

Thank you for your commitment to school-based decision making (SBDM) and for training the council members attending your session(s). As a reminder SBDM 101 is designed as a six-hour session for new members. The session can be completed in one day with half in the morning, a lunch break, and then concluding in the afternoon, **or** it can be completed in a two-day period (e.g., two nights in a row, two Saturday sessions, et cetera ...). The SBDM statute allows for experienced members to complete half of the session as part of their required training; however, KDE's position is that this is not best practice.

The Facilitator's Guide includes a script, as well as accompanying answers and notes. The script itself is discretionary and serves as a guide only; the answers are samples. Feel free to create your own transitions between topics and to facilitate discussions to your comfort level; you are not bound by the script itself. Most of the activities and readings require mandatory engagement, so passive learning and sit-and-get are not recommended. Encourage your trainees to take notes, highlight, annotate, and interact with the words on the pages.

Should you find any incorrect information or need clarification on an activity, or if you would like to provide feedback on the module, feel free to contact your SBDM consultant at (502) 564-3791.

Needed Materials

- Booklet for each participant
- Chart paper (optional)
- Computer for PowerPoint presentation
- Consensogram
- Conversation cards (cut and banded/paper clipped together)
- EILA certificates
- [Electronic evaluation link](#)
- Highlighters
- Internet connectivity (evaluation completion)
- Markers (optional)
- Nametags or name tents
- Policy sheets
- Post-its (optional)
- Sample bylaws and policies (can be found on the [Technical Documents page](#) of the SBDM website in the [SBDM Handbook](#))
- Sign-in sheets
- True/False flashcards (optional [copied front to back])

After welcoming participants, provide each person with a copy of the training booklet. Read the information found on Slide 2. This is also a key time to note that the training is designed to last six hours to satisfy the legal requirement for new council members.

SBDM 101

An Introduction to School-based Decision Making

SESSION OVERVIEW

SBDM 101 was designed to help new council members understand the purpose of school-based decision making and the council's work related to student achievement. By the end of this session, council members will be able to recognize the basics of Kentucky statutes and regulations governing their work and roles.

STUDENT ACHIEVEMENT

The school council's mission is to improve student achievement (KRS 160.345(2)(c)). Each school council must create an environment in its school that will result in students achieving at high levels. All policies and decisions made by the school council must contribute to the achievement of the overall school's mission.



Kentucky Department of
E D U C A T I O N

CONTACT

300 Sower Boulevard
Frankfort, KY 40601
(502) 564-3791
education.ky.gov

This training and all materials were developed by the Kentucky Department of Education for use in training experienced school council members in implementing school-based decision making.

Say: SBDM 101 is divided into two sections: Section I: The Basics covers essentials of council work, such as roles of each member, the responsibilities of council and open meetings and open records. Section II: Beyond the Basics, explores bylaws, policies, and decisions and gets at the heart of the council's work.

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Opening Activity: Place a copy of the consensogram on a table or in a centralized location. **Tip:** Print the consensogram on legal size paper (8.5" x 14"). Prior to beginning the reading on Page 3, have participants determine where they see themselves on the consensogram continuum. Explain the consensogram is a survey tool that will be visited at the beginning of the training and again at the very end to determine if their SBDM knowledge increased. Participants can use a marker to place a dot or circle where he/she fits on the continuum or if you have any color-coding labels or stickers, participants can place one of those on the continuum. Once everyone has had a chance to participate, explain that you will return to it at the end of the training to determine if their knowledge has increased.

Say: Let's begin by reading a short introduction to school-based decision making (SBDM). While we read this page aloud, feel free to highlight on the page and take notes in the margin; your copy of the booklet belongs to you.

Section I: The Basics

Introduction to School-based Decision Making

In the 1990 legislative session, the Kentucky General Assembly passed House Bill (HB) 940, commonly known as the Kentucky Education Reform Act (KERA). Essentially, this landmark legislation changed the face of education in Kentucky. One drastic change that came along with KERA was Kentucky Revised Statute (KRS) 160.345, which outlined school-based decision making (SBDM) councils.

School 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.

Kentucky's education goals expect a high level of achievement for all students. Pursuant to KRS 158.6451, all schools must develop their students' abilities to do the following:

1. Use basic communication and math skills for the purposes and situations they will encounter in their lives;
2. Apply core ideas from math, sciences, arts and humanities, social studies and practical living studies to situations they will encounter throughout their lives;
3. Become self-sufficient individuals of good character;
4. Become responsible members of a family, work group, or community including demonstrating effectiveness in community services;
5. Think and solve problems both in school and in situations they will encounter in life;
6. Connect and join experiences and new knowledge from all subject matter and build on past learning experiences to acquire new information; and
7. Express their creativity in visual arts, music, dance and drama.

Discussion: Prior to moving on, ask participants if they have any questions about the information on this page, **or** you could facilitate your own discussion with participants centered on the goals: Which goal is most important to you? Why? Are there any goals you wish you had been taught when you were in school?

Read the **highlighted** section aloud. Have participants share their answers aloud (either as a whole group or at their tables) and compare today's schools to when they were students.

Schools are always changing to meet the high demands of the 21st century. What are school councils doing to assist schools in meeting these demands? As we begin this study in school-based decision making, ask yourself these questions:

1. How has the world changed since I was a student?
2. What do students need to learn in order to be successful?
3. How will I ensure my council's decision-making allows students opportunities to achieve at high levels?

Each council must create an environment in its own school that will result in high levels of student achievement. The SBDM statute also holds each school council accountable for how well it meets this responsibility. All policies and decisions made by a school council must contribute either directly or indirectly to achievement of that overall mission. Shared decision-making results in a greater commitment to enhancing student achievement.

After the conversation has ended, explain to the participants that you are going to have them take a 10-question pretest to determine what they *already know*. It is important that you stress there is no penalty for wrong responses and that the pretest is a tool to assist you, the trainer, with what the participants need to learn about SBDMs and where you will focus your training. After five minutes, call time and review the answers as a group.

”
“

Education is the most powerful weapon which you can use to change the world.

— Nelson Mandela

Go to Slide 3.

SBDM Prior Knowledge

Read the following questions/statements and circle your best guess based on what you already know about school-based decision making (SBDM) and what you have inferred thus far. When the facilitator calls time, work with your table to discuss your responses and/or settle on the correct answers.

1. Every area of school council authority is established for a reason. What is the school council's most important responsibility?

- a. Establishing policy
- b. Determining the schedule of the school day
- ☒ c. Improving student achievement
- d. Textbook selection

2. The SBDM statute requires that school councils annually review data on student performance. The test data your school is required to review should include data disaggregated by:

- a. Race
- b. Gender
- c. Participation in the federal free/reduced-price meals program
- d. Students with a disability
- ☒ e. All of the above.

If asked, explain that *disaggregate* means to separate. Schools are asked to separate testing data by those subgroups listed and compare the group's performance for the purpose of eliminating achievement gaps and in improving overall student achievement.

3. ☒ True or ☐ False: The school council is responsible for adopting a policy that determines the use of school space during the school day related to improving classroom teaching and learning.

4. When is a school council required **by statute** to have minority representation?

- a. When it is first established
- ☒ b. When at least eight percent (8%) of the student population is minority
- c. When the school has a minority principal
- d. When the board of education mandates it

5. ☒ True or ☐ False: All school councils *must* have school council committees.

6. ☒ True or ☐ False: School councils are subject to The Kentucky Open Records and Open Meetings Acts.

7. Which one of the following persons cannot serve as a parent representative on the school council?

- a. Birth parent(s)
- b. Foster parent(s)
- ☒ c. A teacher who also has a child enrolled as a student at the school
- d. Stepparent(s)

Teachers can serve in the teacher role, but not as a parent at the school where they work.

8. **True or False:** The school council must meet with the media librarian on the maintenance of the school media center.

9. Consultation can include:

- a. Meetings
- b. Timeline
- c. Review of applications and references
- d. Interviews
- ☒ e. All of the above

10. **True or False:** All schools must adopt a wellness policy.

This one may present itself as a trickier statement, because only K-5 must have a *wellness policy* per Kentucky statute (KRS 160.345[11]) and the statement says *all*.



After the facilitator reviewed the correct responses with you, what information was surprising to learn? *Answers will vary.*

Go to Slide 4 to display the answers in case the participants missed something during the whole group review.

Go to Slide 5. **Say:** We will be viewing portions of the SBDM statute throughout this training and will be discussing the sections of the statute that councilmembers mostly interact. You can find the entirety of the statute, including the sections not covered in this training, in Appendix A. You will want to become familiar with this statute and its contents because it drives everything you do as a councilmember. Throughout the training, use the annotation symbols (at the bottom of the page) to interact with the statute. Let's take a closer look at the information underneath the heading. Have participants volunteer to read this section

The SBDM Statute



Kentucky’s laws are known as the Kentucky Revised Statutes (KRS). These statutes are organized by title and chapter like a book; however, when we look at the text in print, it resembles an outline with letters and numbers. All of Kentucky’s statutes can be found on the [Legislative Research Commission’s \(LRC\) website](#); however, KRS 160.345 is the primary statute pertaining to a school council’s work.

Directions: You will be presented with **sections** of KRS 160.345 throughout the training. Before and after the statute excerpt, you will find relevant information regarding that. Please note that the sections are not in the order in which they appear in the statute. For ease of reading and compartmentalizing the information, this training arranges the statute by topic. When a section of the statute is presented, silently read the statute and while doing so, please draw attention to important information by circling, underlining, placing an asterisk (*) near, and even by making notes in the margins – especially focusing on any question/statement from the previous pretest. An annotation key is included below to assist you.

You can find the **full text** of KRS 160.345 in Appendix A, which includes any portion of the statute not referenced in this training module, such as the local board of education having the authority to grant additional responsibilities to school councils that are not outlined in statute and the implications of school-based decision making authority for those schools identified for Comprehensive Support and Improvement (CSI).

While reading the statute, please note there are several words intentionally **highlighted** by the Kentucky Department of Education (KDE) staff to draw your attention to several core areas within the statute and to assist you in compartmentalizing the information on the pages.

Annotation Key

	<u>Underline</u>
unfamiliar words	key words or details
?	*
don’t understand	important or must remember
!	
surprising information	connections made
+	-
agree	disagree

Before reviewing the statutory definitions included in KRS 160.345, have participants close their booklets and ask them to pair or group up (depending on the number of participants in your session) and come up with definitions for the following terms: minority, school, teacher, and parent. After 5 minutes, ask for volunteers to share their definitions of one of the terms aloud. After sharing their definitions aloud, have participants return to their booklets and provide them with time to read and annotate the definitions listed below. Once everyone is finished, pose the following questions: Are there any definitions that surprised you? Do you prefer your definitions or those found within the statute? Why is it beneficial that this statute defines several terms?

Definitions

Words in statutes may have a slightly different meaning than what is used in everyday language. KRS 160.345(1) defines words that are used throughout the SBDM statute. When reviewing sections of the statute throughout this training module, refer to this page to check your understanding.

KRS 160.345(1) – Definitions

- (1) For the purpose of this section:
 - (a) "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;
 - (b) "School" means an elementary or secondary educational institution that is under the administrative control of a principal and is not a program or part of another school. The term "school" does not include district-operated schools that are:
 - 1. Exclusively vocational-technical, special education, or preschool programs;
 - 2. Instructional programs operated in institutions or schools outside of the district; or
 - 3. Alternative schools designed to provide services to at-risk populations with unique needs;
 - (c) "Teacher" means any person for whom certification is required as a basis of employment in the public schools of the state, with the exception of principals and assistant principals; and
 - (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.

Go to Slide 6. **Say:** At this point, you should have a general understanding of school-based decision making terminology. Next, we will dig deeper into several topics that impact your work. Let's begin with a dive into The Kentucky Open Records and Open Meetings Acts. Have participants volunteer to read this section aloud.

The Kentucky Open Records and Open Meetings Acts

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. Pursuant to KRS 61.870(1), school councils and their committees are public agencies and therefore are required to comply with all aspects of the Kentucky Open Records and Open Meetings Acts. Likewise, KRS 160.345 states the following regarding open SBDM council meetings:

KRS 160.345(2)(e) – Open Meetings

Each local board of education shall adopt a policy for implementing school-based decision making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:

(e) The **meetings** of the school council shall be open to the public and all interested persons may attend. However, the exceptions to open meetings provided in KRS 61.810 shall apply...

The requirements of the Kentucky Open Records and Open Meetings Acts apply to all meetings where a quorum of the membership is present, where public business is being discussed (even if no action is taken), and/or when actions are taken or decisions are made.

Members of the public may attend any public meeting and a public agency may **not** require an individual to identify himself or herself to attend a public meeting. The courts have stated that the Open Meetings Act must be interpreted most favorably to the public since "failure to comply with the strict letter of the law in conducting meetings violates the public good."¹

¹ Office of the Attorney General. "The Kentucky Open Records & Open Meetings Acts: A guide for the public and public agencies." June 2020.

Review this page with participants. As you review the qualities of each meeting type, ensure you are on the correct PowerPoint slide. For regular meetings, go to Slide 7 and then go to Slide 8 to fill in the blanks for special meetings.

Council members may be asked to participate in **two meeting types**: regular and special. A set of characteristics helps to distinguish the two meeting types; however, key to both meetings is that they must begin in open session to allow the public an opportunity to attend and hear what transpires during council discussion and the meetings must be held at times and places that are convenient to the public.

Regular	<ul style="list-style-type: none">○ Held at dates and times on a REGULAR MEETING SCHEDULE that is available to the public
Special	<ul style="list-style-type: none">○ Held at dates and times NOT on a regular meeting schedule○ Called by the chairperson or a MAJORITY of the council○ Requires written notice that includes the date, time, place, and agenda (agenda cannot be added to or amended during meeting)○ Requires that the notice be sent to all members by fax, mail, email², or hand delivered 24 hours in advance○ Posted at your location and meeting location 24 hours in advance○ Sent to media, fax, mail, email³, or hand delivered 24 hours in advance if media has asked to receive notification of special meetings

Having effective meetings is crucial to an SBDM council's work. The conversations that take place at a council meeting and the decisions that are made directly impact the functioning of 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.** Continue reading to learn how the **two session types** differ.

Go to Slide 9.

² Written requests for council email notifications must be on file at the school.

³ Written requests for media email notifications must be on file at the school.

Open Session	<ul style="list-style-type: none"> ○ Regular and special meetings must be <u>OPEN TO THE PUBLIC</u>. ○ Council and committee decisions must be made in open session. ○ Exceptions for open meetings are allowable when a closed session is properly called for and permissible.
Closed Session	<ul style="list-style-type: none"> ○ Closed session can be called for so long as it is permissible. While KRS 61.810 includes many permissible reasons for closed session, the following reasons pertain to council discussions: <ul style="list-style-type: none"> ○ actual or potential litigation ○ appointment of individuals ○ meetings which federal or state law specifically require to be conducted in privacy (i.e. school's emergency plan) ○ Closed session must be properly called for by completing the following: <ul style="list-style-type: none"> ○ announcing a need for closed session and ○ providing a general description of the issue to be considered and ○ identifying the statutory section that allows it and ○ obtaining a motion to go into closed session and ○ obtaining a majority vote. ○ During closed session, the council or committee can discuss <u>ONLY</u> the issue described. ○ Councils are not required to take minutes in closed session. ○ The council or committee must return to open session <u>BEFORE</u> taking any action.

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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.⁴

⁴ Kentucky Attorney General. Letter to Kentuckians. 29 June 2020. Dear Fellow Kentuckians.

Activity: With several other council members, discuss the following three scenarios and determine whether the statements are reflective of the Kentucky Open Records and Open Meetings Acts.

Allow the participants the option to assemble themselves into pairs or groups and provide them with 10-15 minutes to read and evaluate each scenario outlined below. Once time has elapsed, review the answers together.

Scenario #1: The SBDM council at Wildcat Elementary School already had its regularly scheduled monthly meeting; however, due to a recent vacancy, a special meeting has been called. The agenda was shared prior to the meeting, but at the last minute, the chair remembered the council also needed to discuss its improvement plan before the month's end. Since he already had his council there, he penciled this topic in on the agenda. The minutes were made available four months after the meeting.

Is the council following the requirements of the Kentucky Open Records and Open Meetings Acts? ☐ Yes ☒ No

If the council does not meet the requirements of the Kentucky Open Records and Open Meetings Acts, what will need to happen so that it does? *Agenda items cannot be added to a special meeting's agenda, and assuming the council had meetings in the interim, the minutes should have been made available sooner.*

Scenario #2: Cardinal Middle School takes budgeting discussions very seriously and feels budgets are best discussed in closed session for the purpose of efficiency. In the past, when the budget was held in open session, the council found its meeting to be unproductive and the environment tense. To avoid contention, the eight-member council feels the talk of professional development and library/media needs are not the business of any meeting attendees and retire to a conference room to discuss monies and allocations privately.

Is the council following the requirements of the Kentucky Open Records and Open Meetings Acts? ☐ Yes ☒ No

If the council does not meet the requirements of the Kentucky Open Records and Open Meetings Acts, what will need to happen so that it does? *These discussions must remain in open session or can be a committee charge.*

Scenario #3: Bobcat High School's SBDM asks that each department chair present data pertaining to proficiency, as well as plans for closing the achievement gap in their respective subject areas. The department chairs are assigned a specific month in which they are to present and prior to presenting, use professional learning community (PLC) time with their departments to disaggregate data and determine a plan for closing the gaps. The information gathered during these presentations allows the council to better plan what should be included in the comprehensive school improvement plan (CSIP) and to set targets for eliminating achievement gaps since the school has a history of performing poorly on state tests, especially in reading. A local media outlet has asked to film the meeting when the English teacher presents on this area and share snippets of the presentation on the 6 o'clock news; however, the chairperson has forbidden it stating, "This information is preliminary and serves no purpose in its current stage to the public at large."

Is the council following the requirements of the Kentucky Open Records and Open Meetings Acts? ☐ Yes ☒ No

If the council does not meet the requirements of the Kentucky Open Records and Open Meetings Acts, what will need to happen so that it does? **Public agencies must permit news media coverage, including recording and broadcasting.**

After participants have had enough time to complete the activity, share responses aloud and allow time for corrections. The last example was likely misleading since it was not necessarily spelled out on the previous pages. Explain to participants that if they have not done so already, they will be receiving copies of The Kentucky Open Records and Open Meetings Acts locally, which outlines the requirements in greater detail.



Did You Know? The attorney general's office requires that copies of the Kentucky Open Records and Open Meetings Acts: A guide for the public and public agencies and Managing Government Records: A Cooperative Undertaking be distributed to council members within 60 days of the beginning of the council's term. Upon receipt, council members sign a

Certificate of Receipt to verify they have received copies of both resources. This signed form is kept on file at the school office. Please ensure you have read both documents and understand the connection to your work on council.

Have participants volunteer to read the information below aloud. Most council meetings were conducted by video teleconference during the COVID-19 pandemic and now that the emergency provisions are lifted, councils may still host meetings via video teleconference following the guidelines below.

Meetings by Video Teleconference

During the 2018 legislative session, [KRS 61.826](#) was amended to allow a public agency to conduct any meeting, including a closed meeting, through video teleconference. During the 2022 legislative session, the statute was amended to clarify video teleconferencing procedures.

A **video teleconference** is defined as one meeting occurring in two or more locations in which individuals can see and hear each other by means of video and audio equipment. The statute, as amended, also says:

1. Notice of a video teleconference meeting shall comply with the requirements of KRS [61.820](#) or [61.823](#) as appropriate. It should clearly state that the meeting will be a video teleconference and provide specific information on how any member of the public or media organization may view the meeting electronically.
2. In any case where the council has elected to provide a physical location, or in any circumstance where two (2) or more members of the council are attending a video teleconference meeting from the same physical location, a primary physical location must be identified where all members can be seen and heard and the public may attend in accordance with KRS 61.840.
3. The same procedures regarding participation, distribution of materials, and other matters shall apply in all video teleconference locations. **Members of the council who participate in a video teleconference must remain visible on camera at all times business is being discussed.**
4. Any interruption in the video or audio broadcast of a video teleconference at any location shall result in the suspension of the video teleconference until the broadcast is resolved.
5. If a regular meeting is changed to a video conference, the meeting will remain a regular meeting **if it occurs on the same time and date as originally scheduled.**

Attendance through video teleconference **does count toward quorum**. Voting and decision-making processes **can occur** during teleconferencing.



As a result of the COVID-19 pandemic and to ensure the safety and well-being of council members and attendees, many councils resorted to conducting its business through video teleconferencing. Why would it be advantageous to continue with the practice of conducting meetings through video teleconferencing or perhaps a hybrid approach of in-person and virtual meetings in the future? **Answers will vary. Facilitate a discussion of the question with your participants.**

Say: Next we will review the importance of the meeting agenda and keeping minutes as it relates to your work on council. Encourage participants to annotate/highlight while reviewing this section.

Developing Agendas and Keeping Minutes

A council's agenda **sets out the tasks for each meeting** and **establishes order** so members and other participants can understand the purpose and goals for the meeting. Each council and committee determine the frequency and agenda for its meetings as required by KRS 160.345(2)(e). A preliminary agenda can be sent out before the meeting as long as the school council approves it when the meeting begins. During regular meetings, the council also can revise the agenda. Agendas for special meetings **cannot** be amended once the official notice has been delivered. When preparing an agenda for a meeting, whether it be a regularly scheduled meeting or a special meeting, keep the following questions in mind:

Purpose	Notifications & Materials
1. Why are we having this meeting and what do we need to achieve? 2. What topics from the last meeting or recurring items from month to month (i.e. reviewing and approving previous meeting minutes, committee reports, budget items, improvement plan, data analysis, etc.) need to be addressed again? 3. What new topics need to be addressed (i.e. consultation, job classification, etc.)?	1. Date: When will we be meeting? 2. Location: Where will we be meeting? 3. Starting and ending times: What time will the meeting begin and perhaps end? 4. Media outlet notifications: Have we notified any media outlet that has requested notification? 5. Meeting preparation: When will the agenda and supporting documents be provided to the council members?

Directions: Review the sample regularly scheduled meeting agenda on the next page and evaluate its components by responding to the questions below:

1. What are the **strengths** of the agenda? It provides order and establishes purpose with each item. It recognizes who is on point to lead the discussion, which allows for efficiency. Although not required, it allows for public comment ensuring community stakeholders have an opportunity to be heard.
2. What **other topics** may need to be included in order to have an effective meeting? Generally, KDE releases state test results to districts and schools by October 1. The October meeting (especially as it relates to the Comprehensive School Improvement Plan [CSIP]) may be an ideal time to bring this information to the attention of council members.
3. Are there any agenda items which would necessitate a **closed session**? None of the items on this agenda would allow for a closed session.

COMMONWEALTH HIGH SCHOOL

SBDM Meeting

September 20, 2023 | 5:30 p.m. | SBDM Council

Council Members

James Panel, Chair | Elizabeth Cox, Teacher | Carter Coen, Teacher | Jessica Dunaway, Teacher
Dominique Nunez, Parent | Jon Michaels, Parent

Agenda Item	Lead
Welcome & Roll Call	J. Panel
Approval of Agenda	J. Panel
Approval of Minutes from August's Meeting	J. Panel
Good News	E. Cox
New Business	
a) Discussing new graduation requirements	
b) Training deadline for SBDM Members	J. Panel
c) Curriculum Policy (Effective Writing Program)	
d) Financial Report	
Committee Reports	
a) Extracurricular Committee – Suggested new offerings for the upcoming semester	C. Coen
Comprehensive School Improvement Plan (CSIP) Update	
a) Continuous Improvement Diagnostic and Needs Assessment	J. Panel
Public Comment	Guests
Adjournment	J. Panel

Go to Slide 10. While reviewing this section, you are encouraged to have participants read the opening paragraph aloud specifically stressing the highlighted portion below. When reviewing #s 1-4 below, you will need to provide this information as it is blank in the participant's guide.

Keeping **accurate minutes** is another responsibility of the school council. **Minutes are the official record of school council decisions.** For practical purposes, if the school council minutes do not reflect a decision, then the decision did not occur.

Minutes are **not** meant to be a point-by-point account of discussions specifying who said what in a discussion, report on off-track discussion including optional items that could embarrass someone, and/or an opinion of the author of the minutes or any school council member.

At minimum, the school council minutes must include the following:	<ol style="list-style-type: none"> 1. Council name 2. Names of members present 3. Date of meeting 4. Any decision made
Other helpful items to include in the minutes are as follows:	<ol style="list-style-type: none"> 1. Time the meeting began and ended 2. Names of members 3. Summary of major points made in reports and discussions 4. Names of people who presented reports 5. Attachments of documents relevant to the group discussions 6. Follow-up summary: Who agreed to do what and by when



Outside of the legal implications of the Kentucky Open Records and Open Meetings Acts, why should councils work to ensure transparency and accessibility?

Gives the impression that ALL are welcome. While authority rests on the council, it shows that shareholders' opinions are valued.

Prior to moving forward to open records, ask your trainees if they have any unanswered questions about open meetings or agendas and minutes. Suggested follow-up question: What information was new learning? Enlightening? Piqued your interests? Read the opening paragraph regarding the Open Records Act aloud then go to Slide 11. You may solicit volunteers or read this to the group.

In 1976, the General Assembly enacted the Kentucky Open Records Act (KRS 61.870 to KRS 61.884), **which established the right of access to public records**. The General Assembly also recognized that there is an essential relationship between proper records retention and management and records access. All public records, whether they are stored in a computer or on paper, **must be open for inspection unless the records are exempted** by one or more of the exemptions found in the act.

The **basic requirements** for providing access to public records include the following:

- **Suitable facilities:** Each public agency must make suitable facilities available for any person wishing to exercise the right to inspect nonexempt public records.
- **Time for inspection:** 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.
- **Official custodian:** Each public agency must appoint an official custodian of the agency's records.
- **Rules and regulations:** 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.
- **Special considerations:** A public agency is not required to compile information or to create a document that does not already exist.

Activity: Listed below are several examples of appropriate or inappropriate responses to an Open Records Request (ORR). While reading each example, place a ~~line~~ through those that are not allowable or ideal responses or are not requirements of the Open Records Act.

1. A parent requested to see the school's Comprehensive School Improvement Plan (CSIP) since it was not posted on the school's website. The principal replied that she could ~~view it at halftime during the football game on Friday and would need to pick it up from the concession stand.~~

A student from Eastern Kentucky University (EKU) is working on her principalship and wishes to learn more about the tumultuous SBDM meeting that took place on Nov. 10, 2020 after reading about it in the local newspaper. She is researching SBDM and community engagement and believes that having access to not only the minutes of the meeting, but also an audio recording will assist her with her research. The official custodian of records received the request for an audio recording of the meeting and informed his council members that because such recording did not exist ~~that they would have to do their best to reenact the meeting to comply.~~

The local newspaper requested to inspect the most recent versions of all school policies at Commonwealth High School. The custodian of records responded to the request indicating that all policies could be inspected at the school's library Monday through Friday from 8:00 a.m. to 4:30 p.m. or could be found online on the school's website. **This response is appropriate to the inquiry.**

Go to Slides 12 and 13. Say: Those records that councils and schools are required to retain are outlined in chart below. A more detailed list is maintained by the Kentucky Department for Libraries and Archives and that full schedule can be found online. Let's review the chart below and discuss items deemed a permanent record all-the-way through those items with a one-year retention.

School councils are required to maintain and retain records. The Kentucky Department for Libraries and Archives (KDLA) has established a records retention schedule for public school districts. School councils must retain permanent records, while some other records may be discarded. The information below was adapted from the State Archives and Records Commission State Agency Records Retention Schedule, which can be found online at [Kentucky Department for Libraries and Archives](http://kdl.ky.gov).

Permanent Records	Five-year Retention	Three-year Retention	One-year Retention
<ul style="list-style-type: none"> • Annual financial audit report • Annual school report • Budget allocation to council • Official correspondence • SBDM council bylaws • SBDM council minutes • SBDM council committee minutes • SBDM council policy 	<ul style="list-style-type: none"> • Board policy waiver requests • School council policy appeals • Annual transformation plan (Comprehensive School Improvement Plan [CSIP]) 	<ul style="list-style-type: none"> • Budget expenditure report • Request for professional development • Parent council member election records • Teacher council member election records • Council member training record file 	<ul style="list-style-type: none"> • SBDM council & committee meeting notifications



Did You Know? The SBDM records of schools that have closed or consolidated must be archived in a secure location, usually at the local board of education offices. All school council minutes, committee minutes, official correspondences, budget allocations, bylaws, policies, annual school reports and annual financial audit reports are permanent records.

If time permits and you feel comfortable doing so, visit the web address <http://kdl.ky.gov> and show council members where/how to find the retention schedule. In the event you would like more guidance on how to find the schedule, please contact your SBDM consultant at KDE.

After reading each statement, have the participants show their learning from this topic and complete the true or false activity below. Once they have completed the activity, go over each statement below and provide explanations where needed. To encourage mandatory participation, **provide each participant with a True/False flashcard** they can hold up during the review. When everyone has answered the statements, go to Slide 14.

Directions: It is the duty and lawful responsibility of SBDM councils to ensure transparency and accessibility by allowing the public full access to its meetings and records. Let's see what you learned about the Kentucky Open Records and Open Meetings Acts. For each statement, circle True or False to the right of the statement.

Statement	Response
1. School council and committee meetings are by invitation only. False: All meetings are open to the public	True <u>or</u> False
2. Principals can call special school council meetings whenever they need as long as all members are notified at least 24 hours in advance of the meeting.	True <u>or</u> False
3. Special council meetings can only be called by the principal. False: A majority of the council can also call a special meeting	True <u>or</u> False
4. School councils can go into closed session for any reason. False: There are several reasons for a closed session; however, not all of them apply to a council's work.	True <u>or</u> False
5. Open meetings rules apply when the school council makes decisions, but not if they only discuss an issue. False: Applies to all meetings where quorum is present, public business is discussed, actions are taken or decisions are made.	True <u>or</u> False
6. Public agencies must respond to a request to inspect records in writing and within three days of receiving the request. False: As of June 29, 2021, public agencies have five days to respond.	True <u>or</u> False
7. Members of the public may attend any council meeting and are not required to identify themselves in order to attend. True: The public may observe with eyes and ears what transpires.	True <u>or</u> False
8. Meetings can be conducted by video teleconference.	True <u>or</u> False
9. If a quorum of council members attends the same sporting event, the Open Meetings Act is triggered, and minutes must be taken. False; however, please note they cannot discuss public business while at the function.	True <u>or</u> False
10. Councils cannot conduct their meetings by telephone. True: An absent member may listen in by telephone but cannot be counted toward quorum and cannot vote.	True <u>or</u> False

Say: We will now spend some time discussing council composition, the roles and responsibilities of council members and how committees can help councils with their work. You are encouraged to continue highlighting and annotating as we make our way through the next pages. Go to Slide 15.

School Council Composition

Every school council consists of one principal, three teachers, and two parents (KRS 160.345(2)(a)), elected by their constituent groups except for the principal. The school council may increase membership; however, the increase must be proportionate. The chart below includes a visual of **proportionate** increase:

Administrator	Teachers	Parents	Total Membership
1	3	2	6
2	6	4	12
3	9	6	18

KRS 160.345(2)(a-b) – SBDM Composition

(2) Each local board of education shall adopt a policy for implementing school-based decision making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:

(a) Except as provided in paragraph (b)2. of this subsection, **each participating school shall form a school council composed of two (2) parents, three (3) teachers, and the principal or administrator.** The membership of the council may be increased, but it may only be increased proportionately. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member's spouse. None of the members shall have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees;

(b) 1. The teacher representatives shall be elected for one (1) year terms by a majority of the teachers. A teacher elected to a school council shall not be involuntarily transferred during his or her term of office. The parent representatives shall be elected for one (1) year terms. The parent members shall be elected by the parents of students 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. Council elections may allow voting to occur over multiple days and via electronic means. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. The principal shall be the chair of the school council.

2. School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following:

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

b. Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty;

The SBDM statute also requires that a school council having eight percent (8%) or more **minority** student population must have at least one minority member. This could change the structure of the council, but an alternative application is not required as this disproportionate increase is explicitly allowed for in KRS 160.345.

Say: Now we will talk about the eligibility requirements for teacher and parent councilmembers. Read the highlighted sections aloud.

To serve on an SBDM council, teachers and staff must satisfy eligibility requirements. **Teachers** eligible to serve are those people for whom certification is required as a basis of employment in the public schools of the state except for principals and assistant principals. Itinerant teachers, part-time teachers, guidance counselors and library media specialists are eligible to serve as a teacher member on the council.

A **parent** is eligible to serve on a council if he/she is the biological or adoptive parent, a stepparent or a 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. This includes a parent of any student preregistered for the school year that the parent will serve (i.e., entering kindergarten, entering middle school, and entering high school).

Ineligible parents include the following: an employee or relative of an employee at the school, an employee or relative of an employee at the district administrative offices and a local board of education member or member's spouse. **Relative** is defined in KRS 160.380(1)(c) as "father, mother, brother, sister, husband, wife, son, and daughter."

Ask the participants if they have any questions on any of the definitions and whether they need clarification on eligibility and/or ineligibility requirements for teacher or parent representative.

During the 2022 legislative session, KRS 160.345 was amended to allow voting (for council member elections) to occur over multiple days and via electronic means. For more information on elections, please see [Appendix B](#).

Directions: Read each of the questions below and determine whether the people are eligible to serve on the council. Check either **yes** or **no** in the second column. Go through Slides 16-20 individually. Require participants to engage by holding a thumbs up for yes or a thumbs down for no.

Question	Option
1. Can a substitute teacher serve as a teacher member on the school council? (Not required to be certified as basis of employment.)	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no
2. Can an itinerant speech language pathologist who works at a school one day per week serve as a teacher member on the council?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
3. Can a volunteer assistant volleyball coach serve as a parent member on a school council?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
4. Can the daughter of a local board member serve as a parent member on a school council? (Statute states the spouse, not the daughter.)	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
5. Can the nephew of a teacher who works at the school serve as a parent member on the council? (Not included in the relative definition.)	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no

Say: Every councilmember is required to be trained. The number of hours of training depends on the experience level of the councilmember. Read highlighted section.

School Council Training

New members are required to obtain six hours of training in the implementation of school-based decision making no later than 30 days after the beginning of the service year in which they are elected to serve and requires experienced members to obtain three hours of training in the implementation of SBDM no later than 120 days after the beginning of the service year in which they are elected to serve.

SBDM 101 is sufficient for the six-hour training requirement for new SBDM councilmembers. Experienced members can take training offered by their SBDM District Coordinator or any other endorsed SBDM trainer. Training information can be found on the [SBDM Training page](#) on KDE's website.

KRS 160.345(6) – SBDM Training

The Department of Education shall provide professional development activities to assist schools in implementing school-based decision making. School council members elected for the first time shall complete a minimum of six (6) clock hours of training in the process of school-based decision making, no later than thirty (30) days after the beginning of the service year for which they are elected to serve. School council members who have served on a school council at least one (1) year shall complete a minimum of three (3) clock hours of training in the process of school-based decision making no later than one hundred twenty (120) days after the beginning of the service year for which they are elected to serve. Experienced members may participate in the training for new members to fulfill their training requirement. School council training required under this subsection shall be conducted by trainers endorsed by the Department of Education. By November 1 of each year, the principal through the local superintendent shall forward to the Department of Education the names and addresses of each council member and verify that the required training has been completed. School council members elected to fill a vacancy shall complete the applicable training within thirty (30) days of their election.



Did You Know? Each SBDM council member's name is included on their school's School Report Card (SRC). The SRC highlights key topic areas and performance indicators at the school, district, and state levels. The SRC is updated each fall and includes an online view of data for school years 2017-2018 through the most recent completed year.

Say: We have looked at the required size and composition for a school council, but now we are going to look at the statute and regulation that allow for alternative models. Councils may add voting students and classified staff to its membership. Please note that the KDE recommends consulting with your local board attorney before adding voting student members to your council. Read highlighted section.

Alternative Council Models and Exemptions from SBDM Implementation

Pursuant to KRS 160.345(7) and 701 KAR 5:100, school councils have the ability to have an alternative school council model by adding additional voting members, such as students and classified staff, to their council's membership through an alternative SBDM application process. Those schools interested in adding voting student members are encouraged to consult their local board attorney prior to doing so.

Additionally, a school may develop a model that includes non-voting council members **without** the prior approval of the Kentucky Board of Education (KBE). Students or classified staff may be added to the council in an advisory role to offer insight and opinions but may not have voting rights unless the council seeks (and is granted approval by the KBE) an alternative model SBDM.

What are the potential positives of having an alternative school council model?	What are the potential drawbacks of having an alternative school council model?
<ul style="list-style-type: none"> • Could allow for more constituent representation without having to increase proportionately. • Those shareholders not included in the statute could serve on council: classified employees, students. 	<ul style="list-style-type: none"> • The process itself can be time consuming: You must get the required number of votes, support from faculty and staff, present the application to the Commissioner of Education and the Kentucky Board of Education. • Could change quorum requirements if there is a significant increase in membership. It could be even more difficult to train members and/or reach consensus.

Have participants list their answers prior to reviewing them together. Sample answers are provided in blue above.

Have participants read the statutes on the next page regarding alternative models and SBDM exemptions. Ask the following comprehension questions to the group:

1. Who has the final approval over alternative SBDM models? The Kentucky Board of Education
2. What fraction of the faculty must agree to the model? Two-thirds
3. Which school districts are not required to have SBDMs? One-school districts

KRS 160.345(7) – Alternative Councils

A school that chooses to have school-based decision making but would like to be exempt from the administrative structure set forth by this section may develop a model for implementing school-based decision making, including but not limited to a description of the membership, organization, duties, and responsibilities of a school council. The school shall submit the model through the local board of education to the commissioner of education and the Kentucky Board of Education, which shall have final authority for approval. The application for approval of the model shall show evidence that it has been developed by representatives of the parents, students, certified personnel, and the administrators of the school and that two-thirds (2/3) of the faculty have agreed to the model.

All of Kentucky's public schools are required to implement school-based decision making with implementation aligning to the requirements outlined in KRS 160.345 and local board policy. The statute includes the process for seeking an exemption from implementation and also notes that districts with only one school are not required to have SBDM councils.

KRS 160.345(5) – Exemption from SBDM Implementation

All schools shall implement school-based decision making in accordance with this section and with the policy adopted by the local board pursuant to this section. Upon favorable vote of a majority of the faculty at the school and a majority of at least twenty-five (25) voting parents of students enrolled in the school, a school meeting its goal as determined by the Department of Education pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for exemption from the requirement to implement school-based decision making, and the state board shall grant the exemption. The voting by the parents on the matter of exemption from implementing school-based decision making shall be in an election conducted by the parent and teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose. Notwithstanding the provisions of this section, a local school district shall not be required to implement school-based decision making if the local school district contains only one (1) school.

After having reviewed the council composition section, explain that the next section consists of the roles and responsibilities of each of the members on council. The words in blue fill the blanks in the participant's guide. You are encouraged to have participants make an educated guess using the provided word bank. There are a few extra words tossed in to keep their minds thinking! Go to Slide 21.

Roles and Responsibilities of School Council Members

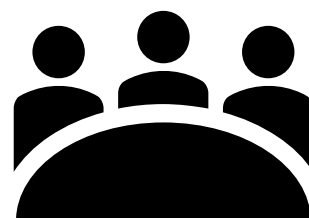
Each member on the council has a specific role. In this section, we will review what those roles are and how each is defined. While reviewing each constituent's role on the next page, you will notice several key words or phrases are missing. Using the word bank below, make an educated guess on how to best fill the blanks on the next page. There will be unused words.

Word Bank

mandate
cannot
shareholder
promote
management

maintain
increase
productivity
commitment

team players
school's results
objectives
student placement





Principal

- Facilitator and organizer
 - Strives for efficiency and productivity from members
 - Focuses on objectives and collective energy of the council
-



Teachers

- Increase understanding of school management to ensure they are meeting the changing educational needs of students
 - Be familiar with the statutes that govern school-based decision making
 - Serve on a variety of school council committees
 - Maintain a good working relationship with staff, families and administrators
 - Be decisive on issues that are in the best interest of all students
 - Devote time necessary to understand how the present school council is guiding the school, especially in areas of instruction, scheduling or staff time, student placement, space allotment, budget and personnel
 - Be team players and value the opinions and perspectives of other faculty and families
 - Understand the link between school councils and successful schools and students
-



Parents

- Be aware of all assessments administered to students and the school's results
- Understand how the school functions
- Understand the school council structure, including the structure and functions of the school council committees
- Be willing to make the time commitment necessary to be an effective member of a school council
- Promote communication and exchange of information
- Understand that the school council has not replaced the role of the school principal

Say: Prior to moving on, let's spend a few minutes reflecting on the previous content by answering the following question on Page 29.



What responsibility related to your role with student achievement seems challenging to you? What makes it challenging?

Prior to moving forward, share the information aloud in the “Did You Know” box below. After reading the statistics, reiterate to the council members that their membership will be collected in the SBDM database and that information will be publicized on each school’s School Report Card (SRC). If you feel comfortable doing so, pull up the school’s SRC and show them where they will be able to find this information.



Did You Know? In 2023⁵ there were 7,397 school-based decision making (SBDM) members serving on councils in Kentucky, of which 1,165 were **administrators**, 3,721 were **teachers** and 2,531 were **parents**.

⁵ SBDM council member information is self-reported by each district to the SBDM database by Nov. 1 annually. Due to some vacancies on council or approved alternative models, the numbers do not add up exactly.

Say: Schools that have school councils are statutorily required to be implemented with fidelity, and individuals are prohibited from interfering with the implementation of SBDM. Read the highlighted sections below aloud.

Impeding Council Responsibilities

To ensure that students achieve at high levels, it is imperative that council members are given the opportunity to make decisions that assist schools in meeting the educational goals established in KRS 158.645 and 158.6451 and to make policy decisions. It is imperative that local school board members, superintendents, district employees, or other members of the school council do not engage in practices that are detrimental to the successful implementation of or circumvents the council's work and responsibilities.

KRS 160.345(9) – Violating the Implementation of SBDM

(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.

(e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the state board determines a violation of the nondisclosure agreement required by subsection (2)(h)2.b. of this section by a school council member has occurred, the state board shall remove the member from the school council, and the member shall be permanently prohibited from serving on any school council in the district.

After reading the directions listed below, provide the word for Column I to the participants to fill in and then read each responsibility related to the action aloud. Have participants underline the responsibilities they were unaware the council had.

Directions: In addition to individual council member roles and responsibilities, the council as a whole also has several legal responsibilities. Column I lists the general responsibility while Column II provides added details on how you will do this as a council and/or what it might look like in reality.

What Councils Do The Actions	What It Looks Like in Reality The Product
Plan	<ul style="list-style-type: none"> Plan targets for closing achievement gaps with the district's superintendent Create the school's Comprehensive School Improvement Plan (CSIP) with other school and community partners after careful analysis of needs and assessment and accountability data Ensure the school's safety through the emergency plan
Budget	<ul style="list-style-type: none"> Carefully analyze the school's budget Consult with the school's media specialist ensuring the needs of the maintenance of the library media center are met, including the purchase of instructional materials, information technology, and equipment
Create	<ul style="list-style-type: none"> Council members will write policies to be implemented by the school staff and monitored for implementation by the principal.⁶
Consult	<ul style="list-style-type: none"> Discuss vacancies before the principal selects personnel to be hired and prior to the superintendent selecting the school's principal when a vacancy occurs

A council **should never** break state or federal law, engage in practices that are unlawful or could result in a lawsuit, risk health and/or safety, make decisions outside of their areas of responsibility, or spend money a school does not have.

Say: As you have likely noticed, the council retains authority in several areas, which can be time-consuming. Some of the responsibilities can be delegated to committees, which are covered more in-depth in this section.

⁶ More information regarding policies will be discussed in Section II: Beyond the Basics.

Have the participants read the statute section on committees below. Once two minutes have passed, ask them what types of committees could exist in the school and how would those committees assist with student achievement.

Committees

Committees are **not** a requirement for each school and school council; however, establishing committees is considered a best practice, because they encourage shared decision making among all school shareholders (e.g., teaching staff, classified staff, families, community members, etc.).

KRS 160.345(2)(c-d) – Committees

Each local board of education shall adopt a policy for implementing school-based decision making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:

(c) 1. The school council shall have the responsibility to set school policy that shall be consistent with district board policy and 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 and goals for the district established by the board. The principal shall be the primary administrator and 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.

2. If a school council establishes committees, it shall adopt a policy to facilitate the participation of interested persons, including, but not limited to, classified employees and parents. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection;

(d) The school council and each of its committees shall determine the frequency of and agenda for their meetings. Matters relating to formation of school councils that are not provided for by this section shall be addressed by local board policy;

Go to Slide 22. Explain the two types of committees and how they differ.

If committees are established, then the school council **must** have a committee policy that facilitates the participation of any interested person, notes the number of committees, provides the level of authority for each of the committees, outlines the committees' composition and describes the process for member selection. It is best practice that the school council provides written guidance for the committees and requires updates from the committees at regular school council meetings.

There are **two types of committees** common with school councils:

Standing Committees	Ad Hoc Committees
These committees continue their work throughout the year and should be specifically included in the committee policy.	These committees are formed for a specific purpose, then are disbanded when the charge has been completed. A committee policy should include specific guidance for ad hoc committees.

Directions: Below are some examples of committees and a brief description of the work the committee may engage. Determine whether the committee is a standing committee or an ad hoc committee and circle your answer in column two below:

Committee Description	Committee Type
Extracurricular discusses and evaluates extracurricular activities	Standing <u>or</u> Ad Hoc
Discipline discusses and evaluates the discipline data and policy	Standing <u>or</u> Ad Hoc
Professional Development plans and coordinates professional learning opportunities aligned to the school's improvement plan	Standing <u>or</u> Ad Hoc
Improvement Planning discusses the school's needs assessment and develops improvement strategies and activities	Standing <u>or</u> Ad Hoc
Curriculum Assists in the writing of the policy related to the writing program	Standing <u>or</u> Ad Hoc
Interviewing completes the interviewing process as part of the school council's consultation policy	Standing <u>or</u> Ad Hoc

When participants have finished answering, display Slide 23. When reviewing the answers and to elicit active participation, participants could physically stand (if they are able to do so) if they think the committee is standing and remain seated for ad hoc committees. **Say:** This concludes Section I: The Basics of SBDM 101. At this time, we will dismiss for (a break/lunch/or the day and will resume Section II at/on (time/date). Please ensure your materials are kept safe until we reconvene as you will need this resource for Section II.

Upon Reconvening for Section II, Say: Welcome back and I look forward to diving more deeply into Section II: Beyond the Basics with you. Before we look at the new material in this section, let's take a reflective look back at what we discussed in Section I of this training module by engaging in a conversation cleanup. See Slide 24. You may have them answer aloud (by selecting one of the questions or answering both) or they can jot responses down in their modules.

In addition to engaging in the conversation cleanup activity with participants and prior to reading this page aloud or summarizing it, you will engage in the Conversation Cards activity. If participants have not configured themselves by council or in small groups, have them partner up and take a seat at a table. If they are feeling restless, standing is acceptable, as well. Distribute to each table the Conversation Cards (these will need to be cut into individual cards and banded together). Each table/group will receive one set of cards. Instruct participants to mix the cards up and then place them all face down. Participants will take turns drawing a card from the pile. Once the participant has chosen a card, he/she will read the question aloud to the person on his/her left for that person to answer it aloud to the entire group. He/she is welcome to pass and have another question asked. This process will continue until everyone has asked a question and been given an opportunity to ask someone else a question. Answers are subjective/opinion.

Section II: Beyond the Basics

Section II of the training module **moves beyond the basics** to explore the policy and decision-making areas granted to Kentucky's school-based decision making councils. Policy and decision-making authority are granted to school-based decision making councils in KRS 160.345. Councils retain the authority to develop the school's comprehensive school improvement plan (CSIP), determine the use of staff work time, and the process for working with the principal on filling vacancies, as well as many other areas. **In this section, you will learn more about the council's role in setting school policy on discipline, extracurricular programs, the use of technology and several other major areas.**

We will begin this section of the training with a review of council bylaws, which are established to guide the council in its important decision-making work.

Go to Slide 25. **Say:** Bylaws are more thoroughly explained on this page. Bylaws direct the council's work. As we review this page, highlight what bylaws are and what they should include.

School Council Bylaws

The term used to describe the operating rules the school council sets to conduct its work is **bylaws**. Operating rules could include calling meetings, reaching consensus, taking minutes and other operational activities. Bylaws need to be readily available, reviewed on a regular basis, and revised as needed.

A school council's bylaws should cover the following topics:

- The **purpose or mission** of the school council
- **Membership** of the school council
- **Terms** of service
- **Roles** of the chairperson and vice chairperson
- School council **agenda preparation** and **distribution of materials**
- Decision-making process
- Public request for school **council records** and record keeping process
- School council **communications**
- **Appealing** a school council decision and/or waiving a policy on a temporary basis

It is imperative that council members know the content of operating procedures of the school council. Bylaws should be reviewed annually to ensure they are aligned with the current vision and goals of the council and school. An annual review also helps to eliminate some of the common issues with bylaws listed in the below chart:

Common Issues with Bylaws

1. Copies of the bylaws cannot be found and/or electronic versions of the bylaws are unavailable.
2. Bylaws have not been reviewed on a regular basis or updated to reflect current practices or procedures.
3. Bylaws are incomplete.

This would be a good opportunity to show your new members sample bylaws. They do not necessarily have to be the ones that correspond to the council they will be serving on (especially if you have a blended audience of different council members); simply allowing the time to scan some would help to reaffirm the contents of this section. KDE has sample bylaws located within Appendix C of the [SBDM Handbook](#).

Go to Slide 26. Read the sample bylaw aloud or have a volunteer read it and then have each participant analyze how the bylaw directly/indirectly affects student achievement.

Activity: The crux of a council's work is student achievement. Read the sample bylaw excerpt below and analyze its direct or indirect correlation to student achievement:

Sample Bylaw	Although council bylaws establish rules and procedures on how a council conducts its work, how does the content of this sample bylaw directly/indirectly affect student achievement?
The school council shall consist of the principal, who is the chair, three teacher members, and two parent members. The school council does not wish to exclude any constituency in the school from participation in all council meetings; therefore, the student council may designate a student council representative, and the support staff of the school (office, cafeteria, custodians, and instructional assistants) may conduct an election for a support staff representative to attend all council meetings as non-voting members.	Sample Response: Several shareholders are taking a vested interest in student achievement and in this composition bylaw, a student is welcome to be heard on council. This composition indirectly affects student achievement, because each member of the constituent groups has a stake in learning and achievement. The constituents provide guidance from a unique standpoint that others may not think of as routinely or from that angle.

Say: The next couple of pages relate to policies that guide the school itself but are developed/adopted by the council. Display Slide 27.

Required School Council Policies

The school council and the local board of education both have the authority and responsibility to make policies for schools. Each have its own distinct roles, but they also have policy areas that overlap. When school councils are creating policies, they must be mindful of the local board's policies and not to contradict or conflict with the board's policies.

As you read the portions of the statute dedicated to policies, think about which body (school council or board of education) the statute is conferring the authority to make the policies. During your time on council, be mindful to create policies only in areas in which the council is statutorily allowed to do so or otherwise directed by the local board of education.

KRS 160.345(2)(i) – Required Policies

The school council shall adopt a policy that shall be consistent with local board policy and shall be implemented by the principal in the following additional areas:

1. Curriculum responsibilities under KRS 158.6453(19);
2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
5. Determination of use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and principal;
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
9. Adoption of an emergency plan as required in KRS 158.162;
10. Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal; and
11. Procedures to assist the council with consultation in the selection of the principal by the superintendent, and 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;

KRS 160.345(11) – Wellness policy (K-5 Schools Only)

Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the principal, shall develop and implement a **wellness policy** that includes moderate to vigorous physical activity each day and encourages healthy choices among students. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. Each school council, or if there is no school council, the principal, shall adopt an assessment tool to determine each child's level of physical activity on an annual basis. The council or principal may utilize an existing assessment program. The Kentucky Department of Education shall make available a list of available resources to carry out the provisions of this subsection. The department shall report to the Legislative Research Commission no later than November 1 of each year on how the schools are providing physical activity under this subsection and on the types of physical activity being provided. The policy developed by the school council or principal shall comply with provisions required by federal law, state law, or local board policy.

KRS 160.345(3) – Board Policies to Assist with SBDM Implementation

The **policies adopted by the local board** to implement school-based decision making shall also address the following:

- (a) School budget and administration, including: discretionary funds; activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses;
- (b) Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state;
- (c) School improvement plans, including the form and function of strategic planning and its relationship to district planning, as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446;
- (d) Professional development plans developed pursuant to KRS 156.095;

- (e) Parent, citizen, and community participation including the relationship of the council with other groups;
 - (f) Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
 - (g) Requirements for waiver of district policies;
 - (h) Requirements for record keeping by the school council; and
 - (i) A process for appealing a decision made by a school council.
-

Prior to moving forward and concentrating on the consultation policy, ask council members what surprised them from the policy areas that they have. Allow the discussion to unfold and for participants to ask clarifying questions as they have them.

Say: Councils have an important role with personnel selection, including developing a consultation policy. While the principals select staff to fill vacancies and superintendents select principals when a vacancy exists, both principals and superintendents are required to consult with the school council before making their selections. Please note that in SBDMs operating in counties with consolidated local governments (Jefferson County), there is a different principal selection process outlined in the excerpt below. Have participants silently read the statute excerpt.

One area in which councils are required to make policies is **consultation for personnel selection**. Selection of the successful candidate depends on the position to be filled. If the position is principal, then the superintendent selects the candidate. If the position is school staff, then the principal selects the candidate. In both instances, however, the superintendent or principal must consult with council before making a decision.

KRS 160.345(2)(h) – Personnel selection

(h) **Personnel decisions** at the school level shall be as follows:

1. From a list of qualified applicants submitted by the local superintendent, the principal at the participating school shall select personnel to fill vacancies, after consultation with the school council, consistent with paragraph (i)11. of this subsection. The superintendent shall provide additional applicants to the principal upon request when qualified applicants are available. The superintendent may forward to the school principal 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;
2. If the vacancy to be filled is the position of principal:
 - a. The superintendent shall fill the vacancy after consultation with the school council consistent with paragraph (i)11. of this subsection;
 - b. Prior to consultation with the school council, each member shall sign a nondisclosure agreement forbidding the disclosure of information shared and discussions held during consultation;
 - c. A person who believes a violation of the nondisclosure agreement referred to in subdivision b. of this subparagraph has occurred may file a written complaint with the Kentucky Board of Education; and
 - d. A school council member found to have violated the nondisclosure agreement referred to in subdivision b. of this subparagraph may be subject to removal from the school council by the Kentucky Board of Education under subsection (9)(e) of this section;
3. Notwithstanding subparagraph 2. of this paragraph, **if the vacancy to be filled is the position of principal in a county school district in a county**

with a consolidated local government adopted under KRS Chapter 67C, then:

- a. The outgoing principal shall not serve on the council during the principal selection process. The superintendent or the superintendent's designee shall serve as the chair of the council for the purpose of the hiring process and shall have voting rights during the selection process;
- b. The council shall have access to the applications of all persons certified for the position. The principal shall be elected on a majority vote of the membership of the council. 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; and
- c. Notwithstanding the requirement that a principal be elected by a majority vote of the council, the selection of a principal shall be subject to approval by the superintendent. If the superintendent does not approve the principal selected by the council, then the superintendent may select the principal;
4. No principal who has been previously removed from a position in the district for cause may be considered for appointment as principal in that district;
5. Personnel decisions made at the school level under the authority of subparagraph 1. of this paragraph shall be binding on the superintendent who completes the hiring process;
6. Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020; and
7. Notwithstanding other provisions of this paragraph, if the applicant is the spouse of the superintendent and the applicant meets the service requirements of KRS 160.380(3)(a), the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council;

Say: The SBDM statute also outlines other areas where consultation must take place; however, these consultative areas are not subject to the contents of the school's consultation policy, since that policy involves the process for personnel selection. Superintendents select the curriculum; however, they are required to consult with the local board of education, the principal, council. They are required to allow a reasonable review and response period for stakeholders.

The superintendent will also need to consult with council regarding **curriculum, textbooks, instructional materials, and student support services**. In addition to the council, the superintendent must consult with the local board of education, the school's principal, and allow for a reasonable review and response period for stakeholders before selecting a curriculum, textbooks, instructional materials and student support services. For additional information on this topic, and as a result of Senate Bill 1 (2022), please consult the [Senate Bill 1 Guidance document](#). Likewise, councils are responsible for consulting with the school's media librarian on the maintenance of the school's media center.

KRS 160.345(2)(g) –Consultation for curriculum, textbooks, instructional materials, and student support services and the maintenance of school library

(g) The local superintendent shall determine which curriculum, textbooks, instructional materials, and student support services shall be provided in the school after consulting with the local board of education, the school principal, and the school council and after a reasonable review and response period for stakeholders in accordance with local board of education policy. 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 principal after consultation with 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;

Prior to moving forward, check in with participants to see if they have any lingering questions regarding the content.

Say: We are now going to look more deeply at each of the required policies for councils to adopt. Read the section below and emphasize that councils are not involved in the day-to-day operations of the school.

A policy is more than just a stringing together of words on paper. In the case of SBDM, school council policy guides a school's operations. It is important to note that the school council develops and adopts policy; however, the principal, with the teachers and other staff, implement the policy. School councils are **not** involved in the day-to-day operations in the school.

So, what are the required areas in which each school council must develop and adopt a policy? The chart on the following pages provides a summary of the required policy areas.

Review the activity below. It is recommended that you use the curriculum policy area (in the first row on the next page) to demonstrate what participants should do during this activity. Allow 10-15 minutes for groups to settle in with this activity. Once you call time, allow pairs or groups to share what they learned and while the other participants are listening, they should fill in the remainder of the chart. You are encouraged to show council members sample policies, which can be found in the SBDM Handbook on the SBDM website at the conclusion of this activity and as time allows.

Activity: The facilitator will assign a policy area (or two) to pairs or groups. After reading the policy area's summary in column two, jot down key words associated with it on each policy sheet in larger font and with a marker. Be prepared to share your thoughts and ideas aloud. While other groups are presenting their assigned policy area(s), you will take notes in the third column. This activity will help to familiarize participants with the policy areas required of SBDM councils.

Policy	Topic & Statutory Location	Key Words
Curriculum	Curriculum responsibilities under KRS 158.6453(19) (writing program). KRS 160.345(2)(i)(1)	<ul style="list-style-type: none"> • Writing program guidelines
Assignment of Instructional and Non-Instructional Staff Time	Assignment of staff time, including the instructional assistants. This policy can only speak of time in general terms, not a specific teacher by name having a specific schedule. KRS 160.345(2)(i)(2)	<ul style="list-style-type: none"> • staff time • speaks in general; does not make mention of teachers by name
Student Assignment	Assignment of students includes how students will be grouped and assigned to classrooms. The policy should include provisions/procedures for family input. This policy cannot refer to students by name; the principal and other school staff can only assign particular students to particular teachers. KRS 160.345(2)(i)(3)	<ul style="list-style-type: none"> • student grouping • speaks in general; does not mention students by name • principal can assign particular students to particular teachers
School Schedule	Determination of the school day and week (master schedule) sets the length of class periods, enrichment activities and non-instructional time. The school council policy in this area sets parameters to the time that students are in session. KRS 160.345(2)(i)(4)	<ul style="list-style-type: none"> • length of class periods, enrichment activities, and non-instructional time
School Space	Determine the organization of classrooms and classroom groupings (e.g., family groups, by subject, by grade span) as it relates to improving teaching and learning. KRS 160.345(2)(i)(5)	<ul style="list-style-type: none"> • organization of classroom and groupings

Policy	Topic & Statutory Location	Key Words
Instructional Practices	Planning and resolution of issues regarding instructional practices. KRS 160.345(2)(i)(6)	<ul style="list-style-type: none"> • how students are taught • based on research
Discipline	Determine the discipline and management procedures, based on high-quality evidence or research-based techniques for the classroom teachers. KRS 160.345(2)(i)(7)	<ul style="list-style-type: none"> • based on research and proven techniques • for classroom teachers
Extracurricular Programs	Determine the extracurricular programs and activities for students. Includes the criteria for participation, evaluation, and supervision requirements. KRS 160.345(2)(i)(8)	<ul style="list-style-type: none"> • activities for students • includes criteria for participating, evaluation, and supervision
Emergency Plan	Each council is required to adopt an emergency plan to include procedures to be followed in case of fire, severe weather, earthquake or building lockdown, as defined in KRS 158.164. Following adoption, the emergency plan, along with a diagram of the facility, shall be provided to appropriate first responders. KRS 160.345(2)(i)(9)	<ul style="list-style-type: none"> • activities for students • includes criteria for participating, evaluation, and supervision
State Standards Alignment, Technology Use, and Program Appraisal	Assurance that the school council will align policies and procedures with the approved state standards, that technology will be integrated into the curriculum and that programs/activities will be evaluated for effectiveness. KRS 160.345(2)(i)(10)	<ul style="list-style-type: none"> • approved state standards • integrate technology • appraise programs

Policy	Topic & Statutory Location	Key Words
Consultation	Procedures for the principal to consult with the school council during the selection of personnel for the school and for the superintendent to consult with the school council prior to selecting a principal. KRS 160.345(2)(i)(11)	<ul style="list-style-type: none"> process for personnel and principal selection
Committees	Procedures for determining the process for committees including the number of committees, the committee's role, the committee membership and the involvement of interested parties. KRS 160.345(2)(c)(2)	<ul style="list-style-type: none"> number, role, membership and involvement of interested parties
Wellness	For schools with grades K-5, a wellness policy must be adopted that includes how moderate to vigorous activity is to be included into the school day. KRS 160.345(11)	<ul style="list-style-type: none"> applies to K-5 moderate to vigorous activity included into the school day
College-level Courses	For secondary schools, a policy determining recruitment and assignment of students to advanced courses including Advanced Placement, International Baccalaureate, dual enrollment and dual credit. KRS 160.348(2)	<ul style="list-style-type: none"> recruitment and assignment of students to advanced courses (AP, IB, dual enrollment and dual credit)

If the school receives **Title I, Part A funds**, the school council also must adopt a Parent and Family Engagement policy; this policy must follow the **federal guidelines** associated with it.

Say: We are going to complete an activity based on the knowledge you just gained about policies. With your table, determine if the sample policy excerpts below are allowable or unallowable and if it is reasonable or unreasonable. We will review the example together first after reviewing the directions. After 10 minutes, review the answers as a whole group.

Activity: Listed below are several sentences borrowed from school policies; these statements have been slightly edited so as not to reveal the school’s identity. While working with several fellow council members, determine if the **policy is allowable or unallowable** based on the information from the chart and the SBDM statute; **and** if the policy is allowable, is the **policy reasonable** (a good idea) as written? If it is not reasonable, what makes this policy unreasonable? How could this policy be changed to make it more reasonable?

Sample Policy Statements	Analysis
<p>Example: Excerpt from Cardinal Middle School’s committee policy:</p> <p>Each committee at Cardinal Middle School will meet every Monday from 5:00 p.m. until 6:00 p.m. in the school’s library. This includes holiday and summer months. One representative from each committee will speak at the regularly scheduled SBDM monthly meeting to update the council on all committee work and progress.</p>	<p>Allowable <u>or</u> Unallowable</p> <p>Reasonable <u>or</u> Unreasonable</p> <p>This policy is unreasonable due to the time constraints placed on committee members. The frequency at which the committees are meeting may not be productive if there are no agenda items to discuss. The policy could be modified to include a more practical meeting schedule to accommodate the members’ schedules.</p>
<p>Sample No. 1: Excerpt from Kentucky Middle School’s consultation policy:</p> <p>All vacancies will be posted, and the superintendent will submit all applications of qualified candidates to the council. The council will conduct interviews and after proper consultation, the school’s principal will select a candidate for the position.</p>	<p>Allowable <u>or</u> Unallowable</p> <p>Reasonable <u>or</u> Unreasonable</p>
<p>Sample No. 2: Excerpt from Larkin Elementary School’s assignment of students policy:</p> <p>By the July SBDM council meeting, the principal must present (for approval) to the council the student classroom assignments. The council, at its discretion, may make changes and offer suggestions for revisions. The council will have final approval on all student placements and assignments.</p>	<p>Allowable <u>or</u> Unallowable</p> <p>Reasonable <u>or</u> Unreasonable</p> <p>Council members cannot discuss individual students by name. Councils may only discuss the number of students and/or numbers of boys/girls in a class.</p>

<p>Sample No.3: Excerpt from River Elementary School's discipline policy:</p> <p>Any student or family that disagrees with a consequence administered by a teacher or principal may appeal the decision at the next regularly scheduled SBDM council meeting.</p>	<p>Allowable <u>or</u> Unallowable</p> <p>Reasonable <u>or</u> Unreasonable</p> <p>This is not within the council's jurisdiction and individual disciplinary issues cannot be discussed nor should individual student and/or family issues/concerns.</p>
<p>Sample No. 4: Excerpt from Lilly Middle School's assignment to classes and programs policy:</p> <p>Any student with a learning disability will be assigned to a reading course for two class periods per day.</p>	<p>Allowable <u>or</u> Unallowable</p> <p>Reasonable <u>or</u> Unreasonable</p> <p>Council policy should not single out students with disabilities.</p>

Say: Does anyone have any questions on these policies and why some of the contents is allowed or not allowed?

Explain to the participants that you will be spending time discussing the consultation policy in greater depth. The first couple pages provide background information about what a strong consultation policy should include and then they will look at and critique a sample policy. Go to Slide 28.

Policy Deep Dive

Consultation is a required policy area for the school council (KRS 160.345(2)(i)(11)) and consultation itself is defined as “the act of conferring or deliberating with two or more people on some matter.” In the case of school councils, consultation occurs when the school has a personnel vacancy. Senate Bill 1 (2022) also requires the superintendent to consult with the council prior to filling a principal vacancy in alignment with the council’s consultation policy. The consultation policy should contain, but not be limited to, the following:

1. Meetings
2. Timelines
3. Interviews
4. Review of written applications
5. Review of references

A limited provision should also be included in the policy in which consultation can occur if a quorum of the school council is unavailable.

When a personnel vacancy occurs at the school level, the superintendent submits a list of qualified candidates to the principal and the school council. The principal then begins the process of implementing the consultation policy. After consultation, the principal selects the person to fill the vacancy and submits the name to the superintendent, who completes the hiring process.

With the passing of Senate Bill 1 (2022) and beginning July 14, 2022, when a principal vacancy occurs at the school level, the superintendent will fill the vacancy after consultation with the school council, according to the procedures outlined in the consultation policy. However, in a school district in a county with a consolidated local government, the principal selection process has different procedures as outlined in KRS 160.345(2)(h)(3).

Check Your Understanding: Respond to the consultation review questions on the next page.

“The top-performing countries believe it will be impossible to deliver to all their students the kind and quality of education formerly reserved for their elites unless they are able to put a very highly qualified teacher in front of all their students.”⁷

⁷ Marc Tucker. “9 Building Blocks for a World-Class Education System”, (Washington, DC: National Center on Education and the Economy, 2016).

QUESTION	RESPONSE
1. After consultation with the council, who selects the candidate to fill a classified or certified vacancy?	The school's principal selects candidates to fill vacancies after council consultation.
2. What procedures should be included in the consultation policy?	Numbers 1-5 on Page 44: Meetings, timelines, interviews, review of written applications, and a review of references
3. Does the council have to have consensus before the principal can select a candidate?	No.
4. What should you do about situations in which members are not available for consultation? Give an example of a time when this would be needed.	Councils are subject to the contents of their consultation policy. An example of a time when a provision is needed about those members who are unavailable would be during summer vacation.

Say: Let's look at a sample consultation policy and determine what parts of it your council could adopt, adapt, and abandon when writing your own. The policy for those districts operating in a consolidated local government may be different from this model. An example of that policy can be found [here](#).

Activity: Read the sample consultation policy (for SBDMs operating in non-consolidated local governments) on the next three pages. While reading, you are encouraged to engage with the text by using the Annotation Key found on Page 7 in your booklet. Upon your review of the policy, you will be asked to focus on what you would like to see your school council adopt, adapt, and abandon from this policy when considering its own. Definitions of each term can be found below:

- **Adopt:** choose to take up, follow, or use
- **Adapt:** make (something) suitable for a new use or purpose; modify; adjust to new conditions
- **Abandon:** give up completely (a course of action, a practice, or a way of thinking); discontinue

Kentucky School Consultation Policy (Personnel & Principal)

KRS 160.345(2)(i)(11)

Purpose:

Kentucky School, through its consultation policy, ensures that students have equitable access to highly effective, experienced educators, including, but not limited to the following: teachers, media specialists, instructional coaches, principals, paraeducators, etc. who are culturally competent and able to reach each student. Likewise, Kentucky School ensures students have access to qualified non-instructional staff who are dedicated to the school and the responsibilities their position requires.

Definitions:

For the purpose of this policy, Kentucky School defines **vacancy** as any of the following: a position that did not previously exist, but which can now be funded, a position previously held by an employee who has retired or resigned; or a position held by an employee who has indicated in writing that they will retire or resign at the conclusion of the current school year.

For the purpose of this policy, Kentucky School defines qualified **teacher** as a teacher who has completed an Educator Preparation Program approved by the Educational Professional Standards Board (EPSB); holds full Kentucky certification or statement of eligibility; and demonstrates competency in each subject taught. Kentucky School defines qualified **principal** as the instructional leader of the school who has at least three years of teaching experience and who holds the proper certification and credentials.

A **paraeducator** is defined as an instructional assistant who has completed at least two (2) years of study at an institution of higher education; obtained an associate's (or higher) degree; or has met a rigorous standard of quality and can demonstrate, through a formal state or local academic assessment – knowledge of, and the ability to assist in instructing, reading, writing and mathematics; or knowledge of, and the ability to assist in, instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

Non-instructional staff is defined as staff who offer other non-instructional related services; however, their services greatly improve the experiences of all students and their families at the school in general. Non-instructional staff includes but is not limited to the following: custodial staff, food services and nutrition staff, clerical workers, and athletic and extracurricular personnel.

Certified and Classified Personnel Procedures:

The school council must be consulted by the principal prior to filling any certified or classified vacancies that occur at the school. Once any vacancy has been posted publicly, the principal must include on the agenda of the next regular or special called meeting, the following agenda topic: "Consultation with the school council for the (position title) vacancy".

The principal and school council must meet the following timeline for filling vacancies:

- Once a vacancy is determined, the principal, along with at least one parent member and at least one teacher member chosen by the school council, must serve as an ad hoc interview committee. The ad hoc interview committee must meet in an open meeting within one week of selection to develop a set of criteria for a strong candidate and a list of interview questions to be asked of each applicant.

- Once the vacancy has completed the 15-day posting requirement, the ad hoc committee must reconvene and review applications and supporting materials for each applicant and make a final selection of candidates who exhibit the characteristics of a strong candidate. Any applicant that does not meet the criteria will not be considered for an interview. An interview schedule must be developed by the ad hoc committee so that all committee members are present for each interview. The principal or district determined staff must contact the candidates and schedule the interviews.
- During the interviews, each candidate will be asked the developed questions in the same order. Follow-up questions may be asked in response to applicant answers/statements during the interview.
- Upon the conclusion of the interview and within three (3) business days, the principal or district determined staff must follow-up with reference checks on candidates of interest.
- The ad hoc committee must reconvene within one week of the final interview to review the candidates, discuss reference checks, and prioritize candidates.
- At the school council's next meeting, whether regular or special called, the council will convene to closed session permitted by KRS 61.810(1)(f) and will consider the ad hoc committee's candidate recommendations and provide its thoughts on the candidates to the principal whom will select a candidate to fill the vacancy.
- At the next regular or special called meeting, the principal must consult with the council and report his/her candidate selection.
- The principal will inform the superintendent of his/her selection and the superintendent will complete the hiring process.

Principal Selection Procedures:

The school council must be consulted by the superintendent prior to filling a principal vacancy that occurs at the school. Once the vacancy has been posted publicly, the superintendent must include on the agenda of the next regular or special called meeting, the following agenda topic: "Consultation with the school council for the principal vacancy".

The superintendent and school council must meet the following timeline for filling the principal vacancy:

- Prior to consultation with the school council, each member must sign a nondisclosure agreement forbidding the disclosure of information shared and discussions held during consultation.
- Once a principal vacancy is determined, the superintendent, along with at least one parent member and at least one teacher member chosen by the school council, must serve as an ad hoc interview committee. The ad hoc interview committee must meet in an open meeting within one week of selection to develop a set of criteria for a strong principal candidate and a list of interview questions to be asked of each applicant. At the discretion of the superintendent, additional members may be asked to participate on the committee.
- Once the vacancy has completed the 15-day posting requirement, the ad hoc committee must reconvene and review applications and supporting materials for each applicant and make a final selection of candidates who exhibit the characteristics of a strong candidate. Any applicant that does not meet the criteria will not be considered for an interview. An interview schedule must be developed by the ad hoc committee so that all committee

members are present for each interview. The superintendent or designee must contact the candidates and schedule the interviews.

- During the interviews, each candidate will be asked the developed questions in the same order. Follow-up questions may be asked in response to applicant answers/statements during the interview.
- Upon the conclusion of the interview and within three (3) business days, the superintendent or designee must follow-up with reference checks on candidates of interest.
- The ad hoc committee must reconvene within one week of the final interview to review the candidates, discuss reference checks, and prioritize candidates.
- At the school council's next meeting, whether regular or special called, the council will convene to closed session permitted by KRS 61.810(1)(f) and will consider the ad hoc committee's candidate recommendations and provide its thoughts on the candidates to the superintendent whom will select a principal candidate to fill the vacancy.
- At the next regular or special called meeting, the superintendent must report his/her candidate selection to the council.

Emergency Provisions:

If a quorum of the members of the school council is not available for the purpose of conducting consultation in the filling of a vacancy, the principal (or superintendent when filling a principal vacancy) must conduct consultation with the council members who can attend. The timeline may also be amended with school council approval in order to fill a vacancy during times where continuation of instructional and non-instructional services may be affected and a waiver of the 15-day posting may be requested from the Kentucky Department of Education (KDE). Council members may be consulted virtually through video teleconference by following the procedures outlined in KRS 61.826.

Evaluation:

The school council must annually review the policy and timeline and make revisions as necessary to ensure highly qualified personnel are recruited and retained at the school. Any revisions to the policy must be made and approved prior to March 31.

Date Adopted: _____

Date Reviewed/Revised: _____

If not mentioned by a participant in the activity, point out the part of the policy that shows the dates the policy was adopted and reviewed. Remind them that policies should be reviewed on an annual basis.

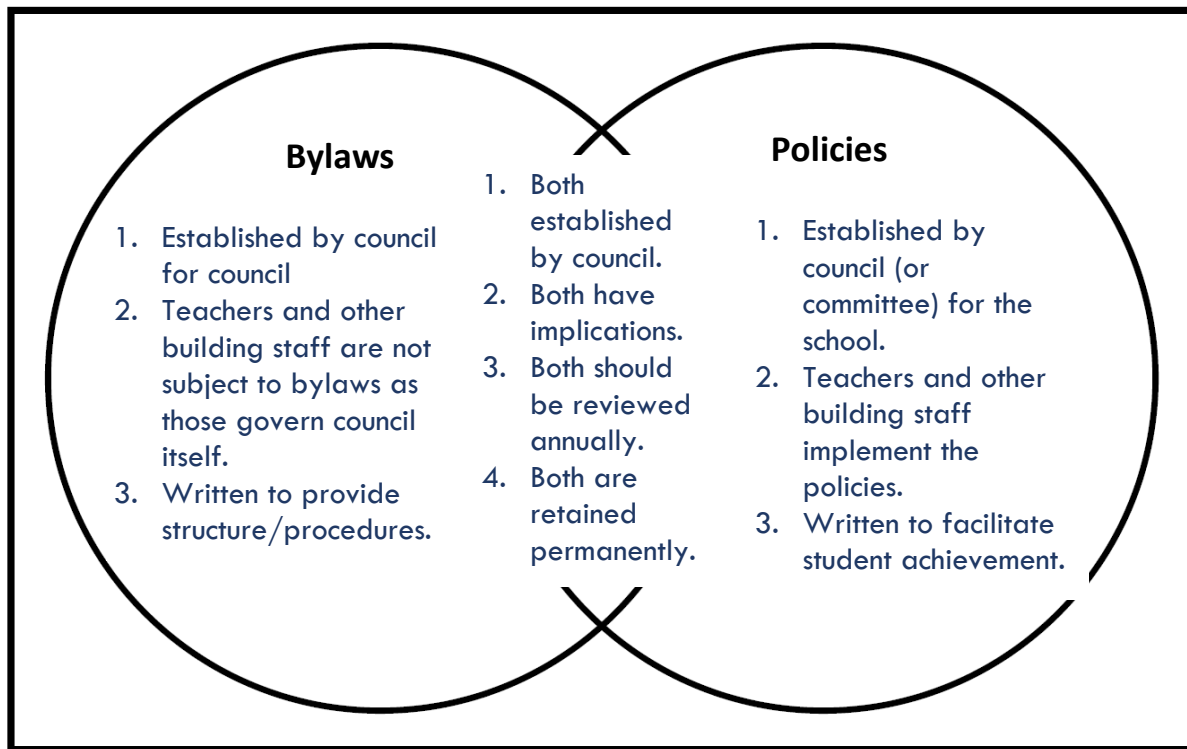
Activity: After having reviewed the consultation policy, what would like to see your school council adopt, adapt, and abandon from this policy when considering its own? Definitions of each term can be found below:

Adopt	Choose to take up, follow, or use	Answers will vary.
Adapt	Make (something) suitable for a new use or purpose; modify; adjust to new conditions	Answers will vary.
Abandon	Give up completely (a course of action, a practice, or a way of thinking); discontinue	Answers will vary.

Allow time for participants to share their answers aloud. Ask if there are any questions about the consultation policy and/or process. You may need to clarify for participants that the model policy included in this training applies to all schools except for those in a consolidated local government. A sample policy for those councils can be found [here](#). There are components within the model included in this booklet that can be borrowed by consolidated local SBDM councils—if interested.

Say: Before moving on, we are going to check for your understanding of bylaws and policies. With a partner, list four ways the two differ and three similarities.

Activity: Using the Venn Diagram below, compare and contrast a bylaw with a policy. Based on the readings and exercises, list **three** ways in which the two differ and **four** similarities.



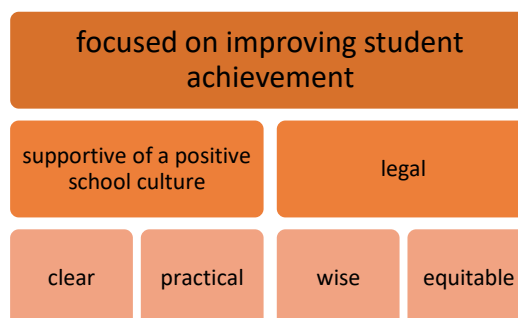
Did You Know? The [SBDM Handbook](#) is a comprehensive (and free) tool for SBDM council members. The KDE revises the handbook annually to align with all statutes, regulations, and best practices with the most recent revision occurring November 2022. The handbook lives on the [SBDM technical documents website](#) and includes many SBDM-related resources and information to equip and empower council members. The SBDM Handbook includes sample bylaws and policies that councils may review and revise to suit their needs. Appendix D in the SBDM Handbook includes samples for each of the required policy areas for councils.

This would be a good time to take a 10 to 15 minute break.

Councils must adopt a policy in the following areas:

Policy Area	Description
Curriculum	how the writing program will be implemented in the school
Assignment of instructional & non-instructional staff time	how all staff will use work time
Student assignment	how students will be assigned to classes and programs
School schedule	how the school day will be divided and used
School space	how classrooms and other areas of the school will be used to improve teaching and learning
Instructional practices	planning and resolution of issues regarding instructional practices
Discipline	how students will learn to behave well
Extracurricular programs	which activities students will be offered beyond the curriculum
State standards alignment	how the school will make sure it meets or exceeds state standards
Technology use	how the school will utilize technology tools
Program evaluation	how the school will check whether its programs are effective
Consultation	process for working with the principal on filling vacancies
College-level courses	recruiting students for Advanced Placement or area college classes
Committees	number, jurisdiction, composition, membership selection, involvement
Wellness	physical activity and healthy choices (required for grades K-5)
Emergency plan	satisfies requirements of KRS 160.345(2)(i)(9) Discussions relating to specifics of the school's emergency plan may be conducted in closed session of a school council meeting. The emergency plan is exempt from open records requests.
Parent and family engagement	meets the requirements of Title I, Part A
Portable automated external defibrillator (AED) use	who will be trained on AED and how an AED is to be used (KRS 158.162(3)(e))

Council policies should be...



The next section addresses the decision areas that are required by statute. Have your new council members **highlight** the key words in each decision explanation. Go to Slide 29.

Required Decisions

School councils are required by statute to **make decisions** regarding a variety of topics. These decisions do not require policies; however, a school council may adopt a policy in these areas to address the procedures to guide the decision-making process. It is important to note that school councils may not need to make decisions in all of these areas annually and may make decisions in some of the areas in this section on an as needed basis.

KRS 160.345(2)(f) – Person Per Job Classification

(2)(f) After receiving notification of the funds available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the number of persons to be employed in each **job classification** at the school. The council may make personnel decisions on **vacancies** occurring after the school council is formed but shall not have the authority to recommend transfers or dismissals;

KRS 160.345(2)(j) – Annual Review of Data

(2)(j) Each school council shall **annually review data** as shown on state and local student assessments required under KRS 158.6453. The data shall include but not be limited to information on performance levels of all students tested, and information on the performance of students disaggregated by race, gender, disability, and participation in the federal free and reduced price lunch program. After completing the review of data, each school council, with the involvement of parents, faculty, and staff, shall develop and adopt a plan to ensure that each student makes progress toward meeting the goals set forth in KRS 158.645 and 158.6451(1)(b) by April 1 of each year and submit the plan to the superintendent and local board of education for review as described in KRS 160.340. The Kentucky Department of Education shall provide each school council the data needed to complete the review required by this paragraph no later than October 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.

KRS 160.345(8) – Planning for Professional Development

(8) The Kentucky Board of Education, upon recommendation of the commissioner of education, shall adopt by administrative regulation a formula by which school district funds shall be allocated to each school council. Included in the school council formula shall be an allocation for

professional development that is at least sixty-five percent (65%) of the district's per pupil state allocation for **professional development** for each student in average daily attendance in the school. The school council shall plan professional development in compliance with requirements specified in KRS 156.095, except as provided in KRS 158.649. School councils of small schools shall be encouraged to work with other school councils to maximize professional development opportunities.

What are the required decision-making areas? The chart below provides a summary explanation of each area:

Required Decision Areas ⁸	Explanation
Primary Program	Determine the organization of its ungraded primary program, including the extent to which multiage groups are necessary.
Flexible Grouping	Configuration of flexible grouping for academics, including, but not limited to, multi-age and multi-ability grouping for students, cooperative learning, discovery learning and themes and projects.
Annual Review of Data	Annual review that includes families, faculty and staff from the school in determining the targets to close achievement gaps as part of the improvement planning process.
Meeting Frequency and Agenda	Determine the schedule for regular school council meetings, as well as the process for agenda development and distribution.
Meetings	Set procedures to ensure all school council meetings adhere to Kentucky's open meetings statutes.
Number of Persons Per Job Classification	Determination of the number of positions for each job classification, looking at the positions and not the personnel that occupy a position at any given time.
Mandated School Council Member Training	Determining procedures to ensure all school council members have completed the mandated training requirement.

⁸ Required decision areas are addressed in the following statutes: KRS 61.810, KRS 158.031, KRS 158.060, and KRS 160.345.

Required Decision Areas⁸	Explanation
School Budget	Procedures to address the use of discretionary, activity and other school funds.
Reporting of Student Progress	Determining the format for the reporting of data and student progress.
School Improvement Planning Process	Determine procedures, within board policy, for improvement planning.
Professional Development Plans	Determine professional development activities to address identified needs within the school improvement plan.

Say: The following chart contains several SBDM scenarios. After reading each, decide if the decision that was made in each scenario was within the purview of the council. If it is, which decision area does it fall in?

Activity: Read each of the scenarios in the first column on the next page and determine whether the decision that was made was within the purview (scope of authority) of the council. If it was within the council's purview to make the decision, to which decision area did it relate?

Scenario	Is this within the purview of the council?	Which decision area does this fall in if it is in their purview?
After the staffing allocation was given to the council, they determined the following job classifications: four English teachers, three math teachers and two science teachers.	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Job classifications
The school basketball team needed new uniforms, so the council used school activity funds to purchase some.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
The council decided to schedule parent-teacher conferences in October.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
The council met to determine which teachers in the school would teach which classes for the upcoming year.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
The council met with the librarian and agreed to the needs of the media center.	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	School budget
The council decided to suspend a student who was notorious for violating the Student Code of Conduct.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	

Say: In this next section, we are going to review consensus decision-making. When making decisions on council, the council will need to reach consensus, unless a vote is required by statute. Reaching consensus can be a productive struggle; however, if student achievement is at the heart of all work, the struggle will have been worth it. Have members read the next three pages silently and highlight the portions that stand out to them. Make sure to look at Appendix B together after reading this section.

A Productive Struggle: Consensus Decision-Making

School councils make decisions that affect the school, staff, students and school community. Getting input on decisions from the school council members and how those decisions are made are critical. **Consensus means everyone's opinion and thoughts are valued, differences in opinion are viewed as beneficial and a solution has been reached that does not compromise any strong convictions.** See [Appendix C](#).

Consensus building is a useful tool for school councils in planning, setting goals, implementing policies, and problem-solving. Those who must act together to implement a decision need consensus. Consensus for a school council means that all school council members understand the problem or issue, have participated in the discussion, have a part in the solution, and will support the school council's decision.



Consensus is not required by school-based decision making statutes, but it is recommended for school councils as the decision-making method most likely to succeed. Many councils have discovered that making decisions by consensus is an effective way to keep the work moving forward. Consensus works best when all parties attempt to follow certain guidelines while trying to reach a decision. If school council members can answer yes to the following questions, the decision-making process is probably effective:

- Do school council members focus on the problem or issue?
- Do school council members avoid voting, bargaining and trade-offs?
- Do school council members use a problem-solving process that is agreed upon by the members?
- Do school council members accept others' viewpoints?
- Do school council members seek facts and more information?
- Do school council members avoid self-oriented behavior and personal agendas?
- Does the school council focus on the decision-making process instead of on comments and attitudes of individual members?

Chairs of school councils should encourage all members to offer their ideas. Remember, the council needs participation in order to make effective decisions to improve student achievement.

A school council cannot do new things in new ways without a great deal of discussion. Spending time on making a good decision will allow successful implementation of the decision for years to come. If the council affirms the consensus method of decision-making and sticks to it, the rewards for students will be worth the effort.



Councils that use consensus successfully have several common procedures, such as:

1. The council has worked to achieve a high level of trust and understanding between members. The members are aware of each other's strengths and seek to emphasize those. Members are not afraid to express opinions or make mistakes.
2. When the council is presented with a problem, it is ready for differences of opinion. Disagreement is accepted, and the council works to come up with a solution that all the members can agree upon.
3. The council uses problem-solving techniques such as brainstorming and nominal group technique to arrive at alternative solutions. This keeps the council focused on the issue or problem instead of personalities.
4. The council considers all ideas.
5. Always focusing on the issue, council members may change their minds, bringing the group closer to consensus.
6. The council agrees on the two or three best (and most workable under the circumstances) solutions. The council may attempt to blend these ideas into one decision that each member can agree to support.

It is not an uncommon occurrence when **consensus cannot be reached**. At times, a school council will struggle for some time with an issue only to realize that consensus may not be possible.

In most cases, the council that cannot reach consensus needs more information. Although 100% of the information may not be available, it is possible for a council to get more information in a variety of ways, including:

- Ask a committee to do further investigation of an educational process and report its findings back to the council.
- Consider getting an expert to discuss the matter with the council. Sometimes experts are as close as the instructional supervisor or the financial officers at the district's central office. Perhaps someone at a university or at KDE also could provide additional information.
- Set up a pilot project to see the effects of a concept in a limited situation before the whole school is committed.
- Determine if what is being proposed has been done in other schools. If so, what were the results?
- Bring the debate to the attention of the faculty and parent groups for their consideration and input.
- Table the issue until the next council meeting to allow individual members to seek information and bring it to the next meeting.

In dealing with conflict, people who are in leadership positions with school councils should remember the following:

1. The best cure for confrontation is prevention: set ground rules, clear agendas, and regular process evaluation. If the tone of trust is set, and if people can express minor frustrations and have them considered during process evaluation, serious problems are less likely to arise.
2. Most conflict is best addressed early. As people get angrier, they often get more unreasonable. Be precise and detailed in explaining the situation. In many cases, it may be wise to put known controversies on the council's agenda before they become full-blown. Otherwise the conflict may erupt while the council is working on an unrelated issue.
3. Try to identify the real source of the conflict. Once you have identified conflict and its source, consider whether you might ease the situation through a private talk with one or more council members.
4. If you know that you cannot set up processes that offer a fair hearing to all sides in a conflict, find an outside facilitator to help the council through the conflict.
5. Your best preparation for facilitating a school council meeting during which you anticipate conflict is to think carefully about each member of the group. What is his or her real interest? What power does he or she have both in and out of the council? How has he or she used that power in the council to this point? Answers to these questions should give you some clues about what to expect.
6. Sometimes the fact that you have conflict out in the open and have given it a name will diffuse the situation.

Occasionally parties do not change positions. In those instances, in which the disagreement itself remains unresolved, these processes provide the opportunities for each person to learn the other's position and for you to hear all the feelings involved and share yours as well. This will assist in bringing the emotional energy of the council to a normal level.

Before completing the activity, take time to ask participants what they learned about consensus, what stood out to them, and what questions they have. Next, read the directions to the following activity.

Activity: Review the minutes from the meeting at Commonwealth High School and based on the contents of the minutes, determine which decisions were made by completing the questions that follow on Page 65.

COMMONWEALTH HIGH SCHOOL

SBDM Meeting

September 20, 2023 | 5:30 p.m. | SBDM Council

Council Members

James Panel, Chair | Elizabeth Cox, Teacher | Carter Coen, Teacher | Jessica Dunaway, Teacher
Dominque Nunez, Parent | Jon Michaels, Parent

Item	Minutes
Welcome & Roll Call	All members were present. Quorum was established.
Approval of Agenda	All council members were in consensus after reviewing the agenda.
Approval of Minutes from August's Meeting	Minutes were reviewed and approved by consensus.
Good News	Mrs. Cox shared that Homecoming went well. There was a lot of positive feedback and students seemed to enjoy themselves. Mr. Franklin shared that the CHS Chorus did a wonderful job at its fall performance and already is planning for the spring performance.
New Business a) Discussing new graduation requirements b) Training deadline for SBDM members c) Curriculum policy (Effective writing program) a) Financial report	<p>Mr. Panel gave the council the update on the new graduation requirements and how those will affect the school and council policy.</p> <p>He also reminded the council that all SBDM training needs to be completed by Oct. 28 so that the SBDM coordinator can enter the data by the Nov. 1 deadline established in statute.</p> <p>Mr. Panel provided the council with the curriculum policy guidelines. The council will begin revising the school's policy at the next meeting to include the components of an effective writing program.</p> <p>The budget was reviewed and there were no questions or concerns.</p>

Item	Minutes
Committee Reports	C. Coen shared that the extracurricular committee is proposing offering an after school Esports initiative based on the results of a student survey conducted last spring. There will be a more formal proposal at next month's meeting.
CSIP Update Continuous Improvement Diagnostic and Needs Assessment	The council reviewed and approved the Continuous Improvement Diagnostic and Needs Assessment and agreed to move forward in the school improvement planning process.
Public Comment	There were no public comments made by the meeting's attendees.
Adjournment	The meeting ended at 6:23 p.m. by consensus.

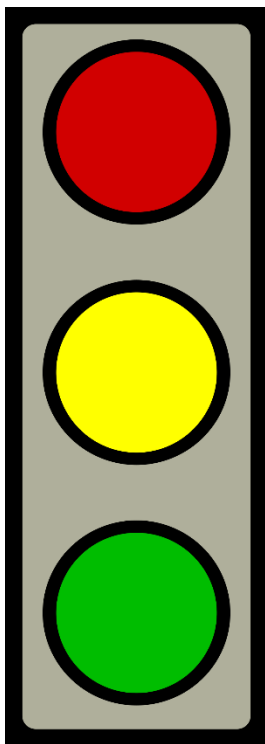
Reflection Questions:

- What decisions were made by Commonwealth High School's SBDM council?
 - Approval of agenda and minutes—consensus was reached.
 - The council agreed, by way of consensus, to hear a follow-up report next month on any added evidence-based practices that would help the school and its students.
 - The council reviewed and approved the Continuous Improvement Diagnostic and Needs Assessment and agreed to move forward in the school improvement planning process.
 - The meeting ended at 6:23 p.m. by consensus.
- Do the minutes accurately capture the decision(s) that was/were made? Why or why not?
Yes, the minutes accurately capture when consensus was reached and what the decision was.
- At a minimum, do the minutes include the four (4) requirements listed on Page 17?
Yes.

Say: We have neared the end of our training session. Are there any lingering questions before we complete the final reflection activity? (Pause.) Go to Slide 30.

Final Reflection Activity

Participating in your annual training is the first step toward making educated and sound decisions on behalf of the students in your school. Before your dismissal, participate in the final reflection activity by evaluating concepts you feel confused about, are unsure of, or feel confident in by completing the statements below.



Stop!

I am totally confused about ...

Proceed with caution, please.

I feel comfortable enough, but I could use some clarification on ...

Go!

I feel confident and I am ready to move on with ...

Return the participants' attention to the consensogram they engaged in at the beginning of the training. Have each participant place a new dot/circle/label that corresponds to their perception to the question now that they have reached the end of the session. Show your participants the glossary starting on page 79 and explain that this can be used as a resource throughout their work on the SBDM council.

Say: This concludes the required six-hour SBDM 101 for new members. You may keep your training module booklet. Thank you for your participation and attention throughout this training. Your commitment to your school's council is invaluable. You will be issued an EILA certificate that signifies you have satisfied the requirements of the new member training. Please take a few minutes to complete an evaluation providing feedback on this training that the Kentucky Department of Education will use to make improvements to training modules and/or inform KDE internal processes. Go to Slide 31 for the link. Copy this link onto your personal device to complete the evaluation (or the trainer can email if feasible or have this evaluation pulled up on several devices already).

Appendix A: KRS 160.345

160.345 Definitions – Required adoption of school councils for school-based decision making – Composition – Responsibilities – Personnel decisions – Procedures to fill vacancy in principal position – Professional development – Exemption – Formula for allocation of school district funds – Intentionally engaging in conduct detrimental to school-based decision making by board member, superintendent, district employee, or school council member – Complaint procedure – Disciplinary action – Rescission of right to establish and powers of council – Wellness policy. (Effective July 14, 2022)

- (1) For the purpose of this section:
 - (a) “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;
 - (b) “School” means an elementary or secondary educational institution that is under the administrative control of a principal and is not a program or part of another school. The term “school” does not include district-operated schools that are:
 1. Exclusively vocational-technical, special education, or preschool programs;
 2. Instructional programs operated in institutions or schools outside of the district; or
 3. Alternative schools designed to provide services to at-risk populations with unique needs;
 - (c) “Teacher” means any person for whom certification is required as a basis of employment in the public schools of the state, with the exception of principals and assistant principals; and
 - (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.
- (2) Each local board of education shall adopt a policy for implementing school-based decision making in the district which shall include, but not be limited to, a description of how the district's policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school's progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:
 - (a) Except as provided in paragraph (b)2. of this subsection, each participating school shall form a school council composed of two (2) parents, three (3) teachers, and the principal

or administrator. The membership of the council may be increased, but it may only be increased proportionately. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member's spouse. None of the members shall have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees;

(b) 1. The teacher representatives shall be elected for one (1) year terms by a majority of the teachers. A teacher elected to a school council shall not be involuntarily transferred during his or her term of office. The parent representatives shall be elected for one (1) year terms. The parent members shall be elected by the parents of students 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. Council elections may allow voting to occur over multiple days and via electronic means. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. The principal shall be the chair of the school council.

2. School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following:

- 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
- b. Allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty;

(c) 1. The school council shall have the responsibility to set school policy that shall be consistent with district board policy and 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 and goals for the district established by the board. The principal shall be the primary administrator and 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.

2. If a school council establishes committees, it shall adopt a policy to facilitate the participation of interested persons, including, but not limited to, classified

employees and parents. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection;

- (d) The school council and each of its committees shall determine the frequency of and agenda for their meetings. Matters relating to formation of school councils that are not provided for by this section shall be addressed by local board policy;
- (e) The **meetings** of the school council shall be open to the public and all interested persons may attend. However, the exceptions to open meetings provided in KRS 61.810 shall apply;
- (f) After receiving notification of the funds available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the number of persons to be employed in each **job classification** at the school. The council may make personnel decisions on **vacancies** occurring after the school council is formed but shall not have the authority to recommend transfers or dismissals;
- (g) **The local superintendent shall determine which curriculum, textbooks, instructional materials, and student support services** shall be provided in the school after consulting with the local board of education, the school principal, and the school council and after a reasonable review and response period for stakeholders in accordance with local board of education policy. 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 principal after consultation with 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;
- (h) **Personnel decisions** at the school level shall be as follows:
 - 1. From a list of qualified applicants submitted by the local superintendent, the principal at the participating school shall select personnel to fill vacancies, after consultation with the school council, consistent with paragraph (i)11. of this subsection. The superintendent shall provide additional applicants to the principal upon request when qualified applicants are available. The superintendent may forward to the school principal 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;
 - 2. If the vacancy to be filled is the position of principal:
 - a. The superintendent shall fill the vacancy after consultation with the school council consistent with paragraph (i)11. of this subsection;

- b. Prior to consultation with the school council, each member shall sign a nondisclosure agreement forbidding the disclosure of information shared and discussions held during consultation;
 - c. A person who believes a violation of the nondisclosure agreement referred to in subdivision b. of this subparagraph has occurred may file a written complaint with the Kentucky Board of Education; and
 - d. A school council member found to have violated the nondisclosure agreement referred to in subdivision b. of this subparagraph may be subject to removal from the school council by the Kentucky Board of Education under subsection (9)(e) of this section;
- 3. Notwithstanding subparagraph 2. of this paragraph, if the vacancy to be filled is the position of principal in a county school district in a county with a consolidated local government adopted under KRS Chapter 67C, then:
 - a. The outgoing principal shall not serve on the council during the principal selection process. The superintendent or the superintendent's designee shall serve as the chair of the council for the purpose of the hiring process and shall have voting rights during the selection process;
 - b. The council shall have access to the applications of all persons certified for the position. The principal shall be elected on a majority vote of the membership of the council. 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; and
 - c. Notwithstanding the requirement that a principal be elected by a majority vote of the council, the selection of a principal shall be subject to approval by the superintendent. If the superintendent does not approve the principal selected by the council, then the superintendent may select the principal;
- 4. No principal who has been previously removed from a position in the district for cause may be considered for appointment as principal in that district;
- 5. Personnel decisions made at the school level under the authority of subparagraph 1. of this paragraph shall be binding on the superintendent who completes the hiring process;
- 6. Applicants subsequently employed shall provide evidence that they are certified prior to assuming the duties of a position in accordance with KRS 161.020; and
- 7. Notwithstanding other provisions of this paragraph, if the applicant is the spouse of the superintendent and the applicant meets the service requirements of KRS 160.380(3)(a), the applicant shall only be employed upon the recommendation of the principal and the approval of a majority vote of the school council;
- (i) The school council shall adopt a **policy** that shall be consistent with local board policy and shall be implemented by the principal in the following additional areas:
 - 1. Curriculum responsibilities under KRS 158.6453(19);

2. Assignment of all instructional and non-instructional staff time;
3. Assignment of students to classes and programs within the school;
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board;
5. Determination of use of school space during the school day related to improving classroom teaching and learning;
6. Planning and resolution of issues regarding instructional practices;
7. Selection and implementation of discipline and classroom management techniques as a part of a comprehensive school safety plan, including responsibilities of the student, parent, teacher, counselor, and principal;
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;
9. Adoption of an emergency plan as required in KRS 158.162;
10. Procedures, consistent with local school board policy, for determining alignment with state standards, technology utilization, and program appraisal; and
11. Procedures to assist the council with consultation in the selection of the principal by the superintendent, and 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; and

(j) Each school council shall **annually review data** as shown on state and local student assessments required under KRS 158.6453. The data shall include but not be limited to information on performance levels of all students tested, and information on the performance of students disaggregated by race, gender, disability, and participation in the federal free and reduced price lunch program. After completing the review of data, each school council, with the involvement of parents, faculty, and staff, shall develop and adopt a plan to ensure that each student makes progress toward meeting the goals set forth in KRS 158.645 and 158.6451(1)(b) by April 1 of each year and submit the plan to the superintendent and local board of education for review as described in KRS 160.340. The Kentucky Department of Education shall provide each school council the data needed to complete the review required by this paragraph no later than October 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.

(3) The **policies adopted by the local board** to implement school-based decision making shall also address the following:

- (a) School budget and administration, including: discretionary funds; activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses;
 - (b) Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state;
 - (c) School improvement plans, including the form and function of strategic planning and its relationship to district planning, as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446;
 - (d) Professional development plans developed pursuant to KRS 156.095;
 - (e) Parent, citizen, and community participation including the relationship of the council with other groups;
 - (f) Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
 - (g) Requirements for waiver of district policies;
 - (h) Requirements for record keeping by the school council; and
 - (i) A process for appealing a decision made by a school council.
- (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.
- (5) All schools shall implement school-based decision making in accordance with this section and with the policy adopted by the local board pursuant to this section. Upon favorable vote of a majority of the faculty at the school and a majority of at least twenty-five (25) voting parents of students enrolled in the school, a school meeting its goal as determined by the Department of Education pursuant to KRS 158.6455 may apply to the Kentucky Board of Education for exemption from the requirement to implement school-based decision making, and the state board shall grant the exemption. The voting by the parents on the matter of exemption from implementing school-based decision making shall be in an election conducted by the parent and teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose. Notwithstanding the provisions of this section, a local school district shall not be required to implement school-based decision making if the local school district contains only one (1) school.
- (6) The Department of Education shall provide professional development activities to assist schools in implementing school-based decision making. School council members elected for the first time shall complete a minimum of six (6) clock hours of training in the process of school-based decision making, no later than thirty (30) days after the beginning of the service year for which they are elected to serve. School council members who have served on a school council at least one (1) year shall complete a minimum of three (3) clock hours of training in the process of school-based decision making no later than one hundred twenty (120) days after the beginning

of the service year for which they are elected to serve. Experienced members may participate in the training for new members to fulfill their training requirement. School council training required under this subsection shall be conducted by trainers endorsed by the Department of Education. By November 1 of each year, the principal through the local superintendent shall forward to the Department of Education the names and addresses of each council member and verify that the required training has been completed. School council members elected to fill a vacancy shall complete the applicable training within thirty (30) days of their election.

- (7) A school that chooses to have school-based decision making but would like to be exempt from the administrative structure set forth by this section may develop a model for implementing school-based decision making, including but not limited to a description of the membership, organization, duties, and responsibilities of a school council. The school shall submit the model through the local board of education to the commissioner of education and the Kentucky Board of Education, which shall have final authority for approval. The application for approval of the model shall show evidence that it has been developed by representatives of the parents, students, certified personnel, and the administrators of the school and that two-thirds (2/3) of the faculty have agreed to the model.
- (8) The Kentucky Board of Education, upon recommendation of the commissioner of education, shall adopt by administrative regulation a formula by which school district funds shall be allocated to each school council. Included in the school council formula shall be an allocation for professional development that is at least sixty-five percent (65%) of the district's per pupil state allocation for professional development for each student in average daily attendance in the school. The school council shall plan professional development in compliance with requirements specified in KRS 156.095, except as provided in KRS 158.649. School councils of small schools shall be encouraged to work with other school councils to maximize professional development opportunities.
- (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.

- (e) Notwithstanding paragraph (d) of this subsection and KRS 7.410(2)(c), if the state board determines a violation of the nondisclosure agreement required by subsection (2)(h)2.b. of this section by a school council member has occurred, the state board shall remove the member from the school council, and the member shall be permanently prohibited from serving on any school council in the district.
- (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.
- (11) Each school council of a school containing grades K-5 or any combination thereof, or if there is no school council, the principal, shall develop and implement a wellness policy that includes moderate to vigorous physical activity each day and encourages healthy choices among students. The policy may permit physical activity to be considered part of the instructional day, not to exceed thirty (30) minutes per day, or one hundred and fifty (150) minutes per week. Each school council, or if there is no school council, the principal, shall adopt an assessment tool to determine each child's level of physical activity on an annual basis. The council or principal may utilize an existing assessment program. The Kentucky Department of Education shall make available a list of available resources to carry out the provisions of this subsection. The department shall report to the Legislative Research Commission no later than November 1 of each year on how the schools are providing physical activity under this subsection and on the types of physical activity being provided. The policy developed by the school council or principal shall comply with provisions required by federal law, state law, or local board policy.

Effective: July 14, 2022

Appendix B: School Council Election Process

Representatives of the school council are elected by their constituent groups to create policies that enhance student achievement. Prior to elections being held for the parent and teacher representatives to the council, it is important that members understand that training of council members is mandatory (KRS 160.345(6)). This mandate requires **new members** to obtain six hours of training in the implementation of school-based decision making and requires **experienced members** to obtain three hours of training in the implementation of school-based decision making. During the 2022 legislative session, KRS 160.345 was amended to allow for council elections voting to occur over multiple days and via electronic means.

Teacher Elections: All full- and part-time teachers assigned to the school building, including school counselors and media specialists, are eligible to serve on the school council and vote in a school council election. Teacher representatives must be elected by a **majority vote** of all the teachers assigned to the building (e.g., if the building has 30 teachers, a teacher candidate must have 16 votes – one-half plus one – to be elected).

The teachers in the building should determine the process to elect their teacher representatives. This process should address the following:

- **Nomination process:** How will people be nominated? What will the timeline be? How will the ballots be prepared once nominations are made?
- **Voting:** How will the voting process take place? What is the time frame for voting? How will ballots be secured? How will the election be monitored? How will candidates be notified of the results? How will tie votes and candidates not receiving a majority of all the eligible votes be handled?
- **Vacancies:** What are the procedures of notification and voting for vacant positions?

The **custodian of records** should keep documentation of the election process, including ballots and tallies for the election. These most often are placed and sealed in a labeled envelope and filed with other school council records. Record maintenance is extremely important if there is a challenge to the election for the teacher representatives to the council.

Parent Elections: To be eligible to serve on the school council, parents must have a student enrolled or preregistered to attend the school for the year they will be serving on the council. Additional eligibility requirements are as follows:

- The definition of parent includes anyone who is a parent, stepparent, foster parent and/or a person who has legal custody of a student **and** with whom the student resides.
- 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.

- A parent representative on the school council shall not be an employee or a relative of an employee in the district administrative offices.
- A parent representative shall not be a local board of education member or the spouse of a board member.

Parents must be elected by **plurality vote**. The largest parent organization of the school will conduct the election for parent representative to the school council. In determining procedures for their elections, consideration should be given to the following:

- **Procedures for election:** Where will the elections take place? When will the elections take place? Who will be responsible for holding the election? Are absentee ballots allowed? If so, what will be the process for absentee voting?
- **Procedures for determining representatives:** What will be the method for counting the votes? What will be the method for informing the school community of the results of the election? What will be the process for conducting a runoff election if needed?

The custodian of records should keep documentation of the election process including ballots and tallies for the election. These most often are placed and sealed in a labeled envelope and filed with other school council records. This is extremely important if there is a challenge to the election for the parent representatives to the council.

Minority Elections: Schools with eight (8) percent or more student minority population must have at least one minority representative on the school council. For the purposes of SBDM, minority is defined as “American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central American or South American origins; Pacific Islander; or other ethnic group underrepresented in the school (KRS 160.345(1)(a)).”

If a school council is formed and has not obtained minority representation in any of the three constituent groups (i.e., teacher, parent or administrator), the principal will be responsible for ensuring a special election is held to garner minority representation on the council. The principal will ensure that an additional election is held for parents to elect a minority parent representative to the council and an election is held for teachers to elect a minority teacher representative to the council.

If, after soliciting nominations, no one is willing to serve as either parent or teacher minority member, then those seats on the council will be noted as vacant. The exception to this is when there is no minority teacher on staff; the faculty may elect an additional teacher member to the council per statute. In the event someone is willing to fill the position later, an election can be conducted at that time.

Terms of Office: By statute (KRS 160.345(2)(b)(1), the terms of office for SBDM members is one year. However, the school council can determine the length of the terms of office. A school council, once elected, may adopt a bylaw setting different terms of office for parent and teacher members subsequently elected.

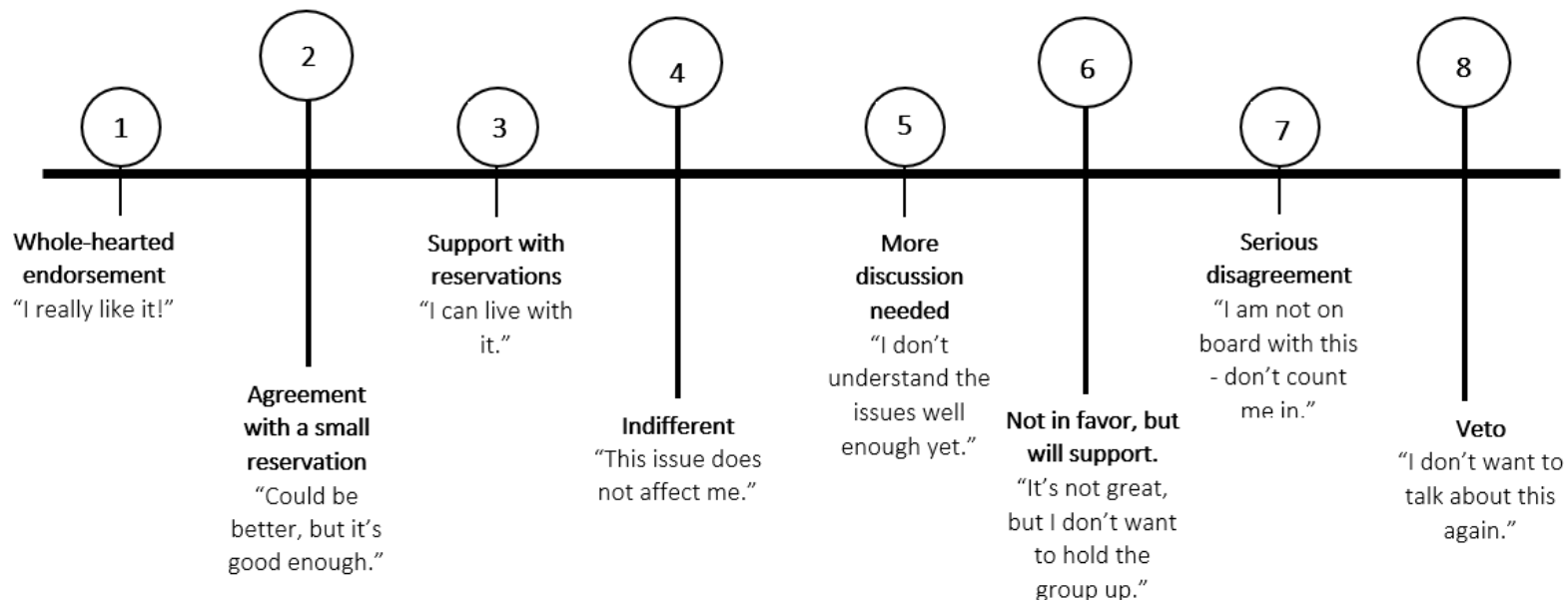
If a vacancy occurs on a school council during the term of office, the following may occur:

- An election can be held to fill the position.
- If the original election procedures have been set up to allow a candidate to be elected as an alternate, the alternate may fill the position. This must be part of the original procedures and must follow the requirement of the election.

It is important that the school community understand that this procedure is established to finish the term of the vacancy and not a full length of the term.

Appendix C: School-Based Decision Making (SBDM) Councils and Consensus: Gradients of Agreement⁹

School-based decision making councils are charged with making decisions that often require reaching consensus or a *general agreement* necessary for the group to move forward. On the surface, consensus seems simple enough; however, reaching an agreement is not always black or white or as easy as a *yes* or *no* or *thumbs up* or *thumbs down*. Instead there are varying *gradients of agreement*. The tool below, which was developed by Sam Kaner et al., includes eight levels of agreement ranging from whole-hearted endorsement to an absolute veto. Definitions for each level are included beneath each option:



⁹ [Gradients of Agreement can help move groups forward.](#) Michigan State University. Web. 19 Nov. 2018.

Glossary

Academic expectations: the centerpiece of Kentucky's education reform effort is its vision of what students should know and be able to do as a result of their school experience

Accelerated learning: advanced courses or classes in which students study subjects and topics that are beyond their grade level

ACCESS (Assessing Comprehension and Communication in English State-to-State): an English language assessment tied to the state's language proficiency standards with varying stages of second language acquisition

Accommodations: changes in instruction and assessment in response to the needs of students with disabilities or students who are learning English

Accountability: the concept that individuals (e.g., students, teachers, administrators) or organizations (e.g., schools, districts) should be held responsible for improving student achievement

Achievement gap: the difference between performance goals and actual performance on each of the tested areas by grade level of the state assessment program for each of the various subgroups of students as described in the Every Student Succeeds Act of 2015, Pub. L. No. 114-95, or its successor, including male and female students, students with and without disabilities, students with and without English proficiency, minority and nonminority students, and students who are eligible for free and reduced lunch and those who are not eligible for free and reduced lunch.

Ad hoc committee: a committee that is formed to complete a specific task

Additional Targeted and Support Improvement (ATSI): identification given to a school that was given a Targeted and Support Improvement status in the preceding year and has one or more subgroups performing as poorly as all the students in the lowest performing 5% of schools

Admission and release committee (ARC): the required meeting during which all required members, including parents, a district representation, regular and special education teachers and the child, when appropriate, participate in determining the child's IEP

Advanced Placement (AP) courses: college-level courses offered by high schools to students

Alignment: the degree to which curriculum, instruction, textbooks and other instructional materials reflect and reinforce the state's academic standards and accountability process

Allocation: the amount of funds available for school and/or district use as determined by the parameters of the program or grant

Arts and humanities: courses of study that include music, visual arts, dance and drama

Assessment: a test of abilities and knowledge

Audit: a careful check or review of something

Average daily attendance (ADA): the total number of days of student attendance divided by the total number of days in the regular school year; used to determine SEEK funding to districts and materials allocations to schools

ASVAB (Armed Services Vocational Aptitude Battery): used by the military to determine qualification for enlistment

Balanced assessment: an assessment plan that includes classroom formative and summative assessments, benchmark or interim assessments and a statewide assessment system

Benchmark assessments: tests that are designed to measure progress during a course of instruction, usually administered on a regular schedule; also known as interim assessments

Best practices: a phrase to describe what are thought to be the most effective methods to improve student achievement

Block scheduling: a way of organizing the school day into longer blocks of time

Bylaws: the operating rules an organization sets to conduct its work

Categorical programs: state or federal programs granting funds to schools and/or districts for specific purposes (e.g., Title I, Title II, extended school services)

Certified staff: a school employee who is required to hold a certificate for his/her position issued by the Education Professional Standards Board (EPSB)

Chief state school officer: the state commissioner of education

Class cap size: the maximum number of students per class, used only to determine the allocation of staff and not necessarily the number of students in the class or course at any one particular time in schools operating SBDM councils

Classified staff: a school employee who is not required to hold a certificate (e.g., instructional assistants, paraeducators and secretaries)

Cognia (Formerly AdvancED): a national education company, with an office in Kentucky, that provides school improvement and accreditation resources for Kentucky schools and districts

Cognitive data: data relating to student performance (e.g., assessments)

Cohort: a particular group of students educated together and graduating high school together

Commissioner of education: the chief state school officer

Comprehensive Support and Improvement (CSI): identification given to a school when it is among the lowest performing 5% of Title I or non-Title I schools by level, has a four-year graduation rate of 80% or less, or was previously identified as ATSI for at least three years and did not exit

CDIP/CSIP (Comprehensive District/School Improvement Plan): the district's or school's plan for improvement based on a need assessment

Consensus: a process that requires participants to come to a common agreement during decision making

Criterion-referenced assessment: a test that measures a student's mastery of skills or concepts set forth in a list of criteria, typically a set of performance objectives or standards

Curriculum: a description of what is to be taught in schools and/or districts. Councils are responsible for creating a curriculum policy focused on the writing program requirements.

Developmentally appropriate instruction: instruction that is suited to the student's needs and development

Diagnostic review: process examining the extent to which a school (or school system) has enacted effective policies, practices, conditions and cultures that maximize learner success and support continuous improvement of student achievement

Differentiation: curriculum, teaching environment and practice to create student-centered learning experiences

Disaggregated data: data that is broken down into segments (e.g., by subgroups, by grade spans, by classes) in order to interpret it for improvement planning

Dropout rate: the proportion of students who do not complete high school

Education Professional Standards Board (EPSB): responsible for issuing and reviewing certificates for all Kentucky teachers and administrators

Educational recovery director (ERD): the person who oversees the school improvement process in a particular region of the state

Educational recovery leader (ERL): the person who assist principals and school leadership in a school identified for Comprehensive Support and Improvement

Educational recovery specialist (ERS): the person who oversees the school improvement process in an identified for Comprehensive Support and Improvement

End of program assessment: state developed assessments based on clear and concise standards identified by Kentucky employers, aligned with Career and Technical Education pathways and associated with statewide articulation agreements with postsecondary partners

English as a second language (ESL): classes or support programs for students whose native language is not English

English/language arts (ELA): previously known as English; includes reading, writing, speaking, listening and observing

English learner (EL): a student whose home language is not English and who has yet to acquire proficiency in English

Every Student Succeeds Act (ESSA): the title given by President Barack Obama to the reauthorization of the Elementary and Secondary Education Act (ESEA)

Evidence-based practice: an activity, strategy, or intervention that has been evaluated and proven to improve student outcomes

Extended school services (ESS): instructional and support services provided by school districts for students who need additional time to achieve academic expectations

Family resource youth services center (FYRSC): programs and/or services provided by center staff that assist families and students with identified needs to remove barriers to learning

Flexible grouping: short-term grouping of students for various purposes (e.g., skill development)

Formative assessment: any assessment used by teachers to evaluate students' knowledge and understanding of particular content and then to adjust and plan further instructional practices

Free appropriate public education (FAPE): special education and related services provided to students with disabilities at no cost to their families

Gifted and talented (GT): a program to assist students who have been identified by testing or another measure as unusually intelligent or talented

Graduation rate: the proportion of students who graduate high school within a four-year period

IMPACT KY: Formerly the TELL survey, this survey gives every certified staff member in Kentucky's public schools an opportunity to provide feedback to their schools, districts and state agencies concerning working conditions in areas such as leadership, facilities, resources, professional development, empowerment and time

Inclusion: the practice of placing students with disabilities in regular classrooms; also known as mainstreaming

Individual education plan (IEP): a detailed education plan created for students with disabilities

Individuals with Disabilities Education Act (IDEA): a federal law that guarantees children with disabilities a free appropriate public education (FAPE) and requires that each student's education be determined on an individual basis and designed to meet his or her needs in the least restrictive environment possible

Individual learning plan (ILP): a web-based tool that allows students to explore, plan and prepare for their future; a required activity for students in grades 6-12

Infinite Campus (IC): the state's student information system

Instruction: the way in which students are taught the school's curriculum

Intervention: a program that does something different from what was done before in an attempt to improve achievement

Job-embedded professional development: professional development activities that occur during the school day

Kentucky Administrative Regulations (KAR): regulations that support Kentucky's laws

Kentucky Association of School Administrators (KASA): a professional organization for more than 2,500 educational leaders across Kentucky

Kentucky Association of School Councils (KASC): a not-for-profit membership organization supporting school councils as they work to help students succeed

Kentucky Board of Education (KBE): the group appointed by the governor to oversee the actions of the state education agency

Kentucky Department of Education (KDE): the state education agency

Kentucky Educational Television (KET): Kentucky's preeminent public media organization; provides online SBDM training opportunities

Kentucky Education Technology System (KETS): the state's plan on how technology is integrated into the school's curriculum

Kentucky Performance Rating for Educational Progress (K-PREP): the system of assessments for Kentucky

Kentucky Revised Statutes (KRS): Kentucky's laws

Kentucky Summative Assessments (KSA): annual summative assessments given in grades 3 through 8, 10 and 11 to Kentucky public school students

Least restrictive environment: the setting in which students with disabilities can be educated alongside their peers without disabilities to the maximum extent possible

Limited English proficiency (LEP): student from a non-English-speaking background who has not learned English

Local education agency (LEA): a school district

Looping: the practice of having one teacher educate a student for more than one school year

Mainstreaming: the practice of placing students with disabilities in regular education classrooms; also known as inclusion

Manipulative: physical objects used to represent concepts

Master schedule: the complete schedule of classes or courses that each teacher teaches during a school day or week

Media specialist: a librarian who has specific training in technology instruction

Migrant education: academic and support services for students whose families migrate to find temporary or seasonal work in agriculture or commercial fishing activities

MUNIS: the software used to manage district and school financial records

National Assessment of Educational Progress (NAEP): a national testing program funded by the U.S. Department of Education (USED)

Non-cognitive data: nonacademic data used to determine needs; can include attendance, retention, discipline referrals, graduation rate and dropout rate

Norm-referenced test (NRT): a standardized assessment designed to compare the scores of individuals or groups of individuals with a representative sample of individuals with similar characteristics

On-demand writing: a writing sample that addresses a specific prompt during a predetermined time frame

Open Meetings law: Kentucky law protecting rights of citizens and the press to attend meetings of school councils, committees created by councils, school boards and many other government agencies

Open Records Act: Kentucky law providing for rights of citizens to review records of school councils and many other government agencies

Paraprofessional/paraeducator: a classified employee who assist teachers in a classroom setting

Parent compact: a written agreement of shared responsibility that defines goals and expectations of schools and families as partners in improving student achievement

Parent and family engagement: the active involvement of families in the daily lives and schooling of children

Performance levels: the four levels at which students may perform on the state assessment

- Novice (beginning to show some understanding)
- Apprentice (some understanding of the concepts)
- Proficient (understanding of the major concepts)
- Distinguished (deep understanding and able to analyze and interpret concepts)

Policy: a written process adopted by a governing body that dictates the operation of the organization

Post-secondary readiness: the attainment of the necessary knowledge, skills and dispositions for a student to successfully transition to the next level of their educational career

Primary school: a Kentucky statutory requirement for the early years of elementary school characterized by multiage and multilevel groupings; primary school ends when a student enters grade 4

Professional development: activities and trainings intended to teach teachers and/or administrators the knowledge and skills needed to perform their job effectively

Professional learning community (PLC): an identified group of teachers and other school staff that meets regularly to assess student work and determine student interventions

Quorum: the number of members required at a school council meeting to conduct business or take action; this number is noted in school council bylaws.

Restructuring: the redesigning of a school, either voluntarily or involuntarily

Resource room: a specialized room where students can go to receive individualized instruction

Rigor: being academically challenging

Rubric: a set of criteria for evaluating student work or for scoring assessments; a scoring guide

Schoolwide program: an instructional supplemental program for Title I, Part A schools that have greater than 40 percent low income population

Special education: a program designed to meet the unique needs of students with identified disabilities

State education agency (SEA): the Kentucky Department of Education

Summative assessment: an assessment at the end of a unit of study

Superintendent's Annual Attendance Report (SAAR): provides a summary of each district's aggregate attendance data for the entire school year

Support Educational Excellence in Kentucky (SEEK): the funding base set by the General Assembly for Kentucky's schools and districts

Targeted Assistance School: an instructional supplemental program for Title I, Part A schools that have less than 40 percent low-income population

Targeted Support and Improvement (TSI): identification given to a school with low-performing subgroups

Title I, Part A: a federally funded supplemental program designed to provide services for economically disadvantaged students and families

Title II, Part A: a federally funded supplemental program that provides funds to prepare, train and recruit high-quality teachers

Title III: a federally funded supplemental program that provides funds to assist with students who do not speak English as their primary home language

Title IV, Part A: a federally funded supplemental program to assist with student support and academic enrichment

Title IV, Part B (21st Century Community Learning Centers): a federally funded supplemental program to support the creation of community learning centers that provide academic enrichment opportunities during non-school hours for children

Title V, Part B: a federally funded supplemental program that provides funds to assist rural school districts

Title IX, Part A: a federally funded supplemental program that provides funds to assist with the education of identified homeless students