

## Minority Councilmember Elections

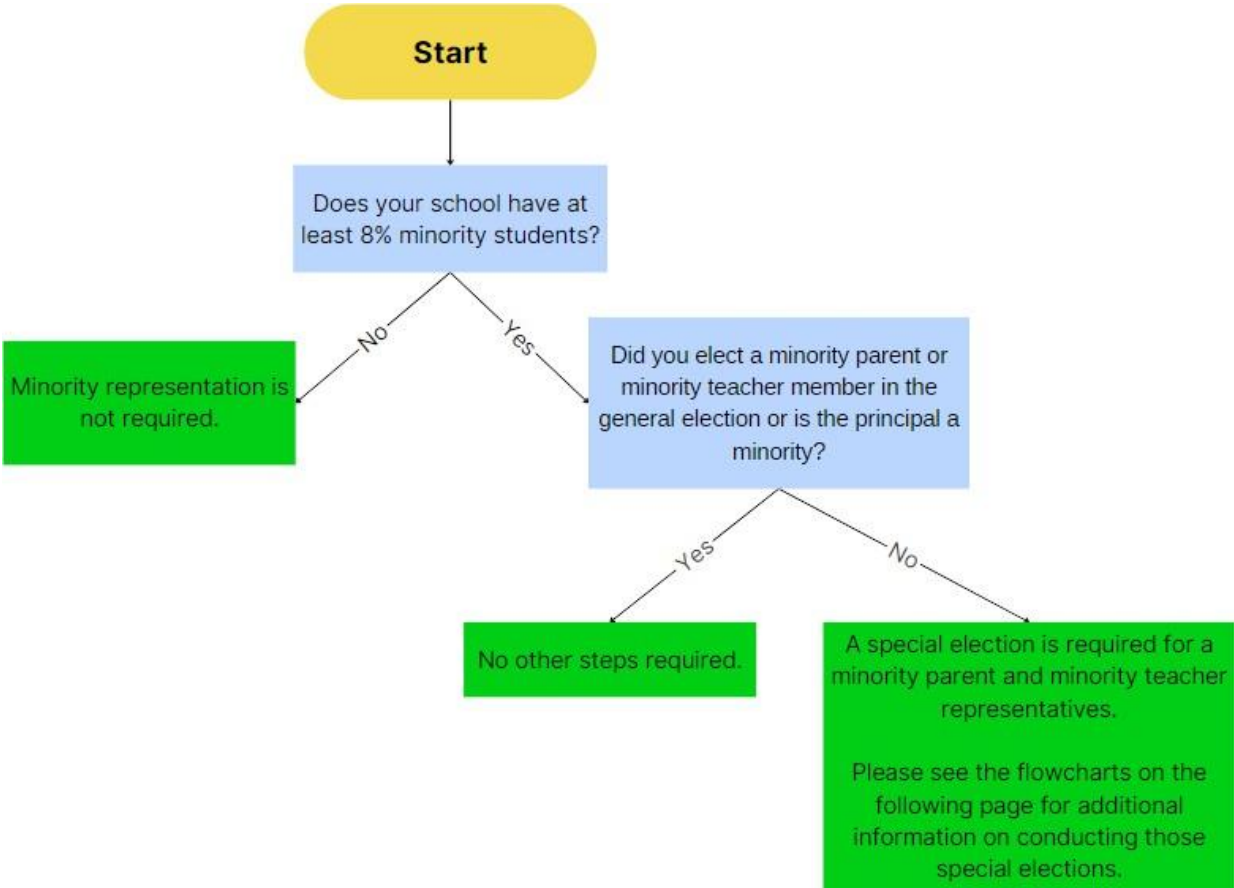
KRS 160.345(b)(2) requires schools with 8% or more enrolled minority students to have at least one minority councilmember. If, during the regular election cycle, a minority candidate is not elected to serve on the council, the principal must hold a special election for both a minority parent and minority teacher representatives.

This resource was designed to assist school-based decision making (SBDM) coordinators, trainers and principals as a quick reference guide to assist with this process. Additional information regarding elections, including the minority election process, can be found in the [SBDM Handbook](#).

### Eligibility and Flowcharts

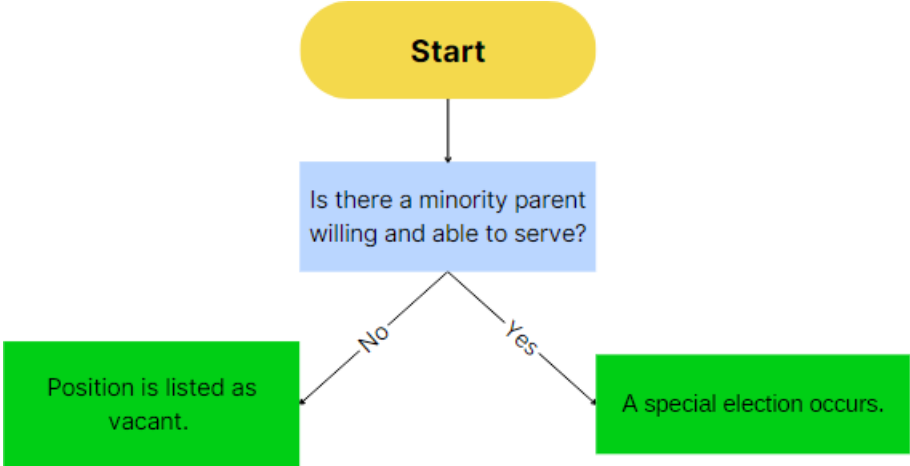
To determine whether a school meets the threshold of 8% or more enrolled minority students, a school must refer to the [Superintendents Annual Attendance Report \(SAAR\)](#), which captures the minority percentages for all eligible SBDM schools and is updated annually by Kentucky Department of Education (KDE) staff to reflect the most recent data available. Likewise, schools may defer to their internal Infinite Campus data from the preceding Oct. 1 to determine whether the school meets or exceeds the 8% threshold and whether a minority representative is required. If a school opts to use its on Infinite Campus data, documentation must be maintained for at least five years—especially if the percentages differ from those published by KDE.

To ensure the correct election processes are followed, please take advantage of the below flowchart to assist in the determination of whether minority representation is required on a school’s council.



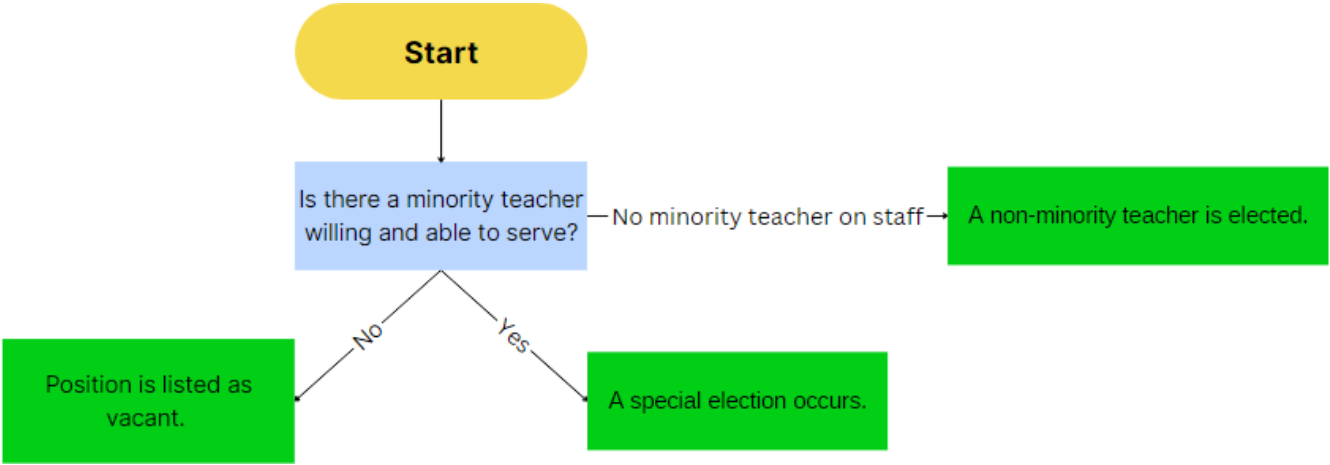
### Minority Parent Election

If during the regular election, no minority members are selected, principals must conduct a special election for all parents to elect a minority member. The principal must call for nominations and notify parents of the details of the election. If no minority parent is elected or able or willing to serve, the position should be listed as vacant in the SBDM Database (which is where the names of all SBDM councilmembers are reported annually).



### Minority Teacher Election

Principals, in a timely manner, are responsible for allowing the teachers in the building to elect one minority teacher to serve as a teacher member on council.



## Scenarios

There are several **sample scenarios** related to SBDM minority elections listed below and included are the proper steps that principals should follow when addressing those situations.

1. To prepare for the upcoming council's term, an SBDM coordinator reviewed the Infinite Campus minority enrollment data from the preceding Oct. 1 for Commonwealth Elementary School and discovered that it has 10.2% minority student population. He knows that the school will require minority representation, because the percentage is above 8%; however, after sharing this information with the principal, the principal plans to wait until after the general election before hosting a special election to determine whether a special election is actually needed. If a minority representative is not elected during the general election, then the school's principal plans to host a special election for both teacher and parent minority members.
2. Wildcat Middle requires minority representation, and a minority parent was elected during the general election. The council proceeded as a six-member council until December when the minority parent member needed to step down. As a result of the vacancy, the parent group followed its procedures for filling a vacancy. A minority parent was not elected during the election. As a result, and to ensure the school council fulfills the minority member requirement, the principal moved forward with a special election for both a teacher and parent minority member.
3. Your school requires minority representation. During the special election that was conducted after the general election, a parent wants to run for the minority parent vacancy. The parent has a child that meets the definition of KRS 160.345(1)(a); however, the parent does not meet the definition of minority as defined by statute. Although the parent member is a parent of a minority student, they would not be eligible for the minority parent position, because the parent is not a minority.

There are several **non-example scenarios** related to SBDM minority elections listed below and included are the improper steps that principals should follow when addressing those situations. Beneath each non-example is an explanation noting how this scenario was mishandled.

1. Big Red High School requires minority representation on their SBDM council. The principal looks at the nominees for the parent and teacher elections and notices none of them are minority nominees. Because he knows a minority representative will not be elected during the general election, the principal hosts a special and general election simultaneously.
  - a. The principal must wait until the general election is over before conducting a special election.
2. Colonel Middle requires minority representation and has one minority teacher on staff. Serving on the council does not align with his schedule, so he declines the nomination. A non-minority teacher states she would be willing to run for the minority position and serve as a representative of minority students.
  - a. All councilmembers serve to increase student achievement of all students, regardless of race or ethnicity of the student or councilmember. To serve as the minority representative on council, the councilmember must meet the statutory definition of minority. Because the teacher that offered to serve is not a minority as defined by statute, they would be unable to serve as the minority teacher representative and the position is to be considered vacant.
3. Cardinal Elementary has a bylaw that sets terms limits on its teacher representatives. The term limit states the teacher cannot serve more than three years in a row as the teacher representative on the council. Cardinal Elementary only has one minority teacher, and that teacher has been serving on

council for three years. The principal says that, because of the council's bylaws, the minority teacher is unable to serve on council for the upcoming school year.

- a. Term limits do not apply to a minority teacher councilmember who is the only minority on the school's faculty.

## Frequently Asked Questions (FAQs)

### 1. **For SBDM purposes, how is minority defined?**

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)).

### 2. **How does the Kentucky Department of Education (KDE) determine if a school council needs minority representation?**

Minority representation is determined by the data reported to the 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 students and the official count of students enrolled in a school. However, a district may calculate and determine minority percentages using another verified data source (Infinite Campus). If a school chooses to use its own data as indicated in Infinite Campus to determine minority percentages, the school must keep all documentation of the minority percentage calculation for five years.

### 3. **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 hold the special elections for an additional parent and teacher representative.

### 4. **When do principals host an election for minority representation?**

Minority elections are held only after the general election if no minority representative has been elected and the principal is not a minority.

### 5. **Is a non-minority parent eligible to serve in the minority role if they have a minority child?**

The candidate who wishes to be elected to the school council as a minority representative on the school council must meet the definition of minority.

### 6. **When must a school have an election for minority representatives?**

If a school has 8% 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.

### 7. **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 in the SBDM Database.

**8. What if no minority teachers are members of the school staff in a school with 8% or more minority student population?**

An additional faculty member must be elected by a majority of all the teachers per KRS 160.345.

**9. The minority position at my school has remained vacant for months. How long should the principal continue advertising the position?**

Any vacancy on council impacts quorum, so the principal is encouraged to continue advertising the vacancy until the position is filled.

**10. My school does not have 8% or more student minority; however, the council wishes to ensure that we have a diverse school-based decision making council. What steps can we take to ensure that our council membership has a diverse membership?**

A council may amend its membership bylaw to ensure it captures the diversity composition that the council deems appropriate for their school.