

Council Connections



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The Kentucky Association of School Councils is a non-profit membership organization formed in 1992 to help Kentucky's school councils succeed. KASC offers a wide variety of member services for SBDM but also tools, training, and services focused on quality teaching and learning.

Connect with KASC

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Council Connections

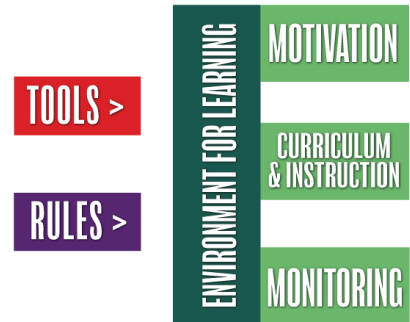
SBDM Council Proficiency Keys

School Councils were included in the 1990 Kentucky education law to give the people closest to students the tools to **improve achievement for every student**. KASC's keys provide a guide for fulfilling that responsibility.

A PROFICIENT COUNCIL:

1. CREATES AN **ENVIRONMENT** WHERE EACH STUDENT CAN LEARN, BY:

- A. Empowering student **MOTIVATION**
- B. Ensuring quality **CURRICULUM** and **INSTRUCTION**
- C. **MONITORING** student mastery and responding to data



PERFORMS BEST WHEN IT:

2. USES AVAILABLE **TOOLS** WISELY

- a. Council and committee processes are efficient and effective
- b. Actions are intentional with a goal in mind
- c. School improvement planning addresses needs and guides school efforts
- d. Policies keep the focus on school priorities
- e. Policies maximize human resources
- f. Policies maximize budget resources

POWERFUL TEAMWORK

3. FOLLOWS **RULES**

The SBDM Council and Committees:

- a. Follow school bylaws
- b. Follow school policies
- c. Meet the requirements of Kentucky's open meeting and open record laws
- d. Make decisions aligned with state and federal laws/regulations, and other applicable policies

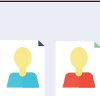
KNOWS COLLABORATION IS A FOUNDATION FOR SUCCESS AND:

4. MODELS AND PROMOTES POWERFUL **TEAMWORK**

- a. Share consistent messages that all school *shareholders are part of the team
 - b. Recognize each shareholder's humanity — all have difficulties and vulnerabilities; each wants to feel respected, appreciated, valued, and happy
 - c. Engage school shareholders in school efforts
 - d. Acknowledge conflicts with curiosity instead of judgment; ask sincere questions
 - e. Monitor the psychological safety in the school to gauge improvement
- *shareholders include: students, educators, staff, families, central office, community members, etc.

WHAT COUNCILS DO

This chart matches all council legal responsibilities with the kinds of decisions made by a proficient council.

OVERALL DECISION AREA	SPECIFIC COUNCIL RESPONSIBILITY	
 SCHOOL IMPROVEMENT	› Targets for closing achievement gaps › School Improvement Plan (includes PD and budget items) › School Safety Plan › Ungraded primary program	
 TEST ANALYSIS	› Test scores analysis › Alignment with state standards (also under policy)	
 PROFESSIONAL DEVELOPMENT	› Professional development/learning	
 COUNCIL OPERATIONS	› Committee policy (also under policy) › Frequency of and agenda for meetings	
 COUNCIL TRAINING	› 3 hours of training for experienced members › 6 hours of training for new members	
 BUDGET	› Consultation on spending for instructional materials and student support services	
 STAFFING	› Number of persons in each job classification › Consultation before principal selects people to be hired (also under policy) › Consultation with Superintendent on selection of new principal (also under policy)	
 POLICIES	› Alignment with State Standards › Advanced Coursework (grades 4-12) › Committees › Consultation on personnel selection › Consultation on principal selection	› Curriculum Responsibilities (including Writing Policy) › Discipline & Classroom Management & Safety › Emergency/Management Plan › Enhancing Student Achievement › Extracurricular Programs › Instructional Practices › Instr. & Non-Instr. Staff Time Assignment › Parental Involvement (Title 1 schools) › Program Appraisal › School Day & Week Schedule › School Space Use › Student Assignment › Technology Utilization › Wellness (grades K-5)

WHAT COUNCILS DO NOT DO

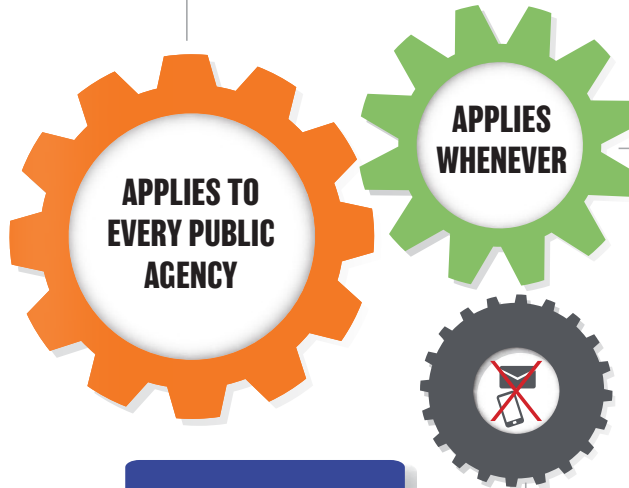
- ⊘ Run school on a day-to-day basis
- ⊘ Break state or federal laws
- ⊘ Risk health and safety
- ⊘ Risk lawsuits and break contracts
- ⊘ Spend money a school doesn't have

- ⊘ Create a successful school without strong support from the whole school community
- ⊘ Make decisions outside their areas of responsibility (for example, evaluate or fire staff, set salaries, raise taxes, set bus routes, assign students to schools, decide when to build new buildings, or pay utility bills)

Kentucky's Open Meetings Law (KRS 61.800) protects the right of the general public to know what public agencies are doing. It applies to councils and their committees.

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

- ▶ Bodies created pursuant to statute.
- ▶ Entities appointed by public agencies..
- ▶ This means school councils and committees.



THE OPEN MEETINGS LAW APPLIES WHENEVER:

- 1 A majority is present; and
- 2 Public business is discussed (even if no action taken).

Meetings can't take place through email or telephone calls.

REGULAR MEETINGS

- 1 Are held at dates and times on a regular meeting schedule.
- 2 Schedule must be "available to the public." (There are many ways to make the schedule available.)
- 3 If held by video teleconference, must follow KRS 61.826 rules (more info follows).

SPECIAL MEETINGS

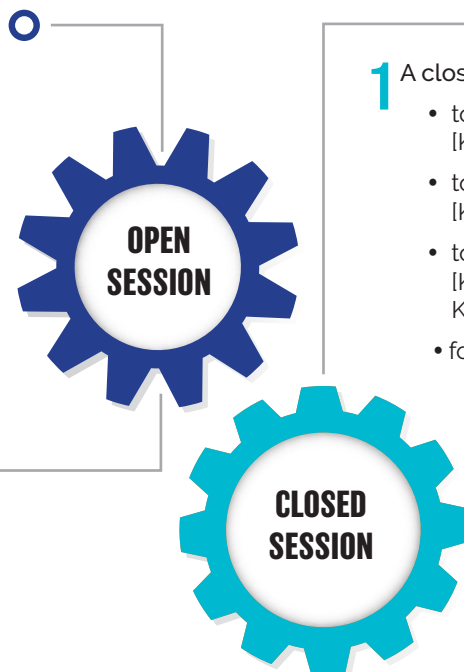
- 1 Are held at dates or times not on regular meeting schedule.
- 2 Are called by chairperson or a majority of council members.
- 3 Require a written notice with: date, time, place, and agenda (agenda cannot be added to during meeting).
- 4 Require that the notice be:
 - sent to all members by fax, mail,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

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



OPEN SESSION

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



CLOSED SESSION

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

MINUTES

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

These are the minimums required. Check your bylaws for how your council and committees go above the minimum.

TELECONFERENCE VIDEO

MEETING BY VIDEO TELECONFERENCE

***KRS 61.826 was amended during the 2022 legislative session which changed requirements for meetings held via video teleconference.**

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 shall comply with the requirements of the open meeting law [KRS 61.820 and 61.823] as appropriate. In addition, the notice of a video teleconference shall:
 - (a) Clearly state that the meeting will be a video teleconference;
 - (b) provide specific information on how any member of the public or media organization may view the meeting electronically; and
 - (c) In any case where the public agency has elected to provide a physical location or in any circumstance where two (2) or more members are attending a video conference from the same location, precisely identify a primary physical location of the video teleconference where all council members can be seen and

heard at all times and the public may attend in accordance with KRS 61.840.

2 The same procedures for participation, distribution of materials, etc. shall apply in all video teleconference locations. Members of the public agency who participate in a video conference shall remain visible on camera at all times that business is being discussed.

3 Any interruption in the video or audio broadcast of a video teleconference at any location shall result in the suspension of the meeting until the broadcast is resolved.

4 If a regular meeting is changed to a video conference, the meeting shall remain a regular meeting if the meeting occurs on the same date and time as originally scheduled and the public agency follows the provisions of KRS 61.823(4) (special meeting notice) to provide a 24 hour notice and meets the requirements of KRS 61.826 (video teleconference notice).

Keep in mind that attendance through video teleconference **does** count toward quorum, and decisions can be made.

**Meetings should never take place by email or telephone calls.*

KASC MINUTES CHECKLIST — requirements are in bold	
NUTS AND BOLTS	Yes, No, N/A, notes
☒ [name of school council or committee] Minutes	
☒ Location of the meeting	
☒ Meeting date	
☒ Names of council members present (and others present)	
☒ Beginning and ending time of the meeting	
☒ Label <i>draft/pending approval</i> until officially approved by SBDM	
REPORTS	Yes, No, N/A, notes
☒ Names of people presenting reports	
☒ Brief summary of major points	
☒ Follow-up needed — who agreed to do what and by when	
MOTIONS AND DECISIONS	Yes, No, N/A, notes
☒ Clearly-stated motion	
☒ Names of council members making motion and second	
☒ Brief summary of major points from discussion of motion	
☒ Final council decision (ex: consensus reached or vote totals)	
☒ Follow-up needed — who agreed to do what and by when	
ADJOURNMENT	Yes, No, N/A, notes
☒ Motion, second, and decision to adjourn	
CLOSED SESSION	Yes, No, N/A, notes
☒ A motion must be made to enter closed session that includes:	
1. general description of issue;	
2. section of law that allows a closed session; and	
3. a majority vote	
☒ Record of the return to open session	
☒ (if applicable) Action is taken in open session and recorded in the minutes	
OTHER WORK NEEDED	
☐ Check your council bylaws for requirements for minutes; school bylaws are legally binding	
☐ [secretary] Prepare minutes	
☐ Attach documents revised/approved	
☐ Give to the chairperson for review before sharing	
☐ Share draft minutes soon after each meeting; best practice to keep shareholders abreast of your work	
☐ Approve official minutes at the next meeting	
☐ File official minutes in designated location	
Requirements in Bold based on review of:	Attorney General— Kentucky Open Records & Open Meetings Acts 61.810 Exceptions to open meetings KDE SBDM Handbook KSBA School Board Leadership Guide

WHAT FUNDING DOES A SCHOOL COUNCIL RECEIVE?

THE FIRST PART OF YOUR FUNDING COMES FROM YOUR ALLOCATION, AND THAT WORKS LIKE SLICING A PIE.

The General Fund Is the Pie

Each district divides its money into several funds. The money that can be used for all types of needs, without strings attached, is called the General Fund. Each council gets several slices of the General Fund “pie” each year. The “pie slicing rules” are found in 702 KAR 3:246, a regulation adopted by the Kentucky Board of Education.



The District-Wide Slice (Section 3)

The first step in the allocation process is to set aside what the district needs for expenses that are the central office’s responsibility. That includes:

<u>SOME ENTIRE BUDGET LINES:</u>	<u>PARTS OF SOME OTHER LINES:</u>	<u>ANYTHING SPENT ON:</u>
Home and hospital Other instructional programs District administration support Business support services Student transportation Central office support services Noninstructional services Facilities acquisition & construction Function 5000, Other	All student support services, <u>except</u> for school-based employees and specified supplies All plant operation and maintenance, <u>except</u> for school-based employees and specified supplies The <u>part</u> of instructional staff support services that goes for central office staff and supplies	Extra duty Extended employment Exceptional children services Itinerant teachers Fringe benefits

It’s a big slice, but everything else will be going out to schools.

The Staffing Slices (Sections 4 And 5)

Each local board has a staffing formula that explains how to calculate the number of positions each school will receive. For certified staff, the formula must provide at least enough staff for the school to stay within the state class-size caps.

For example, a very simple district staffing policy might provide a principal, secretary, counselor, librarian, and custodian for every school, plus a teacher for every 22 students enrolled. District officials would apply that formula to projected enrollment to determine how many positions each school will receive.

The council may use this money for different positions but must stay within its total allocation.

The Materials Slice (Section 6)

Each council in the state is entitled to the same minimum amount for instructional supplies, materials, equipment, and travel. The formula for that amount is 3.5% of the Support Education Excellence in Kentucky (SEEK) base amount per pupil multiplied by the school's average daily attendance for the previous year.

For example,

- Suppose the "SEEK base" was \$4,600 (*SEEK is the state's guaranteed funding formula, and \$4,600 is a pretty good rough estimate of what it provides per pupil).
- When you multiply \$4,600 by 3.5%, you'd get \$161.00 per pupil as the state minimum.
- If your school had an average daily attendance of 1,000, you would figure your allocation by multiplying the 1,000 times the \$161.00, and your school would get \$161,000.

Handing Out the Leftovers (Section 7)

If there's pie left in the pan (money left in the General Fund) after the other slices, it has to be distributed to schools, and your local board decides how.

- a. An amount per pupil shared among all the schools based on average daily attendance
- b. Based on needs identified by school councils in their adopted school improvement plans and designated by the local school board; money can be used only for the identified purpose
- c. For specific instructional purposes based on student needs identified by the board from disaggregated student achievement data; money can be used only for the identified purpose
- d. A combination of paragraphs (a), (b), and (c)

Section 7 is important to understand because it's the section that allows your council to ask for additional district funds based on your most important priorities for improving your school.

KASC Resource for Members-Only

If your district does not have its own Section 7 request form, KASC members may download a form from our Members Only website. Councils may use the form to organize a request for "Section 7" monies. We have also included the State School Board regulation that gives the rules for the district to allocate the funds to the school councils.

SBDM RECORDS RETENTION SCHEDULE BASICS

This information has been adapted from requirements set in a much longer document. The original comes from the State Archives and Records Commission's Public Records Division. You can download the original document from <https://kdla.ky.gov/records/retentionschedules/Documents/Local%20Records%20Schedules/PublicSchoolDistrictRecordsRetentionSchedule.pdf> Updated March: 2017, Kentucky Dept. of Library and Archives

RECORDS TO BE KEPT PERMANENTLY

Annual Financial Audit Report
Annual School Report
Budget Allocation to Council
Official Correspondence
School Council Bylaws
SBDM Council Minutes
SBDM Council Committee Minutes
SBDM Council Policy

RECORDS TO BE KEPT 5 YEARS, then destroy

Request for Waiver of Board Policy
School Council Policy Appeals
Annual Transformation Plan (CSIP)

RECORDS TO BE KEPT 3 YEARS, then destroy

Budget Expenditure Report (3 years AND destroy after audit)
Request for Professional Development
Parent Council Member Election Records
Teacher Council Member Election Records
Council Member Training Record File

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

This is the complete text of the Kentucky statute that defines school councils.

DEFINITIONS (SECTION 1)	
DEFINITION OF MINORITY (1)(a)	For the purpose of this section: “Minority” means American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific islander; or other ethnic group underrepresented in the school
DEFINITION OF SCHOOL (1)(b)	“School” means an elementary or secondary educational institution that is under the administrative control of a principal and is not a program or part of another school. The term “school” does not include district-operated schools that are: 1. Exclusively vocational-technical, special education, or preschool programs; 2. Instructional programs operated in institutions or schools outside of the district; or 3. Alternative schools designed to provide services to at-risk populations with unique needs:
DEFINITION OF TEACHER (1)(c)	“Teacher” means any person for whom certification is required as a basis of employment in the public schools of the state, with the exception of principals and assistant principals.
DEFINITION OF PARENT (1)(d)	“Parent” means: 1. A parent, stepparent, or foster parent of a student; or 2. A person who has legal custody of a student pursuant to a court order and with whom the student resides.
MAIN SBDM RULES (SECTION 2)	
REPORTING TO THE BOARD (2) (OPENING PARAGRAPH)	Each local board of education shall adopt a policy for implementing school-based decision making in the district which shall include, but not be limited to, a description of how the district’s policies, including those developed pursuant to KRS 160.340, have been amended to allow the professional staff members of a school to be involved in the decision making process as they work to meet educational goals established in KRS 158.645 and 158.6451. The policy may include a requirement that each school council make an annual report at a public meeting of the board describing the school’s progress in meeting the educational goals set forth in KRS 158.6451 and district goals established by the board. The policy shall also address and comply with the following:
COUNCIL MEMBERS (2)(a)	Except as provided in paragraph (b)2 of this subsection, each participating school shall form a school council composed of two (2) parents, three (3) teachers, and the principal or administrator. The membership of the council may be increased, but it may only be increased proportionately. A parent representative on the council shall not be an employee or a relative of an employee of the school in which that parent serves, nor shall the parent representative be an employee or a relative of an employee in the district administrative offices. A parent representative shall not be a local board member or a board member’s spouse. None of the members shall have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to district employees.
REGULAR ELECTIONS (2)(b)1	The teacher representatives shall be elected for one (1) year terms by a majority of the teachers. A teacher elected to a school council shall not be involuntarily transferred during the teacher representative’s term of office. The parent representatives shall be elected for one (1) year terms. The parent members shall be elected by the parents of students pre-registered to attend the school during the term of office in an election conducted by the parent and teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. The principal shall be the chair of the school council.

MINORITY MEMBER ELECTIONS (2)(b)2	School councils in schools having eight percent (8%) or more minority students enrolled, as determined by the enrollment on the preceding October 1, shall have at least one (1) minority member. If the council formed under paragraph (a) of this subsection does not have a minority member, the principal, in a timely manner, shall be responsible for carrying out the following: Organizing a special election to elect an additional member. The principal shall call for nominations and shall notify the parents of the students of the date, time, and location of the election to elect a minority parent to the council by ballot; and allowing the teachers in the building to select one (1) minority teacher to serve as a teacher member on the council. If there are no minority teachers who are members of the faculty, an additional teacher member shall be elected by a majority of all teachers. Term limitations shall not apply for a minority teacher member who is the only minority on faculty;
POLICY TO ENHANCE ACHIEVEMENT (2)(c)1	The school council shall have the responsibility to set school policy consistent with district board policy which shall provide an environment to enhance the students' achievement and help the school meet the goals established by KRS 158.645 and 158.6451 and goals for the district established by the board. The principal shall be the primary administrator and the instructional leader of the school, and with the assistance of the total school staff shall administer the policies established by the school council and the local board.
COMMITTEES POLICY (2)(c)2	If a school council establishes committees, it shall adopt a policy to facilitate the participation of interested persons, including, but not limited to, classified employees and parents. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection.
AGENDA (2)(d)	The school council and each of its committees shall determine the frequency of and agenda for their meetings. Matters relating to formation of school councils that are not provided for by this section shall be addressed by local board policy.
MEETINGS (2)(e)	The meetings of the school council shall be open to the public and all interested persons may attend. However, the exceptions to open meetings provided in KRS 61.810 shall apply.
STAFFING (NUMBER OF PERSONS EMPLOYED) (2)(f)	After receiving notification of the funds available for the school from the local board, the school council shall determine, within the parameters of the total available funds, the number of persons to be employed in each job classification at the school. The council may make personnel decisions on vacancies occurring after the school council is formed but shall not have the authority to recommend transfers or dismissals.
TEXTBOOKS, INSTRUCTIONAL MATERIALS, AND STUDENT SUPPORT SERVICES (2)(g)	The 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.
HIRING (2)(h)	1. From a list of qualified applicants submitted by the local superintendent, the principal at the participating school shall select personnel to fill vacancies, after consultation with the school council, consistent with paragraph (i) 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.

(all SBDM schools, except Jefferson Co) HIRING continued (2)(h) 2	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;
(only Jefferson Co SBDM schools) HIRING continued (2)(h) 3	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;
HIRING continued (2)(h) 4-7	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 subsection of KRS 160.380 (3)(a), the applicant shall be employed only upon the recommendation of the principal and the approval of a majority vote of the school council;
MOST POLICY RESPONSIBILITIES (2)(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.
TEST ANALYSIS AND PLANNING (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.

ISSUES FOR SCHOOL BOARD SBDM POLICY (SECTION 3)

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

- (a) School budget and administration, including: discretionary funds; activity and other school funds; funds for maintenance, supplies, and equipment; and procedures for authorizing reimbursement for training and other expenses;
- (b) Assessment of individual student progress, including testing and reporting of student progress to students, parents, the school district, the community, and the state;
- (c) School improvement plans, including the form and function of strategic planning and its relationship to district planning, as well as the school safety plan and requests for funding from the Center for School Safety under KRS 158.446;
- (d) Professional development plans developed pursuant to KRS 156.095;
- (e) Parent, citizen, and community participation including the relationship of the council with other groups;
- (f) Cooperation and collaboration within the district, with other districts, and with other public and private agencies;
- (g) Requirements for waiver of district policies;
- (h) Requirements for record keeping by the school council; and
- (i) A process for appealing a decision made by a school council.

INSURANCE AND ADDITIONAL AUTHORITY (SECTION 4)

In addition to the authority granted to the school council in this section, the local board may grant to the school council any other authority permitted by law. The board shall make available liability insurance coverage for the protection of all members of the school council from liability arising in the course of pursuing their duties as members of the council.

ABOLISHING A COUNCIL (SECTION 5)

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

COUNCIL TRAINING (SECTION 6)

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

ALTERNATIVE MODELS (SECTION 7)

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

ALLOCATIONS AND PROFESSIONAL DEVELOPMENT (SECTION 8)

The Kentucky Board of Education, upon recommendation of the commissioner of education, shall adopt by administrative regulation a formula by which school district funds shall be allocated to each school council. Included in the school council formula shall be an allocation for professional development that is at least sixty-five percent (65%) of the district's per pupil state allocation for professional development for each student in average daily attendance in the school. The school council shall plan professional development in compliance with requirements specified in 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.

INTERFERENCE WITH THE COUNCIL (SECTION 9)

- (a) No board member, superintendent of schools, district employee, or member of a school council shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of school-based decision making to allow the professional staff members of a school and parents to be involved in the decision making process in working toward meeting the educational goals established in KRS 158.645 and 158.6451 or to make decisions in areas of policy assigned to a school council pursuant to paragraph (i) of subsection (2) of this section.
- (b) An affected party who believes a violation of this subsection has occurred may file a written complaint with the Office of Education Accountability. The office shall investigate the complaint and resolve the conflict, if possible, or forward the matter to the Kentucky Board of Education.
- (c) The Kentucky Board of Education shall conduct a hearing in accordance with KRS Chapter 13B for complaints referred by the Office of Education Accountability.

(d) If the state board determines a violation has occurred, the party shall be subject to reprimand. A second violation of this subsection may be grounds for removing a superintendent, a member of a school council, or school board member from office or grounds for dismissal of an employee for misconduct in office or willful neglect of duty.

(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.

COUNCIL ACCOUNTABILITY (SECTION 10)

Notwithstanding subsections (1) to (9) of this section, a school's right to establish or maintain a school-based decision making council and the powers, duties, and authority granted to a school council may be rescinded or the school council's role may be advisory if the commissioner of education or the Kentucky Board of Education takes action under KRS 160.346.

WELLNESS POLICY (SECTION 11)

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

GOALS FOR STUDENTS

Since 1893, Kentucky's **CONSTITUTION** has specified that the General Assembly shall, by appropriate legislation, provide for an efficient system of common schools.

Kentucky's **GENERAL ASSEMBLY** defined the Goals for student learning in KRS 158.6451(b).

- 1. Use basic communication and mathematics skills for purposes and situations they will encounter throughout their lives;*
- 2. Apply core concepts and principles from mathematics, the sciences, the arts, the humanities, social studies, civics, and practical living studies to situations they will encounter throughout their lives;*
- 3. Become self-sufficient individuals of good character exhibiting the qualities of altruism, citizenship, courtesy, hard work, honesty, human worth, justice, knowledge, patriotism, respect, responsibility, and self-discipline;*
- 4. Become responsible members of a family, work group, or community, including demonstrating effectiveness in community service;*
- 5. Think and solve problems in school situations and in a variety of situations they will encounter in life;*
- 6. Connect and integrate experiences and new knowledge from all subject matter fields with what they have previously learned and build on past learning experiences to acquire new information through various media sources; and*
- 7. Express their creative talents and interests in visual arts, music, dance and dramatic arts.*

2026 LEGISLATIVE UPDATE — CHANGES THAT IMPACT COUNCILS

To help schools stay up to date, KASC has outlined key legislative changes from the 2026 General Assembly. SB 152, the major legislative attack on SBDM, did not pass. This bill attempted to make school councils merely “advisory” and remove the school council’s ability to create school-based policy.

Policy Review and Changes

Teacher Safety – 2026 Senate Bill 101

Amends KRS 158.150, KRS 158.155, KRS 158.990

Requires a local board of education to expel a student for at least 12 months if the student intentionally causes physical injury to school personnel at school or a school function; requires that school employees report attempted assault of any school employee to law enforcement and failure to report is a misdemeanor

Council Action Needed:

- ☐ Review SBDM policies that may be impacted
 - Discipline, Classroom Management, and School Safety
 - Extracurricular Programs
-

Clean Up Bill for Electronic Communications Law – 2026 House Bill 67

Amends KRS 160.145

Last year the legislature enacted a new school employee electronic communications law that ended had unintended consequences. HB 67 defines electronic communications and qualified school volunteer; provides exemptions for communications for virtual and online instruction, emergencies, field trips, work-based learning; updates how alleged violations should be reported to parents; changes the disciplinary action requirement for educators from being mandatory to discretionary

For more detailed information through a FAQ format, KDE has issued guidance: <https://www.education.ky.gov/districts/LegislativeGuidance/Pages/default.aspx>

Council Action Needed:

- ☐ Review SBDM policies that may be impacted
 - Extracurricular Programs
 - Technology Utilization
 - Discipline, Classroom Management, and School Safety

Prohibition of Three-Cueing Systems and Dyslexia – House Bill 253

Creates new section of KRS Chapter 158 and amends KRS 158.307

Requires KDE to establish an approved list of reading curriculum and interventions that does not use a three-cueing system; prohibits the use of a three-cueing system in teacher professional development; prohibits school districts from using any curriculum or program that includes a three-cueing system by 2029-30; requires all interdisciplinary childhood through fifth grade educators by June 30, 2029 to complete a KDE approved science of reading professional learning program; requires local boards of education to develop a policy on dyslexia for K-3

Council Action Needed:

- ☐ Review policies that may be impacted – *Instructional Practices Policy* and *Curriculum Responsibilities Policy* to ensure they do not include practices or programs related to the three-cueing system to reflect this requirement
 - ☐ K-3 Schools:
 - Review KDE Guidance on District Dyslexia Policies: https://www.education.ky.gov/districts/LegislativeGuidance/Documents/HB_253_2026_Supplemental_Guidance_District_Dyslexia_Policy.pdf
 - Review the district's dyslexia policy once it is developed
-

Omnibus Ed Bill: Universal Applications, Special Ed Class Size – House Bill 727

Universal Applications — amends KRS 160.152

Allows teacher applicants to create a universal application through the Kentucky Educator Placement Service System and electronically submit applications to multiple school districts

Special Ed Class Size — amends KRS 157.220

Creates state special education maximum class sizes and maximum caseloads

Council Action Needed:

- ☐ Review SBDM policies that may be impacted —
 - *Student Assignment Policy*
-

Related to Council Work

State Executive Branch Budget Bill – House Bill 500

The budget increases the SEEK base per-pupil guarantee to \$4,626 for 2027 and \$4,792 for 2028

College Entrance Exam – Senate Bill 197

An act providing funding and appropriations for government agencies

Requires KDE to begin a new procurement process for the state-provided college entrance exam in the 2026-2027 school year; the upcoming school year will begin without a decision on which college entrance exam will be administered to juniors

Kentucky's New Assessment and Accountability System – House Bill 257

Creates new section of KRS 158; amends KRS 158.6453, KRS 158.6455, KRS 158.6459, KRS 164.7874, and KRS 157.069

ACCOUNTABILITY COMPONENTS

- Keeps math, reading, science, and social studies as state indicators
- Removes on-demand writing and editing mechanics from state assessments
 - Districts must adopt a writing program policy that promotes disciplinary writing across the curriculum

Council Action Needed:

- ☐ Stay informed on the development of the district writing program policy
- ☐ [Once that's policy is approved by the school board] Review and revise school policies that may be impacted — *Curriculum Responsibilities Policy, Instructional Practices Policy*

ACCOUNTABILITY COMPONENTS, continued

- Uses individual growth of each student in the accountability system instead of change in accountability indicators from year to year
- Replaces Quality of School Climate and Safety (QSCS) survey with chronic absenteeism in the state accountability model
 - The law specifies that districts may use the QSCS survey for part of their local indicators of quality

Council Action Needed:

- ☐ Stay informed on whether the district will use the QSCS survey as a local indicator of quality

LOCAL INDICATORS OF QUALITY

- School districts will be encouraged to create their own local indicators of quality, but those indicators will not factor into the state accountability model or federal CSI calculations.
- Local indicators of quality must include:
 - Vibrant learning experiences for students
 - Local measures of performance identified by community members
 - A method of displaying data that includes breaking down data by demographic groups

Council Action Needed:

- ☐ Stay fully engaged in district efforts to create local indicators of quality

Pertinent to School Work or Education Interest

Establish Principal Leadership Practicum – Senate Bill 4

Creates a new section of KRS Chapter 156

Requires KDE to develop and operate the principal leadership practicum; first cohort starts July 1, 2027 and includes all principals with less than one year experience; future cohorts will include all new principals as of September 1 each year; training lasts four years – first two years with KDE, third year Truist/KY Chamber Foundation, fourth year optional

A GLOSSARY FOR KENTUCKY SCHOOL COUNCILS

Academic Expectations: a statement in Kentucky law of what Kentucky students should know and be able to do; more specific than the Learner Goals and less detailed than Kentucky's Academic Standards

accommodations: special testing arrangements made for some students with disabilities

achievement gap: persistent and significant difference in educational achievement for students in various groups

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

Admission and Release Committee (ARC): team that develops the education plan for a student with identified disabilities; includes the child's parent(s) and relevant staff in writing the Individual Education Plan (IEP)

allocation: a share of available money; for school councils, the amount a local school district must give the council to spend for staff, materials, and other school needs

apprentice: a student performance level that is below Kentucky's standards for student performance; stronger than novice work but weaker than proficient level

audit: a careful check or review of something

Average Daily Attendance (ADA): just as the name suggests, the average number of students in attendance at a school; used to determine SEEK funding to districts and materials allocations to schools

block schedule: a secondary school schedule that creates longer blocks of time in each class

Building Assessment Coordinator (BAC): school-level person responsible for managing administration of the state test

career studies: learning about finding and keeping jobs; included in the Kentucky Academic Standards

Career and Technical Education (CTE): Kentucky's system of skill standards, assessment (see EOP), and certification that allows students to demonstrate the skills necessary for successful transition from high school to postsecondary studies or the workforce

categorical program: activities and services paid for by money with legal limitation on its use, such as Extended School Services, Professional Development, and other programs

certified staff: school and district employees whose jobs require a state certificate, including teachers, principals, superintendents, and some other positions

class-size caps: a maximum number of students allowed in one class; each school council must receive enough money in its allocation to allow the school to stay within the caps

classified staff: school and district employees whose jobs do not require a state certificate, including teaching aides, secretaries, custodians, and some other positions

Career Ready: description of the shared vision of Kentucky Council on Postsecondary Education (CPE) and the Kentucky Department of Education (KDE) of having all students prepared for postsecondary and career success

Commissioner of Education: the head of the Kentucky Department of Education

Comprehensive School Improvement Plan (CSIP): a plan based on data from testing and needs assessments for improving teaching and learning in a school by setting goals, objectives, and measures; made up of components with activities and strategies to reach school goals

consensus: a decision-making method that emphasizes considering many perspectives, looking for common ground, and avoiding votes in which one side wins and another loses; recommended but not required for school councils

constructed response questions: individual test items that require the student to create an answer rather than select a response and may include fill-in-the-blank, short answer, extended response, and on-demand writing formats

Criterion-Referenced Test (CRT): a test that is aligned with defined academic content standards and measures an individual student's level of performance against the standards

curriculum: the specific content, skills, and learning experiences students will need to master the standards; the curriculum is the map for how to get to the standards/destination

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

disaggregated data: information that is broken down to show separate data for boys, girls, students of varied ethnic groups, students living in poverty, students with disabilities, and students with limited English proficiency

distinguished: a student performance level that exceeds Kentucky's state standards; higher than the proficient level Kentucky seeks for all students

District Assessment Coordinator (DAC): district-level person responsible for managing administration of the state test

Elementary and Secondary Education Act (ESEA): signed by President Lyndon Johnson in 1965; a civil rights law that provided education funding to states and attempted to ensure that every student had access to an education

End-of-Program assessments (EOP): evaluation of mastery of the standards identified by Kentucky employers and aligned with CTE career pathways

equity: respecting each student's culture and providing each student with the resources needed to be successful

equality: treating every student in the same manner, regardless of differences

English Language Learner (ELL or EL for English Learner): a student whose home language is not English and who is not yet proficient in English

Every Student Succeeds Act (ESSA): a 2015 law that replaces No Child Left Behind but preserves the spirit of high standards, accountability, and closing the achievement gap; US Department of Education labels for struggling schools includes — Comprehensive Support and Improvement (CSI), Targeted Support and Improvement (TSI) and Additional Targeted Support and Improvement (ATSI)

evidence-based: an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes

extended-response questions: a type of constructed-response question on assessments

Extended School Services (ESS): additional learning time for students at risk of not meeting state standards, including but not limited to after school programs, weekend offerings, and summer sessions; required by state law and funded through special money earmarked for those programs

Family Resource Centers (FRYSCs): state-funded centers to help families address problems that may keep their children from learning; along with Youth Service Centers, often called FRYSCs or “friskies”

formative assessment: a process used by teachers and students during instruction to adjust ongoing teaching and learning to improve students' achievement of intended instructional outcomes

goal: a measurable end result

Individual Education Plan (IEP): a written plan to meet a student's unique learning needs; required for students with disabilities

Individuals with Disabilities Education Act (IDEA): federal law requiring a free, appropriate education for children with

disabilities; Part B of the law provides funds to support that education

Infinite Campus: student data collection system used statewide to keep track of information on students. Parents and students can also track student grades through this system.

instructional resources: resources needed for students to learn the curriculum and master the standards; includes computer applications, books, materials, etc.

interim (benchmark) assessments: assessments that are given periodically throughout the year to provide diagnostic information and to show individual student performance against content standards

Kentucky Administrative Regulations (KAR): legally binding rules established by appointed government groups; the Kentucky Board of Education sets the regulations for elementary and secondary education. You can find copies of any KAR section by going to www.lrc.state.ky.us and looking under “Legislative Resources.”

Kentucky Board of Education (KBE): a citizen body appointed by the Governor and confirmed by the General Assembly, responsible for selecting the Commissioner of Education, adopting regulations on education issues, and setting overall policy direction for the Kentucky Department of Education

Kentucky Academic Standards (KAS): the knowledge and skills that Kentucky students need to know and be able to use

Kentucky Department of Education (KDE): a government agency led by the Commissioner of Education and responsible for implementing the assessment and accountability system, enforcing statutes and regulations, and providing support to schools and districts to meet statewide goals

Kentucky Education Reform Act (KERA): 1990 Kentucky legislation that reorganized all of Kentucky elementary and secondary education

Kentucky Education Technology System (KETS): an integrated system that allows students, school staff, district staff, and KDE to use up-to-date computers and other equipment, plus state funding, to keep the system current in all schools and districts

Kentucky Summative Assessment (KSA): the name of Kentucky's state assessment

Kentucky Revised Statutes (KRS): Kentucky's laws, approved by the General Assembly and the Governor

learner goals: the short statement of goals for Kentucky students set by the General Assembly

Learning Management System (LMS): a software framework for all parts of the learning process — administration, delivery of learning course, training development, tracking, reporting, and documentation

mainstreaming: the practice of placing students with disabilities in regular classrooms whenever possible, as required by federal law

MUNIS: accounting software used to track and control school districts' money

Non-Traditional Instruction Program (NTI): is a program that encourages the continuation of learning on days when school would otherwise be canceled

norm-referenced: describes a test that scores students by comparing them to the performance of a "norm group" of students tested earlier

novice: the lowest student performance level that is significantly below Kentucky's standards for student performance

Office of Education Accountability (OEA): an office that reports directly to the General Assembly on how Kentucky's school system is working; intended to allow the General Assembly to assess whether it has fulfilled its constitutional responsibility to create "an efficient system of common schools"

on-demand writing: the part of the Kentucky state assessment that asks students to show their writing skills by responding to writing prompts

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 groups

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

performance level: a description of the quality of a student's work in relation to Kentucky standards: novice, apprentice, proficient, or distinguished

primary program: the early part of elementary school, serving students from the time they enter school until they are ready for fourth grade

professional development/learning (PD/PL): activities that allow school staff to improve their knowledge and skills; parents involved in school-based decision making may also participate; all certified staff must complete at least 24 hours a year

Professional Learning Community (PLC): an identified group of teachers and other school staff that meet regularly to assess student work and determine student interventions

proficient: the student performance level that meets Kentucky's state standards

program audit: a form of program review that is a systematic method of analyzing components of an

instructional program and areas for improvement; conducted as a result of a program review that indicates a more in-depth process of analysis and assistance is needed

quorum: the number of members present at a school council meeting where actions can be taken; this number is noted in school council bylaws

Response to Intervention (RTI): a school's or district's method of determining intervention strategies for students needing extra assistance mastering content

rigor: being academically challenging

rubric: scoring guide or a description of what kind of work qualifies for a particular score

school council: a group composed of elected parents, teachers, and the principal that makes key decisions on how their own school will work toward reaching Kentucky's goals

school(site)-based decision making (SBDM): the work done by school councils and their committees

scoring guide: a description of the kind of work that qualifies for a particular score; also called a rubric

Sections 4 and 5: allocate certified and classified staff to the schools within the district

Section 6: instructional funds based on Support Education Excellence in Kentucky (SEEK) formula

Section 7: a section of the regulation on school council allocation that governs any additional money available beyond the required allocations for school staff and materials

social and emotional learning (SEL): the process of developing the self-awareness, self-control, and interpersonal skills vital for school, work, and life success

standards: what students need to know and be able to do to reach an expected level of performance; standards define the destination students need to reach

summative assessment: an assessment given at the end of the school year, semester, or other period of time to evaluate students' performance against content standards within a unit or course of instruction

Support Education Excellence in Kentucky (SEEK): Kentucky's main system for funding schools, combining local and state dollars to guarantee that each district will have needed basic funding for all pupils

Title 1: the largest federal funding program to strengthen schools with high concentrations of poverty

Youth Service Centers: state-funded centers to help middle and high school students address problems that could keep them from learning