

Scott County Schools  
Scott County High School  
School-Based Decision Making Council Bylaws

**NAME, PURPOSE, AND MISSION**

**Name**

The name of this council shall be the Scott County High School School-Based Decision Making Council (SBDM).

**Purpose**

The purpose of the School-Based Decision Making Council shall be to allow the parents and teachers of Scott County High School to be involved in the decision making process according to KRS 160.345 as they work to meet the educational goals established in Kentucky Education Reform Act and to act in the best interests of the students at all times.

**Mission**

The mission of Scott County High School is to prepare all students to be college or career ready. Readiness is achieved by supporting each student to success with rigorous and relevant curriculum in a manner that engages interest and fosters habits of curiosity that will last a lifetime.

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**Chairperson**

**Scott County High School  
Georgetown, Kentucky**

**SCHOOL-BASED DECISION MAKING COUNCIL  
BYLAWS**

**MISSION STATEMENT**

*The mission of Scott County High School is to prepare all students to be college or career ready. Readiness is achieved by supporting each student to success with rigorous and relevant curriculum in a manner that engages interest and fosters habits of curiosity that will last a lifetime.*

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# COUNCIL BYLAWS



## I. COMPOSITION AND TERMS

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### COMPOSITION OF THE COUNCIL

#### Membership

Selection of parents and teachers to the Council shall be made by their representative groups according to school district policy and state law. Annual elections shall be in May on a date set by the principal. Teachers must be employed by Scott County High School and parents must have a child enrolled in Scott County High School. “Parent” is defined as 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.

#### Length of Terms

Terms of Parent Council members shall be for two (2) years and shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup> of the second year. Teacher and parent Council members are eligible for reelection.

Council vacancies shall be filled at a special called election. A vacancy is created when a teacher is no longer assigned to the school, a parent no longer has a child enrolled in the school, or a parent is appointed/elected to the Scott County School Board.

### LEAVE OF ABSENCE

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

## II. ELIGIBILITY AND ELECTIONS

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### TEACHER ELECTIONS

1. Teacher Qualifications
  - a. All certified teachers in the building are allowed to vote in the teacher election.
  - b. To be elected to the council, a teacher must hold a position at the school that requires certification but may not hold the position of principal, assistant principal, or other administrative role.
  - c. Teachers will be elected by a majority of teachers in an election conducted by teachers.
2. Teacher Election Chair(s)

At one of the regularly called March faculty meetings, the teacher representatives of the council will request that teacher elections be included on the agenda. At this meeting the teachers present will select the Teacher Election Chair(s) to run the teacher elections. The Chair(s) will be chosen from among those teachers who do not intend to run for the council that year. The teacher representatives of the council will give the name(s) of the selected Teacher Election Chair(s) to the council no later than the April council meeting. The name(s) will be recorded in the minutes.
3. Teacher Election Chair(s) Responsibilities
  - a. The Teacher Election Chair(s) will hold the teacher election before May 15<sup>th</sup>. The Chair(s) will be responsible for running the election including setting procedures to be followed and notifying the teachers of the date, place, and time of the teacher elections.
  - b. The Council will provide the Teacher Election Chair(s) with guidelines to help formulate the procedures for the election. (See Attachment A)

### B. PARENT ELECTIONS

1. Role of Parent-Teacher Organization

The school's parent-teacher organization will develop procedures for and conduct 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 Scott 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 May 15<sup>th</sup>. 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**

### **Minority Representation**

1. If the student minority population is **8%** or more of the student body as of the previous Oct. 1<sup>st</sup>, minority teacher and parent elections will be held if no minority representatives are elected in the initial election. “Minority” is defined as 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.
2. The principal will be responsible for organizing the minority parent and teacher elections as follows:
  - 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. This election will be organized no sooner than ten and no later than twenty school days after the election (teacher or parent) which came last. 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. Minority parents for this ballot must meet the qualifications for parent members as outlined in subsection B of this section. At the election, parents may nominate additional minority candidates. The candidate receiving the most votes will be elected. In the event of a tie vote, a run-off will be held.

- b. Following the general elections, if a minority member was not elected, the Principal will call a meeting of all teachers in the building. This meeting will be called within seven school days after whichever election (teacher or parent) came last. The teachers will elect one minority teacher to serve as an additional teacher member on the council. If there are no minority teachers who are members of the faculty an additional non-minority teacher will be elected. If there are minority teachers on the faculty, but they decline to serve, then no additional teacher will be elected. 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 seven calendar days after the principal learns of the vacancy.

2. Election to Fill a Teacher Member Vacancy

Within ten school days of the vacancy, the Teacher Election Chair(s) selected the previous March, 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 not less than ten or more than twenty school days 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 TRAINING*



**A. 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. This training must be provided by a person endorsed by the Kentucky Department of Education.

**B. 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. This training must be provided by a person endorsed by the Kentucky Department of Education. Experienced members may get training credit by attending any of the approved SBDM training workshops offered by endorsed trainers.

**C. 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) after they are elected. This training must be provided by a person endorsed by the Kentucky Department of Education.

**D. REPORTING**

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

**IV. STANDARDS OF CONDUCT**

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**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. An unexcused absence results by failing to notify the Chair of the absence before the meeting.

## **B. CONFLICT OF INTEREST**

A school council member cannot participate in the discussion of or decision-making about any issue in which he or she has a business or financial interest.

## **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**

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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**

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### **A. ALL MEETING**

1. Council meetings will comply with the requirements of the Open Meetings Law. (See Attachment B)
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 1<sup>st</sup> 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, or US mail. Email may not be used as the sole method to deliver a special meeting notice. The notice will arrive at least 24 hours before the time set for the meeting.
  - c. Posting Of Notice Notice will be posted in accordance with subsection B(2) above and 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, 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)(c) or litigation under KRS 61.810(1)(f).
2. The motion and results of the vote including the statute number allowing the closed session will be recorded in the council minutes.
3. Only the topic announced in the open session motion may be discussed in the closed session.
4. No council action may be taken in a closed session.
5. The council will return to open session to make any decisions.
6. The decisions will be recorded in the council minutes.

#### **E. PUBLIC INPUT**

1. Every agenda will include a public comment item.
2. Any person or persons wishing to present a matter to the council shall first put the matter in writing, sign it and present it to a member of the council two (2) or more days prior to the next meeting.
3. When a council member receives a written request, he or she shall relay the request to the chair who will place the issue on the agenda for the next meeting. Written requests must be submitted two or more days prior to the next meeting.

4. Any group appearing before the council shall select a spokesperson who shall address the council. Other members of the group may do so with the permission of the Chair.
5. The council reserves the right to limit the time allotted to not more than five (5) minutes for discussion on any matter introduced by an individual or group.

## **VII. AGENDAS**

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### **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 in a place readily accessible to all parents and distributed to all council members at least five (5) school days 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. Other Committee Reports
5. Bylaw or Policy Report or Review
6. New Business
7. List of items submitted but not on the agenda and their disposition (as needed)

### **C. APPROVAL OF AGENDA**

1. 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.
2. Members of the public having items for the agenda should follow guidelines in Section 5 subsection E.

## VIII. COUNCIL RECORDS

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### **A. LIBRARY COPIES**

At least one notebook of council records will be maintained and made available in the school library as part of normal library operations. A copy will also be placed on the school website. 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 five (5) school days prior to intended pick-up and shall be charged 0.15 per page.

### **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 C)

### **D. MINUTES**

A draft copy of the meeting minutes will be posted in the same manner as the regular meeting schedule and the agenda no later than two (2) school days after the meeting.

## A. CHAIRPERSON

The Chair of the Council shall preside at Council meetings, monitor progress of committees, prepare and distribute agendas for all meetings, and be responsible for securing minutes that record Council actions. The Principal shall be the Chair of the Council.

## B. VICE-CHAIRPERSON

The vice-Chair will be elected by the Council from among its members no later than the second meeting of the school year. The Vice-Chair shall preside at any Council meeting in the absence of the Principal. . The vice-chairperson will act as chairperson in the absence of the chairperson. The vice-chairperson will also serve as the chairperson for the council should the process of selecting a new principal become necessary. (See Attachment D)

## B. 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.
  - 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*

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### **A. USE OF COMMITTEES**

Committees will be formed to help involve all interested parties in the decision making process at this school. The school council will direct the committees as to their responsibilities and will act upon recommendations made by the committees.

All certified staff, classified staff, parents and students at Scott County High School are encouraged to be participants in school based decision making through committee activity. Committee meeting schedules shall be established by the committee to be at the most convenient time, as agreed upon by the committee.

All committees shall facilitate the participation of interested persons, including certified staff, classified staff, parents and students. Membership for a standing committee shall include certified staff, classified staff, parents and students. All members of the certified faculty will serve on at least one standing committee. SBDM teacher reps are exempt but may serve on a standing committee by choice. Each standing committee will have grade level (or department) representation. Committees will also make every effort to include at least one parent and to provide reasonable representation of the ethnic diversity of our community.

### **B. COMMITTEES POLICY**

Committee structure is detailed in policy F-7-b.

The principal will invite all parents in writing to sign up for committees via attachment to report card, letter, etc. by April 15<sup>th</sup>. The letter shall include a description of each committee along with a procedure for responding. In early April the principal will solicit sign ups from all certified and classified staff to serve on committees. This shall be done through sign-up sheets at planning period meetings, faculty meetings, postings in front office, during portfolio scoring or a combination of any of these. Staff members will be given a description of the committees and will be able to sign up for their top three choices. Certified and classified staff must sign up in person, but parents may sign up by phone or letter. The SBDM shall appoint committee members at the May meeting. The council may need to assign some people to committees that



are not their first choice to give each committee adequate and balanced membership. The principal will notify committee members of their appointments prior to the end of the school year. In August the principal (or principal's designee) will provide an additional, well-publicized opportunity to sign up for committees for both new staff and all parents. The council will make appointments from those additional sign-ups and set up a timeline for regular committee reports to the council for the coming school year. As soon as possible following the August council meeting, the principal will call a faculty meeting for the purpose of letting all committees hold their first meeting. All committees established by the SBDM council are public agencies subject to Kentucky's Open Meetings Law. To comply with that law, each committee will:

1. Establish a regular meeting schedule at its first meeting of each school year and make that schedule available to the public by posting it in a place convenient to the public.
2. Hold meeting that are not on the regular schedule only after following these special meeting procedures:
  - a. The committee chair or a majority of members decide the date, time, place, and agenda.
  - b. Those that make the decision to have the meeting put the date, time, place and agenda.
  - c. Notice of a special meeting will be hand-delivered, faxed, or sent by US mail to all members of the committee early enough so that they will receive it 24 hours before the meeting. Neither e-mail nor the telephone can be used to deliver these notices.
  - d. If any media organization has asked for notice of special meetings, those calling the meeting will hand-deliver, fax, or send by US mail copies of the written notice to the agency requesting the notice so that they will receive it 24 hours before the meeting. Neither e-mail nor the telephone can be used to deliver these notices.
3. Take minutes of the actions and decisions made by the committee at every meeting and, after making any needed corrections, approve those minutes.
4. Review the minutes of each meeting at the next meeting and, after making any needed corrections, approve those minutes.
5. Make committee minutes for each meeting available to the council and to any interested party after final approval.
6. Ensure that the principal receives an official copy to be kept with school records as required by Kentucky's Archive rules.

## **XI. DECISION-MAKING**

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### **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. COUNCIL RESPONSIBILITIES**

The council will make no decisions on issues that are not under council jurisdiction by law. The following issues are within 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
5. Achievement Gap Targets
6. Professional Development
7. Spending on textbooks, instructional materials, student support, rewards, 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 F)
9. Selection of a new principal
10. Adoption of 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. Enhancing Student Achievement
  - h. Extracurricular Programs
  - i. Instructional and Non-Instructional Staff Time Assignment
  - j. Instructional Practices
  - k. Parent Engagement (Title I Schools)
  - l. Program Appraisal
  - m. School Day and Week Schedule
  - n. School Space Use
  - o. Student Assignment
  - p. Technology Use
  - q. Wellness (Primary to Grade 5)
  - r. OTHER: Policies not required by law but required by the local district, and areas not required by law but required by the Standards and Indicators for School Improvement for Level 3.

## **C. 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.

## **F. 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: In the event the council fails to reach consensus, the Chair may call for a vote, in which case a majority of members present shall decide. Four (4) affirmative votes shall be required for the council to take action.

- d. In the event the council regularly fails to reach consensus, or becomes deadlocked over an issue, the Chair shall secure the services of an expert in conflict resolution and consensus decision-making.

#### **E. 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.

#### **F. 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.

#### **G. APPEALS OF COUNCIL DECISIONS**

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

## **XII. ATTACHMENTS**

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### **A. TEACHER ELECTION SUGGESTIONS**

### **B. OPEN MEETINGS LAW OVERVIEW**

### **C. RECORDS RETENTION SCHEDULE**

### **D. PRINCIPAL SELECTION POLICY**

**E. CONSULTATION POLICY**

**F. BOARD POLICY ON APPEALS OF COUNCIL DECISIONS**

**G. KRS 160.345 (SCHOOL-BASED DECISION MAKING LAW**

Scott County Board Policy on Appeals of Council Decisions

(Attachment G)

**Board Policy 02.42411**

Appeals from decisions of the council may be made by any resident of the Scott County Schools District, student, parent or employee of Scott County High School.

The basis for appeals shall be whether the council action was arbitrary, violated district policy, exceeded the lawful authority of the council or was otherwise unlawful under state federal law.

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

1. 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.
2. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
3. If, within ten (10) days the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) days, appeal to the Board. The Board shall afford the affected parties a hearing within thirty (30) days of the appeal to the Board.
4. The Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) days from the date of the hearing.
5. 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) days from the date of the hearing without the agreement of the affected parties.

**KRS 160.345: THE SCHOOL-BASED DECISION MAKING (SBDM) LAW**

This is the complete text of the Kentucky statute that sets up school councils. There have been small changes several times since 1990, and those are all included to show the current wording of the law.

**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 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;
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, assistant principals, and head teachers.
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.
<b>MAIN SBDM RULES (SECTION 2)</b>	
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 [the KERA Goals]. 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 KERA Goals] and district goals established by the board. The policy shall also address and comply with the following:
COUNCIL MEMBERS (2)(a)	Except as provided [under minority elections], each participating school shall form a school council composed of two parents, three 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-year terms by a majority of the teachers. The parent representatives shall be elected for one-year terms. A teacher elected to a school council shall not be involuntarily transferred during his or her term of office. 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 or head teacher shall be the chair of the school council.

<p>MINORITY MEMBER ELECTIONS (2)(b)2</p>	<p>School councils in schools having eight percent or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one 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:</p> <p>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</p> <p>b. Allowing the teachers in the building to select one 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.</p>
<p>POLICY TO ENHANCE ACHIEVEMENT (2)(c)1</p>	<p>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 or head teacher 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.</p>
<p>COMMITTEES POLICY (2)(c)2</p>	<p>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.</p>
<p>AGENDA (2)(d)</p>	<p>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.</p>
<p>MEETINGS (2)(e)</p>	<p>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.</p>
<p>STAFFING (NUMBER OF PERSONS EMPLOYED) (2)(f)</p>	<p>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.</p>
<p>TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES (2)(g)</p>	<p>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.</p>

<p><b>HIRING</b> (2)(h)</p>	<p>From a list of 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 subsection (2)(i)10 of this section. 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. If the vacancy to be filled is the position of principal, the school council shall select the new principal from among those persons recommended by the local superintendent. When a vacancy in the school principalship occurs, 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. Personnel decisions made at the school level under the authority of this subsection shall be binding on the superintendent who completes the hiring process. Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020. The superintendent shall provide additional applicants upon request when qualified applicants are available;</p>
<p><b>MOST POLICY RESPONSIBILITIES</b> (2)(i)</p>	<p>The school council shall adopt a policy to be implemented by the principal in the following additional areas:</p> <ol style="list-style-type: none"> <li>1. Determination of curriculum, including needs assessment and curriculum development;</li> <li>2. Assignment of all instructional and noninstructional staff time;</li> <li>3. Assignment of students to classes and programs within the school;</li> <li>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;</li> <li>5. Determination of use of school space during the school day;</li> <li>6. Planning and resolution of issues regarding instructional practices;</li> <li>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;</li> <li>8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;</li> <li>9. Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal; and</li> <li>10. 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.</li> </ol>



<p>TEST ANALYSIS AND PLANNING (2)(j)</p>	<p>Each school council shall annually review data on its students' performance as shown by the Commonwealth Accountability Testing System. 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 Section 4 of this Act. 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.</p>
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**ISSUES FOR SCHOOL BOARD SBDM POLICY (SECTION 3)**

The policy 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)**

After July 13, 1990, any school in which two-thirds of the faculty vote to implement school-based decision making shall do so. All schools shall implement school-based decision making by July 1, 1996, 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 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 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 clock hours of training in the process of school-based decision making, no later than thirty 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 year shall complete a minimum of three clock hours of training in the process of school-based decision making no later than one hundred twenty days after the beginning of the service year for which they are elected to serve. School council 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 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 to fill a vacancy shall complete the applicable training within thirty 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 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 parents, students, certified personnel, and the administrators of the school and that two-thirds 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 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. 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.

SBDM Law (continued)

#### **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 minutes per day, or one hundred and fifty 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.

**KENTUCKY ASSOCIATION OF SCHOOL COUNCILS**

## ***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:                   SETTING THE STAGE**



A helpful starting point is the council bylaws. Be sure that the bylaws stipulate that current teacher council representatives should ask for teacher elections to be put on the agenda of a regularly scheduled faculty meeting in March. The current reps should also be responsible for reporting the outcome of this meeting to the council for recording in the minutes. (KASC's Bylaws Kit has language that can help with this).

### **STEP 2:                   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 1<sup>st</sup>. 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 3:                   PREPARING FOR THE ELECTION**



- a. The Election Chairs should notify the teachers that by April 1<sup>st</sup> 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 meeting.
- 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)*.**

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 4: 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 to vote for 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 the name of the person who received the fewest votes. 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 5: THE LAST STEP



A good relationship-building idea is for the Teacher Election Chairs to invite the new council members to attend the May meeting with them 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. Don't forget to remind your counselor, speech pathologists, OT, PT and media specialist that they can nominate, run and vote. If you have questions or need clarification on any part of these ideas, please contact us.

## KASC OPEN MEETINGS LAW BASICS

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:

1. A majority is present.
2. 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 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. This amendment to the Open Meetings Law was passed in the 2008 KY General Assembly.*

### 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).
  - 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.

## **RECORDS RETENTION SCHEDULE**

### **STATE ARCHIVES AND RECORDS COMMISSION**

Public Records Division

Kentucky Department for Libraries and Archives

### **PUBLIC SCHOOL DISTRICT**

Schools, Pre School-12

School-Based Decision Making Council

Schedule Date: December 10, 1998

Record Title and Description	Retain at Agency (years)	Disposition Instructions
SBDM Council Minutes	P	Retain
SBDM Council Committee Minutes	P	Retain
Teacher Council Member Election Records	3	Destroy
Parent Council Member Election Records	3	Destroy
SBDM Council Meeting Announcement	3	Destroy
SBDM Council Committee Meeting Announcement	3	Destroy
SBDM Council/Committee Meeting Notification	1	Destroy
Official Correspondence	P	Retain with Council
General Correspondence	5	Destroy
Budget Allocation to Council	P	Retain
Budget Expenditure Report	3	Destroy after audit
School Council By-laws	P	Retain
Annual School Improvement Plan	5	Destroy
School Council Policy Appeals	5	Destroy
Request for Waiver of Board Policy	5	Destroy
SBDM Council Policy	P	Retain
Request for Professional Development	3	Destroy
Annual School Report	P	Retain
Annual Financial Audit Report	P	Retain

P=permanent

For a complete copy of the Records Retention schedule, go to:  
<http://kdla.ky.gov/recmanagement/schedules/kypubschooldistrict.pdf> (scroll to pages relevant to SBDM)

### LEGALITY, CLARITY, AND WISDOM CHECKLIST





## DIRECTIONS

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1. The council should apply these checklist questions to all sections of their bylaws as they review and rewrite before they adopt any revisions.
2. The Legality questions will ensure that your bylaws are legally sound, the Clarity issues will guide you toward more user-friendly bylaws, and the Wisdom queries will help you fine-tune your bylaws.

## COMPOSITION AND TERMS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Before any minority elections, does your council have a 1-2-3 ratio (principal-parents-teachers) prescribed in the bylaws?	
<input type="checkbox"/> If not, do you have permission from the Kentucky Board of Education to use a different model?	
<input type="checkbox"/> Is it clear that members may be reelected for as many consecutive terms as they want?	
<input type="checkbox"/> Is it clear when your terms begin and end, and how long they are?	

## ELIGIBILITY AND ELECTIONS

### TEACHER ELECTIONS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Are all the people defined as teachers allowed to vote?	
<input type="checkbox"/> Is a majority vote required for election?	
<b>CLARITY</b>	
<input type="checkbox"/> Do the bylaws say who runs the election?	

### PARENT ELECTIONS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Are parents, stepparents, and foster parents all allowed to run and to vote?	
<input type="checkbox"/> Are other persons allowed to run and vote if they have custody and the student resides with them?	
<input type="checkbox"/> Are parents of students pre-registered to attend the school during the term of office allowed to run and vote?	
<input type="checkbox"/> Are employees of your school and their parents, children, siblings, spouses, aunts, uncles, sons-in-law, and daughters-in law prohibited from running for parent member?	

<input type="checkbox"/> Are people who work in the district administrative offices and their parents, children, siblings, spouses, aunts, uncles, sons-in-law, and daughters-in law prohibited from running for parent member?	
<input type="checkbox"/> Are local board members and their spouses prohibited from running for parent member?	
<input type="checkbox"/> Is the parent-teacher organization clearly in charge of arrangements for the election?	
<input type="checkbox"/> If there is no parent-teacher organization, is it clear that a group must be formed for the purpose of running parent elections?	
<input type="checkbox"/> If there is no parent-teacher organization and multiple parent groups are formed to run elections, is it clear that the largest such group will run the election?	

**MINORITY REPRESENTATION**

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Is it stipulated that a minority member is required if the school had 8% or more minority students on the preceding October 1?	
<input type="checkbox"/> Is it clear that a minority election is not required if the principal, or any of the regularly elected members is a minority member?	
<input type="checkbox"/> If a minority election is needed, is it clear that the principal allows the teachers in the building to select one minority teacher to serve as a teacher member of the council?	
<input type="checkbox"/> Are all the people defined as teachers allowed to vote for a minority teacher member?	
<input type="checkbox"/> Are only minority teachers allowed to run if the school has minority teachers?	
<input type="checkbox"/> Are non-minority teachers allowed to run only if the school has no minority teachers?	
<input type="checkbox"/> Is the principal responsible for calling the parent election and notifying parents if a minority election is required?	
<input type="checkbox"/> Are all parents notified and allowed to vote?	
<input type="checkbox"/> Are only minority parents allowed to run?	

**VACANCIES DURING A TERM OF OFFICE**

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Are the people who are eligible to vote and run in the regular parent elections allowed to vote and run in elections to fill parent vacancies?	
<input type="checkbox"/> Is the organization that runs regular parent elections responsible for running elections to fill parent vacancies?	
<input type="checkbox"/> Are the people who are eligible to vote and run in the regular teacher elections allowed to vote in elections to fill teacher vacancies?	
<input type="checkbox"/> Is a majority of all teachers required to elect someone to fill a teacher vacancy?	
<input type="checkbox"/> Are all parents allowed to vote in elections to fill minority parent vacancies?	

<input type="checkbox"/> Are all eligible minority parents allowed to run to fill minority parent vacancies?	
<input type="checkbox"/> Is the principal required to notify all parents of the date, time, and place for the election to fill minority parent vacancies?	
<input type="checkbox"/> Are all teachers allowed to vote in the election to fill a vacancy for the additional teacher required for minority representation?	
<input type="checkbox"/> If the school has minority teachers, is it clear that the additional teacher vacancy must be filled by a minority member?	
<input type="checkbox"/> Is it clear that the additional teacher may be a non-minority only if the school has no minority teachers?	

**COUNCIL TRAINING**

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Do the bylaws require council members elected for the first time to receive six hours of training?	
<input type="checkbox"/> Do the bylaws specify that first-time members must get their training between the date of election and 30 days after start of term?	
<input type="checkbox"/> Do the bylaws require experienced council members to get three hours of training?	
<input type="checkbox"/> Do the bylaws specify that the last date for experienced council members is 120 days after start of term?	
<input type="checkbox"/> Do the bylaws specify that experienced council members can count training received up to a year before the deadline? (For example, if the term starts July 1, 2006 the deadline is October 27, 2006, and training on or after October 28, 2005 can be counted.)	
<input type="checkbox"/> Do the bylaws require persons elected to fill council vacancies in the middle of the year to receive training within 30 days of election?	
<input type="checkbox"/> Do the bylaws specify that all training must be provided by trainers with the appropriate KDE endorsement?	
<input type="checkbox"/> Do the bylaws require members' names, addresses, and training to be reported to KDE?	

**STANDARDS OF CONDUCT**

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Do your bylaws include standards of conduct that the Commissioner could use to define misconduct or willful neglect of duty by one of your members?	

### REMOVAL OF MEMBERS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> For removal of council members, do your bylaws avoid mentioning any method other than the two prescribed by law (Commissioner and OEA)?	
<b>CLARITY</b>	
<input type="checkbox"/> Do your bylaws describe the Commissioner method of removal?	
<input type="checkbox"/> Do your bylaws describe the OEA method for removal?	

### MEETINGS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Do the bylaws require the council to set a regular meeting schedule?	
<input type="checkbox"/> Do the bylaws provide for the regular meeting schedule to be made available to the public?	
<input type="checkbox"/> Do the bylaws allow the presiding officer (chairperson) to call special meetings?	
<input type="checkbox"/> Do the bylaws allow a majority of members to call special meetings?	
<input type="checkbox"/> Do the bylaws require that special meetings notices list date, time, place, and agenda?	
<input type="checkbox"/> Do the bylaws provide for the council not to add anything to the agenda listed in the notice of special meetings?	
<input type="checkbox"/> Do the bylaws require that special meetings notices be hand-delivered, mailed, or faxed to all members at least 24 hours in advance?	
<input type="checkbox"/> Do the bylaws require that special meetings notices be hand-delivered, mailed, or faxed at least 24 hours in advance to media that make the required written request?	
<input type="checkbox"/> Do the bylaws require that special meeting notices be posted at the school and at the meeting site at least 24 hours in advance?	
<input type="checkbox"/> Are all meetings required to be open to the public until closed by the proper procedure?	
<input type="checkbox"/> Are closed sessions limited to the allowed topics?	
<input type="checkbox"/> Is a formal motion and vote required for each closed session?	
<input type="checkbox"/> Are closed sessions used only for discussion?	

<input type="checkbox"/>	Are closed sessions limited to the topics formally announced in open session?	
<input type="checkbox"/>	Does the council return to open session to take any action?	
<b>CLARITY</b>		
<input type="checkbox"/>	Do the bylaws indicate that people may be invited into a council closed session by a consensus of the council?	
<b>WISDOM</b>		
<input type="checkbox"/>	Do the bylaws outline a method for the council to receive public input during meetings?	

### AGENDAS

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/>	Do the bylaws provide for the council to determine the agenda of regular meetings?
<b>CLARITY</b>	
<input type="checkbox"/>	Do the bylaws explain how to get an item on the agenda?
<input type="checkbox"/>	If you have a preliminary agenda done before the meeting, is it clear who develops it?
<input type="checkbox"/>	If you have a preliminary agenda done before the meeting, do the bylaws explain who gets a copy?
<b>WISDOM</b>	
<input type="checkbox"/>	Do the bylaws allow stakeholders' concerns to be brought before the council?
<input type="checkbox"/>	Do the bylaws allow stakeholders to know which issues the council will deal with during each meeting?

### RECORDS

Question	Notes
<b>legality</b>	
<input type="checkbox"/>	Do the bylaws make provision for people to obtain copies of council documents?
<input type="checkbox"/>	Do the bylaws call for council records to be maintained in accordance with the state Archives schedule?
<b>WISDOM</b>	
<input type="checkbox"/>	Will it be easy for stakeholders to find out what decisions have been made?

### COUNCIL OFFICERS AND DUTIES

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/>	Is the principal the chair of the council?

<input type="checkbox"/>	If not, do you have Kentucky Board of Education permission to use a different model?	
<input type="checkbox"/>	Do the bylaws say who will take minutes?	
<input type="checkbox"/>	Do the bylaws require that the minutes list actions taken at each meeting?	
<input type="checkbox"/>	Do the bylaws require that the minutes be “promptly recorded”?	
<input type="checkbox"/>	Do the bylaws require that the minutes of each meeting be available to the public no later than the end of the next meeting?	
<b>CLARITY</b>		
<input type="checkbox"/>	Is it clear who makes and distributes copies of minutes, and when they should do so?	
<input type="checkbox"/>	Is it clear who gets copies of the minutes?	
<input type="checkbox"/>	Is it clear that the vice chair will chair the council if selecting a principal becomes an issue?	

### COMMITTEES

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> If you use committees, do you indicate that you will have a written policy that will (1) help facilitate the participation of interested persons, and (2) include the number of committees, their jurisdiction, their composition, and the process for membership selection?	

### DECISION-MAKING

#### COUNCIL RESPONSIBILITIES

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Are the areas for which the council is legally responsible for making decisions and having policy spelled out in the bylaws? Or, is reference made to the laws and are the laws attached?	
<b>CLARITY</b>	
<input type="checkbox"/> Do your bylaws make it clear what constitutes a quorum for making decisions?	

#### CONSENSUS AND CONSENSUS FAILURES

Question	Notes
<b>CLARITY</b>	

<input type="checkbox"/>	Do the bylaws state the method by which decisions will be made?	
<input type="checkbox"/>	If consensus is used, is it clearly defined?	
<input type="checkbox"/>	If consensus is used, are there steps to help build consensus proposals, such as committee work, input opportunities, and broad discussion?	
<input type="checkbox"/>	Is it clear who decides the exact wording of proposals for council action?	
<input type="checkbox"/>	Is it clear who asks whether consensus is present?	
<input type="checkbox"/>	Does every member have to confirm that consensus is present?	
<input type="checkbox"/>	Do you discuss the issue further when your first attempt at consensus fails?	
<input type="checkbox"/>	Do you consider further committee work?	
<input type="checkbox"/>	Do you consider other strategies for finding a new approach?	
<input type="checkbox"/>	Is it clear what must happen before you can vote?	
<input type="checkbox"/>	Are the steps you will take listed in a clear chronological order?	

**ADOPTION OF POLICY**

Question	Notes
<b>WISDOM</b>	
<input type="checkbox"/> Do your bylaws call for two readings at two different meetings for council policy to be adopted?	

**BYLAWS AMENDMENT**

Question	Notes
<b>WISDOM</b>	
<input type="checkbox"/> Will stakeholders know that you are considering a change in your bylaws?	
<input type="checkbox"/> Will stakeholders be able to give input before you make the changes?	

**APPEALS OF COUNCIL DECISIONS**

Question	Notes
<b>LEGALITY</b>	
<input type="checkbox"/> Do the bylaws avoid setting up any appeals process that conflicts with the board-established method?	
<b>CLARITY</b>	
<input type="checkbox"/> Do the bylaws mention the existence of the board appeals process and is a copy attached?	

## ATTACHMENTS

Question	Notes
<b>CLARITY</b>	
<input type="checkbox"/> If you have referenced a document in your bylaws, have you attached a copy?	
<input type="checkbox"/> Are the attachments in the same order in which they first appear in the bylaws?	

# School council Proficiency

A Definition from the Kentucky Association of School Councils • 2006 Edition  
859/238-2188 • [kasc@kasc.net](mailto:kasc@kasc.net) • ©2006, KASC  
Post Office Box 784, Danville, KY 40422

## FOCUS

**A proficient school council keeps its focus on:**



### 1. Student achievement.

- a. The council takes actions to improve student achievement and close achievement gaps as measured by the school's current CATS scores and AYP reports.
- b. The council requires a report on how the school gathers and uses performance data beyond CATS, including analysis of student work, to improve student achievement.
- c. All council decisions are driven by multiple performance data.
- d. Teachers and other staff members, with support and assistance from parents, implement the council's policies focused on helping all students learn at higher levels.
- e. The council spends most of its meeting time working on student achievement issues.



### 2. Research-based practices, including those outlined in Kentucky's Standards and Indicators for School Improvement.

- a. The council develops policy based on committee/stakeholder recommendations for raising student performance and the research that supports them in:



- Curriculum.
- Classroom Assessment.
- Instruction.
- Culture/Learning Community.
- Support.
- Professional Growth.

b. The council adopts policy and approves a budget that supports implementation of research-based strategies.

c. Parents, teachers, and other staff members recommend policies, strategies and practices focused on finding and using the best ways to help students learn and the council approves policies supporting these recommendations.




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### **3. Community-wide participation in understanding and meeting school challenges.**

a. The council and its committees gather and use input from parents, teachers, other staff and community members on major challenges facing the school to adopt policy and make school council decisions.

b. Recent council decisions are understood and supported by teachers, parents, and other staff and community members.

c. For current school challenges, the council seeks information from all stakeholders and takes steps to adopt policy and make informed decisions to understand and address those concerns.

d. The council and its committees make developmentally appropriate decisions to address student learning.

e. The council collaborates with the local board of education, the superintendent, and the central office staff to develop positive, constructive communication and relationships needed to work with the superintendent, central office staff and local board to meet student needs.




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### **4. Positive relationships that support effective teamwork.**

a. The council works to build relationships where all stakeholders are:

- Welcomed as participants in council meetings and the rest of the school's work.
- Ensured that their efforts and ideas are valued in council meetings and other work.
- Assured that all students can learn at high levels and that council actions are helping students succeed.
- Excited about the school's strategies and programs
- Supported and provided with the resources needed to provide a high quality learning community and learning environment in the school.
- Accepting of their responsibilities for student learning.

b. The council works to build the relationships described above with:

- Students.
- Parents.
- Teachers and other school staff.
- School administrators.

- District leaders.
- School board members.
- Stakeholders from all ethnic and economic backgrounds.

## DECISIONS

**A proficient school council makes DECISIONS that create or sustain:**



**5. A school improvement plan that is clear, complete, and credible.**

- a. The school council is aware of and uses the district-required planning format and participates in the school and district planning process throughout the year
- b. Priority Needs and Goals are measurable statements of how far the school must move each year to move all students to proficiency by 2014.
- c. Root causes are identified and guide the development of the action plan.
- d. Causes and Objectives are measurable statements of steps the school must take to implement research-based practices to enhance learning.
- e. Gap Targets are set to reduce each substantive achievement gap over two years and are included in the plan, along with a time schedule for eliminating those gaps entirely.
- f. Activities are organized in clear, practical, orderly steps capable of meeting the Goals, Objectives, and Gap Targets
- g. Appropriate individuals are responsible for completing activities and managing components.
- h. The timeline for activities is clear, practical, and realistic for implementing short term and long term Goals, Objectives, and Gap Targets.
- i. The school improvement plan includes a summary of how the plan was developed based on the required district format.
- j. The current school improvement plan can easily be found on the school or district website and is updated based on the timeline established in local district policy.



**6. A planning process of needs assessment, plan development, implementation, monitoring and revisions.**

- a. Based on active discussion of CATS results, the council makes annual decisions on revising Priority Needs, Goals and Gap Targets.
- b. Committees analyze the school's work in comparison to research-based practices such as those in SISI on a regular schedule, and the council uses those reports to revise or reaffirm Causes and Objectives.
- c. An appropriate committee develops or updates each component of the school improvement plan each year for council approval.

- d. The council discusses at least two drafts before it sees and approves new and updated components.
- e. The council gives all stakeholders adequate opportunities to comment on draft components.
- f. The council checks school improvement plan progress and discusses Implementation and Impact Checks based on the district format and schedule for Implementation and Impact
- g. The council receives regular reports from the principal on how the plan is being implemented in classrooms.



### **7. Professional development that supports school strategies and individual needs.**

- a. All professional development is designed to meet the goals in the school improvement plan and individual professional growth plans.
- b. Professional development is designed based on Kentucky's PD Standards including facilitator-led workshops, study groups, mentoring, peer coaching, job-embedded and collaborative opportunities.
- c. Most professional development activities go beyond single-day activities to allow participants to apply ideas being studied, reflect on the results, and engage in follow-up work to apply the ideas more effectively.
- d. The council uses three scheduled professional development days (or equivalent flexible time) and any early-release time to support the school improvement plan and individual growth plans.
- e. The council ensures that each professional development activity has clear goals and is evaluated to see how well it met those goals.
- f. The council revises professional development improvement plan activities as needed based on data about student performance and the learning needs of teachers and other staff.
- g. A systematic, unified approach is used to organize professional development that includes collaboration with the district professional development coordinator and other schools.



### **8. Budgets that use all school resources to support school strategies.**

- a. The council's allocation budget determines how the school will use:
  - Staffing allocation.
  - Instructional materials allocation
  - Professional development allocation
  - School activity funds

- b. Council budgets are organized to support the Goals, Objectives and Gap Targets from the school improvement plan, school operations and special programs.
- c. The council participates actively in the budget development process (for example, by discussing two or more drafts before final approval each year).
- d. The council seeks available Section 7 funding to support plan -priority needs for the school.
- e. The council reviews monthly spending reports and adjusts spending plans to get maximum learning benefits from available funds.
- f. The principal follows the board policy and procedures on expenditure of all funds.



## **9. Policies that support school strategies.**

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a. The council has all policies required by law:

- Enhancing achievement.
- Committees.
- Curriculum.
- Staff time.
- Student assignment.
- Schedule.
- Space Use.
- Instructional Practices.
- Extracurricular Programs.
- Discipline.
- Procedures for state standards, program evaluation, and technology use.
- Consultation
- College-level courses.
- Wellness

b. The council also uses policy to create effective methods of handling its other responsibilities, such as use of the instructional budget, textbooks, professional development, and planning,

c. Each policy provides clear information on:

- How that part of the school's work will be done.
- Clear roles in implementing-the policy.
- How the policy will be monitored, evaluated, and revised.

d. Teachers, staff, parents, and other interested parties can easily find and understand the council's policies. Policies are indexed for easy reference and are on file in the school's library for review.

e. Most policies reflect explicit focus on improving student performance and building a collaborative school culture.



## **10. A consultation process that supports school strategies and sound personnel practices.**

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- a. The council follows a consultation policy with clear provisions on:
  - Applications.
  - References.
  - Interviews.
  - Timelines.
  - Procedures for when the council is unavailable.
- b. Diverse candidates receive fair treatment based on explicit hiring criteria and other fair employment practices required by school district policy.
- c. Explicit criteria are used consistently throughout the consultation process to identify employees who can best meet student needs, as required by council policy.
- d. Either the council or a committee with teacher and parent members interview selected applicants
- e. The principal selects the person to be hired after completing consultation.
- f. There are clear procedures for the principal to follow in cases where the council is unavailable for consultation.



### **11. Principal selection based on school needs and sound personnel practices.**

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- a. The council follows a clear principal selection policy that addresses the same best practice issues as the consultation process.
  - b. Timelines are reasonable and allow the council maximum access to the best applicants.
  - c. The council receives adequate training in the principal selection process and understands how to conduct interviews effectively and lawfully.
  - d. The council seeks and considers input from the school community and district leaders when selecting a principal, including the superintendent.
  - e. The council provides ongoing support and assistance to help the principal and assists in leading the school.

## **PROCESS**

**A proficient school council does its work through a PROCESS that includes:**



### **12. Meetings that are inclusive and lawful.**

- 
- a. A regular schedule of monthly council meetings is easily available to the public.
  - b. Special meetings are called by chair or majority of the council, with written notice of date, time, place, and agenda delivered to all members and posted at the school.
  - c. Stakeholders can easily have items placed on the council agenda, and they regularly do so.

- d. The council approves its agenda at the beginning of each meeting and revises it as needed.
- e. Parents, staff, and other members of the public have meaningful opportunities to speak on all council decisions.
- f. All parts of all council meetings are open to the public except for closed sessions to discuss individual job applicants or litigation.
- g. The council by-laws specify the process for setting a regular schedule, calling special meetings, setting the council agenda, allowing public comment, and going into closed session.
- h. The council provides signatory proof to the superintendent that they have received open meetings and records materials from the Attorney General.



### **13. A decision-making process that is clear and participatory**

- a. The council makes most decisions by consensus, with the option of voting if sustained efforts to reach consensus fail.
- b. Most council decisions are made after obtaining and considering recommendations from appropriate committees, with a few exceptions for minor matters or genuine emergencies.
- c. Council decisions are communicated to parents, staff and other stakeholder groups and are written in language that can be easily understood.
- d. Council by-laws spell out the procedures for consensus, consensus failure, committee advice, public input, and publicizing decisions.



### **14. Records that are complete and accessible.**

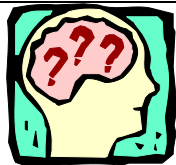
- a. Council minutes record all motions made, who made them, and what action was taken.
- b. Minutes of council decisions are taken at each council meeting, circulated within a week after each meeting, and approved at the next meeting.
- c. Up-to-date council by-laws, minutes, policies, improvement plans, and budgets are kept in a central, well-organized location.
- d. Stakeholders have easy, well-publicized access to council documents.



### **15. Committees that operate lawfully, collaboratively, and effectively.**

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- a. Each committee has clear responsibilities, operating procedures, and member recruitment methods established by council policy.
- b. Parents, staff, people of varied backgrounds, and other interested parties participate in SBDM committee work, as called for in the council's committee policy.
- c. Each committee sets a regular meeting schedule, follows legal procedures for calling special meetings, keeps minutes, and makes those minutes accessible to others.
- d. Each committee receives and understands its charge from the council, analyzes research and input from the community, and brings recommendations to the council.
- e. Each committee reports to the council on a regular basis, and each council meeting includes reports from some or all committees.
- f. Alternatively, a very small school community may use another collaborative structure that leads to wide parent and staff involvement in developing decisions for council action.



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## **16. Ongoing learning about effective SBDM practices.**

- a. All council members complete required training within the legal deadlines.
- b. Experienced council members receive training based on an assessment of their learning needs, choosing from the full list of available topics and trainers.
- c. Council members use varied resources to expand their SBDM knowledge, such as district leaders, state organizations, publications and websites.
- d. Committee members receive clear and complete information on their roles and responsibilities.
- e. Parents, teachers, and school staff receive information about the SBDM process regularly and have easy access to further information.