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## **Appendix F**

### **Bylaws of the**

### **Twin Peaks Charter Academy**

### **Board of Directors**

#### **ARTICLE I: NAME**

The name of this committee shall be the Twin Peaks Charter Academy Board of Directors, herein referred to as the “Academy Board” or “Board”.

#### **ARTICLE II: MISSION, PURPOSE, OBJECTIVES**

##### **Section 1: Mission Statement**

The Twin Peaks Charter Academy exists to guide students in the development of their character and full scholastic potential through academically rigorous, content-rich education programs. In so doing, the Academy will help prepare students to become responsible, contributing citizens, able to compete in a global marketplace of ideas, goods and services.

##### **Section 2: Purpose**

The Academy Board shall represent the concerns, goals and objectives of the Twin Peaks Charter Academy as reflected in the Mission Statement, the Guiding Principals and Founding Philosophies and the operating charter granted by the St. Vrain Valley School District RE-1J.

##### **Section 3: Objectives**

The objectives of the Academy Board are as follows:

- A. To ensure that the Mission Statement is adhered to in all activities and decisions of the Board, and the daily activities of the staff, students, parents and school advisory committees as it relates to the Academy’s operations.
- B. To serve as final authority in matters affecting staffing, budget, curriculum, calendar decisions and school concerns, and to ensure that these are consistent with and promote the educational goals of the Mission Statement and official Academy policy.
- C. To encourage faculty, parents and students to be aware of and responsive to the needs and concerns of the school as a whole, and of the unique learning styles, challenges and talents of individual students.

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- D. To act as the official voice of the Twin Peaks Charter Academy with regards to public information, media contacts and public relations.

### ARTICLE III: MEMBERSHIP

#### Section 1: Board Members

The Academy Board shall consist of seven voting members who shall be elected by parents of the children enrolled at Twin Peaks Charter Academy, and who are themselves parents of children enrolled at the Academy, except that one member may be from the community at large, provided he or she resides within the St. Vrain Valley School District RE-1J, and up to two nonvoting members as described below. All Board members (voting and nonvoting) must sign a Board member code of conduct agreement prior to serving. Only one Academy family member may serve on the Board at any given time. No voting member may receive remuneration for Board service.

#### Section 2: Nonvoting members

The Executive Director shall attend all Board meetings in an advisory or consultative role, but shall have no vote. Up to two additional nonvoting members from the community may be appointed to terms of up to 2 years, with one or both such members being from the TPCA faculty. Any member from the TPCA faculty shall be chosen by a majority vote of the TPCA faculty.

#### Section 3: Elections

- A. Elections shall be held annually beginning the first full week of November. Elections shall extend for a ten-day period beginning on the Wednesday of the first full week of November, until Friday of the following week. During this election period, the hours for voting shall be from the beginning of the school day until one half hour after the school day has ended, however, there shall be no less than two days in which the hours provided for voting shall extend until 7:00 p.m.
- B. The Academy Board shall advertise for Board candidates during the first week of October. Candidates shall declare themselves to the Board by the end of the second full week in October. The Board shall publish a list of candidates not less than two weeks prior to the scheduled election.
- C. Each Academy family will be accorded one vote per available position. Proxy voting is prohibited.
- D. Those candidates receiving the most votes will fill the available seats in the Academy Board. In the event of a tie vote for a position, a second ballot will be cast for that position

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only, with only the tied candidates participating. Should a second tie vote occur, a result will be obtained by flipping a coin.

- E. Terms are for two years, and are staggered. Four members will be elected in even-numbered years, and three will be elected in odd-numbered years. Each member is limited to two consecutive terms. If a member resigns, is removed from office or their 2<sup>nd</sup> term expires, they must wait a minimum of one year before running for re-election.
- F. Following each November election, the Academy Board shall select its own leadership. At its own discretion, it may reorganize following the filling of a vacancy.
- G. In the event of dismissal, resignation, or other vacancy of the Academy Board (other than any vacancy which occurs within six months of a regularly scheduled election), the Board will conduct a special election to fill the remaining portion of the vacant member's term. For a vacancy which occurs within six months of a regularly scheduled election (three months in the event that such vacancy was the result of a successful recall vote), the remaining Board members will appoint a replacement from the candidate's who submit their names to serve until the next regularly scheduled election. The Board at its own choosing can determine where or not to reorganize following the filling of a vacancy.
- H. In the event of a special election, the Board shall advertise the vacancy and request candidate nominations within one week of the confirmation of the vacancy. Interested candidates will have applied and submitted necessary paperwork within two weeks of the advertising of the vacancy. An election to fill the vacancy will occur within four weeks of the advertising of the vacancy. The special election shall run for a period of three days during normal school hours with a minimum of one evening until 7:00 p.m.

#### ARTICLE IV: RESPONSIBILITIES

##### Section 1: Board Responsibilities

The following set forth the general duties and responsibilities of the Academy Board as a whole, and its individual members.

- A. The Academy Board shall set and enforce policy and assure that the Academy is run in a manner consistent with the Mission Statement and in compliance with all applicable laws, the Charter, and Contract.
- B. The Academy Board shall develop and approve an annual budget, and operate within that budget.
- C. The Academy Board shall appoint members to standing and ad hoc committees. Those elected to the Board will be expected to serve on a minimum of one standing committee.

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- D. The Academy Board shall establish and publish the school calendar, including any changes made during the school year.
- E. The Academy Board shall be responsible for the maintenance of any records required by law or provided for by the Charter Contract.
- F. The Academy Board shall negotiate and approve any changes to or renewals of the facilities lease, its use and maintenance, and shall establish policy for facilities use.
- G. The Academy Board shall convene at least one regular monthly meeting, subject to the Open Meetings Law, and will provide an opportunity for public input. In addition, the Board may convene work sessions as it deems appropriate.
- H. The Academy Board shall adopt and administer a grievance policy and procedure.
- I. The Academy Board shall approve an admissions policy, and assure compliance with all aspects of such policy.
- J. The Academy Board shall approve or disapprove all hiring and termination recommendations, and approve all staff employment contracts.
- K. The Academy Board shall enforce all contract issues, including employment, leases, and charter agreements with the District or State of Colorado.
- L. The Academy Board shall be responsible for the implementation and monitoring of a code of conduct and discipline policy, consistent with the applicable law and the Charter Contract.
- M. The Academy Board shall perform such other duties as appropriate and necessary to the safe and effective operation of the Academy, and which promote the Academy's commitment to educational excellence.

ARTICLE V: OFFICERS

Section 1: Board Officers

The Officers of the Academy Board shall be the President, Vice President, Secretary and Treasurer. They shall be chosen by, and from among the seven members of the Board.

Section 2: President

The President shall preside over all regular and other official Academy Board meetings, have general charge of the business of the Board, and carry out its policies under the direction of the Board. The President shall have authority to delegate duties and responsibilities to other

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Board members. The President shall form committees as required, and appoint committee chairs and other committee members, subject to concurrence of the Board.

Section 3: Vice President

The Vice President shall have all the powers and perform the duties of President in the absence or disability of the President. The Vice President shall perform such other duties as from time-to-time may be assigned by the President. The Vice President shall take full responsibility for organizing and overseeing elections to the Academy Board, except in those instances where the Vice President's involvement in the elections could constitute a conflict of interest, in which case the President shall appoint another Board member to oversee the elections.

Section 4: Secretary

The Secretary shall keep or cause to be kept full minutes of all meetings of the Academy Board, including a record of each member's attendance, and all acts and votes of the Board. The minutes shall be kept in one or more bound books, and shall be available in the school office for inspection by members of the public. The Secretary shall see that all notices of upcoming meetings are duly posted in accordance with the provisions of these Bylaws or as required by law, and shall perform such other duties as from time-to-time may be assigned by the President.

Section 5: Treasurer

The Treasurer shall have general supervision of the financial affairs of the Academy, subject to Board concurrence, and shall have power to disburse funds, sign checks, drafts or other payments of money, and make monthly financial statements to the Board. The Treasurer shall also perform such other duties as may from time-to-time be assigned by the President.

Section 6: Officer Resignations and Removal

Any Officer may resign at any time providing written notice to the President or Secretary of the Academy Board. Such resignation shall take effect at the time specified therein; and, unless otherwise stated therein, the acceptance of such resignation shall not be necessary to make it effective. Any Board officer may be removed from office (but not from membership on the Board) at any time, provided just cause exists and is established by a majority of the Board members, and whenever, in their judgement, the best interests of the Academy are served by the removal.

ARTICLE VI: COMMITTEES

Section 1: Standing Committees

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The following committees will be standing committees of the Academy Board and will operate on an advisory basis. Faculty Committee (one Board member plus additional parent members); Discipline and Dress Code Committee (one Board member plus additional parent and staff members); Safety Committee (one Board member plus additional parent, staff and community members); Accountability Committee (one Board member plus additional parent, community and staff members); and Curriculum Committee (one Board member plus additional parent and staff members); Facility Committee (one Board member plus additional parent and staff members). The Board will appoint standing committee members from among Academy parents, and may also appoint Academy staff members. The Board may also establish other committees, as it may from time to time deem necessary.

#### Section 2: Faculty Committee

The Faculty Committee will assist the Executive Director in gathering parent feedback on teacher performance. The parent feedback shall be collected only by the Executive Director, used as part of the Executive Director's review of the classroom performance of all teachers (full and part-time), summarized for the Board and may be used as a factor performance-based bonuses and/or contract renewal considerations. The Faculty Committee is also responsible for assisting the Academy Board and Executive Director in the process of interviewing candidates for administrative and instructional positions at the Academy.

#### Section 3: Discipline and Dress Code Committee

The Discipline and Dress Code Committee monitors discipline and dress code concerns, developed recommendations relating to discipline and dress code policies and issues, and reports its findings and recommendations to the Academy Board for Review and action.

#### Section 4: Curriculum Committee

The Curriculum Committee systematically reviews the Academy's curriculum and researches and recommends instructional resources and materials, and library, media and computer programs to be used. The Curriculum Committee forwards such recommendations to the Academy Board for review and action.

#### Section 5: Accountability Committee

The Accountability Committee is an advisory committee charged with monitoring TPCA's fulfillment of its mission, goals, and objectives as stated in the TPCA charter. This committee is responsibly for: (a) development and adoption of student performance goals and school improvement plan; (b) developing and circulating parent questionnaires designed to assess parents' satisfaction with the operation of the school and the performance of the administration and Academy Board; (c) assisting the Academy Board and administration in the process of accreditation, educational audits, school assessments, and the like; (d) approving all

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waiver requests proposed by the Academy Board for waivers from applicable statutes or regulations, and; (e) communicating annually via written report their findings to the Board, District, and make said report available for the community. Recommendations will be forwarded to the Board for review and action.

Section 6: Safety Committee

The Safety Committee monitors safety concerns, develops recommendations relating to school safety related policies and issues, and reports its findings and recommendations to the Academy Board for review and action.

Section 7: Facility Committee

The Facility Committee will work in conjunction with the District to identify needs and implement approved solutions to maintain and improve the historic Main Street School. The committee will report any recommended actions, costs and associated timelines to the Academy Board for review and action

Section 8: Other Committees

The Board may constitute such other committees as it may, from time-to-time, deem necessary to promote the goals and objectives of the Academy

ARTICLE VII: TERMINATION OF MEMBERSHIP

Section 1: Removal of Member

Membership on the Academy Board may be terminated without the consent of the subject member, provided a minimum of one week notice is given in a properly published and posted agenda, and provided just cause exists and as established by a vote of five Board members, and whenever, in their judgement, the best interests of the Academy are served by the removal.

Section 2: Mandatory Meetings

Attendance at the Board meetings is mandatory. Any member receiving two unexcused absences annually from regularly scheduled meetings, shall be removed from the Board unless a majority of remaining members determine that circumstances warrant retaining the member. After six excused absences, a member may be removed from the Board by a majority vote. The President shall determine whether absences are excused or unexcused.

Section 3: Unethical Conduct

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Unethical or illegal conduct shall be grounds for immediate removal, whether or not such conduct occurs while acting in the capacity of a Board member.

Section 4: Removal by Petition

If a petition to remove one or more members is presented to the Academy Board, such petition shall compel the Board to add the petition as an item on the agenda for the next regular Board meeting. Such a petition must contain the names of fifty families or a number equaling one-third of Academy families, whichever is greater. A petition to remove one or more Board members must be provided to either the Board President or Secretary no less than fifteen days prior to the Board meeting date, and no less than four months prior to the expiration of the term of office for any Board member who is the subject of such a petition. Such a petition must state the reason(s) for the removal of the member(s) and the name of the person(s) responsible for submission of the petition to the Academy. Should the petition not be withdrawn by the responsible person(s) named on the petitions, one month later the Board will submit the matter to the parents for a vote to remove or retain the member or members. Any vacancy will be filled as provided for in these Bylaws under Special Election. So as to prevent interference with students, petitions shall not be solicited on school grounds at any time from one hour before until one hour after normal school hours. School grounds herein are defined as the area bounded by the sidewalk adjacent to the street on all four sides of the school building, Main 9<sup>th</sup>, Kimbark, and 8<sup>th</sup> streets.

ARTICLE VIII: AMENDMENTS

Proposed amendment to these Bylaws shall be submitted in writing to the Board President. Copies shall be provided to all Board members at least one week prior to a regularly scheduled Board meeting. Consideration of amendments shall include an opportunity for the public to comment. An affirmative vote of five members shall be necessary to adopt any proposed amendment.

ARTICLE IX: DEFINITIONS

Section 1: Parent

A "parent" shall mean the adult or adults having legal custody of a student. Where more than one adult has legal custody of a student, whether or not those adults reside in the same household, notification of any of those adults shall constitute notification of a parent as used in these Bylaws.

Section 2: Staff



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“Staff” shall mean any person, including teachers, the Executive Director, Assistant Director, support personnel, etc., serving under an employment contract with the Academy.

Section 3: Executive Director

The “Executive Director” shall mean the staff person having primary responsibility for the day-to-day operations of the Academy, including interaction and liaison with the District.

Section 4: Faculty

“Faculty” shall mean any person who has been hired as a teacher and does not include Instructional Assistants.

ARTICLE X: OPEN MEETINGS LAW, PUBLIC RECORDS ACT, FAMILY  
EDUCATIONAL PRIVACY RIGHTS

The Academy acknowledges and agrees that it is subject to the provisions of the Colorado Open Meetings Law, Colorado Revised Statutes Section 24-6-401 et seq., and that it will fully comply with the provisions of such law in connection with all its activities.

The Academy acknowledges and agrees that it is subject to the provisions of the Colorado Public Records Act, Colorado Revised Statutes Section 24-72-201 et seq., and that it will fully comply with the provisions of such law in connection with all its activities.

The Academy acknowledges and agrees that it is subject to the provisions of Family Educational Privacy Rights, Buckley Amendment, 20 United States Code, Section 1232 (g), and that it will fully comply with the provisions of such law in connection with all its activities.

ARTICLE XI: PARLIAMENTARY AUTHORITY

Robert’s Rules of Order shall govern the Academy Board whenever they are applicable and not inconsistent with Bylaws, District policy, or State law.