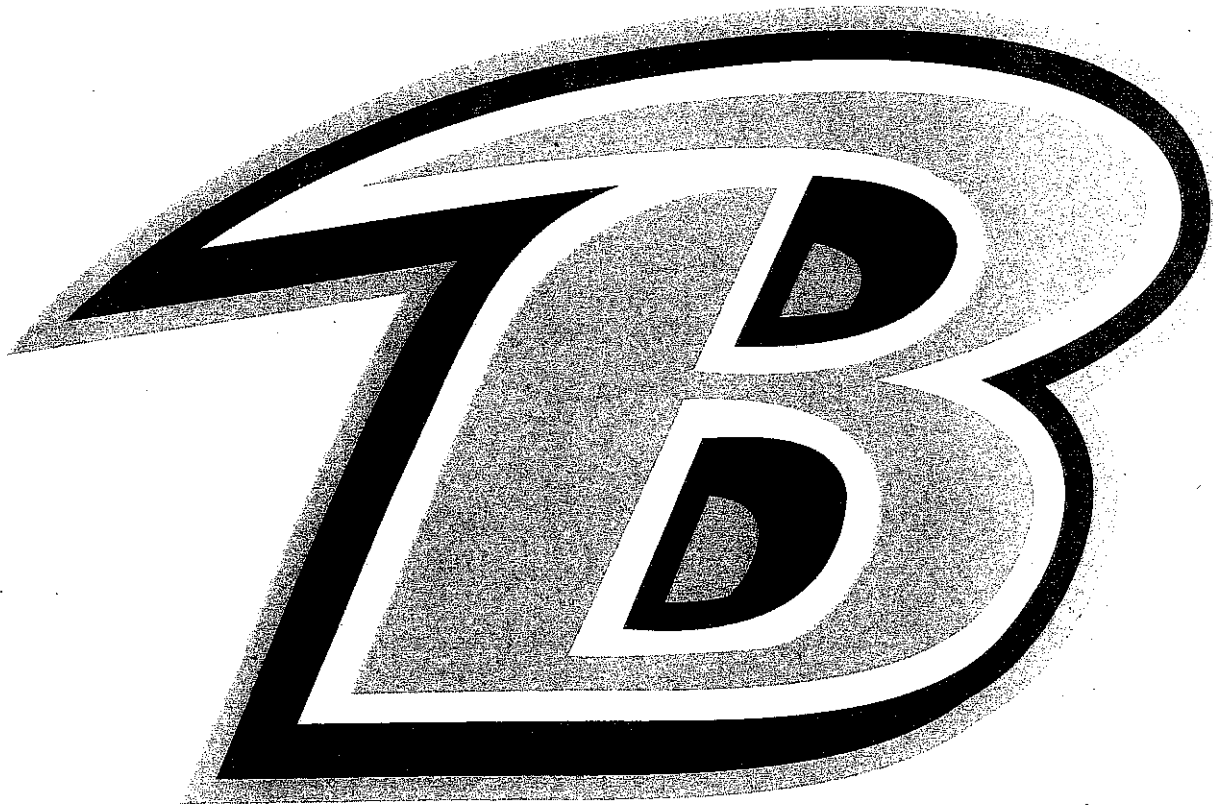


Boyle County High School



SBDM Bylaws

Boyle County High School strives to inspire and equip all students to be successful citizens through the self-disciplined pursuit of their unique abilities.

SBDM COUNCIL BYLAWS KIT

TABLE OF CONTENTS

Bylaws Inventory and Guidelines Checklist.....	Back Pocket
Introduction.....	1
Composition and Terms.....	3
Eligibility and Elections.....	3
Council Training.....	5
Standards of Conduct.....	6
Removal of Members.....	6
Meetings.....	7
Agendas.....	8
Records.....	9
Council Officers and Duties.....	9
Committees.....	10
Decision-Making.....	10
Attachments.....	13
Teacher Election Suggestions from KASC.....	15
Letter to be Notified by Email.....	17
Open Meetings Law Overview.....	19
Records Retention Schedule.....	21
Sample Principal Selection Policy.....	23
Sample Committees Policy.....	25
Sample Consultation Policy.....	31
Sample Board Policy on Appeals of Council Decisions.....	33
SBDM Law (KRS 160.345).....	35

COUNCIL BYLAWS



I. COMPOSITION AND TERMS

A. COMPOSITION OF THE COUNCIL

The council will consist of the principal, three teacher members, and two parent members. If the minority enrollment at the school was eight percent or higher on the October 1 preceding the start of a new council term, the council will also include at least one minority member.

B. TERMS

Terms of council members will be one year, beginning July 1 and ending June 30 of the following year. Teachers and parent council members are allowed to seek re-election to serve consecutive terms as long as they are eligible.

C. LEAVE OF ABSENCE

Leave of absence for a council member will not be granted.

II. ELIGIBILITY AND ELECTIONS

A. TEACHER ELECTIONS

- a. All certified teachers who work in the building are allowed to run for teacher council member and vote in the election.
- b. To be elected to the council, a teacher must meet the KRS 160.345(1) definition of a teacher: "any person for whom certification is required as a basis of employment in the public schools of the state with the exception of principals, assistant principals, and head teachers."
- c. Other than classroom teachers, eligible teachers include, for example, counselors, library media specialists, and other related arts teachers, whether assigned only to our school or serving as itinerant teachers.
- d. Teachers will be elected by a majority of teachers in an election conducted by teachers.
- e. Teachers in the building will write procedures for teacher elections and may choose to use the sample set of guidelines to formulate those procedures. (See Attachment A)
- f. Teachers in the building will elect teacher chairs to run the election.
- g. The elections will take place no later than May 30th.

B. PARENT ELECTIONS

1. Role of Parent-Teacher Organization

The school's largest parent-teacher organization will develop procedures for and conduct the election. If no parent-teacher organization exists, the largest group of parents formed for this purpose will run the election.

2. Parent Qualifications

A "parent" means a parent, stepparent, or foster parent. Guardians also qualify as parents if the student lives with them and they have a court order giving them legal custody. A parent council member will be the parent of a student pre-registered to attend the school during the parent's term of council service. Three groups of people may not serve on the council as parent representatives:

- a. Employees of Boyle County High School or their relatives (mother, father, brother, sister, son, daughter, husband, wife, aunt, uncle, son-in-law, or daughter-in-law).
- b. Employees in the district administrative offices or their relatives (mother, father, brother, sister, son, daughter, husband, wife, aunt, uncle, son-in-law, or daughter-in-law).
- c. Members of the Board of Education or their spouses.

3. Parent Elections

The parent elections will take place no later than this date: May 30th. The parents of all children pre-registered to attend the school during the next year may vote. The parent-teacher organization will determine how the election will be run. The principal will assist the parent-teacher organization in notifying parents of the election schedule. The parent-teacher organization will notify the current council of those elected not later than five school days after the election.

C. MINORITY REPRESENTATION

1. A minority parent and an additional teacher will be elected, if the council formed (including the principal) after both teacher and parent elections does not have a minority member, **and** the school had eight percent or greater enrollment of minority students as of the previous October 1.
2. Minority members must be 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.
3. The principal will be responsible for organizing the minority parent and teacher elections as follows:

PARENT ELECTION

- a. Following the general elections, if a minority member was not elected, the principal will organize a special election to elect a minority parent to the council.
- b. This election will be organized as soon as possible after the regular elections.
- c. The principal will notify all parents of the date, time, and location of the election. The notice will call for nominations of minority parents for the ballot.
- d. Minority parents for this ballot must meet the qualifications for parent members as outlined in subsection B above.
- e. At the election, parents may nominate additional minority candidates.
- f. The candidate receiving the most votes will be elected. In the event of a tie vote, a run-off will be held.

TEACHER ELECTION

- a. Following the general elections, if a minority member was not elected, the principal will call a meeting of all teachers in the building.
- b. This meeting will be called within **seven** school days after the regular elections.
- c. The teachers will elect one minority teacher to serve as an additional teacher member on the council.
- d. If there are no minority teachers who are members of the faculty an additional non-minority teacher will be elected.
- e. If there are minority teachers on the faculty, but they decline to serve, then no additional teacher will be elected.
- f. The election will be conducted using the procedures listed in subsection A of this section.

D. VACANCIES DURING A TERM OF OFFICE

1. Notice of Vacancy

When either a teacher or parent vacancy occurs in the middle of a term, a new member will be elected to complete that term. The principal will post a notice in the faculty workroom and in a place readily accessible to parents stating that there is a vacancy and including the text of this subsection of the bylaws. The principal will also communicate this information to the president of the parent-teacher organization. These steps will be taken within one school day after the principal learns of the vacancy.

2. Election to Fill a Teacher Member Vacancy

As soon as possible, after the announcement of the vacancy, the Teacher Election Chair(s) selected the previous spring, will use the procedures established to conduct a teacher election to fill the vacancy.

3. Election to Fill a Parent Member Vacancy

The president of the parent-teacher organization will call an election to be held as soon as possible after the vacancy occurs. The procedures described in subsection B of this section will be used.

4. Election to Replace a Minority Parent Member

The principal will implement the procedures described in subsection C of this section.

5. Election to Replace an Additional Teacher Member

The principal will implement the procedures described in subsection C of this section.

III. COUNCIL REQUIREMENTS

A. TRAINING FOR NEW MEMBERS

A member elected for the first time will complete a minimum of six hours of training in the process of school-based decision making no later than thirty (30) days after the start of his or her term. He or she can get that training any time between the date elected and the 30-day deadline. A person endorsed by the Kentucky Department of Education must provide this training.

B. TRAINING FOR EXPERIENCED MEMBERS

A member elected who has served on a council previously will complete at least three hours of training in the process of school-based decision making no later than one-hundred-twenty (120) days after the start of his or her term. This training may be obtained up to a year before the 120-day deadline. A person endorsed by the Kentucky Department of Education must provide this training. Experienced members may get training credit by attending any of the approved SBDM training workshops offered by endorsed trainers.

C. TRAINING FOR MID-YEAR VACANCIES

Members who are elected to fill a vacant position in the middle of the year will complete the required training no more than thirty(30) days after they are elected. A person endorsed by the Kentucky Department of Education must provide this training.

D. TRAINING REPORTING

By November 1st each year, the principal will ensure that names, addresses, and the training completed of each council member are reported to the Kentucky Department of Education.

E. BACKGROUND CHECK FOR PARENT MEMBERS

KRS 160.380(10) requires that parent school council representatives must submit to a criminal fingerprint background check by the Kentucky State Police and the Federal Bureau of Investigation. The results of the background check are sent to the school district superintendent.

F. YOUR DUTY UNDER THE LAW, AND MANAGING PUBLIC RECORDS

All council members will sign a form saying they have received and read the two documents: *Your Duty Under the Law*, and *Managing Public Records*.

G. PERMISSION LETTER TO RECEIVE EMAIL NOTIFICATION

Council members who choose to receive notification of special called meetings by email will sign a permission letter that will be kept in the school office. (See sample in Attachment B)

IV. STANDARDS OF CONDUCT

A. ATTENDANCE

Members of the council will attend all council meetings. If a member is unable to attend a meeting, he or she will notify the Chair of the Council. If a member is unable to attend on a consistent basis, the Chair of the Council will contact the member to consult and to discuss the possibility of resignation. A member who has three unexcused absences from council meetings will resign.

B. CONFLICT OF INTEREST

No one may serve on a school council who has a conflict of interest pursuant to KRS 45A [KRS 160.345(2)(a)]. A member who discovers a business or financial interest (not covered by KRS 45A), which may cause the appearance of impropriety, should refrain from participating in any discussions or decisions involving those interests.

C. ONGOING ELIGIBILITY

Any member who ceases to be eligible to serve on the council will resign.

D. IMPROPER MEETING

Council members will not meet to discuss council business in a group that constitutes a quorum without following the procedures for scheduling a meeting of the full council in accordance with the Open Meetings Law and described in Section VI of these bylaws.

E. INTENTIONAL INTERFERENCE WITH SCHOOL-BASED DECISION MAKING

No member of the council will intentionally engage in a pattern of practice which is detrimental to the successful implementation of or which circumvents the school-based decision making process.

V. REMOVAL OF MEMBERS

A member who violates the standards of conduct and does not submit a written letter of resignation to the council could be reprimanded or removed in one of the following ways:

A. COMMISSIONER'S RECOMMENDATION

The Commissioner of Education can recommend removal for immorality, misconduct in office, incompetence, and willful neglect of duty or nonfeasance. The local board of education then holds a hearing into the charges to decide whether removal is warranted.

B. OFFICE OF EDUCATION ACCOUNTABILITY

The Office of Education Accountability (OEA) can investigate claims of intentional interference with school-based decision-making. If the OEA cannot resolve the issue, it is forwarded to the Kentucky Board of Education, which holds a hearing to determine whether the charges are valid. The first time the Kentucky Board finds a person guilty of such interference, the person will receive a reprimand. The second time, the person can be removed from office.

VI. MEETINGS

A. ALL MEETINGS

1. Council meetings will comply with the requirements of the Open Meetings Law. (See Attachment C)
2. Council meetings will be open to the public unless the council goes into closed session under the provisions of the Open Meetings Law as outlined in subsection D of this section.

B. REGULAR MEETINGS

1. At the first council meeting on or after July 1st each year, the council will designate a regular meeting time and place.
2. The principal will post a copy of the regular meeting schedule in the teachers' workroom and in a place regularly accessible to parents. He or she will use any other methods deemed appropriate to make the schedule readily available to the public.

C. SPECIAL MEETINGS

1. Any meeting not at the regular meeting time or place is a special meeting.
2. A special meeting of the council may be called by the chairperson or by a majority of council members.
3. Any special meeting of the council will comply with the requirements of the Open Meetings Law; therefore, the following steps will be taken:
 - a. Written Notice The person or persons calling the meeting will prepare and sign a written notice that states the date, time, and place of the special meeting and an agenda for the meeting. Only issues listed on that agenda may be discussed at the special meeting. Items may be subtracted from that agenda before approval at the meeting but they cannot be added or revised.
 - b. Delivery Of Notice The person or persons calling the meeting will arrange for the written notice to be delivered to every council member and to any media organization that has made a written request to be notified of council meetings. The delivery can be made ONLY by hand, fax, US mail, or email. To receive email notification, a written request must be on file at the school. (See Attachment B) The notice will arrive at least 24 hours before the time set for the meeting. At the first meeting of each new term there will be an agenda item asking which members want to be notified about special meetings via email. The responses will be recorded in the minutes.
 - c. Posting Of Notice The notice will be posted conspicuously at the school, and also at the building where the meeting will be held if the meeting will not be held at the school. These copies will be posted as soon as possible after the meeting is called, but definitely no less than 24 hours before the meeting will be held.

D. CLOSED SESSIONS

The council may go into closed session only to discuss hiring personnel, the school's emergency plan, or actual or pending litigation. The following procedures will be followed to go into a closed session:

1. A motion will be made and a vote taken that the council go into closed session to discuss individual applicants for hiring under KRS 61.810(1)(f), or the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2), or litigation under KRS 61.810(1)(c). (See Attachment C)
2. The motion and results of the vote including the statute number allowing the closed session will be recorded in the council minutes.
3. People who have relevant or needed knowledge or information may be invited into a council closed session by a consensus of the council.
4. Only the topic announced in the open session motion may be discussed in the closed session.
5. No council action may be taken in a closed session.
6. The council will return to open session to make any decisions.
7. The decisions will be recorded in the council minutes.

E. PUBLIC INPUT

1. Every agenda will include a public comment item.
2. Public input may be informal with the chairperson calling on persons who wish to speak.
3. If more than several people wish to speak, the chairperson will have the option of setting time limits for speakers based on the time allotted for this item, the number wishing to speak, and any extra time left on the agenda; or if the agenda will run over, by consensus of the members present to continue.

VII. AGENDAS

A. AGENDA REQUESTS

Anyone may submit items for inclusion on the agenda to the chairperson. Items must be submitted no later than ten school days before a scheduled meeting.

B. PRELIMINARY AGENDA

The chairperson will prepare a preliminary agenda, marked as such, to be posted in the teacher's lounge and posted in a place readily accessible to all parents and distributed to all council members at least one (1) school day before each regularly scheduled council meeting. Each preliminary agenda will include the following items:

1. Opening Business
 - a. Approval of the Agenda
 - b. Approval of the minutes of the previous meeting
 - c. Good News Report(s)
 - d. Public Comment
2. School Improvement Planning Report
3. Budget Report
4. Program Review Report(s)
5. Other Committee Reports
6. Bylaw or Policy Report or Review
7. New Business
8. List of items submitted but not on the agenda and their disposition (as needed)

C. APPROVAL OF AGENDA

At the beginning of each regular council meeting, the council will approve an agenda for the meeting. Items on the preliminary agenda may be added, deleted, or modified at this time.

VIII. RECORDS

A. LIBRARY COPIES

At least one notebook of council records will be maintained by the council secretary and made available in the school library as part of normal library operations. This notebook will contain copies of the council bylaws, all council policies, council minutes for the current year, the current council budget, and the current School Improvement Plan.

B. OPEN RECORDS REQUESTS

The principal will be the official records custodian and will make the notebooks of council bylaws, policies, minutes, budgets, current SIP, and other council records available in response to written requests. A fee set by the Board of Education may be charged to cover copying costs other than staff time to make the copies in accord with the provisions of the Open Records Law. Persons who want copies of documents in the council binder will give the principal a written request.

C. OFFICE COPIES

All council records will be maintained in the school office in accordance with the State Archives Records Retention Schedule (725 KAR 1:030). (See Attachment D)

IX. COUNCIL OFFICERS AND DUTIES

A. CHAIRPERSON

The principal will serve as the chairperson of the council. The chairperson will preside at all council meetings and carry out all other specific council duties as assigned by these bylaws.

B. VICE-CHAIRPERSON

1. The vice-chairperson will be chosen by consensus from within the council membership.
2. The duties of the vice-chair will be to:
 - a. Preside over council meetings in the absence of the Chair.
 - b. Arrange training for the council on an agreed upon date/time in the event that a new principal must be hired including:
 - Calling a special meeting for the training on the agreed upon date/time
 - Inviting the superintendent (or designee) to attend the training
 - Ensuring that all council members, the superintendent (or designee), and the trainer have a copy of the Principal Selection Policy.
 - c. Become the liaison to the superintendent (or designee) when he/she becomes the chair of the council in the event that a new principal must be hired. (See Attachment E).

C. RECORDER

1. The chairperson of the council will appoint a recorder for the council. The recorder will not be a member of the council.
2. The duties of the recorder will be to:

- a. Take minutes at each council meeting that include an accurate record of all motions made and all decisions or actions taken. Maintain and up-date all documents in the public notebook in the library.
- b. Type, copy, and distribute the draft minutes, marked as such, to each member of the council and post a copy in the teacher's lounge and in a place readily accessible to all parents. This will be done within five school days after each meeting.
- c. Make copies of the final approved minutes for the notebooks in the library and the office and send copies to all council members, the president of the parent-teacher organization, and the superintendent. This will be done within five school days following the meeting at which the minutes were approved.

X. COMMITTEES

A. USE OF COMMITTEES

Committees will be used to support and to accomplish tasks of the council.

B. COMMITTEES POLICY

The council will adopt a committee policy to facilitate the participation of interested persons. As required by SBDM law, the policy will include the number of committees, their jurisdiction, their composition, and the process for membership selection. (See Attachment F)

XI. DECISION-MAKING

A. QUORUM

A majority (more than half) of the members, including at least one parent member, will constitute a quorum. A quorum must be present for the council to take action.

B. VISION & MISSION

Student needs and the school's vision, as well as the overall mission of specific programs will guide decision-making. When possible, decisions will be based on applicable data. When making decisions, the council will give priority to improvement plan goals and strategies.

C. COUNCIL RESPONSIBILITIES

The council will make no decisions on issues that are not under their jurisdiction by law. The following issues are under the purview of the School-Based Decision Making Council:

1. School Improvement Planning
2. School Safety Plan
3. Ungraded Primary Program (Elementary)
4. Assessment Data Analysis, including results of Program Reviews
5. Achievement Gap Targets
6. Professional Development
7. Spending on textbooks, instructional materials, student support, and staff (including determination of the number of persons to be employed in each job classification)
8. Consultation before the principal selects people to be hired (See Attachment G)
9. Selection of a new principal (See Attachment E)
10. Adopting policies in the following areas: (See SBDM Policy Manual)
 - a. Alignment with State Standards
 - b. College-Level Courses (Secondary)
 - c. Committees
 - d. Consultation
 - e. Curriculum
 - f. Discipline, Classroom Management and School Safety

- g. Emergency Plan
- h. Enhancing Student Achievement
- i. Extracurricular Programs
- j. Instructional and Non-Instructional Staff Time Assignment
- k. Instructional Practices
- l. Parent Engagement (Title 1 Schools)
- m. Program Appraisal
- n. School Day and Week Schedule
- o. School Space Use
- p. Student Assignment
- q. Technology Use
- r. Wellness (Primary to Grade 5)
- s. Writing
- t. OTHER: Policies not required by law but considered best practice and/or recommended by the local district. Following are activities in which councils should not be involved:
 - 1. Run the school on a day-to-day basis
 - 2. Break state/federal laws, risk lawsuits, or break contracts
 - 3. Risk health or safety of students or staff
 - 4. Spend money they don't have
 - 5. Make decisions outside the areas of responsibility listed above

D. CONSENSUS

1. The council will operate by consensus decision-making using the following procedures:
 - a. Only decisions that have an immediate deadline or will have very limited impact on the school will be made without a committee recommendation.
 - b. All council members who choose to do so will be given a chance for input on issues requiring a consensus decision.
 - c. If council input and discussion reveal significant concerns or ambiguities related to an issue, the council's normal practice will be to give or return the issue to a committee for further work. Exceptions may be made for urgent timelines or pressing concerns.
2. After council input and discussion, any member may make a motion to accept a proposal. If the proposal being considered is in writing, the motion may be made verbally. If the proposal has not been presented in writing or the member making the motion wants to propose one or more amendments, he or she will write down the motion, read it to the council, and hand the written motion to the recorder for inclusion in the minutes.
3. The chair will then ask if there is further discussion.
4. When that discussion is complete, the chair will test for consensus by asking if there is consensus for approval of the motion. Any member who is not willing to support the motion is obligated to say so at this time. Members who support the motion will indicate by word or other sign that they believe there is now a consensus.
5. If no member states unwillingness to support, the chair will direct the recorder to record that consensus has been reached and the motion has passed.

E. CONSENSUS FAILURE

1. Council voting will be done only when the council must have a decision, consensus has failed, and one or more of the following conditions exist:
 - a. When the council will otherwise be unable to meet a legal deadline by which the council is required to have made a decision, or
 - b. When the council has failed to reach consensus at a second meeting for that purpose.

2. At the first meeting where an issue is discussed, if the chair tests for consensus but consensus is not reached, the council may postpone further consideration until the next meeting or continue to discuss the issue. After testing for consensus on a proposal three times in one meeting, the chair may direct that the proposal be taken up again at the next meeting unless one of the conditions for voting applies.
3. If the council takes up an issue at a second meeting and is still unable to reach consensus, the council will consider alternative steps, including but not limited to:
 - a. Asking a committee to bring the council a new proposal on the issue.
 - b. Doing nothing and dropping the issue.
 - c. Voting.

F. ADOPTION OF POLICIES

1. Policies are defined as written documents that establish rules, procedures, guidelines, standards, or principles to guide decision-making in various situations.
2. To be officially adopted, a policy will have a reading at two different council meetings.
3. Adopted policies are binding until the council amends them.

G. BYLAWS AMENDMENT

The council may amend these bylaws as needed. All motions to amend the bylaws of the council will be submitted in writing. No decision on a motion to amend the bylaws will be made until after the topic has been on the agenda for two meetings and has had two readings.

H. APPEALS OF COUNCIL DECISIONS

The District Board of Education has established a process of appeals of council decisions. (See Attachment H)

XII. ATTACHMENTS

- A. TEACHER ELECTION SUGGESTIONS**
- B. PERMISSION LETTER TO RECEIVE EMAIL NOTIFICATION**
- C. OPEN MEETINGS LAW OVERVIEW**
- D. RECORDS RETENTION SCHEDULE**
- E. PRINCIPAL SELECTION POLICY**
- F. COMMITTEES POLICY**
- G. CONSULTATION POLICY**
- H. BOARD POLICY ON APPEALS OF COUNCIL DECISIONS**
- I. KRS 160.345 (SCHOOL-BASED DECISION MAKING LAW)**



Suggestions for Teacher Elections

(Attachment A)

Teacher representatives to the council are elected by the teachers, following election procedures set by the teachers. Here is a set of steps which **can be adapted to fit individual schools**.

STEP 1: TEACHER ELECTION CHAIRS



At the March faculty meeting, the teachers present should select two Teacher Election Chairs from among the teachers who do not intend to run for the council that year. Teachers should be told that the selected chairs will be totally responsible for running the election and that the election must be held by May 1st. The current teacher council members should give the names of the teachers selected to be Election Chairs to the council no later than the April council meeting. The names should be recorded in the minutes.

STEP 2: PREPARING FOR THE ELECTION



- a. The Election Chairs should notify the teachers that by April 1st any teacher who is willing and able to run should give them a signed letter of intent simply saying they want to run.

The notice *should* include the deadline for turning in the letter of intent, and *could* include the following information:

- By law, teacher council members must hold a position at the school that requires a state certificate but not the position of principal, assistant principal, or head teacher, and they must be elected by a majority of the teachers.
- A teacher who has never served on a council before will be considered a new member and must obtain 6 hours of training no later than 30 days after the start of his or her term.
- A teacher who has previously served on any school council will be considered an experienced member and must receive 3 hours of training no later than 120 days after the start of his or her term.
- Elected council members should plan to attend all regularly scheduled council meetings as well as any special called meetings.

Teacher Election Suggestions (continued)

- b. The Election Chairs should set the date, time, and place for the election as soon as possible to give teachers ample notice. The Election Chairs should notify teachers of the upcoming election and post signs to remind them of the particulars. For example, a sign could read:

Notification of Elections for SBDM Teacher Representatives. The election will be held on *(date)* at *(time)* in the *(place)*.

- c. At least five school days before the scheduled election, the Election Chairs should prepare a sample ballot that includes the following:
- The date, time, and place of the election.
 - An alphabetical list of the teachers who are running for election.
 - A reminder that attendance by everyone is important since a teacher must have a majority vote of the teachers in the school to be elected.

STEP 3: THE ELECTION



- a. Each teacher who comes to the election meeting should be given a ballot listing the same names as those on the sample ballot. They should be told the election rules (see b and c below). The teachers should be told to vote for no more than the number of seats that are vacant.
- b. The Election Chairs should collect the ballots and count them in the room, announcing the results before the teachers adjourn. Any person receiving a majority vote on this ballot will serve as a council member in the coming year.
- c. If not enough candidates receive majority votes then a run-off election should be held to fill the remaining council seats. This should be done during this same election meeting. The Election Chairs should remove from the ballot the name of any person already elected with a majority vote and using the amended ballot the teachers should vote again. If, after the next vote, not enough candidates receive majority votes then the name of the person who received the fewest votes should be removed from the ballot and, using this amended ballot, the teachers should vote again for the number of persons needed to fill the remaining vacancies. Any person receiving a majority of votes should be deemed elected. This process of removing the bottom vote-getter should be repeated as many times as necessary to elect candidates by majority to all open positions.

STEP 4: THE LAST STEP



A good relationship-building idea is for the Teacher Election Chairs to invite the new council members to attend the May council meeting to be introduced.

Note: Any person who is certified for their position in a public school in Kentucky can vote in the teacher elections with the exception of principals, assistant principals and head teachers.

TEACHER ELECTION POLICY

(Adopted June 2013)

In accordance with KRS.345 a school council, once elected, may adopt a policy setting different terms of office for parent and teacher representatives subsequently elected.

Policy: To ensure continuity for the BCHS site base council, the following was created: (6/2013)

Beginning in 2014-15: -1 current teacher representative will serve an additional one year term
-2 teacher representatives will be elected to a two year term

Beginning in 2015-16: -All teacher representatives will serve a two year term

In May of odd years, 1 teacher representative will be elected. In May of even years, 2 teacher representatives will be elected.

All parent representatives shall be elected for one year terms. This policy shall not limit the number of times a member may be re-elected.

Permission to be Notified by Email
Attachment B

<Date>

Dear Council Secretary and Council Chairperson,

Kentucky law allows public agencies to use email notification for special meetings, please notify me by email of special meetings for the <insert school name> School Council.

You can use this email address:

<insert email address>

If you have any questions, please feel free to contact me at <insert preferred phone contact>.

Thank you,

<Insert your signature>

.....

Kentucky Revised Statute 61.823
(excerpt with related language about email in bold-underline)

Section 1.

- (3) The public agency shall provide written notice of the special meeting. The notice shall consist of the date, time, and place of the special meeting and the agenda. Discussions and action at the meeting shall be limited to items listed on the agenda in the notice.
- (4) (a) As soon as possible, written notice shall be delivered personally, transmitted by facsimile machine, or mailed to every member of the public agency as well as each media organization which has filed a written request, including a mailing address, to receive notice of special meetings. The notice shall be calculated so that it shall be received at least twenty-four (24) hours before the special meeting. The public agency may periodically, but no more often than once in a calendar year, inform media organizations that they will have to submit a new written request or no longer receive written notice of special meetings until a new written request is filed.
- (b) **A public agency may satisfy the requirements of paragraph (a) of this subsection by transmitting the written notice by electronic mail to public agency members and media organizations that have filed a written request with the public agency indicating their preference to receive electronic mail notification in lieu of notice by personal delivery, facsimile machine, or mail. The written request shall include the electronic mail address or addresses of the agency member or media organization.**

KASC OPEN MEETINGS LAW BASICS

Attachment C

Kentucky's Open Meetings Law protects the right of the general public to know what public agencies are doing.
It applies to councils and their committees.

THE OPEN MEETINGS LAW APPLIES TO EVERY PUBLIC AGENCY, INCLUDING:

1. Bodies created pursuant to statute (councils and maybe committees).
2. Entities appointed by public agencies (definitely committees).
3. A variety of other types of entities.

THE OPEN MEETINGS LAW APPLIES WHENEVER:

4. A majority is present.
5. Public business is discussed (even if no action taken).

REGULAR MEETINGS:

1. are held at dates and times on a regular meeting schedule.
2. are listed on a regular meeting schedule that is "available to the public." (There are many ways to make the schedule available.)

SPECIAL MEETINGS:

1. are held at dates or times not on regular meeting schedule.
2. are called by chairperson or majority.
3. require a written notice that states date, time, place, and agenda (agenda cannot be added to during meeting).
4. require that the notice be:
 - sent to all members by fax, mail, email* or hand delivery 24 hours in advance.
 - posted at your location and meeting location 24 hours in advance.
 - sent to media by fax, mail, email* or hand delivery 24 hours in advance if they have asked to receive it.

**To receive e-mail notification, a written request must be on file at the school*

OPEN SESSION

1. Every part of every regular meeting and every special meeting must be open to the public,
2. Except for those parts when a closed session is allowed and properly called.
3. All council and committee decisions must be made in open session.

CLOSED SESSION

1. A closed session is allowed:
 - to discuss actual or potential litigation under KRS 61.810(1)(c).
 - to discuss appointment of individuals under KRS 61.810(1)(f).
 - to discuss the school's emergency plan under KRS 61.810(1)(k) and (m); KRS 61.878(1)(m); and KRS 158.162(2).
 - for other reasons that apply to other agencies but don't come up for councils.
2. A closed session must be called by:
 1. announcing a need for closed session and
 2. providing general description of issue to be considered and
 3. identifying statutory section that allows it and
 4. obtaining a motion to go into closed session and
 5. obtaining a majority vote.
3. During a closed session, the council or committee can only discuss the issue described.
4. The council or committee must return to open session before taking any action.

MINUTES

1. Must describe motion and outcome (description of discussion is optional).
2. Need to be approved (after any needed amendments) at next meeting.
3. Must be available to public immediately after next meeting.

SBDM RECORDS RETENTION SCHEDULE BASICS

(Attachment D)

This handout has been adapted from requirements set in a much longer document. The original comes from the State Archives and Records Commission's Public Records Division. You can download the original document from kdla.ky.gov/recmanagement/schedule/kypublicschoolsdistrict.pdf if you wish. UPDATED August 2013 with consultation from Kentucky Dept. of Library and Archives

RECORDS TO BE KEPT PERMANENTLY

Annual Financial Audit Report

Annual School Report

Annual School Improvement Plan (retain one copy permanently **AND** destroy all others)

Budget Allocation to Council

Official Correspondence

School Council By-laws

SBDM Council Minutes

SBDM Council Committee Minutes

SBDM Council Policy

RECORDS TO BE KEPT 5 YEARS OR MORE

Request for Waiver of Board Policy

School Council Policy Appeals

RECORDS TO BE KEPT 3 YEARS OR MORE

Budget Expenditure Report (3 years **AND** destroy after audit)

Request for Professional Development

Parent Council Member Election Records

Teacher Council Member Election Records

SBDM Council Meeting Announcement

SBDM Council Committee Meeting Announcement

RECORDS TO BE KEPT 2 YEARS OR LESS

General Correspondence – **2 year requirement**

SBDM Council/Committee Meeting Notification – **1 year requirement**

PRINCIPAL SELECTION POLICY

(Attachment E)

PREPARATION

When the council learns that the school needs to hire a principal, they will:

1. Meet with the superintendent, or designee, (who will replace the principal as chair of the council) and review the Best Practices for Principal Selection document available on the Kentucky Association of School Councils website.
2. Select a trainer of their choice to deliver training in recruitment and interviewing techniques. The council *Vice-Chair (or designee) will arrange for this training on a date agreed upon by the council and call a special meeting of the council for this purpose with "Principal Selection Training" as the agenda.
3. Distribute copies of this policy to all members before the scheduled training and send a copy to the trainer who will be providing the selection training.

*The council may want to elect a Vice-Chairperson (if none exists) to act as a liaison and contact person with the Chair (superintendent) during this process.

SELECTION PROCESS

The council will:

1. Design and carry out processes to get stakeholder input on what traits will make the best leader for this school. Stakeholder input will involve but not be limited to faculty and staff, parents, and students (where appropriate).
2. Call a special meeting of the council and meet in open session to:
 - a. Discuss the process and the timeline for receiving applications, and other steps in the hiring process.
 - b. Develop a set of criteria for a strong candidate using the stakeholder input plus council members' ideas. The council will aim for a list of about 10 criteria. These criteria will not discriminate based on race, ethnicity, gender, marriage or family status, religion, political affiliation, disability, or age.
 - c. Use the criteria they have developed to write standard interview questions that fit those criteria and which will be asked of all candidates in in-person interviews.
 - d. Decide on other methods to use to gather information about the candidates. The methods may include (but not be limited to) some or all of the following: applications and résumés, references, applicant portfolios, open forums, and written responses to hypothetical work-related challenges.
3. Call a special meeting of the council and meet in closed session to:
 - a. Review all applications and written references and select applicants to interview.

- b. Determine if information in the written applications and résumés points to any specialized questions that should be asked of a particular applicant and develop those questions if necessary.
4. Schedule interviews with each applicant who has been selected to be interviewed.
5. Conduct each interview in a special called meeting in closed session during which:
 - a. All the standardized questions will be asked in the same order for every candidate.
 - b. Any specialized or follow-up questions will be asked after the standardized questions.
 - c. A discussion will be held immediately following each interview about how well the applicant meets the criteria.
6. Hold closed session discussion of the merits of all applicants and work toward consensus on the final selection.
7. If the council is not satisfied with any of the candidates, the council should discuss the option of having an interim principal appointed by the superintendent until a suitable applicant is found.
8. Keep all closed session discussion confidential.

SELECTION OF THE NEW PRINCIPAL

After all information is gathered, the council will:

1. Meet in open session to vote for the final selection of a new principal.
2. Ask the superintendent to complete the hiring process.

POLICY EVALUATION

We will evaluate the effectiveness of this policy through our School Improvement Planning Process.

Date Adopted: _____

Date Reviewed or Revised: _____

Date Reviewed or Revised: _____

NOTES ON USING THIS POLICY

CONNECTION TO COUNCIL BYLAWS: This policy should be referenced in your council bylaws in a section on council responsibilities and then attached at the end of the bylaws. There is no need to copy the whole policy into the body of the bylaws. KASC's Bylaws Kit models this.

PRINCIPAL SELECTION POLICY

(Updated March 2012)

When the Council learns that the school needs to hire a principal, the Council will:

1. Obtain training in recruitment and interviewing techniques from the trainer of its choice.
2. Hold at least one afternoon and one evening meeting to receive suggestions from parents, staff and other interested parties on what traits will make the best leader for this school.
3. Meet in open session to:
 - Review the school's mission and Plan and discuss how the newly hired person will need to contribute to that work.
 - Review the descriptors for the Standards and Indicators for School Improvement and discuss skills that may be needed to move the school toward higher performance.
 - Determine criteria for a strong candidate (being sure that those criteria do not discriminate based on gender, ethnicity, religion, political affiliation, or any other illegal grounds).
 - List "ability to strengthen our school-wide understanding of cultural diversity" as one of those criteria.
 - Develop interview questions that fit those criteria.
 - Identify any other methods they want to use to tell how well candidates meet the criteria beyond the application references and interview. For example, the Hiring Committee may want to consider asking for a writing sample, a chance to observe a candidate at work, a written response to a hypothetical work challenge, or some other activity to show a candidate's capacities.
4. Meet in open session with the superintendent to discuss the criteria and other steps in the hiring process.
5. Meet in closed session to:
 - Review all application and written references.
 - Select applicants to interview.
 - Decide if information in the written application leads to any specialized questions that should be asked of a particular applicant. (For example, an application that refers to participating in a special seminar might lead to a question about what the applicant learned, or one that shows a gap between leaving one job and taking another might lead to a question about what the person did during the intervening period.)
 - Agree on what, if any, specialized questions will be asked.
6. Schedule an interview with each selected applicant at a time when all Council members can attend.
7. Conduct each interview in a closed session during which the Council will:
 - Ask all the standardized questions in the same order each time.
 - Ask the specialized questions after that.
 - Ask any follow-up questions after that.
8. Meet in closed session to discuss how well each applicant meets the criteria.
9. If necessary, request additional applicants from the superintendent and repeat steps 5-8 above.
10. Meet in open session to make the final choice of principal.
11. Notify the superintendent immediately of their choice.

After receiving notice of the Council's choice, the superintendent will complete the hiring process.

COMMITTEE POLICY

(Updated March 2012)

There will be seven standing committees, known as "correlates" with the names and jurisdictions listed below. In addition, each correlate will report to the Council and carry out any other duties assigned by the Council.

Strong Instructional Leadership
Frequent Monitoring of Student Progress
Positive Home School Relations
Clear and Focused Mission

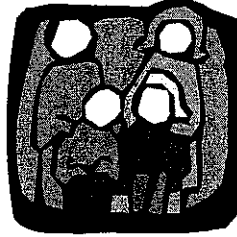
Safe and Orderly Environment
Opportunity to Learn/Time on Task
Climate of High Expectations

The Council will complete a Correlate Charge Form when delegating any charge to any correlate. The Correlate Charge Form will then be sent to the chairperson of the relevant correlate.

Committee/Correlate chairpersons:

1. will facilitate meetings.
2. will report committee work to site base council upon request
3. will be available to meet with administrators and other committee chairs periodically to review and discuss school concerns, overall committee structure and effectiveness.
4. will ensure that all operating rules are followed by the committee.
5. will ensure that the committee's work is aligned with the Boyle County High School Vision and Mission statement and the School Improvement Plan (SIP).

CONSULTATION POLICY



(Attachment G)

INTERVIEW COMMITTEE

For each vacancy that occurs at our school (*except principal), the principal will decide which of the two types of committees in the chart below is best suited for the particular vacancy situation. Regardless of the type interview committee used, consultation with the **council** must take place during a regular or special called meeting.

COUNCIL as the Interview Committee	APPOINTED Interview Committee
• Council members plus at least one staff member who will work directly with the person to be hired (if not already on the council). • The principal may add other staff to the Interview Committee who can contribute to the interviewing process. • All interviews will take place in a regular or special called council meeting. • Consultation will take place after the last interview for the vacant position.	• The principal will appoint an Interview Committee. The Interview Committee will include at least one staff member who will work directly with the person to be hired. • All interviews will take place in a special called committee meeting. • Consultation with the council will take place after the Interview Committee has finished the last interview for the vacant position. This consultation, with the council, must take place during a regular or special called council meeting.

* See the Principal Selection Policy for procedures for this vacancy.

TIMELINE, APPLICATIONS/REFERENCES, and CRITERIA/INTERVIEW QUESTIONS

The principal will:

1. Chair the Interview Committee and ensure that the Open Meetings Law is followed during all procedures for filling vacancies.
2. Establish a timeline for filling each vacancy.
3. Review and screen all applications and references.
4. Decide on applicants to interview and check references *taking into special consideration applicants with international, language, and/or cultural experiences and Fulbright teachers.*
5. Arrange all interviews including calling special meetings if needed.

The Interview Committee will:

1. Develop a set of criteria for a strong candidate. These criteria will not discriminate based on gender, ethnicity/race, marriage or family status, religion, political affiliation, disability, age, or other illegal grounds.
2. Use the criteria they have developed to write standard interview questions that fit those criteria. These questions will be asked of all candidates in an in-person interview.
3. Determine if information in the written application or résumé points to any specialized questions that should be asked of a particular applicant and develop those questions if they are necessary.

INTERVIEWS

The following procedures will be followed during scheduled closed session interviews:

1. All the standardized questions will be asked of each candidate in the same order.
2. Following the standardized questions, specialized questions (if any) and follow-up questions (if any) will be asked.
3. Following each interview, committee members will discuss how well each candidate meets the criteria and any other input requested by the principal which may include a prioritized list.

CONSULTATION WITH THE COUNCIL

After interviews are complete, in a closed session the council will meet to discuss with the principal the findings of the Interview Committee and offer comments on the contributions each applicant could make and provide any additional input requested by the principal.

If a quorum of the council fails to attend this meeting, the principal may either call another meeting or declare an emergency and conduct the required consultation with the council members present so the hiring process can continue.

SELECTION OF THE PERSON TO BE HIRED

After considering the input from all the closed session meetings, the principal will make the final selection of the person he or she believes will contribute most to the success of the school's students and notify the superintendent and council of his or her choice. The decision made by the principal is binding on the superintendent who will complete the hiring process.

EXTRA-DUTY ASSIGNMENTS AND POSITIONS

Extra-duty assignments and positions include paid or unpaid duties beyond the instructional day or beyond the contract days of a teacher. When only persons currently working at our school will be considered, the principal will make the assignment following our policy on Instructional and Non-Instructional Staff Time Assignment. When persons currently not working at our school will be considered, this policy on consultation will be followed by the principal, the council, and the ad hoc Interview Committee appointed by the principal.

POLICY EVALUATION

We will evaluate the effectiveness of this policy through our school improvement planning process.

Date Adopted: _____

Date Reviewed or Revised: _____

Date Reviewed or Revised: _____

NOTES ON USING THIS POLICY

PRINCIPAL PROFESSIONAL GROWTH AND EFFECTIVENESS SYSTEM (PPGES): The process outlined in the section CONSULTATION WITH THE COUNCIL of this policy will help support principals in their efforts to align their practice with PPGES (3.1).

KRS 160.380: Beginning in July 2012, if an *applicant is the spouse of the superintendent and meets the service requirements of subsection (2)(e) of KRS 160.380, the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council. If this situation could apply to your district, you may want to consider adding this provision to your Consultation Policy.*

PROGRAM REVIEWS: This policy contains language that aligns with the program reviews proficient characteristics (Administrative/Leadership Standard, Demonstrator 1e). *This language is in italics.*

CONSULTATION WITH THE COUNCIL: Consultation for hiring as used in this policy is defined as a discussion between the council and the principal in a regular or special meeting. This process may involve advice, opinions, and even prioritizing but should not involve any decision making by the council.

CONNECTION TO COUNCIL BYLAWS: This policy should be referenced in your council bylaws in a section on council responsibilities. There is no need to restate the entire consultation policy into the body of the bylaws. The sample set of bylaws in KASC's Bylaws Kit models this.

Appeal of Decisions

ELIGIBILITY

Any resident of the school's enrollment district, parent, student or employee of the school may appeal decisions of the council.

PROCESS

Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed within ten (10) working days following a council decision.
2. An appeal on a decision made by a school council must first be reviewed by the school council, which shall make a timely response to the appealing party.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ten (10) calendar days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the Board. The Board shall afford the affected parties an opportunity to be heard within thirty (30) calendar days of the appeal to the Board.
5. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) calendar days from the date of the presentation to the Board.
6. At any point in the process the Board may direct a review and report on the issues, but shall not extend its decision beyond sixty (60) calendar days from the date of the presentation to the Board without the agreement of the affected parties.

BASIS FOR REVIEW

The Board will determine whether the issue on appeal falls within the authority granted to the council by KRS 160.345.

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with District goals, violates District policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

BOARD ACTION

When the appeal issue falls within statutory council authority, the Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

When the appeal issue is within the authority of the Board to decide, the Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards.

REFERENCE:

KRS 160.345

Adopted/Amended: 7/22/2004

Order #: 406

THE SCHOOL-BASED DECISION MAKING (SBDM) LAW

(KRS 160.345)

This is the complete text of the Kentucky statute that defines school councils. New text resulting from the 2013 legislative session is italicized, underlined, and in bold.

DEFINITIONS (SECTION 1)

DEFINITION OF MINORITY (1)(a)	For the purpose of this section: "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;
DEFINITION OF SCHOOL (1)(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;
DEFINITION OF TEACHER (1)(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.
DEFINITION OF PARENT (1)(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.

MAIN SBDM RULES (SECTION 2)

REPORTING TO THE BOARD (2) (OPENING PARAGRAPH)	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:
COUNCIL MEMBERS (2)(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;
REGULAR ELECTIONS (2)(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 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.

MINORITY MEMBER ELECTIONS (2)(b)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: 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 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;
POLICY TO ENHANCE ACHIEVEMENT (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 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.
COMMITTEES POLICY (2)(c)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.
AGENDA (2)(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.
MEETINGS (2)(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.
STAFFING (NUMBER OF PERSONS EMPLOYED) (2)(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.
TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES (2)(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.
HIRING (2)(h)	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) 10 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.

HIRING (2)(h) continued	2. 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. 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. No principal who has been previously removed from a position in the district for cause may be considered for appointment as principal. 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. 3. Personnel decisions made at the school level under the authority of subparagraphs 1., 2., and 4. of this paragraph shall be binding on the superintendent who completes the hiring process. 4. If the vacancy for the position of principal occurs in a school that has an index score that places it in the lowest one-third (1/3) of all schools below the assistance line and the school has completed a scholastic audit under KRS 158.6455 that includes findings of lack of effectiveness of the principal and school council, the superintendent shall appoint the principal after consulting with the school council. 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 subsection (2)(e) of KRS 160.380, the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council.
MOST POLICY RESPONSI- BILITIES (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(7); 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; 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. <u>Adoption of an emergency plan as required in KRS 158.162;</u> 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.

**TEST ANALYSIS
AND PLANNING
(2)(j)**

Each school council shall annually review data as shown on state and local student assessments and program 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.

ISSUES FOR SCHOOL BOARD SBDM POLICY (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) 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.

INSURANCE AND ADDITIONAL AUTHORITY (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.

ABOLISHING A COUNCIL (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 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.

COUNCIL TRAINING (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. 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 training has been completed. School council members elected to fill a vacancy shall complete the applicable training within thirty (30) days of their election.

ALTERNATIVE MODELS (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 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.

ALLOCATIONS AND PROFESSIONAL DEVELOPMENT (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 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 KS 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.

INTERFERENCE WITH THE COUNCIL (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, 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.

COUNCIL ACCOUNTABILITY (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 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.

WELLNESS POLICY (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.

KRS 158.6453 PROGRAM REVIEWS AND WRITING PROGRAMS

(7) Program Reviews	Beginning in the 2011-2012 academic year, the Kentucky assessment program shall include program reviews and program audits for arts and humanities, practical living skills and career studies, and the writing programs. The results of the program reviews and audits of arts and humanities, practical living skills and career studies, and writing required under this subsection shall be included in the accountability system as required by KRS 158.6455.
(a) Arts and humanities (b) Practical living skills and career studies	Each school-based decision making council shall analyze the findings from program reviews for its school and determine how it will address program recommendations to improve the program for students.
(c) Writing	2. Each school-based decision making council or if there is no school council, a committee appointed by the principal, shall adopt policies that determine the writing program for its school and submit it to the Department of Education for review and comment. 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. 3. Writing portfolios, consisting of samples of individual student work that represent the interests and growth of the student over time, shall be a required part of any writing program in primary through grade twelve (12). Portfolios shall be part of the required criteria for the program review and audit process relating to the writing program under this paragraph. Individual student scores on portfolios shall not be included in the accountability system. 4. A writing portfolio shall be maintained for each student and follow each student from grade to grade and to any school in which the student may enroll. 5. A school's policies for the writing program shall address the use of the portfolio for determining a student's performance in: a. Communication; b. Grading procedures and feedback to students regarding their writing and communication skills; c. The responsibility for review of the portfolios and feedback to students; and d. Other policies to improve the quality of an individual student's writing and communications skills.

This sheet left intentionally blank