

BACKGROUND

Bylaws revised in 2013 and approved by Council April 2013

State legislation effective July 1st, 2013 (SB12-067), required all charter schools to become nonprofit corporations. Moreover, we were responding to BVSD's request that Horizons formalize its governance structure by incorporating as a nonprofit corporation.

Horizons K-8 School Inc. operates under the umbrella of the Revised Nonprofit Corporation Act, and the Board is subject to various other laws (e.g. Open Meetings Laws, Open Records Laws) because we, as a charter school, are a "local public body" (we spend \$3 million of public money every year!) So the board has to fulfill the requirements set out in the bylaws, and also any legal requirements by being a charter school and a nonprofit corporation.

Why Bylaws ?

Set out the governance of the school which is a 501c3 nonprofit corporation. The voting members of that corporation are faculty, parents/legal guardians and staff of Horizons. The students are non-voting members.

Reflect historical priorities of the school – its philosophy around "teacher-led", "shared governance", decisions made by "concordance", non-concordance issues resolved by the Board,

The bylaws do not detail the school's mission, vision, philosophy or operations.

A proposal to amend the bylaws may be made by the Board or by 25% of the members (Council) may recommend an amendment. Proposed amendments are considered by Council.

BOARD

The bylaws define the governing body of the school : The Horizons Board of Directors ... (all corporate powers shall be exercised by or under the authority of, and the business and affairs of Horizons shall be managed by, its Board of Directors.) (min10 – max14) = 5-6 parents, 5-6 faculty with option of up to 2 at-large members. Equal numbers of faculty and parents

Decision making is by concordance. If concordance cannot be reached, a motion can be passed by a supermajority of 75% ... sometimes a decision just has to be made.

Determination on matters of compensation will be made by parent board members – faculty may give initial input but may not participate in the final deliberation and determination. This is to avoid conflict of interest, and employees determining their own salary which comes from public money.

Committees can be established by Council, or by the Board. Eg Council Committees – Horizons Community Group, Diversity Committee, Fund-raising Committee, Playground Committee; Board

Committees – Finance Review Committee, Development Committee, Faculty Committee, Executive Committee, Hiring Committee.

Board may assign certain responsibilities to Council

COUNCIL

Decisions of the voting members (ie Council) shall be by concordance

Specific responsibilities assigned to Council in the Attachment to the Articles of Incorporation are as follows:

- i. Modifications and amendments to Horizons Belief and Mission Statements, Horizons Communications Agreements, and Horizons Expectations;
- ii. Annual school goals;
- iii. Fundraising policies and activities;
- iv. The annual Supplemental Budget, and any modifications, in accordance with the Financial Policies (for the avoidance of doubt, the District Budget shall be approved only by the Board of Directors);
- v. The renewal of the Charter Contract, and any amendments thereto;
- vi. Approving open enrollment policies;
- vii. Electing members of the Board of Directors in the manner established in the Corporation's bylaws; and
- viii. Any other matters which the Board of Directors may delegate to the members from time to time.

Therefore, any other responsibilities will be considered by or assigned by the Board (eg Calendar, daily schedule, modifying employee handbook, approving financial policies)

I think we discussed last year that the Board would assign calendar and daily to the faculty (can ask for and receive parent input, but Board could delegate this to faculty to finalize)

CUTTING THROUGH THE JARGON

Horizons K-8 School	= The Corporation	= Horizons K-8 School Inc.
Horizons Council Board	= Horizons Board of Directors	
Horizons Council	= Voting Members of the Corporation (faculty, parents, staff)	
Horizons Students	= Non-voting Members of the Corporation	