

## ARTICLE V

### Board of Education

#### Section 5.1 Board of Education - General Powers

The affairs of Crosslake Community School shall be managed by its Board Directors, except as limited by these Bylaws and Minnesota § 124E and applicable laws. The Board Directors shall decide and be responsible for policy matters related to operation of Crosslake Community School including, but not limited to budgeting, curriculum, personnel, and operating procedures except for policies that are stated in the contract between Osprey Wilds Environmental Learning Center and Crosslake Community School.

#### Section 5.2 Number

The Board of Education shall consist of eight nonrelated Board Directors:

- A. one parent/guardian that has a child currently attending the seat-based program at Crosslake Community School, subject to the provisions of Section 6.3.B;
- B. one parent/guardian that has a child currently attending the online program at Crosslake Community School, subject to the provisions of Section 6.3.B;
- C. one parent/guardian that has a child currently attending either the seat-based or on-line program at Crosslake Community School;
- D. one community member that does not have children/child that attends Crosslake Community School or is employed by Crosslake Community School;
- E. two teachers that work for Crosslake Community School seat-based program, subject to the provisions of Section 6.3.B; and
- F. two teachers that work for Crosslake Community School online program, subject to the provisions of Section 6.3.B.

A teacher from an educational cooperative district that works in Crosslake Community School may occupy the Director position of either a teacher from Crosslake Community School seat-based or online program in lieu of a Crosslake Community School teacher, in accordance with the program to which the teacher is assigned. Teachers may be full-time or part-time teachers. Employees other than teachers are not allowed to serve on the Board of Education.

#### Section 5.3 Qualifications

Any teacher nominated and elected as a Board Director must have one or more years of experience at Crosslake Community School or an educational cooperative district that works in Crosslake Community School. Also, a parent/guardian must have a child enrolled at Crosslake Community School for at least one school year preceding his/her nomination. A community member interested in serving on the Board of Education needs to be 18 years of age or older; must not have a child that attends or is enrolled at Crosslake Community School; and cannot be employed by Crosslake Community School. An individual is prohibited as serving as a Board Director if: (1) the individual is a contractor providing facilities, goods, or services to Crosslake Community School; (2) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (3) an immediate family member is an employee of Crosslake Community School.

## ARTICLE VI

### Elections

#### Section 6.1 Board Director Terms

Each Board Director shall hold office for a two-year term or until a successor has been duly elected and qualified, or until the director dies, resigns, is removed, or the term otherwise expires as provided by law or the Bylaws of Crosslake Community School.

An election shall be conducted in such a fashion that approximately half of the Board of Education is elected each year. All Board Director's terms end on ~~December 31~~. **June 30**

**Board terms must begin in July, and newly elected directors must complete required training before assuming office. A board member may complete their term regardless of changes in representation status.**

#### Section 6.2 General Election Procedure

General elections shall be held annually for the Board of Directors.

- A. Election Officials. The election procedure shall be administered by three Board of Education appointed Election Officials who are individuals not running for the Board of Directors and have no family member(s) running for the Board of Directors. Election Officials are appointed annually prior to Crosslake Community School's Open House.
- B. The job duties of the Election Officials include:
  - The issuing the Call for Nominations in emails and letters to parents/guardians, staff and community members
  - Collecting the candidates' information and materials for the Board of Education's publishing of example ballots
  - Registration of eligible voters
  - Counting and recording ballots
  - Ensuring the integrity of the voting process
  - Reporting election results to the Board of Education Chairperson (Election Certification Report)
- C. The Election shall be held no later than 60 days prior to the end of the term for the Board Directors and the notice of the date of the election shall be provided at least 30 days in advance of the election. The deadline for holding the Election may be extended, at the discretion of the Election Officials, if a Second Call for Nominations is required.
- D. Elections shall take place through electronic and onsite paper balloting. The onsite location must be stated in the voting instructions. The onsite location should be in a semi-private location to protect the integrity of an individual's vote.
- E. One or two Election Officials shall be charged with securing the paper voting box and will lock the voting box in a room where other people may not have access to it, except the Election Officials, when the Election Officials are not in attendance.
- F. The Coordinator of Technology or a person appointed by the Board of Education's Chairperson shall be charged with securing the online system of voting.
- G. The election checklist, Signature Registration Sheet, a print out of electronic ballots, paper ballots (including invalidated ballots), and an election tally sheet shall be filed and kept for 7 years.

#### Section 6.3 Nominations, Candidates, and Determining New Board Directors

- A. Crosslake Community School's Open House. The Call for Nominations shall announce the open Director positions, the expiration of the term of the position and the required qualifications for the positions. The Call for Nominations also shall include the manner for submitting a nomination and the due date for submission of the nomination. Election Officials shall confirm with the nominees their willingness to serve if elected. If the nominee is not willing to serve, the nominee shall not be included on the ballot.

- B. If a parent/guardian or teacher candidate for the Director positions specifically designated as seat-based or online program is not nominated, a Second Call for Nominations shall be issued by the Election Officials during the general time frame of Crosslake Community School's Fall Conferences. The Second Call for Nominations shall announce that a parent/guardian or teacher, as applicable, from either the seat-based based or online program may be considered for any of the open parent or teacher Director positions for which an otherwise qualified nominee was not received. The Second Call for Nominations also shall include the manner for submitting a nomination and the due date for submission of the nomination. Election Officials shall confirm with the nominees their willingness to serve if elected. If the nominee is not willing to serve, the nominee shall not be included on the ballot.
- C. Nominations will be collected by the Election Officials until the Call for Nominations expires.
- D. The Election Officials shall issue a Notice of Election at least 30 days in advance of the election. The Notice shall identify the date of the election, the vacant seats and terms, the nominees for each vacant seat and the times, locations and procedure for voting.
- E. Write-in candidates will be allowed for any seat, including vacant seats where a qualified nominee/candidate did not run.
- F. The candidates with the highest number of votes win.
- G. In the event of a tie for an elected position, a run-off election shall be held with at least 30 days of the Notice of the run-off election provided to voters.
- H. A disputed ballot shall be considered valid when all three Election Officials reach a unanimous agreement over the dispute. Otherwise, the ballot is considered invalid and will not be tallied, but set aside and filed with the other ballots.
- I. The number of votes for each candidate received shall be published in Crosslake Community School's Board of Directors meeting minutes.
- J. If no candidate emerges from seat-based or online parent/teacher representatives by a specific date, any teacher or parent may run.

### **Section 6.4 Votes**

- A. Any parent (natural, step, or foster), legal guardian of a student enrolled shall have one vote.
- B. All paid staff including staff that work for a cooperative at Crosslake Community School shall have one vote.
- C. All Crosslake Community School's Board Directors shall have one vote.

### **Section 6.5 Voting Procedures**

Each eligible voter receives one ballot.

- A. A voting person may either vote in person, electronically or an absentee ballot.
  - i. To vote in person, a voter must sign the signature sheet and may need to produce some identification of who they are to receive a ballot. The identification would apply to people not known by an Election Official.
  - ii. To vote electronically, a voter will receive a ballot through an email. An electronic signature certifying the person has voted will be marked off as a vote on the signature sheet. This step will be done by an Election Official. The ballot received is conducted by a third party survey that is not traceable for the Election Officials.
- B. To vote by absentee ballot, a voter must complete the following:
  - i. Request a ballot by five (5) school days prior to the election;
  - ii. Once received, set aside the extra envelopes to return the ballot;
  - iii. Once the ballot is filled out, place the ballot into the blank envelope and seal the envelope;
  - iv. Take the blank envelope and put it inside the envelope that asks for the voter's signature and seal the envelope;
  - v. Sign and date the envelope;
  - vi. Take the signed and dated envelope and put it inside of the postage paid mailing envelope; and

- vii. Drop it in the mailbox and have it postmarked by the Friday before the first day of the election. All envelopes need to arrive at Crosslake Community School on or before the 3:00 p.m. on the last day of the election.
- viii. Voters may drop off the absentee ballot rather than mail it. The last day to turn in a ballot is 3:00 p.m. on the last day of the election.
- ix. Election Officials will open the first two envelopes and add the rest of the ballots in the ballot box to be counted.
- C. The in-person signature serves as a person who has voted and will supersede any other form of a ballot.
- D. For in-person voting, a ballot is numbered to correspond with the signature sheet.
- E. At the voting location, ballots shall be put in the voting box.
- F. The voting box must be locked in the office when it is not attended.
- G. An email will be sent to the email address for each parent/guardian, staff, and Board Directors at the email address on file.
- H. Voting will take place over the course of five business days prior to the Election.

### **Section 6.6 Counting Procedures**

- A. Counting will be done by the Board of Education appointed Election Officials.
- B. Counting will be done by the Board of Education appointed Election Officials.
- C. Counting will be done immediately after the election starting by 4 p.m., weather depending.
- D. In-person ballots will be counted first followed by all electronic ballots from the previous five days. Electronic ballots shall not be counted in advance of the in-person voting closing time.
- E. Invalid ballots will be kept separate and tallied at the end for reporting to the Board of Education.
  - i. Reasons for invalid ballots include:
    - a. Not an official ballot
    - b. Marking too many candidates
- F. In the event that more than one ballot is received from the same voter, only the in-person vote will be counted.
- G. Each Election Official will tally each ballot. If none of the counts match, they will be recounted until all three Election Officials reach the same numbers.
- H. The number of ballots will be verified with the number of signatures on the Signature Registration Sheet and the electronic print out of electronic votes.
- I. The Election Certification Report will be filled out and given to the Board of Education Chairperson to be included in the Board Minutes for the next Board of Education meeting.
- J. The Board of Education Chairperson will call all the candidates to inform them of the results and ensure their willingness to serve as a Director and make public the results of the election the following Monday by 5 p.m.

### **Section 6.7 Elections During a Pandemic, Epidemic, Outbreak of a Disease or Health Emergency**

- A. If Crosslake Community School is closed for all activities or all students are distance learning, then the election will take place completely online. Ballots will be emailed again to all eligible voting members and an additional five business days will be added to the election so all voters will be able cast their vote. The five additional days to vote will be added only if distance learning starts the week of the election.
- B. If Crosslake Community School is in a Hybrid Learning Scenario or some students are in the Hybrid Scenario while other students are distance learning, then the election will proceed using the regular protocols.

### **Section 6.8 Vacancies of a Member from the Board of Directors**

Vacancies in the Board of Education by a Board Director who vacates their position by resignation during their term or that is vacant due to the lack of an elected candidate during the general election, will call for another election. A general election will occur in approximately October and a special election, if needed, shall occur approximately in June. A vacated seat will follow the composition of the Board of Education, one community member, three parents (one from the seat-based program, one from the online program and one from either the seat-based or online program), and four teachers (two from the seat-based program and two from the online program).

- A. If the first non-elected individual receiving the most votes declines to serve on the Board of Education, the Board Directors shall appoint a member to serve on the Board of Education until the next election. The Board Directors may appoint any eligible person at any time during the term that vacated seat is not filled.
- B. The Board of Education will address the vacancy at every Board of Education meeting the seat remains vacated.
- C. If there is more than one candidate presented at the Board of Education meeting, the Board Directors will vote by ballot for the candidate they choose. Each Board of Education member shall have one vote. In addition, the recorder of the Board of Education shall count and report the results to the Board Chairperson.
- D. If there is a tie, the seat remains vacated until the next Board of Education's meeting. The process is repeated until a candidate fills the vacated seat.
- E. A Director filling a vacancy shall hold office for the remainder of term of the vacant position.
- F. In case of withdrawal, the board seat will go to the next candidate with the most votes within the same category. If no candidate is available, the seat remains vacant until filled. Appointees will complete the remainder of the term.

### **Section 6.9. Resignation and Removal**

Directors may resign at any time, effective immediately, or at a specified later date, by giving written notice to the Board of Education Chairperson or the Administrative Assistant of Crosslake Community School. Unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

The Board of Education may remove, for proper cause, any Director or Officer of the Board of Education and fill the vacancy; but such removal must be by a concurrent vote of at least four members at a meeting of whose time, place, and object the charged Director has been duly notified, with the reasons for such proposed removal and after an opportunity to be heard in defense against the removal.

### **Section 6.10 Filling Vacancies**

Unless otherwise provided by Minnesota Statutes Section 317A.227 or Section 6.9, vacancies on the Board of Education caused by death, disqualification, disability, removal, absence of three consecutive designated Board of Education meetings (without substantial reason), or such other cause shall be filled by appointment of a new Director by the affirmative vote of a majority of the remaining Directors, even if less than a quorum. A Director filling a vacancy shall hold office for the remainder