

**SIMMONS ELEMENTARY SCHOOL
SCHOOL-BASED DECISION MAKING COUNCIL
BY-LAWS**

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ARTICLE I

PURPOSE

The purpose of Simmons Elementary School Council is to address the academic, social and emotional needs of our students in order to set school policy that will enhance student achievement and help each student meet the goals established by the school council, being consistent with state law. The school council will assess, monitor, and evaluate the policies and programs of Simmons Elementary School. The council shall create an environment that will enhance student achievement in the school (as required by KRS 160.345).

ARTICLE II

MISSION

The mission of Simmons Elementary School is to provide a safe, warm, and loving environment where each student's individual learning needs will be addressed through proven academic and extra-curricular programs. The staff is dedicated to working together and in partnership with parents to ensure that positive learning experiences are made available by using multiple strategies and resources in all curricular areas including technology, arts and humanities, and physical education. Simmons Elementary accepts the responsibility to prepare our students to be successful in future education endeavors, to become life-long learners, and to become contributing members of our society.

ARTICLE III

MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members (as required by KRS 160.345).
2. If the school reaches eight percent or more minority student enrollment and there is no minority elected in the initial elections, a special election shall be conducted to elect a minority parent to serve on the school council (as required by KRS 160.345).
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority to represent the interests of the minority students in the school (as required by KRS 160.345).
4. If there is a minority teacher on staff and he/she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher (as required by KRS 160.345).

B. REQUIREMENTS FOR MEMBERSHIP

New members, those with less than one year of service, must complete six hours of training from a Kentucky Department of Education endorsed trainer within thirty days of election to the council. Experienced members, those with more than one year of service, must complete three hours of training within 120 days from a Kentucky Department of Education endorsed trainer provider each year (required by KRS 160.345). When possible, the council will agree on a set of topics and seek shared training to expand their knowledge.

1. **Teacher Qualifications:** Teacher members must hold a position at the school that requires a state certificate and must not hold the position of principal, assistant principal or head teacher. Teacher members may not have a conflict of interest as defined by KRS Chapter 45A, which deals with doing business with the district.
2. **Parent Qualifications:** Parent members must be the parents, step-parent, or foster parent of a child who will be enrolled at the school during one's term in office. Legal guardians are also considered parents if the child lives with them. Parent members may not have a conflict of interest as defined by KRS Chapter 45A, which deals with doing business with the district. Parents who work in our school, who work in the district administration office or who are parents, spouses, siblings, children, aunts, uncles, daughters-in-laws, and sons-in-laws of people working in our school may NOT serve. District employees in other schools may serve.

C. ELECTIONS

1. Parent Member Elections: The PTA shall conduct parent elections in May. The parents of all children enrolled at the school or pre-registered to attend next year may vote. PTA officers shall develop written procedures for nominating candidates, processing and counting votes. The principal shall assist the PTA in alerting parents to the election schedule. The president of the PTA shall notify the current council of the names of those elected in writing within 24 hours of the final vote.
2. Minority Parent Members: If the school has eight percent or more minority students enrolled as of October 1, an election shall be conducted by the principal to elect a minority parent to the school council in the event a minority member is not elected during regular elections. Special election shall be conducted by:
 - i. Calling for nominations.
 - ii. Notifying all parents in writing of date, time, and location of the election.
 - iii. Conducting the election by ballot and counting the votes.

The nominee with the most votes shall be the minority parent council member. (Required by KRS 160.345).

3. Teacher Member Nominations: Any teacher may nominate himself, herself, or another teacher for the office of teacher member by signing a letter of nomination and submitting it to the principal a week prior to election.
4. Sample Ballot: The principal shall ask each person nominated to sign a letter stating that he/she is willing to serve on the council if elected and that he/she meets the qualifications listed above and the "Standards of Conduct". The principal shall then prepare a sample ballot form that lists alphabetically the names of all those nominated, willing, and eligible to serve and distribute that sample ballot to all teachers at the school no later than two days prior to the election.
5. Voting: Teacher members shall be elected on a day selected in May. Each teacher shall be given a ballot listing the same names as were found on the sample ballot and shall vote for the number of seats that are then vacant. The principal and one nonvoting personnel will collect and count votes. Any person or persons receiving a majority (51%) on this ballot shall serve as a council member in the coming year. Each teacher will have a vote equaling the number of teacher member vacancies.
6. Procedure If A Majority Is Not Received: If fewer candidates receive a majority of votes than the number needed to fill the open seats, the person getting the smallest number of votes shall be removed from the ballot and the teachers shall again vote for the number of persons needed to fill the remaining vacancies. Any person receiving a majority (51%) of votes shall be deemed elected. The process of removing one name shall be repeated as often as necessary to elect candidates by majority to all open positions.
7. Minority Teacher Members: If an election must be conducted to elect a minority parent member, a minority teacher member shall be selected by the teachers to serve on the council. If there is no minority teacher on staff who will accept the council seat, the seat will remain vacant until such time as a minority teacher can be selected. If there are no minority teachers employed at the school, nominations shall be taken and a special election will be conducted for an additional teacher council member from among the certified staff at the school. (Required by KRS 160.345).

D. Filling Vacancies

1. Notice of Vacancy: When a council member resigns, is removed, or dies, a new member shall be elected to complete that term. The principal shall post a notice on the SBDM bulletin board stating that there is a vacancy and including the text of this subsection of the By-Laws. The principal shall also communicate this information to the president of the parent-teacher association. These steps shall be taken within three school days after the principal learns of the vacancy.
2. Replacement Teacher Member Election: Nominations shall be submitted to the principal within ten school days after the vacancy occurs, and the election shall be held five school days after that, following the procedure described in the teacher election section of these By-Laws.
3. Replacement Parent Member Election: The president of the parent-teacher association shall call an election to be held not less than ten or more than twenty school days after the vacancy occurs.
4. Replacement Minority Member Election: The principal shall implement the procedure described in the appropriate minority section of the By-Laws.

E. TERMS OF OFFICE

The terms of parent and teacher members shall begin on July 1 and end on June 30 of the next year. Between the date of the elections and July 1, members-elect are urged to attend all council meetings. Members may serve consecutive terms if reelected.

F. STANDARDS OF CONDUCT

1. Attendance: Members of the council shall attend all council meetings unless the absence is excused. Absences may be excused by the council for good cause. A member who has three unexcused absences may be asked to resign.
2. Conflict of Interest: No member shall enter into any business dealing that creates a conflict of interest under KRS 45A.340, and any member who discovers the existence of such a conflict of interest shall resign.
3. Ongoing Eligibility: Any member who ceases to be eligible to serve on the council shall resign. Examples include teachers who transfer to other schools, parents whose children transfer to other schools, and any other change that makes a person ineligible for their position.

4. Improper Meeting: No combination of one half or more of the members of the school council shall meet to discuss council business without following the procedures for scheduling a meeting of the full council listed elsewhere in these By-Laws.
5. Intentional Interference With School-Based Decision Making: No member of the council shall intentionally engage in a pattern of practice which is detrimental to the successful implementation of or circumvents the intent of school-based decision making to allow the professional staff members of a school and parents to be involved in the decision making process in working toward meeting the educational goals of the Kentucky Education Reform Act or to exercise the powers granted to councils by state law.

G. REMOVAL OF MEMBERS

A Member who violates the Standards of Conduct and does not submit a written resignation from the council could be reprimanded or removed. There are two ways that could happen:

1. The Commissioner of Education can recommend removal for immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance, and then the local board of education holds a hearing into the charges to decide whether removal is warranted.
2. The Office of Education Accountability can investigate claims of intentional interference with school based-decision making. If OEA cannot resolve the issue, it is forwarded to the Kentucky Board of Education; which holds a hearing to determine whether the charges are valid. The first time the Kentucky Board finds a person guilty of such interference; the person will receive a reprimand. The second time, the person can be removed from office.

ARTICLE IV

DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

- Officers shall include Chair, Vice-Chair, and Secretary
- The Vice-Chair of the school council shall be elected each July by council members and shall serve for one year. Re-election is permitted.

- Except for the office of secretary, if a Vice-Chair resigns his or her position, the council shall conduct a vote at the meeting to fill the position with another council member.
- A motion to seek an alternative model allowing a council member other than the principal to serve as chair (as required by KRS 160.345) may be made by any council member at any regular meeting. A majority vote of the full council is required before the school council can seek an alternative model. A faculty vote must then be conducted and the motion must pass by two thirds in order to proceed with the model.

B. CHAIR

The principal shall be the chairperson of the school council (as required by KRS 160.345). Duties of the chair include:

- Conducting school council meetings.
- Compiling and distributing the agenda for council meetings
- Serving as official custodian for all council records
- Stating when a consensus is present for the record
- Coordinating standing and ad hoc committees
- Carrying out any additional responsibilities as stated in these By-Laws.
- Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two council meetings).
- Other duties as described in these By-Laws.

C. VICE CHAIR

Duties of the Vice-Chair shall include:

- Presiding over the council meetings in the absence of the chair.
- Calling a special meeting of the council in the event a principal vacancy occurs.
- Conducting meetings necessary for the principal hiring process to take place.

D. SECRETARY

The principal shall appoint a council secretary after consultation with council members, to keep minutes of all council meeting and to maintain council records.

E. COUNCIL RESPONSIBILITIES AND LIMITATIONS

Policy Responsibilities: The council shall set policy on:

1. Determination of curriculum, including needs assessment and curriculum development.
2. Assignment of all instructional and non-instructional staff time.
3. Assignment of students to classes and programs within the school.
4. Determination of the schedule of the school day and week, subject to the beginning and ending times of the school day and school calendar year as established by the local board.
5. Determination of use of school space during the school day.
6. Planning and resolution of issues regarding instructional practices.
7. Selection and implementation of discipline and classroom management techniques, including responsibilities of the student, parent, teacher, counselor, and principal.
8. Selection of extracurricular programs and determination of policies relating to student participation based on academic qualifications and attendance requirements, program evaluation and supervision.
9. Procedures for determining alignment with state standards, technology utilization, and program appraisal. Council policy on this issue must be consistent with district board policy.
10. Facilitating participation of interested persons, including, but not limited to, classified employees and parents and shall include the number of committees, their jurisdiction, composition, and the process for membership selection.
11. Other issues to provide an environment to enhance students' achievement and to meet the goals set by KRS 158.645 and 6451. If the council makes a policy that fits this area but none isn't one of the areas listed in items 1 - 8 above, that policy must be consistent with district board policy.

Other Responsibilities: The council shall also:

1. Determine the number of persons to be employed in each job classification at the school.
2. Determine which textbooks shall be used at the school.
3. Determine which instructional materials shall be used at the school.
4. Determine which student support services shall be provided in the school.
5. Determine the professional development to be paid for out of the council's allocation.
6. Adopt a school improvement plan that meets the requirements set in board policy.
7. Determine the organization of our un-graded primary program.
8. Select a new principal for the school.
9. Consult with the principal before he or she selects persons to fill other school vacancies, and set policy relating to the procedures for consultation, including but not limited to meetings, timelines, interviews, review of written applications, and review of references.
10. Carry out any other responsibilities assigned to the council by board policy or state law.

Limitations: The council shall not:

1. Recommend the transfer or dismissal of any member of the school staff.
2. Violate federal or state law or regulations.
3. Take any action that unreasonable risks the health or safety of students, staff, or others.
4. Take any action that exposes the council or the district to unreasonable risk or legal liability.
5. Authorize any purchase that exceeds the financial resources available to it.
6. Takes any action that violates contractual obligations already made by the district or the council to personnel and other providers of goods and services.

7. Exceed the responsibilities given to the council by state law or board policy.

ARTICLE V

COMMITTEES

A. PURPOSE

1. Standing and ad hoc committees are established to gain input from all stakeholders, which may include certified and classified staff, parents, students, and community members. (As required by KRS 160.365)
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

B. APPOINTMENT OF COMMITTEES

1. Standing and ad hoc committees are formed and dissolved by the school council as needed. (As required by KRS 160.365)
2. Standing committees can be dissolved only through the process of amending by-laws, which requires two readings before the council.

C. COMMITTEE MEMBERSHIP

1. All certified staff may participate in the shared decision making process at Simmons Elementary by serving on committees in their area of interest.
2. Each committee may consist of representatives from the faculty, support staff, parents, and students.
3. Standing committee's membership is open to interested persons. (As required by KRS 160.365)
4. Parents and teachers will be notified in writing of established standing committees. Membership will be determined by those expressing written notice to the school or by sign-up sheets.
5. Committee membership shall be limited to twelve persons at the discretion of the school council.
6. Teachers and parents who volunteer to serve will be notified in writing of their committee appointments.

7. Committees shall elect a chairperson from their membership who shall serve for a term of no longer than one year. (As required by KRS 160.365)

D. DECISION MAKING

Committee decisions shall be made by consensus. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be decided by a majority vote.

E. DUTIES

1. Committees shall carry out tasks assigned to them by the school council.
2. Committees may decide to bring issues of concern or interest to the school council.
3. Committees may research issues, gather school-wide input, or prepare first and revised drafts of school council policies.
4. Committee chairs or their designees will report to council meetings as requested by the school council.
5. Committee chairs shall provide the council secretary with written minutes of their meetings no later than ten days after the meeting occurred.

F. MEETINGS

1. Each committee shall choose the time, place, agenda, and schedule for their meetings. (As required by KRS 160.365)
2. Committees must comply with all provisions of the Open Meetings and Open Records laws. (As required by KRS 160.365)

G. STANDING COMMITTEES

1. Standing committees for Simmons Elementary School shall include:
 - Instructional Leadership Committee
 - Program Review Committee(s)
 - Data Analysis and Academic Progress Committee
2. Continued need for standing committees will be reviewed and confirmed by the school council each August at their regularly scheduled meeting.
3. A list of standing committees, a brief description of their purpose, and a list of each committee's membership shall be contained in Appendix A of this document.

ARTICLE VI

SCHEDULE OF MEETINGS

A. REGULAR MEETING

1. At the first meeting of each council term, the council shall select at least one regular meeting date in each month through July of the next calendar year.
2. The principal shall provide local news media of the council's regular meeting schedule for the year in July, and provide notification of the council's meeting time at least ten days in advance of each regular meeting.
3. The principal shall notify parents of council meetings each month using the school newsletters or enouncements.
4. The principal shall notify parents and teachers of council meetings three school days in advance of each meeting and include time, place, and agenda items.

B. SPECIAL MEETING

If the council needs to meet before it's next regular meeting, the principal may call a special meeting. A special meeting may also be called by a majority of members of the council. Once the decision is made to call a special meeting the following steps must be taken:

1. Content of Written Notice: The person or persons calling the meeting must prepare and sign a written notice that states the date, time, and place of the

special meeting and the agenda for the meeting. Any issue not listed on that agenda cannot be legally discussed at the special meeting.

2. Delivery of Notice: The person or persons calling the meeting must arrange for the notice to be delivered to every council member and to any media organization that has asked to be notified of council meetings. The delivery can be made by hand, facsimile machine, or mail, but the method must be one that allows the notice to arrive at least 24 hours before the set time of the meeting.
3. Posting of Notice: The notice must be posted conspicuously at the school, and also at the building where the meeting will be held if the meeting will not be held at the school. These copies must be posted as soon as possible after the meeting is called and definitely not less than 24 hours before the meeting is called.

ARTICLE VII CONDUCT OF MEETING

A. QUORUM

A quorum of the school council shall be a majority (more than one half) of the number of seats on the school council and must include the chair or vice-chair and at least one teacher member and one parent member. No council business shall be discussed or conducted unless a quorum of council members is present.

B. ATTENDANCE AT MEETINGS

Council meetings are open to the public and all interested persons can attend, (as required by KRS 160.635) except for those portions that are conducted as closed sessions.

C. CLOSED SESSIONS

1. When Closed Sessions Are Allowed: A closed session is a portion of a regular or special meeting of the council during which members meet in private. Within the realm of council responsibilities, the allowed subjects at closed meetings are; proposed or pending litigation by or against the council, allowed by KRS 61.810(1)(c), or selection of a new principal or other new staff member, allowed by KRS 61.810(1)(f).
2. Required Announcement: The chair or another council member must make an announcement in open session. The announcement must state:
 - That the council needs to discuss business involving a topic that the law allows to be discussed in closed session.
 - The general nature of business that needs to be discussed in closed session.

- The specific section of the law that allows the session to be closed (KRS 61.810(1)(c), or KRS 61.810(1)(f), described above).
3. Required Motion and Vote: The chair or another member of the council must make a motion to go into closed session to discuss the business mentioned in the announcement, and a majority of members must vote for that motion.
 4. Conduct of the Closed Session: During the closed session, only the business stated in the announcement can be discussed, and no final decision can be made.
 5. Return to Open Session: After full discussion, the council must return to open session and make any official decision needed on the matter, and the decision must be recorded in the minutes of the open session.

D. AGENDA

1. Required Elements On Every Agenda:
 - Reviewing, amending, and approving minutes of previous meeting
 - Reviewing, amending, and approving agenda for this meeting
 - Receiving reports from committees on appointed dates
2. Submitting Agenda Items: Anyone may submit items for inclusion on the agenda to the principal, and he or she shall maintain a complete file on those items and have them accessible to the council.
3. Preliminary Agenda: Three days before each regular council meeting, the principal shall prepare a preliminary agenda for the council meeting, including all items that he or she believes need council attention at that session. The principal shall post a copy of the preliminary agenda on the SBDM bulletin board. The principal shall also mail copies or hand deliver copies to each member of the council. At the discretion of the principal, copies may also be sent to the local new media.
4. Final Agenda: Setting the final agenda shall be the first order of business at each council meeting. At special meetings, the council may not add items to the agenda listed in the special meeting notice, but may subtract items if it chooses.
 - Any agenda item may be referred to a standing or ad hoc committee for further study as deemed necessary by the council.

E. DECISION MAKING PROCESS

1. Two-thirds of the members of the council, including at least one parent member and one teacher member, constitute a quorum. A quorum must be present for the council to take action.
2. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:
 - A motion and a second are made.
 - After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
 - The chair will ask whether any member disagrees with the item.
 - If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
3. When a third suggestion of consensus fails, the council may, by majority vote determine to:
 - Vote to send the issue back to the committee
 - Form an ad hoc committee to study the issue further (the motion on this vote shall include a regular meeting date when the council will hear from the committee) or
 - Decide the issue by majority vote of the council.
4. A majority vote of the council shall be taken after consensus fails three times if the issue meets the following criteria:
 - The issue involves the selection of a new principal. The council shall vote and the candidate receiving the majority shall be elected.
 - The issue involves the number of persons to be employed in each job classification, the textbooks to be purchased, or the budget or purchase of student support services.
 - The issue is whether to continue to meet for longer than ninety minutes.
 - The Federal or state government or the district board of education has set a deadline by which the school council must make a final decision and that deadline will occur before the next regular council meeting; and
 - The members of the council cannot agree by consensus to decide the issue at a special meeting and a majority of the council members wish to decide the issue by a majority vote.

When the above exceptions do not apply and consensus cannot be reached, the issue may be placed on the agenda for the next regular meeting or special meeting and the decision may be made at that meeting by majority vote of the council. When voting, any abstention is counted with the majority vote.

5. No proposed policy may be approved by the school council at its initial proposal.

ARTICLE VIII

MINUTES AND OTHER COUNCIL RECORDS

A. MINUTES

1. First Draft Minutes: The secretary shall take minutes that state accurately each motion made and the action taken on it by the council.
2. Typed Minutes: Within seven days after each meeting, the council shall:
 - prepare a typed copy of the minutes
 - attach copies of any policy, budget, by-law, amendment, or other document approved by the council
 - Send copies to each member of the council and the superintendent
 - Post a copy on the SBDM bulletin board
 - Place the original in the official binder of council minutes
3. Approval of Minutes: At the next meeting, the council shall review the minutes. If amendments are needed, they shall be recorded in the minutes of the next meeting. After amendments, the council shall approve the minutes, which will then become available for public inspection.

B. OPEN RECORDS

The school office is open from 7:15AM to 3:00PM each day. During those hours, any person who wishes to see the binder of council documents kept there may do so immediately. Persons, who want copies of documents in the binder or to see or to get copies of documents that are not kept there, shall give the principal a written statement of the items they wish to see. The principal, as official records custodian shall make the documents available within three business days after the request unless the records are subject to a specific exception of the Open Records law. The fee for copies shall be ten cents per page. The principal shall

post a copy of this section of the by-laws in the school office where in can be easily seen by citizens visiting the office.

ARTICLE IX APPEALS

A. REQUEST

For a person(s) to appeal a decision of the council or file a grievance he/she must first request in writing an opportunity to be heard and shall include information about the grievance issue.

B. SCHEDULE

The council shall schedule a hearing within thirty working days from the date the request is received. The person appealing shall be informed of the hearing by registered letter.

C. HEARING

The person appealing may be represented by legal council and may call witnesses as long as the testimony is relevant to the issue.

D. DECISION

The council shall consider the merits of the complaint, make a decision, and respond in writing to the complaint.

E. REPORT

A copy of the written grievance or appeal, and a written reply by the council shall be provided to the superintendent within ten working days of the council's decision.

ARTICLE X AMMENDMENTS

These by-laws may be amended after a first and second reading at two consecutive council meetings by a majority vote of the school council

APPENDIX A

Simmons Elementary
Required Policy
SISI Standards 4, 9
Policy Revision Date: July 2013

COMMITTEES

PURPOSE

Standing and ad hoc committees are established to gain input from all stakeholders, which may include certified and classified staff, parents, students, and community members.

Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council. Each faculty member must serve on at least one committee.

NUMBER AND JURISDICTION OF STANDING COMMITTEES

Instructional Leadership Committee

- The ILC will be made up of: Principal, Curriculum Coach, Counselor, special education teacher representative, special area teacher representative, ELL teacher and grade level representative.
- The team will be responsible for review of school and district funding sources; including section 6, Title I, Professional Development and other grant sources available, prepare preliminary budget each spring for the next school year
- Team will be responsible for planning, identifying and implementing professional development needs
- Coordinate the development and implementation of the School Improvement Plan
- The team will review and revise discipline plan, safety plan, school space, wellness and parent involvement
- The team will analyze curriculum alignment with the state standards and recommend changes

Program Review Committees

- The program review committees will be made up of: Principal, Curriculum Coach, Counselor, music teacher, art teacher, PE teacher, parent and grade level representatives
- The teams will be responsible for identifying and/or collecting evidence, analyzing data, and evaluating each standard for their assigned content area (arts and humanities, writing, practical living & career studies):
 - August-December: Collection and categorization of evidence
 - December- Review evidence for areas of strength and areas of need
 - March- Begin the evaluation and revision process

- April- Report to SBDM, submit to the district updated program review
- Provide annual summary reports to SBDM and faculty regarding each program's overall rating and next steps
 - Writing Committee
 - Arts and Humanities
 - K-3 Committee
 - PLCS Committee

Data Analysis and Academic Progress Committee

- Monthly review of school and district common assessments
- Summarize and report writing program results and goals for improvement
- Research and recommend instructional best practice ideas and innovations
- Summarize and provide three MAP analysis reports to SBDM and faculty members
- Summarize and report an annual comprehensive review of state assessment reporting