

# *SBDM*

## New Principal Packet



### CONTACT

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These materials were developed by the Kentucky Department of Education to assist principals with implementing school-based decision making councils.

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## Introduction

Congratulations on your new role! This packet is designed for new principals who are leading their school-based decision making (SBDM) councils for the first time or any school leader who wants SBDM-related information specific to their role within the school community.

Your local contact for SBDM will be your district's [SBDM coordinator](#) who is endorsed by the Kentucky Department of Education (KDE) and will be able to answer questions you may have. KDE also has an SBDM consultant whom you may consult, and you can find their contact on the [KDE SBDM Webpages](#). Their role within KDE is to support districts and schools in implementing SBDM councils.

KDE also offers free policies and bylaws review. The purpose of the review is to provide guidance and suggestions for effective policies. The suggestions are not mandatory but are a starting point to have conversations with your councils for possible revisions. If you are interested, please contact the [SBDM consultant](#) at the Kentucky Department of Education.

Again, congratulations on your new role!

# OPEN RECORDS

School-based decisions making councils are considered public agencies, thus are subject to the open records laws unless the records are exempted by one or more of the exemptions found in statutes KRS 61.870 to KRS 61.884.

The basic requirements to provide access to public records include:



<b>SUITABLE FACILITIES</b>	Each public agency must make suitable facilities available for any person wishing to exercise the right to inspect nonexempt public records.
<b>TIME FOR INSPECTION</b>	Each public agency must permit inspection of nonexempt public records during regular office hours of the agency or mail copies to a person whose residence is outside of the county in which the records are located.
<b>OFFICIAL CUSTODIAN</b>	Each public agency must appoint an official custodian of the agency's records.
<b>RULES AND REGULATIONS</b>	Each public agency must adopt rules and regulations which conform to the Open Records Act, and these must be displayed in a prominent location accessible to the public.
<b>SPECIAL CONSIDERATIONS</b>	A public agency is not required to compile information or to create a document that does not already exist.

# CLOSED MEETINGS

Kentucky Revised Statutes (KRS) 61.800 to KRS 61.850 are known as the Open Meeting statutes and outline the reason for open meetings and exceptions to open meetings. School-based decision making councils (SBDMs) are considered a public agency and are required to follow the Open Meeting statutes.

The Kentucky Open Records and Open Meetings Acts are two important means by which the citizens of this great Commonwealth can access their government, and government officials can maintain transparency for the citizens they serve. The Kentucky Open Records and Open Meetings Acts protect the rights of the general public to know the actions and decisions of its public agencies. Transparency is critical for councils, because it allows all stakeholders to be aware of conversations and decisions being made for the school. There will be times that a council will need to discuss matters in closed session; however, all decisions made by the council must occur in open session.

In some instances, councils are allowed to conduct a closed meeting. It can enter closed session when:

- **Discussing actual or potential litigation**
- **Discussing appointment of individuals**
- **Discussing the school's emergency plan**

Kentucky Revised Statute (KRS) 61.815 outlines the requirements for calling a closed session. Steps for properly calling a closed meeting are as follows:



**Announce a need for the closed session**



**Provide a general description of the issue to be considered**



**Identify the statutory section that allows the closed session**



**Obtain a motion to go into closed session**



**Obtain a majority vote to enter a closed session**

*For example, "I move to adjourn to a closed session pursuant to KRS 61.810(1)(f) to discuss an appointment of an individual."*

- **During the closed session, the council or committee can only discuss the issue described.**
- **Minutes are not required to be taken during closed session.**
- **The council must return to open session before making a decision.**

## **Councilmember Flyers**

The next two pages contain flyers to assist with advertisement of parent and teacher representative vacancies. These are editable to explain where and when your school's council meetings take place.

# PARENT SBDM COUNCILMEMBER



School-based decision making (SBDM) councils promote shared leadership among those who are closest to the students. Membership of each council includes parents, teachers and an administrator of the school. The council has the responsibility to set school policy and make decisions as outlined in statute, which should provide an environment to enhance student achievement and assist in meeting the goals established in KRS 158.645 and KRS 158.6451. On average, over 7500 people serve on councils throughout the state with over 2500 of those councilmembers representing parents.

## WHO

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

## WHAT

SBDM parent representative

## WHERE

## WHEN

## WHY

SBDM is an opportunity for families to work in harmony with teachers and school administrators toward establishing goals for student success.

## HOW

Contact your school's Parent Teacher Organization (PTO) or Parent Teacher Association (PTA) for additional information. If your school does not have a PTO or PTA, you are encouraged to connect with the school's principal for additional information.



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# TEACHER SBDM COUNCILMEMBER



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## WHO

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

## WHAT

SBDM teacher representative

## WHERE

## WHEN

## WHY

SBDM is an opportunity for teachers to work in harmony with families, the community and school administrators toward establishing goals for student success.

## HOW

Contact the teachers in charge of your school's SBDM elections for more information on serving on the council.





## Required Policies Checklist

Below is a checklist for policies that are required by statute. The end of the checklist contains blank cells for you to complete with any local policies that may be required by your district.

Policy	Present (Yes/No)	Date Reviewed	Needs Revisions (Yes/No)
Curriculum Policy (Effective Writing Program)			
Staff Time Policy			
Assignment of Students to Classes and Programs Policy			
Schedule of the Day and Week Policy			
School Space Policy			
Planning and Resolution of Issues Regarding Instructional Practices Policy			
Selection and Implementation of Discipline and Classroom Management Techniques Policy			
Selection of Extracurricular Programs Policy			
Adoption of an Emergency Plan Policy			

<b>Policy</b>	<b>Present (Yes/No)</b>	<b>Date Reviewed</b>	<b>Needs Revisions (Yes/No)</b>
Procedures for Determining Alignment with State Standards, Technology Utilization, and Program Appraisal Policy (must be consistent with local school board policy)			
Personnel AND Principal Consultation Policy			
Committee Policy (if the school has committees)			
Advanced Coursework Policy			
Wellness Policy (required for K-5 but best practice for all school)			
Parent, Family and Community Engagement Policy			
Wellness and Nutrition Policy (if the school is participating in the National School Lunch Program or School Breakfast Program)			
Portable Automated External Defibrillator (AED) Use Policy			

## Common SBDM Missteps

This section contains scenarios with common missteps taken by council chairs. Each topic cites the relevant statutes and regulations, when applicable, and explains the common misstep taken by council chairs.

### *Comprehensive school improvement plan (CSIP) development*

- The Continuous Improvement Planning regulation, 703 KAR 5:225, states the CSIP is developed by the school council, or successor, and charter schools with the input of parents, faculty and staff. A common misstep is principals developing the CSIP by themselves and sharing the CSIP with the council only when the CSIP is due. The council, parents, faculty and staff should be involved in the development of the CSIP.

### *Consultation for school-level positions*

- Kentucky Revised Statutes (KRS) 160.345 states the principal shall select personnel to fill vacancies, after consultation with the school council, consistent with the school's consultation policy. A common misstep is principals do not look at their consultation policy or their consultation policy has not been updated to reflect the current practices. As a new principal, you should review your consultation policy to know what is required for consultation and ensure it is updated. Your consultation policy should also address the situation when quorum cannot be met.

### *Quorum*

- A council cannot make any decisions without quorum present, and a quorum is defined within the council's bylaws. A common misstep is principals not understanding their quorum requirements or hosting a council meeting without quorum present.
  - o If a quorum is not present and cannot be obtained, the chairperson calls the meeting to order, announces absence of quorum and entertains a motion to adjourn.

### *Elections*

- Elections for parent and teacher representatives are hosted by those constituent groups. Each of those groups should have their own election procedures and should follow them during their elections. Election procedures should not be included within the council's bylaws, and it is recommended that, if they are within your council's bylaws, they are removed. They may include dates when the elections are due; however, no procedures should be included.
  - o As the principal, you can assist with logistics (e.g., opening the building, providing space, assisting parents and teachers with communication), but you are unable to set up or monitor election procedures, nominations, balloting or counting votes.

### *Minority Elections*

- If your school has 8% or more minority student enrollment as of Oct. 1 of the previous school year, then your school's council requires minority representation. In these elections,

KRS 160.345 states the principal holds a special election for a parent minority representative, and the principal allows the teachers to conduct a special election. For more information on minority elections, please review the [SBDM Minority Election Reference Guide](#).

## Open Meeting FAQ

### 1. What are the requirements for regularly scheduled school council meetings?

All school councils must adhere to all open meeting requirements which state:

- Each agency sets its own regular meeting schedule.
- The schedule must list the dates, times and places of the regular meetings.
- The schedule must be available to the public.

### 2. Does the open meetings statute apply to school councils and committees?

Kentucky's open meetings statute protects the general public's right of awareness to public agency actions. Therefore, this statute applies to school councils and their committees. The open meetings statute applies whenever a majority is present and public business is discussed even if no action is taken.

### 3. When is a closed session of the school council allowed?

A closed session is allowed to discuss actual or potential litigation, to discuss candidates during consultation or to discuss items where state or federal law specifically requires privacy, such as the adoption of school emergency plans. A school council may not go into closed session for any other reason. All other business of the council must be held in open session.

Certain procedures must be followed when entering closed session. The school council must start in open session, giving notice and rationale for entering closed session. A motion must be made, seconded and approved to enter closed session. While in closed session, no action may be taken. The topic may be discussed thoroughly, and the council members' positions may be determined via this discussion; however, no decisions shall be made in closed session. In closed session, no subject may be discussed other than the ones publicly announced prior to convening the closed session. Minutes should not be taken during closed session. The council must reconvene to open session to make a decision. Any action taken must occur during the open meeting. A formal motion, second and action must be recorded in the minutes and made available to the public.

### 4. What are the requirements for special meetings?

Occasionally, special meetings of the school council are necessary and may be called following these procedures:

1. The chairman or a majority of council members can call a special meeting that is not on the regular schedule.
2. Written notice must state the date, time, place and agenda for the special meeting.
3. The written notice must be sent to all school council members by fax, mail or hand delivery 24 hours in advance, as well as posted at the school and sent to media if they have requested to receive it.

### 5. Do meeting agendas require a time for public comments?

No, having a public comment time is not a required activity for school council meetings.

Having a public comment time on the agenda is at the discretion of the school council. From the Office of the Attorney General (95-OMD-99): "It is the decision of the Attorney General that the provisions of the Open Meetings Act do not guarantee a person attending a public meeting the right to address the public agency during the course of the meeting."

## **Additional Resources**

- [KRS 160.345](#) (the SBDM statute)
- [SBDM Handbook](#)
  - Model Bylaws (Appendix C)
  - Model Policies (Appendix D)
- [SBDM Implications for Schools Identified for Improvement](#)
- [SBDM Monthly Agenda Topics](#)
- [SBDM Minority Election Reference Guide](#)