

BYLAWS  
of the  
BITNEY COLLEGE PREPARATORY HIGH SCHOOL  
CHARTER COUNCIL

**ARTICLE 1 NAME**

The Bitney College Preparatory High School, hereinafter known as the High School, is governed by the Bitney College Preparatory High School Charter Council, hereinafter known as the Charter Council or Council.

**ARTICLE 2 PURPOSES AND DUTIES OF THE CHARTER COUNCIL**

The Charter Council may initiate and carry on any program, 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.

The Charter Council shall act as a committee of the whole in final consideration of all matters.

Duties shall include, but are not limited to the following:

1. Establish educational policy within the High School.
2. Assure that all reports prescribed by law 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. Select a school administrator or administrative team and set the salary(ies).
6. Receive and act upon reports and recommendations of the administrator or administrative team.
7. Employ or dismiss employees upon the recommendation of the administrator or administrative team.
8. Set salaries upon the recommendation of the administrator or administrative team.
9. Provide for a site-level forum for appeals relating to complaints of employees, students, parents, and residents except in those cases where another procedure is provided by law. Any further appeals must be made to the Nevada County Superintendent of Schools.
10. Hold an annual organizational meeting in April, as prescribed by law, to elect Council officers and establish the regular meeting dates.
11. Approve the academic program by the May meeting each year for the following academic year.
12. Adopt an annual budget after due consideration of such administrative and financial reports as may be required.
13. Maintain a balance among the council members in order to reflect the interests of the parents, students, teachers and community members, and to promote a better understanding among all at the School.
14. Keep the curriculum and activities reflective of the interests of the students and parents.

15. Assume responsibility for, and promote the welfare and improvement of the School.
16. Amend the Bylaws.
17. Consider and approve the annual school calendar.
18. Approve the minutes of the meetings.
19. Provide for the facility needs of the school.
20. Enter into contracts for goods and services on behalf of the High School.
21. Form standing or special committees or task forces as needed.

### ARTICLE 3 AUTHORITY

The Council as a whole has the authority to act. Robert's Rules of Order shall be the Parliamentary Authority for the functioning of the Council.

Individual Council members do not represent any segment of the community, but rather, are a part of the body that represents and acts for the Charter community as a whole. Apart from his or her normal function as part of the whole, no individual Council member has authority to act, and may not commit the Charter to any policy, act or expenditure, except as specified herein, or in the minutes of the Charter Council.

No member of the Charter Council will speak for, or in the name of, the total Council unless by explicit direction of the Council. When a Council decision has been reached, all Council members, even those who may have voted against it, will support that decision. Any Council member who may wish to criticize or oppose any specific Council 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 Council member.

### ARTICLE 4 MEMBERS, REPRESENTATION, TERM AND VOTING RIGHTS

#### 4.1. *Members: Number and Composition of Council*

The Council shall consist of ten (10) members:

- ❖ Three parents of current students or graduates of the High School
- ❖ Two faculty members
- ❖ One student and one alternate enrolled in the High School
- ❖ Two community members-at-large.
- ❖ The Dean of Academic Affairs

#### 4.2. *Representation*

4.2.1. Parent members shall be chosen from among the current parent body, in a manner, at a time, and for a term decided upon by the Parent Council.

4.2.2. Teachers shall be chosen in a manner, at a time, and for a term decided upon by the Faculty Council.

4.2.3. Students shall be chosen in a manner, at a time, and for a term decided upon by the Student Council.

4.2.4. The community members shall be appointed by the Council for a specified term.

#### 4.3. *Term*

The minimum term for all members is one year. Each council shall review its representation annually and provide opportunities for new representation.

#### 4.4. *Voting rights.*

All members shall be voting members, except the alternate student member, who shall vote only in the absence of the student member.

#### 4.5 *Removal*

If the Charter Council determines that a council member is not performing his or her duties adequately, the Charter Council may replace an appointed member or require the constituent council to replace that member.

### ARTICLE 5 OFFICERS

#### 5.1. *Enumeration and Term.*

The Officers of the Council shall be a Chair and a Secretary. They shall be chosen by the Council from among its members, and shall 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 Council.

#### 5.2. *Duties.*

##### 5.2.1 Chair

The Chair shall:

- 1.Ensure adequate facilitation of all meetings of the Council, including, where necessary, using proper parliamentary procedure during meetings.
- 2.Call special meetings as required.
- 3.Sign such papers as are necessary or required by law, as directed by the Charter Council.
- 4.Insure that all of the meeting requirements of the Brown Act are met.
- 5.Insure that the Council abides by the all applicable laws, rules and regulations, including the Constitution and Bylaws.
- 6.Perform other duties as may be prescribed by law, by Council action, or by parliamentary authority.
- 7.In the absence of the Secretary, the Council/Chair will appoint a Secretary pro-tem.

##### 5.2.2 Secretary

The Secretary shall:

- 1.Insure that all notices of public Council meetings conform to existing laws and regulations.
- 2.Insure that accurate minutes are recorded at every Charter Council meeting.
- 3.Be responsible for ensuring that accurately recorded minutes of the Charter Council are distributed in a timely manner.
- 4.Hold safe all documents pertaining to the Charter Council, and convey them to the new Secretary, when elected.
- 5.Perform all other duties incident to this office.

## ARTICLE 6 VACANCIES IN REPRESENTATIVE SEATS

A vacancy in a seat on the Council may be filled temporarily by Council appointment. The person appointed shall be a member of the same group that chose the original member. The appointed member shall serve until a permanent replacement can be chosen by the constituent group he or she represents.

## ARTICLE 7 AGENDA

### 7.1 *Council Meeting Agenda*

The Council Agenda shall be posted before meetings in accordance with the Brown Act.

The agenda shall be prepared by the Chair, in consultation with the Secretary and the Administrator or administrative team. Agenda items requested by other members shall be requested at least seven (7) days in advance if the Administrator or administrative team will need to prepare backup material.

The Administrator or administrative team, Charter Council members with particular responsibilities, or others responsible for reporting to the Charter Council shall prepare supporting data and reports for the Council to assist them in their deliberations on various issues and will make recommendations when appropriate.

The agenda for a regular meeting shall be posted in a prominent place at the school 72 hours before the meeting.

The agenda for a special meeting shall be posted in a prominent place at the school 24 hours before the meeting.

The agenda shall contain sufficient detail for the public to ascertain the nature of the business to be conducted.

The agenda and supporting material shall be distributed to Council members at least 72 hours in advance of a regular meeting, and 24 hours in advance of a special meeting, to allow proper time for study.

The agenda and supporting material will be available to the public at or immediately before the meeting (not including material appropriate to a closed session.) A fee may be charged to non-Council members for such material, not to exceed the cost of reproduction.

## ARTICLE 8 MEETINGS

### 8.1 *Regular monthly meetings*

Regular meetings of the Council shall be held at least monthly during the academic year, as determined by the Council.

### 8.2 *Special meetings*

Special meetings of the Council may be called by the Chair or any two voting members if notice is provided to the public and to all members of the Council at least 24 hours in advance, at which time the agenda shall also be posted.

### 8.3 *Quorum*

A quorum is necessary to transact business at Council meetings. A quorum consists of a majority of existing voting Council members, if the total number is odd. If the total number is even, a quorum consists of one more than half.

#### 8.4 *Order of business*

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

#### 8.5 *Right to Discuss*

All members are free to discuss, question and vote on issues being considered by the Council. Council members paid by the High School shall abstain from voting in cases involving conflict of interest with respect to financial compensation, but may speak to motions and respond to questions.

All meetings, with the exception of Closed Sessions, are open to the public in accordance with the Brown and Keene Acts.

#### 8.6 *Adjourned Meetings*

At the Council's discretion, any meeting may be adjourned to a subsequent time, so long as proper notice of the adjournment is conspicuously posted within 24 hours of the time of adjournment.

The agenda for any regular or special meeting at which a Closed Session is necessary shall state:

- 1) that a Closed Session is planned and
- 2) the general reasons for the Closed Session.

Should the Chair and/or the administrator or administrative team determine during a regular or special meeting that an unscheduled Closed Session is necessary, the presiding member shall publicly announce the reason(s) for it before adjourning into Closed Session.

#### 8.7 *Minutes*

Written minutes shall be maintained by the Secretary as a permanent record of the High School and shall be open to the public for inspection. A fee may be charged, not to exceed cost of reproduction, if a member of the public or a Charter community member requests personal copies of the written minutes. The duties of the Secretary may be delegated at a meeting, however the Secretary shall remain responsible for keeping an accurate record of Council proceedings, and for distributing the minutes of all public Council meetings. The minutes of the previous month shall be reviewed and approved before being entered in the official record of the Council.

The minutes shall record all Council actions, including precise wording of all motions made, seconded and passed.

#### 8.8 *Public Participation at Meetings*

The Charter Council encourages public attendance at its meetings. An individual may address the Council on pertinent subjects according to the following guidelines:

- 1) A request to be included on the agenda may be made in writing anytime before the agenda is prepared. The subject and the name of the person who wishes to speak should be included. The request shall be submitted to the Chair or Secretary directly or through the Administrator's office.
- 2) A request may be made during the meeting to speak to an item on the printed agenda.
- 3) 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.
- 4) The Council may add to the agenda items which members of the public wish to bring before the Council, provided no action is taken by the Council on these matters at that meeting, except as provided for in the Brown Act sec 54954.2(b)(2) Comments may be limited by the Council, depending on the number of persons wishing to speak to a particular topic, and the time available.

## ARTICLE 9 CHARTER COUNCIL RECORDS

The budget approved by the Charter Council, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings and official communications between governmental branches are public records, and access during normal hours of business may be granted to any member of the public upon request. When access to school records is granted, examination will be made in the presence of an employee regularly responsible for the maintenance of files. A fee may be charged for such materials, not to exceed the cost of reproduction.

Not included in the category of records to which the privilege of access is given are the following:

- ❖ Personnel records
- ❖ Pupil records
- ❖ Personal correspondence
- ❖ Interagency bulletins
- ❖ Memoranda
- ❖ Directives
- ❖ Correspondence

## ARTICLE 10 BYLAWS

### 10.1 *Amendment*

These bylaws may be altered, amended or repealed by the affirmative vote of two-thirds (2/3) of the Charter Council at any meeting, provided that the entire community is given notice of the proposed change, which may be initiated by any member of the community. The proposed amendment must be read at two regular Charter Council meetings before being voted upon. Notice of the meeting at which the vote is to take place must specify that one of the purposes of the meeting is to consider a proposed amendment to the bylaws and must be accompanied by a copy or summary of the amendment. The Board of Directors shall not alter, amend or repeal any bylaw in conflict with state law.

### 10.2 *Adoption*

These bylaws shall take effect when adopted by a 3/4 vote of the Charter Council.