

Bylaws

Legal Status and Organization

Historical Background

South Kitsap School District # 402 was created as a consolidated district in 1941. The consolidated district combined the South Kitsap Union High School District with the following elementary districts: Annapolis, Banner, Bethel, Burley, Colby, Frank Givens, Glenwood, Harper, Long Lake, Manchester, Olalla, Pleasant Valley, and Waterman.

The Board, individually and collectively, is committed to full compliance with the provisions of its own policies. In the event of a director's willful and continuing violation of policy, the Board may seek remedy

Legal Description

The legal description of the South Kitsap School District #402 is:

"Beginning at the meander corner common to Section 9 and 16, Township 22 North, Range 2 East W.M.; thence West along the county line to the South West corner of Section 10, Township 22 North, Range 1 West, W.M.; thence North along the county line to the North West corner of Section 3, Township 23 North, Range 1 West, W.M.; thence West along the county line to the South East corner of the South West quarter of the South West corner of Section 33, Township 24 N. Range 1 West, W.M.; thence North to the North East corner of the North West quarter of the North West quarter of said Section 33; thence West to the North West corner of Said Section 33; thence, North to the West quarter corner of Section 28, Township 24 North, Range 1 West, W.M.; thence East to the East quarter corner of Section 27, Township 24, Range 1 West, W.M.; thence North to the West quarter corner of Section 23, Township 24 North, Range 1 West; thence East to the East quarter corner of Section 19, Township 24 North, Range 1 East, W.M.; thence South to the South East corner of said Section 19; thence East to the North East corner of Section 29, Township 24, Range 1 East, W.M.; thence South to the West quarter corner of Section 28, Township 24 North, Range 1 East, W.M.; thence East along the East-West center line of said Section 28 to the meander line of Sinclair Inlet; thence Southwesterly, Northeasterly, and Easterly to the East line of Kitsap County, North and East of Blake Island; thence Southerly and Westerly along said county line to the point of beginning together with all tidelands and oyster lands fronting thereon."

Legal Status

The board of directors of the South Kitsap School District is the corporate entity established by the state of Washington to plan and direct all aspects of the district's operations to ensure quality in the content of the district's educational program and provide students with an opportunity to achieve those skills recognized as requisite to learning.

The bylaws of the board define the organization of the board and its manner of conducting official business. Bylaws may be amended by the board by a majority vote with two week's notice, or by a two-thirds vote without notice. The board's operating policies are those that the board adopts from time to time to facilitate the performance of its responsibilities and may be adopted or amended by a majority vote at any time.

Organization

The corporate name of this school district is South Kitsap School District No. 402, Kitsap County, State of Washington. The district is classified as a first-class district and is operated in accordance with the laws and regulations pertaining to first-class districts.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes, commensurate with his/her ability, to become effective citizens, the board will exercise the full authority granted to it by the laws of the state. Its legal powers, duties and responsibilities are derived from state statute and regulation. Sources such as the school code (Title 28A RCW), attorney general's opinions, regulations of the state board of education (Title 180 WAC), and the State Superintendent of Public Instruction (Title 392 WAC) delineate the legal powers, duties, and responsibilities of the board.

Adopted:

South Kitsap School District Board of Directors

Bylaws

Board of Directors

Number of Members and Terms of Office

The board will consist of five members, elected by ballot by the registered voters of the district. Except as otherwise provided by law, board members will hold office for terms of four years and until their successors are elected and qualified. Terms of board members will be staggered as provided by law.

Newly-elected directors will take office at the first official meeting of the board of directors after the election results have been certified by the county auditor. Prior to beginning their term, directors will take and subscribe to an oath of office, and agree to serve within the framework of the policies of the South Kitsap School Board, and specifically to abide by the Board Members' Code of Conduct (GC-7).

Annual Organizational Meeting

At the first regular meeting at which newly elected board members are seated in election years and at the first regular meeting in December in non-election years, the board will elect among its members a president and a vice president to serve one-year terms, or until their successors are elected.

In addition, a Washington Interscholastic Activities Association (WIAA) representative, and a Washington State School Directors' Association (WSSDA) delegate shall be elected to serve one-year terms, or until their successors are elected. In even-numbered years at the same meeting, a WSSDA legislative representative will be elected to serve a two-year term, or until a successor is elected.

Policies will continue from year to year and board to board until and unless the board changes them.

Vacancies

If a board member is unable to continue to serve as an officer, a replacement will be elected immediately for the unexpired term. In the absence of both the president and the vice president, the board will elect a president pro tempore who will perform the functions of the president during the latter's absence.

Superintendent

The superintendent act as board secretary and perform all the duties as outlined by law. In order to provide a record of the proceedings of each meeting of the board, the superintendent will appoint a recording secretary of the board.

Director Districts

It is the responsibility of the Board of Directors to establish the boundaries of the internal director districts of the school district, and to redistrict the director districts as necessary.

The board of directors, with the assistance of the administration, the educational service district, the state redistricting commission and consultants (e.g., attorneys, demographic experts, etc.) as appropriate, will prepare for the division or re-division of the district into director districts no later than eight months after any of the following:

- A. Receipt of federal decennial census data from the redistricting commission;
- B. Consolidation of the district with one or more other districts into one district;
- C. Transfer of territory to or from the district or dissolution and annexation of the district; or
- D. Approval by a majority of the district's registered voters of a proposition to divide the district into director districts.

The districting or redistricting plan shall be consistent with the criteria and adopted according to the procedure established under law.

Redistricting Procedure

No later than eight months after its receipt of federal decennial census data, the board of directors of the district shall prepare a plan for redistricting its internal or director districts. The plan shall be consistent with the following criteria:

- A. The districts will be as nearly as possible equal in population;
- B. The districts will be as compact as possible and consist of geographically contiguous area;
- C. Population data may not be used for purposes of favoring or disfavoring any racial group or political party; and
- D. The districts will, to the extent feasible and if not inconsistent with the basic enabling legislation for the district, coincide with natural boundaries and shall, to the extent possible, preserve existing communities of related and mutual interest.

During the adoption of its plan, the district shall ensure that full and reasonable public notice of its actions is provided. The district shall hold at least one public hearing on the redistricting plan at least one week before adoption of the plan. Any registered voter residing in an area affected by the redistricting plan may request review of the adopted local plan by the superior court of the county in which he or she resides, within fifteen days of the plan's adoption.

Any request for review must specify the reason or reasons alleged why the local plan is not consistent with the applicable redistricting criteria. The district may be joined as respondent. The superior court shall thereupon review the challenged plan for compliance with the applicable redistricting criteria.

If the superior court finds the plan to be consistent with the requirements of this section, the plan shall take effect immediately. If the superior court determines the plan does not meet the requirements of this section, in whole or in part, it shall remand the plan for further or corrective action within a specified and reasonable time period. If the superior court finds that any request for review is frivolous or has been filed solely for purposes of harassment or delay, it may impose appropriate sanctions on the party requesting review, including payment of attorneys' fees and costs to the respondent district.

Candidate Orientation

Candidates for appointment or election to the board are urged to attend public meetings of the board. All public information about the school system will be made available to them. Additionally, the board directs the superintendent to cooperate impartially with all candidates in providing them with information about school governance, board operations and school programs. Information to board candidates may include:

- A. Notifying the candidate of open meetings of the board, and providing an agenda;
- B. Meeting with the candidate to provide background information on the school system and board service and/or arranging such other candidate orientation sessions as the candidate may reasonably request;
- C. Providing each candidate with access to publications of the district, materials from the Washington State School Directors' Association, the official minutes of board meetings and the district policy manual;

D. Reviewing the district budget and related fiscal documents; and

E. Providing each candidate with information regarding the Public Disclosure Act, Open Public Meetings Act and conflict of interest laws.

Adopted:

South Kitsap School District Board of Directors

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Meetings

Meetings in General

Board meetings will be scheduled in compliance with the law and as deemed by the board to be in the best interests of the district and community. The board will function through (1) regular meetings, (2) special meetings, (3) executive sessions, (4) closed meetings (5) work/study sessions, and (6) emergency meetings.

Any meeting may be adjourned to another time and place with notice given in the same manner as required for special meetings, provided that closed meetings and emergency meetings do not require public notice.

If a quorum is not present, less than a quorum, or the secretary if all members are absent, may order an adjourned meeting. Final action may only be taken in an adjourned meeting on any matters stated in the original meeting notice or agenda prior to the adjourned meeting.

Regular Meetings

Regular meetings will be held at 5:00 p.m. on the first and third Wednesdays of each month (except for the first week of July), at the District Office, 2689 Hoover Avenue SE, Port Orchard, WA 98366, or at other times as determined by the presiding officer or by majority of the board. The proposed agenda of business to be transacted must be posted on the district website not less than twenty-four (24) hours in advance of the published start time of the meeting.

If regular meetings are to be held at other than the regular times, notice of the meeting will be made in the same manner as required for special meetings.

All regular meetings of the board shall be held at the District Office. Meetings scheduled for other locations are special meetings. A regular meeting does not require public notice if held at the time and place provided by board policy above.

Special Meetings

Special meetings may be called by the president or at the request of a majority of the board members. A written notice of a special meeting, stating the time and place of the special meeting and the business to be transacted will be delivered to each board member. Final action may only be taken at a special meeting on any matters stated in the meeting notice.

Written notice will also be delivered to each newspaper and radio or television station that has filed a written request for such notices. Written notice may be delivered personally or by mail, facsimile or electronic mail. The notice must be posted on the district's website.

The district must also prominently display the notice at the main entrance of the District Office as well as at the location of the meeting if the meeting is held at a location other than the District Office.

All required notices must be delivered or posted not less than twenty-four (24) hours prior to the meeting.

The written notice requirement will be deemed waived if a member:

1. Submits a written waiver of notice to the board secretary at or prior to the time the meeting convenes. The waiver may be given by telegram, voice mail, fax, or electronic mail; or

2. Is actually present at the time the meeting convenes, except when attendance is solely to object to the lack of adequate notice.

Executive Sessions

An executive session is a portion of a meeting lawfully not open to the public and in which the participants in the executive session are bound to confidentiality regarding the matters discussed therein. Final action resulting from executive session discussions will be taken only during a meeting open to the public as required by law.

An executive session may be conducted in accordance with RCW 42.30.110.

An executive session may be convened within a regular or special meeting. Before convening into executive session, the president shall publicly announce the general purpose for excluding the public from the meeting place and the time when the executive session will be concluded and the public meeting resumed. The purpose of the executive session should be recorded in the minutes of the public meeting if not stated in the meeting notice or public agenda. The executive session may be extended to a stated later time by announcement of the president at the public meeting.

If an entire meeting is designated as an executive session, no discussion or other action may take place before or after the executive session other than that described in the preceding paragraph.

Closed Meetings

The Open Public Meetings Act does not apply to certain board activities and public notice is not required prior to holding a closed session for any of the following purposes in accordance with RCW 42.30.140:

1. Consideration of a quasi-judicial matter between named parties as distinguished from a matter having a general effect on the public or a class or group; or
2. Collective bargaining sessions with employee organizations or professional negotiations with an employee, including contract negotiations, grievance meetings, and discussions relating to the interpretation or application of a labor agreement, or that portion of a meeting in which the board is planning or adopting the strategy or position to be taken during the course of collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress while in progress.

Work/study Sessions

Work/study sessions are meetings or portions of meetings held more informally to address specific topics in more detail similar to a committee of the whole. If held as a separate meeting, all the requirements for a meeting must be met. No final action is taken on any matters at a work/study session. Typically, regular reports are not received and no public comment is taken at work/study sessions.

Emergency Meetings

In the event of an emergency involving fire, flood, earthquake, possible personal injury or property damage, the board may meet immediately in a special meeting and take official action without prior notification.

Public Meetings

All board meetings will be open to the public and advertised as meetings that are open to the public, with the exception of executive or closed sessions authorized by law. Notice should include that individuals with disabilities who may need accommodation to participate in a meeting should contact the superintendent's office no later than three days before a regular meeting and as soon as possible in advance of a special meeting so that arrangements for the accommodation can be made.

Agenda Planning

To accomplish its stated objectives, the board will follow an annual schedule which includes continuing review, monitoring and refinement of Results policies and continually improving board performance through education and enriched input and deliberation. Accordingly:

1. The planning cycle will begin each year in July in order that administrative decision-making and budgeting can be based on accomplishing a one-year segment of the board's most recent statement of long-term Results.
2. The planning cycle will start with the board's development of its schedule for the next year, and will include:
 - a. Scheduled linkage discussions and consultations with selected groups and persons whose opinions will be helpful to the board.
 - b. Training and discussion on governance matters, including orientation of new directors in the board's governance process and periodic discussions by the board about means to improve its own process.
 - c. Discussion related to Results policies (e.g. presentations by futurists, demographers, community representatives, staff, etc.).
 - d. Scheduled monitoring of all policies.
3. Guided by the board's annual work plan, the board president, in consultation with the Superintendent and with input from directors and the public, will prepare the proposed agenda for board meetings. Agenda items will be numbered in sequence and applicable policy referenced.
4. The consent agenda enables the board to efficiently deal with matters that have been delegated to the Superintendent, but by law must be approved by the board. Throughout the year the board will attend to consent agenda items as expeditiously as possible.
 - a. Items routinely assigned to the consent agenda include meeting minutes, personnel actions, business transactions, expense vouchers, gifts, travel requests, intergovernmental agreements, etc.
 - b. The consent agenda is undebatable.
 - c. An item may be removed from the consent agenda and placed on the regular agenda at the request of any two board members.

Quorum and Attendance

Three directors shall be considered as constituting a quorum for the transaction of business.

Board members are not required to be physically present to attend a board meeting. Any or all board members may attend a board meeting and vote via any communication platform— including videoconference or teleconference-- that provides, at a minimum, simultaneous aural communication between those present, provided: 1) the meeting is properly noticed with any required passwords or authorization codes; 2) the meeting is accessible to the public; 3) the meeting accommodates any member of the public who wishes to participate and 4) the communication platform is generally known and accessible to the public.

Whenever possible, each board member shall give advance notice to the president or superintendent of his/her inability to attend a board meeting. A majority of the board may excuse a board member's absence from a meeting if requested to do so.

The board may declare a board member's position vacant after four (4) consecutive unexcused absences from regular board meetings, if the absences were for reasons other than illness, active or training military duty, or those authorized by resolution of the board.

If a board member is on active duty or training status with the military, the board will grant an extended leave of absence to cover the period of service or training. The extended leave of absence may not have the effect of extending the board director's term. The board also has the authority to

appoint a temporary successor to the absent board member's position. The temporary successor shall serve until the board member's returns or the end of the board member's term.

Meeting Conduct

All board meetings will be conducted in an orderly and business-like manner using the most recent edition of *Robert's Rules of Order Newly Revised* as its parliamentary authority, except when such rules are superseded by board policies. The order of business will be that indicated in the agenda. Any additions or changes in the proposed agenda may be requested by the superintendent or a director and must be approved by majority vote of the directors present.

Counted votes and roll call votes will be recorded in the minutes. The vote of an individual director will be recorded in the minutes at the request of that director or by order of the board. All votes will be approved by majority of those present and voting, unless otherwise required by law. No action will be taken by secret ballot at any meeting required to be open to the public.

An oral roll call vote of all the members of the board is required for the election of board officers, filling a vacancy on the board, or for the selection of the school district superintendent, and a majority vote of all the members of the board is required for any person to be elected or selected for such positions.

Public Comment

The board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. In order to permit fair and orderly expression of such comment, the board will provide a period at the beginning and/or the end of the meeting during which visitors may present to the board. Unless the entire board meeting is conducted electronically, oral public comment will be received only in person.

The board will also allow individuals to express an opinion prior to board action on agenda items that the board determines require or will benefit from public comment. Individuals wishing to be heard by the board will first be recognized by the chair/president.

Individuals, after identifying themselves, will proceed to make comments within the time limits established by the board. An individual will be allowed three minutes and a representative of a group five minutes. Only district stakeholders will generally be allowed to address the board. The chair/president may interrupt or terminate any statement when it exceeds the time limits, or is vulgar, obscene or grossly disruptive to the board process. Any restriction imposed must be viewpoint neutral. The board as a whole has the final decision in determining the appropriateness of all such rulings.

Public comment is an opportunity to direct comments to the board and is not intended to permit interrogation of the board or its members nor to engage in a dialogue. Any specific questions raised in the public comment will be addressed to the chair/president, who will typically refer the question to the superintendent for a detailed response to the individual at a later time. The superintendent will then also report the response to the board at a subsequent public meeting.

Minutes

The secretary of the board keeps the minutes of all board meetings. Minutes become official after approval by the board's next regularly scheduled meeting and must be retained as a permanent record of the district. Minutes must be comprehensive and shall show:

1. The date, time and place of the meeting;
2. The presiding officer;
3. Members in attendance;
4. Items discussed during the meeting and the results of any voting that may have occurred;
5. Action to recess for executive session with a general statement of the purpose;
6. Time of adjournment; and
7. Signature of presiding officer and date minutes approved.

When issues are discussed that may require a detailed record, the board may direct the secretary to record the discussion. Audio or video recordings will be maintained on file as follows:

1. If the recording is transcribed verbatim (word for word), the recording must be retained for one (1) year; or
2. If the recording is only used as a reference to create written minutes, the recording must be retained for six (6) years.

Unofficial minutes will be provided to board members in advance of the next regularly scheduled meeting of the board and will also be available to other interested citizens. Minutes need not be read publicly, provided that members have had an opportunity to review them before approval.

A file of permanent minutes of all board meetings will be maintained in the office of the board secretary to be made available for inspection upon the request of any interested citizen.

During the interim between meetings, the office of the superintendent, as board secretary, shall be the office of the board. The district's public records shall be open for inspection in the manner provided by and subject to the limitation of the law.

Adopted:

South Kitsap School District Board of Directors

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School Board Student Representatives

The Board recognizes the value of communicating with students and receiving their input and perspective. To foster this relationship with the students, the Board will seat up to two student representatives to sit with the Board as non-voting advisors.

1. A student representative will be selected by the Board to serve a term of one year, or until their successor is selected, with the term beginning July 1st.
 - a. A student representative must be enrolled as a student in the District.
 - b. Selection will be by the Board from among those students who submit a letter of intent accompanied by parental permission and letters of endorsement from two adults, at least one of whom is a faculty member or school administrator.
 - c. Vacancies will be filled in the same manner, with temporary appointments made by the Board.
 - d. Student representatives serve at the discretion of the Board and may be replaced as deemed appropriate by the Board.
 - e. Student representatives will receive 0.5 elective credit for each semester of service.

2. Student representatives will be expected to:
 - a. Maintain academic standards indicating that participation as a student representative does not impair their academic progress.
 - b. Attend all regular Board meetings and at least 60% of special and work/study meetings of the Board. The student representative will not attend executive sessions.
 - c. When feasible, attend conferences, workshops, Washington School Directors Association and other events attended by a majority of Board members. Associated expenses for such participation will be covered by the District.
 - d. Have the same access as Board members to documents in preparation for Board meetings and be included in appropriate communications directed to the entire Board.
 - e. Fully participate in Board deliberations as if a member of the Board, with the exception that student representatives will not vote or make motions.
 - f. Participate with Board committees at the discretion of the Board.
 - g. Serve as a liaison between the Board and both the student body associations and individual students, reporting to and conferring with individual students and with student councils as those councils deem appropriate.
 - h. Have school absences excused when duties as a student representative conflict with regular school time.

3. Nothing in this policy is intended to preclude or discourage other students from attending and addressing the Board in the same manner as any other members of the community.

Adopted:

South Kitsap School District Board of Directors

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Compensation and Reimbursement for Expenses

The Board wishes to demonstrate judicious stewardship of the public funds entrusted to its care, while acknowledging the costs in both time and money of Board service.

Each director may receive compensation of fifty dollars per day or portion thereof for attending board meetings and for performing other services on behalf of the school district, for the following activities:

- A. Attending regular or special meetings of the board;
- B. Serving as a designated representative of the board, including, but not limited to, such activities as: school committees, community development and district committees, collective bargaining, etc.;
- C. Attending board-approved training and/or development activities, including, but not limited to: regional, state, or national school board association conferences, board inservice meetings, etc. This may also include time involved in traveling to and from the activity; and
- D. Attending special board-related activities when approved by the board in advance, including, but not limited to: building dedications, commencement activities, staff retirements, and other such ceremonies.

Such compensation shall come from locally collected excess levy funds available for that purpose, and shall not cause the state to incur any present or future funding obligation. Total compensation for a calendar year shall not exceed four thousand eight hundred dollars (\$4,800.00), plus reasonable expenses incurred for travel, meals and lodging.

Any board member may waive all or any portion of his/her compensation for any month or months during his/her term of office, by a written waiver filed with the district. The waiver may be filed any time after the director's election and before the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

A board member shall submit a monthly claim which verifies the nature and amount of approved activities for which compensation is claimed during the month. A director is only eligible to make one compensation claim for a given day.

Since the directors of a school district are municipal officers who fix their own compensation, they may not increase their own compensation during their current terms of office pursuant to Article 30, Section 1, and Article 11, Section 8 of the State Constitution.

The compensation provided in this section will be in addition to any reimbursement for expenses paid to such directors by the school district.

The actual expenses of directors while traveling to and from and attending board meetings may be paid. The expenses of directors who attend conferences or meetings as representatives of the district may be paid. Such expenses for conferences may be paid in advance. A director may be reimbursed for gratuities not exceeding customary percentages for the cost of meals as well as reasonable amounts for such services as baggage handling when the costs are incurred while the individual is engaged in district business or other approved travel.

Adopted:

South Kitsap School District Board of Directors