

ARTICLE I. NAME

The name of this organization shall be “The Open Magnet Charter School Governing Council,” herein referred to as the “Governing Council.” The Open Magnet Charter School shall hereinafter be referred to as “The Open School.”

ARTICLE II. PURPOSE

Section 1. PURPOSE

The purpose of this Governing Council shall be to establish a collaborative body through which parents, faculty, administration and staff of The Open School can interpret and fulfill the Proposal for The Open School approved by the Board of Education of Los Angeles Unified School District ("LAUSD") on August 1, 1977 (herein referred to as "Program"), and the current Charter, both of which are available on request and incorporated by this reference. All staff, faculty, administrators and parents/guardians of children attending The Open School are invited to Governing Council meetings. To fulfill this purpose, the Governing Council shall have the right and duty to do, without limitation, the following:

- A. Promote a cooperative and positive effort among teachers, students, school administrators, parents, and staff to ensure the achievement of the Program goals and to develop the best possible educational program at The Open School.
- B. Assess educational needs and establish priorities with the object of encouraging each student to realize his or her maximum potential.
- C. Identify and activate the use of resources needed to implement the educational program.
- D. Identify budgetary priorities involving the use of all discretionary funds.
- E. Evaluate the overall effectiveness of the Program, and how it is administered, and make recommendations for improvements.
- F. Establish committees and/or task forces as required to implement the business of the Governing Council and to facilitate their functioning.
- G. Do those things necessary and proper to implement the rights and responsibilities of the Governing Council.

ARTICLE III. MEMBERSHIP

Section 1. DEFINITIONS

- A. Parent Representative: A Parent Representative is any adult who is the parent, legal guardian, or other person, who has the primary responsibility for the maintenance and welfare of a child attending The Open School (herein referred to as "Parent") and who is not a member of the school staff, who has been elected to serve a term on the Governing Council (see Article IV, elections).
- B. Faculty Representative: A faculty representative is a person who is a member of the faculty of The Open School who has been selected to serve on the Governing Council.
- C. Principal: The Principal is the site administrator of The Open School.
- D. Assistant Principal: The Assistant Principal is the site administrator's assistant and shall act in the Principal's capacity when requested by the Principal to do so.
- E. Staff: Staff refers to LAUSD employees who are classified staff.
- F. Friends Representative: The Friends Representative refers to the parent who has most recently been elected President of Friends of The Open School, Inc. (herein referred to as "Friends").
- G. Alternates: An Alternate is any adult who is the parent, legal guardian, or other person, who has the primary responsibility for the maintenance and welfare of a child attending The Open School and who is not a member of the school staff, who has been elected to serve in the absence of a Parent Representative on the Governing Council (see Article IV, elections).

Section 2. COMPOSITION

The Governing Council shall be composed of twenty-four (24) voting members to be elected (except as otherwise herein provided) by and from the following groups:

- A. Eleven Parent Representatives elected by the parent body at large.
- B. Nine Faculty Representatives, selected by the faculty at large.
- C. One Classified or Specialist Representative.
- D. The Principal of The Open School.
- E. The Assistant Principal of The Open School.
- F. The President of Friends.

Section 3. MEMBERSHIP

- A. Election of Parent Representatives to the Governing Council shall be held annually in the month of April. The vacancies that expire among the Parent Representatives shall be replaced from the parent body at large by election each year for a two-year term. In addition, six Alternate representatives may be elected to serve one year.
- B. The regular term of office for all Parent Representatives shall begin July 1 and end after two years or at the time the Parent Representative is no longer able to fulfill his or her duties as a member of the Governing Council. A normal term shall be two years and shall end June 30.

- C. There shall be only one parent of a child or children elected to the Governing Council in any given term.
- D. Parent Representatives and Alternates shall be active members of at least one Governing Council committee OR chair or participate in the planning committee of a school event during each year of their two-year term.

Section 4. SUCCESSION

- A. An elected member shall be eligible to succeed him or herself.

Section 5. QUORUM

- A. A majority (one more than half of the total Representatives) of the voting members of the Governing Council shall constitute a quorum. To conduct voting business, there must be a quorum throughout the entire meeting. No quorum is necessary for discussion of issues.

Section 6. VOTING RIGHTS

- A. Each voting member shall be entitled to one vote and may cast that vote on each matter submitted to a vote of the Governing Council. Proxy voting and absentee ballots shall not be permitted.
- B. Alternate Parent Representatives shall be entitled to vote if they are attending a Governing Council meeting in place of a member.
- C. To ensure full representation, the President, upon being notified that a voting member will be absent, shall designate an Alternate to have voting rights at the designated Governing Council meeting.

Section 7. TERMINATION OF MEMBERSHIP

- A. A Parent Representative shall no longer hold membership should he or she cease to have a child in the school.
- B. Other members of the Governing Council shall no longer hold membership on the Governing Council should they terminate their affiliation with The Open School.
- C. Membership shall be terminated for any member who is absent without good cause from three regular business meetings of the Governing Council during any one school year. Good cause shall be determined by the Governing Council.

Section 8. RESIGNATION

- A. Any member may resign by filing a written resignation with the President of the Governing Council. The resignation letter shall be read at the next Governing Council meeting and the vacancy filled as indicated in Article III, section 8.

Section 9. VACANCIES

Vacancies in the Governing Council membership shall be filled within thirty (30) days after the vacancy is created.

- A. A vacancy among Parent Representatives shall be filled by the Alternate who received the highest number of votes in the previous election, who shall serve the remainder of the term of the Parent Representative that Alternate replaced.
- B. In the event there is no available Alternate to fill a parent vacancy, the President of the Governing Council shall appoint a Parent Representative to fill such vacancy and that Parent Representative shall serve until the next election.
- C. A vacancy among the Faculty or Staff Representatives shall be filled by the respective groups.

ARTICLE IV: ELECTIONS

Section 1. CONDUCT OF ELECTIONS

- A. The Faculty Representatives shall be selected as determined by the Faculty.
- B. The Parent Representatives shall be nominated and elected according to the rules and regulations outlined herein.
- C. Voting by parents shall be by secret ballot sent to each parent having a child or children attending The Open School. Ballots shall be returned to the Elections Committee within the time set by the Bylaws and Charter Committee.
- D. Those members of the Governing Council whose terms have ended and who are not candidates for reelection shall supervise and run the election with the help of the Bylaws and Charter Committee.
- E. The Bylaws and Charter Committee shall review and rule on any contested election results.
- F. Elections shall be conducted in a fair and democratic manner. Rules governing campaigning and solicitation of votes shall be established by the Bylaws and Charter Committee.
- G. The names of those members whose terms will end in June shall be read at the March meeting, prior to the Solicitation of Candidates.

Section 2. SOLICITATION OF CANDIDATES

- A. Candidates shall be solicited by written request to all parents having the right to elect or appoint representatives to the Governing Council at least one (1) month before the date of the election. All parents who volunteer and submit a statement of intent shall be listed as candidates.
- B. Each candidate's statement of intent shall be sent home with the ballots to the appropriate voters.

Section 3. ELIGIBILITY

- A. Candidates for Parent Representative shall have no special eligibility requirements other than those specified under Article III, Section 3.

Section 4. TIME OF ELECTION

- A. Regular elections shall be held each year during the month of April on dates determined by the Governing Council. All open offices for Parent Representatives of the Governing Council shall be voted upon.

Section 5. WINNERS OF ELECTIONS

- A. The winners of the election shall be determined by counting the votes for each office and determining which candidates received the highest numbers of votes, (e.g., when six Parent Representative offices are open, the candidates receiving the six highest numbers of votes for those offices shall be deemed elected, and those receiving the next six highest numbers of votes shall be Alternates). In the event of any tie, the winner shall be determined by a coin toss.
- B. The names of the newly elected Governing Council members and the Alternates shall be announced to the school community as soon as possible following the election of the Parent Representatives. The election results shall be recorded in the Minutes at the first Governing Council meeting following the elections.

ARTICLE V: OFFICERS

Section 1. GENERAL

- A. The Officers of the Governing Council shall consist of a President, Vice-President, Secretary, and Treasurer.
- B. The Officers shall serve July 1 until June 30.
- C. The Officers shall be voting members of the Governing Council and shall constitute the Executive Council, along with the Principal, the Friends President and one Faculty Representative to be determined by the Faculty.
- D. All voting Parent Representatives of the Governing Council are eligible to be Officers.

Section 2. ELECTION OF OFFICERS

- A. Election of new Governing Council Officers shall take place at the May meeting following the completion of the election of all representatives, provided there is a quorum.
- B. To run for an office, a Parent Representative must be present at the May meeting to accept nomination.
- C. Officers shall be elected by secret ballot by a majority of Governing Council members. Officers shall hold their offices at the pleasure of the Governing Council and may be removed from office at a regular or special meeting by a majority of the entire Governing Council. Vacancies may be filled at any regular or special meeting.
- D. Should the office of President become vacant for any reason, the Vice President shall succeed to the Office of President. Should the office of Vice President, Treasurer or Secretary become vacant for any reason, a successor shall be elected by the Governing Council to serve until the next annual election of Officers.

Section 3. DUTIES OF OFFICERS

A. President

- 1 The President shall preside at all meetings of the Governing Council and shall be a member ex-officio of all committees.
- 2 The President shall oversee the selection of two chairpersons (one Parent and one Faculty member) for each committee set forth in these Bylaws or established by the Governing Council (except as otherwise provided herein), subject to ratification by the Governing Council.
- 3 The President or his/her designee shall represent the Governing Council in all official matters and dealings with outside parties.
- 4 The President shall perform all other duties pertaining to the office.
- 5 The President shall be a Parent Representative of the Governing Council.

B. Vice President

- 1 The Vice President shall act as an aide to the President and shall perform the duties of the President if the President is absent or otherwise unable to perform said duties.
- 2 The Vice President shall serve as an ex-officio member of all committees and act as liaison between the committees and the President.
- 3 The Vice President shall coordinate the activities of the committees.
- 4 The Vice President shall be a Parent Representative of the Governing Council.

C. Secretary

1. The Secretary shall record the Minutes of all Governing Council meetings and maintain records of all Minutes of committee meetings as prepared by the committees.
2. The Secretary shall be responsible for all official communications of the Governing Council including notices, newsletters, telephone trees and correspondence to outside parties.
3. The Secretary shall be a Parent Representative of the Governing Council.

D. Treasurer:

1. The Treasurer shall oversee all funds made available to the Governing Council.
2. The Treasurer shall oversee the Budget.
3. The Treasurer shall chair the Budget Committee as established in these By-Laws.
4. The Treasurer shall be a parent representative of the Governing Council.

ARTICLE VI. COMMITTEES

Section 1. GENERAL

- A. The Governing Council shall have such committees and subcommittees as it may create from time to time. Each committee or subcommittee shall have co-chairpersons (one parent and one faculty) or one chair faculty advisor who shall be selected in September. Exceptions to the parent and faculty co-chairperson composition may be granted on an as-needed basis by the Executive Council. Chairpersons need not be elected members of the Governing Council.

- B. All Committee meetings shall be open to all parents having children in The Open School and to all faculty and staff, with the exception provided in Section 2 of this Article.
- C. All parents having children in the school and all faculty and staff are encouraged to participate on the committees.

Section 2. STANDING COMMITTEES

The President of the Governing Council may establish, without limitation, the following committees. Each committee shall establish its goals for the school year and present them at a Governing Council meeting:

- Bilingual Advisory Committee
- Budget Committee
- By-laws, Charter and Program Evaluation Committee
- Communications Committee
- Community Building and Education Committee
- Hospitality & Volunteer Coordination Committee
- Library Committee
- School Safety Committee
- Site Committee
- Staff Selection Committee

- A. All committees shall be composed of both Parents and Teachers.
- B. The Staff Selection Committee meetings will be open to all current parents, faculty, and staff, with voting restricted to the committee members and the administration.
- C. The Budget Committee must be chaired by the Treasurer of the Governing Council.
- D. Ad hoc committees may be formed to accomplish other goals of The Open School.

ARTICLE VII. MEETINGS

Section 1. REGULAR MEETINGS

- A. The Council may hold regular, special and emergency meetings. All meetings of the Governing Council shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act of California Government Code Sections 54950, et seq., as said chapter may be modified by subsequent legislation.
- B. Notice of the regular meetings and the proposed agenda must be distributed in a manner that will assure that the community is informed of these scheduled meetings at least three (3) school days in advance of the date of the meeting.
- C. A minimum of nine (9) regular meetings shall be held during the school year.
- D. All regular meetings shall be open to anyone in The Open School community wishing to attend. Those in attendance shall have the opportunity to participate in all discussions, ask questions and make suggestions. However, only Governing Council members may present motions or vote.
- E. Regular meetings shall follow the agenda established by the Executive Council. Any matter not on the written agenda must be tabled until the next regular meeting or a special meeting.

Section 2. SPECIAL MEETINGS

- A. The Council may hold regular, special and emergency meetings. All meetings of the Governing Council shall be called, held and conducted in accordance with the terms and provisions of the Ralph M. Brown Act of California Government Code Sections 54950, et seq., as said chapter may be modified by subsequent legislation.
- B. Special meetings may be held when requested by any six (6) members of the Governing Council or when called by the President.
- C. Special meetings shall be held on the physical premises of The Open School, except when physical circumstances would not permit it; then the meeting may be held at a site within a reasonable distance of the school.
- D. Notice of a special meeting shall be given to all Governing Council members at least two (2) days in advance. Every effort shall be made to notify the parent community of all such meetings.
- E. All special meetings shall be open to The Open School community. Those in attendance shall have the opportunity to participate in all discussion, ask questions and make suggestions. However, only Governing Council members may present motions or vote.

Section 3. EXECUTIVE COUNCIL MEETINGS

- A. The President or any other Executive Council member may call Executive Council meetings for any reason. Members from the community wishing to establish items for the agenda may send their suggestions to the Executive Council.
- B. Public notice of Executive Council meetings shall be given at least three (3) days in advance.

Section 4. COMMITTEE MEETINGS

- A. Committee meetings shall be called by the Committee chairperson at a time, date and place mutually acceptable to the majority of the Committee members.
- B. If reasonably possible, notice of committee meetings via the most efficient communication shall be given to all committee and community members at least three (3) days in advance.

Section 5. VOTING

- A. At any duly called or held meeting, decisions shall be made by a simple majority of those present, unless otherwise stated in these Bylaws.

ARTICLE VIII. EVALUATION

The Governing Council shall conduct an annual Program Evaluation that shall include but not be limited to an assessment of the overall effectiveness of the school's program as defined in the Program and the current charter. The evaluation's findings will be made public in a timely fashion at a meeting of the Governing Council.

ARTICLE IX. PARLIAMENTARY AUTHORITY

Robert's Rules of Order Newly Revised shall govern the Governing Council in all cases in which they are not in conflict with these Bylaws.

ARTICLE X. AMENDMENTS

These Bylaws may be amended at any regular meeting of the Governing Council by an affirmative vote of a quorum of the Governing Council, provided that such amendments are reviewed at a Governing Council meeting. Such amendment may be canceled or modified by a majority vote of the Representatives on the Governing Council. A Governing Council meeting may be called upon written request of thirty (30) parents. The President of the Governing Council will set the meeting within ten (10) days of the receipt of such request. All Staff, Faculty, Administrators and Parents of The Open School are to be notified of the meeting. No quorum will be required to conduct business at such meeting. The changes shall be read and voted on at the meeting that the amendments are presented.

ARTICLE XI. RATIFICATION

These Bylaws were adopted when passed by a majority of the parents having children in The Open School present at a meeting called for their adoption.

ARTICLE XII. CONFLICTS OF INTEREST

Whenever a council member or officer has a financial or personal interest in a matter coming before the Council or a committee of the Council, the council shall ensure that:

- a) The interest of such council member or officer is fully disclosed to the Governing Council.
- b) Interested council members or officers withdraw from discussion, voting or lobbying on the matter.
- c) Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested council members determine that it is in the best interest of the council to do so.
- d) Payments to the interested council member or officer shall be reasonable and shall not exceed fair market value.
- e) The minutes of meetings at which such votes are taken shall record such disclosure, abstention, and rationale for approval.

These Bylaws were ratified and adopted by a duly noticed and held meeting on the 18th of September 2014.

_____ President, Governing Council.

_____ Secretary, Governing Council

_____ Principal, The Open School