School-Based Decision Making Council Elections

1. How should school-based decision making (SBDM) voting occur?

KRS 160.345(2)(b) requires teacher representatives on SBDM be elected "by a majority of the teachers" and requires parent representatives on SBDM be elected "by the parents of students pre-registered to attend the school … 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."

Voting in SBDM elections may occur in-person, electronically, via mail-in ballots or through a combination of methods. Regardless of the voting method, the election should be widely publicized to voters and a record of all ballots cast must be maintained. Reasonable steps should be taken to ensure only eligible voters cast votes and that only one vote is cast per eligible voter.

2. Is it permissible for SBDM council elections to occur electronically?

While it is permissible for SBDM elections to be conducted electronically, the Kentucky Department of Education (KDE) maintains that this decision is at the discretion of each constituent group. KDE also recommends that electronic elections maintain the integrity of the voting process and protect the identity and maintain anonymity of each voter.

3. If a constituent group chooses to hold its SBDM election electronically, what process does KDE recommend?

In an ideal scenario, voters would be assigned unique codes that would be entered into the school's voting platform of choice in order to verify and track voting.

An equitable nomination and voting option should be provided for parents that lack access to the internet or do not have the technical capacity to submit forms electronically, particularly for parent elections. For these individuals, the parent organization could choose to use a written form and provide appropriate instructions for completion. This could be done by mail or distributed in a variety of ways (i.e. during Open House, at pick-up and drop-off for before and after school programs, at events such as Jump Start and Backpack Buddies, etc.) If it is determined that receiving nominations and/or ballots by mail is preferred, KDE strongly encourages that voters are provided postage-paid, addressed return envelopes.

Please ensure this documentation is stored with any identifying information redacted so that, if a request is made for the results under Kentucky's Open Records Act, the anonymity of voters and votes cast will be ensured.

4. Does KDE recommend a particular electronic voting platform?

While KDE cannot endorse a specific program, there are a variety of electronic voting platforms (i.e. BallotBoxonline.com, Yes Elections) widely available that allow for soliciting nominations as well as voting.

5. How can anonymity be ensured if mail-in voting is used for SBDM elections?

To better ensure anonymity using paper ballots, a process could be adopted locally that utilizes two envelopes — an outer envelope that includes the voter's name and address to verify eligibility, and an inner envelope in which to conceal the completed ballot. Using this approach, voters should be instructed not to make any identifying marks on the inner envelope. Upon receipt of completed ballots, and once eligibility has been verified from the outer envelope, the inner envelopes can be separated, opened and counted without regard to any identifying information.

6. Is voting by proxy allowable in SBDM elections?

While there is no specific prohibition against proxy voting contained in KRS 160.345, the decision to allow proxy voting is at the discretion of each constituent group and must be clearly set forth in their election procedures. If election procedures do not clearly permit proxy voting, voting by proxy should not be permitted. If proxy voting is allowed, any electronic voting procedures must ensure a mechanism by which the validity of proxy designations can be verified, and eligible voters are not able to vote twice – once by proxy and again by ballot.

7. Does KDE recommend elections be conducted via phone or automated calling systems?

At this time, KDE does not recommend elections be conducted via phone or automated calling systems.