

Administrative Organization

- | The administrative organization of the ~~Jefferson County Public Schools District~~ shall be based upon an analysis of the functions necessary to meet the needs of the school system.
- | Modifications in the organization plan shall be submitted to the ~~b~~Board of education for its approval.

Adopted/Amended: 01/01/1900
Order #:

Recruitment and Appointment of Superintendent

When a vacancy occurs in the position of Superintendent, the following shall define the authority and responsibility of the Board and the screening committee.

BOARD RESPONSIBILITIES

The Board shall be responsible for:

1. Providing notice to teachers, principals and parent-teacher organizations regarding an impending vacancy in the office of Superintendent;
2. Deciding whether to use professional search consultants or additional committees;
3. Establishing a timeline for all phases of the search process;
4. Developing position criteria for the Superintendent and instructing the screening committee regarding the same;
5. Advertising the position;
6. Establishing procedures for receiving applications, corresponding with applicants and insuring the confidentiality of applications and related materials;
7. Providing the screening committee with the original, or a copy, of all applicant materials ~~on or before the closing date for applications;~~
8. Charging the committee regarding applicant confidentiality;
9. Establishing the date for the screening committee to report to the Board;
10. Receiving and giving consideration to the report of the screening committee;
11. Interviewing such candidates as the Board sees fit; and
12. Hiring the Superintendent and establishing the conditions of his/her contract.

SCREENING COMMITTEE

Within thirty (30) days of a determination by the Board that a vacancy has occurred or will occur in the office of Superintendent, the ~~b~~Board ~~of Education~~ shall establish a screening committee. The screening committee shall consist of two (2) teachers, elected by the teachers in the ~~d~~District; one (1) Board member, appointed by the Board ~~e~~Chairperson; one (1) principal, elected by the principals in the ~~d~~District; and one (1) parent, elected by the presidents of the parent-teacher organizations of the schools in the ~~d~~District. If a minority member is not elected or appointed to the screening committee, the committee membership shall be increased to include one (1) minority parent, elected according to state law. The screening committee shall function in accordance with statutory requirements.¹

The Board shall not pay stipends to screening committee members for service on the committee.

COMMITTEE RESPONSIBILITIES

The screening committee shall have the following responsibilities:

1. Screen all candidates;
2. Employ any reasonable means it chooses to screen candidates;

Recruitment and Appointment of Superintendent

COMMITTEE RESPONSIBILITIES (CONTINUED)

3. Report its recommendations to the Board on the prescribed date; and
4. Consider additional responsibilities as assigned by the Board.

The committee shall not obligate the Board financially without the Board's prior approval.

APPOINTMENT

Prior to appointing ~~athe s~~Superintendent~~—of—schools~~, the ~~b~~Board shall consider the recommendations of the screening committee.

REFERENCES:

¹KRS 160.352
[KRS 160.350](#)
[KRS 160.352](#); [KRS 160.370](#), [OAG 91-3](#)

Adopted/Amended: 01/01/1900
Order #:

Qualifications of Superintendent

CERTIFICATION

Before the Superintendent assumes duties, s/he shall provide the Board with a copy of a "Certificate for School Superintendent" issued by the Education Professional Standards Board or its legal predecessor. S/he shall hold a valid certificate throughout the period of employment.¹

OTHER REQUIREMENTS

~~By its nature, the position of Superintendent of schools is an exacting position.~~ In addition to the minimum requirements specifically set forth by the Kentucky Revised Statutes,¹ & ² the Superintendent shall have:

- a minimum of 10-12 years' experience as an educator; a major portion in an ethnically and socio-economically diverse district;
- the desire to make a long-term commitment to the ~~Jefferson County Public Schools District~~;
- a love of and concern for all children;
- recognized success in the areas of instructional leadership, staff development, labor relations, finance, voter initiatives, facilities planning, public relations, and community involvement;
- the ability to develop and articulate a vision for the ~~Jefferson County Public Schools District~~ that challenges and engages all segments of the community; as well as, good listening skills;
- the willingness to work closely with educational leaders and the desire to provide state-wide leadership in the implementation of programs and policies which accomplish the goals and objectives of the Kentucky Education Reform Act;
- the ability to lead the board, staff and community through a comprehensive strategic planning process;
- a keen sensitivity to and understanding of multi-culturalism;
- a well-founded understanding of learning theory, curricula, instructional approaches; technology applications and enrichment/intervention strategies which meet the needs of a diverse student population;
- a successful record of improving student test scores and critical thinking skills; a commitment to course content which can produce the cognitive and technical skills necessary in a globally competitive work force;
- a successful record of initiating and maintaining broadly supported organizational changes; ~~just as important, and~~ the skill to determine when change is not required;
- a commitment to shared decision-making between the central office and schools throughout the district;
- a clearly demonstrated record of positive labor relations, contract negotiations, innovative recruitment initiatives and evaluation of staff at all levels;

Qualifications of Superintendent

OTHER REQUIREMENTS (CONTINUED)

- a strong commitment to ensuring a safe and orderly learning environment; ~~where violence and disruptive behavior are not tolerated;~~ and
- the highest standards of ethics, honesty and integrity in all personal and professional matters.

REFERENCES:

¹[KRS 160.350; OAG 97-36](#)

²[KRS 156.111; 704 KAR 003:406](#)
[016 KAR 003:010](#)

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Order #:

Duties of Superintendent

BOARD-SUPERINTENDENT RELATIONSHIP

~~While the primary functions of the bBoard shall be policy development and adoption and goal appraisal, the function of the sSuperintendent of schools shall be executive. The sSuperintendent shall administer the schools, carrying out the policies established by the bBoard, and when necessary, delineating inconsistencies and recommending revisions in the bBoard's guidelines.~~

~~The bBoard shall not bypass the sSuperintendent, but rather, shall leave the administration of its policies to him/her. The execution of policy, through detailed steps and procedures of administration, shall be the duty and responsibility of the sSuperintendent, who may delegate authority to school staff. The administrative function of the sSuperintendent shall be in keeping with the concept that the sSuperintendent carries out policy through the ministerial function delegated to him/her by the bBoard.~~

~~The bBoard shall recognize that the working relationship between the bBoard and the sSuperintendent is of prime importance; that this relationship shall determine whether or not the sSuperintendent and bBoard can function effectively in their mutual roles; that the bBoard shall grant the sSuperintendent the authority, support, and resources necessary to enable him/her to accomplish bBoard established goals; that the relationship shall be based upon mutual trust and understanding.~~

~~In assisting the bBoard in its appraisal function, evaluating and reporting shall be major responsibilities of the sSuperintendent.~~

~~The bBoard's responsibility shall be to make its expectations known to the sSuperintendent; such expectations shall be based on a clear understanding of the functions of the bBoard of education and the sSuperintendent of schools, as set forth in bBoard policy and state law and regulations.~~

EXECUTIVE OFFICER

The administration of the school system in all of its aspects shall be delegated to the Superintendent, who shall carry out his/her administrative functions in accordance with the policies adopted by the Board. The execution of all decisions made by the Board concerning the internal operation of the school system shall be delegated to the Superintendent.

SPECIFIC DUTIES

The Superintendent shall:

1. Serve as chief executive officer of the ~~Jefferson County Board of Education~~, attends all meetings, acts as secretary, and makes recommendations to the Board;
2. See that the laws relating to the schools, the administrative regulations of the Kentucky Board of Education, and the policies of the Board are carried into effect;¹
3. Prepare, under the direction of the Board, all rules, ~~procedures~~, bylaws, and statements of policy for review, approval and/or adoption by the Board;¹
4. Administer the planning, development, coordination, and evaluation of the total operation of the system;

Duties of Superintendent**SPECIFIC DUTIES (CONTINUED)**

5. Assume general supervision over the school system and over all personnel as provided by the ~~Kentucky Revised Statutes of the Commonwealth of Kentucky~~;
6. Develop and implement programs to support and achieve the goals and objectives of the ~~school d~~District for adoption by the Board;
7. Exercise general supervision of the schools, examine their condition and progress, and keep informed of the progress in other districts;²
8. Delegate responsibility for various administrative units, but ~~is~~be responsible to the Board for the results produced;
9. Prepare the annual budget in accordance with the ~~Kentucky Revised Statutes of the Commonwealth of Kentucky~~ and regulations of the ~~state~~Kentucky ~~b~~Board of ~~e~~Education;
10. Assume responsibility for the hiring and dismissal of all personnel in the District;
11. Continually assess the professional training needs of the administrative staff of the District and provide professional staff development programs;
- ~~12. Present for adoption by the Jefferson County Board of Education policies and procedures designed to improve the educational program;~~
- ~~13.12. Collate information to k~~Keep the ~~Jefferson County Board of Education~~ and the general public informed on the progress and activities of the educational program; ~~and~~
- ~~14.13. When, in the judgment of the Superintendent, an emergency exists, close the schools or reduce the hours of the school day as appropriate in the interest of the health and safety of the students or when weather or other emergency conditions would make operating the school bus fleet unsafe; and devise a system for notifying parents, pupils, teachers and other employees when it is necessary to close schools due to emergency conditions; and~~
- ~~15.14. Perform other duties assigned by the Jefferson County Board of Education.~~

In the absence of a policy relating to the efficient operation of the District, the Superintendent shall be responsible for the development, publication, and dissemination of administrative rules, regulations, directives, and procedures until such time as a policy is adopted by the Board.

~~In the absence of policy, rule, regulation, or Federal or State law or regulation, and the inability of the board to convene within time necessary for a decision, the superintendent shall have the authority to make all necessary administrative decisions.~~

The Superintendent or designee may direct staff to implement state or federal rules and/or regulations which may violate Board policy while reviewing and preparing new policy to be considered by the Board.

ADMINISTRATIVE REPORTS

The ~~s~~Superintendent shall establish and periodically review procedures for preparation of administrative reports submitted for approval to the ~~senior deputy superintendent and the~~

Duties of Superintendent

~~s~~Superintendent. The procedure shall include, but not be restricted to, the channels for involvement in the development, review, and approval of reports.

Recommendations sent to the ~~b~~Board ~~of education~~ for approval and reports sent to the ~~b~~Board ~~of education~~ for information only shall be submitted by the ~~s~~Superintendent.

Requests for the development of reports by the ~~b~~Board or outside agencies shall be submitted to the ~~s~~Superintendent.

Reports which become administrative directives shall be distributed using an established ~~bulletin~~ distribution system.

REFERENCES:

¹[KRS 160.370](#); [OAG 78-274](#); [OAG 82-604](#)

²[KRS 160.390](#)

[KRS 160.380](#); [KRS 156.111](#); [704 KAR 003:406](#)

[KRS 15.257](#); [KRS 160.395](#)

Adopted/Amended: 01/01/1900

Order #:

Contract of Superintendent**CONTRACT**

The Superintendent shall work under a written contract, mutually agreed to by the ~~B~~board of education and the Superintendent. Except for individuals serving in an interim or acting capacity, the Superintendent shall be granted a contract by the Board for a term of one (1), two (2), three (3), or four (4) years in accordance with statutory requirements.¹

~~The contract shall include, but not be limited to, provisions for an annual evaluation.~~ The Board shall establish and approve the Superintendent's salary and length of term before entering into a contract for his/her employment. In determining compensation for the Superintendent, the Board shall consider the District's financial resources, current economic conditions, employee performance, and salary data for similar positions at relevant organizations within the region.

The Board shall approve the salary, benefits and other conditions of employment to be provided to the Superintendent in an open and public meeting. All such payments, benefits, and conditions shall be clearly documented in the Superintendent's current employment contract and in any contractual extensions approved by the Board thereafter.

VACANCY

When a vacancy occurs between a school Board election and the time that new members take office, the vacancy may not be filled until the new members take office. The Board may appoint an acting Superintendent during that period for a term not to exceed six (6) months. Such term may be renewed once for a period not to exceed three (3) months.

REFERENCE:

¹[KRS 160.350](#)

Adopted/Amended: 01/01/1900
Order #:

Contract Renewal of Superintendent**REVIEW OF CONTRACT**

As early as practical in the calendar year in which the Superintendent's contract expires, the Board will meet to consider the **Superintendent's** performance and to consider whether to renew the Superintendent's contract. This provision shall not be interpreted as prohibiting the Board from reviewing the Superintendent's performance and considering the renewal of the Superintendent's contract at an earlier date as may be permitted by law.

The Board may grant an extension of the Superintendent's contract as permitted by law.

NEW CONTRACT

The Board may agree to enter into a new contract with the Superintendent at any time so long as the term of no Board member will expire in the interim between the making of a contract and its effective date.¹ The new contract cannot become effective until the expiration of the present contract.

REFERENCES:

¹[KRS 160.350](#)

[OAG 78-274](#)

[Board of Education of McCreary City v. Nevels, Ky App., 551 S. W. 2J15 \(1977\)](#)

RELATED POLICY:

02.1312

Adopted/Amended: 01/01/1900

Order #:

Dismissal for Cause of Superintendent

NOTICE REQUIRED

Following an appropriate due process hearing, the Superintendent may be removed for legal cause by vote of four-fifths (4/5) of the membership of the Board and upon approval by the Commissioner of Education. Notice setting out the charge on which removal is proposed shall be given to the Superintendent, as provided by statute.

REFERENCE:

[KRS 160.350](#)

Adopted/Amended: 01/01/1900

Order #:

Evaluation**DEVELOPMENT AND APPROVAL**

The Board and Superintendent shall develop procedures and forms for the evaluation of the Superintendent in compliance with applicable statutes and regulations. All procedures and forms shall be approved by the Board. The procedures shall provide for both formative and summative evaluation of the Superintendent. This policy and related procedures shall be submitted to the Kentucky Department of Education for approval.

FREQUENCY OF EVALUATION

The Superintendent shall be evaluated annually. Mid-year, the Board may conduct a formative evaluation to review the Superintendent's progress toward accomplishing performance goals. At the end of each school year, the Board shall conduct the Superintendent's summative evaluation.

PROCESS

Any preliminary discussions relating to the evaluation of the Superintendent by the Board or between the Board and the Superintendent prior to the summative evaluation shall be conducted in closed session.

The summative evaluation of the Superintendent shall be discussed and adopted in an open meeting of the Board and shall be reflected in the minutes. The written summative evaluation shall be made available to the public on request.

REFERENCES:

KRS 156.557
704 KAR 3:345

RELATED POLICIES:

03.18

Management**STANDARDS OF PERSONNEL MANAGEMENT**

Supervisors shall observe the following standards in providing direction to employees under their supervision:

1. Supervisors shall endeavor to establish an atmosphere of cooperation and professional courtesy.
2. Supervisors shall direct employees under their supervision in keeping with Board policies, administrative procedures and other legal requirements.
3. Supervisors shall assist employees in solving problems that arise in the workplace in a timely and supportive manner. This shall include providing information to help the employee to communicate to a higher level an employee's complaint, grievance or suggestion to improve performance of assigned tasks.
4. Supervisors shall monitor employee performance to document training needs and share this information with the Superintendent/designee.

Supervisors shall receive appropriate training to equip them to meet the standards in this policy.

In addition, the Superintendent shall establish a process to monitor personnel management practices to include the opportunity for employees to communicate their concerns and recommendations about the working environment.

RELATED POLICIES:

03.113/03.212
03.132/03.232
03.16/03.26
03.162/03.262
03.19/03.29

Adopted/Amended: 01/01/1900
Order #:

Exemption (SBDM)

PUBLIC PARTICIPATION AT REPEAL

Any school performing above its threshold level requirement as determined by the Kentucky Department of Education pursuant to [KRS 158.6455](#) may apply to the ~~State~~[Kentucky](#) Board of ~~for Elementary and Secondary~~ Education for exemption from [SBDM](#). ~~school-based decisionmaking upon the following actions:~~

- ~~☐ a favorable vote of a majority of the faculty to discontinue SBDM; and~~
- ~~☐ a favorable vote of a majority of at least 25 voting parents of students enrolled in the school, to discontinue SBDM~~

~~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. Alternative schools, special education schools, and other district wide schools as defined in JCPS Policy BL, may repeal or discontinue school-based decision making upon a favorable vote of a majority of the faculty.~~

PETITION

Faculty members of a school who no longer wish to remain under SBDM shall present a written petition to the Principal signed by a minimum of twenty-five percent (25%) of the faculty members, indicating their desire 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 receiving a petition, the Principal shall set the date, time and place of a faculty meeting for the purpose of voting on whether to apply for an exemption. This meeting shall be held not less than five (5) and not more than ten (10) school days from the Principal's receipt of the petition.

NOTICE

Notice of the meeting 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 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 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 an exemption from SBDM. The Principal shall forward results of the faculty and parent elections to the Superintendent and the Board.

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

Exemption (SBDM)**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.

A vote to enter into SBDM shall be held no more than once every sixty (60) calendar days. 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.

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 at least two (2) teachers 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 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.

The ~~s~~Superintendent shall develop procedures, as necessary, for the repeal of school-based decision making.

~~Any school that requests such exemption shall inform the Superintendent and the Jefferson County Board of Education.~~

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 Chapter 160.107

REFERENCES:

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

RELATED POLICIES:

02.421
02.4241

Adopted/Amended: 01/01/1900
Order #:

Alternative Models (SBDM)

ALTERNATIVE MODELS TO SCHOOL-BASED DECISION MAKING

A school that chooses to have ~~school-based decision-making SBDM~~, but would like to be exempt from the administrative structure set forth by KRS 160.345, may develop an alternate form of SBDM under the following process. ~~may develop a model for implementing school-based decision-making SBDM including, but not limited to, description of the membership, organization, duties and responsibilities of a school council. The school shall submit the model to the superintendent for recommendation to the board of education to forward to the chief state school officer and the State Board for Elementary and Secondary Education 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. Any alternative model shall ensure at least one-third parent representation. The Jefferson County Board of Education shall submit school models for approval as prescribed in KRS 160.345, subsection (7). The superintendent shall develop guidelines for the implementation of alternative models to school-based decision-making that will conform with and address the provisions of the Kentucky Education Reform Act.~~

PROCESS

Alternate models may address membership, organization, duties and responsibilities of the council. The alternate model shall be developed by a committee composed of representatives of parents, students, teachers and administrators. The composition of the committee shall be three (3) parents, three (3) teachers, one (1) student and one (1) administrator who shall be the Principal of the school. The parent representatives shall be appointed by the parent teacher organization. If no parent teacher organization exists at the school, then the parent representatives of the committee shall be elected under the procedures set out for electing parents to the school council. The student representative shall be appointed by the student government organization. If no student government organization exists at the school then the Principal shall appoint the student representative. The teacher representatives shall be elected by the teachers of the school.

APPROVAL

Any model developed by this committee must be approved by two-thirds (2/3) of the school faculty. An alternative model shall not eliminate or reduce the proportion of parent representatives on the council.

Alternative Models (SBDM)**REVIEW**

On recommendation of the Principal or on a two-thirds (2/3) vote of the certified staff, the alternate model may be reviewed by the establishment of a review committee whose membership shall be as described above. The review committee may propose amendments to the alternate model which must be approved by two-thirds (2/3) of the faculty of the school prior to its presentation to the Board.

Approved models or amendments shall be presented to the Board for review and transmitted to the Commissioner of Education and the Kentucky Board of Education **for final approval**.

REFERENCES:

KRS 160.345; 701 KAR 005:080; 701 KAR 005:100; OAG 93-52

Adopted/Amended: 01/01/1900
Order #:

Election of School Council Members (SBDM)

SCHOOL COUNCIL ELECTIONS

~~THE COUNCIL: Each school implementing school-based decision-making shall form a school council which shall be 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, unless an alternative model is approved according to JCPS Policy BLA.~~

~~Minority representation on the school council shall be encouraged. School councils in schools having 8% or more minority students shall have at least one minority member.~~

~~TEACHER COUNCIL MEMBERS: The teacher representatives shall be elected for one year terms by a majority of the teachers assigned to the school.~~

~~PARENT COUNCIL MEMBERS: The parent representatives shall be elected for one year terms by the parents of students enrolled in the school in an election conducted by the parent and teacher organization of the school. If no parent teacher organization exists, the largest parent organization formed for this purpose shall elect parent representatives.~~

~~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 board member or a board member's spouse.~~

~~A "relative" is defined as mother, father, sister, brother, wife, husband, daughter, son, uncle, aunt, daughter-in-law, and son-in-law.~~

~~A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected.~~

~~PROCEDURES: The sSuperintendent shall develop procedures for holding elections, and other procedures, as necessary, concerning matters relating to the formation of school councils.~~

ELECTION OF TEACHER MEMBERS

Teachers assigned to a school shall organize the election to select teacher council members. Teachers may request the Principal to provide administrative assistance in preparing for the election.

Teachers may nominate themselves or another teacher. A written ballot containing the names of all qualified teachers nominated shall be prepared and kept on file with other council records. ~~The teachers attending the meeting shall choose a chairperson to chair the meeting to elect teacher members to the council. Balloting will continue until three (3) teachers are elected.~~ Teacher members must be employees of the District and currently assigned to the school where they are elected as council member. For the purpose of electing teacher council members, a Principal or Assistant Principal, may not vote or serve as a teacher council member. Election shall be by majority vote of all teachers assigned to the school.

Itinerant teachers may vote at all schools to which they are assigned and may serve on the council of any of those schools.

Teachers elected to a council shall not be involuntarily transferred during their term of office.

Election of School Council Members (SBDM)

ELECTION OF PARENT MEMBERS

Parents of students assigned to a school shall organize the election to select parent council members. They may request the Principal to provide administrative assistance required to conduct the election.

The president of the parent-teacher organization shall organize and oversee the election of parent council members. If the school does not have a parent-teacher organization, then the parent member shall be elected by the largest organization of parents formed for this purpose. ~~parents shall set the date and time for parents to elect parent council members and shall provide notice of the election to parents.~~

A parent council member shall be a parent, stepparent, or foster parent of a student to be enrolled in the school during the parent's term of council service. Parent shall also mean a person who has legal custody of a student pursuant to a court order and with whom the student resides. A parent council member shall not be an employee or the 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 Board member's spouse. Relative shall mean father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law.

A parent council member shall submit to a state and national fingerprint-supported criminal history background as required by KRS 160.380. A parent member may serve prior to the receipt of the criminal history background check report, but shall be removed from the council on receipt by the District of a report documenting a record of a sex crime or criminal offense against a victim who is a minor as defined in KRS 17.500 or as a violent offender as defined in KRS 17.165.

MINORITY REPRESENTATIVES

If the council formed under the elections described above does not have a minority member, and the school has eight percent (8%) or greater enrollment of minority students, the Principal shall be responsible for carrying out the following:

1. The Principal shall organize a special election no sooner than ten (10) and no later than twenty (20) calendar days following the elections described above to elect a minority parent to the council by ballot. The Principal shall notify all parents of the date, time, and location of the election. The notice shall call for nominations of minority parents for the ballot. The election shall be conducted using the same procedures as the election of the two (2) other parent members of the council.
2. The Principal shall call a meeting of all teachers in the building within seven (7) days following the initial election of parent and teacher council members. The teachers shall ~~select~~ elect 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. Procedures for election of the teacher representative shall be the same as the procedures for election of the other three (3) teacher members of the council.

Election of School Council Members (SBDM)**TERMS**

Terms of school council members shall be for one (1) year and shall begin on July 1 and end on June 30 of the following year. A school council, once elected, may adopt a policy setting different terms of office for parent and teacher members subsequently elected. Term limitations shall not apply for a minority teacher member who is the only minority on faculty. Annual elections for the following year's terms should be held no later than the preceding May, but the specific date shall be set by the council.

COUNCIL ELECTIONS FOR NEW OR CONSOLIDATED SCHOOLS

When a new school is opened or schools are consolidated, these guidelines shall be followed:

- If a school is scheduled for closing, ~~there is no need to hold~~ council elections for the upcoming school year shall be held.
- Council members of a school being consolidated with another school may not carry over a term of office to the newly consolidated school's council but may stand for election if otherwise qualified.
- Following the opening of a new or consolidated school, elections shall be held to form a council.

CONFLICT OF INTEREST

Council members shall not have a conflict of interest pursuant to KRS Chapter 45A, except the salary paid to District employees.

REMOVAL OF COUNCIL MEMBERS

On recommendation of the Commissioner of Education and pursuant to statutory requirements, the Board may remove a council member for cause by a vote of four-fifths (4/5) of the Board's membership.

VACANCIES

Council vacancies shall be filled at a special called election and shall follow the guidelines set forth in this policy.

REFERENCES:

[KRS 17.165](#); [KRS 17.500](#); [KRS 156.132](#)
[KRS 160.345](#); [KRS 160.347](#); [KRS 160.380](#)
[OAG 91-148](#); [OAG 91-192](#); [OAG 91-206](#)
[OAG 92-88](#); [OAG 93-49](#); [OAG 94-41](#)

Adopted/Amended: 01/01/1900
Order #:

School Council Authority (SBDM)

IMPLEMENTATION OF SCHOOL-BASED DECISION MAKING

~~By July 1, 1996, schools defined by KRS 160.345, unless exempted by law, shall enter into a form of school governance known as school-based decision making. The Jefferson County Board of Education has been and remains~~ is committed to shared decision making and believes that such forms of school governance foster a school environment that enhances student achievement. The ~~b~~Board, ~~s~~Superintendent, and staff shall facilitate and encourage cooperation between the ~~b~~Board and ~~Jefferson County Public Schools' the District~~ councils.

~~Alternative schools, special education schools and other district wide schools that are not required by KRS 160.345 to implement school-based decision making, may do so pursuant to procedures developed by the superintendent.~~

~~Any school in which two-thirds (2/3) of the faculty vote to implement school-based decision making shall do so. Each participating school shall form a school council which shall be 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 except as provided by JCPS Policy BLA (Alternative Models to School-Based Decision Making).~~

No ~~b~~Board member, ~~s~~Superintendent, or ~~d~~District employee 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 in KRS 158.645 and 158.6451 or to make decisions in the areas of policy assigned to a school council pursuant to KRS 160.345~~(2)(j)~~.

The ~~s~~Superintendent shall develop procedures, as necessary, for the implementation of school-based decision making.

SCHOOL COUNCIL POWERS AND DUTIES AUTHORITY OF SCHOOL COUNCIL

The school council, pursuant to KRS 160.345, is a statutory policy making body. Outside of a legally called school council meeting, no school council member other than the Principal has decision making or administrative authority. The ~~p~~Pincipal is the school's primary administrator and instructional leader and implements the decisions of the council.

RESPONSIBILITIES OF SCHOOL COUNCIL

The school council shall have the responsibility to set school policy, consistent with ~~d~~District ~~b~~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. The school council shall adopt policies to be implemented by the ~~p~~Pincipal addressing the areas required by KRS 160.345.

REFERENCES:

OAG 93-55
KRS 160.345

RELATED POLICY:

02.4241

Adopted/Amended: 01/01/1900
Order #:

School Council Meetings (SBDM)

OPEN MEETING AND OPEN RECORD REQUIREMENTS

All meetings of the council are open to the public and subject to the open meetings law, KRS 61.805, et seq. Council records are also subject to open records law and the Records Retention/Public School District Schedule,

SCHEDULE

The first meeting of the council shall be called by the ~~p~~P~~rincipal~~; thereafter, the council shall ~~determine the frequency of and agenda for their meetings~~.set its own meeting schedule. At this meeting, the council shall adopt a schedule of regular meetings for the fiscal year, identifying the date, time and place of each meeting. Any change to this schedule shall be a special-called meeting.¹

All ~~M~~m~~eetings~~ ~~of the council and any committees or subcommittees thereof~~, shall be held at specified times and places which are convenient to working parents and the public. The schedule of regular meetings shall be made available to the public.² Advance notice of meetings shall be given to parents and teachers.

AGENDA

A written agenda shall be prepared and copies made available to the public at all meetings of the council. The agenda of each council meeting shall provide an opportunity for interested persons to address the council.

~~QUORUM~~ PUBLIC MEETINGS

A ~~majority of all the members~~ ~~quorum~~ of the school council ~~shall constitute a quorum~~ ~~must be present~~ for the transaction of business. All meetings of a quorum of the members of the council at which any public business is discussed or at which any action is taken are to be public meetings, open to the public at all times, except as provided in KRS 61.810.³

~~CHAIR/MINUTES~~ OPEN RECORDS

The ~~p~~P~~rincipal~~ shall be the ~~e~~C~~hair~~ of the council and shall be responsible for securing minutes that record the council's actions. Minutes shall be approved by the council and forwarded by the ~~p~~P~~rincipal~~ to the ~~s~~S~~uperintendent~~/~~designee~~, to be kept in a permanent file along with other council records and shall be open to public inspection. The ~~s~~S~~uperintendent~~ shall keep the ~~b~~B~~oard~~ informed of council actions.

REFERENCES:

¹92-OMD-1677

²KRS 61.820; OAG 78-274, OAG 78-614

³KRS 61.810

KRS 61.805; KRS 61.815; KRS 61.823; KRS 61.826

KRS 61.835; KRS 61.840; KRS 61.846

KRS 61.848; KRS 61.850; KRS 61.870; KRS 61.872

KRS 61.874; KRS 61.876; KRS 61.884

Records Retention/Public School District Schedule

RELATED POLICIES:

01.43, 01.44, 10.11

Adopted/Amended: 01/01/1900

Order #:

School Council Relationships (SBDM)

~~School councils should form committees.~~ All committees formed by school councils should provide for the professional staff members of the school and parents to be involved in the decision making process in working toward the educational goals and policies of the school which will assure that all students achieve the desired outcomes and acquire the capacities required by law to create an efficient public school system.

Committees formed by school councils should consider the policy areas addressed in the law concerning school councils and may also include grade group levels, subject areas and other special programs.

All recommendations made to the council should be reviewed by the committee to determine if the recommendation conflicts with any ~~b~~Board ~~of education~~ contractual obligations in effect at the time. Should the review indicate a possible conflict, the recommendation should not be presented to the council until such time as the conflict has been resolved.

COMMITTEE MEMBERSHIP

Committees established by the council shall comply with requirements of the Open Meetings Law.

If a school council establishes committees, it shall adopt a policy to facilitate the participation of interested persons, and is encouraged to ensure that committees reflect at least one-third parents. The policy shall include the number of committees, their jurisdiction, composition, and the process for membership selection.¹

Committee membership shall include reasonable minority representation and may include other representatives of the school community such as students, classified employees, and other community at large representatives.

~~SCHOOL COUNCIL RELATIONSHIPS~~ COMMUNITY PARTICIPATION

Councils shall encourage parent, citizen and community participation in council meetings and school activities and shall cooperate with independent school groups such as booster and parent organizations to assist them in their service to the school.

In addition, cooperation and collaboration within the school ~~d~~District, with the ~~b~~Board ~~of education~~, with other districts, and with other public and private agencies shall be encouraged.

OTHER SCHOOLS

The school council shall cooperate with other schools and with local, state, and regional agencies and organizations to:

1. Seek solutions ~~of~~to educational problems of common concern;
2. Offer support services to students;
3. Equalize educational opportunities for students;
4. Acquire federal and state grants; and
5. Promote local school system involvement in state and federal decision making.

School Council Relationships (SBDM)

OTHER SCHOOLS (CONTINUED)

The cooperation may extend to research, services for students with disabilities and other student and staff development programs, curriculum development, and exchange of information.

REFERENCES:

¹[KRS 160.345; OAG 92-57](#)
[KRS 61.800; KRS 61.805; KRS 61.810](#)
[KRS 61.815; KRS 61.820; KRS 61.823](#)
[KRS 61.826; KRS 61.835; KRS 61.840](#)
[KRS 61.846; KRS 61.848; KRS 61.850](#)

RELATED POLICIES:

02.424
02.4241
10.3

Adopted/Amended: 01/01/1900
Order #:

School Council Policies (SBDM)

RESPONSIBILITIES OF SCHOOL COUNCIL

The school council shall have the responsibility to set school policy, consistent with ~~d~~District ~~b~~B~~o~~ard 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. ~~The school council shall adopt policies to be implemented by the principal addressing the areas required by KRS 160.345.~~

ADOPTION OF POLICY

The school council shall adopt policy to be implemented by the Principal in each of the following areas of responsibility:

1. Determination of curriculum including needs assessment and curriculum development;

Such policies shall determine the writing program for the school, including use of writing portfolios consistent with KRS 158.6453, to be submitted to the Kentucky Department of Education for review and comment.

2. Assignment of all instructional and noninstructional staff time;

3. Assignment of students to classes and programs within the school;

- Assignment to classes in the elementary and middle school shall be made based on the judgment and decision of the ~~p~~P~~r~~incipal and counselor prior to the opening of school or upon the enrollment of a new student. Assignment to classes in high school shall be accomplished by course selection by the student and parent and the approval of the ~~p~~P~~r~~incipal or designee.
- Placement of students from the household of an active duty service member or civilian military employee transferring into the District before or during the school year shall be based initially on enrollment in courses offered at the sending school and/or educational assessments conducted at that school. Course placement includes, but is not limited to, Honors, International Baccalaureate, Advance Placement, vocational, technical, and career pathways courses. Initial placement does not preclude the District/school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of students in the course(s).
- As appropriate to the school's curriculum offerings. ~~E~~each secondary school-based decision making council shall establish a policy on the recruitment and assignment of students to advanced placement (AP), International Baccalaureate (IB), dual enrollment, and dual credit courses that recognizes that all students have the right to participate in a rigorous and academically challenging curriculum.

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, and transportation requirements established by the Board;

5. Determination of the use of school space during the school day;

6. Planning and resolution of issues regarding instructional practices;

School Council Policies (SBDM)**ADOPTION OF POLICY (CONTINUED)**

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;

As reflected in the District Code of Acceptable Behavior and Discipline, loss of physical activity periods shall not be used as a disciplinary consequence.

8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation, and supervision;

The school shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities to the extent they are otherwise qualified, regardless of application deadlines.

9. Adoption of a school emergency plan and implementation of safety practices required by KRS 158.162.

10. Procedures, consistent with local Board policy, for determining alignment with state standards, technology utilization, and program appraisal;

11. Commitment to a parent involvement process that provides for:

- a. Establishing an open, parent-friendly environment;
- b. Increasing parental participation;
- c. Improving two-way communication between school and home, including what their child will be expected to learn; and
- d. Developing parental outreach programs.

12. Procedures to assist the council with consultation in 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.

13. Schools with K-5 organization, or any configuration thereof, shall develop and implement, in compliance with requirements of federal and state law and board policy, a wellness policy that includes moderate to vigorous physical activity each day, encourages healthy choices among students, and incorporates an assessment tool to determine each child's level of physical activity on an annual basis. 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. (In the absence of a council, the Principal of the school shall develop and implement the required wellness policy.)

The Superintendent/designee shall provide assistance in identifying strategies and options to promote daily moderate to vigorous physical activity for students, which may include those that increase strength and flexibility, speed, heart rate and breathing and stress activities such as stretching, walking, running, jumping rope, dancing, and competitive endeavors that involve all students.

School Council Policies (SBDM)

~~As an alternative to adopting separate policies, school councils may adopt Board policy or standards established by the Board as council policy in the above areas, or they may delegate responsibility for developing a policy to the Principal.~~

OTHER POLICIES

Councils may adopt policies for areas other than those listed above to provide an environment that enhances student achievement and to help the school meet goals established by law and by the Board, provided the policies adopted are consistent with Board policies in those areas.

REVIEW OF POLICIES

Before final adoption of a council policy, it shall be reviewed by the Superintendent/~~designee~~ who may request that the proposed policy be reviewed by the ~~Board Attorney~~ General Counsel. Any concerns shall be shared with the council within ten (10) working days of the Superintendent/~~designee~~'s receipt of the draft policy. ~~If there are concerns, the Superintendent shall provide a copy of the council policy to the Board for review, along with any concerns s/he and the Board Attorney may have noted, such as possible conflicts with state and federal laws or contractual obligations, liability and/or health and safety questions, and budgetary issues.~~

The review process is not intended to interfere with a council's authority to adopt and implement legally and operationally permissible policies. Therefore, it is the Board's intent that information resulting from the review process be shared with the council in a timely manner.

COMPLIANCE WITH BOARD POLICY

In the development and application of school policies as permitted by statute, schools operating under SBDM shall comply with those policies that fall within the authority of the Board, including but not limited to those prohibiting discrimination, ~~based on age, race, sex, color, religion, national origin, political affiliation, or disability.~~

WAIVER OF STATE REGULATIONS

School councils who decide to request a waiver of state regulations and/or reporting requirements established by a Kentucky Revised Statute requiring paperwork to be submitted to the Kentucky Board of Education or the Department of Education shall submit the supporting information to the Superintendent as required by law. The Superintendent shall then forward the request to the Kentucky Board of Education.

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 Chapter 160.107.

The school council shall be responsible for conducting a vote to determine if the school shall be an applicant as a school of innovation in the District's application for district of innovation status and to approve the school's plan of innovation before it is submitted to the District. The vote shall be taken by secret ballot among eligible employees as defined in KRS 160.107. At least seventy percent (70%) of those casting votes in the affirmative shall be required before the school requests to be included in the District's plan and to approve the school's plan of innovation.

School Council Policies (SBDM)

REFERENCES:

KRS 156.072; KRS 156.160; KRS 156.730; KRS 156.735
KRS 158.197; KRS 158.645; KRS 158.6451; KRS 158.6453
KRS 158.162
KRS 160.345; KRS 160.348
KRS 156.108; KRS 160.107; 701 KAR 5:140
OAG 93-55; OAG 94-29; 702 KAR 7:140; 704 KAR 3:510
Board of Educ. of Boone County v. Bushee, Ky., 889 S.W. 2d 809 (1994)
U. S. Dept. of Agriculture's *Dietary Guidelines for Americans*

RELATED POLICIES:

01.11; 02.422; 02.4231, 03.112; 08.1
09.126 (re requirements/exceptions for students from military families)

Adopted/Amended: 01/01/1900
Order #:

Appeal of Decisions

REVIEW OF SCHOOL COUNCIL DECISIONS

A School Based Decision Making (SBDM) Appeals Board shall be created to review the decisions of school councils. The Appeals Board shall be composed of two (2) parents appointed by the president of the Fifteenth District PTA, three (3) teachers appointed by the president of the Jefferson County Teachers Association (JCTA), and a school administrator appointed by the president of the Jefferson County Association of School Administrators (JCASA). If the appointment process does not provide for minority representation on the Appeals Board, the ~~s~~Superintendent shall appoint a minority representative. Only those who are qualified by law to serve on a school council may serve on the Appeals Board. Each appointment shall be for a one-(1) year term and each member shall serve no more than two (2) years.

~~Appeals from decisions of the council shall be made in writing to the council for reconsideration, pursuant to school council procedure. If the matter is not satisfactorily resolved within ten (10) school days from the date the issue is presented to the council, an appeal may be submitted in writing to the SBDM Appeals Board.~~

~~To the extent that school council policies are outside the areas set out in KRS 160.345 (2) (j) (1-8) (2) (i) (1-10), they shall be consistent with dDistrict bBoard policies, unless otherwise agreed to by the dDistrict bBoard of education and the school council.~~

~~If a school council takes an action or adopts a policy in the areas set out in KRS 160.345 (2) (j) (1-8) (2) (i) (1-10) that is inconsistent with~~

- ~~1) state or federal statutes or regulations;~~
- ~~2) concerns for health and safety;~~
- ~~3) concerns for liability;~~
- ~~4) available financial resources;~~

~~5) contractual obligations to personnel and other providers of goods and services, then the Appeals Board and the bBoard of education may reject the council's action or policy and that action or policy shall be unenforceable.~~

A majority of the Appeals Board constitutes a quorum. Decisions of the Appeals Board must be approved by ~~the~~a majority of the quorum. The Appeals Board shall act upon the appeal within thirty (30) calendar days of receipt of the appeal. The decision of the Appeals Board shall bind the school council and the parties who initiated the appeal, unless appealed to the ~~state-Kentucky~~ bBoard of Education or the courts.

Appeal of Decisions

ELIGIBILITY PROCESS

Any resident of the District or a parent, student or employee of the school may appeal council decisions. Appealing a decision made by a school council shall include the following procedure:

1. An appeal must be filed **in writing** within ten (10) working days following a council decision.
2. An appeal on a decision made by a school council must first be reviewed by the school council, which shall make a timely response to the appealing party.
3. If the matter is not satisfactorily resolved by the council, the appeal may then be submitted in writing to the Superintendent.
4. If, within ten (10) calendar days, the matter is not satisfactorily resolved by the Superintendent, the appealing party may, within twenty (20) calendar days, appeal to the **Appeals** Board. The **Appeals** Board shall afford the affected parties an opportunity to be heard within thirty (30) calendar days of the appeal to the **Appeals** Board.
5. The **Appeals** Board shall issue a final written decision on the appeal with its rationale no later than sixty (60) calendar days from the date of the presentation to the **Appeals** Board.
6. At any point in the process the **Appeals** Board may direct a review and report on the issues, but shall not extend its decision beyond sixty (60) calendar days from the date of the presentation to the **Appeals** Board without the agreement of the affected parties.

BASIS FOR REVIEW

The **Appeals** Board will determine whether the issue on appeal falls within the authority granted to the council by **KRS 160.345**.

Actions that fall within the statutory authority of the council will be reviewed on appeal based on whether the council action raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or was otherwise unlawful under state or federal law.

Actions that fall within the authority of the Board **of Education** will be reviewed on appeal based on whether the council action lacks educational merit, is inconsistent with District goals, violates District policy, exceeds the authority of the council, raises liability and/or health and safety concerns, exceeds budgetary limitations, conflicts with contractual obligations, or is otherwise unlawful under state or federal law.

APPEALS BOARD ACTION

When the appeal issue falls within statutory council authority, the **Appeals** Board shall either (1) affirm the council decision or (2) refer the appeal back to the council with documentation of its concerns and suggestions.

When the appeal issue falls within the authority of the Board **of Education to decide**, the **Appeals** Board shall either (1) uphold the council decision or (2) reverse any council action found to violate any of the review standards.

REFERENCE:

KRS 160.345

Adopted/Amended: 01/01/1900
Order #:

School Budget and Purchasing (SBDM)**BOARD ALLOCATIONS**

The Board shall appropriate to each school an amount equal to or greater than that specified by the formula prescribed in 702 KAR 003:246. School councils shall be provided notice of allocations for the next budget year in accordance with the timelines required by Kentucky Administrative Regulation.¹

An amount for professional development shall be allocated as required by Kentucky Administrative Regulation.

SCHOOL RESPONSIBILITY

The school administration (SBDM council or the pPrincipal with consultation from the participatory management committee) shall prepare a detailed budget using the basic allocation to purchase the necessary certified and classified positions, supplies and instructional materials, professional training, etc., to provide a sound program of instruction to all of the school's students.

School administration shall submit this budget to the sSuperintendent in accordance with the budgeting calendar approved by the bBoard of education.

Schools may request additional general fund monies from the bBoard. The bBoard shall consider such requests under the following conditions:

1. Each school shall have a budget and all expenditures shall be made in accordance with this budget. In addition, the school shall comply with all federal and state laws and regulations.
2. The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements.

~~The Board shall allocate Section 7 funds according to the options provided in 702 KAR 003:246. Notice of the Section 7 allocation shall be provided in accordance with that regulation. Based on the needs assessment conducted by the school, the council shall forward to the Board a list of those priorities no later than January 1 each year.~~

The school shall, in expending allocated funds, comply with all state and Board budgeting, purchasing and reporting laws, regulations, policies and procedures. Board purchasing procedures shall be followed in the expenditure of these funds. Expenditure of these funds, with the exception of personnel salaries, shall be accomplished only by completing a central office purchase order.

The Board allocation is the total financial resource available to that school in those budget categories for the fiscal year. The council may reassign these funds to alternate budget categories for purposes consistent with its responsibilities. The school shall not expend or commit to expend any funds in excess of those allocated to the school. Should this occur, the employee(s) responsible shall be subject to appropriate disciplinary action, and the Superintendent may require the school/council to present, for Board approval, a plan to reimburse the District for the amount spent in excess of the allocation.

All state allocated funds managed by the school but not expended by the end of the fiscal year, shall revert to the District general fund, unless the school council has received Board approval to escrow the funds to be used at a future date for an approved project.

School Budget and Purchasing (SBDM)**BOARD APPROPRIATION**

The council shall determine, within available resources, the instructional resources, travel, equipment, and student support services to be provided in the school.

PURCHASING

In order to comply with state accounting and bidding requirements, all purchases of goods and services shall be made in conformity with Board policy.

SUPERINTENDENT'S RESPONSIBILITY

The Superintendent/designee shall prepare and provide the school a monthly statement of the current financial status of funds allocated to the school. This statement shall include the beginning unencumbered balance for each category of authorized expenditure, an itemized listing of purchase orders paid, an itemized listing of purchase orders authorized but not paid, and the end-of-the-month unencumbered balance of funds allocated.

EXPENDITURE OF FUNDS

In schools where SBDM has been implemented, the school council shall determine the expenditure of funds allocated to the school. In schools not operating under SBDM, the District administration shall determine the expenditure of these funds.

REFERENCES:

¹[702 KAR 003:246](#); School Council Allocation Formula
[704 KAR 003:510](#); [KRS 160.345](#)
[OAG 91-10](#); [OAG 91-206](#); [OAG 92-59](#)

RELATED POLICIES:

02.4331
04.1

Adopted/Amended: 01/01/1900
Order #:

School Hiring (SBDM)**PRINCIPAL SELECTION**

When a vacancy exists in the position of school Principal, the outgoing Principal shall not serve on the council during the Principal selection process.

The Superintendent/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. 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.

No Principal who has been previously removed from a position in the District for cause may be considered for appointment as Principal.

A vacancy is created in the position of Principal by the resignation, removal, transfer, retirement or death of the current Principal.

When a Principal vacancy occurs and the school has an index score in the lowest one-third (1/3) of all schools below the assistance line and a completed scholastic audit finds a lack of effectiveness of the Principal and the council, the Superintendent shall appoint a Principal after consulting with the council.

The council shall undergo training, with a trainer of its choice, in recruitment and interviewing techniques prior to carrying out the process of selecting a new Principal. The Board encourages the council to follow one (1) or more of the following practices when arranging for this training:

1. Selection of a trainer approved by the Kentucky Association of School Councils (KASC);
2. Selection of a trainer certified by the Kentucky Department of Education (KDE); and/or
3. Requiring the trainer selected to emphasize recruiting and interviewing techniques that reflect model standards developed by KASC.

OTHER VACANCIES

When the position to be filled in the school is other than that of Principal, the Principal, after consulting with the council in accordance with procedures established by the council, shall fill the position from a list of qualified applicants provided by the Superintendent. The Superintendent shall provide names of all additional applicants to the Principal upon request when qualified applicants are available.

The Superintendent may forward to the council names of qualified applicants who have certification pending from the Education Professional Standards Board pursuant to state law. Applicants subsequently employed shall provide evidence they are certified prior to assuming the duties of their position.

If the applicant is the spouse of the Superintendent and meets the requirements of KRS 160.380, s/he shall only be employed upon the recommendation of the Principal and the approval of a majority vote of the school council.

ADMINISTRATION

02.4244
(CONTINUED)

School Hiring (SBDM)

REFERENCES:

KRS 160.345

KRS 160.380

OAG 91-149; OAG 92-131; OAG 92-78

OAG 95-10; OAG 96-38

RELATED POLICIES:

02.4241; 03.11; 03.21

Training of School Council Members (SBDM)

All members of a school council shall complete training, as required by law. By November 1 of each year, the **p**Principal, through the **s**Superintendent, shall forward to the **Kentucky** Department of Education the names and addresses of each council member and verify that the required training has been completed.

TRAINING PROVIDED BY BOARD

Within available resources, training shall be provided to all interested teachers and parents. The **b**Board shall provide general areas of training and training programs. The school council shall determine other training needs.

REFERENCE:

[KRS 160.345](#)

Adopted/Amended: 01/01/1900

Order #:

Waiver of Board Policies

PROCESS

A school council may submit a request to the **s**Superintendent for waiver of **b**Board policy **for areas outside the authority of the council. (It shall not be necessary to request a waiver when the council has authority for a policy area, as authorized by KRS 160.345.)**

The **s**Superintendent shall present the request to the **b**Board, within thirty (30) calendar days of receipt of the request, along with a recommendation to approve or deny the request. The council shall have the opportunity to address the **b**Board directly to support the request.

Within thirty (30) calendar days from the date on which the **s**Superintendent presents the waiver request to the **b**Board, the **b**Board shall rule on the request. When the request for waiver is denied, the grounds for denial shall be recorded in **b**Board minutes and transmitted to the local school council.

CRITERIA

The decision to approve or deny the request shall include, but not be limited to, a consideration of the following:

1. Violation of state and/or federal laws and regulations;
2. Concerns for health and safety;
3. Concerns for liability;
4. Financial resources available;
5. Contractual obligations to personnel and other providers of goods and services;
6. The authority delegated to the council by the **b**Board within the statutes;
7. **If Whether** District goals will be advanced by the waiver;
8. **If Whether** student outcomes will be promoted;
9. **If Whether** District uniformity is required in the circumstances under consideration; and/or
10. **If Whether** the larger interests of the public will be served.

REFERENCES:

[KRS 158.645](#)
[KRS 158.6451](#)

Adopted/Amended: 01/01/1900
Order #:

Other Board Policy

~~All Board policies shall be reviewed and amended, as necessary, to conform to the requirements of school-based decision making, pursuant to KRS 160.345.~~

It is the intention of the Board for all Board policies to be implemented utilizing procedures to allow professional staff members to be involved in the decision making process as they work to meet the educational goals established by statute.

REFERENCES:

[KRS 158.645](#)

[KRS 158.6451](#)

[KRS 160.340](#)

[KRS 160.345](#)

RELATED POLICIES:

01.5

Chapter 08

Adopted/Amended: 01/01/1900

Order #:

School Staffing (SBDM)**BOARD ALLOCATION NOTICES**

In accordance with 702 KAR 3:246, the Board shall provide each council with both a tentative and a final/updated allocation for school staffing for the next fiscal year. The notifications shall include the Board-approved guidelines used in determining the allocations and the formulas utilized in calculating numbers of positions. Allocations, at a minimum, shall budget funds sufficient for the council to meet the following staffing needs of the school:

A. Certified Staff:

1. Statutory class size caps based on projected student enrollment to the nearest one-tenth position minus all state enrollment deductions;
2. Pupil contact hours as required by law; and
3. All other certified staff positions generated by District guidelines approved annually by the Board, excluding fringe benefits, categorical programs, exceptional children services, itinerant, extra duty and extended employment positions, and positions allocated that are not required by statutory cap size requirements.

The ratio of teachers to students shall be flexible depending upon grade levels, course offerings, accrediting standards, other applicable state laws and regulations and provisions of negotiated agreements.

B. Classified Staff:

1. All school-based positions approved annually by the Board in non-categorical programs.

C. All Positions:

1. To provide salaries including adjustments for any salary changes made by the Board; and
2. To budget for vacant positions at 95% of the average District salary for the job classification.

Any revisions made to the District's policy/guidelines (whichever contains specific formula information) for the next school year shall be forwarded to the Kentucky Department of Education by May 1 of each year.

METHOD OF ALLOCATION

Subject to state regulations for allocating funds to schools with school based decision making (SBDM) councils, the ~~b~~Board shall allocate general fund monies to individual schools (excluding special needs schools defined below) using the following method.

Each school shall receive a basic allocation composed of the following:

- an allocation to cover administrative costs of the school, including an allocation for professional staff development;
- a per-pupil allocation for all students (excluding those students taught in a self-contained Exceptional Child Education [ECE] classroom) to cover instructional salaries, supplies and other instructional items;

School Staffing (SBDM)**METHOD OF ALLOCATION (CONTINUED)**

- an allocation to support the cost of instructional activities of students classified as at-risk;
- an allocation to cover instructional salaries, supplies and other instructional items needed to teach self-contained ECE students.

(The basic allocation is designed to provide sufficient funds to meet state guidelines regarding class size.)

In addition, schools classified as special needs schools shall receive an allocation of funds. Such schools are classified as special needs schools because their programs are so unique that funding them using the basic allocation method described above would be inadequate and inappropriate. In these schools, the number of students may vary significantly during the year, or the class size may necessarily be lower than at other schools. Consequently, such schools are funded based upon a plan submitted by them to the **s**Superintendent and **b**Board. The **b**Board then allocates funds taking into account their special student needs.

The **b**Board also allocates funds to the **d**District office to cover the administrative cost of the **d**District. Included in this **d**District allocation is a reserve required by state law which cannot be less than two (2) percent of the overall general fund budget.

COUNCIL AUTHORITY

After receiving notification of the final financial allocation for the school from the Board, the council shall determine, within the funds allocated, the number of persons to be employed at the school in each school level job classification. The council shall not have the authority to recommend transfers or dismissals. The council shall not alter the staffing of District instructional services provided to all schools, including exceptional children teachers and itinerant teachers.

For existing school level vacancies, the council may choose to reassign funds from one Board approved school level job classification to another, or to use these funds for other purposes consistent with its responsibilities. Funds remaining from the school's staffing allocation at the end of the year shall revert to the District's general fund, unless the council receives Board approval to escrow the funds to be used at a future date for an approved project.

COUNCIL TO REPORT

By the date specified by the Superintendent/designee, the council shall report to the Board the number of persons to be employed at the school in each job classification.

ADJUSTMENTS

Adjustments to the final staffing allocation may be made due to increases in salary schedules, salary adjustments or changes in enrollment. However, any such adjustments shall be made by September 15 and the council notified if the adjustment represents a change.

School Staffing (SBDM)

IMPACT ON DISTRICT BUDGET

The funding allocation to a school in future District budgets shall not be altered by council action.

In assigning funding of vacant positions to alternate Board-approved job classifications, a council may choose to spend more than the amount allocated by the Board and provide the difference from discretionary council funds. However, the Board shall not be obligated to increase allocations in future District budgets to cover this increased expenditure.

If the salary of new certified personnel is less than 95% of the District average certified teacher salary or if the actual salary of new classified personnel is less than 95% of the District's average classified salary for the personnel job classification, the difference shall revert to the District budget for possible reallocation to schools under Section 7 of 702 KAR 3:246.

REFERENCES:

KRS 157.360; KRS 160.345
702 KAR 3:246
OAG 96-38

RELATED POLICIES:

02.4242; 02.4244
03.11; 03.21
04.1

Assessment of Student Progress

TESTING PROGRAMS

Testing programs shall be administered in order to support and improve the program of instruction and in accordance with state regulations.

Testing programs shall include, but not be limited to, achievement tests, diagnostic tests, and those tests required by state or federal regulation.

USE AND DISSEMINATION OF TEST RESULTS

Test data shall be used to analyze group, school, program and system student trends. Test results shall be used to determine progress and/or need and shall be disseminated in compliance with local, state, and federal regulations.

District and State achievement tests results shall be disseminated in a timely manner. When possible, data shall be disaggregated on the basis of race, gender and socio-economic status.

Individual student test results shall be disseminated to parents in a timely manner (within sixty days after testing if tests are scored within the ~~d~~District, and no more than twenty (20) school days from the receipt of test results if scored outside the ~~d~~District).

~~A copy of overall ~~d~~District test results by schools will be placed in the JCPS public library files within the same time frame, and the community shall be informed of such.~~

REVIEW OF ASSESSMENT DATA

By April 1 of each year and in keeping with the improvement planning process and timeline, the school council shall review student assessment data provided annually by the Kentucky Department of Education. ~~and After reviewing the data, the council~~ shall adopt, modify, or revise the school's plan to assist each student in making progress toward statutory goals. This process shall address achievement gaps between various groups of students as required by law. When achievement gaps are evident in the data, aggressive action shall be taken to intervene. In addition, the plan shall be submitted to the Superintendent and Board for review. In a school without a council, the Principal shall complete the review and planning process with the involvement of parents, faculty, and staff.

~~Beginning with the 2012-2013 school year, t~~The assessment data review process shall be completed by October 1 of each year within 45 days of receipt of test results.

REPORT TO BOARD

The Superintendent shall devise a schedule for ~~Principals~~District or school staff to present written reports to the Board regarding progress being made toward their school's educational objectives. The reports shall be in a format easily understood by parents and the community and shall make comparisons with the school's performance the previous year and any data available that compares the school to state or national standards.

The information to be reported shall include, but not be limited to, results on the state-mandated accountability test(s), high school and college readiness tests, college entrance exams (high school only), and Advanced Placement/International Baccalaureate Exams or equivalent (high school only), ~~and summaries of grades assigned by teachers.~~

SUMMARY REPORT TO COMMUNITY AND PARENTS

Assessment of Student Progress

The information reported to the Board shall be put in summary format and shall be reported to parents of each student and made available to the community. The Superintendent shall devise the format to be used. Schools and the District shall publicize the location of the school report card to parents and community members.

INDIVIDUAL REPORTS

Each year, an individual student report shall be provided to parents of students in grades three through eight (3-8) and high school students in accordance with statutory requirements. ~~Beginning with the 2010-2011 school year, t~~Teachers and parents/guardians of each primary student shall be informed of results from reading and mathematics diagnostic assessments and prompts.

REFERENCES:

[KRS 158.645](#); [KRS 158.6451](#); [KRS 158.6453](#); [KRS 158.6455](#); [KRS 158.6457](#)
[KRS 158.6459](#); [KRS 158.649](#), [KRS 158.650](#); [KRS 160.345](#)

RELATED POLICIES:

02.442, 08.221, 08.222, 08.5

Adopted/Amended: 01/01/1900
Order #:

Comprehensive School Improvement Plan**RESPONSIBILITY**

Each school council, or Principal, in a school without a council, shall develop, monitor, and annually update a Comprehensive School Improvement Plan (CSIP).

In an SBDM school, the school council shall organize a planning process, consistent with the District's established planning process.

In a school without a council, the Principal shall appoint a School Planning Committee comprised, at a minimum, of four (4) teachers, four (4) parents, and a community representative. The high school(s) shall include a student on the committee. The community representative shall not be a teacher, spouse of a teacher, or a parent of child(ren) attending the District schools.

The primary purposes of the CSIP shall be:

- To improve student achievement on state and federal mandated testing/accountability instruments; and
- To eliminate achievement gaps among groups of students.

FORM

Unless the school planning committee requests and is granted a waiver by the Board, the school committee shall use the platform provided by the Kentucky Department of Education, any improvement plan format that has been established and approved by the Board. The CSIP structure shall include, the components set out in 703 KAR 5:225 and the elements required by KRS 158.649.

In addition, the school council, or school planning committee appointed by the Principal if there is no council, shall review annually the school's disaggregated student data and revise the school's improvement plan, as required by applicable statute and regulation, to address any gaps between various groups of students.

The plan shall also address reduction of physical and mental health barriers to learning, student equity, District safety and student discipline assessments, and District goals established by the Board.

The school plan shall serve as a resource for school/council decision making and shall be posted.

BOARD REVIEW

The school's plan for eliminating achievement gaps among various groups of students shall be presented to shared with the Board for its review and comment. The Board may share its comments, in writing, with the council.

References:

KRS 158.645; KRS 158.6451; KRS 158.649
703 KAR 5:225; KRS 160.290; KRS 160.345

RELATED POLICIES:

01.111; 02.432

Adopted/Amended: 01/01/1900
Order #: