well-conducted meeting is an indispensable tool for obtaining objectives and goals. Every school council should have an established plan for conducting its meetings and should adopt and adhere to certain *rules of order* for orderly and efficient school council meetings.

The following information is intended to convey some of the basics about rules of order and to offer suggestions on how school council meetings can be effectively conducted:

### **Before the Meeting**

An agenda is a written outline of the topics or items of business to be introduced, considered and acted upon during a meeting. An agenda is not binding as to the details or the order of discussion of topics unless the agenda is for a special meeting during which only the items listed on the agenda can be addressed. An agenda is usually prepared for informational purposes to give the school council members a general idea of the issues to be discussed. The business items on an agenda may include those requested by the members of the council, the chairperson, the school staff and/or the parents.

The council and its committees determine the agenda for its meetings [KRS 160.345(2)(d)]. Many councils and committees have an agenda prepared before the meeting. If members know of other issues, they can move to add those to the agenda once the meeting begins.

Whenever possible, a best practice is to send the agenda and any supporting materials in advance of the meeting to council members. This allows the members an opportunity to properly review and educate themselves about the issues to be discussed during the meeting.



### Calling the Meeting to Order

When the time set for the meeting arrives, the chairman opens the meeting by *calling the meeting to order*. However, just prior to the call to order, the chairman has the responsibility of determining whether a quorum is present. If the chairman determines a quorum is not present, the chairman may wait a reasonable time before calling the meeting to order to obtain a quorum. If a quorum cannot be obtained, the chairman calls the meeting to order, announces the absence of a quorum and entertains a motion to adjourn. If a quorum is present, the chairman calls the meeting to order and proceeds with the first item of business on the agenda.

### During the Meeting

Once a meeting has been called to order, and as long as a quorum is present, the business of the school council is conducted in accordance with the order of business that has been established by the school council in its bylaws.

During a meeting, the **duties of the chairman** include the following:

- Ease the general flow of the meeting by announcing in proper order the business on the agenda.
- Recognize members who wish to speak.
- State and ask for consensus from the members on all legitimate questions that arise during the meeting and announce the results.
- Encourage consensus among the members by ensuring each individual's participation in the decision.
- Enforce the school council's ground rules and maintain order in the meeting.
- Respond to all requests and inquires of the members relevant to the business of the council.
- Declare the meeting adjourned at the proper time.

School council members will be **more effective** when they:

- Know and abide by the ground rules.
- Avoid any personal references or attacks on other members.
- Refrain from disturbing the meeting in any way.
- Are knowledgeable about the issues under consideration so that all members may debate issues and participate in consensus.

If the school council has a **secretary**, the duties he or she will follow include the following:

- Call the roll.
- Act as timekeeper when there is a limit placed on certain agenda items or speakers.
- Take minutes of the meeting.
- Keep track of the progress of the meeting and the status of the agenda.
- Read aloud written policies submitted for a council decision.
- Record consensus or the votes on all council decisions.

The school council secretary can be...

- A member or non-member of the council

- A volunteer or paid for services.
- A minimal recorder of motions and votes or a detailed describer of discussions.
- A passive recorder of what is said or a helpful facilitator asking for a clearer statement of motions and pointing out that final statement of consensus has not been made.

If the council secretary is not a member of the council, he or she may not participate when the council goes into a closed session. In this case, the secretary should record the process leading up to closed session, the reason for going into closed session and the decision reached by the council when it reconvenes in open session. Minutes are recorded throughout the meeting. Recording the various actions taken by the council is the most important role of the secretary during the meeting. When the council in a regular meeting officially approves minutes, the secretary and the chairman should sign the minutes.

### **Ending the Meeting**

If a time limit for the meeting has been previously set, either in the bylaws or by motion at the beginning of the meeting, no motion to adjourn the meeting is required. The chairman simply announces the hour and declares the meeting adjourned. If not, then the school council chair will need to call for a motion to adjourn; a member would second the motion, call for any discussion and then reach consensus or vote to adjourn.

Research shows that people more often remember the way a meeting ends than either the middle or the beginning of the meeting. Council members can help make the meeting memorable by...

- Feeling ownership for what has occurred during the meetings.
- Knowing that they have an action plan for carrying through the decisions reached at the meeting.
- Having a positive attitude about what has occurred at the meeting.

### **After the Meeting**

Minutes are the official record of the meeting. They can be brief or lengthy, depending on the length of the agenda subjects and the desires of the school council or the chairman. Regardless of length, minutes record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings.

## Meeting Planning Guide

The following questions are a quick guide for the SBDM council chairmen to consider when preparing the agenda for a meeting:

- Purpose
  - Why are we having this meeting?
  - What do we need to achieve?
  - What topics from the last meeting need to be addressed again?
  - What new topics need to be addressed?
- Notifications
  - Date
  - Location
  - Starting and ending time
  - Media outlet notifications
  - For a special meeting:
    - Prepare a written notice of date, time, place and agenda
    - Mail, email, fax or hand-deliver a copy to all members
    - Post a copy in a prominent location
    - Mail, email, fax or hand-deliver a copy to any media outlet that has requested notices
- Agenda
  - What items need to be addressed at every meeting (e.g., reviews and approves previous meeting minutes, committee reports, budget items, new business)?
  - What new items should be addressed at this meeting (e.g., improvement planning, data analysis, job classifications)?
  - When will the agenda and supporting documents need to be provided to the council members?

## MINUTES OF MEETINGS

Whether a regular or special school council meeting, the minutes must contain an accurate record of any actions taken during the meeting. The minutes must be promptly recorded and made available for public inspection no later than immediately following the next meeting of the council. A council has not taken action if it has simply discussed a subject; the council members must reach a consensus or take a vote. A council has only taken action if there is a motion, the words of the motion are written into the minutes, a majority or consensus supports the motion and that support is written into the minutes.

**Meetings:** A single official gathering of the members of an organization in one room, with a quorum present to transact business. The members do not leave the meeting, except for a short recess, until the business has been completed or the chair declares the meeting adjourned.

**Quorum:** A majority of the total membership of the public agency. KDE recommends that the school council define a quorum to include at least a majority of the school council members and to include at least one representative from each of the elected groups that serve on a school council; however, each school council defines a quorum within its bylaws.

**Action Taken:** A collective decision, a commitment or promise to make a positive or negative decision, or an actual vote by a majority of the members of the school council. This can be by actual vote or by consensus. KDE recommends that the council's primary decision-making method be consensus and that councils include a provision in their bylaws that allows the option to vote under certain circumstances.

#### **Regular Meetings:**

1. The school council and each of its committees set its own regular meeting schedules.
2. Regular meetings must be held at a specific scheduled time and place convenient to the public. The school council must provide a schedule of these meetings to the public.
3. The schedule must list the date, time, and place for each regular meeting.
4. The schedule must be available to all shareholders and to any media agency that request it. The district SBDM coordinator should have a copy of all regular meeting schedules at the district office.

#### **Special Meetings:**

1. Every meeting that is not a regularly scheduled meeting is considered a special meeting.
2. Special meetings may only be called by the chair of the school council or by a majority of the school council members.
3. Written notice of the special meeting must be delivered by mail, fax, or by hand to each member of the school council and to each media outlet that made a request for such notifications. The written notice must be delivered at least 24 hours prior to the time of the meeting.
4. The notice must include the date, time, place, and agenda of the meeting.
5. A special meeting agenda cannot be amended.

**Open Meetings** statute applies whenever:

1. A majority of the school council or committee is present.
2. Business is discussed even if no action is taken.

#### **Open and Closed Sessions:**

1. All regular and special meetings are open to the public.
2. A record of the all decisions made during a meeting must be recorded in the minutes.

- a. School council and committee minutes set forth an exact record of votes and actions taken.
  - b. Minutes must be approved and made available to the public by the end of the next meeting.
3. Unless a quorum of members is present, business cannot be discussed, nor decisions made.
4. Closed session can only be called for by SBDM councils for the following reasons:
  - a. To discuss actual or potential litigation.
  - b. To discuss potential candidates for employment.
  - c. To discuss items where state or federal law specifically requires privacy (i.e., emergency plan procedures).
5. Before a school council may go into a closed session, certain **procedures must be followed**:
  - a. Notice must be given in a regular open meeting of the general nature of the business to be discussed in closed session, the reason for the closed session and the specific provision authorizing the closed session (The exact statute will need to be read aloud [i.e. “adjourning to closed session pursuant KRS 61.810 (1)(f) ...,” which would allow for a discussion on the appointment of an individual]).
  - b. A motion must be made to reconvene in closed session, and the motion must be approved by a majority vote or consensus conducted in open session.
  - c. Once the school council has convened in a closed session, no final action may be taken in that session. The council must reconvene in an open meeting and take its final action there.
  - d. No subject may be discussed during a closed session other than those announced prior in open session.
  - e. During a closed session, the council or committee cannot take any final action. An issue can be thoroughly discussed, but if a decision is to be made, the council or committee must return to open session. A motion must be made in an open session, and the school council members indicate their support by voting or otherwise confirming a consensus. That motion and action must then be recorded in the minutes that are available to the public.

## MISCELLANEOUS REQUIREMENTS

- School council meetings must be held in a facility designed to allow effective public participation.
- No conditions for attendance at a council meeting may be imposed, except those necessary to maintain order. A public agency may not require identification as a condition of attendance at a meeting.
- School councils must permit news media coverage at public meetings. However, if an individual is not connected with the news media, he or she must obtain permission of the school council before recording or filming a meeting. The school council may deny permission if such activities would be disruptive.

Please see [Appendix F](#) for a list of frequently asked questions regarding open meetings and see the next page for a **sample SBDM meeting agenda**.

# Sample SBDM Agenda

ABC Middle School

Regular SBDM Meeting

Oct. 21, 201X

4:30 p.m.

## 1. Opening Business

- Call meeting to order/attendance
- Approval of agenda
- Approval of previous meeting's minutes
- Good news reports
- Public comments

## 2. Student Achievement

- Report on benchmark/state assessment data

## 3. Improvement Plan

- Update on improvement planning activities
- Update on professional development activities

## 4. Budget Report

## 5. Committee Reports

- Curriculum and instruction committee (Standing Committee)
- Discipline and student recognition committee (Standing Committee)
- New science equipment grant writing committee (Ad Hoc)

## 6. New Business

## 7. Adjournment

## OPEN RECORDS

In addition to complying with Kentucky's open meeting laws, SBDM councils and committees must adhere to open records' requirements, as well. All school councils and school council committee documents are public documents subject to open records requirements. All council documentation must be kept on file at the school to meet open records requirements.

A procedure should be in place, through bylaws or operational procedures, to facilitate requests for council and committee records. These procedures should include, but not be limited to, the following:

- How full public access of records can be obtained;
- Means to determine how requests for records will be made;
- Means to ensure efficient and timely action to respond to requests;
- Times records can be viewed;
- Title and address of the official custodian of the records; and/or
- Fees to be charged (if any) for the copies of the records.

The school council records of schools that have **closed or consolidated** must be archived in a secure location, usually at the board of education offices. All council minutes, committee minutes, official correspondences, budget allocations, bylaws, policies, annual school reports and annual financial audit reports are permanent records.

This particular chapter elaborates on several of the open records' requirements. Three key terms related to open records are listed below with more detailed information following:

1. **Public Record:** A public record is open to inspection by anyone unless the records are exempted by the terms of the Open Records Act. The Open Records Act ensures that public agencies, including School-based Decision Making councils and their committees, are accountable to the people they represent. School councils must serve the public and recognize the rights of the citizens they serve to know what the councils are doing and how the councils conduct business.

KRS 61.870(2) establishes that public records include all "books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics, which are prepared, owned, used in the possession of or retained by a public agency." Public records include meeting agendas and minutes, school improvement plans, committee reports and budgets, as well as any other supporting document used or presented during school council meetings.

2. **Custodian:** KRS 61.870(6) authorizes an official custodian or authorized person with control of public records. Most often in schools, this person is the school principal, unless authority is given to another individual in the school council bylaws.



3. **Reasonable Fee:** KRS 61.874(3) allows any public agency to apply a reasonable fee for producing copies of any public record.

Every person has the **right to inspect public records**. The school council must supply a suitable facility for inspection [KRS 61.872(1)]. Most council records are kept in the school's library media center or main office.

Limitations exist on the right to inspect public records. The inspection of records must be done during the regular main office hours of the school [KRS 61.872(3)(a)1]. Anyone may make a request to inspect public records. The official custodian may require a written request describing the records to be inspected. A request to inspect must specifically describe the records. The school or the school council is not under any obligation to respond to vague or blanket requests for records [OAG 76-375]. Request should be made to the official custodian of the records desired to be inspected and/or copied.

The **official custodian** will determine within three working days whether to comply with the request to inspect records and must notify the person making the request in writing within three days of the decision. If the person receiving the request does not have custody or control of the records requested, the applicant must be notified of that fact and the name and location of the actual custodian, if known. If the records are in active use or storage, or are not otherwise available, the official custodian must immediately notify the applicant and designate a time and place for inspection within three working days from receipt of application or provide the applicant with a detailed explanation of the cause for further delay and notify applicant of the place, time and earliest date on which records will be available for inspection [KRS 61.872(5)].

The **person inspecting the records has the right to make notes** from public records inspected and to obtain copies of all written public records inspected. The official custodian may require a written request for copies and advance payment of the prescribed fee. Records other than written records may be duplicated as long as the custodian determines that duplication will not damage or alter the original record [KRS 61.874(1)]. A school may charge a reasonable fee for copies. The fee charged may not exceed the actual cost of the copies, excluding the cost of staff time [KRS 61.874(2)]. The state government rate for copies is 10 cents per page and actual cost for other records [200 KAR 1:020 Section 3].

Requests to inspect **may be denied** if the request places an unreasonable burden on the school to produce voluminous public records [KRS 61.872(6); OAG 83-386]. Request to inspect may be denied if the official custodian believes that repeated requests are intended to disrupt essential functions of the school or school council. The council must sustain denial for reason specified by clear and convincing evidence [KRS 61.872(6)]. Request may also be denied if the records sought are subject to an exemption under the Open Records Act [KRS 61.878]. The person requesting the records must be notified in writing within three working days after receipt of the request of any denial, in whole or in part, of the request to inspect. The notification must include a statement of the specific exception authorizing denial and a brief explanation of how the exception applies to the records withheld. The notification must be issued by the official

custodian or under the custodian's authority. A notification denying a request to inspect records constitutes final school council action. Once the denial is received, the requester may proceed as allowed by statute to challenge the denial.

The following records are **exempt from the Open Records Act** from public inspection, except upon a court order:

- Public records containing information of a personal nature in which the public disclosure would constitute a clearly unwarranted invasion of personal privacy.
- Preliminary drafts, notes and correspondence with private individuals, other than correspondence which is intended to give notice of final action of a school council.
- Preliminary recommendations and preliminary memoranda in which opinions are expressed or policies formulated or recommended.
- Specific details and plans relating to school emergency procedures.

If any public school council record contains material that is not exempt, the council must separate the exempt material and make the non-exempt material available for examination [OAG 83-386]. If separating out exempt material from non-exempt material places an unreasonable burden on a school or school council, the request to inspect can be properly denied. However, the burden may be overcome by allowing the person who requested the records to inspect a small number of the records at a time [OAG 84-278].

The requester may ask the **attorney general** to review the denial and issue a written opinion within 20 working days. The attorney general is required to render an opinion that states whether the agency acted in compliance with the Open Records Act and must send a copy of the opinion to the agency and the requester. The burden of proof in sustaining the denial of the request to inspect records rests with the school or the school council. The attorney general may request additional documentation from the council and/or copies of the records involved. If the requester feels that a school or school council is subverting the intent of the Open Records Act, a complaint may be made to the attorney general. The complaint is subject to the adjudicatory process as if the request to inspect the record has been denied. If the attorney general upholds, in whole or in part, the request for inspection the school or school council may institute proceedings within 30 working days for injunctive or declaratory relief in the circuit court of the county where the records are maintained. If the attorney general disallows the request or the school continues to withhold the record, the requester may institute court proceedings. The attorney general's ruling on the appeal has the force of law [KRS 61.880].

School councils **must have procedures in their bylaws** on how requests for public records will be granted. Councils should be able to...

- Produce full access to public records,
- Protect school council records from damage and disorganization,
- Prevent excessive disruption of essential functions of the school,
- Provide assistance and information upon request, and

- Ensure efficient and timely action.

Procedures must address (at minimum) the following:

- Regular school office hours
- Title and address of official custodian
- Fees to be charged for copies
- Procedures to be followed

A complete copy of the records retention schedule can be accessed from the Kentucky Department of Library and Archives at <http://kdla.ky.gov>; however, council members should be especially mindful of the list below:

Record to be Retained	Number of Years to Retain
Teacher and parent school council representative election	3 (after election)
SBDM council and committee meeting announcements	3
SBDM council and committee meeting notifications	1
General correspondences	5
Annual school improvement plans	5
School council policy appeals	5
Request for waiver of board policy	5
Request for professional development	3
SBDM council & committee minutes	Permanent
Official correspondences	Permanent
Budget allocations	Permanent
School council policies & bylaws (including amendments & revisions)	Permanent
Annual school report (submitted to the local board of education)	Permanent
Annual financial audit report	Permanent

## Chapter 6: Consensus Decision Making

School councils make decisions that affect the school, staff, students and school community as a whole. Getting input on decisions from the school council members is critical and the manner in which those decisions are made is also critical.

**Consensus means** everyone's opinion and thoughts are valued, differences in opinion are viewed as beneficial and a solution has been reached that does not compromise any strong convictions.

**Consensus building** is a useful tool for school councils in planning, setting goals, implementing policies, and problem-solving. Those who must act together to implement a decision need consensus. Consensus for a school council means that all school council members understand the problem or issue, have participated in the discussion, have a part in the solution, and will support the school council's decision.

Consensus is not required by school-based decision making statutes, but it is recommended for school councils as the decision-making method most likely to succeed. Many councils have discovered that making decisions by consensus is an effective way to keep the work moving forward. Consensus works best when all parties attempt to follow certain guidelines while trying to reach a decision. If school council members can answer yes to the following questions, the decision-making process is probably effective:

- Do school council members focus on the problem or issue?
- Do school council members avoid voting, bargaining and trade-offs?
- Do school council members use a problem-solving process that is agreed upon by the members?
- Do school council members accept others' viewpoints?
- Do school council members seek facts and more information?
- Do school council members avoid self-oriented behavior and personal agendas?
- Does the school council focus on the decision-making process instead of on comments and attitudes of individual members?

Chairs of school councils should encourage all members to offer their ideas. Remember, the council needs participation in order to make effective decisions to improve student achievement.

A school council cannot do new things in new ways without a great deal of discussion. Spending time on making a good decision will allow successful implementation of the decision for years to come. If the council affirms the consensus method of decision-making and sticks to it, the rewards for students will be worth the effort.

Councils that use consensus successfully have several common procedures, such as:

1. The council has worked to achieve a high level of trust and understanding between members. The members are aware of each other's strengths and seek to emphasize those. Members are not afraid to express opinions or make mistakes.
2. When the council is presented with a problem, it is ready for differences of opinion. Disagreement is accepted, and the council works to come up with a solution that all the members can agree upon.
3. The council uses problem-solving techniques such as brainstorming and nominal group technique to arrive at alternative solutions. This keeps the council focused on the issue or problem instead of personalities.
4. The council considers all ideas.
5. Always focusing on the issue, council members may change their minds, bringing the group closer to consensus.
6. The council agrees on the two or three best (and most workable under the circumstances) solutions. The council may attempt to blend these ideas into one decision that each member can agree to support.

It is not an uncommon occurrence when **consensus cannot be reached**. At times, a school council will struggle for some time with an issue only to realize that consensus may not be possible. In most cases, the council that cannot reach consensus needs more information. Although 100 percent of the information may not be available, it is possible for a council to get more information in a variety of ways, including:

- Ask a committee to do further investigation of an educational process and report its findings back to the council.
- Consider getting an expert to discuss the matter with the council. Sometimes experts are as close as the instructional supervisor or the financial officers at the district's central office. Perhaps someone at a university or at KDE could also provide additional information.
- Set up a pilot project to see the effects of a concept in a limited situation before the whole school is committed.
- Determine if what is being proposed has been done in other schools. If so, what were the results?
- Bring the debate to the attention of the faculty and parent groups for their consideration and input.
- Table the issue until the next council meeting to allow individual members to seek information and bring it to the next meeting.

In **dealing with conflict**, people who are in leadership positions with school councils should remember the following:

1. The best cure for confrontation is prevention: set ground rules, clear agendas, and regular process evaluation. If the tone of trust is set, and if people can express their small frustrations and have them considered during process evaluation, serious problems are less likely to arise.
2. Most conflict is best addressed early. As people get angrier, they often get more unreasonable. Be precise and detailed in explaining the situation. In many cases, it may be wise to put known controversies on the council's agenda before they become full-blown. Otherwise the conflict may erupt while the council is working on an unrelated issue.
3. Try to identify the real source of the conflict. Once you have identified conflict and its source, consider whether you might ease the situation through a private talk with one or more council members.
4. If you know that you cannot set up processes that offer a fair hearing to all sides in a conflict, find an outside facilitator to help the council through the conflict.
5. Your best preparation for facilitating a school council meeting during which you anticipate conflict is to think carefully about each member of the group. What is his or her real interest? What power does he or she have both in and out of the council? How has he or she used that power in the council to this point? Answers to these questions should give you some clues about what to expect.
6. Sometimes the fact that you have conflict out into the open and have given it a name will diffuse the situation.

Occasionally parties do not change positions. In those instances in which the disagreement itself remains unresolved, these processes provide the opportunities for each person to learn the other's position and for you to hear all the feelings involved and share yours as well. This will assist in bringing the emotional energy of the council to a normal level.

Please see [Appendix G](#) to access a tool that can help assist councils in reaching consensus.

## Chapter 7: School Council Elections and Requirements for School Council Member Annual Training

In order to be on the School-based Decision Making council, members must be elected; the exception to this is the principal who is statutorily required to lead the council as the chairperson. The teachers in the school and the parent organization (PTO/PTA) are responsible for the elections for their respective groups.

Representatives of the school council are elected by their constituent groups. Each constituent group representative's role is to enhance student achievement. According to KRS 160.345, the school council statute, the composition of a council consists of three teachers, two parents, and one administrator. The membership of the school council may only be increased proportionately, unless an alternative model is filed and approved by the Kentucky Board of Education (KBE).

Prior to the elections being held for the parent and teacher representatives to the council, it is important that members understand that **training** of council members is mandated [KRS 160.345(6)]. **New members** are required to obtain six hours of training in the implementation of School-based Decision Making no later than 30 days after the beginning of the service year in which they are elected to serve and requires **experienced members** to obtain three hours of training in the implementation of School-based Decision Making no later than 120 days after the beginning of the service year in which they are elected to serve.

**New SBDM members** must take the course, *Introduction to School-based Decision Making*. Completion of the course will meet the requirement of the six-hour required training. This course can be completed in a face-to-face session or online with KET. **Experienced SBDM members** may complete their three-hour training requirement by completing any of the training modules offered by KDE or one of the approved alternative modules created by a KDE partner (i.e. KASC, KEA, KET, etc....).

All mandated training must be conducted by a KDE-endorsed trainer and be documented at the school and district levels. Training provides the council members with knowledge of the SBDM and related statutes and the council's role in the school. Councils also are encouraged to obtain additional training in areas such as budgeting, personnel and school improvement planning.

Note that the district or school cannot use federal funds, nor can a school or district require a school council member to pay for the required training. Training specifically designed for principal selection does **not** meet the training requirement.

A **parent** school council representative must submit to a **criminal fingerprint background check** by the Kentucky State Police and the Federal Bureau of Investigation and also submit a **letter from the Cabinet for Health and Family Services (CHFS)** stating the member has no administrative findings of substantiated child abuse or neglect through a background check of child abuse and neglect records. [KRS 160.380(11)]. An administrative finding is defined as a substantiated finding that is...

- not appealed through an administrative hearing;



- upheld at an administrative hearing and not appealed to the Circuit Court; or
- upheld by a Circuit Court on appeal.

The results of the background check and the letter from CHFS are sent to the school district superintendent.

See [Appendix H](#) for a list of frequently asked questions related to school council training.

### **Teacher Elections**

All full- and part-time teachers assigned to the school building, including school counselors, are eligible to serve on the school council and vote in a school council election. Teacher representatives must be elected by a majority vote of all the teachers assigned to the building (e.g., if the building has 30 teachers, a teacher candidate must have 16 votes – one-half plus one – to be elected).

The teachers in the building should determine the process to elect the teacher representatives of the building. This process should address the following:

- Nomination process: How will people be nominated? What will be the timeline? How will the ballots be prepared once nominations are made?
- Voting: How will the voting process take place? What is the time frame for voting? How will ballots be secured? How will the election be monitored? How will candidates be notified of the results? How will tie votes and candidates not receiving a majority of all the eligible votes be handled?
- Vacancies: What are the procedures of notification and voting for vacant positions?

The custodian of records should keep documentation of the election process, including ballots and tallies for the election. These most often are placed and sealed in a labeled envelope and filed with other school council records. This is extremely important if there is a challenge to the election for the teacher representatives to the council.

## Parent Elections

To be eligible to serve on the school council, parents must have a student enrolled or preregistered to attend the school for the year they will be serving on the council. Additionally, eligibility requirements are as follows:

- The **definition of parent** includes anyone who is a parent, stepparent, foster parent and/or a person who has legal custody of a student. [KRS 160.345(1)(d)]
- A parent representative on the school council **cannot** be an employee or relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices. [KRS 160.345(2)(a)]
- A parent representative **cannot** be a local board of education member or the spouse of a board member. [KRS 160.345(2)(a)]

Parents must be elected by plurality vote. The largest parent organization of the school will conduct the election for parent representative to the school council. In determining procedures for their elections, consideration should be given to the following:

- Procedures for election: Where will the elections take place? When will the elections take place? Who will be responsible for holding the election? Are absentee ballots allowed? What will be the process for absentee ballots?
- Procedures for determining representative: What will be the method for counting the votes? What will be the method for informing the school community of the results of the election? What will be the process for conducting a runoff election if needed?

The custodian of records should keep documentation of the election process including ballots and tallies for the election. These most often are placed and sealed in a labeled envelope and filed with other school council records. This is extremely important if there is a challenge to the election for the parent representatives to the council.

## Minority Elections

Schools with eight (8) percent or more student minority population will have at least one minority representative to the school council. For the purposes of SBDM, minority is defined as American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central American or South American origins; Pacific Islander; or other ethnic group underrepresented in the school” [KRS 160.345(1)(a)].

If a school council is formed and has not obtained minority representation in either of the three role groups (i.e., teacher, parent or administrator), the principal will be responsible for ensuring both the following:

1. An additional election is held for parents to elect a minority parent representative to the council.
2. Organization of the teachers to select a minority teacher to the council.

If, after soliciting nominations, no one is willing to serve as either parent or teacher minority member, then that seat on the council will be noted as vacant. If this happens, when someone is willing to fill the position, an election will be held at that time. For further guidance on minority elections, please reference the minority election flowchart in [Appendix B](#).

### **TERMS OF OFFICE**

By statute [KRS 160.345(2)(b)1] the terms of office for SBDM members is one year. However, the school council can determine the length of the terms of office. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected.

If a vacancy occurs on a school council during the term of office, the following may occur:

- An election can be held to fill the position.
- If the original election procedures have been set up to allow a candidate to be elected as an alternate, the alternate may fill the position. This must be part of the original procedures and must follow the requirement of the election.

It is important that the school community understand that this procedure is established to finish the remainder of the term of the vacancy seat and does not provide a new full term.

### **ELECTION DOCUMENTATION**

Ballots and any other documentation (e.g., tally sheets, procedures) must be retained from the election. These documents be retained for a minimum of three years according to the records retention schedule. Documentation of the election should be submitted to the principal following the election and should be stored in a secure location.

### **Sample Election Protocols**

Look more closely at election procedures at your schools. Are they comprehensive? Are there loopholes? Are the steps clear? Do election procedures address the following:

- **Nomination Process:**
  - How will people be nominated?
  - What will the timelines be?
  - How will the ballot be prepared once nominations are made?
- **Voting:**
  - How will the voting process take place and under what time frame?

- When, where and how will the election take place (e.g., an election with polls or an election during a meeting)?
- Who will be responsible for administering the election?
- How will ballots be secured? How will the election be monitored? How will candidates be notified of the results?
- How will tie votes and candidates not receiving a majority of all the eligible votes be handled?
- Will absentee ballots be accepted, and how will those be handled in the case of a runoff?
- **Procedures for determining representative:**
  - What will be the method for counting votes from the election (i.e., who, when, where)?
  - What will be the process for informing the school community of the results of the election?
  - What is the process for a runoff in the event this is needed?
- **Vacancies:**
  - What are the procedures of notification and voting for vacant positions?

Please see [Appendix I](#) for a list of frequently asked questions regarding elections.

### **Sample Election Procedures**

The following are sample procedures for teacher and parent elections. These are only **samples**, not exemplars.

## Sample Procedures for Teacher Members of the SBDM School Council

A certified teacher volunteering during a faculty meeting will follow these steps for the general election to fill teacher members on the SBDM school council.

- 1) Copies of the duties and responsibilities of an SBDM school council member will be posted in the main office, the library media center, the teacher's workroom, beside teacher mailboxes and beside every copier 48 hours before nominations begin and throughout the nomination window.
- 2) Nomination forms will be created and placed in teachers' school mailboxes. Included on this form will be the following information:
  - a. Instructions for nomination.
  - b. The date nominations begin and end.
  - c. The location for nomination forms to be returned.
- 3) The nomination period will be open for 14 days prior to formation of the ballot. All nominees will be asked if they will accept the position if elected before drafting the ballot.
- 4) A copy of the ballot will be posted in the main office, the library media center, the teacher's workroom, beside teacher mailboxes and beside every copier at least 48 hours before voting. Designated teacher will send out a list of nominees' names via email.
- 5) Ballots will be distributed at a called faculty meeting. Nominees will be allowed to share with the faculty why they want to serve on the council. No more than five rounds of voting will be held at this called meeting.
- 6) Absentee ballots must be requested 24 hours before voting. Request must be made in writing to the designated teacher.
- 7) Absentee ballots will be marked as an absentee ballot and returned in a sealed envelope to the designated teacher. A sign-in sheet will indicate receipt of the absentee ballot (i.e., signature of the voting teacher and the designated teacher, required for verification).
- 8) Teachers will be elected by a majority (i.e., more than half) of all teachers who are assigned to the school for any part of the school day.
- 9) A three-member team will count votes before any faculty member is allowed to leave the meeting in case of a tie vote or if candidates do not garner enough votes for majority and additional voting is necessary. The three-member team for each round of elections will count absentee votes.
- 10) In case of a tie vote or if candidates do not garner enough votes for majority, the nominee with the least number of votes in round one will be removed from the ballot. The same process will be used through round five.
- 11) If needed, an additional day of voting will be set for two days after the first day of voting. On subsequent voting days, teachers will report to the election site, sign in to receive a ballot, vote, place the ballot in the box and then be allowed to leave.
- 12) At the conclusion of the elections, the nomination forms and ballots will be sealed in an envelope and given to the principal.

## Sample Procedures for Parent Members of the SBDM School Council

The PTO secretary will follow these steps for the general election to fill parent members on the SBDM school council.

- 1) Copies of the duties and responsibilities of an SBDM school council member will be included in the monthly PTO newsletter and posted in the main office and on the front door of the school at least 48 hours before nominations begin and throughout the nomination window.
- 2) Nominations will be created and available at the school or by email to any parent requesting. Included on this form will be the following information:
  - a. Instructions for nomination.
  - b. The date nominations begin and end.
  - c. The location for nomination forms to be returned.
- 3) The nomination period will be open for 14 days prior to formation of the ballot. All nominees will be asked if they will accept the position if elected before drafting the ballot.
- 4) A copy of the ballot will be posted in the main office and on the front door of the school at least 48 hours prior to the election.
- 5) Ballots will be available on the day of the election from 7 a.m. to 7 p.m. at the school. The PTO president will appoint two parents who are not on the ballot or on the PTO board to man the ballot station at all times. No absentee ballots will be accepted.
- 6) Parents are required to show identification at the election site and sign in next to their child's name.
- 7) Parents are elected by plurality vote. The top two who receive the most votes will be elected to represent the school council as parent members. In case of a tie, subsequent voting will be scheduled and steps 4 through 6 will be repeated.
- 8) At the conclusion of the elections, the nomination forms and ballots will be sealed in an envelope and given to the principal.

## Sample Nomination Form

### SBDM Parent Council Member

**Deadline:** Must be postmarked by (*date*)

**Directions:** Kentucky Commonwealth Elementary School has two parent vacancies on the school's School-based Decision Making (SBDM) Council. Parents may nominate themselves or another parent as a nominee for election to the council. In order to qualify as a parent council member, a parent council member must be a parent, stepparent, foster parent or legal guardian of a student attending the school during the council member's term of office. A parent is ineligible if he or she is an employee or a relative of an employee (father, mother, brother, sister, husband, wife, son, daughter) of that school or for the district central office, or a local school board member or the spouse of a board member.

Name of Nominee: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

Children enrolled in this school: \_\_\_\_\_

Nominated by: \_\_\_\_\_

#### To Be Completed by the Person Being Nominated:

I agree to complete a background check and a registry check from the Cabinet for Health and Family Services regarding substantiated child abuse or neglect and the school council member training. I accept this nomination and hereby certify that I am eligible to serve on this council and meet all qualifications as described above.

Signature of Nominee: \_\_\_\_\_ Date: \_\_\_\_\_

Please attach a single-page summary of your background and experiences. This information will be shared with voters before the election. Each candidate will have two minutes to address parents at the informational meeting and an opportunity to answer questions.

#### Completed nomination forms must be mailed to the following:

Name of Nominating Committee Chair  
c/o (name & address of school)

## Chapter 8: Roles for School-based Decision Making

### Shareholders

School-based decision making is a team effort and involves a strategic partnership with a variety of shareholders. Each of these shareholders play a different role in effectively implementing school councils in each school.

The position of the **chair** for a school council is the school's principal [KRS 160.345(2)(b)]. The chair's role is of facilitator and organizer. When working together at a school council meeting, all school council members are equal. The position of chair and the roles and responsibilities for the position are left to each school council to decide. It is the responsibility of the chairman to strive for efficiency and productivity from school council members. Chairs keep everyone focused on the objectives and the collective energy of the group moving toward solutions in an orderly fashion. Chairs are charged with working with the school council and its committees to help the school exceed its threshold level of student performance.

School council discussions and decisions should focus on student achievement. If the topic at a meeting does not affect student achievement, then the topic does not belong at a school council meeting. Several tips for the chair (when facilitating meetings) can be found below:

- Distribute agendas and related materials prior to each school council meeting so members can review ahead of time.
- Cover the items on the agenda but schedule time to hear other items that need to be discussed and/or placed on future agendas. The quickest way to anger a participant or damage the credibility of the school council is to tell someone that he or she cannot be heard. However, use good judgment concerning the topics.
- Always begin on time but never cut off an individual or a productive discussion. If the discussion needs to be continued, schedule a special meeting or place the item on the agenda of the next regular meeting.
- Encourage everyone to participate. If the school council uses consensus decision making, the only way to determine whether consensus is met is to hear everyone's opinion.
- Treat representation from constituencies seriously. Encourage others beyond the membership of the school council to attend meetings.
- Always strive for consensus. Only under the most urgent of circumstances, or where required by state statute, should a vote be taken.
- Keep the meeting proactive. Maintain the focus and direction of the group. Encourage the group to feel ownership and take responsibility for the group decision. Promote the win-win approach to consensus.
- Have someone other than the chair take the meeting minutes. It is recommended, but not required, that someone other than a school council member take the minutes.
- At the conclusion of a meeting, have the person who kept the minutes recap aloud what will go in the minutes.



- Be neutral when presenting topics for discussion. At times, difficult concepts are best approached with a proposal rather than starting from scratch.
- When there is a difference of opinion, look for common ground and call this to everyone's attention.

**Ground rules or norms** can be a facilitator's tool for keeping order and focus in a school council meeting. Effective ground rules that all school council members agree to live by will help the school council avoid conflict and personalizing issues that need to be discussed openly. Ground rules are set by the school council and prominently displayed. Visitors should be made aware of the behaviors expected of school council members and visitors during school council meetings.

A **sample set of ground rules** can be found below:

- Communicate and maintain a positive attitude and respect for each member and point-of-view.
- Use proactive problem solving.
- Seek feedback about and evidence of school council effectiveness from internal and external sources.
- Respectfully approach a school council member and discuss violation of agreed norms.
- Strive to follow Bylaws and Board of Education policies.
- Be fully present at meetings by becoming familiar with materials and being attentive.
- Work together as a community that values consensus rather than majority rule.

**Teacher representatives** make up the majority of the school council. Teacher representatives, in order to assist the effectiveness of the school council should:

- Increase understanding of school management to ensure they're meeting the changing educational needs of students.
- Be familiar with the statutes that govern School-based Decision Making.
- Maintain a good and working relationship with staff, families and administrators.
- Make decisions that are in the best interest of all the students.
- Devote the time necessary to understand how the present school council is managing the school, especially in areas of curriculum, instruction, scheduling of staff time, student placement, space allotment, budget and personnel.
- Be "team players" and value the opinions and perspectives of other faculty and families.
- Understand the link between school councils and successful school management.

SBDM is an opportunity for families to work in harmony with teachers and school administrators toward establishing goals for student success. **Parent representatives** serving on the school council should:

- Be aware of all assessments administered to students and the school's results.
- Understand how the school functions.
- Accept that the school cannot change overnight.

- Understand the school council structure, including the structure and functions of the school council committees, if any.
- Be willing to make the time commitment necessary to be an effective member of a school council.
- Promote communication and exchange of information.
- Understand that the school council has not replaced the role of the school principal.

As is the case with any educational initiative, roles and relationships for schools and **central office staff** merge for the initiative to be implemented successfully. Given the authority granted to school councils, it is critical that central office administrators recognize the nature of their roles.

1. **SBDM Coordinator:**

- The district SBDM coordinator role is two-fold: As a liaison between the district central office and the school councils and as a liaison between the district and the Kentucky Department of Education.
- The SBDM district coordinator provides guidance to school councils in the implementation of and compliance with SBDM laws.
- This person should be available to councils to answer questions and to provide guidance on the decisions made.
- SBDM Coordinators should:
  - Know the most up-to-date information on SBDM statutes, regulations and attorney generals' opinions and share information with school councils,
  - Coordinate assistance for the school councils with other district central office staff,
  - Inform school councils about requirements in school board policies,
  - Review and maintain copies of school council policies, bylaws, improvement plans, minutes and other related documents,
  - Encourage school councils to inform and involve minority families on the councils, on council committees, if any, and in school initiatives, and
  - Provide required annual training and ongoing professional development.

2. **Superintendent:** The superintendent is charged with leading his or her district. The success or failure of the district ultimately rests on this person's shoulders. Leadership styles vary, and what may work in one district may or may not work in another. The superintendent's leadership has significant impact on how principals and teachers feel about the value of School-based Decision Making in a district. For SBDM to be successful, the superintendent needs to display genuine support for this process.

Several things that a superintendent may do to demonstrate support and value for shared decision making include:

- Open the communication lines between schools and district to foster an environment where trust can grow.
  - Have a process in place for information sharing between school councils and the central office to keep everyone informed and focused on student achievement.
  - Inform school councils of applicable statutes and regulations to help assure that councils are informed of their responsibilities.
  - Keep school boards, community shareholders, parents and families, central office staff and others informed about the role of school councils.
  - Assist in keeping board of education policies updated to support School-based Decision Making.
  - Support and provide training opportunities for school councils.
3. **Finance Officer:** One responsibility that a school council has is developing the school's budget. The finance officer can play an important role in helping school council members learn how to work with a budget. Through training and consultation, council members will be better equipped to handle the distribution of school funds for programs and initiatives. There are several ways the district's finance officer can assist SBDM councils:
- Help school councils follow bid statutes and regulation relating to spending educational dollars.
  - Inform the school council about all statutes and regulations to follow while targeting discretionary funds to meet program needs.
  - Provide school councils with updates and balances frequently during the year. This may be in the forms from MUNIS or other budgeting software.
4. **Technology Coordinator:** The district technology coordinator can provide valuable information to the school councils.
- Share information with the school council members to bring the school council up to date on what has been done by other schools in the district.
  - Advise the school council of the role it might play to encourage the continued progress of moving the school into current technology standards.
  - Address questions and concerns regarding technology and its use in the school including appropriate usage.
  - Respond to the school council's request for technology.
5. **Curriculum Specialist/Director of Instruction:** The SBDM statute spells out areas in which the school council is directly responsible [KRS 160.345]. Many of these, in one form or another, deal with curriculum and instruction. The curriculum specialist/director of instruction can assist school councils by bridging the information gap regarding curriculum and assessment expectations. The council's understanding of the assessment process will help them make critical decisions that affect curriculum.

The curriculum specialist/director of instruction may:

- Provide current research in the areas addressed in state and federal statutes;

- Provide information regarding the primary program;
  - Provide information regarding educational goals;
  - Provide information on programs with best practices;
  - Provide information on instructional strategies;
  - Advise school councils of state regulations and policies that relate to curriculum;
  - Assist school councils to promote student achievement in their schools;
  - Encourage school councils to make sound decisions about key curriculum issues;
  - or
  - Explain the district’s benchmark assessment plan, including the analysis of the data.
6. **Personnel Director/ Human Resource Director:** School councils play a key role with personnel. As part of the SBDM statute, school councils are consulted on personnel vacancies within their schools, and they select a principal when a vacancy occurs. Because the school council has this responsibility, the personnel director/human resources director can be helpful.

The director may:

- Make school councils aware of federal and state statutes and regulations regarding personnel issues;
  - Offer training in personnel statutes and regulations so that school councils will not find themselves in violation;
  - Assist the school council when a need for screening candidates or reviewing background checks occurs; and
  - Provide training and technical assistance in other personnel-related areas to assist school councils as they work in areas involving personnel.
7. **Special Supplemental Programs Coordinator:** Special supplemental programs include those programs funded with state or federal funds or grants (e.g., Title I, special education, extended school services, professional development). Special supplemental programs, depending on the district, may involve one or more people.
- People who oversee special supplemental programs can assist the school council by:
- Offering to meet with the school council throughout the year to keep councils apprised of how the supplemental programs operate and how they fit into the instructional program;
  - Opening communication to keep school councils informed regarding state and federal regulations and how these programs support the school’s needs; and
  - Providing examples of successful practices for special needs populations that are being served.
8. **SBDM Trainer:** KRS 160.345(6) states that “[s]chool council member training...shall be conducted by trainers endorsed by the Department of Education.” The Kentucky Department of Education endorses SBDM trainers annually through online webinars

and/or face-to-face trainings. By attending the annual training offered by the KDE, each trainer is provided with the information and resources necessary to effectively provide all of Kentucky's schools with high-quality SBDM professional development activities. KDE's annual training ensures that a district's SBDM coordinator and/or trainer, as well as various other external providers know how to effectively implement SBDM policies and procedures. Those SBDM trainers who have been endorsed to provide the required SBDM training for SBDM membership are listed on the [SBDM Endorsed Trainer List](#).

## Chapter 9: School Councils and Committees

Committees are not a requirement for school councils; however, committees are considered best practice, because they encourage shared decision making among all school shareholders. School councils have the option to create committees. If committees are created and charged with a task, the council must have a policy for committee structure, authority and membership. The SBDM statute [KRS 160.345] clearly outlines the role and responsibilities for establishing school council committees:

- If the council decides to establish committees, policies shall enable and encourage all interested people, including parents and classified employees, to become members of committees.
- Council policy must include the number of committees, their area of authority or responsibility, membership of the committees and how people will be selected for committee membership.
- Council committees determine their own meeting schedules and set their own agendas.
- Council committees must have meetings at times and places convenient for the public, and they must abide by the open meetings statutes.

When council committees are created and are working well, the responsibility is shared with many shareholders and the workload for the council can be more manageable. The number and type of committees will vary from school to school. Larger, more complex schools may choose to have more committees than smaller schools. Committees come in two forms: **standing and ad hoc**. Standing committees work with standard issues on a continuing basis. Ad hoc committees are formed for specific purposes and for a limited time frame. Ad hoc committees also deal with issues that do not fit into a standing committee's authority or charge.

**Examples** of potential standing committees may include the following:

- Curriculum and instruction
- Assessment and data analysis
- Professional development
- Budget
- Discipline
- Extracurricular

**Examples** of potential ad hoc committees may include the following:

- Improvement planning
- Facility planning
- Interviewing teacher or instructional assistant candidates

The committee needs established by the council may change as state and federal requirements for student achievement change. It is best practice that the council reviews its committee policy annually and makes revisions that best suit the school for that year. The following questions need to be asked to determine if a committee is needed:

- What committee do we think that we need? Why?
- What charge/purpose would this committee have?
- How would this committee support the intervention/improvement plan in the school?
- How would this committee report back to the school council?

The basic requirement for committee operations is that the committee members consider the assignments given to the committee by the school council and make a recommendation for action to the school council. This recommendation should always be based on the charge and focus on improving student achievement. The process to achieve this is left for the council to develop.

Ideas relating to committee operations should include the following:

- Each committee chair is required to report to the council at each of its meetings regarding the committee's discussions and recommendations.
- Each committee uses consensus decision making to arrive at its recommendations.
- Minutes for each committee are compiled by a committee recorder and submitted to the committee chair to deliver to the council recorder at the time of the committee report. Open records statutes require the keeping of minutes [KRS 61.870 to 61.884].
- Committees must comply with the open meetings statutes [KRS 61.805 to 61.850].
- Committee agendas are to be assembled by the committee chair. Issues assigned by the school council, items suggested by committee members and items presented for consideration by others who are concerned generate agenda items.
- Items submitted to the committee by the council are to be represented by the chairman of the committee or a council member. Items submitted by a committee member or the person submitting the item or their designee must represent other interested party.
- Committee membership should reflect the percentage of minority students in the student body and in the community.

Once a committee structure has been established, membership decided and operational procedures defined, committee business is ready to be conducted. The organizational meeting for the committee should be established at a time convenient to its members. The purpose of the organizational meeting is to elect a chair and to establish a regular date, time and location for meetings. These decisions are reported to the school council and to the community.

Suggestions for effective committee meetings include the following:

- The agenda for the committee is the responsibility of the chair.
- The meeting should begin promptly at the time designated.
- Copies of the agenda are distributed to all members and posted at the school as soon as they are established.
- Follow the agenda.
- The chair serves as the facilitator and:
  - Monitors time.
  - Keeps the group on task.
  - Strives for agreement.
  - Makes sure that individual goals are secondary to group goals.
  - Makes sure everyone has a chance to participate.
  - Makes suggestions on how to proceed.
  - Offers and encourages compromises that include ideas of all participants.
  - Helps build trust among committee members.
- The chair ensures that someone is recording official minutes of the meeting.
- Minutes of past meetings are distributed prior to the meeting so that a reading of the minutes is not necessary. Minutes can be approved as written or amended as recorded.

All committees that are established by the school council, whether standing or ad hoc, may be required to report at each regular meeting of the council. If the committee work is incomplete, that may be reported. The council should always know the status and progress of each committee's work. The chair or designee is responsible for delivering the report to the council. When committees are charged to work on a particular challenge or task, consider using a standard format to organize the information for the committee. The charge could include the following:

- The name of the committee,
- Topic,
- Date of the charge,
- Work that is needed,
- Timeline for completion,
- Any special considerations or issues, and
- The contact person on the council.



## Sample Committee Charge

To: Culture and Climate Committee

Topic: To recommend a policy change to increase physical activity during the school day

Date: June 1, 20XX

The school council at Creation Middle School charges the committee to identify ways to increase physical activity for all students during the school day that will work at the middle school level. Consider a more efficient schedule for physical education course; options before school, during the lunch break and after school; and quick energizers that can be done during regular core instruction. Look at curriculum, space, schedule, staff and professional development issues. Draft a proposed amendment to schedule of the day policy to add identified best practices.

Please report on research findings at the council's October and December meetings and have a draft ready by the February meeting. Ensure that you have gathered input from staff, students and families during this time.

For questions, please contact school council member John McBride.

If your school council has a **committee policy** in place or is considering a draft policy, the following questions may assist in your review. A simple **YES** to each of these questions ensures the committee policy is sound:

- Does the policy support parent/family and classified staff participation?
- Does the policy support participation of other interested community partners?
- Does the policy address the number of committees?
- Does the policy address each committee's areas of responsibilities? Does the policy address the composition of the committee?
- Does the policy encourage active minority participation?

Your school council may also consider these questions:

- Does the policy list steps in chronological order?
- Does the policy determine who is responsible for each step?
- Will this policy contribute in making decisions that will enhance student achievement?

A sample committee policy can be found in [Appendix D](#).

## Chapter 10: School Councils and Boards of Education

KRS 160.290(1) grants the local board of education “general control and management” of the district, including district funds and property, and says the board “may establish schools and provide for courses and other services at it deems necessary,” consistent with administrative regulations of the Kentucky Board of Education, as well as “appoint the superintendent of schools, and fix the compensation of employees.” Accordingly, by law, the local board of education is the main policymaker for the school district. The leadership role of the local board has significant impact on how schools and the community feel about the value of school-based decision making in a district. For SBDM to be successful, the local board should display genuine support for this process and vice versa. The local board may demonstrate support and value for shared decision making through any or all of the following:

- Opening the communication lines between school councils and the local board to foster an environment where trust can grow.
- Having a process in place for information sharing between school councils and the local board to keep everyone informed and focused on student achievement.
- Ensuring board policies are updated to support School-based Decision Making.
- Providing resources adequate to meet the needs of the schools as referenced in 702 KAR 3:246.

Local boards of education must adopt policies to address the implementation of SBDM within their district. Based on KRS 160.345(3), the policies must address the following:

- School budget and administration, including discretionary funds, activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses.

Local boards must have policies in place that describe how funds will be allocated to school councils and what fiscal procedures will be used in the district. Board policies must describe a procedure for reimbursing council members for training and other expenses related to their duties as council members.

- Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community and the state.

Local boards must have a policy for school councils to follow regarding how individual student progress will be assessed and what testing and reporting methods will be used in the district.

- School improvement plans, including the form and function of strategic planning and its relationship to district planning, as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446.

Local boards must have a policy for school councils to follow regarding the format to use for planning and how school plans are related to district plans. This includes a policy for professional development.

- Professional development plans developed pursuant to KRS 156.095;
- Parent, citizen, and community participation, including the relationship of the council with other groups.

Local boards must develop a policy for school councils to follow on how parents and community members can participate in council initiatives and activities as well as a policy for the council to follow on how personnel, parents and students cooperate and collaborate within the school district and with other districts.

- Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
- Requirements for waiver of district policies;
- Requirements for record keeping by the school council; and
- A process for appealing a decision made by a school council.

Local boards must have policies for school councils to follow when they need a waiver of local board policy regarding how and where to keep council records and that allows individuals to appeal a school council policy or decision.

Local boards of education set **graduation requirements** in board policy and issue diplomas to students who meet these requirements. The school council cannot add or delete any graduation requirements without board approval. Local boards of education, through board policy, determine the process or procedure for selecting **valedictorians and salutatorians**; however, boards may delegate this process to a school council.

KRS 160.345(2)(a) allows for local boards of education to adopt a policy or procedure that may include a requirement that each school council make an **annual report** at a public meeting of the local board describing the school's progress in meeting its educational goals. Having this policy or procedure is an option for districts; however, the annual presentation to the local board allows for schools and councils to showcase their achievements and present needs. This presentation will provide local boards with knowledge and data that can be used during the allocation and budgeting cycle.

## Chapter 11: Personnel, Staffing Allocations, and Budgets

Some of the most important decisions that a school council will make or consider are issues about **personnel**. Schools need the right people in place to help its students meet needs, achieve goals, and promote schoolwide achievement.

The responsibilities of a school council in the area of personnel includes the following:

- Determining the number of people to be employed in each job classification in the school.
- Adopting policy and procedures to assist the school council with consultation in the selection of personnel, including, but not limited to, meetings, timelines, interviews, review of written applications, review of references and situations in which members of the school council are not available for consultation.
- Being consulted by the principal prior to him or her making a recommendation on filling vacancies in all certified and classified positions.

Other requirements that school councils need to be aware of related to personnel include the following:

- The council does not have the authority to recommend transfers or dismissals [KRS 160.345(2)(f)].
- The council makes policy determining the assignment of instructional and non-instructional staff time in the school [KRS 160.345(2)(i)2].
- OAG 97-7 defines vacancy and requires the posting of every certified position vacancy. A vacancy can occur at any time during the school year. When a vacancy occurs in a local school district, the superintendent must notify KDE and post the position opening in the local school board office for 15 days before filling the position or seek a waiver of the 15-day posting requirement from the chief state school officer [KRS 160.380(2)(b) and (c)].
- Seniority rights are given to tenured teachers in situations of reduction in force [KRS 161.800].
- A notice of non-renewal of limited contracts must be issued by May 15 [KRS 161.750(2)].
- A notice of salary for current staff must be issued no later than 45 days before the first student attendance day of the succeeding school year [KRS 161.760(1)].
- A notice of reduction in duties and salary is required 90 days prior to the first student attendance day of the succeeding school year [KRS 161.760(3)].

KDE has identified the following implications for personnel actions for SBDM schools.

- When a vacancy occurs in a certified or classified position at a school that has implemented School-based Decision Making, the terms of KRS 160.345 apply so that the principal is to select the person to fill the position in consultation with the school council.

- Certified vacancies in positions at SBDM schools should be posted immediately, regardless of when the vacancy occurs.
- The superintendent must conduct a search to locate minority candidates for vacancies [KRS 160.380(2)(d)].
- The statutes do not require posting of vacancies for classified positions. The local board of education may have a policy that addresses the posting of classified vacancies. Classified employees in SBDM schools are subject to the written policies of the local board and all other requirements established in KRS 161.011. However, at SBDM schools, all classified instructional positions at the school are filled through consultation with the school council as per its policy, with final selection by the principal.
- The superintendent should inform the principal at an SBDM school of vacancies immediately so that the principal may act in a timely fashion, especially since staffing decisions by the principal and the school have the potential for impacting required timelines for notices to employees of assignments. Likewise, principals should make hiring decisions in a timely fashion.
- KRS 160.380(2) provides that when a certified vacancy needs to be filled in less than 15 days to prevent disruption of necessary instructional or support services of the school district, the superintendent may seek a waiver from the commissioner of education. If a waiver is approved, the appointment cannot be made until the commissioner has approved the person recommended for the position. The commissioner must respond to the district's request for waiver or for approval of an appointment within two working days.
- When circumstances warrant a waiver of the 15-day posting requirement by a desirable qualified applicant has not be identified, it is recommended that the superintendent proceed to post the vacancy. Later, when a desirable qualified applicant is identified, the superintendent may want to submit to KDE a request for waiver of the 15-day posting requirement and for approval to hire the applicant.
- Superintendents have authority to select people to fill district-wide positions, such as itinerant teaching positions, even if the position includes assignments to SBDM schools.
- The school council is responsible for developing a policy for assigning instructional and non-instructional staff time.
- School councils may inquire about the details of the search to locate minority teacher candidates conducted by the superintendent. If councils do not receive minority applicants, they may offer to assist in any way possible to encourage the recruitment of minority candidates for teaching and other positions in the school.
- Superintendents may transfer or assign staff members for whom there is a contractual obligation to an SBDM school without allowing the principal selection rights or the school council consultation rights when the only position available is at an SBDM school and one of the following circumstances exists:

- When a reduction in force exists and it becomes necessary to find a position for a certified staff member because of teacher seniority rights under the reduction in force statute [KRS 161.800]. In the case of a reduction in force because of a decline in enrollment, school councils must accept necessary transfers, but first the identity of each vacancy and the certification requirements should be known. In that case, the 15-day posting provision should precede placement in the vacancies based on seniority.
- When positions become available subsequent to a reduction in force and KRS 161.800 applies, the employees whose continuing contracts are suspended in a reduction in force have the right of restoration to continuing service status in the order of seniority of service in the district if qualified for the vacant position.
- When the superintendent must honor an employer-employee-bargained contract on transfers.
- When an employee is returning from a leave of absence.
- When a court or teacher tribunal has ordered the reinstatement of a former employee.
- When an administrator for whom there is a contractual obligation has been demoted and must be assigned within his or her area(s) of certification.
- When a principal has been hired and his or her spouse needs to be transferred out of the school to avoid a nepotism violation [KRS 160.380(2)(g)] and the only position available for which the spouse is certified is at an SBDM school.

When **extra duties** are merely additional assignments to an existing position in that school, posting of the extra-duty assignment is not required; however, when a full-time position is either created or vacant, if the extra duty assignments are considered attached to the position, they should be posted as part of the position. Coaches' positions are to be treated in the same manner [OAG 95-10].

In situations where a **non-tenured staff member** has received notification from the superintendent of non-renewal by May 15 [KRS 161.750(2)] and the superintendent subsequently rescinds the decision prior to the end of the current employment contract, then no vacancy has occurred, and the superintendent may extend the employment of the employee for another year in his or her current position in the same school. However, if the contract is allowed to expire, a vacancy occurs and potential reemployment of the staff member would follow the procedures outlined in the SBDM statute, which requires the principal to select personnel from a list of candidates submitted by the superintendent after consultation with the school council.

Any **request for transfers** must conform to any employee-employer-bargained contract that is in effect.

Kentucky funding regulation 702 KAR 3:246 outlines the distribution of funds to schools. The regulation is divided into sections, which determine the uses for the funds. In **Section 3**, the school district pulls the funds needed for district expenses. Then, the district allocates to the school council. **Sections 4 and 5** allocate certified and classified staff to the schools within the district. Instructional funds based on SEEK are included in **Section 6**. When these allocations are made, the remaining funds are what are referred as **Section 7** funds. Within Section 7 are guidelines that govern how those funds are distributed. The local board of education can vote to provide additional funding to the school by...

1. Average daily attendance (ADA) – The local board of education divides the money among all schools based on the student average daily attendance.
2. School council identification – Each school council lists needs from its school improvement plan, and the local board of education chooses none, some or all of those needs.
3. Disaggregated data – The local board of education targets money to an area of student needs shown by the school's data, and the school council decides how to use the money to address that need area.
4. The local board of education can combine these methods to distribute Section 7 resources.

After receiving **notification of the funds** available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the **number of people to be employed in each job classification** at the school. As outlined in KRS 157.360(5)(a), base funding levels include the following:

- 24:1 for primary grades
- 28:1 for grade 4
- 29:1 for grades 5-6
- 31:1 for grades 7-12

An addition to these base levels is a requirement for secondary schools that includes a maximum of 150 per-pupil hours [KRS 157.360(5)(b)].

Two parts of the staffing base funding levels can cause confusion for school council members and others in the school community: base levels for primary grades and the 150 per-pupil hours for secondary schools. School councils are **not** bound by these maximum class size limits once the school receives the allocations. Councils determine, within the number of staff allocated, the job classifications for each of the positions.

**Primary school** is defined in KRS 158.031 as being multi-aged groupings. To this effect, the allocation of staff for primary school is based on the total number of students included in an enrollment from the time they enter school (i.e., kindergarten) to the time they exit (i.e., grade 3). Therefore, as a school district determines the staff for the primary grades at an elementary school, the school district will add the total number of students in the primary grades as a whole

and then divide by a maximum of 24 (the number can be lower based on district choice in the allocation formula) to get the number of teacher positions. For elementary schools that have determined that they will have a graded primary program, this may mean that one grade may have more than 24 students per classroom teacher and another grade may have less than 24 students per classroom teacher.

When KRS 157.360 was enacted, most secondary schools operated on a six-period day within semester schedules. Scheduling concepts such as alternative models and block schedules including trimester schedules were not factored into legislation. Once the base-level funding language is added into the staffing allocation formula, class size loads for middle and secondary school classroom teachers cannot exceed the equivalent of **150 pupil hours** per day. This means that each classroom teacher who is allocated to grades 7-12 cannot have more than 150 per-pupil hours. One hundred fifty per-pupil hours of instruction during a six-hour school day would yield a ratio of 25:1. Again, school councils are not bound by these maximum class size limits once the allocations are received by the school. Councils determine, within the number of staff allocated, the job classifications for each of the positions. To see a list of frequently asked questions regarding personnel and staffing allocations, please visit [Appendix J](#).

In addition to making personnel decisions, the council is responsible for reviewing the school's **budget**. Money should be spent wisely and purchases should reflect meeting needs the school has based on their needs assessment and other data recorded in the Comprehensive School Improvement Plan (CSIP). School budgets consist of funds for **two main purposes**: staffing and instructional supplies. Seeing the school council's role with budgets in respect to the rest of the school community can make it clearer.

#### **School Council:**

- Reviews monthly budget reports
- Requests funds from the board of education for maintenance, supplies and equipment that are not covered in school accounts
- Ensures that professional development expenditures are reflected in the school improvement plan
- Reviews categorical program expenditures
- Approves the school budget annually
- Determines job classification each spring

#### **Principal:**

- Tracks all school expenditures
- Explains monthly MUNIS reports to the school council
- Ensures that budget requests are aligned with the school mission and improvement goals
- Facilitates discussions around job classifications and school needs

#### **Teachers:**

- Communicates budget needs to the school council



- Requests resources that are aligned with the school missions and improvement goals

Annually, the school council must adopt a budget for the school. Multiple funding sources are available to the school; however, with state and federal funding cuts, these funds may be limited or unavailable to a school. Please see the next page for a detailed description of funds that may be available to councils.

Money sources:	Explanation:	Amount:	Date of school council access:
Staffing Allocations	Each school's funding for staff is determined in two steps. A school board formula is used to make a list of positions, and then the district salary schedule is used to attach a dollar figure to each position.	Based on school board policy that follows the school council allocation regulation.	Tentative <b>March 1</b> each year, with a final allocation by <b>May 1</b> .
Instructional Funds	Each school's average daily attendance (ADA) for the previous year is multiplied by a fixed amount per pupil. By law, the funding to councils is at least 3.5 percent of the basic per-pupil guaranteed state funding. The exact amount is determined by the General Assembly during each biennial budget.	At least 3.5 percent of the basic guaranteed per-pupil amount.	Tentative <b>March 1</b> each year, with a final allocation by <b>May 1</b> .
Remaining Funds Allocation	<p>The school board makes decisions about allocating the remaining funds left over after:</p> <ul style="list-style-type: none"> <li>• District-wide expenses</li> <li>• Certified and classified staff allocations to schools</li> <li>• Minimum allocation to councils</li> </ul>	<p>No set amount.</p> <p>School councils may make a request based on need.</p>	<p><b>May 30</b> each year, if funds are available</p>
Professional Development	These funds support a wide range of activities to develop knowledge and skills to move all students to proficiency.	65 percent of the funding provided to the school district times average daily attendance (ADA) from the prior school year.	Within 30 days of notification from KDE.
Textbook	These funds can be used for instructional materials.	Once state budget is settled each biennium, based on ADA for each P-8 school.	When state budget is set.

Money sources:	Explanation:	Amount:	Date of school council access:
Extended School Services Funds	For students who need additional instructional time to reach state standards.	Once state budget is passed, based on ADA for each school.	When state budget is set.
Activity Funds	School general activity funds — those funds NOT raised by a school organization for a specific purpose.	Varies from school to school.	July 1-June 30.

Below is a listing of other funding sources from both state and federal grants that may be available to schools. These can include the following:

Other Money	Explanation
State Preschool	Four-year-olds from low-income families and 3- and 4-year-olds with disabilities are eligible for free preschool services.
Family Resource & Youth Services Center	These funds are used to address the physical and social wellbeing of students and their families in order to minimize or eliminate barriers to learning for academically at-risk students.
Safe Schools	<i>School safety plans</i> , rather than <i>comprehensive school improvement plans</i> , officially govern this funding. However, when the same activity will help with the goals of both plans, you may want to include them in both to help your community understand how the resources are being used.
KETS	Education technology that meets state quality standards is part of the state approved district technology plan.
Gifted and Talented	Direct services to students who are identified as gifted and talented. Seventy-five percent of this funding must be used for certified staff.
Title I, Part A	Title I, Part A supports effective, evidence-based instructional strategies to help students meet state standards.
Migratory Children	Supports services to help students meet challenging state standards if their families make repeated moves
Title II, Part A	Supports strategies for improving teacher and principal quality

Other Money	Explanation
<b>Title III, Part A</b>	Language instruction and other steps to help students with limited English proficiency, including helping immigrants develop high levels of academic attainment in English and meet challenging state standards
<b>Title IV, Part A</b>	Seeks to increase capacity to (1) provide all students with access to a well-rounded education, (2) improve school conditions for student learning, and (3) improve the use of technology in order to improve the academic achievement and digital literacy of all students.
<b>Rural &amp; Low Income</b>	Provides additional support for ESSA-related activities in rural districts that often lack the personnel to apply for other grants
<b>IDEA Basic</b>	Services needed to educate students with disabilities
<b>IDEA Preschool</b>	Supports preschool for children with disabilities
<b>Perkins</b>	Supports vocational and technical education programs
<b>McKinney-Vento Grant</b>	Support for homeless children
<b>E-Rate</b>	Special arrangements for major savings to schools on the costs of Internet access. Also called Universal Service Administrative Company (USAC) Schools and Libraries Division

These funds can be overwhelming to consider; however, an effective school council is aware of the funds that are expended in the school and why they are expended in the ways that they are. However, oversight and final discretion of any federal or state grant funds is the decision at the district level.

## Chapter 12: Principal Selection (Overview)

After the passing of Senate Bill 1 (2017), KRS 160.345 was amended to include an alternative principal selection process for councils. Councils now have **one of two** options related to principal selection:

1. Councils opt for the alternative process and asks the superintendent to recommend a candidate and the council has the option to interview the candidate and accept him/her as principal **OR**
2. Superintendent and council consider applicants and the council selects the candidate by majority vote.

If the council selects the **alternative process**, KDE's *best practice guidance* is that the council would still need to be trained. Council members may be unaware that they have two options now regarding principal selection, so before the superintendent could recommend a candidate, the council would have to first initiate that alternative process. The amended statute states the following, "An alternative principal selection process may be used **by the council...**" So, to initiate the process, council members would need to have an awareness that two options exist and that could be highlighted during the training.

Training is also key to the alternative principal selection process, because if the council does not accept the recommended candidate, then they revert back to the original principal selection process, which does explicitly require the training. Additionally, since the council can opt to interview the recommended candidate in closed session during the alternative process, it is KDE's guidance that they have the standard principal selection training that covers recruitment and interview techniques. KDE recommends a council exercise its right to interview the recommended candidate (an exception to this could be if there has been an interim in place or if the assistant principal is the recommended candidate and the school/community has a working relationship with this person).

The following **suggested steps** may assist school councils during the principal selection process. However, these steps are suggestions and are **not** required by statute. The SBDM statute only requires that councils receive training in recruitment and interviewing techniques prior to carrying out the process of selecting a principal [KRS 160.345(2)(h)2]. Also, although the SBDM statute does not require it, having a principal selection policy is considered a best practice.

### **1. Declare Principal Vacancy**

The superintendent declares a principal vacancy at a school as a result of a principal retirement, resignation, termination or other reason.

### **2. Post the Vacancy**

Post the vacancy according to KRS 160.380(2)(b). This requires a 15-day posting of the vacancy prior to filling the position. The position must be posted at the district office for public viewing and also must be listed in a statewide registry maintained by KDE. According to KRS 160.380(2)(c), the superintendent may ask for a waiver from KDE to fill the vacancy in less than 15 days to prevent the disruption of necessary instructional services.

### **3. Superintendent or Designee Meets with the School Council**

The superintendent or designee meets with the school council in an open meeting to discuss the following:

- The desire to work collaboratively and cooperatively with the school council to select a principal who meets the unique needs of the school based on superintendent and council criteria.
- District recruiting strategies and activities.
- Timeline for providing council members information concerning the recommended applicants by the superintendent or designee for council consideration. However, KRS 160.345(2)(h)2 requires the council to have access to all applications.
- Methods to be used to gather information and screen applicants in making final recommendations.
- The possible need to appoint an interim administrator until such time that the council selects a principal and an explanation of the process of selection.
- Required training of the council in the principal selection process.

### **4. Set Up Principal Selection Training for the School Council**

KRS 160.345(2)(h) requires principal selection training. The school council selects the trainer. Suggested topics to request the trainer to cover are as follows:

- How to review applications and resumes.
- How to use electronic searches to gather information about the candidates.
- How to develop questions based on agreed criteria, including legally allowable questions and topics to avoid.

- How to conduct in-person interviews.
- How to conduct reference and work experience checks.
- How to prepare, conduct and evaluate open response or written interviews.
- How to review a candidate's portfolio.
- How to prepare, conduct and review a performance event.
- When and how to discuss employment issues in open or closed session following the Open Meetings Law [KRS 61.810 to KRS 61.815].

## **5. Establish School Council Timeline and Plan for Principal Selection Process**

Start with the target date for selecting a principal and work backward to decide a timeline and plan for your work.

## **6. Recruit Principal Candidates**

Beyond posting the position with KDE and at the school and district level:

- Advertise in local and state publications.
- Recruit minority applications [KRS 160.380(2)(d)].

## **7. Establish Principal Candidate Criteria and Screening Process**

In an open meeting, review attributes and needs of the school and gather input from shareholders. The superintendent, as part of the school council, will assist in developing written criteria for the selection of applicants based on district expectations, standards of performance and job descriptors. The council, with the superintendent, will share criteria, discuss the timeline of the process and encourage minority recruitment with all shareholder groups.

## **8. Decide Information-Gathering Process**

The school council should meet and establish the procedures it will follow for the principal selection process. How will this school council:

- Review applications, resumes, portfolios and other relevant materials?
- Use electronic search to gather additional information about the candidates?
- Develop interview questions based on criteria?
- Check references and others who have worked for and with the candidate?
- Conduct the interviews (the procedure for conducting interviews – all interviews are conducted in closed session)?
- Prepare open response or performance events, if applicable?

## **9. Review List of Applicants and Determine Whom to Interview**

The superintendent should screen and determine a list of candidates deemed qualified and match the established criteria for the position. In closed session of the school council, review the recommended applicants from the superintendent, and as a council determine who best meets

the established criteria to select for interview. The superintendent or the council's vice-chairman should make the contact and set up the time for the interview within the interview schedule.

#### **10. Conduct Interviews, Evaluate Candidates and Make Selection**

Conduct and interview all selected candidates. Ask each candidate all of the agreed-upon questions in the same order. Ask any follow-up questions, if needed. At the end of the interview, provide the candidate time to ask questions and provide any other relevant information. Inform the candidate of the time frame for selection and by whom or how they will be contacted. Once all candidates have been interviewed, evaluate the candidates using the agreed-upon process and criteria in closed session. Discuss each candidate's strengths and limitations. Once a selection has been made, the superintendent should call the candidate and offer the position. If the candidate accepts the position, the school council should go into open session and announce for the record that a selection has been made, offered and accepted. If the chosen candidate does not accept the position, the council will need to either review the remaining candidates and select another or begin the principal selection process again.

It is best practice to contact all interviewed candidates once a selection has been made and accepted. Notify all applicants not chosen for an interview by letter that a selection has been made and thank them for their interest in the district.

For further guidance on principal selection, please reference [Appendix K](#) for frequently asked questions regarding the principal selection process.

#### **Special Provision for Principal Selection in Jefferson County Public Schools:**

Senate Bill 250 was passed in the 2019 legislative session and became effective June 27, 2019. Through the passing of this bill, KRS 160.345 was amended to allow the superintendent of Jefferson County Public Schools the right to select a principal if he/she does not approve of the principal that the council chooses during a traditional or alternative principal selection process.



## Chapter 13: Minority Educator Recruitment and Retention

Kentucky's student population is becoming increasingly culturally, ethnically, and linguistically diverse, yet little diversity in Kentucky's teacher workforce exists. In Kentucky, 24 percent of the public school students are minority, compared to only 5 percent of our teachers.

If Kentucky's children are to become viable citizens of the global community, they must first learn to appreciate, respect, and affirm diversity. This appreciation of diversity must begin in the public school system throughout Kentucky's commonwealth. True diversity will be accomplished one classroom at a time.

The following are useful techniques and strategies for achieving diversity in public schools:

- Commit to understanding diversity,
- Build a diverse pool of applicants,
- Provide meaningful experiences that expose students and staff to diversity,
- Recruit minorities to work in education, and
- Build diverse community networks.

Members of the school council are charged with the responsibility of making decisions in the best interest of the school and for all students within that school. As people responsible for selecting principals and for consulting with the principal in selecting teachers, KDE encourages you to insist that the pool be ethnically and culturally diverse and that those teachers and administrators are selected to fill vacancies, receive full support from the school council, school faculty, and staff.

African Americans comprise approximately 11 percent of Kentucky's student population, but less than four (4) percent of the total number of teachers statewide. When searching for African-American educators it would be wise to contact the National Alliance for Black School Educators for more than 100 historically black colleges and universities.

Native Americans comprise less than one (1) percent of Kentucky's population. It is not advisable to generalize or stereotype Native Americans today because of the diversity of the native experience in this country. You will find that native people will be happy to share their perspectives. For more information, contact the Kentucky Native American Heritage Council.

The 2010 U.S. Census reports that Hispanics/Latinos are the fastest growing ethnic group in the U.S. Currently approximately 18 percent of the U.S. population is Hispanic/Latino. Changes in the economies of rural counties account for the significant increase in Kentucky's Hispanic/Latino student population, which is approximately 7 percent of all Kentucky school students. When recruiting Hispanic/Latino teachers, job fairs in areas with large Hispanic/Latino populations such as California, Florida, New Jersey, and New York are excellent opportunities.

Less than two (2) percent of Kentucky's population is Asian-American. A common problem for Asian Americans is the failure of employers to recognize them as needing attention. The model

minority myth contributes to a level of invisibility, which hampers the advancement of Asian-Americans in the workplace.

The school's instructional leaders and its school council must foster an environment that values and affirms diversity among both staff and students. Support for diversity must be evident in both the processes and the outcomes of the school council's work. Effective support for diversity should include the following:

- A representational component (i.e., the actual representation of diverse faculty, staff, and school council members at different levels of the school environment).
- An interactional component (i.e., members of different groups working well together).
- An organizational culture component (i.e., a well-established organizational value supporting diverse peoples).

Districts should also make it a priority to comply with KRS 160.380(2)(d), which states:

“When a vacancy occurs in a local district, the superintendent shall conduct a search to locate minority teachers to be considered for the position. The superintendent shall, pursuant to administrative regulations of the Kentucky Board of Education, report annually the district's recruitment process and the activities used to increase the percentage of minority teachers in the district.”

While the language directs the superintendent to conduct the search for minority candidates, as the school council of a school, you have a responsibility to ensure that all students are exposed to a growing demographic diversity. Develop a diversity plan for your school that is specific to the needs of your school, district and community. The council should keep a record of the numbers of minorities interviewed and hired for vacancies, particularly administrative positions such as counselor, assistant principal, or principal.

A steadily growing national movement in which middle and high schools, local school districts, state education agencies, and the federal government are developing programs to **grow their own teachers** is largely untapped. These future teacher identification and recruitment programs foster students' early interest in teaching as a career.

It is never too early to identify and encourage minority students to prepare for careers in education. One way to encourage early identification is to implement programs, either of your own design or in cooperation with programs through KDE (i.e. Future Educators of America), to encourage young people to become teachers. You may consider establishing scholarships for your students with the stipulation that they return to the community to teach. It is also important to provide meaningful teaching/mentoring experiences to students, as well. Consider the following:

- Provide opportunities for middle and high school students to mentor elementary students.
- Allow high school students the opportunity to serve as teacher aides during study halls and other free periods during the day.

- Develop programs permitting students to “shadow” practicing teachers and administrators.
- Develop an education career component that may be used as part of the curriculum.
- Establish a working relationship with local community colleges, junior colleges and other institutions of higher or postsecondary education in your geographic region to develop internships, practicum and student teaching opportunities for minority teacher education majors.
- Make district personnel officers aware of your particular staffing needs prior to their attending collegiate job fairs.

There are several ways in which districts and schools can work to get minorities involved in the field of education:

- Describe your school and its programs in advertisements in minority professional publications.
- If you are near a military installation, investigate the Troops to Teachers Program as a way to recruit minority teachers.
- Seek assistance from minority educators already in your district.
- Establish contact with local minority civic organizations and churches.

Don't overlook internal candidates. Work with the district office to identify a cadre of interested minority paraprofessionals within your school and assist them in preparing for teacher certification.

Many school councils lack the resources to compete at the national and state level for minority teachers and administrators. However, many councils are working with KDE, community organizations and district human resources personnel to make a case for funding creative strategies to attract and retain qualified teachers from the limited pool of candidates.

- Develop a plan to improve minority high school student graduation rates and enhance the skills of prospective homegrown teachers for the district and possibly your school.
- Assure that all new staff feel welcome.
- If your school does not have minority faculty, ask a person from the community to serve as part of the welcoming team.
- Request current minority staff to serve as mentors for new staffers.
- Include diversity awareness as part of the school's annual professional development program.
- Identify local and regional chapters of national organizations that can assist with your recruitment efforts. Once these organizations are identified, find out if there are any teachers in your school or district who are members.

- Identify and reach out to and partner with minority churches and civic organizations. See that these organizations have notices of vacancies in their district and that they announce these to members for dissemination throughout the community.
- It is important to make new hires feel welcome, and part of the welcoming process could be to have identified minority contacts within your community to form linkages with the new teacher.
- Building relationships within your community not only assists in the recruitment of minorities but also provides an opportunity to support minority staff already employed. This also promotes the school's sense of responsibility to the community it serves. Seek out minority professional organizations to assist with the recruitment and retention staff.
- Form a diversity committee and assign it to collaborate with district personnel officers and individuals from the community, to plan, organize and monitor school recruitment efforts. Share effective strategies, techniques and best practices with other school councils.
- Invite minority parents and community leaders to become active on the school council and in other school activities.
- Design advertisements (print and broadcast) to reach a diverse group of teachers and potential teachers.

Recruiting and retaining effective teachers is a challenge that a lot of schools face. It is important to have a proper plan in place to improve the teacher recruitment and retention efforts. Here are five suggested steps to help your school improve in this area:

**1. Build a recruitment team.**

Gather a committed and diverse planning team or committee to help collect data, evaluate your school needs, identify resources and recommend a list of desired changes in policies and practices. The team should include teachers, parents, community leaders and principals.

**2. Identify your needs.**

Assign members of the team to collect as much data as possible in order to assess your teacher recruitment needs and build a case for stepping up your efforts. Work with your building principal and secure his or her support of your efforts.

**3. Examine available pools of prospective teachers.**

Request a list of available candidates from the superintendent's office and attempt to identify new pools of teacher candidates.

**4. Develop your focus and set your goals.**

Begin to think about where you will start and what kinds of changes are needed.

## 5. Evaluate your readiness to significantly improve your teacher recruitment and retention efforts.

Take stock of your current programs and resources to determine which programs to keep, to enhance or to initiate.

There are many excellent legal and social arguments for recruiting and retaining a diverse teacher workforce, but the most powerful argument for excellence in diversity recruiting and retention relates to the impact that a diverse teacher workforce can have on the bottom line – preparing our children to live and work in a pluralistic society. Does having a workforce with diverse backgrounds, experiences and ideas prepare our students for the future? The answer is a resounding YES!

The shortage of minority teachers in Kentucky’s public schools has reached critical proportions. Yet this shortage presents itself at a time when the number and percentage of students of diversity in our public schools has reached record highs. The challenge for school councils is to work effectively with district administrators, building principals and KDE officials to identify, recruit, hire, and retain minority teachers and administrators.

Leadership from district superintendents, building principals and teachers is important in our efforts to provide equitable, bias-free education. However, it is not just schools that must change. Each member of the school council must ask, *“What actions can I take to help?”*

As a school council member, you must constantly remind yourself that the benefits of recruiting, hiring and retaining teachers of diverse backgrounds are far-reaching. Minority teachers serve as role models for all children and promote racial understanding and appreciation among all ethnic groups.

## Chapter 14: Communicating with Families, the Community, and the Media

Research has shown that student achievement improves when families and community members are welcomed into the school and become a part of the school's daily business. School councils must actively seek the involvement of families and community members and consistently try to bring them into the daily work of the school.

School councils may wish to include some of the following activities in their action plans:

- Establish a volunteer program for parents and community members that give volunteers specific and meaningful tasks.
- Ask for volunteers with specific interests, hobbies or jobs that they would be willing to share with students as a classroom resource.
- Involve civic clubs, businesses and community organizations in school projects. Ask for tier help and resources for specific school events (e.g., career days, science fairs).
- Ask local businesses to set up activities with groups of students to simulate real-life learning experiences.

Involving others in school council work is important. Groups that have close ties to the school (e.g., PTA/PTO, student council) can assist with information sharing and volunteer at important events. This creates an open environment and eliminates feelings of competition between groups. Some types of activities that could be shared are:

- Committee participation;
- Presentation of the school improvement plan to families and the community;
- Brochures, newsletters and other publications;
- Surveys to families, teachers, students and the community;
- Priority setting for the school budget and instructional materials; or
- Awards and recognition for students, families and school faculty.

School councils must work on ways to spread information to the school community. Councils may use these ideas:

- Each council member could enlist three to five people to be *key* communicators. These people should be those in the community who are in daily touch with many people. They might include grocers, bankers, librarians, hairdressers and many others. Information could be communicated to these key people, and they can help share information about the school with the families and in the community.
- A school directory is a good way to communicate information about your school, its programs, staff, special features, council members and the school's objectives for the upcoming year.

- Cover school council and school activities in a newsletter published at regular intervals during the school year.
- Ask teachers and parents to volunteer to make presentations to the board of education, family groups, civic groups and others about good things that are happening at the school.
- Post the minutes of council meetings in a prominent place in the school and distribute them widely.
- Communicate with high school families through the high school's student newspaper. The council's student representative could write articles about what the council is doing, or a regular reporter could cover council meetings.
- Set up a council booth at back-to-school nights or events, school open houses and family orientation sessions. Let families know they can serve as school council members or on a school council committee.

In addition to support from families, school councils need support from their community. In order to build community support, creating opportunities for community input and listening when input is received is extremely important. Ways to maximize communication with the community include:

- Canvass the community and make a list of groups. Some groups could be senior citizens, parents of preschoolers, non-parents, parents of private school students, special interest groups, religious groups, minority communities, social service agencies and civic club members. Assign one school council member to each group as a key contact person. Make sure each group is considered in all surveys done by the school council.
- Hold neighborhood gatherings in people's homes. Offer food and coffee and get acquainted with community members in a relaxed atmosphere. Print materials may be handed out, a videotaped presentation on the school may be shown, or a council member may conduct a question-and-answer session. The focus of the session should be on listening as much as on giving information.
- Hold short panel discussions presented by council members, followed by open forums where citizens can express their ideas, suggestions and any concerns they may have. Good subjects to cover in these discussions might include curriculum, school facilities, materials, legislation that affects the school, accountability, public relations or anything about the school that is on the mind of the community. These public forums can be held at churches, clubs, community centers, libraries, schools or anywhere that is convenient for the community.

**Public relations** are very important to any public agency. Because school councils are public agencies, they need to develop skills to use when communicating with agencies and news media outside the education community. Councils may want to become aware of common methods of effectively communicating with the media.

Most school districts have personnel responsible for public relations. Councils should contact those individuals to obtain names of people in the news media who have frequent contact with the local education community. Also, the school council should check protocol with the school district for communicating with external media sources. The following are general tips for members of school councils when communicating with external groups.

Media representatives may want to interview school council members. Members give the most effective interviews when they are ready to respond with clear information about how the council operates and what the council is doing. Consider these steps for effective interview preparation and response:

1. Reflect on the subject: What topic will it cover? What questions are likely to be asked? What is the current political context of the topic?
2. Reflect on the circumstance of the interview: How much time is there for the interview? Who will be present? Why are you being interviewed? Where will you be interviewed, and is the location conducive to a good interview?
3. Reflect on the medium: What is the audience like? What are the limitations and the requirements of the medium? What is the editorial position of the medium?
4. Reflect on the reporter: What are the reporter's interests, attitudes and styles? Can you and the reporter agree on topics and limits for the interview?

For the reporter, exciting or **controversial news** gets more attention. Some common methods of extracting "news" from an interviewee include:

- The *missing piece*: Implying that the reporter has the entire story except your version. Will you provide it?
- The *old pal*: By sensing a reporter's empathy with your viewpoint, you may divulge more than you want to divulge.
- The *prisoner's dilemma*: By playing one source against another, a reporter may obtain the whole story.



# APPENDICES

## APPENDIX A: KRS 160.345

### **160.345 Definitions – Required adoption of school councils for School-based Decision Making – Composition – Responsibilities – Professional development – Exemption – Formula for allocation of school district funds – Intentionally engaging in conduct detrimental to School-based Decision Making by board member, superintendent, district employee, or school council member – Complaint procedure – Disciplinary action – Rescission of right to establish and powers of council – Wellness policy.**

- (1) For the purpose of this section:
  - (a) “Minority” means American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school;
  - (b) “School” means an elementary or secondary educational institution that is under the administrative control of a principal and is not a program or part of another school. The term “school” does not include district-operated schools that are:
    1. Exclusively vocational-technical, special education, or preschool programs;
    2. Instructional programs operated in institutions or schools outside of the district; or
    3. Alternative schools designed to provide services to at-risk populations with unique needs;
  - (c) “Teacher” means any person for whom certification is required as a basis of employment in the public schools of the state, with the exception of principals and assistant principals; and
  - (d) “Parent” means:
    1. A parent, stepparent, or foster parent of a student; or
    2. A person who has legal custody of a student pursuant to a court order and with whom the student resides.
- (2) Each local board of education shall adopt a policy for implementing School-based Decision Making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:
  - (a) Except as provided in paragraph (b)2 of this subsection, each participating school shall form a school council composed of two (2) parents, three (3) teachers, and the principal or administrator. The membership of the council may be increased, but it may only be increased proportionately. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor

shall the parent representative be an employee or a relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member's spouse. None of the members shall have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees;

- (b)
  - 1. The teacher representatives shall be elected for one (1) year terms by a majority of the teachers. A teacher elected to a school council shall not be involuntarily transferred during his or her term of office. The parent representatives shall be elected for one (1) year terms. The parent members shall be elected by the parents of students preregistered to attend the school during the term of office 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. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. The principal shall be the chair of the school council.
  - 2. School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following:
    - a. Organizing a special election to elect an additional member. The principal shall call for nominations and shall notify the parents of the students of the date, time, and location of the election to elect a minority parent to the council by ballot; and
    - b. Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty;
- (c)
  - 1. The school council shall have the responsibility to set school policy consistent with district board policy which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and 158.6451. The principal shall be the primary administrator and the instructional leader of the school, and with the assistance of the total school staff shall administer the policies established by the school council and the local board.
  - 2. If a school council establishes committees, it shall adopt 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;
- (d) The school council and each of its committees shall determine the frequency of and agenda for their meetings. Matters relating to formation of school councils that are not provided for by this section shall be addressed by local board policy;

- (e) The meetings of the school council shall be open to the public and all interested persons may attend. However, the exceptions to open meetings provided in KRS 61.810 shall apply;
- (f) After receiving notification of the funds available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the number of persons to be employed in each job classification at the school. The council may make personnel decisions on vacancies occurring after the school council is formed but shall not have the authority to recommend transfers or dismissals;
- (g) The school council shall determine which textbooks, instructional materials, and student support services shall be provided in the school. Subject to available resources, the local board shall allocate an appropriation to each school that is adequate to meet the school's needs related to instructional materials and School-based student support services, as determined by the school council. The school council shall consult with the school media librarian on the maintenance of the school library media center, including the purchase of instructional materials, information technology, and equipment;
- (h) Personnel decisions at the school level shall be as follows:
  - 1. From a list of qualified applicants submitted by the local superintendent, the principal at the participating school shall select personnel to fill vacancies, after consultation with the school council, consistent with paragraph (i)11. of this subsection. The superintendent shall provide additional applicants to the principal upon request when qualified applicants are available. The superintendent may forward to the school council the names of qualified applicants who have pending certification from the Education Professional Standards Board based on recent completion of preparation requirements, out-of-state preparation, or alternative routes to certification pursuant to KRS 161.028 and 161.048. Requests for transfer shall conform to any employer-employee bargained contract which is in effect;
  - 2. a.
    - i. If the vacancy to be filled is the position of principal, the outgoing principal shall not serve on the council during the principal selection process. The superintendent or the superintendent's designee shall serve as the chair of the council for the purpose of the hiring process and shall have voting rights during the selection process.
    - ii. Except as provided in subdivision b. of this subparagraph, the council shall have access to the applications of all persons certified for the position. The principal shall be elected on a majority vote of the membership of the council. The school council shall receive training in recruitment and interviewing techniques prior to carrying out the process of selecting a principal. The council shall select the trainer to deliver the training;
  - b. An alternative principal selection process may be used by the school council as follows:

i. Prior to a meeting called to select a principal, all school council members shall receive informational materials regarding Kentucky open records and open meetings laws and sign a nondisclosure agreement forbidding the sharing of information shared and discussions held in the closed session;

ii. The superintendent shall convene the school council and move into closed session as provided in KRS 61.810(1)(f) to confidentially recommend a candidate;

iii. The council shall have the option to interview the recommended candidate while in closed session; and

iv. After any discussion, at the conclusion of the closed session, the council shall decide, in a public meeting by majority vote of the membership of the council, whether to accept or reject the recommended principal candidate;

c. If the recommended candidate is selected, and the recommended candidate accepts the offer, the name of the candidate shall be made public during the next meeting in open session;

d. i. If the recommended candidate is not accepted by the school council under subdivision b. of this subparagraph, then the process set forth in subdivision a. of this subparagraph shall apply.

ii. The confidentially recommended candidate's name and the discussions of the closed session shall remain confidential under KRS 61.810(1)(f), and any documents used or generated during the closed meeting shall not be subject to an open records request as provided in KRS 61.878(1)(i) and (j).

iii. A recommended candidate who believes a violation of this subdivision has occurred may file a written complaint with the Kentucky Board of Education.

iv. A school council member who is found to have disclosed confidential information regarding the proceeding of the closed session shall be subject to removal from the school council by the Kentucky Board of Education under subsection (9)(e) of this section;

3. No principal who has been previously removed from a position in the district for cause may be considered for appointment as principal in that district;

4. Personnel decisions made at the school level under the authority of subparagraphs 1 and 2 of this paragraph shall be binding on the superintendent who completes the hiring process;

5. Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020;

6. Notwithstanding other provisions of this paragraph, if the applicant is the spouse of the superintendent and the applicant meets the service requirements of KRS 160.380(3)(a), the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council; and

7. Beginning June 27, 2019, notwithstanding the requirement that a principal be elected on a majority vote of the council in subparagraph 2 of this paragraph, if the school council is in a county school district in a county with a consolidated local government adopted under KRS Chapter 67C, then the selection of a principal shall be subject to approval by the superintendent. If the superintendent does not approve the principal selected by the council, then the superintendent may select the principal;

- (i) The school council shall adopt a policy to be implemented by the principal in the following additional areas:
1. Determination of curriculum, including needs assessment, curriculum development and responsibilities under KRS 158.6453(19);
  2. Assignment of all instructional and non-instructional staff time;
  3. Assignment of students to classes and programs within the school;
  4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
  5. Determination of use of school space during the school day related to improving classroom teaching and learning;
  6. Planning and resolution of issues regarding instructional practices;
  7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and principal;
  8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
  9. Adoption of an emergency plan as required in KRS 158.162;
  10. Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal; and
  11. Procedures to assist the council with consultation in the selection of personnel by the principal, including but not limited to meetings, timelines, interviews, review of written applications, and review of references. Procedures shall address situations in which members of the council are not available for consultation; and
- (j) Each school council shall annually review data as shown on state and local student assessments required under KRS 158.6453. The data shall include but not be limited to

information on performance levels of all students tested, and information on the performance of students disaggregated by race, gender, disability, and participation in the federal free and reduced price lunch program. After completing the review of data, each school council, with the involvement of parents, faculty, and staff, shall develop and adopt a plan to ensure that each student makes progress toward meeting the goals set forth in KRS 158.645 and 158.6451(1)(b) by April 1 of each year and submit the plan to the superintendent and local board of education for review as described in KRS 160.340. The Kentucky Department of Education shall provide each school council the data needed to complete the review required by this paragraph no later than November 1 of each year. If a school does not have a council, the review shall be completed by the principal with the involvement of parents, faculty, and staff.

- (3) The policies adopted by the local board to implement School-based Decision Making shall also address the following:
  - (a) School budget and administration, including: discretionary funds; activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses;
  - (b) Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state;
  - (c) School improvement plans, including the form and function of strategic planning and its relationship to district planning, as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446;
  - (d) Professional development plans developed pursuant to KRS 156.095;
  - (e) Parent, citizen, and community participation including the relationship of the council with other groups;
  - (f) Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
  - (g) Requirements for waiver of district policies;
  - (h) Requirements for record keeping by the school council; and
  - (i) A process for appealing a decision made by a school council.
- (4) In addition to the authority granted to the school council in this section, the local board may grant to the school council any other authority permitted by law. The board shall make available liability insurance coverage for the protection of all members of the school council from liability arising in the course of pursuing their duties as members of the council.
- (5) All schools shall implement School-based Decision Making in accordance with this section and with the policy adopted by the local board pursuant to this section. Upon favorable vote of a majority of the faculty at the school and a majority of at least twenty-five (25) voting parents of students enrolled in the school, a school meeting its goal as determined by the Department of Education pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for exemption from the requirement to implement School-based Decision Making, and the state board shall grant the exemption. The voting by the parents on the matter of exemption from implementing School-based Decision Making shall be 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. Notwithstanding the provisions of this section, a local school district shall not be required to implement School-based Decision Making if the local school district contains only one (1) school.

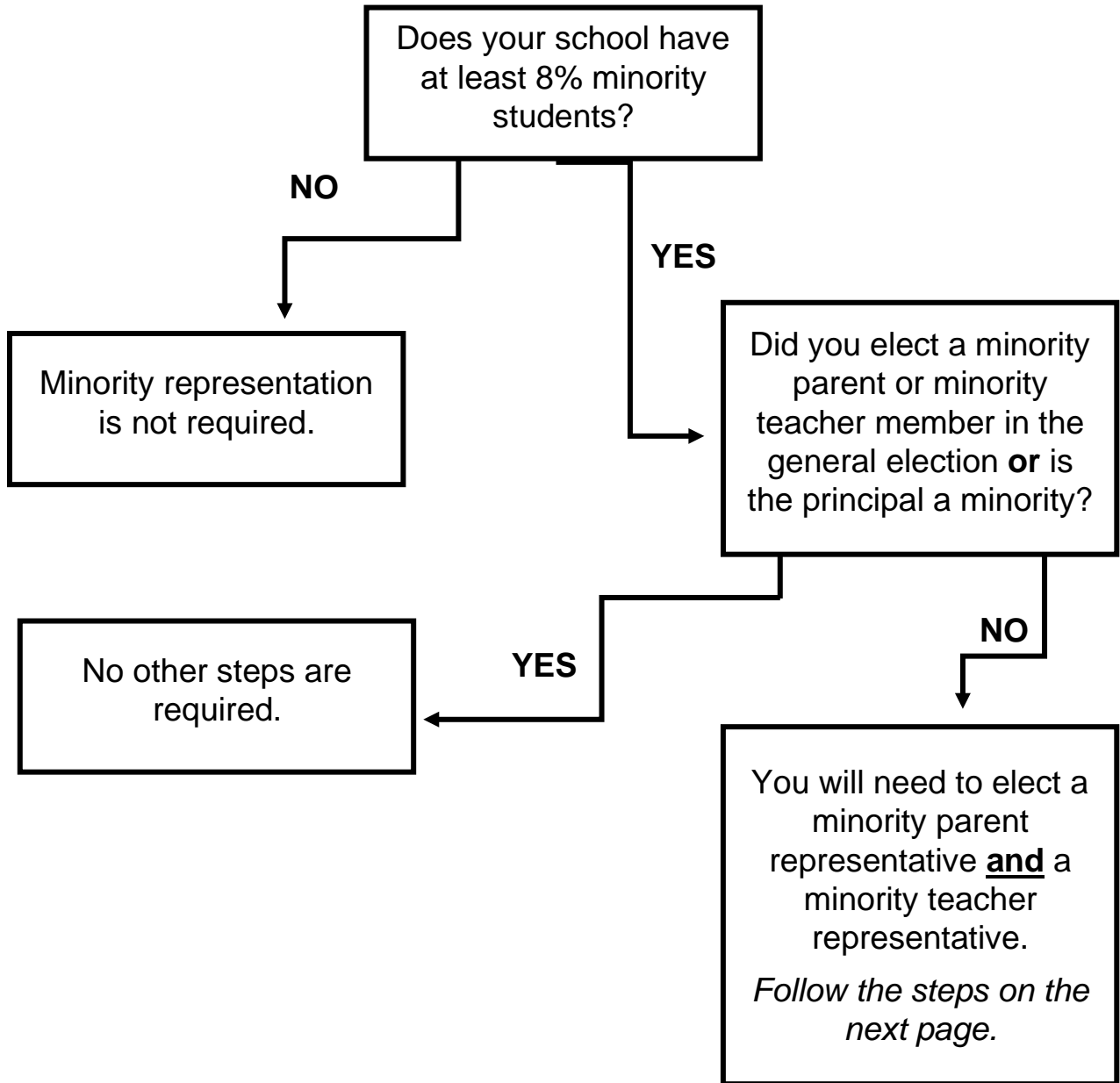
- (6) The Department of Education shall provide professional development activities to assist schools in implementing School-based Decision Making. School council members elected for the first time shall complete a minimum of six (6) clock hours of training in the process of School-based Decision Making, no later than thirty (30) days after the beginning of the service year for which they are elected to serve. School council members who have served on a school council at least one (1) year shall complete a minimum of three (3) clock hours of training in the process of School-based Decision Making no later than one hundred twenty (120) days after the beginning of the service year for which they are elected to serve. Experienced members may participate in the training for new members to fulfill their training requirement. School council training required under this subsection shall be conducted by trainers endorsed by the Department of Education. By November 1 of each year, the principal through the local superintendent shall forward to the Department of Education the names and addresses of each council member and verify that the required training has been completed. School council members elected to fill a vacancy shall complete the applicable training within thirty (30) days of their election.
- (7) A school that chooses to have School-based Decision Making but would like to be exempt from the administrative structure set forth by this section may develop a model for implementing School-based Decision Making, including but not limited to a description of the membership, organization, duties, and responsibilities of a school council. The school shall submit the model through the local board of education to the commissioner of education and the Kentucky Board of Education, which shall have final authority for approval. The application for approval of the model shall show evidence that it has been developed by representatives of the parents, students, certified personnel, and the administrators of the school and that two-thirds (2/3) of the faculty have agreed to the model.
- (8) The Kentucky Board of Education, upon recommendation of the commissioner of education, shall adopt by administrative regulation a formula by which school district funds shall be allocated to each school council. Included in the school council formula shall be an allocation for professional development that is at least sixty-five percent (65%) of the district's per pupil state allocation for professional development for each student in average daily attendance in the school. The school council shall plan professional development in compliance with requirements specified in KRS 156.095, except as provided in KRS 158.649. School councils of small schools shall be encouraged to work with other school councils to maximize professional development opportunities.
- (9) (a) No board member, superintendent of schools, district employee, or member of a school council shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of School-based Decision Making to allow the professional staff members of a school and parents to be involved in the decision making process in working toward meeting the educational goals established in KRS 158.645 and 158.6451 or to make decisions in areas of policy assigned to a school council pursuant to paragraph (i) of subsection (2) of this section.



- (b) An affected party who believes a violation of this subsection has occurred may file a written complaint with the Office of Education Accountability. The office shall investigate the complaint and resolve the conflict, if possible, or forward the matter to the Kentucky Board of Education.
  - (c) The Kentucky Board of Education shall conduct a hearing in accordance with KRS Chapter 13B for complaints referred by the Office of Education Accountability.
  - (d) If the state board determines a violation has occurred, the party shall be subject to reprimand. A second violation of this subsection may be grounds for removing a superintendent, a member of a school council, or school board member from office or grounds for dismissal of an employee for misconduct in office or willful neglect of duty.
  - (e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the state board determines a violation of the confidentiality requirements set forth in subsection (2)(h)2 of this section by a school council member has occurred, the state board shall remove the member from the school council, and the member shall be permanently prohibited from serving on any school council in the district.
- (10) Notwithstanding subsections (1) to (9) of this section, a school's right to establish or maintain a School-based Decision Making council and the powers, duties, and authority granted to a school council may be rescinded or the school council's role may be advisory if the commissioner of education or the Kentucky Board of Education takes action under KRS 160.346.
- (11) Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. Each school council, or if there is no school council, the principal, shall adopt an assessment tool to determine each child's level of physical activity on an annual basis. The council or principal may utilize an existing assessment program. The Kentucky Department of Education shall make available a list of available resources to carry out the provisions of this subsection. The department shall report to the Legislative Research Commission no later than November 1 of each year on how the schools are providing physical activity under this subsection and on the types of physical activity being provided. The policy developed by the school council or principal shall comply with provisions required by federal law, state law, or local board policy.
- (12) Discretionary authority exercised under subsection (2)(h)2.b. of this section shall not violate provisions of any employer-employee bargained contract existing between the district and its employees.

**Effective:** June 27, 2019

APPENDIX B: MINORITY ELECTION FLOWCHART



## STEPS FOR OBTAINING A MINORITY PARENT AND A MINORITY TEACHER

KRS 160.345(2)(b)

Begin the minority parent process. Principals will hold a special election for all parents to elect a minority member. The principal shall call for nominations and notify parents of the details of the election.

*If no minority parent is elected or wishes to serve, the position should be listed as vacant.*



Begin the minority teacher process. Principals, in a timely manner, shall be responsible for allowing the teachers in the building to select one minority teacher to serve as a teacher member on the council.

**Does your school have minority teachers on staff?**

**YES**



Teachers will elect one minority teacher to serve.

*[In the event a minority teacher does **not** wish to serve, the position shall be listed as vacant.]*

**NO**



The school faculty shall elect, by majority, an additional teacher member to the school council.

*[In the event a teacher does **not** wish to serve, the position shall be listed as vacant.]*

### Reminders

In any election, general or special, there must be a documentation to show that elections were held and votes were cast on ballots. In a special election where no minorities are interested in running or serving on the council, there must be documentation to show that efforts were made to recruit candidates. Election documentation must be retained for three years.

For the purposes of this document, rely on the following meanings:

**Minority:** American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school.

**Teacher:** Any person for whom certification is required as a basis or employment in the public schools of the state with the exception of principals and assistant principals.

**Parent:** A parent, stepparent, or foster parent of a student **OR** a person who has legal custody of a student pursuant to a court order and with whom the student resides.

## APPENDIX C: SAMPLE\* KENTUCKY MIDDLE SCHOOL SBDM COUNCIL BYLAWS

### ARTICLE I – PURPOSE

The purpose of the Kentucky Middle School’s Bylaws is to provide the school council with a set of operational guidelines with which to function effectively, and therefore, improve student achievement.

### ARTICLE II – MISSION

The mission of the Kentucky Middle School Council is to set school policy and to make decisions that will provide an environment to improve student achievement and will accordingly enable the teachers of Kentucky Middle School an opportunity to positively impact the educational process.

### ARTICLE III – MEMBERSHIP

#### A. COMPOSITION

The school council shall consist of the principal, three (3) teacher representatives, and two (2) parent representatives. The principal shall serve as the chairperson of the school council. If the school’s total minority enrollment reaches 8 percent or more as of the preceding October 1 and no minority representative was elected in the initial elections, a special election shall be conducted by the principal (or designee). The principal shall call for nominations and notify parents of the time, date, and location of the special election.

If a special election is needed to elect a minority teacher representative, the teachers shall select a minority teacher from the school’s staff to serve as minority teacher representative. If any or all of the minority teachers on staff are unable or unwilling to serve, then the position remains vacant. If no minority teachers are on staff at the school, the teachers shall select a non-minority teacher to represent the interests of the minority students in the school (for the purpose to maintain council proportions).

Kentucky Middle School council membership shall be as follows:

1. Principal (chairperson)
2. 3 teachers
3. 2 parents
4. 1 minority parent (as required by statute)
5. 1 minority teacher (as required by statute)

#### B. REQUIREMENTS FOR MEMBERSHIP

**Teacher representatives** include all certified staff assigned to the school that possesses the required certification from the Educational Professional Standards Board. This includes all full time and part time (i.e., itinerant) as well as school counselors and library media specialist. Administrative personnel (i.e., principals and assistant principals) may not serve as a teacher representative of the school council.

**Parent representatives** include any parent (i.e., biological parent, stepparent, foster parent and/or any person with legal custody of a student pursuant to court order and with whom the student resides) who has a child enrolled in the school during the term of service on the school council. Parents who are nominated for parent representative on the school council and/or who wish to vote in school council elections must have a child “preregistered to attend” the school for next year. Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices or local board members and their spouses.

**Anyone** who has a business interest in the school as designated by KRS 45A.340 may not serve on the school council.

**All school council representatives** are required to complete annual training. New school council representatives (i.e., those with less than one year of service) must complete six (6) hours of training on the process and implementation of SBDM from a Kentucky Department of Education endorsed trainer. Experienced members (i.e., those with more than one year of service) must complete three (3) hours of training. Experienced council members may choose from a list of training sessions based on individual need. The school council will prepare a written request for training and present to the Kentucky School District Board of Education for payment.

### **C. ELECTIONS**

**Parent representatives** conduct their own elections. Annual elections shall be conducted each May by the school’s largest parent organization. Parents shall determine the procedures for their parent elections. The process that teachers may use to elect their representatives may address the following areas: nomination; preparation of ballot; elections; and absentee ballots. A representative of the parent organization shall notify the principal in writing of the two parents elected within 24 hours of the final vote, and shall deliver all election materials, including the written procedures, to the principal the next business day after the election.

**Teacher representatives** conduct their own elections. Annual elections shall be conducted each May for the purpose of electing three teacher council members. Teachers shall determine the procedures for their teacher elections. The process that teachers may use to elect their representatives may address the following areas: nomination; preparation of ballot; elections; and absentee ballots. A representative of the teachers shall notify the principal in writing of the three teachers elected within 24 hours of the final vote, and shall deliver all election materials, including the written procedures, to the principal the next business day after the election.

School council representatives can serve an unlimited number of terms as long as they continue to meet the eligibility requirements and are elected annually by their constituency.

### **D. REMOVAL OF MEMBERS**

The Kentucky Commissioner of Education may recommend removal of a school council member whom he has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance. A member of a school council may be removed from the school council for cause, after an opportunity for hearing before the Kentucky School District Board of Education, by a vote of 4/5 of the membership of the board of education, after the recommendation of the commissioner of education pursuant to KRS

156.132. Written notices setting out the charges for removal shall be included in the minutes of the board and given to the member of the school council.

#### **E. FILLING VACANCIES**

If a member of the school council resigns or is removed from office, another member shall be elected within one month after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until June 30, and be eligible for re-election. However, if the teacher or parent election for the upcoming term has been completed, the respective constituency group (i.e., teacher or parents) may determine if the vacancy will be filled or will remain vacant until the end of the term.

#### **F. TERMS OF OFFICE**

The terms of parent and teacher members shall begin on July 1 and end on June 30. Between the date of the elections and July 1, members-elect are expected to attend all council meetings.

### **ARTICLE IV – DUTIES OF OFFICERS AND COUNCIL MEMBERS**

#### **A. ELECTION OF OFFICERS**

Officers shall include Chair, Vice Chair, and Secretary. The vice chair of the school council shall be elected each August by council members and shall serve for one year. If a vice chair resigns his or her position, the school council shall conduct a vote at that meeting to fill the position with another council member.

#### **B. CHAIR**

The principal shall be the chairperson of the school council. Duties of the chair include the following:

1. Conducting school council meetings;
2. Organizing and maintaining council records by maintaining minutes of meetings and forwarding a copy to the district SBDM Coordinator after approval by the school council;
3. Stating when a consensus is present for the record;
4. Coordinating standing and ad hoc committees and monitoring committee progress; and
5. Maintaining a file of all correspondence addressed to the school council.

#### **C. VICE-CHAIR**

Duties of the vice-chair shall include presiding over council meetings in the absence of the chair.

#### **D. SECRETARY**

A school council secretary shall be appointed by the principal to keep minutes of all council meetings.

#### **E. SCHOOL COUNCIL MEMBERS**

Duties of council members include the following:

1. Adhering to the mission, philosophy, and goals of Kentucky Middle School;

2. Attending all school council meetings;
3. Encouraging and requesting opinions from their constituencies; and
4. Supporting, promoting, and communicating school council decisions.

## **ARTICLE V – COMMITTEES**

### **A. PURPOSE**

Standing and ad hoc committees are established to gain input from all stakeholders including certified and classified staff, parents, students, and community members. Standing and ad hoc committees shall serve as a school council resource for gathering data and information and making recommendations to the school council.

### **B. APPOINTMENT OF COMMITTEES**

Standing school council committees are included in the Committee Policy and can only be dissolved by amending the policy.

Ad hoc committees are formed and dissolved by the school council as needed.

### **C. DECISION MAKING**

Committee decisions shall be made by consensus. In the event that consensus is not reached, the issue will be brought to the school council for final decision.

### **D. DUTIES**

School council committees shall carry out tasks assigned to them by the school council.

Committees may decide to bring issues of concern or interest to the school council.

Committees may research issues, gather schoolwide input, or prepare revise or prepare drafts of school council policies. Committee chairs will report at each regular council meeting, or as requested by the school council. Committee chairs shall provide the council secretary with written minutes of their meetings no later than 10 days after the committee meeting has occurred.

### **E. MEETINGS**

Each school council committee shall choose the time, place, and schedule for their committee meetings. Committees must comply with all provisions of the Open Meetings and Open Records laws. Committees will follow the record keeping procedures used by the school council.

## **ARTICLE VI – SCHEDULE OF MEETINGS**

### **A. REGULAR MEETINGS**

The SBDM regular monthly meeting of the Kentucky Middle School Council shall be the second Tuesday of every month. School council meetings shall be open to the public.

Meetings will begin at 5:30 p.m. The regular monthly meetings will be held at Kentucky Middle School in the media center.

The principal shall provide local news media of the school council's regular meeting schedule for the year in July, and provide notification of the school council's meeting time and agenda at least one week in advance of each regular meeting. The principal shall notify teachers three days in

advance of each school council meeting during the morning announcements, to include the time, place and agenda items. The principal shall notify the school community by notice posted on the bulletin board in the school foyer at least three days in advance of the meeting.

In the case of inclement weather where the school district is closed the day of the regular school council meeting, the principal shall determine whether or not to cancel and/or reschedule the school council meeting. The principal must make this determination by noon (12:00 p.m.) and inform all school council members, the district SBDM Coordinator and the media. If the meeting is rescheduled, the principal shall follow all of the guidelines of calling a special meeting.

## **B. SPECIAL MEETINGS**

If needed, the chairperson or a majority of the school council members may call a special meeting. The following steps must be completed when a special meeting is called:

1. **Written Notice:** The chairperson shall prepare and sign a written notice that states the date, time, and place of the special meeting and the agenda for each meeting.
2. **Delivery of Notice:** The chairperson shall arrange for the notice to be delivered to each school council member and to any media organization that has requested notice of the school council meetings. The delivery can be by hand, FAX machine, mail or email if requested. The meeting notice must be received by the members at least twenty-four hours prior to the time of the meeting.
3. **Posting of Notice:** The notice for the special meeting shall be posted by the chairperson on the bulletin board in the school foyer at least 24 hours prior to the time of the meeting.

In addition to these requirements, the principal shall announce to teachers the time and the reason for the special called meeting during announcements at least 24 hours prior to the meeting.

## **ARTICLE VII – CONDUCT OF MEETINGS**

### **A. QUORUM**

A quorum is defined as a time when a majority of the school council members are present. No school council business shall be discussed or conducted unless a quorum of school council members is present.

### **B. ATTENDANCE AT MEETINGS**

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

### **C. CLOSED SESSIONS**

By definition a closed session of a regular or special meeting of the school council occurs when the school council members' discussions are not made public. The school council may meet in closed session for the following reasons: (1) to discuss proposed or pending litigation; (2) to discuss candidates for a personnel vacancies and/or consultation in filling vacancies; or (3) to discuss items where state or federal law specifically requires privacy. Before a closed session can be conducted, the following steps must be taken:



1. notice given in open session for the need of a closed session discussion, stating the reason(s);
2. a motion, second and council vote (e.g., saying “yes”);

During the closed session, only the business stated in the announcement can be discussed with no action taken. Details discussed in closed session shall not be discussed outside the closed session. After full discussion of the issue in closed session, the council must return to open session where it may take any official action on the matter. Any actions taken must be recorded in council minutes.

#### **D. AGENDA**

The chairperson shall prepare an agenda for each council meeting, including items submitted in writing for inclusion by the public, staff, parents, other school council members. The chairperson may declare any item received as not within school council authority.

Each agenda shall include the following items:

1. Review and approval of previous meeting minutes;
2. An opportunity for public comment;
3. Committee reports;
4. Update on items in the school improvement plan; and
5. Report on budget expenditures.

#### **E. DISCUSSION OF AGENDA ITEMS**

The school council shall discuss each agenda item before a decision is made. Each school council member shall be given an opportunity to express his or her opinion on the item. Other persons attending the meeting may be recognized by the chairperson and may address the school council as the chair calls upon them to speak. Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the school council.

For public comment, the chair may require a sign-in sheet, and set limits on the number of persons who will speak to the issue and a time limit for each.

#### **F. DECISION MAKING PROCESS**

Unless otherwise specified by these bylaws, the school council shall use parliamentary procedures as specified by Robert’s Rules of Order. All business and decisions of the school council will relate to the schools mission and purpose to improve the instructional program and/or further the goals in the school improvement plan. The school council will make decisions by consensus except as otherwise designated Kentucky statute.

No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study. All newly proposed policies or policy changes will be referred to the appropriate committee for review. All decisions and policies officially adopted by the Kentucky Middle School Council will be reported to the Kentucky School District Board of Education and superintendent through the district SBDM coordinator.

## **ARTICLE VIII – MINUTES AND OTHER COUNCIL RECORDS**

### **A. MINUTES KEPT AND APPROVED**

Minutes shall be kept by the designee at each school council/committee meeting. The minutes shall reflect an accurate record of actions and votes taken at a school council and/or committee meeting. Minutes shall show the words of the motion or suggestion of consensus, and the majority vote or unanimous support.

If the action taken was the adoption of a policy, the entire text of the policy shall be attached to the copy of the minutes kept on file in the library for public inspection and filed in the school council's policy manual. The minutes of the school council shall not be official until they are reviewed and approved by the school council. The minutes shall be open to public inspection immediately after they are approved. A preliminary copy of the minutes for all school council meetings will be provided to certified and classified staff in written form within 72 hours of the adjournment of the meeting. The principal will forward an official copy of the minutes to the superintendent and SBDM district coordinator, and keep an official copy on file in the school. A copy of the official minutes will be posted on the bulletin board in the foyer by the chairperson.

### **B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION**

The following are official documents that must be kept on file for public inspection in the library:

1. School council minutes and agendas;
2. Committee minutes and agendas;
3. School improvement plan;
4. School council policies and bylaws;
5. School council budget documents;
6. School council and committee membership lists; and
7. Official correspondence.

### **C. REQUESTS FOR COUNCIL RECORDS**

Request for council records must be made in writing to the principal. Requests must include specific documents and dates. The fee for copying of council records shall be 10¢ (\$0.10) per page. School council bylaws, policies and the school improvement plan shall be posted on the school's Web page in *pdf* format.

The requested records must be provided to the person making the request within three business days. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.

School council records will be available for inspection during the regular school hours. The chair shall make the final determination regarding which records not listed above are available for inspection and all matters in regards to open records requests not covered.

## **ARTICLE IX – APPEALS**

#### **A. BOARD POLICY**

Appeals are in accordance with Kentucky School District Board of Education policy.

#### **ARTICLE X – AMENDMENTS**

##### **A. AMENDMENTS TO COUNCIL BYLAWS AND POLICIES**

These bylaws may be amended after a first and second reading at two consecutive school council meetings by majority vote of the school council. Policies will be reviewed annually.

\*Information included in this appendix is for informational purposes only and is not necessarily endorsed, recommended, or favored by the Kentucky Department of Education.

## APPENDIX D: SAMPLE SBDM COUNCIL POLICIES

Information included in this appendix is for informational purposes only and is not necessarily endorsed, recommended, or favored by the Kentucky Department of Education.

## Curriculum Policy

[KRS 160.345(2)(i)1]

### Purpose:

The *Curriculum Policy* for Kentucky Middle School ensures and establishes a process for curriculum development, implementation, evaluation and communication of the school's curriculum while involving all stakeholder groups.

### Procedures:

Kentucky Middle School defines curriculum as what students are taught and the connections they make to the *real world*. The curriculum shall define what students should know and be able to do in all content areas. The curriculum shall also be defined as all experiences provided by the school staff which are designed to assist students in valuing learning and developing academically, socially, emotionally, and physically. Curriculum includes both what is taught and how it is organized for delivery.

The curriculum shall include all core subject areas (i.e. English/Language Arts, Mathematics, Science, and Social Studies), as well as a variety of elective courses (i.e. Arts and Humanities, Practical Living/Career Studies, Health and Physical Education, and Technology). The curriculum shall encompass local, state, and national standards and be evidence-based. It shall be aligned with the Kentucky Academic Standards. All students shall have equal access to all aspects of the curriculum during the school day.

The curriculum shall include the following features:

- Fully aligned to all local and state documents
- Developmentally appropriate
- Vertically and horizontally aligned
- Reflect skills and concepts, instructional strategies, assessments and resources
- Provide real world experiences
- Integrate career awareness
- Integrate problem solving

The Kentucky Middle School Council recognizes the stakeholders for the Curriculum Committee membership. These stakeholders shall be responsible for evaluating and revising the curriculum annually.

The principal of Kentucky Middle School shall be responsible for ensuring the implementation of the curriculum. All teachers shall be responsible for implementing the curriculum with fidelity in all classroom assignments and documenting the curricular topic as part of lesson planning.

The curriculum shall be communicated to all stakeholders on an annual basis. Teachers, parents and students, as well as the community at large, shall receive information on what students are

to know and be able to do. This information will be posted to Kentucky Middle School's website and linked to all electronic communications.

All staff members shall receive appropriate professional development annually on any curricular revisions.

**Evaluation:**

The Kentucky Middle School Council shall monitor the implementation of the curriculum through a series of checkpoints during regular school council meetings. The Curriculum Committee shall annually present a curricular update during the spring prior to state assessment.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Staff Time Policy

[KRS 160.345(2)(i)2]

### **Purpose:**

The *Staff Time Policy* for Kentucky Elementary School ensures that the amount of instructional time (e.g., number of classes taught, professional learning community time) and non-instructional time (e.g., bus duty supervision, how often to supervise hallways) for the certified and classified instructional staff is equitable and provides maximum learning time for all students.

### **Procedures:**

In determining staff time for certified and classified instructional staff, the school council shall establish specific timeframes for instructional and non-instructional duties based on priorities established in the Comprehensive School Improvement Plan (CSIP). These timeframes shall support agreed-upon student achievement goals. All certified and classified instructional staff's time during the school day shall be equitably distributed amongst Kentucky Elementary School's instructional staff members.

Each certified classroom teacher shall maintain a daily classroom schedule that demonstrates at least 80% of the instructional day shall be focused on the instructional core that includes English/Language Arts, Science, Mathematics and Social Studies. Non-instructional time for students (e.g., restroom breaks, course transitions) shall be kept to a minimum. Each certified classroom teacher is responsible for developing a classroom schedule; the principal is responsible ensuring that the schedules are implemented within the classrooms.

Each certified resource special education teacher shall maintain a daily classroom collaboration schedule with pull-out services kept to a minimum and only where specified by a student's individual education plan (IEP). The guidance counselor, speech-language pathologist and school psychologist shall maintain schedules outside the perimeters of this policy and within the guidelines of their specific job duties.

The principal is responsible for determining schedules for all classified paraeducators. All paraeducators shall spend at least 90% of their work day on instructional duties (i.e., working with students). Paraeducators' schedules shall be prioritized with primary grades first.

The principal has the responsibility of assigning teachers and paraeducators to classes and schedules.

**Evaluation:**

Annually, the principal shall report to the school council a summary of the use of staff time. This report can include, but is not limited to, the percent of time spent on core academics, the collaboration schedule, the guidance schedule and how it fits into the school improvement plan goals and the determination, based on needs, for the paraeducators' schedule. The principal shall not refer to teachers by name during the reviews.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_



## Assignment of Students to Classes and Programs

[KRS 160.345(2)(i)3]

### Purpose:

The *Assignment of Students to Classes and Programs Policy* for Kentucky Elementary School ensures that all students are provided equitable access to all components of the school's curriculum through the class assignment process.

### Procedures:

Primary Program: Students in traditional kindergarten and grade one will be in multiage classes wherein students remain with the same teacher for up to two years. Students that need an extra year in primary program, after consultation with the teacher, the parent, the guidance counselor and/or the principal, will complete an extra year prior to promotion to second grade. Any student completing an additional year will be placed with a different teacher for that additional year. Parents may appeal the decision; however, the principal shall make the final determination of placement.

Students in traditional grades two and three will be part of a graded program in a self-contained classroom for all core subjects.

All teachers within the primary program (i.e., entry/kindergarten level to grade 3) must address the critical attributes of a primary program established in Kentucky's Revised Statutes [KRS 158.031(3)]. These attributes include:

- developmentally appropriate educational practices;
- multiage and multi-ability classrooms;
- continuous progress;
- authentic assessment;
- qualitative reporting methods;
- professional teamwork; and
- positive parent involvement.

Intermediate Grades: Students in grades four and five will be assigned a homeroom teacher. Teachers will rotate through the classrooms, providing subject based instruction. Students will remain in homeroom class. Each day students will receive at least 60 minutes of instruction in English Language Arts, Mathematics, Science, and Social Studies.

Grouping: At least two weeks prior to the last instructional day of school, teachers will submit placement notes on each of their students. These notes may include, but not limited to, student's academic progress, assessed reading grade level, spring MAP RIT score, behavioral issues and Individual Education Plan (IEP)/504 plan. The guidance counselor will gather this information and compile and assign students to classrooms based on the data. Students will be equitably distributed among the classes based on gender and ability. Priority for placement will

be for those students that have specific needs on an Individual Education Plan (IEP) as determined during the Admission and Release Committee (ARC) meeting.

Student class assignments will be complete at least 30 calendar days prior to the first instructional day of school. Student assignments will be posted on the front door of the school by student number (student names will not be listed based on the Family Education Rights and Privacy Act – FERPA). Staff will be available at the school Monday through Friday from 8:00 a.m. to 3:00 p.m. the two weeks prior to the first instructional day of school to provide class assignment information on a one-to-one basis either by phone or face-to-face at the school.

**Evaluation:**

Annually, between February and April, certified staff (i.e., teachers, guidance counselor and principal) will complete an online survey on the assignment of students. Data from this survey will be presented by the principal to the school council for discussion during the May meeting. Questions on the survey may include, but are not limited to the following: collaboration and team teaching, ratio between boys and girls, class size, and effectiveness of students receiving instruction from multiple teachers.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Schedule of the Day and Week

[KRS 160.345(2)(i)4]

**Purpose:**

The *Schedule of the Day and Week Policy* for Kentucky High School ensures that all students are provided equitable access to all components of the school’s curriculum within the master class schedule and aligns with Kentucky High School’s mission and vision statements.

**Procedures:**

Length and Number of Class Periods: Kentucky High School will have a six-period day with a half-period for enrichment/intervention activities and a 12-minute homeroom period daily. Total instructional minutes daily shall not drop below 360 minutes (6 hours). The bell schedule shall be as follows:

		Instructional Minutes
7:15 – 8:00	Breakfast (early learning - optional)	
8:00 – 8:57	1 <sup>st</sup> Period	57
8:57 – 9:00	Transition	
9:00 – 9:12	Homeroom	
9:12 – 9:15	Transition	
9:15 – 10:12	2 <sup>nd</sup> Period	57
10:12 – 10:15	Transition	
10:15 – 10:47	Enrichment/Intervention	32
10:47 – 10:50	Transition	
10:50 – 12:22	3 <sup>rd</sup> Period <ul style="list-style-type: none"> <li>• Lunch A – 10:50 – 11:15</li> <li>• Lunch B – 11:20 – 11:45</li> <li>• Lunch C – 11:50 – 12:15</li> </ul>	62

		Instructional Minutes
12:22 – 12:25	Transition	
12:25 – 1:12	4 <sup>th</sup> Period	57
1:12 – 1:15	Transition	
1:15 – 2:12	5 <sup>th</sup> Period	57
2:12 – 2:15	Transition	
2:15 – 3:10	6 <sup>th</sup> Period	55
3:10 – 4:30	Afterschool – optional (subjects vary each day)	
Total Instructional Minutes Per Day		377

Protection of Instructional Time: Teachers shall begin each period on time and engage students throughout the class period. All schoolwide broadcast announcements, except for emergencies, shall be done during the homeroom period. Activities that reward or punish students will not be conducted during instructional time unless those activities are strongly supported by the curriculum and the instructional programming within the school.

Common Planning and Professional Learning Time: All teachers shall be given one period daily for planning and professional learning. Core subject areas (i.e., English Language Arts, Mathematics, the Sciences and the Social Studies) and the career-technical department (CTE) shall be provided a common planning time. Twice weekly, this common planning time will be for professional learning as determined by the school improvement plan and will be structured with an agenda and minutes. Non-core teachers will participate in professional learning with the department in which it shares the common planning time.

**Evaluation:**

Annually the school council shall review student achievement data and adjust the Schedule of the Day and Week to meet the priority needs of students.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## School Space

[KRS 160.345(2)(i)5]

### Purpose:

The *School Space Policy* of Kentucky High School ensures that the classroom and non-classroom space use is maximized to provide opportunities for sharing resources, mentoring, and collaboration among the staff and students. The school's space will be utilized to maximize the teaching and learning environments to ensure all students are achieving at high levels.

### Procedures:

Annually, the principal shall develop a school space plan. Criteria for space use include the following:

- Core subjects (i.e., English Language Arts, Mathematics, the Sciences and the Social Studies) classes shall maintain close proximity to facilitate cross-subject planning.
- The Arts (i.e., music and visual arts) shall be in classrooms designed for that use. The Library Media Center shall be maintained to provide flexible and equitable access to the school's resources.
- Subjects that require specific classroom configuration shall be given priority (e.g., career-technical courses, physical education courses).
- Special Education class assignments shall meet federal guidance (e.g., FMD class).

By June 1 of each year, the principal shall present the school space plan to the school council for consultation.

### Evaluation:

Course enrollment and behavior data from class transitions shall be analyzed annually to determine the effectiveness of the traffic flow and class transitions. Additionally, the council will evaluate how the current school space arrangement compliments the teaching and learning environment.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Planning and Resolution of Issues Regarding Instructional Practices

[KRS 160.345(2)(i)6]

### Purpose:

The *Instructional Practices Policy* of Kentucky Middle School ensures that all instructional practices align with the Kentucky Middle School's curriculum and establishes an environment where all students achieve to their potential and are prepared for future learning.

### Procedures:

Instructional practices shall be defined as the strategies, techniques, and activities used by the classroom teacher to engage students in the learning process.

In preparing lessons, each teacher shall:

- Use varied student-centered instruction;
- Address various learning styles and multiple intelligences;
- Use activities where all students use higher-order thinking and problem-solving skills;
- Make active use of interdisciplinary connections;
- Adjust instruction to respond to the needs of students;
- Provide for student-use of technology for appropriate and varied learning activities and to expand the classroom into the community and beyond;
- Use instructional resources that reflect diversity; and
- Assign homework that extends student learning based on the analysis of classroom data and formative assessments.

Snapshot of Class Period: An ideal class period provides quality instruction and student engagement from bell-to-bell.

- ✓ Flashback or Bell Ringer Activity
- ✓ Anticipatory Set for the Day: Review day's objective/essential question/agenda
- ✓ Best Practice Strategy: Guided Practice or Direct Instruction (may include, but are not limited to the following):
  - Individual Assignments
  - Cooperative Learning
  - Research Projects
  - Reading and Summarizing
  - Graphic Organizers
  - Manipulatives
  - Peer Tutoring

- Speakers
- Technology
- Oral Presentations
- ✓ Lesson Closure: What did you learn today and why?/Real-world Connections/Exit Slips
- ✓ Discussion of Homework (if applicable)/Preparation for Assessment (if applicable)
- ✓ Prepare for the Next Day

Homework: Homework is to be used to extend the student's opportunity to learn. It is to be completed outside the regular school day and intended to provide added enrichment to practice skills, increase knowledge and explore topics using various learning modes and technologies. Homework assignments will include not only written work, but also cultural and creative activities and projects. Homework is not to be used as a punishment for behavior.

All classroom and enrichment teachers will...

- Engage in age-appropriate home based activities that directly correlate with the day's learning target.
- Assign homework that reinforces a skill that has been taught and formatively assessed in the classroom to ensure that all students understand the concept. If the formative assessment shows that students do not understand the concept, homework on that topic or skill will not be assigned.
- Assign homework that provides opportunities to engage parents in the instructional process and has real-world applications.
- Allow time for free reading as part of homework assignments.

All homework will be assessed for understanding within a reasonable timeframe. Teachers will provide appropriate feedback to students and will keep accurate records of homework assessments to use during student conferences and parent-teacher meetings. Homework assessments are not to be included as part of summative assessments for grading purposes. If homework is illegible, teachers may require the student to complete the assignment again in order to assess understanding. In this case, teachers need to contact the parent to discuss the issue prior to sending back the homework.

Students are to be held accountable for the completion of homework assignments. Teachers shall develop a system for students to note homework (e.g., assignment/agenda book, homework log). This system should remain constant for the entire school year. This system may include the class, the assignment, the due date, necessary materials, and a parent confirmation signature or initials. Non-completion of homework will result in loss of privileges. Students that consecutively or continually do not complete homework assignments will result in

- teacher-student conferences,
- teacher-parent conferences,
- student-guidance counselor conferences, and/or

- student-parent-principal conferences.

**Evaluation:**

During common planning and as part of professional learning, teachers will reflect weekly on the strategies used, discuss successes and challenges, share possible solutions to challenges, and identify areas needing further support. Professional Learning Community Team Leads will collect the data from these reflections and bring to monthly Leadership meeting.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_



## Selection and Implementation of Discipline and Classroom Management Techniques

[KRS 160.345(2)(i)7]

### **Purpose:**

The *Selection and Implementation of Discipline and Classroom Management Techniques Policy* of Kentucky High School ensure that standards are established for acceptable student behavior and that Kentucky High School is a safe and secure environment.

### **Procedures:**

Within one week of the first instructional day of school (or within one week of enrollment), students and parents/guardians will receive the *Kentucky School District's Code of Conduct* booklet. Each student is required within one week of receiving the booklet to return the Acknowledgement Form from the district code of conduct booklet signed by him/herself and his/her parent/guardian. The administrative team (i.e., principal, assistant principal and guidance counselors) shall follow-up with students and families whose forms are incomplete or not returned.

The school shall develop a school safety plan as required by district policy and state regulations. The school safety plan shall be reviewed annually by the school council.

Each classroom should establish specific standards that govern the time students are in his/her classroom (within the standards and overall goals of Kentucky High School). These standards shall be posted in a predominate location and in print that is legible and easy to see from any place within the classroom. These standards shall be taught by the teacher during the first week of school to all classes and reviewed after each break (i.e., fall break, winter/Christmas break and spring break). Other reviews shall be at the teacher's discretion.

### **Additional Standards:**

Appropriate dress standards: Students attending Kentucky High School shall comply with standards in dress, including the following:

- All shirts must cover the shoulders and the mid-section of the body when arms are raised.
- All undergarments are to be hidden from view. This includes bra straps, boxer shorts, and items visible through opaque clothing.
- All clothing must be free of holes. All clothing and accessories must be free of offensive or suggestive language or graphics.
- Skirts, skorts, and dresses must be no shorter than three-inches above the top of the kneecap. Shorts, both for males and females, must be no shorter than three-inches above the kneecap.

Any staff member may address a student's attire to the assistant principal. The assistant principal shall observe the student in question to determine if the attire complies with the dress standards. If appropriate, the assistant principal shall report back to the staff member making the inquiry with his/her determination. If inappropriate, the assistant principal shall remove the

student from class and discuss the issue with him/her. The student shall then be referred to the guidance counselors for assistance to resolve the issue. Staff in the Youth Services Center may be asked to assist. If unable to resolve the issue with the student, the guidance counselor shall call the parent/guardian.

**Bullying and Harassing:** Students at Kentucky High School must respect the rights of others and to interact with them in a civil manner. Therefore students are required to speak and behave in a civil manner toward students, staff and visitors within the building.

Bullying is a repeated pattern of aggressive behavior that involves an imbalance of power that purposefully inflicts harm on the bullying victim. Bullying assumes a variety of forms, including:

- Direct physical or verbal actions that cause physical or emotional distress
- Indirect acts of social aggression designed to ruin a victim's personal reputation or social standing

Cyberbullying, the willful and repeated harm inflicted by using computers, cell phones, or other electronic devices.

Therefore, the following actions will not be tolerated at school, on school buses, or during a school-sponsored event (including athletic events) and must be reported to the principal:

- Strikes, shoves, kicks, or other physical contact; attempts or threatens to strike, shove, kick, or other physical contact.
- Offensively coarse utterance and/or gesture.
- Following or stalking a person in or about the school.
- Engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose; or
- Damages or commits a theft of the property of another student.
- Substantially disrupts the operation of the school.
- Creates a hostile environment by means of any gestures, written communications, oral statements, or physical acts that a reasonable person under the circumstances should know would cause another student to suffer fear of physical harm, intimidation, humiliation, or embarrassment.
- Communicates with a person, anonymously or otherwise, by telephone, email, or any other form of written communication in a manner which causes annoyance or alarm and serves no purpose of legitimate communication.
- Communicates in a manner which a reasonable person under the circumstances should know would cause the other student to suffer fear of physical harm, intimidation, humiliation, or embarrassment and which serves no purpose of legitimate communication.

Any determined acts of bullying or harassment will be handled appropriately based on the descriptor of offenses in the *Kentucky County District Code of Conduct*.

**Evaluation:**

School behavior data shall be analyzed quarterly during a regular school council meeting. Trends shall be examined to determine causes and contributing factors. These trends shall include data disaggregated by race, gender, time of day, and classroom vs. common areas. This may be assigned to an ad hoc committee at the request of the school council.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Selection of Extracurricular Programs

[KRS 160.345(2)(i)8]

### Purpose:

The *Selection of Extracurricular Programs Policy* of Kentucky High School ensures that students are provided multiple opportunities to extend the learning time based on student interest and abilities.

### Procedures:

All extracurricular programs must be based on the following criteria:

- The program must contribute to students becoming a self-sufficient individual exhibiting good character, responsibility and self-discipline, as well as provide supervision that will take into account the student's developmental and emotional needs.
- The program must contribute to student's ability to work as part of a group or team.
- The program must be geared toward student interests and/or abilities.
- The program must be multicultural and enhance or maintain equity in the overall program concept.

All extracurricular programs must fall into one of the following three categories: academic, athletic, or service-learning. Each extracurricular activity must be led by an adult coach or sponsor who meets any applicable requirement set in state or federal statute, as well as by the sponsoring or governing organization. The coach or sponsor will be responsible for supervising all students while participating in the activity, including preparation, practice and travel time.

Annually and prior to October 1 of each year, the principal shall present a list of extracurricular programs to the school council for discussion and review. The principal will follow district policies and procedures in selecting and evaluating all coaches and/or sponsors for all extracurricular activities.

Student Participation: Students who wish to participate in extracurricular programs must...

- Maintain a "C" average in all courses including core classes and electives.
- Be present for all classes the day of the activity or the day prior if on a weekend or holiday [Exemption: school-sponsored off-campus activities (e.g., college visits)].
- Comply with rules and procedures developed by the coach or sponsor for the extracurricular program.
- Meet any additional requirements set by the appropriate sponsoring or governing organization or as established in district board of education policies and procedures.

The principal has the final decision on student participation.

Senior Activities: Activities specific to the senior class include college and university visits, senior trip, and prom. In order to participate in any or all of the senior-specific activities, seniors must:

- Be on track (with appropriate class credits) to graduate at the end of the spring semester.

- Have no more than ten (10) unexcused absences (based on Infinite Campus and district policy).
- Not have been suspended (in-school or out-of-school) or placed in an alternative program within thirty (30) calendar days of the event.
- Maintain a passing grade in all courses including core classes and electives.
- Be present for all classes the day of the activity or the day prior if on a weekend or holiday.
- Comply with procedures developed by the sponsor for the activity.
- If applicable, provide own funding for participation.

The principal will have final decision on participation in senior-specific activities.

**Evaluation:**

All extracurricular programs will be evaluated annually for effectiveness, student participation, and equity as part of the school improvement planning process.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Adoption of an Emergency Plan Policy

[KRS 160.345(2)(i)9]

### Purpose:

The *Adoption of an Emergency Plan Policy* of Kentucky Elementary School ensures that students are provided a safe and secure learning environment.

### Procedures:

The principal, in consultation with parents, teachers, other school staff, and local first responders, will collaboratively develop the school's emergency management plan as a way to document efforts to prevent, mitigate, prepare for, respond to, and recover from emergencies. The emergency management plan will include procedures for fire, severe weather, earthquake, and building lockdown as specified in Kentucky statutes and regulations. The plan will include, but not be limited to the following:

- Establishment of primary and secondary evacuation routes, which must be posted in each room by each doorway used for evacuation;
- Identification of severe weather safe zones that have been reviewed by the fire marshal/fire chief, which must be posted in each room;
- Practices for students to follow in an earthquake;
- Development and adherence to access control measures for each school building, which may include (but not be limited to):
  - Controlling access to exterior doors during the day
  - Controlling front door access electronically or with a greeter
  - Controlling access to individual classrooms
  - Requiring visitor check-in with identification and purpose provided, and
  - Display of visitor's badge on outer clothing.
- Practices for students to follow in in case of fire that are consistent with administrative regulations of the Department of Housing, Buildings and Construction (DHBC); and
- Procedures for lockdown of the school.

Local law enforcement shall be invited to assist in establishing lockdown procedures.

Following adoption the emergency plan and diagrams of the facilities will be provided to appropriate first responders. First responders, for the purpose of this policy, include local fire personnel, local, county and/or state police personnel, and emergency medical personnel. Due to the need to maintain student and staff safety and security, the emergency plan and diagram of the facility will not be disclosed in response to any Open Records requests or discussed during Open Session of any school council meeting.

Prior to the first instructional day of school, the principal, or designee, will present and review all emergency procedures with all staff. Documentation including the time and date of the review

will be kept on file at the school with a copy sent to the district office to document completion. Documentation may include methods such as a sign-in sheet that includes the printed name of each staff member (all certified and classified staff), the signature of the staff member and the date and time of the review.

A comprehensive diagram of the school showing primary and secondary evacuation routes will be posted at each school doorway prior to the first instructional day of school. Identified severe weather safe zones which have been reviewed by the local fire marshal or fire chief will be posted at each school doorway prior to the first instructional day of school.

The principal is responsible for working with the central office annually to ensure that all local first responders have a current diagram of the school that notes the primary and secondary evacuation routes, the severe weather safe zones and notations of the exterior and front entrance access points. Completion will be reported to the school council and documentation maintained in the principal's office.

Within the first thirty (30) instructional days of the school year and again during the month of January, the school will conduct one (1) severe weather drill, one (1) earthquake drill, and one (1) building lockdown. Fire drills will be conducted in accordance with timelines, procedures and requirements outlined in the DHBC regulations. Whenever possible, first responders shall be given notice of possible drills and invited to observe. The principal is responsible for ensuring the implementation of these drills and reporting completion and problems noted during the drill to the school council and to the district central office for any remedial action needed.

Possible access control methods that will be used at Kentucky Elementary School are outlined below:

- All exterior doors must remain locked at all times.
- All visitors must enter through the posted front entrance.
- The front entrance must remain secure with electronic access only.
- All visitors must use the "buzzer" and be recognized prior to gaining access to the reception area
- The principal is responsible to ensure that trained personnel monitor the front entrance at all times. At no time during the school day are students allowed to monitor the front entrance or the reception area.
- All visitors must report to the front office, provide photo identification, state the purpose of the visit, and wear a school-specific badge on the outermost garment during the entire visit. Upon leaving, all visitors must report back to the front office.
- The office must keep an accurate log of each visitor, the date and time of the visit, the purpose of the visit, and with whom they visited.
- Doors must remain closed during instruction time.

**Evaluation:**

At the end of each school year the emergency procedures are to be reviewed by the school council and first responders and revised as needed.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_



## Procedures, Consistent with Local School Board Policy, for Determining Alignment with State Standards, Technology Utilization, and Program Appraisal Policy

[KRS 160.345(2)(i)10]

### Purpose:

The *Procedures for Determining Alignment with State Standards, Technology Utilization, and Program Appraisal Policy* for Kentucky Elementary School ensures that all students have equitable opportunity to highly effective teaching practices at all levels and with all classes.

### Procedures:

Alignment with State Standards: Annually in November the school council shall charge the Curriculum and Instruction Committee with reviewing the curriculum of the core instructional areas (i.e., English/Language Arts, Mathematics, Science, and Social Studies) to ensure that each area is aligned with the Kentucky Academic Standards and to district curriculum maps. The committee shall also review analysis of state assessment data to determine any curricular gaps. This review shall be completed and reported to the school council by the May school council meeting.

Annually in January the school council shall charge the Climate and Culture Committee with determining the barriers in student achievement. The committee may review state non-academic data, survey data (i.e., parent, teacher and student), behavior summaries, and budget reports, as well as any other data needed for their review. This charge shall also include a summary of student use of technology as it relates to barriers in student achievement. This review shall be completed and reported to the school council by the May school council meeting.

Technology Utilization: Technology shall be utilized in the classroom by students, as a means to enhance the curriculum, and as a learning tool in the Library Media Center. All school technology (e.g., Chromebooks, iPads, SmartBoards) must be available for student use first. Teachers will plan lessons that encourage the use of technology by students. All staff and students will adhere to the *Kentucky School District's Acceptable Use Policy*.

Teachers will...

- Use technology to improve communications, enhance thinking skills, make instruction more efficient and effective, and develop critical life skills. PLC teacher-leaders will include the student use of technology as part of the weekly PLC meeting.
- Provide equitable and adequate access to the technology resources for all students.
- Implement technology to meet state and national standards.
- Research and use up-to-date programs and/or apps as part of the instructional program.
- Encourage and monitor student use of technology.
- Use adaptive or assistive technology for students as required in IEPs.

- Include technology resources as part of the daily lesson plan, including the websites URL and/or applications. Included in the lesson plan is a description on how the students will be using the technology as part of instruction.

The principal will monitor, through the lesson planning and PLC process, the student use of technology as part of the instructional day.

Program Appraisal: Annually in October the school council shall charge the Improvement Planning committee with reviewing state, district and school data to determine effectiveness of instruction program initiatives. The committee shall draft a report as to the strengths and barriers for each program initiative. This review shall be completed and reported to the school council by the December school council meeting.

**Evaluation:**

Annually each April, the principal will inventory the school’s technology and create a report for the school council on the needs of the school in relation to technology. This report will consist of outdated equipment, repairs needed, and software updates needed. The school council will prioritize the needs and submit a request, based on the report, to the district technology coordinator.

Annually the analysis of the reviews from the Curriculum and Instruction Committee, the Climate and Culture Committee and the Improvement Planning Committee shall be used as part of the school improvement planning revision process.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Consultation

[KRS 160.345(2)(i)11]

### Purpose:

The *Consultation Policy* of Kentucky Middle School ensures that the selection of instructional staff are highly effective, qualified and meet the needs of the student population.

### Procedures:

Vacancy shall be defined as...

1. A position that did not previously exist but which can now be funded;
2. A position previously held by an employee who has retired or resigned; or
3. A position held by an employee who has indicated in writing that they will retire or resign at the conclusion of the current school year.

Qualified Teacher shall be defined as a teacher who...

1. Hold at least a bachelor's degree;
2. Hold full Kentucky certification or statement of eligibility; and
3. Demonstrates competency in each of the core academic subjects taught.

Highly Qualified Paraeducator (Paraprofessional) shall be defined as an instructional assistant who has...

- Has completed two years of study at an institution of higher education;
- Holds an associate's (or higher) degree; or
- Has passed the *Kentucky Paraeducator Assessment* exam.

### Notification of Vacancy:

The school council shall be consulted by the principal on all certified and classified instructional vacancies that occur at the school. When an instructional staff vacancy has been posted the principal shall include "consultation with the school council for the (position title) vacancy" on the agenda of the next regular or special meeting of the council.

### Timeline:

The principal and school council shall meet the following timeline for filling vacancies:

- Once a vacancy is determined, the principal, along with one parent member and one teacher member chosen by the school council, shall serve as an ad hoc interview committee. The ad hoc interview committee shall meet within one week of selection to develop a set of criteria for a strong candidates and a list of interview questions to be asked of each applicant.
- The committee shall reconvene and review applications and supporting materials for each qualified applicant. Once the vacancy has completed the 15-day required posting,

the committee shall reconvene and make a final selection of candidates that exhibit the characteristics in the developed criteria and then those who are highly qualified. Any applicant that does not meet the criteria or is not highly qualified shall not be considered for an interview. An interview schedule shall be developed by the ad hoc committee so that all committee members are present for all interviews. The principal shall contact the candidates and schedule the interviews.

- All candidates interviewed will be asked the developed questions in the same order. The principal shall follow up within three (3) business days with reference checks, as needed.
- The ad hoc committee shall reconvene within one week of the final interview to review the candidates, discuss issues from reference checks, and prioritize candidates.
- The school council shall consider the ad hoc committee and principal recommendations and provide its thoughts on the candidates to the principal on who to select to fill the vacancy. This consultation will occur in closed session.
- The principal shall make a selection of a qualified applicant to fill the vacancy and shall report this selection to the council at the next regular or special called meeting.
- The principal will inform the superintendent who will complete the hiring process.

If a quorum of the members of the school council is not available for the purpose of conducting consultation in the filling of a vacancy during a special called meeting for the purpose of consultation, the principal shall conduct consultation with the council members who can attend. The timeline may also be amended with school council approval in order to fill a vacancy during times where continuation of instructional services may be affected and a waiver of the 15-day posting may be requested from the Kentucky Department of Education.

**Evaluation:**

The school council shall annually review the policy and timeline and make revisions as necessary to ensure high qualified and highly effective teachers are recruited and retained at the school. Any revisions to the policy shall be made and approved prior to March 31.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Committees

[KRS 160.345(2)(c)2]

*A Committee Policy is not a required policy area for schools. However, if the school or the school council forms committees, the school council must have a policy.*

### **Purpose:**

The *Committee Policy* of Kentucky High School ensures equitable participation in the decision making process for teachers, parents and the school community as a whole.

### **Procedures:**

Kentucky High School shall have five standing committees:

- Budget Committee: The Budget Committee shall recommend an annual budget, monitor budget implementation, and recommend budget amendments as needed.
- Curriculum and Instruction Committee: The Curriculum and Instruction Committee shall analyze the curriculum alignment, research instructional practices, and monitor implementation of curriculum and instructional policies.
- Climate and Culture Committee: The Climate and Culture Committee shall review non-academic and survey data as it relates to the removal of barriers in student achievement.
- Improvement Planning Committee: The Improvement Planning Committee shall review school assessment and non-academic data, noting trends and barriers, providing information and statistics to the school council during the improvement planning revision process.
- Teacher and Student Programs and Activities Committee: The Teacher and Student Programs and Activities Committee shall plan monthly teacher and student activities and celebrations and maintain the *Kentucky Kids*, *Teacher Resources*, and the *SBDM* bulletin boards. The committee shall monthly review student discipline data and teacher and student attendance data. The committee shall annually review the school's discipline plan.

Each standing committee shall have at least eight members including at least one parent.

During March, the following steps shall be taken to recruit members for each standing committee:

1. The principal shall invite all parents by placing a notice in the school's monthly newsletter and sending a One-Call message. The message shall be sent in English and Spanish.
2. The current committee chairs shall describe their committee's work for the school's monthly newsletter. These descriptions will be posted on the homepage of the school's website.
3. School council members will seek out minority members, including parents, staff, and other concerned adults, and encourage their active participation in all committees.

During April the principal shall place committee sign-up sheets on the SBDM bulletin board, and in the staff workroom. Parents and community members may also sign up by telephone or email.

During May the school council will appoint committee members, ensuring reasonable representation of minority groups. The school council may need to assign some persons to committees that are not their first choice to give each committee adequate and balanced membership. The school council shall also designate a committee member to convene the first committee meeting. The school council secretary shall notify all committee members of their appointment.

Ad hoc committees shall be established as needed by the school council. The school council shall ensure that ad hoc committees also have reasonable representation of the community.

All school council committees established under this policy are public agencies and are subject to Kentucky's Open Meetings/Open Records statutes.

### **Sample Committee Charge**

When a school council charges a committee to work on a particular challenge or task, the school council may want to use a standard format to organize the information for the committee to ensure completion of the challenge or task.

Include in the charge the following details:

- the name of the committee,
- the topic,
- the date of the charge,
- what work is needed,
- the timeline for completion,
- any special considerations or issues, and
- the contact person on the council.

### **Evaluation:**

The school council shall annually review the standing committees, the committee chairpersons and the work provided to the school council from each committee. Any revisions to the committee policy based on this information will be completed by the school council.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

**To:** The Culture and Climate Committee

**Topic:** To draft a policy change to increase physical activity during the school day

**Date:** June 1, 201X

The school council at Kentucky High School charges the committee to identify ways to increase physical activity for all students during the school day that will work at the high school level. Consider a more efficient schedule for physical education course, options before school, during the lunch break, and after school, and quick energizers that can be done during regular core instruction. Look at curriculum, space, schedule, staff, and professional development issues. Draft an amendment to Schedule of the Day Policy to add best practices you found.

Please report on research finding at our October and December School Council meetings with a draft ready by the February meeting. Ensure that you have gathered input from staff, students and families during this time.

For questions, please contact School Council member, John McBride.

**Recruitment and Assignment of Students to Advanced Placement, International Baccalaureate,  
Dual Enrollment and Dual Credit Courses**

[KRS 160.348(2)]

**Purpose:**

The *Recruitment and Assignment of Students to Advanced Placement, International Baccalaureate, Dual Enrollment and Dual Credit Courses Policy* of Kentucky High School ensures that all students are provided opportunity to participate in a rigorous and academically challenging curriculum.

**Procedures:**

All students at Kentucky High School who are willing to accept the challenge of a rigorous academic curriculum shall be admitted to advanced placement, international baccalaureate, dual enrollment, and/or dual credit courses. Students must have successfully completed the prerequisite course work or have otherwise demonstrated mastery of the prerequisite content knowledge and skills and have permission from the course instructor to participate.

Annually, Kentucky High School shall offer advanced placement courses in English, mathematics, science and history. Specific courses will be determined based on student interest and an identified need annually. If a course is not offered as part of the regular master schedule and is a course needed for a student's learning plan, the student shall be permitted to take the course via the Kentucky Virtual Campus. The student must request the course through the guidance counselor.

Guidance counselors shall advise students and parent of the opportunity for advance placement, international baccalaureate, dual enrollment and dual credit course options when they prepare and revise their Individual Learning Plan, encouraging students to take appropriate preparatory courses. Teachers shall encourage students to take challenging courses, maintaining data of contacts with students and parents. Guidance counselors shall maintain resources and information for dual enrollment and dual credit courses offered through the Kentucky Community College and Technical System.

**Evaluation:**

During the March school council meeting, the school council shall review data on student participation in advanced placement, international baccalaureate, dual enrollment and dual credit courses. The data shall be disaggregated by gender, ethnicity and free/reduced lunch participation. This data shall be used during the planning process for course offerings in the upcoming school year.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_



## Wellness Policy

[KRS 160.345(11)]

### Purpose:

The *Wellness Policy* of Kentucky Elementary School ensures that all students have opportunity for integrate more physical activity and is encouraged to make healthy choices daily.

### Procedures:

Kentucky Elementary School will create positive experiences with physical activity for students by providing opportunity for all students to have up to thirty (30) minutes per day or one hundred fifty (150) minutes of physical activity per week. Teachers will provide planned, sequential instruction that promotes lifelong physical activity. It will be designed to develop basic movement skills, lifelong sports skills, and physical fitness as well as to enhance mental, social, and emotional abilities.

- Each student will participate in physical education class twice a week.
- Each student will have at least 20 minutes of supervised recess. The school shall provide the space and equipment. Teachers will not be allowed to deprive students of recess or other physical activity as a consequence for inappropriate behavior.
- Teachers will make all practical efforts to avoid periods of more than forty minutes when students are physically inactive.
- Accommodations and adaptations will be made for students with special needs.
- All teachers will implement a healthy choice program by reviewing the nutritional standards on a regular basis and by not using food as a reward.

Kentucky Elementary School will adopt the physical education assessment tool to assess the physical activity program at the school. The tool must...

- Assess how closely the physical education curriculum aligns with state and national standards for high quality physical education programs.
- Analyzes the content and components of the physical education curriculum.
- Assists in identifying changes that are needed in physical education curriculum.

**Evaluation:**

The school council shall review annually by the March school council meeting the level of student activity and compiled data from the assessment tool. This data shall be included as part of the improvement planning process.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Determination of a Writing Program

[KRS 158.6453(19)]

### Purpose:

The Determination of a *Writing Program Policy* at Kentucky Middle School ensures that all students in all classes will use writing as a way to learn. Kentucky Middle School believes that writing is a necessary communication skill for student and that writing should be authentically taught and practiced in all curricular areas.

### Criteria:

**All students shall be provided multiple opportunities to develop communication skills through writing and shall be allowed student choice and exploration. To ensure this all teachers will...**

- Ensure curriculum is vertically and horizontally aligned to the Kentucky Academic Standards.
- Engage students in three categories of writing: writing to learn, writing to demonstrate learning, and writing for publication.
- Incorporate a variety of genres including literary, argumentative, informational, and practical/workplace materials across all content areas.
- Intentionally schedule time within the instructional day for writing instruction and experiences.
- Provide opportunity on a regular basis for authentic and meaningful writing to include the following:
  - Writing for a variety of purposes and audiences.
  - Writing to reveal ownership and independent thinking.
  - Writing in which students draw on individual experiences.
- Experience the writing process at all grade levels: planning, drafting, revising, editing, publishing, and reflecting upon writing.
- Experience writing in both on-demand and writing over time situations.
- Read and analyze a variety of print and non-print materials including persuasive literary, informational, and practical/workplace materials.
- Learn about and use appropriate resources for writing.
- Apply appropriate writing skills to oral communication.
- Teach and expect students to use higher-order thinking skills.
- Provide consistent and timely feedback throughout the writing process to guide and improve students' writing skills.

- Provide opportunities for students to demonstrate, through strands of literacy, an understanding of cultural differences and work effectively with people from a range of social and cultural backgrounds to build on and articulate ideas.

**A variety of language resources are embedded within writing instruction that allow students to read and analyze a variety of print and non-print materials including:**

- Appropriate resources driven by various instructional purposes with different audiences for the student to consider, such as:
  - Print materials, technology, personal interviews, observations, etc.
  - Multimodal text. Photographs, graphics, web page, multimedia, etc...
- Instructional strategies and models that assist in achieving specific learning objectives including:
  - Differentiated strategies that make instruction accessible to all students.
  - Exemplars to use as models for writing.

**Students will be provided and use technological tools in the writing process to:**

- Evaluate or communicate using critical thinking skills.
- Seek a new or deeper understanding based on inquiry around a topic.
- Demonstrate new understanding through collaborating, creating and making global connections.

**Evaluation:**

The school council shall annually review the effectiveness of the school’s writing program. This data shall be included as part of the improvement planning process.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## Parent and Family Engagement Policy

[Federal Elementary and Secondary Education Act (ESEA); Title I, Part A (Section 1118) as amended for No Child Left Behind (2001)]

*A Parent and Family Engagement (PFE) Policy is not a required policy area for all schools; however, if the school receives Federal Title I, Part A funds, the school must have a PFE policy.*

### **Purpose:**

Parents serve as a key shareholder in the educational processes of the students attending ABC Elementary. The *Parent and Family Engagement Policy* of ABC Elementary ensures equitable participation in the planning, reviewing, and implementing of all parent programs and activities.

### **Parent Definition:**

A parent is legally defined as a *biological parent, step-parent, or a foster parent of a student **or** a person who has legal custody of a student pursuant to a court order **and** with whom the student resides.* For the purpose of this policy, *parent* encompasses *all* family situations.

### **Parent and Family Engagement Definition:**

Parent and Family Engagement is best defined as *any time a parent commits to assisting his/her child in learning and achieving academically to a higher level with greater interest and motivation.*

Parent and family engagement can be accomplished in a variety of ways, which include the following:

- reading together at home with your children,
- developing your expectations for your child and communicating these expectations to your child, as well as communicating your support in helping your child achieve these expectations,
- communicating positive values such as respect, hard work, and responsibility,
- providing your child with positive encouragement when he/she achieves certain goals,
- speaking with your child's teacher on a regular basis and offering any assistance that the teacher may suggest,
- becoming involved in the school's PTO/SBDM council and/or committees, and
- discussing your child's assessment scores after receiving the scores and an explanation of them from the school.

### **Procedures:**

ABC Elementary, along with the district Federal Programs' Coordinator, shall convene an annual meeting at a time that is convenient for parents. All parents are invited and encouraged to attend. At this meeting, parents will be informed of the school's participation in a Title I Schoolwide Program, the purpose and requirements of Title I, and their right to be involved. Particular attention shall be given to reaching those parents who are economically disadvantaged, are

disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.

ABC Elementary shall involve parents in an organized, ongoing, and timely manner in the Title I planning, review, and improvement of programs; this includes the joint development of the school parent involvement policy.

**Parent-School Learning Compact:**

ABC Elementary and the parents of the students participating in the activities, services, and programs agree that improved student achievement is a shared responsibility. ABC Elementary and its parents will build and develop a partnership that will assist students in achieving proficiency.

**ABC Elementary will...**

- provide high quality curriculum and instruction in a supportive and effective learning environment that enables the participating students to meet Kentucky's student academic achievement standards,
- communicate clear expectations,
- utilize research-based materials and methods,
- provide a safe, positive, and healthy learning environment for each student, and
- address the individual needs of each student.

**Parents will...**

- ensure their child attends school regularly, is punctual, and prepared to learn,
- create an atmosphere that supports learning,
- encourage their child to demonstrate respect for school personnel, classmates, and school property,
- remain informed about their child's education,
- model respect by going to the teacher first regarding concerns, and
- guarantee that any homework assignments are neat and complete.

**Students will...**

- come to school on time and be prepared to learn,
- obey all school and classroom rules,
- pay attention to their teachers, tutors, and family members and ask for help when needed, and
- commit to learning and do their best work each day.

**Background Checks:**

Any parent wishing to serve as a parent volunteer in the school must complete a criminal background check and attend confidentiality training.

**Concerns:**

Any comments or concerns regarding ABC Elementary's *Parent and Family Engagement Policy* shall be submitted to the Kentucky School District's Federal Programs' Coordinator, Mr. Kevin Stein. He can be reached at (859) 555-5555.

## Sample Parent-School Learning Compact

### Kentucky Middle School Parent-School Learning Compact

The Kentucky Middle School and the parents of the students participating in the activities, services and programs agree that this compact outlines how the parents, the entire school staff, and the students will share the responsibility for improved student achievement and the means by which the school and parents will build and develop a partnership that will assist student to achieve proficiency.

#### **School Responsibilities:**

Kentucky Middle School instructional staff will:

- Provide high quality curriculum and instruction in supportive and effective learning environment that enables the participating students to meet Kentucky's student academic achievement standards as follows:
  - Highly qualified teachers assuring all student access to quality learning experiences appropriate to development.
  - Communicates clear expectations for performance to both students and parents.
  - All instruction utilizes research-based materials and methods.
  - Provides a safe, positive, healthy learning environment for each student where each child is treated with respect and dignity.
  - Address the individual needs of each student.
- Hold parent-teacher conferences and open house activities during which this compact will be discussed as it relates to the individual student's achievement.
- Provide parents with frequent reports on their child's progress and growth.
- Provide parents reasonable access to instructional staff before school and after scheduled classes for phone calls or parent conferences.
- Provide parent opportunities to volunteer and participate in their child's curricular programming and for special projects.

#### **Parent/Guardian Responsibilities:**

I will support my child's learning in the following ways:

- Make sure that my child attends school regularly, is on time, and is prepared to learn.
- Make sure that any homework assignments are complete and neat.
- Create an atmosphere that supports learning.
- Encourage my child to demonstrate respect for school personnel, classmates and school property.
- Stay informed about my child's education



- Model respect by going to the teacher first about concerns.

**Student Responsibilities:**

I will share the responsibility to improve my academic achievement. Specifically, I will:

- Come to school on time and ready to learn.
- Pay attention to my teachers, tutors and family and ask for help when need.
- Be prepared for school each day with completed and neat assignments and materials.
- Do my best work each day.
- Follow school and class rules.

Homeroom Teacher Signature:

Date:

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Parent Signature:

Date:

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Student Signature:

Date:

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**Evaluation:**

The effectiveness of this policy shall be evaluated through the school improvement planning process.

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Date Adopted:

\_\_\_\_\_

Date Reviewed/Revised:

\_\_\_\_\_

Date Reviewed/Revised:

\_\_\_\_\_

## Wellness and Nutrition

[Federal Healthy, Hunger Free Kids Act of 2012]

*A Wellness and Nutrition Policy is **not** a required policy area for all schools.*

### **Purpose:**

The purpose of the Kentucky Middle School *Wellness and Nutrition Policy* is to ensure that all students at Kentucky Middle School are provided with a safe and healthy environment that promotes wellness through high quality health education and physical education to enrich student learning and ensure success. We believe student health is closely associated with academic achievement, attendance rate and behavior supports, thus our students need to be striving for healthy lifestyles in order to truly be prepared for “college and career readiness.”

### **Procedures:**

School Committee: The Kentucky Middle School maintains a Coordinated School Health Committee as evidence of PLCS Program Review expectations. Our CSH Committee serves as a resource to create, strengthen and support school policy on the promotion of student health and wellness. This committee will report to the SBDM at a minimum every two months to provide updates on school progress of implementation of this policy and other CSH programs.

### **Physical Education and Activity:**

Comprehensive School Physical Activity Program (CSPAP): Our school recognizes that a CSPAP is an approach our school will utilize all opportunities for school-based physical activity to develop physically educated students who participate in the nationally-recommended 60+ minutes of physical activity each day and develop the knowledge, skills, and confidence to be physically active for a lifetime. With a CSPAP, quality physical education is the cornerstone of the program while also including school-based physical activity opportunities; school employee wellness and involvement; and family and community involvement.

### **Physical Education:**

- A certified physical education teacher will provide instruction.
- Physical education teachers are allocated 24 hours annually to participate in professional learning communities to address issues related to instructional practices, data analysis and improve instruction.
- Students will receive the equivalent of 150 minutes of physical education per week.
- Our school will use the Physical Education Curriculum Assessment Tool (PECAT) annually to determine scope and sequence to deliver grade level benchmarks of the Kentucky Core Academic Standards (KCAS):
- All students will be assessed on the KCAS and receive a written grade based on the school grading schedule.
- Physical education class sizes follow the district policy for pupil-teacher ratio in non-PE classrooms.

#### Physical Activity During the School Day:

- All students will receive at least 30 minutes of physical activity outside of physical education class. This can occur in several ways:
  - Lesson plans include planned student movement and are integrated into academic lessons.
    - Teachers shall make all reasonable efforts to avoid periods of more than forty minutes when students are physically inactive. When possible, physical activity should be integrated into learning activities. When that is not possible, students should be given periodic breaks during which they are encouraged to stand and be moderately active.
    - Recess – at least 20 minutes of recess time is allocated and supervised before lunch each day.
- Incentives will be used during the school year to encourage each class to engage in physical activity.
- Our school prohibits the use of physical activity as punishment (e.g., running laps, pushups), and the withholding of physical activity/physical education time for behavior management. Our school also prohibits withholding physical activity/physical education time for make-up work.

#### Physical Activity Before and After School:

- Students will be provided opportunities to participate in physical activity clubs with access to adequate facilities, equipment and supervision.
- Our school shall partner with local officials to provide opportunities safe alternative modes of transportation (i.e. walking, biking) to school.
- Our school will provide students with 30 minutes of physical activity time before school begins each day. Students will also be provided access to school grounds and facilities after school for unstructured free play and physical activity opportunities.
- Students will have opportunities to participate in interscholastic sports after school. Eligibility and attendance rules apply. Athletic policies, to a minimum, adhere to all Kentucky High School Athletic Association rules and are in place to address these requirements.

#### Staff Involvement:

- Staff Wellness: School highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts by staff to maintain a healthy lifestyle. Our school will establish and maintain a staff wellness committee composed of at least one staff member, school health council member, local hospital representative, dietitian or other health professional, recreation program representative, union representative, and employee benefits specialist. (The staff wellness committee could be a subcommittee of the school health council.) The committee should

develop, promote, and oversee a multifaceted plan to promote staff health and wellness. The plan should be based on input solicited from school staff and should outline ways to encourage healthy eating, physical activity, and other elements of a healthy lifestyle among school staff. The staff wellness committee should distribute its plan to the school health council annually

- The school has a designee to coordinate and provide professional development, for staff members, to integrate physical activity into the classroom setting.

#### Family and Community:

- Our school will encourage the use of school facilities through a shared use agreement for community members in order to create physical activity opportunities. All parties must follow the district policies and procedures for facility usage.
- Our school will provide information about physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information about physical activity and physical education through a website, newsletter, or other take-home materials, special events, or physical education homework.

#### School Nutrition:

- Our school will adhere to all guidelines of the USDA National School Lunch Program.
- Our school shall encourage healthy choices among students using the following methods:
  - Increase breakfast participation via second chance as well as “grab-n-go” programs.
  - Schedule adequate time for all school meals (702 KAR 6:060).
- Our school shall implement the nutritional standards required by federal and state laws and regulations. Those rules apply to our food program and to other food and beverages available during the school day.
- Parents may block the purchase of “extras” from their child’s cafeteria account.
- School Nutrition Personnel will work closely with the parent(s) and/or guardian(s) to make reasonable accommodations for students with disability or other special dietary needs.
- School cafeteria managers shall annually receive a minimum of two (2) hours of continuing education in applied nutrition and healthy meal planning and preparation (KRS 158.852)
- In compliance with the federal Healthy Hunger Free Kids Act and 702 KAR 006:090, any food item offered for sale through a vending machine, school store, canteen, or fundraiser on school property shall meet the established state requirements.
- User Smarter Lunchroom strategies for increasing healthy food selection (i.e. place fruits and vegetables near cafeteria or at easy access, etc.).

- Provide information to students or families on the nutrition, caloric, and sodium content of foods available

#### **Nutrition Education and Promotion:**

- Our Practical Living curriculum shall address the full Kentucky Academic Standards, including health, consumerism, and physical education.
- School ensures content of the Health Education Curriculum is frequently integrated into all content areas to meet the health and safety needs of all students.
- Drinking water is encouraged and available to students free of charge at all times during the school day.
- Sports drinks are not available in the school setting except when provided by the school for student athletes participating in sport programs involving vigorous activity of more than one hour.
- Price nutritious foods and beverages at a lower cost while increasing the price of less nutritious foods and beverages
- Fundraising Activities: To support children's health and school nutrition-education efforts, school fundraising activities will not involve food or will use only foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Schools will encourage fundraising activities that promote physical activity. The school district will make available a list of ideas for acceptable fundraising activities.
- Snacks: Snacks served during the school day or in after-school care or enrichment programs will make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess if and when to offer snacks based on timing of school meals, children's nutritional needs, children's ages, and other considerations. The district will disseminate a list of healthful snack items to teachers, after-school program personnel, and parents.
  - If eligible, schools that provide snacks through after-school programs will pursue receiving reimbursements through the National School Lunch Program.
- Rewards. Schools will not use foods or beverages, especially those that do not meet the nutrition standards for foods and beverages sold individually (above), as rewards for academic performance or good behavior,<sup>10</sup> and will not withhold food or beverages (including food served through school meals) as a punishment.
- Celebrations. Schools should limit celebrations that involve food during the school day to no more than one party per class per month. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually (above). The district will disseminate a list of healthy party ideas to parents and teachers.

- School-sponsored Events (such as, but not limited to, athletic events, dances, or performances). Foods and beverages offered or sold at school-sponsored events outside the school day will meet the nutrition standards for meals or for foods and beverages sold individually (above).
- Food Marketing in Schools. School-based marketing will be consistent with nutrition education and health promotion. As such, schools will limit food and beverage marketing to the promotion of foods and beverages that meet the nutrition standards for meals or for foods and beverages sold individually (above).<sup>11</sup> School-based marketing of brands promoting predominantly low-nutrition foods and beverages<sup>12</sup> is prohibited. The promotion of healthy foods, including fruits, vegetables, whole grains, and low-fat dairy products is encouraged.

Examples of marketing techniques include the following: logos and brand names on/in vending machines, books or curricula, textbook covers, school supplies, scoreboards, school structures, and sports equipment; educational incentive programs that provide food as a reward; programs that provide schools with supplies when families buy low-nutrition food products; in-school television, such as Channel One; free samples or coupons; and food sales through fundraising activities. Marketing activities that promote healthful behaviors (and are therefore allowable) include vending machine covers promoting water; pricing structures that promote healthy options in a la carte lines or vending machines; sales of fruit for fundraisers; and coupons for discount gym memberships.

- Communications with Parents. School will support parents' efforts to provide a healthy diet. Our school will offer healthy eating seminars for parents, send home nutrition information, post nutrition tips on school websites, and provide nutrient analyses of school menus. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet the above nutrition standards for individual foods and beverages. Our school will provide parents a list of foods that meet the district's snack standards and ideas for healthy celebrations/parties, rewards, and fundraising activities. In addition, the district/school will provide opportunities for parents to share their healthy food practices with others in the school community.

The provisions of this policy shall be implemented to comply with provisions required by federal law, state law, or local board policy. If any specific requirement above does not fit with those rules, the principal shall notify the council so that the policy can be amended to fit.

#### **Measurement and Evaluation:**

In compliance with 702 KAR 6:090, Kentucky Middle School will utilize the Alliance for a Healthier Generation's Healthy Schools Program to evaluate the school environment. This report will be shared annually with the district as required by KRS 160.345 (11) and release the report at least 60 days prior to the public forum required by KRS 158.856 (5). Results will be reported to parents and community stakeholders via the school's website.

The Kentucky Middle School CSH committee will oversee the implementation and evaluation of this policy. The CSH Committee shall periodically report to the school principal and SBDM on the content and progress of implementation of the school’s wellness efforts. The report shall include:

1. Extent to which the school is in compliance with this policy;
2. A timeline for an annual review and comparison (e.g. KDE CSPAP Continuum Document) of how the school measures up to model wellness policies provided by recognized state and national authorities; and
3. A designated school representative of the CSHC will communicate on the description of the measurable progress made towards reaching goals of the school wellness policy and address any gaps identified in the wellness report for the previous year.

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Date Adopted: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

Date Reviewed/Revised: \_\_\_\_\_

## APPENDIX E: SBDM REQUIRED POLICIES & DECISIONS CHECKLIST

**Purpose:** Policy and decision-making authority is granted in KRS 160.345 to schools for the purpose of creating an environment in each that enhances student achievement. This checklist is designed to assist school councils in reviewing and revising their school council policies to determine if statutory requirements are met. Several acronyms are used throughout the document: RP represents required policies for school councils, RD represents required decisions for school councils, and RBL refers to anything required by law for schools. The following statutes and regulations impact school-based decision making:

KRS 160.345	School-Based Decision Making	KRS 158.6453	Assessment of Achievement goals
KRS 157.360	Maximum Class Size Base Funding Levels	KRS 158.649	Achievement Gaps
KRS 158.031	Primary Program	KRS 160.347	Removal of Council Members
KRS 158.060	Non-Teaching Time for Teachers	KRS 160.348 (2)	Advanced Placement courses (Secondary Schools Only)
KRS 158.102	Requirement for Library Media Center	702 KAR 3:246	School Council Allocation Formula
KRS 158.150	Suspension and Expulsion of Pupils	703 KAR 4:040	Verifying Successful Completion of Primary (Elementary Only)
KRS 158.181	Legislative Findings on Religious Liberty for Students	703 KAR 5:010	Assessment and Accountability Definitions
KRS 158.6451	Model Curriculum Framework	704 KAR 3:440	Primary School Program Guidelines (Elementary Only)
KRS 158.162	Adoption of Emergency Management Plan	703 KAR 5:225	District and School Accountability and Improvement Plan Process



Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
KRS 160.345(2)(i) 1	RP	<p>Determination of curriculum, including needs assessment, curriculum development and responsibilities under KRS 158.6453(7):</p> <p>Developmentally appropriate practices for students, including but not limited to integrated curriculum, learning centers, process writing, discovery learning, writing across the curriculum, thematic units and special projects; how authentic assessment and qualitative reporting will be done for students.</p>			
KRS 160.345(2)(i)2	RP	<p>Assignment of all instructional and non-instructional staff time:</p> <p>Assignment of all instructional aides' and teachers' staff time.</p>			
KRS 160.345(2)(i)3	RP	<p>Assignment of students to classes and programs within the school:</p> <p>How students will be assigned to teachers within the school and/or how families will have input into which classroom their child is in; how special needs students will be included.</p>			
KRS 160.345(2)(i)4	RP	<p>Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board.</p>			
KRS 160.345(2)(i)5	RP	<p>Determination of use of school space during the school day:</p> <p>Including the location of classrooms, music, PE, arts and other special classes.</p>			
KRS 160.345(2)(i)6	RP	<p>Planning and resolution of issues regarding instructional practices:</p> <p>Implementation of school-wide instructional models that require teachers to use specific methods should be included in the policy.</p>			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
KRS 160.345(2)(i)7	RP	<p>Selection and implementation of discipline and classroom management techniques as a part of a school safety plan, including responsibilities of the student, parent, teacher, counselor and principal:</p> <p>Any school-wide behavior management program that requires every staff member to participate should be included in the policy (e.g., CHAMPS, K-CID, Second Steps, Project Bravo).</p>			
KRS 160.345(2)(i)8	RP	<p>Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications, and attendance requirements, program evaluation and supervision:</p> <p>Policy must be consistent with district board policies and guidelines and, for high school athletics, KHSAA guidelines.</p>			
KRS 160.345(2)(i)9	RP	<p>Adoption of an emergency plan as required by KRS 158.162</p> <p>Each council is required to adopt an emergency plan to include procedures to be followed in case of fire, severe weather, or earthquake, or if a building lockdown, as defined in KRS 158.164, is required.</p> <p>Following adoption, the emergency plan, along with a diagram of the facility, shall be provided to appropriate first responders.</p>			
KRS 160.345(2)(i)10	RP	<p>Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization and program appraisal:</p> <p>Procedures for assuring that instructional technology that is correlated with the curriculum is implemented throughout the school and program evaluation measures are in place.</p>			
KRS 160.345(2)(i)11	RP	<p>Consultation with the school council in selecting personnel including certified teaching staff, instructional assistants, and classified positions.</p> <p>Define consultation in the selection of personnel by the principal: Including but not limited to meetings, timelines, interviews, review of written applications and review of references. The policy must address times when a quorum of the council is unavailable.</p>			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
KRS 160.345(2)(c)2	RP	<p>Committees:</p> <p>To determine if committees are to be established. If established, the committee policy must address:</p> <ul style="list-style-type: none"> <li>• facilitation of the participation of interested persons</li> <li>• number of committees needed</li> <li>• committee jurisdiction</li> <li>• composition</li> <li>• membership process</li> </ul>			
KRS 160.348 (2)	RP	<p>Advanced Placement, International Baccalaureate, Dual Enrollment, Dual Credit Courses</p> <p>Policy on the recruitment and assignment of students to advanced placement, International Baccalaureate, dual enrollment and dual create courses that recognizes that all students have the right to be academically challenged and should be encouraged to participate in these courses.</p>			
KRS 160.345(11)	RP	<p>Each school council of a school participating in the National School Lunch Program shall develop and implement a wellness policy.</p> <p>Includes moderate to vigorous physical activity each day and encourages healthy choices among students. May permit physical activity to be considered part of the instructional day, not to exceed 30 minutes per day, or 150 minutes per week. Each school council shall adopt an assessment tool to determine each child's level of physical activity on an annual basis.</p>			
KRS 158.6453(7)(c)	RP	<p>Determine the writing program for the school.</p> <p>The writing program shall incorporate a variety of language resources, technological tools and multiple opportunities for students to develop complex communication skills for a variety of purposes.</p>			
ESSA Title I, Part A,	RP	<p>Parent and Family Engagement</p> <p>A school's written policy must describe specifically how the school will:</p> <ol style="list-style-type: none"> <li>1. Hold an annual meeting to inform parents of their school's participation in Title I, to explain Title I requirements and the parent's right to be involved.</li> </ol>			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
		<ol style="list-style-type: none"> <li>2. Offer a flexible number of meetings (transportation, childcare, or home visits may be provided if needed) to encourage parent involvement.</li> <li>3. Involve parents in the planning, review and improvement of the parent involvement programs.</li> <li>4. Provide parents of participating Title I children: <ul style="list-style-type: none"> <li>• Timely information about Title I programs.</li> <li>• School performance reports; including school curriculum and common core state standards.</li> <li>• Student’s assessment results.</li> <li>• Description and explanation of the curriculum used at the school and the types of academic assessment used to measure student progress.</li> <li>• Additional opportunities for parents to offer suggestions and to participate in decisions relating to the education of their children.</li> </ul> </li> <li>5. If the schoolwide program plan is not satisfactory to the parents of children in the school, submit any parent comments on the plan when the school makes the plan available to the district.</li> </ol>			
KRS 160.345(2)(h)	RD	<p>Principal Selection:</p> <p>If the vacancy is the school’s principal, the school council must receive training in principal selection prior to the selection process. The superintendent (or designee) serves as the chair of the school council during principal selection.</p>			
KRS 160.345(2)(f)	RD	<p>Number of personnel in each job classification:</p> <p>The process for determining the number of positions for each job classification (e.g., the number of English teachers, number of 5th-grade teachers.) The council must look only at positions and not the personnel that occupy the position at any given time.</p>			
KRS 160.345(2)(g)	RD	<p>Determining textbooks, instructional materials, and student support services:</p> <p>The process for determining how funds for textbooks and/or instructional materials will be spent. The process for determining the types of student support services that will be included during the instructional day or that will</p>			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
		be funded by school funds (e.g., ESS, guidance classes, in-school extension courses such as 4-H).			
KRS 160.345(3)(a)	RD	School budget and administration: The local board must have a policy for schools and school councils addressing the use of discretionary, activity and other school funds, as well as a procedure for other funds and the authorizing agent for reimbursement. The school council may have a policy for the use of its school funds.			
KRS 160.345(2)(j)	RD	Each school council shall annually review data as shown on state and local student assessments and program assessment required under KRS 158.6453. After the required review, the school council shall include families, faculty and staff from the school in developing and adopting a comprehensive school improvement plan that will establish specific targets for closing all achievement gaps identified in the school.			
KRS 160.345(3)(d) KRS 160.345(8) KRS 158.060(4)	RD	Professional development plans: Should be aligned with professional development needed for staff members to implement the activities in the school improvement plan, including programs requiring the participation of every teacher. Teachers should be allowed non-teaching time to allow for professional growth activities.			
KRS 160.345(4)	RD	Any other authority granted by the local board of education: The local board of education may grant decision-making authority where permitted by law.			
KRS 158.031	RD	Configuration of flexible grouping for academics, including but not limited to multi-age and multi-ability groupings for students, cooperative learning, discovery learning, and themes and projects that allow continuous progress through the school for each child.			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
KRS 158.031(4)	RD	Primary Program: Determine the organization of its ungraded primary program including the extent to which multiage groups are necessary to implement the critical attributes based on the critical attributes and meeting individual student needs.			
KRS 160.345(3)(b)	RD	Assessment of individual student progress: Including the reporting of data and the progress reporting format to be used by the teachers and staff in the school. The school council may adopt a policy setting guidelines for reviewing school data as part of goal setting.			
KRS 160.345(3)(c)	RD	School improvement planning process: School and district improvement plan formats are determined by board guidelines and policy. The school council determines the goals and strategies to reach school goals within the planning process			
KRS 158.181	RD	Religious liberty for students: A safe harbor exists for schools desiring to avoid litigation and to allow the free speech and religious liberty rights of students to the extent permissible under the establishment clause.			
KRS 160.345(2)(a)	RBL	Membership of the council: The composition of a school council includes one principal, two parents and three teachers. The composition may increase proportionately. Any vacancies that occur during the term must be filled using the same procedures. The principal serves as the chair of the school council unless the school has an alternative model on file with KDE.			
KRS 160.347	RBL	Removal of school council members: Must follow procedures outlined in statute.			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
KRS 160.345(2)(b)1	RBL	Length of council terms: Teacher and parent representatives are elected for one-year terms. The school council, in its bylaws, may adopt a policy setting different terms beginning with subsequent elections.			
KRS 160.345(2)(b)2	RBL	Election of minority parent/teacher representatives: Schools that have more than eight percent minority student population must have a minority representative on the school council. If needed, the principal conducts the election of a minority teacher and parent representative.			
KRS 160.345(2)(d)	RBL	Meeting frequency & agenda: Council and committee meetings; times should facilitate participation for all stakeholders.			
KRS 160.345(2)(e) KRS 61.810	RBL	Open meetings: <ul style="list-style-type: none"> <li>• regular meeting schedule (time, place and how advertised)</li> <li>• special-called meetings</li> <li>• closed session</li> </ul>			
KRS 160.345(3)(h)	RBL	Requirements for recordkeeping: School councils are required as a public entity to keep accurate records according to the records retention schedule.			
KRS 160.345(3)(i)	RBL	A process for appealing a decision: The school council must have procedure for any stakeholder to appeal a decision made by a school council.			
KRS 160.345(6)	RBL	Mandated training for all school council members: <ul style="list-style-type: none"> <li>• New members must have six hours of new member council training.</li> <li>• Experienced members must have three hours of experienced member council training.</li> </ul>			

Statute/Regulation	Status	Topic	Present and Updated	Needs Revision	Policy Needed
Best Practice	RBL	School Council membership duties: If membership duties are outlined in bylaws, they must be consistent with SBDM statutes and regulations and be fair and reasonable.			
Best Practice	RBL	Amendments: If amendment procedures are outlined in bylaws, they must be considered fair and reasonable.			



## APPENDIX F: OPEN MEETINGS' FREQUENTLY ASKED QUESTIONS

### 1. What are the requirements for regularly scheduled school council meetings?

All school councils must adhere to all open meeting requirements which state:

- Each agency sets its own regular meeting schedule.
- The schedule must list the dates, times and places of the regular meetings.
- The schedule must be available to the public.

### 2. Does the open meetings statute apply to school councils and committees?

Kentucky's open meetings statute protects the general public's right of awareness to public agency actions. Therefore, this statute applies to school councils and their committees. The open meetings statute applies whenever a majority is present and public business is discussed even if no action taken.

### 3. When is a closed session of the school council allowed?

A closed session is allowed to discuss actual or potential litigation, to discuss candidates during consultation or principal selection or to discuss items where state or federal law specifically requires privacy, such as the adoption of school emergency plans. A school council may not go into closed session for any other reason. All other business of the council must be held in open session.

Certain procedures should be followed when entering closed session. The school council must always start in open session, giving notice and rationale for entering closed session. A motion must be made, seconded and approved to enter into closed session. While in closed session, no action may be taken. The topic may be discussed thoroughly, and the council members' positions may be determined via this discussion; however, no decisions shall be made in closed session. In closed session, no subject may be discussed other than the ones publicly announced prior to convening the closed session. Minutes should not be taken during closed session. The council must reconvene to open session to make a decision. Any action taken must occur during the open meeting. A formal motion, second and action must be recorded in the minutes and made available to the public.

### 4. What are the requirements for special meetings?

Occasionally, special meetings of the school council are necessary and may be called following these procedures:

1. The chairman or a majority of council members can call a special meeting that is not on the regular schedule.
2. Written notice must state the date, time, place and agenda for the special meeting.

3. The written notice must be sent to all school council members by fax, mail or hand delivery 24 hours in advance, as well as posted at the school and sent to media if they have requested to receive it.

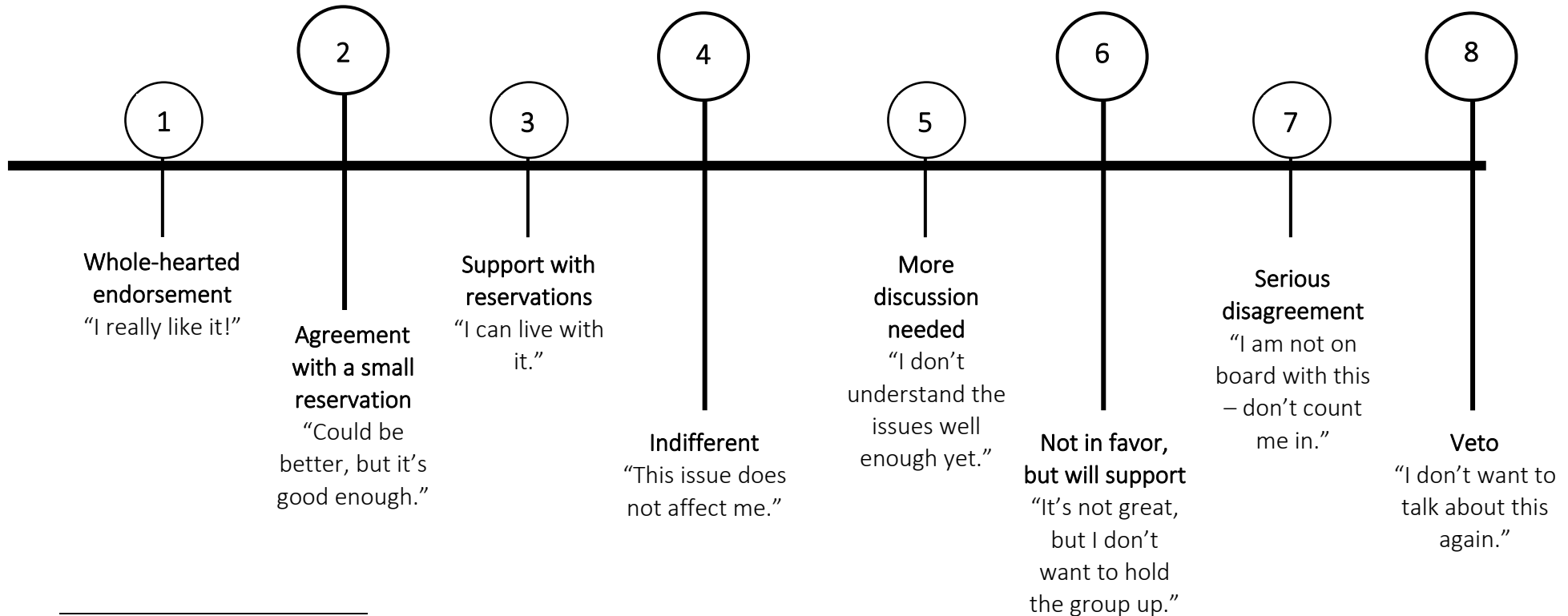
5. **Do meeting agendas require a time for public comments?**

No, having a public comment time is not a required activity for school council meetings. Having a public comment time on the agenda is at the discretion of the school council.

From the Office of the Attorney General (95-OMD-99): *“It is the decision of the Attorney General that the provisions of the Open Meetings Act do not guarantee a person attending a public meeting the right to address the public agency during the course of the meeting.”*

## APPENDIX G: SCHOOL-BASED DECISION MAKING (SBDM) COUNCILS AND CONSENSUS: GRADIENTS OF AGREEMENT<sup>1</sup>

School-based Decision Making (SBDM) councils are charged with making decisions that often require reaching consensus or a *general agreement* necessary for the group to move forward. While on the surface consensus seems simple enough; however, reaching an agreement is not always black or white or as easy as a *yes* or *no* or *thumbs up* or *thumbs down*. Instead there are varying *gradients of agreement*. The tool below, which was developed by Sam Kaner et al, includes eight levels of agreement ranging from whole-hearted endorsement to an absolute veto. Definitions for each level is included beneath each option:



<sup>1</sup> [Gradients of Agreement can help move groups forward](#). Michigan State University. Web. 19 Nov. 2018.

## APPENDIX H: SCHOOL COUNCIL TRAINING FREQUENTLY ASKED QUESTIONS

1. **What annual training is required of school council members?**

School council members elected for the first time must complete a minimum of six hours of training in the process and implementation of SBDM. Members who have served on a council for at least one year must complete a minimum of three hours of training.

2. **When should school districts submit SBDM training verifications?**

School districts are required to submit to KDE required training verification for each school council member by Nov. 1 of each year.

3. **Who can conduct school council member trainings?**

Trainers endorsed by KDE must conduct school council training.

4. **Can a teacher representative on a school council include the mandatory SBDM training as part of the required professional development hours?**

Yes, school council training can be included as part of the district's professional development requirement [KRS 156.095(3)(c)].

5. **Can an SBDM member fulfill the training requirement with an online course?**

School council members, as well as other shareholders, have access to online SBDM training provided through Kentucky Educational Television. Sessions are available for both new and experienced members.

6. **What training documentation must be submitted to KDE?**

No training documentation must be submitted to KDE. The verification data entry is sufficient. SBDM coordinators need to keep the training sign-in sheets for at least one year.

7. **I'm having technical issues with the online course. Who can I contact for assistance?**

Kentucky Educational Television (KET) conducts the online courses. For technical assistance, you will need to contact KET at (859) 258-7271 or at [education@ket.org](mailto:education@ket.org) (education services) or (859) 258-7259 or at [viewerservices@ket.org](mailto:viewerservices@ket.org) (TV and online services).

## APPENDIX I: COUNCIL ELECTIONS' FREQUENTLY ASKED QUESTIONS

1. **What is considered majority of teachers if there is an odd number of teachers?**

If there is an odd number of teachers that are eligible to vote at the school (i.e., 69 teachers), majority will be more than half. In this instance, half of 69 is 34.5 so to win the election, a teacher would need to receive at least 35 votes because 35 is more than half.

2. **What are the guidelines for absentee balloting?**

Teachers and parents may establish absentee balloting procedures. As a note, the Kentucky Board of Elections **does not** recognize telephone, email or fax as an official method of voting. Voting must be done **in person**.

3. **What about our school council's bylaws on elections?**

KDE, as well as the Office of Education Accountability (OEA), recommend that school councils **remove election procedures** for teachers and parents from their bylaws. Teachers and parents should establish their own written election procedures.

4. **What is the principal's role in elections?**

Other than conducting the additional election for the minority teacher and parent representative in the event the school is required to conduct such an election, principals are not given a role by statute in school council elections. Principals can assist the teachers or parents, if requested to do so, with logistics (e.g., opening the building, providing space in the building, assisting parents and/or teachers with communicating election meeting times and dates). Principals should not be involved in setting or monitoring election procedures, nominations, balloting or counting votes.

5. **What election documentation should be retained and why?**

Ballots and any other documentation must be retained from the election in case of the event of a challenge to the election. In the event that multiple balloting attempts were required, all ballots must be kept separate. Documentation of the election should be submitted to the principal following the election and should be stored in a secure location. The principal is the custodian of records for the school and must keep the official records from the parent and teacher elections for at least three years.

6. **How long is a school council members' term of service once elected?**

SBDM council teacher and parent members are elected to one-year terms. However, a school council, once elected, may adopt an operating procedure or bylaw establishing terms of service for parent and teacher representatives subsequently elected. The new terms will not apply to the council that establishes them. [KRS 160.345(2)(b)1]

7. **What is the definition of relative?**

A relative, as defined in statute, includes father, mother, brother, sister, husband, wife, son, and daughter.

**8. Who is eligible to run for teacher council representative?**

All certified staff, as defined by the Educational Professional Standards Board (EPSB), assigned to the school for payroll purposes, including itinerant teachers, part-time teachers, counselors and library media specialists, are eligible to serve as a teacher representative on the school council and to vote in a council election.

A curriculum coach/instructional coach may be considered a teacher for the purpose of SBDM as long as he or she does not have administrative powers or duties (ex: duties or roles pertaining to evaluating other teachers.). This determination is made at the district level.

**9. What if a non-tenured teacher is elected to the school council?**

A non-tenured teacher, one who has not been guaranteed a position for the next school year, may be nominated and run for school council. If the teacher is elected, that does not guarantee him or her a teaching position for the next school year. Depending on the terms of the council service, any teacher that is not employed after June 30, the end of most limited teachers' contracts, that teacher is no longer an employee in the school. This will place a vacancy on the council.

**10. Can a teacher who also has a child enrolled at the school in which they serve run for school council?**

A teacher who has a child as a student at the school where he or she teaches may only serve as a teacher representative on the school council and not as a parent representative.

**11. Can teachers who are retiring and/or transferring schools vote in school council elections?**

A teacher who is retiring and/or transferring schools at the end of the school year can vote in teacher elections. Any teacher employed at the school on the day of the elections may vote in those elections.

**12. Can a teacher on a leave of absence vote in school council elections?**

While a teacher is on a leave of absence, the teacher is considered a school district employee and is not eligible to participate in school council elections. A teacher on a leave of absence would not be assigned to a particular position or school and therefore would not be included in the total number of staff assigned to the building for the purpose of electing a teacher representative.

\*A council member that is on maternity leave can still vote and participate in SBDM council meetings during her maternity leave.

**13. Who is eligible to run for parent school council representative?**

To be eligible to serve on the school council, parent candidates must have a student enrolled or preregistered to attend the school for the year he or she will be serving on

the school council. The candidate must be a parent, stepparent, foster parent or a person who has legal custody of a student pursuant to a court order **and** with whom the student resides. The candidate cannot be an employee of the school in which he or she serves or be a local board member or the spouse of a board member. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices.

If a parent is a bus driver or substitute teacher within the district, he or she may continue to serve the district in that capacity while running for school council. If the parent is elected to the school council, he or she may not work in the school where he or she serves as the parent representative on the council.

**14. Can a parent volunteer in the school serve as a parent representative on the school council?**

If the parent is a volunteer in the school, he or she may serve on the school council as a parent representative. If the parent is paid for volunteering, even if it is a one-time stipend, he or she is considered an employee and may not serve as parent representative at the school.

**15. Can both parents serve as parent representatives on a school council?**

Both parents may serve as parent representatives on the same school council.

**16. What is the definition of *minority*?**

A minority is defined as American Indian; Alaskan native; African-American; Hispanic, including people of Mexican, Puerto Rican, Cuban and Central American or South American origin; Pacific Islander; or other ethnic group underrepresented in the school. [KRS 160.345(1)(a)]

**17. How does KDE determine if a school council needs minority representation?**

Minority representation is determined by the data reported to KDE as part of the Superintendents Annual Attendance Report (SAAR). The data from this document is calculated for the purpose of determining the number of minority and the official count of students enrolled in a school. However, a district may calculate and determine minority percentage using other verified data sources, including Infinite Campus. If a district chooses this route to determine minority percentages, it is required to keep all documentation of the calculation in the SBDM office for five years.

**18. Who conducts the election for additional minority members?**

The principal is responsible for conducting elections for additional minority members. The statute gives specific guidance to the principal about how to do the special elections for an additional parent and teacher representative.

**19. What if I have a minority child, but I am a non-minority parent?**

The candidate who wishes to be elected to the school council as a minority representative on the school council must be the minority.

**20. When must a school have an election for minority representatives?**

If a school has 8 percent or more minority enrollment, the school must have minority representation on the school council. If a minority member is elected to the council in the initial parent or teacher elections or if the principal is a minority, then the council is not required to elect additional minority members. Otherwise, additional elections to select a minority parent and a minority teacher must be held.

An election for minority representation will result in an increase from six members to eight on a single council. This does not require an alternative model application to be filed.

**21. What if only one minority teacher is employed in a school?**

Teachers in the building must select one minority teacher to serve on the council. The minority council member may remain on the council until the next election. If the only minority teacher is unavailable or unwilling to serve on the council, the position is listed as vacant.

**22. What if no minority teachers are members of the school staff in a school with 8 percent or more minority student population?**

An additional faculty member shall be elected by a majority of all the teachers per statute.



## APPENDIX J: PERSONNEL AND STAFFING ALLOCATIONS' FREQUENTLY ASKED QUESTIONS

### 1. What is consultation?

Some of the most important decisions that a school council will make or consider relate to issues about personnel. Any personnel decision, outside of selecting a principal, must be consulted with the council. Consultation is by definition a time to seek advice and information. Selection of personnel by the principal is completed after consultation with the council.

Consultation is a required policy for school councils. This policy should address how and when consultation will take place. Other items include timelines for personnel selection, interview guidelines, a review of applications and a review of references. The consultation policy must also address situations where consultation can occur if a quorum of the council is unavailable.

### 2. What are the March 1 allocations?

School districts, by regulation, are required to provide school councils a tentative allocation of funds for the next budget year by March 1, with a final allocation by May 1, each year. These numbers may increase or decrease between March 1 and May 1 depending on final counts. The staffing allocation includes the number of positions the school will be given. These regulatory allocations include all certified and classified positions that are determined by the base funding formula which includes maximum class caps. Additionally, the allocation contains instructional and professional development funds for the school.

### 3. What is the maximum class size formula?

The maximum class size formula is set in Kentucky statute. Each school is allocated staff based on the following ratios:

- Primary: 24:1
- Grade 4: 28:1
- Grades 5-6: 29:1
- Grades 7-12: 31:1; however, a teacher cannot have more than 150 pupil hours in a day.
- Kindergarten instructional assistants: 24:1
- Instructional leader (principal)
- Library media specialist (may be shared between two or more schools)

### 4. Can a school council waive maximum class size?

Any school council can waive the maximum class size once it has received its staffing allocation from the district, which is based on the statutory class size formula. The term in statute, *except for those schools which have implemented School-based decision-making*, can be a bit confusing for school councils. The district funds positions; the school council determines the job classification for each of those positions.

Class cap size is most questioned when it refers to primary grades. Due to Kentucky's primary program statute, primary grades are considered ungraded. Allocations from a district are based on the premise of an ungraded program. If a council decides to have a graded program (i.e., kindergarten, grade 1, grade 2 and grade 3), then classes may appear to be over cap size when in reality they are not.

5. **What can the council decide and not decide about positions in the school?**

Once the number of positions is received from the district office, the school council determines the number of people to be employed in each job classification. The council should look at its student population changes and needs assessment each year to determine the number of spaces, not people in the position, needed in each job classification. Councils cannot recommend transfers or dismissals.

If the council determines that it does not need the total number of positions allocated by the district's staffing allocation formula, it may ask the district to redistribute those positions. In so, the district would distribute 95 percent of the average certified teacher's salary to the school in lieu of a certified position. The remainder of the money would revert to the district general fund for possible reallocation.

A council may also ask that the district using the school council allocation funds commonly referred as Section 6 monies create a position. If the council has the funds for a position, the district may grant the request.

6. **When can school councils interview for staff positions?**

The process for interviewing teacher candidates is established in the school council's consultation policy. The policy may establish a committee for this task or can complete the interviews themselves. The council (or a committee) can begin the interviewing process prior to the end of the 15-day posting. However, applications must be accepted through the 15-day period and a decision cannot be made until the posting has expired.

7. **Do school councils hire teachers?**

No, school councils are consulted concerning teacher vacancies. The principal selects the candidate to fill the teacher vacancy and the local district office completes the hiring process.

## APPENDIX K: PRINCIPAL SELECTION FREQUENTLY ASKED QUESTIONS

### 1. **What is the role of the school council in selecting a principal?**

Principal selection can be one of the most difficult tasks for a school council. The SBDM statute sets specific requirements for school councils.

- The outgoing principal cannot serve on the school council during the principal selection process.
- The superintendent or designee serves as the chairperson of the school council during the principal selection process and has full voting rights.
- The school council must have access to all qualified applicants for the principal position.
- If the principal has been removed from any position in the district, that person cannot be considered a candidate.
- The school council must receive specific principal selection training prior to beginning the principal selection process. The school council selects the trainer.
- The council may initiate an alternative principal selection process.

### 2. **What if a school council member (either a teacher or parent representative) applies for the principal vacancy?**

If a teacher or parent representative from a school council applies for a position of principal within the school, it is best practice that he or she resign from the council. If the council representative resigns, the appropriate constituency (i.e., teachers or parents) will have the opportunity to hold elections. If the council representative decides to remain on the school council, he or she must recuse himself or herself from the entire principal selection process, including the school council's discussions concerning the vacancy, review of the applications, interview questions and interview schedule.

### 3. **Does the position for an interim principal need to be posted for 15-days?**

Interim principals are temporary positions; therefore, it is not necessary to post for this position. However, board of education policies will need to be followed.

### 4. **Who selects an interim principal?**

Once the school council has asked for an interim principal, whether it is for a few weeks or the entire school year, the superintendent can appoint someone to that position.

### 5. **Our school council members begin their new terms on July 1. Who selects the principal if the process crosses both the outgoing school council and the new school council?**

If the posting ends prior to June 30, the outgoing school council will need to complete the selection process before its term ends on June 30. If the posting or the process continues on past July 1, the new school council will complete the selection process and select of the new principal.

6. **Can a superintendent who is serving as the chair of the school council during principal selection conduct the required principal selection training?**

No, as part of the school council for the purpose of principal selection, the superintendent must participate in the required training. Therefore, the school council, including the superintendent, must select another trainer.

7. **During school consolidation or reconfiguration, who selects the principal?**

If the local school district has an approved consolidation or reconfiguration plan approved and the school will be under operation with a new school name and school number, the superintendent selects the principal. If a principal vacancy occurs, and the plan for consolidation or reconfiguration includes the name of one of the schools (and the school number) remaining, then the school council of that school selects the principal.