

# SUB-COMMITTEE DRAFT OF PROPOSED CHANGES

March 15, 2010

## CONSTITUTION

Tucson High Magnet School

Shared Decision Making Site Council

Constitution/By-Laws

Original Constitution August 17, 1995

Amended September 10, 1996 and July 1998

Revised May 16, 2001

Revised January 16, 2002

Revised May 2010

### PREAMBLE

We the members of the Tucson High Magnet School (THMS) community in accordance with the Laws of the State of Arizona, establish the THMS Shared Decision Making Site Council (SDMSC, School Council) for the purpose of providing the best education possible for students and improving student achievement.

We recognize that the THMS student population is widely diverse and it is critical for all members of the THMS community to recognize and appreciate such diversity.

We believe the School Council is an appropriate venue for dialogue about these issues and that through this process consensus can be built, allowing the THMS community to unite and meet the challenges of education.

### ARTICLE I: OBJECTIVES

The objectives of the SDMSC are:

1. To foster relationships of mutual assistance and cooperation among THMS employees, students, parents, and community members.
2. To actively promote an environment of equity, excellence, safety, and achievement for T HMS students and employees.
3. To improve the lives of all members by celebrating diversity and understanding how it enriches our lives.
4. To establish and coordinate focus groups and committees according to Article VII: Focus Groups and Committees.
5. To facilitate forums that provide opportunities for THMS Staff and community to have open dialogue on issues of concern.

## ARTICLE II: AUTHORITY TO ACT

### 1. Legislative Power

The legislative authority of Tucson High Magnet School shall be vested in the School Council. The School Council shall make policy for Tucson High Magnet School but shall defer to the faculty, staff, and administration on the day-to-day operations of the school. However, the School Council shall retain such supervisory powers to insure that its policies, resolutions, and decisions are implemented.

### 2. Referendum

For any action, the School Council may refer final decision making authority to any or all constituent groups. The School Council shall determine the procedures for the referendum vote.

### 3. Conduct

Meetings shall be conducted in accordance with the Arizona Open

Meeting Law and all other applicable State laws, as well as R7-2101 of the State Board Rules. Any question of procedure not otherwise covered by statute, State Board Rule, or Tucson Unified School District policies shall be governed by the current procedure of the School Council and may not be suspended except by two-thirds (2/3) vote of the entire School Council.

4. THMS Administration

The Administration shall faithfully implement the policies, resolutions, and decisions of the School Council.

The

Administration shall provide requisite information to the School Council so that the School Council may fulfill its purpose as stated in the Preamble and Article I of this Constitution.

ARTICLE III: MEMBERSHIP

Section 01: The full SDMSC shall be composed of member classes including representation as follows with the majority being of equal numbers of parents and teachers per state law: (term of office is indicated in parentheses)

- a. Student members elected by the student body or student council. PAC (Principal's Advisory Committee) and YOTO (Youth on Their Own) will be consulted for student members. (1 Year) [Max. 2]
- b. Parent members elected by the parent community. (2 Years) [Max. 4]
- c. Community members with an affiliation to THMS neighborhoods or businesses to represent the community (2 Years) [Max. 2]
- d. Faculty members elected from the faculty (2 Years) [Max. 4]
- e. Members elected from the school staff: Discipline/Security, Teacher Aide, Clerical, Custodial/Maintenance, and Food Service. (2 Years) [Max. 2]

f. The School Principal. [1 only]

Section 02: A parent member shall be deemed to have resigned at the date that parent member's child ceases to be enrolled at THMS. Until such time as a replacement parent member is selected, the parent member no longer having a child in THMS may continue to serve, but no longer than the end of the current school year.

A teacher/faculty member shall be deemed to have resigned as of the date that teacher/faculty member no longer is employed at THMS.

A staff member shall be deemed to have resigned as of the date the staff member no longer is employed at THMS.

A community member shall be deemed to have resigned as of the date that community member no longer maintains a primary residence in the community.

Section 03: When a vacancy occurs by resignation or otherwise, the elected representatives of that member class on the site council shall select, by majority vote, a qualified new member to serve until new member class representatives are next elected. If the number of candidates will not exceed the maximums set in section 01, no election will be necessary.

Section 03.01: Elections for parent and teacher/faculty, and staff representatives shall be conducted by the first meeting of the SDMSC in August of each year.

Notice of parent vacancies shall be distributed to all student families and posted to the website by the beginning of each school year.

Interested parents shall notify the principal of their desire to appear on the ballot. The principal shall prepare and disseminate that ballot by a method most likely to be received by each parent of an enrolled student.

Teacher/Faculty and ESP representatives shall be elected as follows:

1. The site council facilitator will, through district email, email the THMS faculty and staff with notification of the number of positions open by the Fourth Quarter Progress Reports. Faculty and staff will have one week to submit their name and a brief personal statement regarding their candidacy to the site council facilitator. If the number of candidates will not exceed the maximums set in section 01, no election will be necessary.
2. The site council facilitator will publish the candidate names and personal statements and open the election via district email. Faculty and staff will have two business days to vote. (Vote will be electronic. If an individual desires an anonymous vote s/he will print off the ballot, vote, and put the hard copy in the site council facilitator's school mail box within the two day time period).
3. The site council facilitator will announce the results via district email. The process will be repeated in August if vacancies remain at the beginning of the school year.

Community members shall maintain their primary residence within the THMS neighborhood boundary.

Community members shall be selected as follows:

The site council facilitator will obtain the names and email addresses of the presidents or their designees of the following neighborhood associations: Sam Hughes, Miramonte, Iron Horse, West University, Pie Allen, Rincon Heights

The site council facilitator will notify all neighborhood and business associations by email of the number of vacancies on the site council not later than the Fourth Quarter Progress Reports. The neighborhood associations may forward the names of nominees to the facilitator. The members of the site council are the final authority in determining the qualification and seating of community members if there are more candidates than seats.

Section 04: Members regularly elected or selected shall serve a term as designated in Section 01 or until such time as a successor is selected or otherwise designated.

Section 05: Regular attendance of a member shall be required. Three unexcused absences at meetings may be considered cause for removal.

Section 06: An affirmative vote of 70% of members present at any meeting of the SDMSC shall be sufficient to recommend removal of a member for cause. The SDMSC shall forward such recommendation to the appropriate member class group for its action.

Section 09: A quorum of the SDMSC shall be a simple majority of the membership

## **ARTICLE III: MEMBERSHIP**

~~Section 01: The full SDMSC shall be composed of member classes including representation as follows: (term of office is indicated in parentheses)~~

- ~~a. Student members elected by the student body or student council. (1 Year) [Max. 5]~~
- ~~b. Parent members elected by the parent community. (2 Years) [Max. 9]~~
- ~~c. Community members with an affiliation to THMS neighborhoods to represent the community (2 Years) [Max. 2]~~
- ~~d. Faculty members elected from the faculty (2 Years) [Max. 9]~~

- ~~e. Members elected from the school staff: Discipline/Security, Teacher Aide, Clerical, Custodial/Maintenance, and Food Service. (2 Years) [Max. 5]~~
- ~~f. The School Principal. [1 only]~~
- ~~g. One EX-Officio member from the Instructional Council. (One Year)~~
- ~~h. One EX-Officio member from administration~~

~~Section 01.01: A parent member shall be deemed to have resigned at the date that parent member's child ceases to be enrolled at THMS. Until such time as a replacement parent member is selected, the parent member no longer having a child in THMS may continue to serve, but no longer than the end of the current school year. A teacher/faculty member shall be deemed to have resigned as of the date that teacher/faculty member no longer is employed at THMS. A staff member shall be deemed to have resigned as of the date the staff member no longer is employed at THMS. A community member shall be deemed to have resigned as of the date that community member no longer maintains a primary residence in the community.~~

~~Section 02: The numbers of the SDMSC shall be set for the next school year by the first week in June by a vote of the SDMSC and will have a maximum number of 34 members. The majority of the members (as per State Law) will be made of equal numbers of parents and teachers.~~

~~Section 03: When a vacancy occurs by resignation or otherwise, the elected representatives of that member class on the site council shall select, by majority vote, a qualified new member to serve until new member class representatives are next elected.~~

~~Section 03.01: Elections for parent and teacher/faculty, and staff representatives shall be conducted before the first meeting of the SDMSC in August of each year.~~

~~Notice of parent vacancies shall be distributed to all student families with the Fourth Quarter Progress Reports and also posted to the website at the same time.~~

~~Interested parents shall notify the principal by May 15th of their desire to appear on the ballot. The principal shall prepare and disseminate that ballot by a method most likely to be received by each parent of an enrolled student not later than the summer mailer and posted to the website by June 30th. Ballots shall be available during the August registration process and in any event must be deposited with the principal not later than Friday of the first week of school. The ballots shall be counted and the results publicly disseminated no later than the second Friday of the school year.~~

~~Teacher/Faculty and ESP representatives shall be elected as follows:~~

- ~~1. The site council facilitator will, through district email, email the THMS faculty and staff with notification of the number of positions open by the Fourth Quarter Progress Reports. Faculty and staff will have one week to submit their name and a brief personal statement regarding their candidacy to the site council facilitator.~~
- ~~2. The site council facilitator will publish the candidate names and personal statements and open the election via district email. Faculty and staff will have two business days to vote. (Vote will be electronic. If an individual desires an anonymous vote s/he will print off the ballot, vote, and put the hard copy in the site council facilitator's school mail box within the two day time period).~~
- ~~3. The site council facilitator will announce the results via district email.~~

~~Community members shall maintain their primary residence within the THMS neighborhood boundary.~~

~~Community members shall be selected as follows:~~

~~The site council facilitator will obtain the names and email addresses of the presidents or their designees of the following neighborhood associations: Sam Hughes, Miramonte, Iron Horse, West University, Pie Allen, Rincon Heights <>. Community members will serve two year terms. Starting in August 2011 community members will be selected as follows: The site council facilitator will notify all neighborhood associations by email of the number of vacancies on the site council not later than the Fourth Quarter Progress Reports. The neighborhood associations may forward the names of nominees to the facilitator not later than May 15th. The members of the site~~

~~council are the final authority in determining the qualification and seating of community members, if there are more candidates than seats.~~

~~Present community members shall continue to serve until their successors qualify and are seated.~~

~~Section 04: Members regularly elected or selected shall serve a term as designated in Section 01 or until such time as a successor is selected or otherwise designated.~~

~~Section 05: Regular attendance of a member shall be required. Three unexcused absences at meetings may be considered cause for removal.~~

~~Section 06: An affirmative vote of 70% of members present at any meeting of the SDMSC shall be sufficient to recommend removal of a member for cause. The SDMSC shall forward such recommendation to the appropriate member class group for its action.~~

~~Section 09: A quorum of the SDMSC shall be a simple majority of the membership~~

## ARTICLE IV: OFFICERS

Section 01: The officers of the SDMSC shall be the Chairperson, ViceChairperson, and Secretary.

Section 02: The Chairperson shall:

- a. Preside over all regular and special meetings of the School Council.
- b. Represent the SDMSC at all outside functions and before the TUSD Governing Board.
- c. Inform appropriate authorities or THMS committees of SDMSC decisions

- d. Appoint and or request volunteers to all committees and be an ex-officio member of each committee.
- e. Appoint a member from the SDMSC to each focus group.
- f. Call regular and special meetings of the SDMSC and, with the secretary, prepare the agenda.
- g. Oversee and direct the drafting and maintenance of bylaws defining procedures and operational policies of the SDMSC.

Section 03: The Vice-Chairperson shall assume the duties and powers of the chairperson in the absence of the Chairperson and succeed to the office on loss of the Chairperson.

Section 04: The Secretary shall:

- a. Insure that minutes are taken at all meetings and keep a record of resolutions apart from the minutes.
- b. Insure that members receive notification of meetings.
- c. Maintain a copy of the constitution with amendments, by-laws and any other important documents.
- d. Furnish oversight and direction to any paid assistant and/or recorder.

## ARTICLE V: ELECTION OF OFFICERS

Section 01 : The election of officers shall occur at the second meeting of each school year. Only current members of SDMSC are eligible for election as an officer. At the first meeting of each school year, there will be a call for candidates for the respective officer positions. The facilitators of the prior school year will carry over until their replacements are selected.

Section 02: In the event the Vice-Chairperson or Secretary separates from the SDMSC for any reason, the Chairperson shall appoint an interim ViceChairperson or Secretary to serve until the next school year.

Section 03: Elections shall be by a simple majority vote by secret ballot.

Section 04: An officer shall assume office immediately upon election and shall serve for a period of 1 year. Where an office is filled by special election the term of office is from the special election to the next regular election.

## ARTICLE VI: MEETINGS

### Section 01:

- a. There shall be at least one regular meeting of the SDMSC each academic quarter.
- b. A special meeting may be called by 20% of the members of the SDMSC or by any officer or Principal.

Section 02: Members of the SDMSC shall be notified in advance of all meetings by mail, e-mail, phone contact, or by personal contact with the Chairperson, VChairperson, or Secretary.

Section 03: Meetings will conform to the State Open Meetings procedures.

### Section 04: Voting

Except as otherwise provided by statute or this Constitution I By-laws, any School Council action, other than the removal or selection or election of

School Council members and voting on amendments to this Constitution / By-laws, taken to a vote of the members, shall be authorized by a majority of the eligible votes cast at each meeting. To pass a resolution, a simple majority of the voting members of the School Council, present in person at a meeting, shall be required.

The Chairperson may vote on all resolutions placed before the School Council.

## ARTICLE VII•. FOCUS GROUPS AND COMMITTEES

Section 01: The SDMSC or members of the THMS community may establish appropriate focus groups or committees to explore solutions for issues at THMS

Section 02: Focus group or committee membership shall be made up of volunteers from the constituent groups. The focus group or committee shall designate a member to serve as liaison to the School Council.

Section 03: Focus groups and committees shall have no fewer than four members, one of whom shall be elected chair at the first meeting of the focus group or committee.

Section 04: The duties of a focus group or a committee shall include:

- a. Identification and assessment of issues, needs, and concerns appropriate to the focus group or committee.
- b. Making specific documented (written) recommendations to the SDMSC for review, modification, and/or endorsement.
- c. Collaborative review of focus group or committee activity with the SDMSC periodically.

Section 05:

A focus group or committee shall cease to exist once the purpose has been accomplished as determined by the SDMSC.

## ARTICLE VIII: AMENDMENTS OF THE CONSTITUTION

Section 01: Amendments to the constitution may be proposed by a forum, a committee, or focus group designated for that purpose.

Section 02: The Constitution may be amended at a quarterly meeting of the committee called for that purpose. Proposed amendments shall be mailed to SDMSC members at least two weeks before the meeting.

Section 03: Except as otherwise provided by this Constitution / By-laws, statutes, or rules, all of the Constitution / By-laws of Tucson High Magnet School shall be subject to alteration or repeal, and amendments may be enacted, by a two-thirds (2/3) vote of the entire School Council, present in person that are entitled to vote, provided that the notice of the meeting and the proposed changes are set forth in full. The School Council must refer for ratification any proposed amendments to any constituent group deemed appropriate. The SDMSC shall determine the procedures for the ratification vote.

## ARTICLE IX: ADMINISTRATIVE ASSIGNMENTS

Section 01: Administrative assignments at THMS shall have a posted job description, with an opportunity for review and recommendations by the SDMSC prior to publishing by TUSD Administration.

Section 02: SDMSC shall conduct the interview process and shall make a hiring recommendation to the TUSD Governing Board and the Superintendent.

Section 03: An evaluation tool to provide input into the assessment of THMS Administration staff shall be developed and administered collaboratively by the SDMSC and the TUSD Administration.

Section 04: A recommendation by the SDMSC for continuation of an administrative assignment at THMS shall depend on positive evaluation results.

[ARTICLES X THROUGH ARE CONCERNED WITH FUNCTIONS OF THE COMMITTEE IN HELPING TO RUN THE SCHOOL AS MANDATED BY THE DISTRICT "STANDARDS FOR ACCREDITING SCHOOL COUNCILS." THESE

WILL BE PHASED IN AS THE SCHOOL IS ACCREDITED TO THE LEVEL DESIGNATED TO THAT TASK.  
BEGINNING PHASE FOR THAT TASK IS NOTED IN THE TEXT.)

## ARTICLE X: ADMINISTRATIVE PRACTICES AND POLICIES (PHASE 2)

Section 01: The SDMSC will participate cooperatively with the THMS Administration in the development of policies intended for school-wide implementation in order to improve student performance.

Section 02: Administrative decision affecting administrative practices and/or school-wide policies made on an emergency basis shall be shared with and reviewed by the SDMSC in a timely manner.

## ARTICLE XI STAFFING (PHASE 3)

Section 01: Advertisements for position at THMS, certified and classified, shall be written in alignment with the goals and objectives of this Constitution.

Section 02: Screening, interviewing, and recommending of applicants, as supplied by the TUSD Administration, shall be conducted by a committee selected, using TUSD Administration guidelines, by representatives of the SDMSC.

Section 03: Applicants shall be informed of and agree to abide by the THMS Constitution.

Section 04: All full time equivalent allotments, regardless of funding source, shall be submitted to the SDMSC for approval. Changes made after original approval shall be made collaboratively with the THMS Administration.

## ARTICLE XII•. BUDGET (PHASE 3)

Section 01: In cooperation with the SDMSC, the THMS Administration shall develop a budget allocation and distribution plan.

Section 02: The Principal and the SDMSC shall designate a budget control administrator.

Section 03: Budgetary decisions made by THMS regarding funds thereto shall not be altered by the TUSD Administration.

## ARTICLE XIII: CURRICULUM STANDARDS

The SDMSC reserves the right to establish curriculum standards and exit criteria, which may exceed the standards set by TUSD for awarding credit for courses.

## ARTICLE XIV - RATIFICATION

The ratification of this Constitution / By-laws of Tucson High Magnet School was effective upon a two-thirds (2/3) vote of the entire certificated staff and the Parent Teacher Association of the school in January 1995.

## DEFINITIONS:

Community members of SDMSC means those persons residing and/or working in the general Tucson Area and who are not THMS students or their parents.

- THMS Administration means the Principal and those Assistant Principals under his/her supervision.
- T USD Administration means the Superintendent and those persons and processes under his/her direct responsibility.

- EX-Officio means non-voting.
- Focus group means a group which include members from the wider community population, and will include at least one voluntary or appointed School Council member.
- Committee means a group comprised of School Council members only.

#### ABBREVIATIONS:

1. T USD means Tucson Unified School District
2. T HMS means Tucson High Magnet School
3. SDMSC means Shared Decision Making Site Council