

IV. GOVERNANCE STRUCTURE

Governing Law: The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement—California Education Code Section 47605(b)(5)(D).

LEGAL STATUS

Pursuant to California Education Code Section 47604(a), ACS will operate by Cesar Estrada Chavez Dual Language Immersion Charter School, Inc. as a nonprofit public benefit corporation under the Fictitious Business Name, Adelante Charter School of Santa Barbara. Corporate documents will be maintained by the Secretary and at the school and will be available on request. By July 1, 2019, ACS shall provide the District with copies of revised Corporate Bylaws and conflict of interest code updated to reflect compliance with the provisions of this Charter, including compliance with Government Code section 1090 *et seq.*

ACS shall provide written notice to the District of any proposed revisions to the Articles of Incorporation and/or Bylaws no less than three (3) weeks prior to consideration of adoption of the revision(s) by the ACS governing board. If the District indicates that it considers the proposed revision(s) to be a material revision to ACS's governance structure or Charter, the District shall notify ACS in writing of the reason(s) supporting its determination; ACS agrees it will not adopt such revision(s) unless and until the revision(s) is first approved through the process set forth for material revision to the Charter. Should ACS adopt revision(s) to its Articles of Incorporation and/or Bylaws in accordance with these requirements, it shall provide a final copy of the revised document to the District within 3 business days of the finalization of such revision(s), either by Board action or upon receipt of a certified copy of the Articles from the Secretary of State.

Should the provisions of this Charter conflict with the Articles of Incorporation, Bylaws, policies, or practices of the Charter School or the corporation, the provisions of this Charter shall prevail.

ACS will comply with all provisions of the California Corporations Code as applicable to a California nonprofit public benefit corporation. ACS shall comply with the Ralph M. Brown Open Meetings Act (Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code) ("the "Brown Act"). All meetings of the ACS Board of Directors shall comply with the Brown Act. All meetings of the Board and its committees shall be called, noticed, and held in compliance with the provisions of the Brown Act. The Board shall meet annually for the purpose of organization, appointment of officers, and the transaction of such other business as may properly be brought before the meeting. The annual meeting shall be held at a time, date and place as may be specified and noticed by the Board of Directors according to the provisions of the Brown Act.

Notices, agendas, and minutes of meetings will be posted, recorded and retained in the ACS files. These records will be accessible for public and District review upon request. The ACS Board of Directors and ACS staff will be trained at least annually on the requirements of the Brown Act. ACS shall provide to the District Office copies of all its Governing Board agendas (including all materials provided to members of the Board regarding open session items for consideration) of any Board

committees (including all materials provided to members of the Board regarding open session items for consideration), on or before the date required for posting of such agendas, in compliance with the Brown Act.

BOARD OF DIRECTORS

ACS is governed by the Bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the Bylaws. The Board is the responsible agent for fulfilling accountability requirements set forth in this Charter, Charter School legislation, and the Memorandum of Understanding. The Board of Directors is ultimately responsible for decisions that ensure the ACS's viability and particularly focuses on educational, financial, legal, and personnel issues. The Board of Directors makes final decisions regarding the expulsion of students from ACS.

Its major roles and responsibilities include establishing and approving all major educational and operational policies, approving all major contracts, approving the school's annual budget overseeing the school's fiscal affairs, and selecting and evaluating the top administrative staff. As a nonprofit corporation the Board of Directors is the final authority on such decisions.

BOARD COMPOSITION

The Board consists of 7-11 members. The composition, selection and additional detailed responsibilities of the Board are outlined in the ACS Bylaws (see Appendix E - Bylaws of Adelante Charter School, Inc.).

The Board's composition of voting members will reflect the diversity of our school community and the community at large and will consist of:

- At least two parents of ACS students, with a goal of including at least one parent whose dominant language is Spanish.
- At least one community member.
- At least two educators who are not employed by ACS.
- The Executive Director/Principal serves as an advisor to the Board.
- A member of the Santa Barbara School District Board of Education shall be entitled to a single representative on the Board of Directors pursuant to Education Code 47604(b).
- At the Board's direction, the accountant (in conjunction with the Treasurer) will attend Board meetings and make regular budget reports/recommendations to the Board.

Parent representatives will provide a parent perspective to the Board of Directors and will reflect the diversity of the school community and the community at large.

Community members will work with key staff to secure funding for the school and will network with the community.

Educators will work with the administrator to ensure that the school is implementing an effective TWI program. These individuals may also share and/or introduce research-based educational practices and instructional strategies with staff, facilitate data discussions to improve instructional strategies that impact student outcomes, and ensure that the school is compliant with state and school district policies, laws, and regulations.

DUTIES OF OFFICERS

- The President shall perform all duties incident to his or her office and such other duties as may be required by law, by the Articles of Incorporation of this corporation, and/or by the Bylaws, or which may be prescribed from time to time by the Board of Directors. The President will serve as an ex-officio member, who only votes whenever his or her vote will affect the result (i.e. when there is a tie).
- The Vice President, in the absence of the President or in the event of his or her inability or refusal to act, shall perform all the duties of the President, and when so acting shall have all the powers of, and be subject to all the restrictions on, the President.
- The Treasurer shall maintain knowledge of the organization's commitment to its goals and objectives, understand financial accounting for nonprofit organizations, work with the accountant/book keeper to ensure that appropriate financial reports are made available to the Board on a timely basis, and present the annual budget to the Board for approval.
- The Secretary will be the custodian of the records and of the seal of the corporation and see that the seal is affixed to all duly executed documents. The Secretary shall be responsible for all documentation, agendas, and recording of minutes; will provide prior meeting minutes to the Board for approval; and will coordinate presentations at Board meetings.
- At the Board's direction, an unpaid Parliamentarian officer will attend Board meetings and will be up to date on the pertinent laws and key documents (Bylaws, ACS charter, Brown Act, and Charter School Act). This officer will also be responsible for modifying all documents and for bringing them to every meeting.

BOARD MEMBER RESPONSIBILITIES

The Board of Directors meets on a monthly basis, unless otherwise noted in a yearly calendar approved in June of each year. The responsibilities of the Board of Directors as further outlined in the Bylaws (see Appendix E) include, but are not limited to:

- Uphold the mission of ACS.
- Oversee the implementation of the charter.
- Create, implement, and monitor an annual strategic plan for the school (evaluate data to inform educational plan and assessment methods).
- Provide notice and hold meetings in compliance with the Brown Act.

- Create committees, sub-committees, and/or task forces as needed in order to achieve levels of internal and external accountability (See Appendix E).
- Perform any and all duties imposed on them collectively or individually by law, by the Articles of Incorporation of this corporation, or in the Bylaws.
- Appoint and remove, employ and discharge, and, except as otherwise provided in the Bylaws, prescribe the duties and fix the compensation, if any, of all officers, agents and employees of the corporation.
- Approve all educational, financial, legal, operational, and personnel issues, and work with the Executive Director/Principal and staff to implement these policies.
- Supervise all officers, agents, and employees of the corporation to assure that their duties are performed properly.
- Provide oversight of the instructional programs and materials.
- Hire, evaluate, and discipline the Executive Director/Principal. (See Appendix F).
- Approve and oversee student and parent policies that may include but are not limited to admissions, suspension and expulsion, and staff recruitment.
- Approve and monitor management of school liabilities, insurance, and health and safety related matters.
- Approve and monitor the budget and the School's fiscal practices, including the receipt of grants, gifts, and donations.
- Receive and review all quarterly financial reports and the yearly financial audit.
- Interface with the Santa Barbara Unified School District and the community at large.

The Board of Directors adopts policies and procedures regarding self-dealing and conflicts of interest. The Board may start and carry out any program that is not in conflict with or inconsistent with any law and which is not in conflict with the purposes for which the charter school is established. The Board may execute any powers delegated to it by law, and shall discharge any duty imposed by law upon it and may delegate to an employee of the School any of those duties. The Board, however, retains ultimate responsibility over the performance of those powers as delegated.

CONFLICT OF INTEREST

No person compensated by ACS for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as a director, may serve on the ACS Board.

Additionally, ACS shall be subject to Government Code section 1090 et seq. as set forth in Education Code Section 47604.1, the Political Reform Act of 1974 (Gov. Code section 87100, et seq., the "PRA") and any attendant regulations as they, and all conflict-of-interest laws and prohibitions

applicable to California nonprofit corporations and/or California charter schools. All officers, employees, and members of the governing board of ACS shall comply with the requirements of each and all of those conflict-of-interest laws and regulations as required for charter schools.

ACS has adopted the Fair Political Practices Commission's Model Conflict of Interest Code, pursuant to California Code of Regulations, title 2, Section 18739, including the formal designation of reporters and reporting categories and the forms to be filed thereunder, and will review, revise, and maintain that Code as necessary throughout the term of the Charter, and provide a copy of that Conflict of Interest Code and the documentation of board action adopting it to the District (and any revisions thereto), and require all affected ACS officers, employees, representatives, and governing board members to comply therewith.

DECISION MAKING

The Board of Directors is responsible for setting the overarching policies that guide the operation of the school. The Executive Director/Principal is responsible for the day-to-day administrative decisions necessary for running the school. While the Board creates the guidelines and makes the final decisions related to educational, fiscal, legal, operational, and personnel issues, the Executive Director/Principal will implement those policies on a daily basis.

The Executive Director/Principal is empowered to make line item budget decisions regarding the budget as outlined in the fiscal policy adopted by the Board. The Executive Director/Principal is accountable to the Treasurer for all financial recordkeeping, scheduling, procedures and all other requirements as stated in the Bylaws, Article 4, Section 9. While approval of the Board is required to start a personnel search, the Executive Director/Principal is responsible for implementing the hiring processes within his or her area of jurisdiction. The Executive Director/Principal is responsible for the supervision and evaluation of employees within his or her jurisdiction. The Board of Directors must approve all final personnel decisions.

TEACHER COUNCIL

The Teacher Council is comprised of all teachers. It is a forum in which teachers provide each other with support, share interests and concerns, and will represent these concerns as they report to the Board of Directors. The objective of the Council is to ensure that there is a mechanism for teachers to regularly provide input to the Board of Directors, while avoiding the conflict of interest issues of having a teacher on the actual Board of Directors. The Teacher Council will have a president and a secretary, and will meet at least three times per school year.

THE BROWN ACT

The Board of Directors and its committees act in compliance with the Brown Act.

CONFLICT OF INTEREST POLICY

The Board shall adopt and shall abide by a Conflict of Interest Policy. (See Appendix G.)

PUBLIC RECORDS ACT

The school shall comply with the Public Records Act and Education Code Section 47604.3 with regard to responding to reasonable inquiries.

ADMINISTRATION

The Executive Director/Principal performs the day-to-day management of the charter school. The responsibilities of the Executive Director/Principal are to:

- Report to the Board of Directors, and uphold the mission of the school.
- Oversee the educational program and staff for grades K-6.
- Attend District Administrative meetings as necessary and maintain contact with District.
- Provide educational leadership.
- Hire, supervise, and discipline educational employees of ACS (with approval of the Board).
- Provide Professional learning for the educational staff through observations, meetings, orientation and in-service training.
- Provide timely performance evaluations of all School employees and report all potential employee disciplinary actions to the Board.
- Coordinate Special Education services (subject to oversight by the Assistant Superintendent of Special Education) and serve as administrative designee for IEP and SST meetings.
- Provide assistance and coordination to the teachers and staff in the development and revisions of the curriculum (with approval of the Board).
- Solve problems regarding students, curriculum, teachers or other educational related issues.
- Create agendas and facilitate teacher/staff meetings.
- Establish timelines for overall operation of the school.
- Propose policies to Board of Directors.
- Provide comments and/or recommendations regarding policies that come before the Board of Directors.
- Serve as liaison with School legal counsel, and District office, regarding educational or charter issues.
- Participate in the development of the budget in accordance with generally acceptable accounting principles.
- Make budget line item revisions when necessary and report changes regularly to the Board.
- Oversee parent/student/teacher relations.
- Supervise student discipline that may include but is not limited to suspension and expulsion.

- Recommend to the Board of Directors students for expulsion in conjunction with recommendation from the teaching staff.
- Help plan and coordinate all activities related to enrollment.
- Establish procedures designed to carry out ACS policies.
- Order educational supplies, materials, and equipment.
- Sign checks and requisitions.
- Work collaboratively with parents in the school and community, remaining open to the concept of community as classroom.
- Show enthusiasm for collaboration with teachers and other staff at classroom and school levels.
- Be willing to work beyond the parameters of a regular school day to assure the success of the program.
- Maintain and increase community partnerships.
- Participate and report on at least three instructional leadership professional learning sessions annually.
- Demonstrate willingness to learn and adapt to current best practices in the local and state educational community.
- Work with teachers to develop curriculum assessments based on two-way immersion best practices.
- Work with student teachers.
- Work as a mentor for new teachers by helping with orientation, conducting regular classroom observation, providing feedback and assisting with planning and assessment.
- Work with all teachers in their first 3 years of instruction.
- Coach for skill attainment based on new two-way immersion research.
- Support year 3 + teachers in sharing best practices and mentoring new teachers.
- Research and stay current on two-way immersion best practices.
- Coordinate Professional learning in accordance with criteria from the ACS School wide Assessment Benchmarks and Tools for Progress Monitoring document.