

Westwood High School Constitution

Mission Statement

The purpose of the Constitution is to serve as a basis for the governance of the Westwood High School Community. This document aims to promote a supportive and effective educational environment that encourages unity of purpose and shared communication. The Constitution delineates the rights and responsibilities of each member of the community. It fosters the skills of citizenship. The Constitution offers all citizens of the School Community the opportunity to be involved in leadership roles. The Constitution guarantees all members of the school community the power to influence decisions and exercise a meaningful voice in determining policies, thus shaping the future of the school.

PREAMBLE

We, the members of the Westwood High School community, establish this Constitution to be our governing document to ensure the common welfare and to promote equality, responsibility and justice in a cooperative educational environment.

ARTICLE I: CITIZENSHIP

A “citizen” of the Westwood High School Community shall be defined as anyone possessing the rights and privileges enjoyed by any other person under this Constitution and governance structure, and subject to the corresponding responsibilities. Members of the following groups shall be considered citizens of the Westwood High Community: all students enrolled in daytime programs at Westwood High School; all full and part-time faculty members, including classroom teachers, department heads, special needs teachers, school psychologists, guidance counselors, instructional assistants or aides, student teachers and substitute teachers; building administrators, specifically the Principal and Assistant Principal; support staff personnel; special activities personnel, including athletic trainers, coaches and other extracurricular advisors or superiors; the Youth Commissioner; and the Chairperson of the Westwood Youth Commission.

With respect to other persons associated with Westwood High School, including parents, members of other organizations housed within the building, visitors, members of the alumni, non- building administrators and faculty members, other employees of the Town of Westwood, and Westwood School Committee members, the rights extended to citizens shall apply, except with respect to those applying to voting and office-holding in the Legislative and Judicial Councils and other bodies created under this Constitution. However, any governance body created under this Constitution may, by roll-call vote of two-thirds of its entire membership, invite a representative or representatives of a group to participate as non-voting or *ex officio* members in its activities.

ARTICLE II: SCOPE AND JURISDICTION

Section 1. All matters of concern to the Westwood High School Community shall be considered appropriate for consideration by the Westwood High School

Legislative Council and other duly constituted governance bodies. These matters may involve formal or informal recommendations and legislation and judicial actions concerning the Westwood High School Community's activities, policies, programs, procedures and rules.

- Section 2. All legislative and judicial actions regarding the five areas indicated above shall be limited by the following considerations:
- a. State or Federal law and regulations.
 - b. The legal prerogatives or regulations of the Westwood School Committee
 - c. Decisions by the Westwood School Committee involving allocation of School Department funds
 - d. The collective bargaining agreements entered into by the Westwood School Committee
 - e. Contractual procedures and policies involving individual administrative, teacher and other staff evaluations
 - f. The rights of the faculty, administration and School Committee to determine *all* Westwood High School curriculum policies, course offerings and levels, and graduation requirements
 - g. The rights of individual teachers regarding course instruction and organization, and the evaluation of students, providing teacher actions do not conflict with those goals and policies set forth by the Westwood Public Schools or the principles set forth in the Westwood High School Bill of Rights.

Section 3. Nothing set forth in Section 2 above shall be construed as constituting a limitation on the right of an appropriate governance body to make a formal (written) or informal (verbal) recommendation to a member of the administration or the Westwood School Committee on *any* matter of concern to the Westwood High School Community.

ARTICLE III: LEGISLATIVE BRANCH

Section 1. The Legislative Branch shall consist of the Westwood High School Legislative Council and it shall, consistent with the rules set forth in Article II (Scope and Jurisdiction) and the principles set forth elsewhere in this Constitution, create recommendations and legislation involving the activities, policies, procedures, programs, and rules of the Westwood High School Community.

Section 2.

Membership. The Legislative Council shall consist of 30 members, selected each May according to the rules set forth in Article VII (Elections) and by the Nominations and Elections Committee, and composed of representatives of the following groups:

- a. Students. Sixteen (16) students, including four (4) each from the incoming freshman, sophomore, junior and senior classes, shall be elected and they shall furthermore constitute the *Student Advisory Board*, perform those duties normally associated with that body, serve as a caucus to develop student positions on issues facing the Legislative Council, and be elected as follows:
 - (1) Each class president shall serve on both the Legislative Council and Student Advisory Board and shall be nominated and elected at large; each class vice-president shall serve as the alternate for his/her president, shall represent the class on the Student Council, and shall be nominated and elected at large.
 - (2) Each class shall select three (3) representatives to the Legislative Council/ Student Advisory Board and two (2) alternates. A student may run only for one office or position and shall be nominated at large at the same time class officers, Judicial Council members and Student Council representatives are nominated. In order to qualify for nomination, any person interested in running for representative must obtain the signatures of a minimum of ten (10) percent of the students in his/ her class. Elections of three (3) students who receive the highest vote totals being considered representatives and the two (2) receiving the next highest vote totals being named alternates.
 - (3) Prior to the election, each person nominated for the offices found in (1) and (2) above shall be required to attend at least one (1) Legislative Council meeting and set forth, first, in an anonymous interview published and distributed to members of his/her class and, second, in a short speech delivered to the assembled members of the graduating class, the reasons why the nominee seeks office and the programs and ideas he/she intends to promote if elected.
 - (4) Each year in the spring sixteen (16) students comprising the Student Advisory Board shall meet and elect the following officers: President, Vice-President, Secretary and Treasurer, and any other officers the Board deems fit. The quorum for this meeting shall be 80 percent.
- b. **Faculty.** Nine (9) faculty members, including at least one (1) department chairperson or director, shall constitute the *Faculty Senate*, perform those duties normally associated with that body, serve as a caucus to develop faculty positions on issues facing the Legislative Council, and be selected annually by vote of the full and part-time faculty members of Westwood High School. For

the purposes of this provision, “faculty members” eligible for nomination, elections and voting shall include all of the following: classroom and special education teachers, media center specialists, department chairpersons and directors, school nurse and any other certified personnel employed at the High School. Three (3) alternates shall also be chosen.

- c. *Support Staff.* Two (2) support staff members, composed of the representatives of the non-teaching personnel in the building: secretaries, custodians, aides or instructional assistants, lunch-room personnel, non-unit coaches and other non-faculty staff members, shall be elected to the Legislative Council. One (1) alternate shall also be chosen. The nomination and election process shall be open to all full and part-time non-teaching staff members.
- d. *Youth Workers.* The Youth Director or, if the position is vacant, a person selected by the Chairperson of the Westwood Youth Commission, shall be a permanent representative on the Legislative Council. The Westwood Youth Commission Chairperson shall name an alternate for the Youth Director, drawn from the adult members of the Youth Commission.
- e. *Westwood Community Members.* Two (2) representatives drawn from the Westwood Community and one (1) alternate shall be appointed by the Principal. At least one of the permanent representatives *must* be a parent with a student enrolled at Westwood High School.

Section 3. Officers and Staff of the Legislative Council

- a. Two Co-Moderators, selected annually during the first week in May of the previous school year by members of the incoming Council, shall serve as chairpersons of the Legislative Council with all the powers normally attendant to such position. One shall be appointed by the Student Advisory Board and one by the Faculty Senate.
- b. The Co-Moderators shall alternate chairing meetings, however, when one is absent the other shall automatically serve as chairperson,
- c. The members of the Legislative Council shall also elect a Secretary and Treasurer to serve as officers of the Council; elections for these positions will be held in May of the previous school year.
- d. The Secretary shall be responsible for keeping, preparing and distributing the minutes for meetings. The Secretary shall also be responsible for taking attendance at meetings and recording roll-call votes. Under the direction of the Agenda Committee, the Secretary shall also be responsible for typing, reproducing and distributing meeting agendas.

- e. The Treasurer shall, subject to the direction of the Council, control, collect and distribute any funds controlled by the Legislative Council. The Treasurer shall report on a quarterly basis to the Council regarding its budget and funds.
- f. If any position described above becomes vacant anytime during the school year, it shall be filled by the normal selection process within ten (10) school days.

Section 4. *Meetings.* The following rules shall govern meetings of the Legislative Council:

- a. The Legislative Council shall meet biweekly during the school year on a regular day selected by the incoming Council at the final meeting in the spring.
- b. Regular meetings of the Legislative Council shall be scheduled during the school day in a room large enough to accommodate Council members and visitors. Staff members and students who serve as representatives and alternates shall be excused from classes and other duties to attend these meetings. Students will be expected to make up any work missed as a result of attending Legislative Council meetings.
- c. A *quorum* of two-thirds of the Council is needed to conduct business at all meetings.
- d. The Legislative Council may meet more frequently if a majority of the Council deems additional meetings to be necessary and proper; special meetings outside normal hours listed above shall require a two-thirds vote of the entire Council.
- e. The Principal may, at his/her discretion, call special meetings of the Legislative Council, within or outside the regular school day, if he/she feels an emergency exists or circumstances warrant such a meeting.
- f. Attendance at regular meetings of the Legislative Council by representatives shall be deemed mandatory. Either of the co-moderators may excuse a representative from attendance at a regular meeting for good cause. However, absence from three (3) or more meetings without good cause shall be considered grounds for the removal of a representative from the Council.
- g. All Legislative Council meetings shall be held in open session.

Section 5. *Agenda Committee.* The following rules shall govern the Agenda Committee:

- a. An Agenda Committee, composed of the Co-Moderators, the Secretary and three (3) members selected by the Legislative Council, shall prepare the agenda for each Council meeting including the order in which proposals shall

be considered, such that proposals emanating from Council members and other members of the School Community shall be scheduled for prompt consideration.

- b. With respect to regularly scheduled Council meetings, copies of the agenda, the minutes of the previous meeting, and significant supporting materials shall be provided to Council members and posted at prominent places throughout Westwood High *no less than 72 hours* prior to the meeting's commencement.
- c. In the case of a special Council meeting called at short notice, the 72-hours time requirement described above may be waived. However, an agenda should be provided to members as soon as possible, but in no event shall a meeting be conducted without a written agenda.
- d. The first order of business at any regular or special meeting shall be the adoption of the proposal agenda by majority vote. At the time of the agenda's adoption, any representative may propose altering the order of business and/or adding additional items to the meeting's agenda, subject to the approval of a majority of the Council.
- e. Each agenda for a meeting shall provide reasonable time for public participation on agenda and non-agenda items.

Section 6. *Jurisdiction Committee.* The following rules shall govern the Jurisdiction Committee:

- a. A Jurisdiction Committee shall be created annually in May of the previous school year by members of the incoming Council. It shall be composed of the Principal, who shall serve as its Chairperson; six (6) members of the Legislative Council, selected by that body and drawn equally from staff members of the Judicial Council, selected by that body.
- b. In the event one-third or more of the Legislative Council members question the constitutionality of a proposal submitted to the Council for consideration, it shall be referred to the Jurisdiction Committee for its consideration. At the next regular Council meeting, the Jurisdiction Committee shall make a recommendation to the Council, but the final decision on the issue shall rest with the Council as a whole.

Section 7. Parliamentary Rules and Procedures

- a. Although Robert's Rules of Order Revised shall constitute the ruling authority for business, the Legislative Council must conduct all of its business in open session and *consistent with good faith attempts to reach consensus on issues, proposals and motions put before the Council.*

- b. Robert's Rules of Order Revised notwithstanding, each representative of the Legislative Council shall be granted a three-minute time period to express his/her opinion on any piece of business, proposal, motion or amendment brought before the Council. Furthermore, any representative may voluntarily yield his/her speaking time to any other member during the course of debate. No motion to end debate or move a question shall be entertained by the Council until the above provision has been satisfied.
- c. A simple majority vote on the part of the Council shall be needed to conduct another round of three-minute speaking allotments.
- d. The Co-Moderator chairing the meeting shall establish a speaking order when a motion is on the floor or discussion of a proposal takes place.
- e. No members of the Legislative Council shall be compelled or pressured to state his/her position on any issue before the Council.
- f. Any voting member of the Council may challenge the outcome of voice or hand vote and, at request, a roll-call vote on any motion. The results of roll-call votes shall become part of the minutes of the meeting.

Section 8. ***Freedom of Speech and Debate.*** The following rules shall prevail with respect to Legislative Council debates and citizen presentation of proposals to the Legislative Council:

- a. No member of the Legislative Council or any citizen presenting his/her opinion to the Council shall be subjected to disciplinary action, verbal or written reprimand, or reprisal or harassment by anyone in the School Community or in a position of authority within the Westwood Public Schools as a result of statements he/she made as a result of participation in any of the activities associated with election to or service on the Legislative Council.
- b. The above rules with respect to disciplinary action shall not apply to situations involving a Council member who violates the rules set down in this Constitution or engages in conduct unbecoming a Council member, as described in Section 11 below.
- c. No citizen shall be allowed to disrupt the proceedings of the Legislative Council or violate the rights of others.

Section 9. **Enactment of Proposals and Legislation.** In order for a proposal to become legislation, the procedure outlined below shall be followed:

- a. In order to be considered by the Legislative Council, a proposal must be reduced to writing by its proponent(s) and submitted to the Agenda Committee at least five (5) days before a meeting for inclusion in the agenda

of the next meeting. By a two-thirds vote of the Council, a late-filed proposal may be considered.

- b. The proposal shall be placed on the agenda and shall be discussed at the next regular meeting of the Legislative Council.
- c. At least one of the proponents of the proposal *must* be present for the Legislative Council to act upon it.
- d. The proposal's proponent(s) shall be entitled to a reasonable amount of time as determined by the Council to discuss the nature and implications of the proposal. The same rules governing excuses from class make up work for student Legislative Council members shall apply for student proponents of proposals.
- e. The Legislative Council must deal with a proposal in one of the following ways at the meeting at which it is introduced: It may be amended, passed, passed with amendments, defeated, tabled indefinitely, referred to the Agenda Committee for future consideration as an agenda item, or sent to either a standing or ad hoc committee. Each action requires a simple majority vote of those members present and voting.
- f. If a proposal is tabled, a simple majority vote is needed to bring the proposal forward again for discussion by the Legislative Council. If a proposal is referred to a committee, it shall be acted upon promptly by the committee to which it has been assigned. By simple majority vote, the Council may take up a proposal for action, even if the committee studying it has not yet completed action upon it.
- g. If a proposal is defeated at a Council meeting, it can be brought up for reconsideration by simple majority vote once during that meeting. Its proponents can reintroduce the proposal at subsequent meetings.
- h. If a piece of legislation is passed, it is sent to the Principal for his/her signature. If the Principal approves the legislation it becomes a policy or rule. If the Principal does not respond within ten (10) school days, it becomes a policy or rule automatically. If the Principal vetoes the legislation passed by the Legislative Council. He/She must explain his/her objections specifically in writing.
- i. If a piece of legislation is vetoed by the Principal, the Legislative Council may override the veto by two-thirds majority of those present and voting.
- j. In the event a piece of legislation would change an existing School Committee rule or policy, it shall follow the same process outlined above, but it is forwarded as a formal recommendation to the Superintendent for the School

Committee's consideration. In such a case, final approval of the proposal shall rest exclusively with the Westwood School Committee.

- k. Any bill which involves a change(s) in existing rules or policies or initiates a new rule or policy must stipulate the effective date of such a measure. If a measure becomes effective immediately, it must also be stipulated.
- l. Changes in rules and policies resulting from the legislative process shall be discussed at Legislative Council meetings, faculty meetings, assemblies of students, parent meetings and School Committee meetings. Members of the Legislative Council and other concerned citizens may either present their viewpoints regarding the new policies and rules at such meetings in person or by letter.

Section 10. *Full Community Meetings.* The following rules shall govern full community meetings:

- a. At least once per semester, all of the citizens of Westwood High School shall be invited to participate in a full community meeting scheduled during the regular school day aimed at the discussion of mutual concerns. No legislative powers shall be exercised by the community meeting, but proposals may be discussed and citizens of the Westwood High Community shall be encouraged to voice concerns and opinions regarding the operation of the High School.
- b. The Legislative Council shall serve as the Executive Committee for this meeting and shall direct the Agenda Committee in the creation of an agenda.
- c. One of the Co-Moderators of the Legislative Council shall chair the meeting.
- d. The rules governing debate for the Legislative Council shall apply at full community meetings. Furthermore, if the chairperson deems that a citizen at a meeting has engaged in disruptive behavior or violates any of the principles set forth in this Constitution, that person shall be ordered to leave the meeting and shall be subject to appropriate disciplinary procedures.

Section 11. *Vacancies and Removal of Legislative Council Members*

- a. In the event any representative (member) of the Legislative Council accrues three (3) or more unexcused absences of the course of a year, violates the rules set down in this Constitution or engages in conduct unbecoming a Council member, the Nominations and Election Committee shall, providing a majority of its members concur, declare the seat vacant. The decision of the Nominations and Elections Committee may be appealed to the Judicial Council within five (5) school days of the decision and overruled if two-thirds of that body concurs.

- b. A vacant seat shall be filled by the Nominations and Elections Committee through the appointment of the alternate who received the greatest number of votes in the at-large election or who was selected by the methods outlined in Section 2 above. In the event no alternate exists, the Nominations and Elections Committee shall facilitate the selection of a new representative and alternate(s), as described in Section 2 above. If a Class President is removed from office, the Class Vice-President shall assume the office of Class President and a new Vice-President shall be elected by the normal process.

Section 12. *Annual Transition Process for the Legislative Council.* After the annual May elections to the Legislative Council, the following process for transferring power shall occur:

- a. At the first regular Legislative Council meeting following the spring election, newly elected representatives shall be invited to attend the meeting and participate equally in discussions and debate along with the outgoing Legislative Council members, as provided in Sections 7 and 8 of this Article.
- b. At the next regularly scheduled meeting of the Legislative Council, both incoming and outgoing representatives of the Council shall have equal rights to debate and discuss issues, offer motions and vote on issues, as provided in Sections 7, 8, and 9 of this Article.
- c. At the third regularly scheduled meeting of the Legislative Council and thereafter until the following spring, the newly elected Legislative Council shall assume its full dates and set about creating plans for the following academic year.

ARTICLE IV: EXECUTIVE BRANCH

Section 1. The Executive Branch shall consist of the Principal and the Assistant Principal who shall exercise the powers and assume the responsibilities, including disciplinary ones, normally associated with their respective positions and outlined in their respective job descriptions. The Principal or in his/her absence the Assistant Principal, shall be considered the *Chief Executive* and shall be directly responsible for implementing the policies and rules of the School Committee, the Central Administration and the Westwood High School Legislative Council, and the decisions of the Westwood High School Judicial Council, consistent with the rules set forth in Article II (Scope and Jurisdiction).

Section 2. The Principal in his/her role as Chief Executive shall furthermore be empowered to do the following:

- a. Call special meetings of the Legislative Council and the Judicial Council, if circumstances warrant the convening of either council and subject to the rules set forth in Article III Sections 3, 4, and Article V.

- b. Recommend changes in school rules and policies and propose other legislation to the Legislative Council.
- c. Veto legislation passed by the Legislative Council, providing his/her objections are explained specifically in writing.
- d. Make appropriate recommendations to the Westwood School Committee and the Central Administration with respect to legislation passed by the Legislative Council or decisions reached by the Judicial Council.
- e. Serve as Chairperson of the Jurisdiction Committee.
- f. Appoint members to committees and other governmental bodies as provided by this Constitution.
- g. Attend any meeting of the Legislative Council and other bodies created by this Constitution and state his/her opinion regarding any issue or proposal under consideration.
- h. Communicate either in person or by writing with any body or committee created under this Constitution.
- i. Authorize staff members to carry out those supervisory and disciplinary policies normally associated with their job descriptions.

Section 3. In the event of an emergency involving a situation *not* covered explicitly by established rules and policies and requiring *immediate action*, the Principal or his designee shall be authorized to handle it in such a way as to ensure the safety and well-being of the members of the School Community. Following such a situation, the Principal shall inform the School Community as soon as possible about the actions taken and the reasons for them. If, in the Principal's judgment, a possibility exists that the situation may reoccur, he/she must submit appropriate proposals to the Legislative Council.

ARTICLE V: JUDICIAL BRANCH

Section 1. The Judicial Branch shall consist of two separate and distinct bodies: the Westwood High School Judicial Council and the Westwood High School Arbitration Council.

Section 2. *Powers of the Judicial Council.* The Judicial Council shall, consistent with the rules set forth in Article 2 (Scope and Jurisdiction) and the principles set forth elsewhere in this document, serve as a judicial body and have the following powers:

- a. It shall interpret the Westwood High School Constitution.
- b. It shall adjudicate and resolve those cases involving complaints, disputes and grievances, arising among citizens and groups of citizens and involving activities and programs, and the application and interpretation of the rules and procedures of the Westwood High School Community.
- c. It shall exercise those other powers normally associated with a judicial body, including acting on appeals of administrative disciplinary decision, reviewing agreements and recommendations by the Arbitration Council, and creating precedents for deciding future cases arising under this Constitution.
- d. It shall make known its decisions in writing to the Principal and other administrators, and make appropriate recommendations to the Principal and the Legislative Council.
- e. It shall make known to all citizens involved in complaints, disputes and grievances aware of disciplinary powers exercised by the administration and the mediation and conciliation options made available by the Arbitration Council.

Section 3. *Membership of and Elections to the Judicial Council.* The following rules shall govern the membership of the Judicial Council and election of its members:

- a. *Membership.* The Judicial Council shall consist of six (6) student members, two (2) each from the incoming junior and senior classes and one (1) each from the incoming freshman and sophomore classes, and five (5) faculty members, elected for a term of one year, commencing June 1st. Two (2) faculty alternates and one (1) alternate from each class shall also be chosen. No member of the Judicial Council or alternate shall serve on any other council or committee created under this Constitution during his/her term in office. Other members and alternates shall be allowed to attend meetings, but only members shall be allowed to vote on issues, except as provided in Section 7 below.
- b. *Elections.* Elections of Judicial Council members shall be conducted annually in May and the nomination and election process shall, unless stated otherwise in this Article, conform to those described in Article III, Section 2 (a) and (b). A vacant seat shall be filled by the Nominations and Elections Committee through the appointment of the appropriate alternate or by the election process outlined in Article III, Section 2 (a) and (b).

Section 4. *Officers.* At its first meeting in June, the Judicial Council members shall elect two (2) co-chairpersons, one (1) student and one (1) faculty member, who shall alternate the chairing of meetings, call meetings of the Council, and set agendas for meetings. Furthermore, the Judicial Council shall elect a Secretary who shall

prepare the minutes of Judicial Council meetings and assist the co-chairpersons with written communication. In the event an officer vacancy occurs, the Judicial Council shall immediately elect a replacement.

Section 5. *Meetings of the Judicial Council.* The following rules shall prevail regarding Judicial Council meetings:

- a. Meetings, both regular and special, shall be held after normal school hours and on school days.
- b. Meetings shall be held in open session, unless one or more citizens involved in a case before the Judicial Council requests executive (closed) session. Meetings shall be held in a room where confidentiality can be maintained and, if applicable, members of the Judicial Council shall be bound by the rules of executive session. Any party to a particular dispute shall be allowed to attend the meeting at which the issue is resolved.
- c. The Judicial Council shall meet once per month on a regular basis; the schedule for regular meetings shall be set at the first meeting in September and published for members of the School Community. Special meetings shall be scheduled and held as needed, and as provided in Section 5 below.
- d. A *quorum* of two-thirds of the Judicial Council is needed to conduct business at all meetings.

Section 6. *Acceptance and Scheduling of Cases.* The following rules and procedures shall govern the acceptance and scheduling of cases by the Judicial Council:

- a. In the event a complaint, dispute, grievance of any other appropriate issue of the types described in Section 2 above is brought to the attention of any member of the Judicial Council by a citizen or group of citizens, the co-chairperson(s) shall insist that the person(s) raising the issue reduce it to writing on a form created by the Judicial Council. Upon receipt of this completed form, the issue shall thereafter be considered a “case”, be assigned a case number, and be scheduled for a hearing before the full Judicial Council. All parties to the dispute shall be notified of the time and place of the meeting.
- b. The co-chairpersons shall schedule cases, subject to the following considerations:
 - (1) A case involving an issue(s) of non-immediate importance shall be placed on a Judicial Council agenda for a regular meeting. The Judicial Council shall deal with these issues within twenty (20) school days, unless two-thirds of the Judicial Council votes postponement.

- (2) A case involving an issue(s) of immediate importance shall be placed on a Judicial agenda for a special meeting to be held within twenty-four (24) hours of the matter being brought to the attention of the Judicial Council. Cases of “immediate importance” shall involve emergency situations, situations involving appeals of administrative disciplinary decisions, or other pressing matters. In addition, if four (4) members of the Judicial Council inform the co-chairpersons that they consider an issue constitutes immediate importance, a special meeting shall be held as stipulated above.
- (3) Any citizen involved in a case may request a postponement of a meeting, but a two-thirds vote of the Judicial Council shall be needed to grant such a postponement.

Section 7. *Judicial Process.* The following rules shall constitute the process used by the Judicial Council in deciding cases:

- a. One of the co-moderators shall be designated by vote of the Judicial Council as its preceding officer at the meeting where the hearing takes place.
- b. Any member of the Judicial Council who feels he/she would be unable to render a fair and impartial judgment should withdraw from the proceeding; any citizen may challenge a member of the Judicial Council on these grounds, but a vote of two-thirds of the members of the Council shall be necessary to sustain such a charge.
- c. All citizens involved in a case shall be allowed to attend the Judicial Council hearing, provide sworn testimony, present evidence, and call upon witnesses to support their positions.
- d. After providing a reasonable amount of time for all parties to a dispute to present their views, the Judicial Council hearing shall be adjourned, providing two-thirds of the members concur, and its members shall deliberate in closed session.
- e. The members of the Judicial Council shall be guided in their decisions by the weight of the evidence.
- f. Providing two-thirds of the members of the Judicial Council who shall have heard the case agree, the Council shall issue its decision in writing to the Principal with copies to the parties to the dispute on the school day immediately following the conclusion of its deliberations. If a two-thirds majority decision cannot be reached by the Judicial Council, no recommendation shall be issued. If the case involves an appeal of an administrative disciplinary decision, failure to reach a two-thirds majority shall mean the original administrative decision shall stand.

- g. Providing the Judicial Council does not exceed the authority granted it under this Constitution, most specifically Article II (Scope and Jurisdiction), its decisions shall be final and binding on all parties, and *not* subject to appeal.
- h. In the event the Principal, a citizen or group of citizens challenges a decision on the Judicial Council on jurisdictional grounds or failure to provide due process, the case shall be referred to the Superintendent of Schools whose decision shall be final and binding on all parties.
- i. Nothing in this Article and Section should be construed by any party as constituting a denial, negation or waiver of any contractual right enjoyed by any administrator or staff member under a collective bargaining agreement agreed upon by the School Committee.
- j. In the event of a particularly egregious violation of school rules or a frivolous appeal of an administrative disciplinary decision, the Judicial Council may, if two-thirds of its members present and hearing a case concur, recommend to the Principal or his designees that a stiffer penalty be imposed on the citizen(s) involved.

Section 8. *Vacancies and Removal of Judicial Council Members*

- a. In the event any member of the Judicial Council accrues three (3) or more unexcused absences in the course of a year, violates the rules set down in this Constitution or engages in conduct unbecoming a Judicial Council member, the Nominations and Elections Committee shall, providing a majority of its members concur, declare the seat vacant. The decision of the Nominations and Election Committee may be appealed to the Legislative Council within five (5) school days of the decision and overruled if two-thirds of that body concurs.
- b. A vacant seat shall be filled by the Nominations and Elections Committee through the appointment of the alternate. In the event no alternate exists, the Nominations and Elections Committee shall facilitate the selection of a new member and alternate(s), as described in Section 3 above.

Section 9. *The Arbitration Council shall, consistent with the rules set forth in Article II (Scope and Jurisdiction) and the principles set forth elsewhere in this document, function as a mediation and conciliation body that will employ a non-adversarial, problem-solving approach, employing negotiating and counseling techniques and aimed at resolving disputes arising among individuals and groups of citizens within the Westwood High School Community. Citizens shall be encouraged, though not compelled, to use the processes developed by the Arbitration Council as an alternative to Judicial Council proceedings.*

Section 10. *Membership in and Selection of the Arbitration Council.* The following rules shall govern the selection of members of the Arbitration Council:

a. Because of the nature and functions of the Arbitration Council, its membership shall be open to any citizen not currently serving on either the Legislative or Judicial Councils who wishes to participate in non-adversarial, good-faith attempts to resolve disputes, providing that person is nominated by a representative of the Legislative Council and confirmed by a simple majority vote of its members, or by a ten-citizen petition.

b. Membership shall be ongoing unless election to one of the bodies indicated above occurs, the member resigns or graduates, or the Nominations and Elections Committee votes by simple majority to remove a person for good cause, including violating the rules set down in this Constitution or engaging in conduct unbecoming an Arbitration Council member. The decision of the Nominations and Elections Committee may be appealed to the Judicial Council within five (5) school days of the decision and overruled if two-thirds of that body concurs.

c. Due to the nature of the Arbitration Council's work, it is recommended that those citizens who have been trained as members of the Harvard Negotiations Project, Peer Counselors and WTA Professional Standards Committee members make their services available.

d. A list of active members of the Arbitration Council shall be updated and published each quarter by the Secretary of the Judicial Council and posted prominently throughout the building.

Section 11. *Meetings.* The following rules shall prevail regarding Arbitration Council meetings:

a. The members of the Arbitration Council shall meet regularly once per quarter after regular school hours.

b. Members present at the June meeting of the Arbitration Council shall select two (2) co-moderators, one (1) student and one (1) faculty member, who shall alternate the chairing of meetings and facilitate the group's work.

c. The focus of meetings shall involve discussion of non-adversarial methods of resolving problems and the coordination of group activities,

d. At each meeting, a list of active members shall be compiled and forwarded by the co-moderators to the Secretary of the Judicial Council.

Section 12. *The Arbitration Process.* The following rules shall govern the Arbitration Council and its functions:

- a. Any citizen or group of citizens may avail themselves of the arbitration approach if all parties to the dispute agree the process outlined in Section 8 above is desirable. Participation in this process shall be strictly voluntary and decisions reached as a result of the efforts of the Arbitration Council shall be subject to the stipulations found in Article II (Scope and Jurisdiction).
- b. In the event a citizen or group of citizens approaches one of the co-moderators of this group, the Co-Moderator shall provide a list of members of the group and offer to facilitate the naming of an arbitration group, composed of three (3) or more members of the Arbitration Council, including at least one (1) faculty and one (1) student member.
- c. All parties to a dispute must agree on the composition of the arbitration group and any citizen so involved shall have the right to exclude a proposed arbitrator.
- d. If all parties to a dispute are willing to proceed, the arbitration group shall move ahead expeditiously with the process and try to resolve the dispute as soon as possible.
- e. The arbitration process may become binding, if all parties to the dispute so agree.
- f. If no resolution to the dispute occurs within a reasonable amount of time, any citizen who is a party to the dispute may, at his/her own discretion, discontinue arbitration and bring the dispute to the Judicial Council.
- g. If a resolution of the dispute is reached as a result of the arbitration process, the agreement and any appropriate recommendations shall be forwarded to the Principal and the Judicial Council in writing, with copies to all of the parties to the dispute, on the school day immediately following the conclusion of the agreement.
- h. Arbitration agreements may be appealed to the Judicial Council within three (3) days of the decision and overturned by a two-thirds vote of that body.

Section 13. *Arbitration Services for Non-Citizens of the Westwood High School Community.*

- a. In the event a dispute arises among non-citizens of the Westwood High School Community or between a citizen or group of citizens and a non-citizen or group of non-citizens, the Principal, Superintendent of Schools or Chairperson of the Westwood School Committee may suggest that this dispute be brought before the Arbitration Council and shall notify the co-moderators of the Arbitration Council of its existence.

b. In the event all parties to the dispute agree to accept the services of the Arbitration Council, the process shall proceed in the manner described in Section 11 above.

c. If a resolution of the dispute is reached as a result of the arbitration process, the agreement and any appropriate recommendations shall be forwarded to the Principal, the Superintendent of Schools, and the Judicial Council in writing, with copies to all of the parties to the dispute, on the school day immediately following the conclusion of the agreement.

ARTICLE VI: GOVERNANCE EXECUTIVE SECRETARY

Section 1. The position of Governance Executive Secretary shall be created and filled by a faculty member, subject to the Westwood School Committee's establishment and funding of the position and the collective bargaining agreement between the Westwood School Committee and the Westwood Teachers' Association.

Section 2. The Governance Executive Secretary shall serve as the faculty facilitator for all the bodies created under this Constitution, except for the Student Advisory Board, the Student Council and other established extra-curricular positions.

Section 3. The role of the Governance Executive Secretary shall be subject to the following rules:

a. The Executive Secretary shall attend meetings as a non-voting member of councils and committees, and subject to the rules of those bodies established under this Constitution.

b. The Executive Secretary shall coordinate activities created under this Constitution, subject to the direction of the Principal and the officers of the councils and committees.

c. The Executive Secretary shall assist in communication among the Principal, councils and committees, and arrange for the duplication and distribution of materials relevant to the operation of the school government.

d. The Executive Secretary shall, with the help and directions of the Principal and the officers of councils and committees, create a master calendar of school events, including a listing of council and committee meeting places, times and dates.

e. The Executive Secretary shall provide advice and appropriate suggestions to various governance bodies, and perform all other duties normally associated with the office.

f. The Executive Secretary shall be prohibited from holding any other elected or appointed position created under this Constitution during his/her term of office.

Section 4. The position of Governance Executive Secretary shall be one-year appointment only and recommendation for renewal shall be subject to a vote of the Legislative Council in March and as set stipulated in Article III, Section 8 and the recommendation shall be promptly forwarded to the Superintendent of Schools. If the position becomes vacant due to resignation or non-renewal, it shall be promptly filled according to the provisions set forth in the *Contractual Agreement* between the Westwood School Committee and the Westwood Teachers' Association.

ARTICLE VII: ELECTIONS AND QUALIFICATIONS FOR OFFICE

Section 1. *Elections.* In addition to those rules found elsewhere in this Constitution, the following rules shall prevail regarding elections to WHS governance bodies:

a. The Nominations and Elections Committee shall be empowered to conduct and oversee any election which shall take place under this Constitution. Furthermore, it shall be authorized to create rules and regulations governing elections, provided nothing conflicts with the principles embodied in this Constitution.

b. Regular elections shall be held annually in May and special elections shall take place whenever a vacancy occurs. Elections to Freshman class officers and any other positions pertaining to the incoming Freshman Class and called for under the provisions of this Constitution shall take place prior to September 30th of the new school year. When a vacancy occurs, the nominations and Elections Committee shall see that it is filled promptly, using the procedures outlined in this Constitution.

c. Elections shall be conducted during school hours, by secret ballot, and in a central location accessible to all members of the High School Community.

d. With respect to the tabulation of votes, candidates or their authorized representatives may be present, but all ballots shall be handled and counted by members of the Nominations and Elections Committee.

e. Results of elections shall be announced on the next school day following the vote and results posted.

Section 2. *The Nominations and Elections Committee.* The following rules shall prevail regarding this Committee:

a. The Nominations and Elections Committee shall consist of three (3) faculty members and four (4) students, with one (1) drawn from each incoming class.

b. Its members shall be appointed in March by simple majority vote of the Legislative Council to serve a one-year term, may be reappointed for further terms, and shall be forbidden from serving on any other council or committee during their time in office.

c. The Committee shall fulfill its responsibilities regarding the removal of council and committee members from office if anyone fails to meet the attendance requirements outlined in this Constitution.

Section 3. *Qualifications for Office.* All citizens shall be eligible to run for election or seek appointment to office, subject to the stipulations found here and elsewhere in this Constitution:

a. Any person removed from an office or committee position because of his/ her failure to meet requirements shall be ineligible for any office for the period of one year after his/ her removal.

b. Any person removed from an office or committee position because of conduct unbecoming a council or committee member shall be ineligible for office for the period of two years after his/her removal.

ARTICLE VIII: OTHER COMMITTEES AND COUNCILS

Section 1. *Standing Committees.* In addition to those governance bodies mentioned elsewhere in this Constitution, the following committees and councils shall exist:

a. *The Student Council.* The following rules shall govern the Westwood High Student Council:

(1) *Purpose.* The Student Council shall be authorized to organize and conduct school-sponsored events aimed at raising school spirit, promoting community-service projects and providing social activities for students. Student Council activities shall include, but not be limited to, the following: sports rallies, charitable fund-raising events, homecoming week, dances and semi-formals, theme weeks, environmental programs, and anything else of a similar nature.

(2) *Membership.* The following rules shall prevail regarding membership on the Student Council:

(a) *Class Officers.* The Vice-President of each of the four (4) incoming High School classes shall be a member of the Student Council. The Secretary of each respective class shall serve as his/her Vice-President's alternate.

(b.) *Student Council Members.* In addition, each incoming class shall elect five (5) Student Council members and three (3) associate members who

shall serve as alternates. A student may run for only one office or position and shall be nominated at large at the same time class officers, Judicial Council members and Student Advisory/ Legislative Council representatives are nominated. In order to qualify for nomination, any person interested in running for the position of Student Council member must obtain the signatures of a minimum of ten (10) percent of the students in his/her class. Elections of Student Council members shall be conducted at large, with the five (5) students who receive the highest vote totals being considered members and the three (3) receiving the next highest vote totals being named as associate members.

(c.) Each year in the spring the students comprising the Student Council shall meet and elect the following officers: President, Vice-President, Secretary and Treasurer, and any other officers the Board deems fit. These officers will perform the functions normally associated with their respective offices. The quorum for this meeting shall be 80 percent.

(3) *Meetings and Attendance.* Meetings shall be held as often as the officers of the Student Council and its Faculty Advisor(s) deem necessary. Attendance at regular meetings of the Student Council by members shall be deemed mandatory. The President or Vice-President may excuse a member from attendance at a regular meeting for good cause. However, absence from three (3) or more meetings without good cause shall be considered grounds for the removal of a representative from the Council. A quorum of two-thirds of the Student Council is needed to conduct business at all meetings.

(4) *Agenda.* The Student Council officers shall be responsible for drawing up an agenda for each meeting. It shall be posted in prominent places throughout the school and provided to the members 72 hours before the meeting. Additional items can be added to the agenda by simple majority vote of the members. The 72-hour rule may be waived for good cause, but an agenda must exist in order to conduct any business of the Council.

(5) *Scheduling of Activities and Events.* The Student Council, by simple majority vote, may schedule events and activities, providing the Principal or his/her designee so concurs.

(6) *Vacancies and Removal of Student Council Members*

(a) In the event any member of the Legislative Council accrues three (3) or more unexcused absences in the course of the year, violates the rules set down in this Constitution or engages in conduct unbecoming a Student Council member, the Nominations and Elections Committee shall, providing a majority of its members concur, declare the seat vacant. The decision of the Nominations and Elections Committee may be appealed to

the Judicial Council within five (5) school days of the decision and be overruled if two-thirds of that body concurs.

(b) A vacant seat shall be filled promptly by the Nominations and Elections Committee through the appointment of the associate who received the greatest number of votes in the at-large election. In the event no alternate exists, the Nominations and Elections Committee shall facilitate the selection of a new member and/or associate members, as described above. If a class officer is removed, the same process shall be followed.

b. *The School Climate Committee.* The following rules shall govern the School Climate Committee:

(1) *Purpose.* The School Climate Committee shall meet at least once per month during the school year to discuss issues of importance to the School Community as a whole. It shall serve as a clearing house for studying ideas designed to make Westwood High a better place in which to work and go to school. It shall be guided in its work by the spirit and principles contained in this Constitution's Mission Statement, Preamble and Bill of Rights.

(2) *Membership.* The following rules shall govern the selection of members of the School Climate Committee:

(a) Because of the nature and functions of this committee, its membership shall be open to any citizen not currently serving on either the Legislative or Judicial Councils who wishes to participate in good-faith attempts to improve the atmosphere and sense of community at Westwood High School and who is nominated by a representative of the Legislative Council or by a ten-citizen petition, and confirmed by a simple majority vote of the Legislative Council.

(b) Membership shall be ongoing unless the member is elected to one of the bodies indicated above occurs, the member resigns or graduates, or the Nominations and Elections Committee votes by simple majority to remove a person for good cause, including violating the rules set down in this Constitution or engaging in conduct unbecoming a School Climate Committee member. The decision of the Nominations and Elections Committee may be appealed to the Judicial Council within five (5) school days of the decision and overruled if two-thirds of that body concurs.

(3) *Functions of the Committee.* The following rules shall govern the functioning of the School Climate Committee:

(a) Meetings shall be informal, but it is suggested that the members of the committee select two co-moderators, one adult and one student.

(b) The Legislative Council, the Judicial Council, and the Student Council may call on the members of the School Climate Committee to study issues and make formal or informal recommendations.

(c) The School Climate Committee shall be empowered to submit formal or informal recommendations or proposals to those governance bodies mentioned in (b) above.

(d) Meetings shall be scheduled by the Committee and announced publicly, and meeting times and places shall be posted in prominent places throughout the school.

(e) Any leader of any of the groups mentioned in (b) above may ask for a special meeting of this Committee.

c. *Class Councils.* Each class at Westwood High School shall have its own council and shall be governed by the following rules:

(1) *Membership.* It shall be composed of the class officers, Legislative Council representatives, Student Council representatives and the Faculty Class Advisor. The Class President shall serve as the Vice-Chairperson.

(2) It shall meet as often as the class officers and the Faculty Class Advisor deem necessary in order to discuss those issues important to the class.

(3) Attendance at regular meetings of class councils by officers, Legislative Council representatives and Student Council members shall be deemed mandatory. Either the Class President or Faculty Class Advisor may excuse a member of the class council from attendance at a regular meeting for good cause. However, absence from three (3) or more meetings without good cause shall be considered grounds for the removal of a person from office.

d. *Other Standing Committees.* The Legislative Council shall be empowered by two-thirds vote to create those other standing committees it deems fit and set rules for their operation and membership consistent with those governing the Legislative Council or Student Council, providing no rule violates the principles embodied in this Constitution.

Section 2. *Ad Hoc Committees.* The following rules shall prevail with respect to the creation and functioning of this type of committee.

a. The Legislative Council alone and by a simple majority vote may create such a committee.

b. The purpose and membership of each *ad hoc* committee shall be clearly defined in writing and both must be consistent with the principles set forth in this Constitution.

c. Each *ad hoc* committee shall be given a specific time-frame within which it must accomplish its goals.

d. When an *ad hoc* committee has accomplished its work, it shall be considered disbanded.

ARTICLE IV: PARLIAMENTARY AUTHORITY

Section 1. *Rules.* Meetings shall be conducted according to the following rules:

a. Robert’s Rules of Order Revised shall constitute the ruling authority in all cases in which they are not inconsistent with the rules and principles set forth in this Constitution.

b. Modification of the rules may be implemented by any governance body created under this Constitution, providing changes do not conflict with the principles contained in this document and are agreed upon by two-thirds of the entire body.

c. The moderator or chairperson of any body or committee created under this Constitution may appoint a non-voting parliamentarian to assist in the clarification of the rules at meetings.

d. However, rulings with respect to points of order shall be made by the chair of the body. A simple majority vote shall be necessary to overturn a ruling by the chair.

Section 2. *Definitions.* For the purposes of the clarity of this Constitution and the operation of governance bodies created under it, the following definitions are included:

a. “Majority vote” or “simple majority” shall mean a majority of those members present and voting; a quorum is assumed. “Majority vote of the entire committee” shall mean a majority of the entire membership of the committee.

b. “Two-Thirds vote” shall mean two-thirds of those members present and voting; a quorum is assumed. “Two-Thirds vote of the entire committee” shall mean of the entire membership of the committee.

ARTICLE X: WESTWOOD HIGH SCHOOL BILL OF RIGHTS

Preamble The rights described here are guaranteed to each *citizen* of the Westwood High School Community. All such rights shall be defined and applied in accordance with current federal and state statutes, relevant case law, and contractual provisions. Furthermore, each citizen of Westwood High School shall have the responsibility to respect, honor and uphold the rights of citizenship of all other community members; and shall, to the best of his/her ability, be prepared and

willing to participate on a daily basis in the educational process at Westwood High School.

1. No person shall be denied the rights of citizenship on the basis of race, gender, age, sexual preference, religion or creed, national origin, handicap, choice of association, political affiliation, appearance or lifestyle.
2. Each person shall be guaranteed the rights of citizenship with respect to the creation of rules or the application of disciplinary measures.
3. Each person shall be guaranteed the right to an education consistent with the goals and policies of the school system.
4. Each person shall be guaranteed the right to due process, including the right to fair treatment with respect to interpersonal, curricular, and extra-curricular activities.
5. Each person shall be guaranteed freedom from harassment, prejudicial comments or discrimination on basis of race, gender, age, sexual preference, religion or creed, national origin, handicap, choice of association, political affiliation, appearance or life style.
6. Each person shall be guaranteed freedom of expression, except when such action constitutes slander, libel or obscenity as defined by community standards; vandalism; the violation of the health and safety of others; disruption of the educational process; or the violation of the rights of others.
7. Each person shall be guaranteed freedom of assembly, except when such action constitutes a disruption of the educational process or violates the rights of others as defined by law.
8. Each person shall be guaranteed the right to a reasonable expectation of privacy.

ARTICLE XI: MISCELLANEOUS

Section 1. *School Newspaper.* In order to promote communication concerning issues of both individual and common concern within the School Community, every effort should be made to found and sustain a school newspaper. In the event a school newspaper is founded, every effort should be made to encourage the airing of contrasting viewpoints, subject to the limitations set forth in the Westwood High School Bill of Rights.

Section 2. *Communication.* In order to: resolve problems, influence decision-making processes, further the goal of fostering active citizenship, help shape the future of the school, and create a more ethical and democratic school community, all

citizens of Westwood High School shall be encouraged to exercise their responsible voices when policies and other issues come under consideration. Therefore communication among citizens, and between citizens, administrators and elected bodies within the School System shall be encouraged.

Section 3. *Student Advisory Regional Council Representative.* The term limitation and annual election procedures of the Student Advisory Regional Council Representative from Westwood High School shall conform to the stipulations set forth in the Massachusetts General Laws. In the event the person selected for this office is not currently a serving member of the Student Advisory Board, he/she shall be required to serve as an ex officio member of the Legislative Council during his/her term.

Section 4. It shall be the duty of the Principal as chief executive to take all means necessary to ensure that the Articles of this Constitution, in their entirety, be printed in both the Student and Faculty Handbooks each time they are printed. Furthermore, it shall also be the duty of the Principal to take all means necessary to ensure the delivery of the respective handbooks to both faculty and students by two o'clock on the third day of school in September. Both faculty and students must sign a document affirming their receipt of their handbooks. The Principal shall keep these documents on file until the following school year when the new handbooks will be issued.

ARTICLE XII: RATIFICATION AND AMENDMENT PROCESS

Section 1. *Ratification.* The Westwood High School Constitution shall be ratified when two-thirds of the students and two-thirds of the staff members vote to accept its provisions, and when the Westwood School Committee formally votes to accept it. The staff and student votes shall take the form of separate referendums conducted on the same day and shall take place on a date selected by the Ad Hoc Governance Committee. Thirty days (30) after the acceptance of this Constitution by all parties, it shall go into and remain in effect indefinitely.

Section 2. *Amendments.* The following processes shall be followed with respect to amending the Westwood High School Constitution:

a. *Regular Amendments.* Whenever a proposal endorsing a constitutional amendment is submitted to the Legislative Council, that body shall deliberate the proposal on its merits and vote to place the amendment before the citizenship of Westwood High School in a referendum election. A two-thirds vote to the Legislative Council shall be required to submit the proposed amendment to the Elections and Nominations Committee. Once this vote is secured, a rationale will be written to explain the meaning of and need for the amendment. Student liaisons will present the amendment and rationale to their designated homerooms and answer questions before the referendum vote is scheduled. Presentations to homerooms and the referendum election shall be conducted within a reasonable

time period, as determined by the Elections and Nominations Committee, of the vote of the Legislative Council. A two-thirds majority shall be needed to ratify an amendment, and upon ratification the amendment shall immediately take effect.

b. *Constitutional Revision.* Once during every three-year period following the ratification of this Constitution, the Legislative Council shall create an ad hoc Constitutional Committee, composed of staff members and students, to poll the citizens of Westwood High School and investigate possible revisions to this Constitution. The Constitutional Committee shall report regularly to the Legislative Council and shall, upon the completion of its work, submit any proposal it develops to that body which shall deal with them according to the ratification process outlined in (a) above.