

BYLAWS
OF
SAN DIEGO RIVERSIDE CHARTER SCHOOL

ARTICLE 1.
GENERAL ORGANIZATION

SECTION 1. NAME. The name of the organization shall be San Diego Riverside Charter School (SDRCS) with offices located at 504 Mission Road, Jemez Pueblo, New Mexico and mailing address of P.O. Box 99, Jemez Pueblo, NM 87024. The school phone number is (575) 834-7419.

SECTION 2. FISCAL YEAR. The fiscal year of SDRCS shall be from July 1 through June 30.

SECTION 3. MISSION. SDRCS is a K-8 charter school committed to strengthening and sustaining pride in the unique cultural identity of our students. As a community-based charter school, we encourage involvement of the entire community in developing a quality education for our students by connecting learning with community values and traditions. Through this commitment our students will be academically and socially prepared for high school.

SECTION 4. EQUAL OPPORTUNITY. San Diego Riverside Charter School affirms its commitment to providing equal treatment of all of its students, parents and employees. Neither the Charter School nor the Governing Board shall discriminate against any student, parent or employee on the basis of race, age, religion, color, national origin, ancestry, sex, physical or mental handicap, serious medical condition or sexual orientation or gender identity with respect to his/her rights, privileges, programs, activities, and/or in the administration of its educational programs and athletics/extracurricular activities.

SECTION 5. GOVERNING LAWS AND POLICIES. San Diego Riverside Charter School must comply with all applicable federal, state, and local laws and regulations as well as the terms and conditions of its charter. Governing Board (or "Board") members will, as part of their Board orientation and training program, familiarize themselves with the following key provisions of New Mexico laws, including:

- Charter School Act (NMSA 1978 §§ 22-8B-1 et seq.)
- School Personnel Act (NMSA 1978 §§ 22-10A-1 et seq.);
- Procurement Code (NMSA 1978 §§ 13-1-1 et. seq.);
- Open Meetings Act (NMSA 1978, Sections 10-15-1 et seq.);
- Public School Finance Act (NMSA 1978 §§ 22-8-1 et seq.); and applicable rules and regulations issued by the New Mexico Public Education Department ("PED") (contained in Title 6 of the New Mexico Administrative Code).

- Mandatory Training for Charter School Board Members ((NMSA 1978 §§ 22-8B-1 et seq.)
- Sole Authority of Charter School Principal to hire and fire school staff (NMSA 1978, § 2, Section 22-8B-10 (being Laws 1999, Chapter 281, Section 10, as amended)

The Governing Board has a responsibility to ensure that San Diego Riverside Charter School operates in accordance with all applicable laws and regulations, and meets its commitments to its Authorizer, the Public Education Department, and the community it serves, as reflected in its approved charter documents. Because our charter school exists in a unique relationship with the Pueblo of Jemez, as a matter of respect and custom, we will observe traditional/cultural activities, as well as laws, rules and directives from Tribal Officials that affect our students, staff members, families and school operations, generally.

ARTICLE II GOVERNING BOARD

SECTION 1. MEMBERSHIP. SDRCS shall have a Governing Board (Board) consisting of no less than five (5) or more than seven (7) voting members. All will be appointed by the Governing Board. One additional position shall exist as an *ex officio member* of the Governing Board to serve as advisory to the Board but shall have no vote. The one ex-officio member of the Governing Board shall be the Principal, and this position will be an inherent responsibility of employment of the Principal. For the 2016 - 2017 school year the governing board has a five member board.

SECTION 2. TERM. Terms and Board seats shall be staggered so that the Governing Board will not lose more than 60% of its members at any one appointment. **Each position will be elected for a 2-year term.**

SECTION 3. VACANCIES AND APPOINTMENTS. New Members will be appointed to vacancies by nomination and a majority vote of the current Governing Board. Members will continue to be recruited until all vacancies are filled.

A. QUALIFICATIONS. The candidates for positions on the Governing Board shall be considered based upon skills and experience, including but not limited to legal, financial, real estate, education, business, or workforce development. Potential members must also demonstrate collaborative and problem-solving skills and attitudes, an ability and willingness to devote substantial time and energy to serving on the Board (including the requirement that Board members shall regularly participate in the activities of at least one Board or school committee), participate in mandatory training and a willingness and ability to devote their time and energy to acting in the best interests of San Diego Riverside Charter School as a whole, rather than the interests of any

particular interest group. As much as possible, Governing Board members shall reflect the ethnic diversity that makes up the state of New Mexico.

B. BOARD NOMINATIONS AND PETITIONS. The Board shall solicit applications, recruit potential candidates, and screen applicants and recruits for each of the positions on the Board to be filled. Any person, who desires to be considered for one of the available positions on the Board, shall submit a letter of interest to the Board. At a Board meeting to be decided by the Board, the Board shall vote to approve or disapprove any candidates for any open position(s). If approved, all such candidates shall be seated as members of the Board for the relevant terms. If the Board as a whole disapproves such candidates, the Board shall reconvene to develop a new slate of candidates for consideration. Those members whose position is expired shall serve until their positions are filled. If there is more than one candidate for any available position, then the Board shall interview and appoint members to the Board. The term of the "appointed seat" shall be for the duration of the previous vacated member term or until filled during a regularly scheduled Board review process for regular appointment.

C. RESTRICTIONS ON BOARD MEMBERS. In no event shall any of the voting members of the Board be employees of the charter school, which shall for this purpose include persons receiving compensation as a contract employee, an independent contractor, or the immediate relative of an employee.

SECTION 4. COMMITTEES. The Board may establish standing committees, which may consist of Board members and non-Board members. Committee assignments and chairmanships will be determined by action of the entire Board, provided that at least one Board member shall serve on each committee. Standing committees of the Board shall include a finance/audit committee in compliance with state regulations. The Governing Board may appoint an Executive Committee to address routine matters not requiring the attention of the full Governing Board or its committees; the Executive Committee may refer issues and information to the full Governing Board for consideration and action.

The time and place of all Committee meetings shall be announced to the Board. All Board members may attend any committee meeting if the meetings are properly noticed. In addition, the Principal is empowered to establish committees within the school that report to the Principal or, if necessary, report to the Governing Board. The function of committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations that require school-wide policy changes must be submitted to the Board for review and approval.

The Board may appoint ad hoc advisory committees when and as determined to be necessary or advisable by the Board. Ultimate authority to make decisions will continue to reside with the Board.

All committees shall keep written minutes of their meetings, and shall periodically present written reports to the Board containing committee recommendations. Committees shall comply with the Open Meetings Act, when applicable.

SECTION 5. GENERAL POWERS AND DUTIES. The property, business and affairs of San Diego Riverside Charter School shall be managed by the Governing Board in accordance with all applicable federal, state and local laws and regulations, including those of Pueblo of Jemez, as well as conditions of its charter. Without limiting the generality of the foregoing, the Governing Board may exercise all such powers of SDRCS as are provided by Local, State, Federal Law, Pueblo of Jemez and these Bylaws. The Governing Board may assign duties and responsibilities to its members, as it deems necessary from time to time. If necessary, these duties and responsibilities may be reassigned at any time at the discretion of the Board. The primary powers and duties of the Governing Board are to:

- a. Develop educational and operational policies for San Diego Riverside Charter School.
- [b. Recruit, oversee and evaluate the Principal annually;]
- c. Review, approve and monitor implementation of the annual San Diego Riverside Charter School budget;
- d. Acquire, lease and dispose of property, both real and personal to the extent permissible by laws applicable to public schools;
- e. Initiate lawsuits or take all necessary steps to protect and safeguard the reputation and interests of San Diego Riverside Charter School;
- f. Authorize the repair and maintenance of all property belonging to the Charter School over the amount of \$2,500;
- g. Enter into contracts consistent with the Charter School-approved budget for any service or activity that is required in order to carry out the educational program described in the approved charter and as otherwise in accordance with the New Mexico Charter School Act as amended;
- h. Adopt rules and policies pertaining to the administration of all powers or duties of the Governing Board and San Diego Riverside Charter School;
- i. Accept or reject any charitable gift, grant, device or bequest. Each particular gift, grant, device or bequest accepted shall be considered an asset of San Diego Riverside Charter School;
- j. Approve amendments to the Charter prior to presentation to the authorizer for approval;
- k. Make application to the Public School Capital Outlay Board for capital outlay funds.
- l. Acquire and dispose of property;
- m. Amend procedures provided for in the Bylaws from time to time consistent with the mission of the Charter School;
- n. Delegate to the Principal the authority to implement the Charter School's policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governing Board from time to time. To the extent reasonable, the Governing Board shall not be involved in the day-to-day operations of the school;
- o. The Governing Board will have primary responsibility for the development and review of all major policies; be a resource for

- problem resolution escalated to the General Board by the Principal/Chief Advisor to the Governing Board according to policies, procedures and appropriate protocol; and review recommendations submitted by the Principal and other Governing Board Advisors. Examples would include, but not be limited to, curriculum, budget development, and final approval of contracts;
- p. Promote a cooperative relationship with its charter authorizer; to function in accordance with the New Mexico Charter School Act and resolve any dispute, which may arise between the School and its charter authorizer and the Public Education Department to the mutual benefit of the operation of the Charter School and its authorizer.
 - q. Such other powers and authorities as provided for by law.

SECTION 6. REPRESENTATIONS BY INDIVIDUAL MEMBERS. The Governing Board will not be bound by any statement or action on the part of any individual Governing Board member, unless the Governing Board, by majority vote in a properly convened meeting, delegates authority to that individual member to speak for or represent the entire Board. Unless acting pursuant to said express-delegated authority from the Board, no Board member shall undertake any individual action to implement any plan or action of the Governing Board. In the event a Governing Board member is assisting the Principal to implement school policies, programs or other directives of the Principal, the Governing Board member shall be considered a volunteer and have no special authority beyond that of a volunteer.

SECTION 7. COMPENSATION. Members of the Governing Board shall receive no compensation for their service on the Governing Board. However, nothing in this procedure shall prevent the charter school from paying compensation to Board Members for reasonable expenses incurred in the performance of their duties related to the mission of the school. All such compensation shall be paid in compliance with the New Mexico Per Diem and Mileage Act and the approved policies of the charter school.

SECTION 8. RESIGNATIONS AND REMOVAL. Any Governing Board Member may resign at any time by giving written notice to the Chairperson or Secretary of the Governing Board. Such resignation shall take effect at the time specified therein; and, unless otherwise stated therein, the acceptance by the Board of such resignation shall not be necessary to make it effective. Any Member of the Governing Board may be removed at any time with or without cause, by an affirmative vote of a majority of the Governing Board Members remaining, whenever, in their judgment, the best interests of SDRCS are served by the removal. If at any time the Governing Board shall determine that a Board Member should be removed, the Board shall schedule a board action at a regular board meeting and resolve by a majority vote to remove the member from office. A Board member may be removed by a majority vote of the remaining Board members for the following reasons:

1. If a member of the Governing Board misses two consecutive regular meetings and fails to provide notification, the office of such member may be declared vacant by a vote of a majority of the remaining members of the Board.

2. If a member of the Governing Board knowingly violates any policy or procedure adopted by the Governing Board, the office of such member may be declared vacant by a vote of a majority of the remaining members of the Board.
3. If a member uses his or her position to gain from the school, financially or otherwise; and
4. Other reasons as determined by the Board to have merit.

As used in this section, "regular meeting" means a meeting of the members of the Governing Board about which notice has been published.

SECTION 9. GOVERNING BOARD MEMBER CONFLICTS OF INTEREST.

A. General Principles: All Board members have a duty of loyalty and a duty of care towards San Diego Riverside Charter School. It is the responsibility of all Governing Board Members to conduct themselves in accordance with the highest standards of integrity, honesty, and fair dealing to preclude conflict between the interest of the charter school and the personal interests of the Governing Board Member. Likewise, it is the responsibility of San Diego Riverside Charter School to conduct all its business and operations impartially in accordance with all laws and in conformity with the highest ethical and professional standards. All hiring and other transactions imposing financial and/or legal obligations shall be made with the best interests of the charter school as the foremost consideration.

San Diego Riverside Charter School also recognizes that the ultimate success of the school depends upon the active participation, cooperation and collaboration of parents, volunteers, employees, Governing Board members and students. Sometimes the best interests of the school may involve the creation of relationships that might create an appearance of impropriety or potential for abuse of position, if not carefully evaluated by disinterested parties. The Governing Board therefore has established this policy to guide Governing Board members in their actions or relationships, so that they will avoid the appearance of having their judgment or the performance of their duties compromised.

B. Conflict of Interest Definition: A conflict of interest occurs whenever a Governing Board Member permits the prospect of direct or indirect personal gain (or gain to a relative or Related Entity) to influence improperly his or her judgment or actions in the conduct of business related to the charter school. It is not practical to specify every action that might be considered to raise a conflict of interest. Consequently, Governing Board members should immediately disclose to the Board any circumstance that may give rise to the appearance of a conflict of interest.

The following situations have the potential for being an actual conflict of interest and must be avoided unless the Board member has brought the issue before the Board for consideration and the Board voted to approve it in an open meeting:

1. Hiring a Governing Board member's relative as an employee, whether full-time or part-time.
2. Acquiring, leasing, selling any property, facilities, materials, or contract services (e.g., financial, legal, public relations, computer) by San Diego Riverside Charter

- for the
- School under circumstances in which there is direct or indirect compensation to a Governing Board Member, or his/her relative or a Related Entity of the member.
3. Using confidential information acquired by virtue of their associations with the charter school for their individual or another's private gain.
 4. Requesting or receiving and accepting a gift or loan for themselves or another that tends to influence them or appear to influence them in the discharge of their duties as Board members.
 5. Influencing or having the appearance of influencing business with suppliers to the charter school, which results in the financial benefit to a Governing Board Member, his or her relatives or a Related Entity.

C. Deliberations and Voting on Conflict Issues: In order to avoid conflicts of interest and the appearance of impropriety Board members shall not participate in open meeting or Closed Session deliberations or votes relating to the discipline of (i) himself or herself; (ii) any relative of the Board Member; or (C) any transaction between the charter school and any Related Entity of the Governing Board Member. "Closed Session" shall mean any portion of a Governing Board meeting that is properly closed to the public in accordance with the provisions of the state Open Meetings Act.

(ii) no Governing Board member will be in a position to influence decisions relating to the employment, supervision, compensation or discipline of a relative; (iii) no Governing Board member will be in a position to influence decisions relating to any transaction between the charter school and any Related Entity; and (iv) the benefits to the Charter School outweigh any appearance of a conflict of interest.

D. Violation of Conflict of Interest Policy: Upon discovery of a possible infraction of the established conflict of interest policies, the discovering party is required to immediately notify the Governing Board Chairperson, Principal, and all Board Members. A Special Governing Board Meeting must be immediately scheduled to consider the matter. In the event the Governing Board decides that a school employee, Governing Board member, or volunteer has violated the conflict of interest rules or otherwise abused or attempted to abuse his or her position at the charter school, the shall review and recommend appropriate action.

E. Transactions with Interested Governing Board Members. San Diego Riverside Charter School shall not enter into any financial transaction with Governing Board Member, any relative of a Governing Board Member, or any other person or entity in which the Governing Board Member or relative of the Governing Board Member has a direct or indirect financial interest unless during a public meeting: (a) the nature of the direct or indirect financial interest is fully disclosed to the Governing Board; and (b) the transaction is expressly approved by a majority of the Governing Board Members present at such meeting who have no direct or indirect personal financial interest in the transaction, provided a quorum of the full Governing Board is present at such meeting. A written contract or other written memorandum shall evidence all such interested transactions approved by the Board, and be reflected in Governing Board Minutes. Each Board Member shall be responsible for disclosing to the Governing Board the existence

of any such direct or indirect interest. Failure to make such disclosure shall be grounds for voiding the transaction, at the discretion of the Governing Board.

F. Nepotism. The Principal [Chief Administrator] of San Diego Riverside Charter School shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law of a member of the governing body or the chief administrator. The governing body may waive the nepotism rule for family members of the chief administrator.

SECTION 10. STANDARD OF CARE. Each Governing Board Member shall perform duties, including those as a member of any committee of the Governing Board upon which the Governing Board Member may serve in good faith, in a manner reasonably believed to be in the best interests of the school, and with such care as an ordinarily prudent person in a like position would use under similar circumstances. No member of the Governing Board shall permit his/her position on the Governing Board to create a conflict between the Governing Board Member's personal activities and best interests of SDRCS.

ARTICLE III. MEETINGS OF THE GOVERNING BOARD

SECTION 1. MEETINGS. The Governing Board will meet at least once a month to discuss SDRCS operations and to hear reports and updates from Board Members, committees, principal, and the Parent-Teacher Organization to consider and to adopt or change policy, and to consider requests and concerns from parents, students, teachers and administrators and other business. Complaints about individual employees will not be heard at Board meetings or at community meetings, but should be raised pursuant to the general complaint policy adopted by the Board. Such matters will be addressed in Executive Session.

Regular meetings of the Board will be scheduled for the second Wednesday of each calendar month in the evening at 4:30 p.m at SDRCS' building. The date, time and location of regular meetings may be changed by action of the Board, provided notice of the change has been properly published as required by the Open Meetings Act. A special Board meeting may be called by the Board President, or by a quorum of Board members. Advance notice of a special meeting will be given to all Board members in accordance with the Open Meetings Act (NMSA 1978, Section 10-15-1). Additional notification of meetings shall be sent to the authorizer, members of the school community, the PTA/PTO parent organization executive, and posted at the school in a prominent location and via the charter school's website for community access, in accordance with the New Mexico Open Meetings Act.

The Board shall consider at least once annually what constitutes reasonable notice for all regular, special and emergency meetings as contemplated by the New Mexico Open Meetings Act and, thereafter, pass an appropriate resolution adopting policies and procedures for complying with the Act. The Resolution shall be posted for public information.

All actions taken by the Governing Board will require a majority vote of the quorum established by the board members present. Each meeting of the Board shall be considered a different session from other such meetings; thus, motions or questions from one session or meeting can be revisited in another meeting, in accordance with the applicable section of Roberts Rules of Order. Any meeting, regular or special, may be held by conference telephone or similar communications equipment, as long as all board members participating in the meeting can hear one another, and all such members shall be deemed to be present in person at such meeting.

A. ANNUAL MEETING. The Governing Board will set a date to conduct an annual meeting/board retreat as an extended work session. The purpose of this meeting will be to review the Board's annual scope of work, and for purposes of professional development/training, strategic planning, self-evaluation and other relevant topics.

SECTION 2. NOTICES. Notice, including agenda description, of any meetings of the Governing Board at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs, or at which a majority or quorum of the Governing Board is or expected to be in attendance, will be posted at least seventy-two hours prior to the regular board meeting in a publicly accessible location in the school's main hallway and electronically, on the school's web site as available, and distributed electronically to interested parties. The posting of such a notice shall be one means of providing full and timely notice to the public of such meetings and the location for the posting of notice shall continue in effect until changed by subsequent official action by the Governing Board.

SECTION 3. AGENDA. The Chairperson or Chairperson's designee sets Board agendas. The agenda shall be approved by the Chair and posted with the required seventy-two-hour notice unless an emergency has been declared. A request to have an item placed on the agenda must be submitted to the Chairperson at least 24 hours prior to the required time the agenda must be posted. The Chairperson shall have the discretion to add agenda items up to the time the agenda must be posted. A request to have an item placed on the agenda must be made in writing and include all documents and materials the person anticipates presenting. Members of the community who are not members of the Governing Board may request that an item be included on the agenda by contacting the Principal or Chair at least one week in advance of a meeting to address the Governing Board at the point stated in the agenda.

The Chairperson or designee shall provide a copy of the agenda and all documentation to be considered by the Board at the meeting to each Board member at least 24 hours prior to the meeting. Each meeting will follow the agenda, but will allow time for individuals to present issues that are not on the agenda during the Public Comment period (each such speaker will be limited to three (3) minutes).

A. TABLED BUSINESS. All business not completed shall be tabled until a future meeting. Items presented that were not on the agenda but are presented at a meeting as noted in Section 1 above, may be discussed, but will be officially tabled until the next meeting, allowing other stakeholders to consider the

feasibility of the item. The speaker may be asked to return and present further at a future meeting. A vote will not be taken on any such items until a future meeting.

SECTION 4. MINUTES. Approved minutes of all public board meetings will be maintained in the office of SDRCS and will be available for review in compliance with New Mexico Open Meetings Act requirements. Minutes will be recorded by the Recording Secretary or designee at each meeting. The minutes of each meeting will be circulated electronically to the Governing Board members in advance of the next scheduled meeting. At the next regular scheduled meeting, amendments to the minutes (as applicable) shall be stated by Board members prior to adopting the minutes. Minutes shall be approved by the Board members and then made available for public review, both electronically and in paper form, at the Charter School Administrative Offices.

SECTION 5. PARLIAMENTARY AUTHORITY/QUORUM. The Governing Board will follow Roberts' Rules of Order, newly revised, except when in conflict with applicable laws or regulations, which then prevail. Although most items are handled by appropriate motion procedures, consensus action is also used. Unless otherwise specified by Board policy, procedure or resolution, a quorum shall consist of a simple majority of Board members in office, and any action may be taken upon the approval of a majority of those members present, provided a quorum is present.

SECTION 6. BOARD AND COMMITTEE DELIBERATIONS. All Board members shall work collaboratively with each other, with the sole goal of achieving the school's educational mission. The Board has been constituted so as to include a broad spectrum of experience and perspectives, and every board member shall be afforded the opportunity to express his or her opinion, in a professional manner, about matters before the Board. Board members shall refrain from non-constructive or personality-based comments that do not advance the school's mission. Because the Board makes decisions as a deliberative body, it is expected that, except in extraordinary circumstances, Board members will voice their opinions to other Board members about Board matters in the context of Board and/or committee meetings, rather than in private communications among Board members.

Board members shall be expected to keep confidential any deliberations or discussions that take place in closed session meetings. It is expected that board members will raise concerns or share information about closed session meetings within the context of Board and/or other committee meetings with other board members and appropriate staff members only. Until such decisions are ready for public comment, such information will not be shared with the San Diego Riverside Charter School community at large.

SECTION 7. EXECUTIVE SESSIONS. All regular and special meetings of the Governing Board shall be open to the public, except that, upon a vote of a majority of the members present, an executive session may be held to discuss any one or more of the following: 1. legal matters; 2. acquisitions or sales of property; 3. contract proposals or negotiations; 4. confidential personnel matters; 5. student disciplinary matters; and any other matters permitted by law. The motion requesting the executive session shall state

the nature of the matter to be discussed. Only those persons invited by the Governing Board may be present during the executive session. The Governing Board shall not make final policy decision, nor shall any resolution, rule, regulation, or formal action or any action approving a contract or calling for the payment of money be adopted or approved at any session which is closed to the general public. Matters discussed during executive sessions shall remain confidential among those attending. The Secretary of the Governing Board shall maintain topical minutes of all executive session items that result in public Board action.

SECTION 8. SPECIAL MEETINGS. Special meetings of the Governing Board may be called by or at the request of the Chairperson or by a majority vote of the Governing Board Members. Special meetings must meet posting requirements as required in the Open Meetings Act. The Governing Board may schedule any location or time for holding any special meetings. Special meetings of the Governing Board shall follow the rules and regulations of a regular public Governing Board meeting.

ARTICLE IV. OFFICERS OF THE GOVERNING BOARD

SECTION 1. OFFICERS. The Officers of the Governing Board shall consist of Chairperson, Vice-Chairperson, and Secretary/Treasurer. Any voting member of the Governing Board shall be eligible to hold Governing Board office.

SECTION 2. ELECTION AND TERM. The Governing Board shall elect, by a simple majority of eligible voting members, its Officers at its first regular public meeting of the fiscal year. They shall serve for a term of three years and until their successors are elected and qualified or until their resignation, removal, or death.

SECTION 3. VACANCIES. An Officer elected to fill a vacancy shall serve for the unexpired term of his/her predecessor in office.

SECTION 4. CHAIRPERSON. The Chairperson shall preside at all meetings of the Governing Board. In general, the Chairperson shall perform all duties and may exercise all rights as are incident to the Office of Chairperson of the Governing Board and such other duties as may be prescribed by the Governing Board or these Bylaws.

SECTION 5. VICE-CHAIRPERSON. The Vice-Chairperson shall have all the powers and perform all the duties of the Chairperson in the absence of the Chairperson. The Vice-Chairperson shall perform such other duties as from time-to-time may be assigned to him by the Chairperson or by the Governing Board.

SECTION 6. SECRETARY/TREASURER. The Secretary/Treasurer will be responsible for working with an appointed Recording Secretary to keep full minutes of all the meetings of the Governing Board. The Secretary/Treasurer shall attend the meetings of the Governing Board and shall act as official clerk thereof and document all the acts

and votes of all proceedings in one or more books to be kept for that purpose. The Secretary/Treasurer shall see that proper financial procedures are being followed as established by the Governing Board.

SECTION 7. RESIGNATIONS OF OFFICERS. Any Officer may resign at any time by giving written notice to the Chairperson or Secretary of the Governing 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.

SECTION 8. ATTENDANCE. Attendance at Governing Board Meetings is mandatory and board members are expected to attend regularly scheduled board meetings. Additionally, board members are expected to participate in annual mandatory board training in compliance with NMSA 1978 §§ 22-8B-1 et seq. Missing two unexcused board meetings in a row without prior notification to the Governing Board Chair is grounds for dismissal from the Governing Board. Governing Board members are expected to regularly attend Board meetings. If a board member anticipates that he or she will not be able to attend a meeting, the board member shall notify the Chairperson or designee of the Board of an impending absence in advance of the meeting. If a board member, as a result of an emergency or illness, is unable to notify the Chairperson or designee of the Board in advance that he or she will be unable to attend a meeting, the board member shall notify the Board Chairperson or designee in a timely manner following the meeting of the reason for his or her absence.

ARTICLE V. PRINCIPAL

The Principal shall serve as chief administrator for the day-to-day operations of SDRCS, as well as such other services and duties as shall be assigned by the Governing Board such as implementation of policies and procedures, facilities plans, budget and such other directives and policies adopted by the Governing Board from time to time. Consistent with state law, the chief administrator of the charter school shall employ, fix the salaries of, assign, evaluate, terminate and discharge all employees of the charter school. To the extent reasonable, the Governing Board shall not be involved in the day-to-day operations of the school. At all times, the Principal shall account to and serve at the direction of the Governing Board. The Principal shall be appointed by the Governing Board members and may be removed by a vote of the majority of the Governing Board, with cause and in accordance with State law, whenever in their judgment, the best interests of SDRCS are served by such actions.

A. Duties of the Principal

The Principal of San Diego Riverside Charter School shall be the chief academic and financial officer responsible for both day-to-day and long-term operation of the school. The broadly defined duties of the Principal shall include, but not be limited to the following:

- Implement the Charter/Charter Contract and its philosophies and practices
- Participate in the Governance of the School
- Supervise the school's curriculum and academic policies
- Prepare and manage the school's budget
- Supervise the preparation of any required audits or reports
- Represent the school in fundraising efforts, including grant applications and solicitations for support from private and public entities
- Interact with district, local private and public schools, Charter School organizations, and the community on matters related to the school's operation and educational program
- Serve as an ombudsperson to investigate, mediate, or otherwise resolve complaints and problems that may arise between students, parents, and community members
- Evaluate the job performance of all school employees annually
- Communicate with all stakeholders on a regular basis
- Manage the daily operations of the school

B. Qualifications of the Principal

The Governing Board shall determine the qualifications of the Principal based on the school's needs at the time it is necessary to fill the position. In general, San Diego Riverside Charter School will expect its Principal to have the following abilities, experiences, and attitudes:

- A seasoned professional with experience in educational reform
- Fluent with current educational theory and curriculum development
- Knowledgeable about Charter Schools and their authorizers
- Demonstrated leadership and decision-making skills
- Demonstrated managerial skills to include goal setting, budget control, team building, and corrective actions
- Demonstrated ability to collaborate with parents, students, staff, and the community
- Demonstrated teacher advocacy skills
- Demonstrated accountability and communication skills

ARTICLE VI. CONTRACTS AND GRANTS

SECTION 1. CONTRACTS. The Governing Board may authorize any member or members of the Governing Board or the Principal to enter into contracts consistent with the approved budget for any service or activity that is required in order to carry out the programs described in the approved charter and as otherwise in accordance with the New Mexico Charter School Act as amended. Such authority may be general or confined to specific instances or transactions.

SECTION 2. GRANTS. The Board or any member of the Board may accept on

behalf of SDRCS any contribution gift, grant, bequest or device of the general purposes or for any special purpose of SDRCS.

ARTICLE VII. BOOKS AND RECORDS

SDRCS shall keep current records and shall also keep minutes of the proceedings of its Governing Board at its registered, electronically, or principal office, and a record giving the names of the Governing Board, operating committees, and related minutes. All approved records of SDRCS are considered public documents and may be inspected at any reasonable time. However, student records, personnel records and any other record protected under privacy laws are excluded.

ARTICLE VIII ALTERNATIVE DISPUTE RESOLUTION PROGRAMS

The Board recognizes the existence and effectiveness of alternative dispute resolution programs. Use of alternative dispute resolution programs can result in the early, fair, efficient, cost effective, and informal resolution of disputes. Appropriate use of alternative dispute resolution methods by the Charter School is hereby determined to be in the best interest of San Diego Riverside Charter School. The Governing Board shall publish a thorough and concise set of dispute resolution policies and provide them in the appropriate School policy publications as they apply.

ARTICLE IX POLICY ADOPTION

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board. Proposals regarding policies may only originate with a Board member, Board advisors, or committees formed by the Board for the purpose of investigating and developing policy. Staff members, students, civic groups, parents or other interested citizens may request that a Board member or the Principal sponsor a proposed policy.

The Board will adhere to the following described procedure in considering and adopting policy proposals to ensure that such proposals are thoroughly examined before final action. After review, the Governing Board will make such proposed policies available for public comment by staff members, students, civic groups, parents or other interested citizens, for a period of at least seven (7) days. Notice of such proposed policies shall be included in the San Diego Riverside Charter School newsletter and/or posted in a prominent location at the school. Upon request, the Principal shall make copies of the proposed policies available to interested parties. Comments on the proposed policies must be submitted in writing to the Principal by the deadline specified by the Board. Following such public comment period, the Board shall consider any comments received and determine whether changes to the initial draft policies should be

implemented. After such consideration by the Board, and adoption of any recommended changes, the Board shall present its final recommended policies or revisions. The public comment process shall apply to all policies proposed by the Board after the date these Bylaws are adopted by the Board.

ARTICLE X SIGNATORY AUTHORITY

Unless otherwise revised by a Governing Board resolution, all contracts entered into by the Charter School shall be signed by the Board Chairperson and/or the Principal with the consent of a quorum of the Board members. The Board members shall from time to time establish the dollar limits of checks and contracts requiring the signatures of more than one authorized person. The Governing Board may by a majority vote, delegate authority to sign contracts within a certain dollar amount as described by resolution, to the Principal.

ARTICLE XI INSURANCE, BORROWING AUTHORITY, FUND DEPOSITS, MISCELLANEOUS

- A. Insurance. San Diego Riverside Charter School shall purchase and maintain insurance for all current employees, volunteers, and Board members for their activities while they are acting on behalf of the school or in the service of the school.
- B. Authority to Borrow, Encumber Assets. No governing Board member, officer, agent or employee of the Charter School shall have any power or authority to borrow money on the school's behalf, to pledge its credit or to mortgage or pledge its real or personal property.
- C. Deposit of Funds. All funds of San Diego Riverside Charter School shall be deposited to the credit of San Diego Riverside Charter School in such banks, trust companies or other depositories as the Governing Board may approve or designate, and all such funds shall be withdrawn only in the manner or manners authorized by New Mexico Public School Finance Act, or other applicable law or regulation.

ARTICLE XII DISSOLUTION

If deemed advisable by the Board that San Diego Riverside Charter School should be dissolved, the Charter School in collaboration with the Public Education Commission and the New Mexico Public Education Department shall devise an appropriate plan for

closing the school and transferring assets as required by applicable statutes and regulations.

ARTICLE XIII.
PROCEDURE TO AMEND THE GOVERNING BOARD BYLAWS

Any section or subsection of the Governing Board Bylaws may be amended, altered, or repealed and new bylaws adopted upon proper notice and a two-thirds majority vote of a quorum of the Governing Board of those eligible to vote.

CERTIFICATE OF ADOPTION

The undersigned officers and members hereby certify that these Bylaws were duly adopted by the San Diego Riverside Charter School Governing Board on _____, 2016.

By: _____
Chairperson

By: _____
GB Member

By: _____
GB Member

By: _____
GB Member

By: _____
GC Member

By: _____
GC Member

By: _____
GC Member