



BYLAWS

OF

THE GOVERNING COUNCIL OF THE

Southwest Aeronautical, Math, and Science Academy (SAMS)

Articles

ARTICLE 1: Governing Council Powers and Responsibilities

The Governing Council of SAMS retains and reserves unto itself all powers and duties conferred upon and vested in it by New Mexico State Statutes (including those prescribed in NMSA 1978, § 22-8B-4). The primary powers and duties of the Governing Council are to set school policy, review, approve, and monitor the budget for SAMS, and hire, in conjunction with SSLC, PREP schools, and the Head Administrator. Additionally, the Governing Council will monitor student academic achievement and monitor financial and resource management. The Governing Council is subject to New Mexico Public Education Department regulations, and state and federal statutes.

ARTICLE 2: Governing Council Member Authority

Governing Council Members have authority only when acting as a Governing Council in regular or special session. The Governing Council will not be bound in any way by any statement or action on the part of any individual Governing Council Member. No Governing Council Member will speak for or represent the entire Governing Council unless so authorized by a majority of the Governing Council.

ARTICLE 3: Suspending or Revoking Policies and Directives

Any policies of the Governing Council, not specifically prescribed by statute, may be suspended or revoked by a majority vote of the Governing Council.

The Head Administrator of the school may, in the case of emergency, suspend any parts of policies and directives as they pertain to the administration of the school; provided, that the Head Administrator report the facts and reasons for such suspension at the next meeting of the Governing Council and provided that the suspension shall expire at the time of said report unless continued in effect by the Governing Council.

ARTICLE 4 Governing Council Membership

The Governing Council Members are voluntary and voted on by the current Governing Council. The SAMS Governing Council shall consist of a range of five (5) to nine (9) Members. The quorum is determined as the majority of Governing Council Members on record for this school. In the case of a tie vote, either consensus discussion will be used to determine the outcome or the Governing Council President or presiding Member will remove his or her vote to determine the outcome.

Governing Council President:

1. Is elected as set forth in Section ARTICLE 8
2. Is a Member of the Governing Council.
3. Works in close collaboration with the Head Administrator in achieving the school's mission.
4. Provides leadership to the Governing Council.
5. Chairs meetings of the Governing Council after developing the agenda with the Head Administrator.
6. Designates a Governing Council Member to preside over meetings in the Governing Council President's absence.
7. Encourages the Governing Council role in strategic planning.
8. Helps guide and mediate Governing Council actions with respect to the school's priorities and governance concerns.
9. Reviews with Head Administrator any issues of concern to the Governing Council.
10. Monitors financial planning, financial reports, and academic performance.
11. Plays a lead in formally evaluating the Head Administrator.
12. Participates annually in the required Governing Council training.
13. Performs other responsibilities as assigned by the Governing Council.
14. Serves as the school's ambassador to the community

Governing Council Member

1. Is an active participant in the Governing Council, by contributing needed hours per month toward Governing Council service. "Active participation" may include, but is not limited to, the following:
 - a. Attending a monthly Governing Council meeting

- b. Presiding over meetings of the Governing Council if the Governing Council President is absent
- c. Participating on a Governing Council committee (or committees)
- d. Reading school- or Governing Council-related material and preparing for meetings
- e. Attending events at SAMS, related legislative sessions or events and other tasks as required
- f. Attending Governing Council-related training to support more effective governance of the school's operation

Each Governing Council Member understands that if three meetings are missed in-person within any consecutive twelve month period, her or his seat may be vacated by a vote of 50% or greater of Governing Council Members present at the meeting following the third absence, unless it is difficult or impossible for the Governing Council Member to attend. Absences may be accommodated by Governing Council Member participation via teleconference or similar communication equipment under the Open Meetings Act, specifically NMSA 1978, § 10-15-1(C). Furthermore, "difficult or impossible" shall be defined as medical or family emergencies or other similar, unforeseeable instances.

- 2. Monitors financial planning, financial reports, and academic performance.
- 3. Volunteers and willingly accepts assignments and completes them on time.
- 4. Prepares well for meetings, reviews and comments on minutes and committee reports.
- 5. Works in good faith to build effective working relationships with other Governing Council Members, the SAMS administration and the SAMS staff.
- 6. Plays a role in formally evaluating the Head Administrator.
- 7. Participates annually in required Governing Council training.
- 8. Performs other responsibilities as assigned by the Governing Council President.
- 9. Serves as the school's ambassador to the community.

If a Governing Council Member believes that her/his duties can no longer be fulfilled to SAMS and its specific Governing Council, it shall be that Member's responsibility to submit a written resignation as a Member of the Governing Council to the Governing Council President. In the event of a motion to discharge a Governing Council Member from the Governing Council for non-performance of duties, any specific performance issues shall be discussed in closed session as permitted under the Open Meetings Act, NMSA 1978 Section 10-15-1(H). Action on any performance-related issues discussed in closed session shall be conducted in open session.

ARTICLE 5 Governing Council Vacancies

The SAMS Governing Council may appoint a committee to solicit nominations to fill Governing Council vacancies. The committee shall have at least one Member from the Governing Council who shall serve as chair. If the number of Governing Council Members selected to serve on the committee constitute a quorum of the Governing

Council, committee meetings must be held in accordance with the Open Meetings Act. The Head Administrator may not serve on the committee.

The Governing Council shall select Governing Council Members for vacant positions by a majority vote. Upon notification of a vacancy, the Governing Council shall obtain nominations by notifying community, business, and/or education leaders, and school families of vacancies on the Governing Council along with a description of the responsibilities of serving as a Member. The notice of vacancy shall be posted on the School's website, bulletin board, and through email to the parents of students. Interested individuals will be asked to submit their name, qualifications, and reasons for wanting to serve on the Governing Council or to submit the names of other individuals who they believe would be an asset to the Governing Council to the President of the Governing Council. Once candidates have been identified, notice shall be posted on the School's website, bulletin board, and through email to the parents of students, and provided to the candidates, the date and time of the Governing Council meeting at which the position(s) will be voted on by the Governing Council and Candidates will be required to attend the meeting at which an election is held and will be interviewed by the Governing Council in a public session. Only individuals who have no real or apparent conflicts of interests will be eligible to serve. Nominations must be given to the President or designee of the Governing Council prior to the regular or special Governing Council Meeting at which the vote of the Governing Council shall be made.

ARTICLE 5.1 Orientation of New Governing Council Members

The Governing Council President, or designee, will provide orientation to new Governing Council Members prior to the next regular scheduled Governing Council meeting after the new Governing Council Member has been elected to serve on the Governing Council.

ARTICLE 5.2 Governing Council Member Evaluation

The Governing Council President will provide each Governing Council Member with an annual evaluation regarding attendance at meetings, committee participation, and general involvement with Governing Council activities.

ARTICLE 6 Governing Council Selection of the Head Administrator

In the event of a vacancy, the Governing Council of the SAMS, in conjunction with SSLC, will advertise the position of Head Administrator until a reasonable pool of qualified applicants is obtained.

The partial list of selection criteria for the position of Head Administrator are as follows:

1. Advanced degree in education with emphasis on alternative education
2. Licensure as a New Mexico licensed school administrator or eligibility for such licensure.

3. Successful prior headship or senior administrative experience in charter, private, or public school.
4. A demonstrated understanding of charter school education through his/her own experience as a teacher and/or administrator.
5. A belief in charter school philosophy and core values, and the ability to effectively and compellingly communicate the school's mission both internally and externally.
6. Demonstrated leadership of a successful marketing and enrollment campaign.
7. Demonstrated skills and ability to develop and retain an outstanding teaching and administrative staff.
8. Demonstrated skills and ability to develop and maintain academic performance of students.
9. Demonstrated success with budget management and oversight.
10. Impeccable communication and interpersonal skills.

ARTICLE 7 Governing Council Member Conflict of Interest

A Governing Council Member cannot use her or his status as a Governing Council Member, or information obtained in that capacity, for personal gain, but must act in the best interest of the school. Governing Council Members will make known their connections with suppliers or groups doing business with the school.

Governing Council Members are not permitted to act in any way that is inconsistent with the school's vision and mission. Any Member of the Governing Council with an actual or potential conflict of interest shall not be involved in decision-making affecting issues as to which the Member has an actual or potential conflict.

ARTICLE 8 Governing Council Organizational Meeting

The Governing Council shall hold its annual organizational meeting during the first regularly scheduled Governing Council meeting in March or April, unless no incumbent officers remain on the Governing Council at the time a new Governing Council takes office. In this instance, the Governing Council will hold its organizational meeting during the first meeting after the new Governing Council assumes office. Governing Council Members present at the meeting shall elect a President of the Governing Council. Committee membership is determined in the organizational meeting or during regularly scheduled Governing Council meetings during the year.

ARTICLE 9 Governing Council Committees

The SAMS Governing Council shall establish a Finance Committee and an Audit Committee. The Finance Committee and Audit Committees are sub-committees of the Governing Council and will consist of two Governing Council Members and two Members of the public. The Audit Committee will consist of two Governing Council Members, one volunteer member with accounting and finance experience, one volunteer parent, the Head Administrator, and CFO. Members of the Finance

Committee may also serve as Members of the Audit Committee. Any Governing Council Member may attend any committee meeting; however, a quorum of the Governing Council is prohibited at all committee meetings unless such meeting is held in accordance with the Open Meetings Act.

The purpose of the Finance Committee is to review monthly with the CFO the financial transactions of the school. The Finance Committee reports monthly regarding this meeting to the Governing Council. The Finance Committee is subject to the provisions of the Open Meetings Act.

The purpose of the Audit Committee is to ensure that the school's public accountability is maintained. The Audit Committee meets at times required by its function and is subject to the provisions of the Open Meetings Act.

The SAMS Governing Council may adopt other committees as deemed necessary for the effective operation of the Governing Council and achievement of the charter. Ad hoc committees may be formed as needed to fulfill specific requirements.

The function of the standing committees will be fact-finding, deliberative, and advisory, rather than legislative or administrative. Committee recommendations will be made to the whole Governing Council, which alone may take action by the committee or by the administration.

ARTICLE 10 Governing Council Meetings

Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council and published on the School Website, <http://www.samsacademy.com>, and broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have provided a written request for notice of the meetings. Regular meetings of the Governing Council will be held at a time and place designated by the Governing Council's current Open Meetings Act Resolution. The date of a regular meeting may be changed by action of the Governing Council as provided by law, provided that every Governing Council Member and the public are notified.

A special meeting with one agenda, or Quarterly Joint Governing Council meetings, comprising the SAMS and SSLC Governing Bodies, may be called by the Governing Council Presidents or by a quorum of Governing Council Members of each Governing Council. Advance notice shall be given in accordance with the Open Meetings Act (NMSA 10-15-1). The Quarterly Joint Governing Council meeting is in addition to the normally scheduled specific SAMS Governing Council meetings.

ARTICLE 11 Governing Council Meeting Agenda

The agenda for any Governing Council meeting shall be approved by the Governing Council President and the Head Administrator. The Governing Council reserves the right to add or delete items at the meeting that are from persons other than Governing Council Members, subject to the limits of the Open Meetings Act, NMSA 1978, §§ 10-15-1 *et seq.* A written request that an item be included on the Governing Council agenda must be filed in the office of the Head Administrator at least seven (7) calendar days prior to the publication of the agenda. Such requests must include in writing, all statements and materials the person anticipates presenting. This does not limit any person's right to speak during the public comment portion of each meeting. Standing agenda items shall also include:

- Administrative and Operations Report
- Academic Report
- Finance Report
- Aviation Report

ARTICLE 12: Addressing the Governing Council

Any person may formally address the Governing Council during the “public comment” session of a regularly scheduled Governing Council meeting, provided “public comment” is included on the Governing Council agenda. The Governing Council President reserves the right to amend the public comment session.

ARTICLE 13: Governing Council Minutes

A record of all actions of the Governing Council will be set forth in the official minutes of the Governing Council. The minutes shall be kept on file at the school and published to the SAMS Academy website.

ARTICLE 14: Policy Adoption

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Governing Council. Staff members, students, civic groups, or individual citizens may request that the Head Administrator propose a policy provided the request is submitted pursuant to Article .11 above.

ARTICLE 15: Parliamentary Authority

Roberts’ Rules of Order will govern the Governing Council, except where otherwise required by law. Although most items are handled by appropriate motion procedures, consensus action is also used. Actual procedures will be left to the discretion of the Governing Council President or Committee chairs.

ARTICLE 16: Complaint Procedure

See SAMS Conflict Resolution Policy

ARTICLE 17: Documents Accepted as Policy

The SAMS Governing Council hereby adopts the following documents: the Curriculum and Standards Alignment, Educational Plan for Student Success; the CNM, UNM, and New Mexico Tech Dual Credit Agreements; the Parent and Community Plan; the Safe School Plan; the Wellness Plan; the Student Behavior Handbook, Acceptable Use Policy, and the Student Code of Conduct; Accounting Policies and Procedures; the Mentorship Plan; the Educational Technology Plan; the Special Education Manual and the Student Assistance Team Manual (SAT); and the Employee Handbook.

ARTICLE 18: Governing Council Self-Assessment

The SAMS Governing Council will annually assess its governance actions and output.