

Exemption

Any school performing above its threshold level requirement as determined by the Kentucky Department of Education under KRS 158.6455 may apply to the Kentucky Board of Education for exemption from SBDM. Any school that requests such exemption shall inform the Superintendent and the Board.

Any District-operated school not defined as a “school” by KRS 160.345 (1) (b) is not eligible to operate under School Based Decision Making.

PETITION

Faculty members of a school who no longer wish to ~~remain under SBDM~~~~participate in School Based Decision Making~~ shall present a written petition to the Principal, signed by a minimum of twenty-five percent (25%) of the faculty members, indicating their ~~desire~~~~request~~ for a vote on the matter.

Under guidelines established by its membership, the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose may also submit a petition to the Principal, calling for a vote on whether to apply for an exemption.

SCHEDULING

~~On~~~~Upon~~ receiving a petition the Principal ~~and Teacher Designate~~ shall set the date, time(s) and place ~~of a faculty meeting for the faculty for the purpose of voting on whether to apply to vote on~~ ~~applying~~ for an exemption. This ~~meeting~~~~vote~~ shall be held not less than five (5) and not more than ten (10) school days from the Principal’s receipt of the ~~written~~ petition.

NOTICE

~~Written~~~~n~~ Notice of the ~~meeting~~~~vote~~ shall be provided ~~to~~ all faculty members assigned to the school at least five (5) days in advance ~~of the meeting~~.

MEETINGS

~~The Principal shall chair the meeting at which the vote is taken by the faculty. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against~~ ~~applying for~~~~requesting~~ an exemption. ~~The Principal and at least two (2) teachers chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.~~

The parent vote on applying for an exemption shall be conducted by the parent/teacher organization of the school or, if none exists, the largest organization of parents formed for this purpose.

~~An~~~~two-thirds (2/3) majority~~ affirmative vote ~~of the majority~~ of the faculty and a majority of at least twenty-five (25) voting parents of students enrolled in the school shall be required to ~~apply for~~~~request~~ an exemption. The Principal ~~and two (2) Teacher Designates~~ shall ~~forward results of the faculty and parent elections to the Superintendent and the Board~~~~count the ballots immediately after the close of the poll and announce the results within twenty-four (24) hours.~~

A vote ~~to apply for an exemption~~ shall not be held more than once ~~every sixty (60) calendar days~~~~per school year.~~

VOTE TO RETURN

An exemption, once granted by the Kentucky Board of Education, shall continue unless the school fails to meet threshold requirements or votes to return to SBDM.

Exemption**VOTE TO RETURN (CONTINUED)**

A vote to enter into SBDM shall be held no more than once ~~every sixty (60) days per school year~~. Faculty members of a school who wish to re-enter School Based Decision Making (SBDM) shall present a written petition to the Principal, signed by a minimum of twenty-five (25%) percent of the faculty members, indicating their desire for a vote on the matter. ~~Petitions to vote on School Based Decision Making must be submitted by February 1.~~

The Principal shall chair the meeting at which the vote is taken. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against re-entering SBDM. The Principal and two (2) ~~teachers~~ ~~Teacher Designates~~ chosen by the faculty shall count the ballots and announce the results at the conclusion of the meeting.

If two-thirds (2/3) of the faculty vote to re-enter SBDM, the school will do so. ~~The Principal and the Teacher Designates shall count the ballots immediately after the close of the poll and announce the results within twenty-four (24) hours.~~ The Principal shall forward results of the vote to the Superintendent and the Board. Organization of elections to select teacher and parent representatives for the school council shall be conducted in accordance with Board Policy 02.421.

~~Upon affirmative vote, elections to select teacher and parent representatives for the school council shall be conducted as specified in Policy 02.421. All balloting shall be conducted as described in that same policy.~~

~~ITINERANT AND PART-TIME TEACHERS~~

~~For the purpose of School Based Decision Making, itinerant or part-time teachers assigned to the school qualify to petition, vote, and serve on the council of their assigned school. Itinerant teachers will be assigned to the school where they serve the majority of their time. Part-time teachers serving schools the same portion of their time will be assigned to a school by the Superintendent for the purposes of School Based Decision Making.~~

~~POLLING PLACE~~

~~For a vote to apply for an exemption or to return to SBDM, a polling place shall be established by the Principal and Teacher or Parent Designates, as appropriate; the poll shall be open for voting at least ten (10) minutes before and after the school day and remain open during the school day. Voting shall be by secret ballot. Ballots shall offer faculty members the opportunity to vote for or against entering into SBDM. The Principal and Teacher and Parent Designates shall oversee the voting process.~~

SCHOOLS OF INNOVATION

In a designated school of innovation participating in a district of innovation application and plan, the council may request a waiver from KRS 160.345 or specific provisions within that statute by conducting a vote as set out in KRS 160.107.

REFERENCES:

KRS 156.108; KRS 158.6455
KRS 160.107; KRS 160.345
OAG 94-51

Exemption

RELATED POLICIES:

02.421
02.4241