

BATTLE ROCK CHARTER SCHOOL

BYLAWS

ARTICLE I

NAME, LOCATION and FISCAL YEAR

SECTION 1. NAME: The name of the organization shall be the Battle Rock Charter School.

SECTION 2. LOCATION: The location of the facility shall be 11351 Road G, Cortez, CO 81321, Montezuma-Cortez School District #RE-1.

SECTION 3. FISCAL YEAR: The fiscal year of the school shall coincide with the fiscal year of Montezuma-Cortez School District #RE-1.

ARTICLE II

BOARD OF DIRECTORS

SECTION 1. The school shall have a Board of Directors consisting of ~~five~~ **up to seven** members, each of whom must be either a parent of a student who attends Battle Rock Charter School, or must fill an “at-large” position. These ~~five~~ **seven** members shall be distributed as follows: **at least** two parent positions and **at least** three “at-large” positions. No board member shall be a person who is under contractual obligation with Battle Rock Charter School of more than 30 hours a month. **A member of the board may be related to a staff member only if the relationship is disclosed prior to election and the member recuses his or herself from any discussion or vote that would be considered a conflict of interest, including executive sessions.** ~~or a family member or occupant of the same residential address of said staff member.~~ Only one family member may serve on the board at one time.

SECTION 2. TERM: Board members shall hold office for three-year terms. Each Board member shall hold office until the first Board meeting following an election in the year in which his expires. Board members may be elected to two consecutive terms of office. After a period of one year off of the Board, a person may be reconsidered for nomination to the Board. In the

event of a vacancy, the Board will advertise the position and may appoint eligible individuals for the remainder of the position's term.

SECTION 3. VACANCIES: In the event of resignation from the Board, vacancies will be announced once in the Cortez Newspaper and at the Montezuma-Cortez School District office. Applications from eligible individuals will be taken for a two-week period. The Board Member appointed will serve for the remainder of the term vacated.

SECTION 4. GENERAL POWERS AND DUTIES: The Board shall govern the property, business, and affairs of the Battle Rock Charter School. Without limiting the generality of the foregoing, the Board of Directors may exercise all such powers of the School as are provided by the State and Federal laws, Montezuma County Board of Education Policy and these bylaws. The Board of Directors will assign duties and responsibilities at the first meeting following an election and/or appointment of Board members. If necessary, these duties and responsibilities may be reassigned at any time at the discretion of the Board.

SECTION 5. COMPENSATION: Member of the Board shall receive no compensation for their services as members of the Battle Rock Charter School Board of Directors.

SECTION 6. RESIGNATION: Any Board member may resign at any time by giving written notice to the President or Acting Secretary of the Board of Directors. 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. REMOVAL: At the discretion of the board, parents who withdraw their children from Battle Rock Charter School may no longer be eligible to serve on the BRCS Board.

SECTION 7. ATTENDANCE: Attendance at Board of Directors meeting is mandatory. Any Board member missing two meetings in a row without prior Board notification may be dismissed from the Board.

SECTION 8. RULES OF ORDER: Robert's Rule of Order will be used as deemed necessary by the Board of Governors.

SECTION 9. BOARD MEMBER CONFLICTS OF INTEREST: Public office is a trust created in the interest of the common good and for the benefit of the people. It is the intent of the Bylaws to maintain public confidence and prevent the use of public office for private gain. Board members shall disclose any known or potential conflicts of interest in writing to the Board prior to the time set for voting on any such transactions, and shall not vote on the matter or attempt to influence the decisions of other Board members in voting on the matter. The written disclosures will be attached to the minutes of the meeting in which board action occurred relating to the matter disclosed.

ARTICLE III

ELECTIONS

SECTION 1. Notice of up-coming elections for Board of Directors members of the Battle Rock Charter School will be published in the Cortez Newspaper thirty days in advance of the election. Candidates interested in running for election to the Board of Directors must submit a notice of such to the Battle Rock Charter School a minimum of two weeks prior to the date of the election. Elections of Board members will be held annually on the second Monday of September at the regularly scheduled Board meeting at the school. Voters must be present at this meeting to tender their vote, or tender their vote at the school, in writing, on the day of the scheduled meeting time, at the Battle Rock Charter School. Eligible voters shall include the parents of all children currently attending the Battle Rock Charter School, and Battle Rock community members. Newly elected Board members shall assume office at the first Board meeting following their election.

ARTICLE IV

MEETINGS OF THE BOARD OF DIRECTORS

SECTION 1. MEETINGS: The Board of Directors will meet once a month to discuss the Battle Rock Charter School operations and to hear reports and updates from the Director, Board members, and committees to consider and to adopt or change policy, and to consider requests and concerns from parents, students and teachers. All Board of Directors members will have equal weight when voting for changes to school policy, approving budgets, etc. All actions taken by the Board of Directors will require a quorum present to conduct business.

SECTION 2. NOTICES: The provisions of the Colorado Sunshine Act of 1972, C.R.S. 24-6-401 et. Seq., as amended by the Colorado General Assembly of April 29, 1992, require that full and timely notice to the public be given of meetings of the Board of Directors. In addition to any other means of giving full and timely notice, the Act provides that the Board shall be deemed to have given the requisite notice if the notice of the meeting is posted in a designated public place within the boundaries of the School District no less than twenty-four hours prior to

the meeting. Therefore, the Board of Directors of the Battle Rock Charter School will post notices in the Cortez Newspaper at least twenty-four hours in advance of any meetings of the Board at which time adoption of any proposed policy, position, resolution, rule, regulation, or formal action is expected to occur by a quorum of the Board of Directors. If time does not allow, said notice will be posted no less than twenty-four hours prior to any meetings described above on the front door of the Battle Rock Charter School.

SECTION 3. QUORUM: For voting purpose a quorum shall consist of at least three current Board members.

SECTION 4. MANNER OF ACTING: The act of a majority of the members of the Board present at a meeting at which a quorum is present shall be the act of the Board of Directors.

SECTION 5. EXECUTIVE SESSIONS: All regular and special meetings of the Board of Directors 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 of the following: 1. Attorney-client matters, 2. Acquisitions or sales of property, 3. Contract Proposals or negotiations, 4. Sensitive personnel matters, or 5. Sensitive matters involving students. The motions requesting the executive session shall state the nature of the matter to be discussed. Only those persons invited by the Board may be present during the executive session. The Board shall not make final policy decisions, 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 that is closed to the general public. Matters discussed during executive sessions shall remain confidential among those attending. The Board shall record all executive sessions and keep on file for ninety days.

ARTICLE V

OFFICERS OF THE BOARD OF DIRECTORS

SECTION 1. OFFICERS: The officers of the Board of Directors shall consist of President, Vice President, Acting Secretary, and Treasurer.

SECTION 2. ELECTION AND TERM: Officers of the Board shall be elected at the first meeting of the Board of Directors after the election and shall serve until the meeting following the next annual election of the Board of Directors, and until their successors are elected and qualified, or until their earlier deaths or resignations.

SECTION 3. VACANCIES: The Board of Directors at the next regularly scheduled Board meeting shall fill any vacancy among the officers. An officer appointed to fill a vacancy shall serve for the unexpired term of his predecessor in office.

SECTION 4. PRESIDENT: The President shall be the executive officer of the Battle Rock Charter School Board of Directors.

SECTION 5. VICE PRESIDENT: The Vice President shall have all the powers and perform all the duties of the 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 to him/her by the President of the Board of Directors.

SECTION 6. ACTING SECRETARY: The Acting Secretary shall keep full minutes of all the meetings of the Board of Directors. The Acting Secretary shall attend the meeting of the Board of Directors and shall act as clerk thereof and record all the acts and votes and the minutes of all proceedings in one or more books to be kept for that purpose. The Acting Secretary shall see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law, and shall perform such other duties as may be assigned by the President of the Board of Directors.

SECTION 7. TREASURER: The President of the Board of Directors shall fulfill this office or shall designate someone to do the same.

ARTICLE VI

BOOKS AND RECORDS

Battle Rock Charter School shall keep correct records and shall also keep minutes of the proceedings of its members, Board of Directors, and Committees. All records of the School are considered public documents and may be inspected at any reasonable time. However, student records, personnel records, and other records protected under privacy laws are excluded

ARTICLE VII
CONSTRUCTION

The masculine gender, where appearing in the Bylaws, shall be deemed to include the feminine gender, and singular shall be deemed to include the plural, unless the context clearly indicates the contrary.

ARTICLE VIII
PROCEDURE TO AMEND THE BYLAWS

The Bylaws may be amended, altered, or repealed, and new Bylaws upon the affirmative vote of the Board of Directors after a public hearing.

Any changes to the Bylaws that would effect in any way the standing contract with the district must be approved by the RE-1 School Board before the changes take effect.