

# Constitution and By-Laws of Pueblo Magnet High School

## Article I: Mission Statement

The Pueblo Magnet High School will create a community conducive to learning where students, through practice and discovery, realize their highest aspirations.

## Article II: Purpose

The purpose of the Pueblo Magnet High School is to:

- A. Fulfill the mission statement of the Pueblo Magnet High School by:
  1. Educating students and promoting their welfare,
  2. Raising student achievement, and
  3. Building lines of communication between the school system and all stakeholder groups.
- B. Solicit information and develop shared-decision making between students, parents, administration, teachers, staff members and the community.
- C. Be responsible for the control and management of the affairs, property and interests of the school by exercising all powers vested in School Council as prescribed in Article XI of the Arizona Constitution, Title 15 of the Arizona Revised Statutes, the rules of the State Board of Education, the policies of the Governing Board of the Tucson Unified School District and these by-laws for Pueblo Magnet High School.

## Article III: The School Council

### A. Membership

1. Pursuant to the Arizona Revised Statutes, Article XV-351, a School Council must:
  - a. Have an equal number of teacher (certified employees) and parent representatives,
  - b. Include only parent representatives who currently have a student or students attending PMHS and who are not employees of the school district or immediate family members of an employee,
  - c. Have a number of teacher and parent representatives that makes up a majority of the school council,
  - d. Include the school principal as an administrative representative, and
  - e. Reflect the ethnic composition of the school community and provide a process for the selection of representatives by stakeholder groups that conforms to state affirmative action guidelines.
2. School Council shall have a voting membership of **fifteen (15)** representatives from the following stakeholder groups:
  - a. Parents: four (4) votes
  - b. Teachers (certified employees): four (4) votes
  - c. On-Site Administration: one (1) vote
  - d. Students: three (3) votes
  - e. Staff (classified employees): one (1) vote
  - f. Community: two (2) votes
3. Each stakeholder group shall submit to the School Council its own election procedures. The School Council shall approve election procedures provided they create a fair and equitable election based on established democratic practices.
4. Election procedures will include:
  - a. A method of nomination,
  - b. A procedure for recalling representatives,
  - c. A procedure for conducting elections, and

- d. A method of filling vacancies.
- 5. Families shall be limited to one representative on the School Council; for the purpose of these by-laws a family shall be defined as persons who share a significant and immediate relationship by marriage, birth, law or residence.
- 6. School Council membership shall be selected by the following stakeholder groups:
  - a. **Student representatives**
    - i. The principal shall notify the Student Council of the existence and purpose of the School Council.
    - ii. **One (1)** Student Council member shall be a member of the School Council. The Student Council shall appoint this member.
    - iii. The Student Council shall adopt procedures for the nomination and election of **two (2)** at large representatives.
    - iv. Except for the election of the initial representatives, the Student Council shall conduct the election of at large representatives concurrent with its own regular elections.
    - v. The Student Body President shall submit the election results of the at large representatives and the selection of the Student Council member to the School Council two weeks prior to the beginning of their terms of service and post in a public place the names of the student representatives.
  - b. **Parent Representatives**
    - i. The principal shall notify parents of PMHS students of the existence and purpose of the School Council, solicit interested parents to run for election as parent representatives and inform them of the selection procedures.
    - ii. The principal shall publicly post a list of parents who have been nominated for School Council along with the time and place for balloting two weeks prior to holding elections for the **four (4)** parent representatives.
    - iii. The principal shall conduct elections for parent representatives and submit the election results for parent representatives to the School Council two weeks prior to the beginning of their terms of service and post in a public place the names of the parent representatives.
    - iv. At such time as the parents of PMHS students shall form a duly recognized parent association, the principal shall inform the association of the existence and purpose of the School Council and request that they assume the responsibilities outlined above.
  - c. **Administrative Representatives**
    - i. The school principal shall be a voting member of the School Council.
    - ii. All other remaining on-site administrators shall be observers and have the right to attend and speak at meetings, but shall not have voting privileges.
    - iii. The principal's name shall be posted in a public place as a member of School Council.
  - d. **Teacher (certified) Representatives**
    - i. The certified employees (as defined by the TUSD/TEA Consensus Agreement) of PMHS shall adopt procedures for the nomination and election of **four (4)** representatives in an at large election.
    - ii. By their chosen procedures, the certified employees shall nominate and elect representatives.
    - iii. Only certified Members of the Bargaining Unit may vote for and serve as teacher (certified) representatives.
    - iv. A person chosen by the certified employees shall submit the election results of the teacher (certified) representatives to the School Council two weeks prior to the beginning of their terms of service and post in a public place the names of the teacher (certified) representatives.
  - e. **Classified (support staff) Representatives**
    - i. The principal shall notify classified (support staff) employees of the existence and purpose of the School Council, solicit interested

classified employees to run for election as classified representatives and inform them of election procedures.

- ii. The principal shall publicly post a list of classified workers who have been nominated for School Council along with the time and place for balloting two weeks prior to holding elections for the **one (1)** classified representative.
- iii. The principal or a person designated by the classified employees shall submit the election results of the classified employees to the School Council two weeks prior to the beginning of the term of service and post in a public place the name of the classified representative.
- iv. At such time as the classified employees should wish to they may inform the principal and assume the responsibilities outlined above.

**f. Community Representatives**

- i. The parent, student, administration, teacher (certified) and support staff (classified) stakeholder groups shall each have the right to nominate up to two persons of their choice to serve as community representatives.
- ii. Community representatives shall be a person residing or working within PMHS boundaries such as a business person, retired person volunteer or any person interested in improving student achievement at PMHS.
- iii. Community representatives shall not be any person qualified to serve as a representative of any other stakeholder groups or be related to a serving representative.
- iv. The principal shall notify the School Council of the nominees and by procedures agreed upon by all stakeholder groups shall hold an election on the PMHS campus at a publicly posted date and time for **two (2)** community representatives.
- v. At an open meeting the parent, student, administration, teacher (certified) and support staff (classified) stakeholder group representatives shall elect **two (2)** community representatives.
- vi. The principal or a person designated by the School Council shall submit the election results for the community representatives to the School Council two weeks prior to the beginning of their terms of service and post in a public place the names of the community representatives.
- vii. At such time as the School Council should wish to they may, by majority vote, inform the principal and have a community group assume the responsibilities outlined above for conducting elections.

**g. Voting**

- i. Each duly selected representative shall have the same rights and responsibilities to represent his/her stakeholder group on the School Council.
- ii. Each representative shall have **one (1)** vote on all matters before the School Council.
- iii. No representative shall vote on a matter where he/she or a family member may receive a direct and personal financial benefit.
- iv. No representative shall vote on a matter where he/she believes a conflict of interest exists.
- v. The School Council shall be guided by the principle that each stakeholder group and its representatives have the right to express their independent views and at no time shall the School Council deny a duly selected representative the right to vote or attempt to remove a representative because of their views or votes.

**B. Duties and Powers**

1. School Council shall act as an advisory group and recommend policy regarding the control and management of school affairs, property, and interests for the specific purpose of promoting student achievement.
2. Any and all committees or groups acting within or on behalf of PMHS shall fall within the authority of the School Council's advisory powers.

3. At no time shall the School Council or its members, individually or in concert, act in a way that violates the appropriate laws of the State of Arizona, the rules of the State Board of Education, the policies of the TUSD Governing Board, the decisions of the PMHS Council or its Constitution/By-Laws.
4. Neither the School Council nor its members, individually or in concert, shall interfere in the day-to-day operation of the school or the duties of the school administration, faculty or staff.
5. The executive authority shall reside in the principal of PMHS and the principal shall have the full authority to carry out the recommendations of the School Council.

**C. Period of Service**

1. The term of service for each member of School Council shall be one year.
2. There shall be no term limits.
3. The School Council shall determine when elections shall be held and determine when the term of service shall begin and end.
4. Nominees shall be informed of the duties of their office and the exact length of their term of service prior to elections.
5. School Council representatives shall assume their office at the next regularly scheduled meeting following the public announcement of their selection.

**D. Officers and Committees**

1. The School Council shall select from among its members the following officers:
  - a. A Chair to facilitate and conduct meetings as well as perform other duties normally assumed by a Chair,
  - b. A Vice Chair to facilitate and conduct meetings when the Chair is unable to conduct them as well as to perform other duties normally assumed by a Vice Chair,
  - c. Two Secretaries to record minutes and perform clerical duties as well as other duties normally assumed by a recording or corresponding secretary.
2. For the purpose of carrying out its duties and responsibilities the School Council shall have the power to form committees, standing (permanent) and select (temporary), by adopting a resolution stating the purpose of the committee and the powers it is granted.
3. Committees may:
  - a. Include any person and are not limited only to School Council members,
  - b. Be required to keep minutes and written records of their proceedings,
  - c. Make recommendations to the School Council subject to a final vote of the School Council, and
  - d. Shall serve at the pleasure of the School Council by a simple majority vote.
4. The School Council shall create a handbook to guide members and officers in the performance of the legal requirements of their duties and those of a School Council.

**E. Vacancies**

1. Any vacancy in the School Council shall be filled by the procedures established by the stakeholder groups under Article III A, sections 4 and 5 of the By-Laws.
2. A vacancy may occur by reason of:
  - a. death,
  - b. recall,
  - c. resignation,
  - d. inability to perform duties.

**F. Recall**

1. A stakeholder group may create a procedure for recalling its own representatives.
2. Before recalling a member of School Council the stakeholder group will inform the representative being recalled and the Chair of School Council.

**G. Resignation**

1. Any School Council member may resign at any time by giving written notice to the Chair.
2. Unless specified otherwise in writing, resignation shall take effect upon receipt of the written notice. Acceptance of the resignation shall not be necessary for it to take effect and written resignations will not be revocable.

**H. Inability to Perform Duties**

An inability to perform duties shall exist when:

1. A representative fails to attend three consecutive meetings without prior notification.
2. A serious injury or illness makes performing duties impossible.
3. A change in a member's status causes the person to be in violation of the requirements of a representative for their stakeholder group (i.e. a teacher resigns his/her employment,

a student transfers to another school, a parent no longer has a child attending PMHS, etc.)

#### **Article IV: Meetings**

##### **A. Authority to Act**

While the School Council shall act as an advisory board, the legislative authority of Pueblo Magnet High School shall be vested in the School Council and may be assumed by amending these by-laws.

##### **B. Referendum**

The School Council, for any action, may refer decision-making to any and/or all stakeholder groups. The School Council shall determine the procedures for conducting a referendum.

##### **C. Open Meetings**

Meetings shall be conducted in accordance with the Arizona Open Meeting Law and all other applicable state laws, as well as R7-2-101 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.

##### **D. Presiding Officers**

The Chair shall preside at all meetings and follow the publicly posted agenda. In the absence of the chair the Vice Chair, the Secretaries or a temporary officer elected for that purpose will preside until the chair is able or willing to resume his/her duties.

##### **E. Quorum**

A majority of all members of the School Council must be present in person to constitute a quorum for official business. A member of the School Council may request a quorum count at any time during a meeting. If the number of members present in person at the time of the quorum count is less than a majority, then the meeting shall be adjourned.

##### **F. Voting**

Except as otherwise provided by statute or these by-laws, any School Council action -- other than voting on amendments to the Constitution and By-Laws -- shall be authorized by a simple majority vote of the members present and voting. Each member shall have one vote. Each member shall have one vote. The Chair or other presiding officer may vote on all matters placed before School Council.

##### **G. Agenda**

The development of an agenda for regular or special meetings shall conform to the following:

1. The development of the agenda shall be the duty of the chair.
2. All items submitted for the agenda shall be in writing and may be provided by any member of the School Council. Other members of the administration, faculty, staff, parents, students and community shall submit items for the agenda by giving them to any School Council member for inclusion on the agenda.
3. The agenda shall be posted no later than 24 hours prior to a meeting and conform to the state Open Meeting Law.
4. No matter shall be acted upon except matters on the agenda

##### **H. Terms for School Council Action**

The following terms shall be used for purposes indicated to the exclusion of other terms of similar meaning:

1. **Adopt:** To accept; to make one's own which was not so originally; to consent to and put into effective operation.  
\*Purpose: To indicate passage of amendments, by-laws, policies, recommendations, etc., thus making the term so approved an official pronouncement of the School Council.
2. **Prescribe:** To lay down authority as a guide, direction, or rule; to dictate. \*Purpose: To indicate imposition of an official policy or guideline of the School Council.
3. **Receive:** To take into possession and control; To accept custody of. \*Purpose: To acknowledge the submission of reports, recommendations, etc., to the School Council without conferring approval of a substantive material within.
4. **Approve:** To officially confirm, ratify, or sanction. \*Purpose: To indicate official acceptance of a motion or proposal of a School Council member during the course of a duly called meeting of the School Council.

##### **I. Relationship with School Administration**

The on-site administration shall meet with and report on the implementation of School Council recommendations and provide requisite information and resources to the School Council so that it may fulfill its purpose and mission.

#### **J. Master Calendar**

1. At the beginning of each term of service the School Council shall create a master calendar for its meetings and activities.
2. Regular meetings shall be held on the third Monday of each month during the regular school year unless the School Council shall prefer to hold four quarterly meetings at a date and time of its choosing.
3. Regular meetings shall be called to order at 3 p.m. and in a place convenient to the public on the PMHS campus unless the School Council determines otherwise.
4. At least 24 hours before a regular meeting, the Chair of the School Council shall announce and post the date, site, and time of that scheduled meeting.
5. Special meetings may be held if at least fifty percent (50%) of the School Council members sign a waiver of notice indicating the purpose, time, date, and site of any such meeting.

#### **K. Permanent Records Maintained**

The School Council shall maintain and provide full and ready access to the records of its actions. A place shall be provided in the Carmen Cajero Library or other public place chosen by the School Council for this purpose.

#### **Article V: Fiscal Year**

The fiscal year of the School Council shall be set by the School Council, subject to applicable laws, rules, and/or policies.

#### **Article VI : Amendments**

- A. Except as otherwise provided by statute, rules, policies or these by-laws, all of the Pueblo Magnet High School Council Constitution and By-Laws shall be subject to alteration or repeal.
- B. Amendments may be proposed by a two-thirds (2/3) vote of the entire School Council, present in person and entitled to vote, provided that the notice of the meeting and the proposed changes are set forth in full in the agenda.
- C. The School Council must refer for ratification any proposed amendments. An amendment may be referred to any or all constituent groups deemed appropriate by the School Council.
- D. The School Council shall determine the procedures for the ratification vote.

#### **Article VII: Ratification**

The ratification of these by-laws for Pueblo Magnet High School Council shall be effective upon receiving two-thirds (2/3) of the votes cast by on-site administration, classified and certified staff, the student body, and parents.