

**NEVADA CITY SCHOOL OF THE ARTS
CHARTER GOVERNANCE COUNCIL
BYLAWS**

ARTICLE 1: NAME

The name of this organization shall be the Nevada City School of the Arts Charter Governance Council, hereinafter known as the CGC or the board.

ARTICLE 2: PURPOSE

The purpose of the CGC is to govern the Nevada City School of the Arts in accordance with its school charter. In turn, the school charter conforms to all provisions and requirements of California state charter school law.

Governance responsibilities encompass all operations of the school and include, but are not limited to, the following:

1. Curriculum/Student Achievement
2. Finance
3. Instruction
4. Personnel
5. Policies and procedures
6. Student Discipline

In the exercise of its responsibilities, the CGC shall align all of its actions with the vision and mission of the school.

The CGC may initiate, carry on and/or terminate any program or activity, or may otherwise act in any manner which is not in conflict with or inconsistent with or preempted by law, and which is not in conflict with the directives of the Nevada County Superintendent of Schools.

ARTICLE 3: DUTIES OF CGC

The duties of the CGC include, but are not limited to, the following:

1. Establish educational policy.
2. Assure that all required reports are made in due form.
3. Encourage and provide for communication of school matters to the public.
4. Transact school business at regular meetings or at special meetings called for such purposes.
5. Hire and evaluate the School Director.
6. Receive reports and recommendations made by the Director.
7. Employ or dismiss employees in consultation with the Director.
8. Provide a mechanism for the appeal of complaints by employees, students, parents and residents except where another procedure is prescribed by law.
9. Hold an annual organizational meeting in August to elect a President, Clerk and Treasurer and to establish the regular meeting date schedule for the year.
10. Approve the academic program, assuring compliance with applicable state requirements.
11. Adopt an annual school budget after due consideration of such administrative and financial reports as may be required.
12. Approve the annual school calendar.
13. Approve the minutes of board meetings.
14. Provide for the facility needs of the school.
15. Contract for goods and services on behalf of the school.

16. Review the school strategic plan on an annual basis.
17. Convene as the site board when requested by the director.
18. Provide goals for academic progress.
19. Evaluate academic progress.
20. Form standing or special committees as needed.
21. Amend the bylaws and charter as needed.
22. Assume responsibility for, and promote the welfare and improvement of the school.

ARTICLE 4: DUTIES OF CGC MEMBERS

The duties of the CGC members include the following:

1. Abide by the Bylaws of the CGC.
2. Attend board meetings on a regular basis.
3. Follow through on any responsibilities undertaken as a CGC member.

If it is determined that a board member is not performing adequately, that member may be recalled by a majority vote of the voting members of the Council. The Council may then appoint a temporary member to fill the vacant seat.

ARTICLE 5: AUTHORITY

The CGC is the unit of authority.

Apart from the normal function as part of the unit, a board member has no individual authority.

Individually a board member may not commit the CGC or the school to any policy, act or expenditure.

A board member does not represent any segment of the community but rather is a part of the body that represents and acts for the community as a whole.

ARTICLE 6: CODE OF CONDUCT

All members of the CGC agree to abide by the following:

1. Members will practice and maintain a respectful and friendly attitude in all interactions with other Council members and guests.
2. No member of the Charter Governance Council will speak for, or in the name of, the whole board unless by explicit direction of the CGC.
3. When a CGC decision has been reached, all CGC members, even those who may have voted against it, will support that decision.
4. Any CGC member who may wish to criticize or oppose any specific CCG action in the mass media or by other public means may do so as a private citizen but will refrain from doing so when identified as a CGC member.
5. Members shall abide by the rules and regulations of the Brown Act open meeting laws.
6. Members shall maintain confidentiality on all matters regarding personnel, student and family information. Such confidentiality is both a legal requirement and an ethical necessity.
7. Members will abide by the Statement of Agreement for the Charter Government Council.

The President of the Council is responsible for assuring adherence to this code of conduct.

ARTICLE 7: MEMBERS, REPRESENTATION, TERM AND VOTING RIGHTS

Members:

The CGC shall consist of a minimum of 8 and a maximum of 10 members:

- Two main lesson faculty members selected by the faculty.
- Three to five parent members elected by the parent body.
- One representative from the arts program, selected by the arts faculty.
- One representative from the community-at-large, selected by the CGC.
- The School Director (non-voting)

Term of Office:

The term of office for all representatives other than the School Director shall be two years, staggered for purposes of continuity.

The term runs from July 1st of the first year of service through June 30th of the second year.

Voting Rights:

All members of the CGC shall be voting members with the exception of the School Director.

No voting member may simultaneously represent more than one group, that is, each voting member uniquely represents the faculty or the parents or the community.

ARTICLE 8: VACANCIES AND REMOVAL

Vacancies:

Vacancies are filled temporarily by Council appointment.

The temporary replacement holds office until a permanent replacement is selected by the appropriate group using the replacement process as established by that group, or, for the remainder of the term of the member replaced.

If less than a minimum of representatives from the parent body chooses to run in an election, those representative places shall be considered vacant.

Removal:

If the CGC determines that a Council member is not performing his or her duties adequately, that board member may be recalled by a majority of the voting members of the board. The position from which a member has been recalled is then considered a vacancy.

ARTICLE 9: OFFICERS

9.1 Enumeration and Term.

The officers of the CGC are: President, Clerk and Treasurer.

The officers are elected by the board at the first meeting of the new school year, and serve for one year. Any officer may succeed him or herself in office, or may assume another office, so long as he or she is elected by the CGC.

9.2 Duties.

Duties of the President include, but are not limited to:

- Coordinates preparation of meeting agendas and presides at meetings.
- Appoints a clerk pro tem in the absence of the elected clerk.
- Insures proper parliamentary procedure and adherence to board policies.
- Coordinates the annual calendar of the CGC.
- Appoints or provides for the selection of committees.
- Signs such papers as are necessary or required by law.
- Offers resolutions, discusses questions and votes on matters requiring a vote.
- Performs such other duties as prescribed by law or board action.
- Appoints an acting President in the absence of the President.

Duties of the Clerk include, but are not limited to:

Maintains all Council records including correspondence.
Ensures the minutes of Council meetings are taken.
Coordinates public access to agendas and minutes.

ARTICLE 10: MEETINGS

All CGC meetings are conducted in accordance with the California Brown Act open meeting laws.

10.1 Regular Meetings:

Regular meetings are held on alternate Fridays with consideration given to the school schedule and are determined within the first two meetings of the new school year. No regular meetings are held during the month of July.

10.2 Special Meetings

Special meetings may be called by the President, or a majority of the Council, at any time with 24-hour prior notice to the public and the proper posting of agendas as required by law.

10.3 Closed Session

The CGC may adjourn into closed session, which is not a public meeting, as required or otherwise permitted by the Brown Act or other California law. When a closed session is planned at any regular or special meeting, the agenda shall so state the item(s) to be considered in accordance with the Brown Act.

10.4 Quorum

A quorum, both for the Call to Order and for matters requiring a vote, consists of a simple majority of the voting members.

10.5 Order of Business

The order of business at each meeting shall follow the approved agenda.

10.6 Minutes

Written minutes of all public board meetings shall be maintained by the clerk. The minutes shall record all actions of the CGC.

The minutes of the previous meeting shall be reviewed and approved before being entered in the official record of the CGC.

Official minutes shall be kept by the CGC President, School Director, and in a public record by the clerk.

ARTICLE 11: CONFLICTS OF INTEREST

In order to avoid conflicts of interest and any appearance of impropriety, a CGC member may participate in discussion but may not vote on matters that directly affect his or her individual welfare or directly affects the individual welfare of any member of his or her immediate family. "Individual welfare" includes, but is not necessarily limited to, economic welfare and excludes matters which directly affect a group of at least eight (8) persons besides the person in question.

In addition, faculty who are voting members of the CGC may participate in the discussion but may not vote on matters related to:

- The setting of salary and or benefits for faculty
- The discipline and or dismissal of faculty

ARTICLE 12: PUBLIC PARTICIPATION AT MEETINGS

The Charter Governance Council encourages public attendance at its meetings.

Individuals may attend any meeting and address the CGC during the Public Forum period. (Note: the Brown Act prohibits the CGC from responding to such public comments.) Public forum comments may be limited to 3 minutes.

In addition to Public Forum, individuals may submit a letter to the CGC. The name of the individual is to be included in the letter and it should be submitted to the School Director or the CGC President at least 24 hours in advance of the meeting.

Individuals may attend any meeting and request an opportunity to speak on an agenda item.

Individuals may submit a written request to be included on the meeting agenda. Such requests should be submitted to the School Director or the CGC President at least one week in advance of the meeting. Requested items will be agendized at the discretion of the President in consultation with the School Director.

Comments or remarks reflecting adversely upon personal character or motives, racial, religious, economic or political views are out of order and such remarks are grounds for summary termination of the person's privilege of address.

ARTICLE 13: CHARTER GOVERNANCE COUNCIL RECORDS

Accessibility to the following CGC records, which are public records, may be granted to any citizen during normal business hours:

- Approved budget
- Statistical data
- Council meeting agendas and minutes
- Reports, notices, bulletins and memoranda
- Official communications between governmental entities

When accessibility to such records is granted, examination will be made in the presence of an employee regularly responsible for the maintenance of the records.

A fee, not to exceed the cost of reproduction, may be charged for such records.

The following are not public records and access is denied:

- Personnel records
- Pupil records
- Personal correspondence

ARTICLE 14: AMENDMENTS

These bylaws may be altered, amended or repealed by the affirmative vote of a simple majority of the CGC at any meeting in which it is appropriately agendized.

The proposed amendment must be read at two regular CGC meetings before being voted upon. The Charter Governance Council shall not alter, amend or repeal any bylaw in conflict with the state law.

ARTICLE 15: LIABILITY

The Nevada City School of the Arts shall provide liability insurance necessary to protect its corporate body and its employees, including the Charter Governance Council and its officers, from any judgment as a result of suits alleging their liability in such affairs as equal opportunity, improper discharge of employees,

or negligence or other act resulting in accidental injury to any person or to property damage in or out of the school building when the above named insured are acting in the discharge of their duties within the scope of their employment and/or under the direction of the CGC.

Approved and adopted by the Charter Governance Council on June 1, 2007