

MARIA MONTESSORI CHARTER ACADEMY CHARTER COUNCIL GOVERNANCE BYLAWS

ARTICLE I. GOVERNANCE

The governance structure of the Academy is visually represented by a triangle within a circle. As a public school, at the outer circle sits the academy's sponsoring school district. The points of the triangle are as follows: The upper point represents the Charter Council; the lower right point represents the Parent Association; the lower left point represents the Executive Director. . The Executive Director chairs an Executive Committee which consists of: the Director of the School, the President of the Charter Council, the Chair of the Program Committee, the President of the Parent Association and any other advisors the Director chooses to invite. The Charter Council, the Program Committee, the Parent Association and the Executive Committee each meet at least monthly.

ARTICLE II. THE CHARTER COUNCIL

Section 1. Role of the Charter Council. The Charter Council interprets the Mission and Vision of the school and clarifies its philosophy to all stakeholders. They provide leadership in the process of on-going strategic planning and self-study in conjunction with the Executive Director and other stakeholders of the school. The Charter Council formally adopts long-range plans and provides structure for their implementation. The Charter Council selects the Executive Director to administer the school and provides support and formal periodic evaluation of performance. The council assumes a primary role in Fund Development for the school, assuring that sufficient operating funds are available and approving the annual operating budget. The Charter Council authorizes policies and contracts that are used to fulfill the mission. These policies govern the day-to-day operation of the academy in all areas of concern to the Charter Council: staffing approval, legal, financial, facility planning, definition of programs and strategic direction. The Charter Council, in collaboration with the Executive Director, ensures that policies are in place to see that laws and regulations are followed and that the day-to-day operation is consistent with Charter Council approved policy as well as the mission, vision and philosophy of the charter. Charter Council members serve as ambassadors for the school, promoting its successes, proactively creating a positive relationship in the community and building partnerships with individuals and organizations that share its values and philosophy.

Section 2. Charter Council Agreements. Charter Council members shall sign and agree to the Charter Council Member Agreement and the Conflict of Interest Agreement. This shall be done on an annual basis. The Conflict of Interest Agreement is from the sponsoring school district and is considered a draft. This form is currently being revised by the sponsoring school district. The current draft will be superseded upon receipt of the newly updated one.

Section 3. Representation. The Charter Council shall be considered full at 12 members. Three of these members will be ex-officio. They are:

The Executive Director

The Business Officer

An appointee of the sponsoring School District

Voting members will consist of the following:

2 MMCA teachers

1 Non-employee Public educator

(may be an MMCA parent or retired professional)

1 Non-employee, trained and credentialed Montessori teacher

(may be an MMCA parent or retired professional)

2 Community professionals

3 MMCA parents

The Nominations Committee, a sub committee of the Governance Development Committee, will accept applications for the above voting members. Recruiting shall be an on-going process, but should start no later than Spring for the following Fall elections Attempts will be made by the Nominations Committee to recruit applicants from a wide base of expertise, knowledge and professional skill. Examples of considerations include:

- Academic/Education
- Organization Development
- Financial Management
- Community Development
- Administration/Management
- Business/Corporate
- Banking/Investments/Trusts
- Fund Raising
- Charter School Industry/Regulations
- Law/Government
- Marketing/Public Relations/Sales
- Real Estate/Developer
- Facilities/Architecture/Engineering
- Strategic Planning

Section 4. Elections. The following steps will be taken for the election process:

1. Individuals may be recommended or recruited by anyone with interest in MMCA or may volunteer themselves for consideration as Charter Council members. Interested parties should contact the Nominations Committee to initiate the process. Application forms will also be available in the office and on the web.
2. Interested parties will be given information on the role of a Charter Council member, time commitments, benefits, responsibilities and qualifications as well as an application form to complete and return to the committee. A background packet, similar to the packet distributed to prospective families will also be made available.
3. The committee will accept applications on an on-going basis. Information-sharing interviews between individual applicants and the Nominations Committee will take place at mutually agreed upon times
4. A slate will be developed and communicated to the school population, in writing and on the web, by mid-November. The slate will include background information on the candidates. Eligible Families may vote for individual candidates. If more candidates apply than there are

positions to fill, the candidates with the highest number of votes will be elected. In the event of a tie, a run-off will be held.

5. Voting will take place at the November regularly scheduled Charter Council meeting at 7 p.m. (NOTE: The meeting may begin earlier. Voters may elect to attend just for the vote.) There will be one vote per family. If more than one vote is cast per family, those votes will not be counted.
6. Absentee ballots shall be available on the web and at the MMCA office and must be submitted to the Business Manager by 5 p.m. the day prior to the vote. Faxes are acceptable. MMCA's fax number is 624-7305. Please confirm receipt of your fax.
7. Ballots will be counted on the evening of the vote. Each candidate must pass by one half of the eligible families. If one half of the eligible families do not cast ballots, the Director, or their appointee(s) have 3 working days in which to contact those who did not vote in an effort to obtain their ballots. If, at the end of three working days, one half votes have not been cast, the process will be re-initiated. At the successful conclusion of balloting, the results will be posted on the web and in the office by noon the following day.
8. Newly elected council members will attend Charter Governance Orientation and training during the month of January. The training will be conducted by a facilitator or facilitators to be named by the Director. Training Topics shall include, but not be limited to, the Charter School movement, Montessori Philosophy, their Roles and Responsibilities as council members, and the Brown Act. Interested parties may observe the council training. A Charter Governance Binder will be available for viewing in the office and at the training.
9. January will mark the first meeting of the new council. Thirty minutes at the opening of each council meeting will be committed to council training until the process is completed and as needed thereafter. Retiring council members are invited to attend the January and February council meeting for the purpose of mentoring the new council by participating in a post meeting evaluation discussion. The first order of business at the first Charter Council meeting will be to discuss organization of the council, including selection of Officers.

Section 5. Terms of Office. The term of office for Charter Council members is for one year. There are no term limits.

Section 6. Termination of Membership. Any Charter Council member may resign by filing a written resignation with the Charter Council. Any member may be removed by a two-thirds (2/3) vote of the total voting membership of the Charter Council under the following criteria:

- Failure to attend two or more meetings of the Council in a calendar year;
- Failure to participate in the Council assessment of its effectiveness as a Council as described above;
- Failure to carry-out the general duties of a member of the Council and/or to support, develop, and sustain the purpose, vision, mission, goals and Founding Core Values of this charter;
- Based upon violations of state or federal criminal codes.

Notice of such intended action shall be included in the agenda of the meeting at which such action is to take place.

Section 7. Removal Process. Removal of a member of the Council may be initiated by any member of the Council or by a majority vote petition of eligible families. The Council will hold a public meeting to consider any request or petition for removal within ten (10) school attendance days of

receiving such a request or petition. Such meeting will be conducted with regard for due process and in public, except where the individual requests a closed session pursuant to individual rights of personal privacy or where the Council determines a closed session is required for reasons of potential litigation and due process. Where a closed session is held, the final action of the Council will be taken in public. A decision to remove a member of the Council may be made by a two-thirds (2/3) vote providing a quorum of the board is present and the criteria and process provided above are satisfied.

Section 8. Vacancy. A special election shall be scheduled as soon as possible according to the procedures in Section 4 of Article II. The person(s) elected will finish the term of the vacancy they are filling. The Charter Council may appoint interim member(s) to serve on the Charter Council until a special election may be held.

ARTICLE III. CHARTER COUNCIL OFFICERS

Section 1. Officers. The officers of the Charter Council shall be elected annually from among the voting Charter Council members. Officers shall consist of a President, Parliamentarian, Fiscal Officer, Communications Officer and such other officers as the Council may deem desirable. In accordance with Conflict of Interest Rules, the member selected to be President of the Charter Council shall not be related to the President of the Parent Association, the Chair of the Program Committee or the Executive Director. This includes, but is not limited to, spouses, former spouses, parents and siblings.

Section 2. President. The President shall preside at all Council meetings in a fair and impartial manner, striving to promote consensus on the Council. The President shall prepare the agenda for each Council meeting and provide it to the Recorder to distribute in accordance with Article IV. The President shall act as official spokesperson, for the Council and in accordance with Charter Council policies, to the public and the sponsoring School District and School Board. The President shall approve, sign and transmit all pertinent documents requiring Council action. The President shall also ensure that Council meetings are conducted in an orderly manner and shall have the power to exclude disruptive individuals from Council meetings. The Charter Council President shall serve on the Policy Development/ Governance Committee.

Section 3. Parliamentarian. The Parliamentarian shall attend all meetings of the council and give necessary advice on parliamentary procedure when requested. This includes, but is not limited to, knowledge of the Brown Act, keeping the council focused on the topic being discussed, apprising the council of time constraints, helping to maintain orderly discussion and ensuring that every council member who wishes to debate a topic has the opportunity to do so. The Parliamentarian is entitled to all rights and privileges of membership including the right to make motions, debate and vote. The Parliamentarian acts as President in the absence of the President, with full authority.

Section 4. Fiscal Officer. The Fiscal Officer shall ensure that a balanced budget is presented to the Charter Council for annual vote, in time to be forwarded to and approved by the sponsoring School District School Board. The Fiscal Officer shall take an active role in developing long-range policies regarding fiscal soundness for the school, including fundraising. The Fiscal Officer shall serve on the Finance Committee. The Fiscal Officer shall also serve on the Fundraising Committee and act as a liaison to the Parent Association members implementing the Charter Council's fundraising policy.

Section 5. Communications Officer. The Communications Officer shall be the custodian of the Council records and ensure that minutes of all meetings of the Council are taken. The Communications Officer shall see that all notices are duly given in accordance with the provisions of these bylaws. Communications Officer shall keep a register of the address, telephone number and email address (if any) of each Council member, which shall be furnished to the Communications Officer by such members. The Communications Officer shall ensure that all members of the Council are provided copies of all newsletters, notices and pertinent communiqués distributed to the school population. In general, the Communications Officer shall perform or arrange for performance of all duties incident to the office of secretary and such other duties as from time to time may be assigned to the office by the President of the Council. The Communications Officer shall serve on the Communications Committee.

ARTICLE IV. CHARTER COUNCIL MEETINGS

Section 1. Brown Act. Maria Montessori Charter Academy is a public school. Therefore, all meetings of the Charter Council shall be held in accordance with the requirements of the Brown Act. A majority of the members of the Charter Council, not counting any vacancies, shall constitute a quorum for the transaction of business. All Charter Council members are subject to conflict of interest restrictions. In the event that any members of the council are legally disqualified from participating in decision-making on a particular action item, a majority of the remaining voting members of the council shall constitute a quorum for that particular action item. A minimum of four (4) members must be in favor, unless the number of disqualified precludes a majority of the council from voting, at which point the remaining eligible members must be in favor. If any discrepancy arises between this Article and the Brown Act, the Brown Act shall take precedence. All Charter Council members shall read, be familiar with and carry a copy of the Brown Act to council meetings.

Section 2. Regular Meetings. The Council shall meet regularly on the 4th Monday of the month. If this date falls on a Holiday, or the school is otherwise not in session, the Regular Meeting shall be moved to the 3rd Monday of the month. Notice of regular meetings, including an agenda, shall be given to each Council member by mail, email or fax as per the member's choice. The agenda shall be set forth in a bulletin, newsletter or other communication distributed through the students of the school. The agenda shall also be posted at the entrance to the school office in full view. Agendas for Regular Meetings must be so communicated at least 72 hours prior to the meeting. Regular meetings are held on a consistent date to optimize timely submittal of documents to the sponsoring School District School Board and to reflect the best practices of school boards. Prospective members will be aware of the calendar constraints in making their decision whether or not to seek office. The agenda needs to be displayed at the school plus at least two (2) other public places.

Section 3. Special Meetings. Special meetings may be called by the President or by majority vote of the Charter Council. Notice of a special meeting, including an agenda, shall be posted at the entrance to the school office in full view at least twenty-four (24) hours in advance of the date of the meeting. Only such business shall be conducted at a special meeting as shall have been noticed in the agenda. The agenda needs to be displayed at the school plus at least two (2) other public places.

Section 4. Emergency Meetings. Brown Act rules shall apply to these extreme situations.

Section 5. Quorum. The presence of a majority of the total voting membership shall be required in order to constitute a quorum necessary for the transaction of the business of the Charter Council at any regular or special council meeting.

Section 6. Deliberations. All council meetings shall be open to the public and the public is encouraged to attend. Anyone wishing to comment on any subject not on the agenda shall have an opportunity, not to exceed five (5) minutes, near the start of the council meeting. Anyone wishing to comment on a proposed action item shall have an opportunity, not to exceed five (5) minutes, prior to vote on that item. Granting additional time to speak shall be at the discretion of the Parliamentarian. The ideas and opinions of each council member are equally important in arriving at decisions. Council members shall consider all points of view and shall solicit the advice of all interested parties as needed.

Section 7. Voting. Each Council member shall be entitled to one vote and may cast that vote on each action item submitted to a vote of the Council. When consensus cannot be met, decisions will be made by majority vote. Council members must be present in order to vote. With respect to procedures governing voting matters, the Brown Act shall be applicable to issues not addressed herein. No matter may be voted upon which goes against the fundamental mission and vision of the Charter.

ARTICLE V. EXECUTIVE DIRECTOR

Section 1. Administrative Authority. Day-to-day administration of the Academy is managed by the Executive Director, and to the extent practical, in collaboration with teams of students, parents, teachers and administrators. The Charter Council approves substantive policy issues while the Executive Director has responsibility for policy issues that deal with the more day-to-day running of the school. . The Executive Director chairs the Executive Committee, which shall have responsibility for creating an annual business plan and submitting it to the council for approval. The Director will have the additional responsibility of assisting in the recruitment of the most qualified staff available and involving that staff along with members of the Program Committee in the creation of an education plan to be reviewed at least annually.

Section 2. Executive Committee and Advisory Panel. The Executive Director chairs the Executive Committee, which consists of the Executive Director, the President of the Charter Council, the Chair of the Program Committee, the President of the Parent Association Council and any other advisors the Director chooses to invite. The Executive Director may call upon people to act in an Advisory capacity and may ask said members of the Advisory Panel to attend the Executive Committee meetings. These meetings shall take place at least monthly, at mutually agreeable times.

Section 3. Authority regarding Committees. The Executive Director shall have the power to form Standing and Special Committees as he/she deems necessary as follows: to research, develop and present proposals to the Council; to perform tasks requested by the Council; to provide for the governance and welfare of the school community; to help the school achieve its vision and to support the operation of the school.

Upon creation of a committee, the Executive Director shall identify the chairperson or make provision for selection of a chair person, designate the composition or provide for the selection of membership, define its tasks and decision-making authority, reporting and input requirements, including timelines, and provide a budget if necessary.

ARTICLE VI. COMMITTEES

Section 1. Standing and Special Committees. The Executive Director may establish and abolish such Standing and Special Committees as he/she may desire. No standing or special committee may exercise the authority of the Charter Council. The standing committees of the Council shall include but not be limited to:

1. Facilities (includes site and equipment)
2. Finance (includes budget and funding)
3. Fundraising (includes grants and donations)
4. Program (includes curriculum, assessment, and materials)
5. Personnel/Teacher Staffing
6. Marketing/Public Relations
7. Policy Development/Governance
8. Before and After Child Care
9. Legal (includes legislation)

Section 2. Committee Membership. Committee membership is open to MMCA parents, teachers and administrative staff as well as all members of the public. Charter Council members shall serve on at least one standing committee. Parent Association officers shall serve on at least one standing committee. The Executive Director appoints the Chair of each Standing and Special Committee. The Chairs of each committee will staff the committee, organize meetings, and report to the Executive Director and Charter Council as necessary. The MMCA teacher, the Non-employee Public educator and the Non-employee, trained and credentialed Montessori teacher shall serve on the Program Committee.

Section 3. Committee Chair responsibilities. The chairperson of any committee established by the Executive Director shall be responsible for the following: Establish committee membership and set goals; Call meetings of the committee; Set the agenda; Ensure that minutes and other records are made and kept; Report to the Executive Director; Report to the Charter Council at the request of the Charter Council President and Establish sub-committees as necessary to carry out the functions of the committee.

Section 4. Committee provisions. The committees shall keep minutes of meetings that include those in attendance, those absent, summary of all actions, committee reports and recommendations. Copies of each committee's minutes shall be kept in a notebook and given to subsequent committee heads. Any member of the school community may be appointed as a member of any committee. Members of the neighborhood community and the school/business partnerships are invited to participate on committees.

ARTICLE VII. PROGRAM COMMITTEE

Section 1. Role of the Program Committee. The mission of the Program Committee at MMCA is to ensure that the school meets the charter's description of a rigorous academic program of the highest international standards. All students will be individually challenged to meet their greatest academic potential while adhering as much as possible to the unique nature of the Montessori methodology.

This adherence will be self-evident in the instructional and operational practices reflected in a quality, personalized and comprehensive curriculum. Through continuous efforts, the Program Committee will promote educational processes, strengthening the core academic program and seeking compatible enrichment components guided by the Montessori philosophy and the ideals set out in the charter. Changes and improvements will be made while being mindful that all students are individuals working toward a cohesive, educated community.

Section 2. Program Committee Responsibilities. Development of a program oversight plan that includes:

- A clear statement of goals (short-term and long-term) which further the Charter and the results and benefits of these goals
- An analysis of the effectiveness of the current programs and recommendations for on-going improvements
- A description of the strategies to be used to reach the stated goals, including the allocation of funds and the use of staff development days to support the improvement strategies
- A description of how the school will ensure that the strategies are successfully implemented, including timelines and persons responsible
- A description of how the improvement efforts will be evaluated for effectiveness

Typical Topics of Consideration for Program Committee include:

- Education of Program Committee team to the content and process of their role
- Establishment of the essential components necessary for success as a genuine Montessori school
- Establishment of the essential components necessary for student success as a participant in a Public Charter school
- Analysis of the strengths and areas of development needed for MMCA staff as related to Montessori expertise, CA Certification, and other specifics of student learning (i.e. classroom management, special education, parent communication, ...)
- Assessment, evaluation and recommendation of appropriate staff training options, including operational and financial supports
- Establishment of priorities for potential enrichment programs. Research, evaluate and recommend implementation strategies, including financial and operational supports
- Assessment, evaluation and recommendation of operations of the site as they relate to program needs (i.e. drop-off, pick-up, park days, lunch program, field trips, volunteers in the classroom...)
- Evaluation and further development of Role Descriptions, especially as it relates to necessary skills and education, for program staff jobs. Recommendation to and coordination with hiring committee

Section 3. Program Proposals. The Program Committee shall hear proposals for program changes or additions suggested by members of the community. If the community member(s) are not satisfied with the decision of the Program Committee with regard to their proposal, they have the right to bring the matter before the Charter Council. Program Committee shall prepare a report for the Charter Council as to the nature of the proposal, the decision made and the reasons for their decision. The community member(s) may also provide a report prior to addressing the Charter Council.

ARTICLE VIII. PARENT ASSOCIATION

Section 1. Parent Association. Parents of children attending MMCA shall create a Parent Association to promote student body education and welfare through the collaborative efforts of parents, teachers, administrators and students. The Parent Association shall provide parents the opportunity to serve and improve the school, and shall encourage families to give of their time to promote the success of the Academy and its programs. The Charter Council and Executive Director will work with the Parent Association to develop parent involvement policies and strategies.

Section 2. Parent involvement. Parent involvement includes, but is not limited to: participation in the development of the Individual Learning Plans; participation with homework and support of weekly assignments; attendance at Parent Association meetings/educational meetings at least four (4) times per year; attendance at progress report meetings with the teacher; service to the academy.

Section 3. Service to the Academy. Service to the Academy may include, but is not limited to: serving on the Charter Council; serving on a Standing Committee; providing physical labor; providing professional or para-professional services; staffing field trips. The Parent Association/Student Enrichment Committee shall recommend to the Charter Council what actions constitute service to the Academy in sufficient amount to keep the school solvent and progressive.

ARTICLE IX. COLLABORATION

Section 1. The Charter Council President, the Executive Director and the President of the Parent Association shall meet at least monthly to collaborate and maintain good lines of communication to ensure the best possible education for the children attending the Maria Montessori Charter Academy.

ARTICLE X. AMENDMENTS

Amendments to the Bylaws or to the Charter may only be voted on by the Charter Council after a public hearing has been held to provide an opportunity for input from the school community and other interested parties. All voting members of the Charter Council must vote in favor of the amendment in order for it to pass. Amendments must be approved by the sponsoring School District School Board prior to becoming effective. In the event the sponsoring School District School Board does not approve the amendment, it becomes null and void. In the event of an impasse, a facilitator may be utilized. All voting members of the council must find the facilitator acceptable.