
East Mountain Highschool Governing Council Policies

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SECTION 1: Governance Process Policies

The policies in this section define the role of the Governing Council, how they will get their work done, and the relationship between individual Governing Council Members.

1.0 Purpose of the Governing Council

The purpose of the East Mountain High School Governing Council is to be held accountable by our community to ensure that East Mountain High School achieve its mission and purpose of educating students within the boundaries of state and federal educational statutes.

1.1 Number of Governing Council Members.

The Governing Council is composed of five to nine voting members.

1.2 Qualifications of Governing Council Members.

Any adult member of the New Mexico community who does not receive compensation from the school is eligible to serve on the East Mountain High School Governing Council. The Governing Council is composed of a broad cross-section of school stakeholders, including parents, professionals and community leaders.

- 1.2.1** The Governing Council will strive to have its membership reflect the entire East Mountain High School community.
- 1.2.2** It may choose from personal considerations such as age, gender, race, ethnicity, geographic location, and socio-economic status.
- 1.2.3** When balancing the attributes of its membership, the Governing Council will consider those who possess the following competencies: educational administration, curriculum and instruction, business administration, finance, strategic planning, policy development, law, community relations, and other areas of strategic expertise, resources and perspective needed to achieve the Vision, Mission and Stakeholder Goals of the school.

1.3 Disqualifications of Governing Council Members

The following persons are ineligible to serve as Governing Council members:

- 1.3.1** A person who is serving on the governing body of another charter school. 228B-4B NMSA (2011)
- 1.3.2** A person, or an immediate family member of the person, who is an owner, agent of, contractor with or otherwise has a financial interest in a for-profit or nonprofit entity with which East Mountain High School contracts directly, for professional services, goods or facilities.
- 1.3.3** An employee, agent or board member of the chartering authority who participated in the initial review, approval, ongoing oversight, evaluation or charter renewal process of EMHS. 22-8B-5.2C NMSA (2011)

- 1.3.4** A person who is an immediate family member of an employee of East Mountain High School. Immediate family member” means spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, brother, brother-in-law, sister, sister-in-law or any other relative who is financially supported. 22-8B-5.2B and D NMSA (2011)
- 1.3.5** Further, no voting member of the East Mountain High School Governing Council shall be employed in any capacity by East Mountain High School during the term of office for which the member was selected.

1.4 Powers of Governing Council

The Governing Council has the rights and responsibilities set forth in 22-8B-4 NMSA. Pursuant to 22-8B-4 NMSA, East Mountain High School is administered and governed by the Governing Council in the manner set forth in its Charter. Subject to the provisions of the laws of this State and any limitations in the East Mountain High School Charter or these Policies relating to action required or permitted to be taken or approved by the members, the activities and affairs of this Governing Council and East Mountain High School shall be conducted and all powers shall be exercised by or under the direction of the Governing Council of East Mountain High School.

- 1.4.1** The Governing Council not only supports the East Mountain High School Charter, it also leads the realization of the Charter and its Vision, Mission and stakeholder Goals and further establishes policies and plans consistent with these statements.
- 1.4.2** It is the Governing Council’s responsibility to ensure that the East Mountain High School Charter is relevant and vital to the community it serves and also to monitor the success of the school in realizing the East Mountain High School Charter.
- 1.4.3** The Governing Council has the authority and responsibility to employ and evaluate the school Director and to fix the Director’s salary.
- 1.4.4** The East Mountain High School model of governance is based on a board of directors (Governing Council) with a structure of officers, policies, and delegation of management to the East Mountain High School Director.
- 1.4.5** This model draws inspiration from the approach to governance traditionally found in nonprofit organizations. Specifically, the Governing Council is inspired by John Carver’s model of Policy Governance. In this model, there is a clear distinction made between the governance work of the Governing Council and the administrative/management work of the paid staff.
- 1.4.6** In this model, the Governing Council is responsible for governing the school through policies it creates and the delegation of its authority to its lone employee/executive, the Director. GC Policies are divided into two types:
 - 1.4.6.1** Governance Process Policies designed to define the roles and responsibility of the Governance Council and how it will get its work done.
 - 1.4.6.2** Outcomes Policies: These policies will define the Governing Council’s expectations for what outcomes will occur as a result of their delegation of their authority to the executive (their lone employee).

1.4.7 Adoption, Repeal, and Revision of Policy

- 1.4.7.1 The East Mountain High School Governing Council has the sole responsibility for the adoption of new policies or the revision or repeal of existing policies. Adoption of new policies or the revision, suspension or repeal of existing policies is solely the responsibility of the Governing Council. Any policies not specifically prescribed by statute may be adopted, revised, suspended or revoked by a majority vote of the Council.
- 1.4.7.2 The Council will adhere to the following procedure in considering and adopting policy proposals to ensure that such proposals are thoroughly examined before final action:
- 1.4.7.2.1 Governing Council committees will submit drafts of proposed policies to the Governing Council Policy Committee for consideration and submission to the Governing Council.
 - 1.4.7.2.2 Under unusual circumstances, the Council may, without Policy Committee review or recommendation, temporarily approve a policy to meet immediate or emergency conditions. Discussion will occur at the next Policy Committee meeting to consider the appropriateness of maintaining or revising the temporary policy resulting in a subsequent recommendation to be offered at the next Council meeting.
- 1.4.7.3 The Director may, in case of emergency, request suspension of any parts of policies as they pertain to the administration of the school. However, the Director must report the facts and rationale for such action at the next meeting of the Governing Council. The suspension of the policy expires at the time of said report unless the Governing Council votes to continue the suspension of the policy.

1.4.8 The Governing Council is responsible for addressing major matters through policy creation including:

- 1.4.8.1 Setting the school's general policies and contributing to the overall educational policies;
- 1.4.8.2 Approving and monitoring the annual budget and financial procedures;
- 1.4.8.3 Hiring and evaluating the performance of the school's Director;
- 1.4.8.4 Approving policies and monitoring their implementation by the Director; and
- 1.4.8.5 Assuring that the school fulfills the requirements of the East Mountain High School Charter and, implementing the strategic plan.

1.4.9 Delegation of Governing Council Authority

Consistent with the best practices of nonprofit corporation management, the Governing Council delegates responsibility for running the school.

- 1.4.9.1 The Governing Council is not involved in handling day to day details of running the school, dealing with personnel issues, or addressing individual student needs.
- 1.4.9.2 To this end, the Director not only creates procedural directives for the Council's policies but also is accountable for implementing those procedures.
- 1.4.9.3 Where appropriate, the Director will delegate some responsibility to other assistants, teachers, staff and students.

1.4.10 Construction and Terms of Policies

- 1.4.10.1 If there is any conflict between the provisions of these Bylaws and the East Mountain High School Charter, the provisions of the Charter shall govern.
- 1.4.10.2 Should any of the provisions or portions of these Bylaws be held unenforceable or invalid for any reason, the remaining provisions and portions of these Bylaws shall be unaffected by such holding.
- 1.4.10.3 All references in these Bylaws to the East Mountain High School Charter shall be to the Charter or other founding document of this charter school filed with an office of this state and used to establish the legal existence of this charter school.

1.5 Duties of Governing Council Members

It shall be the duty of the Governing Council members to adhere to the Governing Council Roles and Responsibilities as outlined below.

- 1.5.1** The Governing Council leads the realization of and provides oversight for the school's vision, mission, stakeholder goals as established in the East Mountain High School Charter, and adopts Bylaws and policies that are consistent with the vision, mission, stakeholder goals and all legal and regulatory requirements.
- 1.5.2** The Governing Council assures that the School and the Governing Council operate in compliance with applicable laws and regulations.
- 1.5.3** The Governing Council creates a conflict-of-interest statement, and a Code of Conduct that is reviewed with, and signed by, individual Governing Council members annually.
- 1.5.4** The Governing Council accepts accountability for both the financial stability and the financial future of the institution, engaging in strategic financial planning, assuming primary responsibility for the preservation of capital assets and endowments, approving and overseeing the operating budget, and actively partners with the East Mountain High School Foundation in fundraising.
- 1.5.5** The Governing Council selects, employs, evaluates, sets the roles and responsibilities and fixes the salary for the Director of the school.
- 1.5.6** The Governing Council's primary work and focus are long-range and strategic.
- 1.5.7** The Governing Council undertakes formal strategic planning on a periodic basis.
- 1.5.8** The governing council translates that strategic plan into three types of policies.
 - 1.5.8.1 Goals and strategic imperatives are translated into outcomes policies.

- 1.5.8.2 Actions and procedures deemed counter to the GC's strategic plan are translated into limitation policies.
- 1.5.8.3 The manner in which the GC will monitor the outcomes and the limitations are translated into policy.
- 1.5.8.4 Strategic priorities or sets annual goals related to the plan, and conducts annual written evaluations for the school, the head of the school, and the Governing Council itself.
- 1.5.9** The Governing Council keeps full and accurate records of its meetings, committees, and policies and communicates its decisions widely.
- 1.5.10** Governing Council members are actively involved in the work of the Governing Council and its committees.
- 1.5.11** It is the responsibility of each Governing Council member to study and understand the materials in the Governing Council Packet before the meeting and to comment and/or question information in said materials if and when appropriate during the meeting. Fulfilling this responsibility will add immeasurably to the efficiency and effectiveness of the Governing Council meetings.
- 1.5.12** As the leader of the school community, the Governing Council engages proactively in partnership with the Director in cultivating and maintaining good relations with school constituents as well as the broader community.
- 1.5.13** The Governing Council supports a program of professional development for the Governing Council that includes annual new member orientation, ongoing member education and evaluation, and Governing Council leadership succession planning.
- 1.5.14** The Governing Council, in close collaboration with the Director strive to continuously enhance student academic performance.

1.6 Terms of Office for Governing Council Members

With the intent of ensuring continuity of purpose within the Governing Council, Governing Council members shall hold offices for staggered terms of three (3) years to be determined and elected by the Governing Council.

- 1.6.1** The terms shall begin and expire at the first regular Council meeting of July.
- 1.6.2** Except as provided in Section 16 infra, each Governing Council member will serve until a successor is elected, sworn in, and seated.
- 1.6.3** Each Council member shall be allowed to serve two (2) consecutive full terms of office (appointment to a seat vacated prior to expiration of term and less than three (3) years shall not consist of a full term).
- 1.6.4** After one (1) year absence from being a voting member, a former Council member who had previously served two (2) consecutive terms may re-apply to serve on the Council through the procedures contained in accordance with the Council policies and procedures.
- 1.6.5** The Governing Council may execute its prerogative to extend the term of any member who has completed two (2) consecutive full terms of office and

expresses a willingness to further serve by remaining on the Governing Council. The Governing Council will determine the length of the extension.

1.7 Leave of Absence

Under extraordinary circumstances, the Governing Council may, by majority vote of those members present, interrupt a Governing Council member's term, not to exceed a period of nine (9) months, and award a Leave of Absence, after which said Council member will notify the Council of his/her continuance of term or resignation from the Council.

1.8 Removal, Resignation or Position Vacancy of Governing Council Members

- 1.8.1** Any Governing Council member may resign effective upon giving written notice to the Chair of the Governing Council, the Secretary, or the Governing Council as a whole.
 - 1.8.1.1 Unless the notice specifies a later time for the effectiveness of such resignation.
 - 1.8.1.2 Unless specified therein, no acceptance of the resignation is necessary.
- 1.8.2** Governing Council members may be removed, with or without cause.
 - 1.8.2.1 Removal occurs by a vote of two-thirds (2/3) of the members of the Governing Council.
 - 1.8.2.2 Such removal must take place at a regularly scheduled meeting.
- 1.8.3** If a Council member misses four (4) consecutive meetings, regular or special, that position may be declared vacant by a majority vote of the remaining Governing Council members, which will be done on motion by any other member of the Council.
- 1.8.4** If a Council member misses six (6) consecutive meetings, regular or special, the Chair shall declare the position to be vacant in accordance with these policies and the laws of this State.

1.9 Governing Council Member Vacancies

Vacancies on the Governing Council shall exist in the following cases.

- 1.9.1** when a Governing Council member's term of office is completed,
- 1.9.2** upon the death, resignation or removal of any Governing Council member, or
- 1.9.3** whenever the number of authorized Council members is increased for reasons determined by the Governing Council.

1.10 Recruitment and Process for Selecting New Governing Council Members

Per the direction of the Governing Council, the Council Recruitment Committee is responsible for implementing the process of identifying the most favorable individuals to meet the needs of the school, encouraging them to become part of the Council and helping them understand their roles and responsibilities.

- 1.10.1** The recruitment committee shall be responsible for interviewing, vetting, and recommending candidate(s) to fill vacancies.
- 1.10.2** The Director may serve as an ex-officio, non-voting member of the recruitment committee.

- 1.10.3** The candidate or candidates receiving the most votes of the members present shall be elected to serve the expiring or vacant terms.
- 1.10.4** A vacancy on the Governing Council may be filled by approval of either a majority of the Council members or by a sole remaining Council member.
- 1.10.5** A person elected to fill a vacancy on the Governing Council shall hold office until the end of their second three-year term, his or her death, resignation, removal from office.
- 1.10.6** The GC can extend an invitation for a GC member to serve beyond their second three-year term.
- 1.10.7** Unless otherwise prohibited by these policies or provisions of law, vacancies on the Governing Council that occur prior to the ordinary expiration of a term may be filled by approval of the Governing Council.
- 1.10.8** No Council position shall remain vacant for longer than thirty (30) days, whenever possible.

1.11 Compensation of GC members

Council members shall serve without compensation. However, they may be allowed reasonable advancement or reimbursement of expenses incurred in the performance of their authorized duties.

1.12 Nonliability of Governing Council members

The Council members shall not be personally liable for the debts, liabilities, or other obligations of the East Mountain High School.

1.13 Indemnification of Governing Council and Officers

The Governing Council, to the fullest extent permissible by law, shall indemnify the Council members and officers of the Governing Council under the laws of this State.

1.14 Insurance for Governing Council Agents

Except as may be otherwise be provided under provisions of law, the Governing Council may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any agent of the Governing Council (including a Council member, officer, employee or other agent of the Governing Council).

- 1.14.1** Insurance may be provided against liabilities asserted against or incurred by the agent in such capacity or arising out of the agent's status.
- 1.14.2** Insurance may be provided whether or not the Governing Council would have the power to indemnify the agent against such liability under these policies or provisions of law.

1.15 CONFLICT OF INTEREST

Members of the Governing Council serve a public-interest role and have an obligation to conduct all affairs of the school in a manner consistent with that role.

- 1.15.1** All decisions made by the Governing Council must be made solely on the basis of a desire to promote the best interests of East Mountain High School.

1.15.1.1 Council members will not use their position to try to influence any individual student outcome especially for those students who may be related to the Council member.

1.15.2 Council members shall annually sign a form acknowledging that he or she has read the “Conflict of Interest” statement and has disclosed all known potential or actual conflicts.

1.15.3 Conflict of Interest Statement:

Members of the East Mountain High School Governing Council serve a public-interest role and have an obligation to conduct all affairs of the school in a manner consistent with that role. All decisions made by the Governing Council must be made solely to promote the best interests of East Mountain High School.

1.15.4 Governing Council members must disclose any actual or potential conflicts of interest prior to joining the Council, or immediately after the conflict is discovered, should the conflict be discovered after becoming a member.

1.15.5 In addition, Council members may not use any confidential information obtained by virtue of their association with East Mountain High School for their own individual or another’s private gain.

1.15.6 This policy involves a member of the Council or a member of his or her immediate family or close relative (spouse, parent, stepparent, guardian, brother, sister, parent-in-law, brother-in-law, sister-in-law, child, stepchild, grandparent, aunt, uncle, niece, nephew, first cousin and grandchildren) or an organization for which a member of the Council is affiliated, including the East Mountain High School Foundation.

1.15.7 At first knowledge of the business, the member must disclose the actual or potential conflict and refrain from taking any action with respect to such business.

1.15.7.1 It is further required that disclosures must be made of all relationships and business affiliations that reasonably could give rise to a conflict of interest involving East Mountain High School.

1.15.7.1.1 For this purpose, affiliation is understood to exist if any Council member or member of his or her family (as defined above) is: an officer, director, trustee, partner, employee, or agent of such organization; either the actual beneficial owner of more than five percent (5%) of the voting stock or controlling interest of such organization; or has any direct or indirect dealings with such organization from which he or she knowingly benefited (i.e. through receipt of cash or other property, directly or indirectly, in excess of five hundred dollars (\$500.) a year.

1.15.7.2 Pursuant to the requirements of 34 CFR 74.42, no Governing Council member, officer, or agent shall participate in the selection, award, or administration of an East Mountain High School contract supported by Federal funds if a real or apparent conflict of interest would be involved.

- 1.15.7.3 A conflict of interest would arise when the Governing Council member, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for the award.
- 1.15.7.4 The Governing Council members, officers, and agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, or parties to sub agreements.
- 1.15.7.5 However, the Governing Council may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
- 1.15.7.6 The standards of conduct shall provide for disciplinary actions to be applied for violations of these standards by a member of the Governing Council.

1.16 Nepotism Prohibited

The Council shall not employ or approve the employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law of any Council Member, in accordance with the New Mexico State laws.

1.17 Non-voting, ex-officio members of the Governing Council. [Taken from the 2010-2015 Renewal Charter.]

- 1.17.1** The East Mountain High School Director is a non-voting, ex-officio member.
- 1.17.2** The GC may accept up to two (2) nonvoting Foundation members.
- 1.17.3** The GC may accept up two (2) nonvoting staff members.
- 1.17.4** The GC may accept up to two (2) nonvoting students chosen by their respective constituencies.

- 1.17.5** Terms of non-voting, ex-officio members of the Governing Council--except the Director.
 - 1.17.5.1 In order to involve the greatest number of students, staff, and parents in the direct operation of the Council, the Governing Council requests that ex-officio members serve only a one-year term and be eligible for re-election only after an interim year or more of non-service.
 - 1.17.5.2 Exceptions can be made to the policy above by a 2/3 vote of the Governing council.
- 1.17.6 Roles and Responsibilities of non-voting, ex-officio members of the Governing Council.**

The inclusion of these ex-officio members is to enrich the deliberations of the Council and to create and maintain a collaborative relationship with their respective constituencies.

 - 1.17.6.1 The Director shall serve as the primary decision maker on all educational issues and will make recommendations to the Council when

appropriate and upon request. *Unless otherwise noted, limitations of ex-officio members will exclude the Director.*

1.17.6.2 Staff representatives are elected by the staff of the school and will act as a go-between for the staff and Council, communicate faculty sentiment and Council opinions and action, and regularly report to both groups as appropriate.

1.17.6.3 The EMHS Foundation is dedicated to the support of East Mountain High School through various fundraising efforts. The Foundation selects individuals from its Board of Directors to liaise between the two groups and to report salient information on a regular basis. In turn, an individual Governing Council member volunteers to attend each regular meeting of the Foundation Board of Directors.

1.17.6.4 The student representatives are chosen by the students and are responsible to communicate student opinions and events to the Council on a regular basis and provide feedback to the Council upon request.

1.17.7 Ex-officio, non-voting members access to information.

Ex-officio members have access to all materials distributed to the voting Council with the exception of those which relate to personnel matters or legally privileged information. The Director will not be subject to this limitation.

1.17.8 Ex-officio, non-voting members meeting participation.

Ex-Officio members represent their particular group with fairness and accuracy, separating when they are speaking on behalf of the group from when expressing as an individual.

1.17.8.1 Members participate as contributing Council members in all council meetings, both regular and special as well as designated work sessions.

1.17.8.2 Ex-officio members (except the Director) *shall not* actively participate in closed sessions as defined in the Open Meetings Act

1.17.9 Ex-officio, non-voting members expectations.

Individual ex-officio Council members are expected to conform to all standards applicable to voting members as described in the East Mountain High School Charter, as well as to sign appropriate sections of the East Mountain High School Ex-Officio **Governing Council Code of Ethics.**

1.17.9.1 Attend all scheduled Governing Council meetings insofar as possible, and devote the time, thought and study to the duties and responsibilities of an ex-officio Governing Council member in order to render effective and creditable service;

1.17.9.2 Understand that ex-officio members are subject to the rules of the Governing Council attendance as written in the Governing Council Bylaws;

1.17.9.3 Work with my fellow Governing Council members in a spirit of openness, harmony and cooperation in spite of differences of opinion that may arise during vigorous debate of points of issue;

- 1.17.9.4 Remember, at all times, that, ex-officio members have no Council standing outside of the meeting of the Council, and, as such, conduct relationships with the school staff, local citizenry, and all communication media on that basis;
- 1.17.9.5 Avoid being placed in a position of conflict of interest and refrain from using the Governing Council position for personal or partisan gain;
- 1.17.9.6 Contribute to, and maintain a professional atmosphere within the school environment by voicing concerns regarding school employees only to the East Mountain High School Principal;
- 1.17.9.7 Welcome and encourage cooperation and participation by citizens of the community for better understanding of their needs and improvement of relations with the public served;
- 1.17.9.8 Welcome and encourage cooperation and participation by teachers, administrators and other personnel in developing policies that affect their welfare and that of the students served;
- 1.17.9.9 Avoid speaking on behalf of the Governing Council except at those times authorized by the Governing Council by official action;
- 1.17.9.10 Stay informed about current educational issues through individual study and participation in voluntary and mandatory training programs;
- 1.17.9.11 Make sure the school has financial support, within the capabilities of the community and the state, to support its mission and goals;
- 1.17.9.12 Listen to members of the school community, referring all concerns to the proper authorities, and discussing such concerns only at an authorized Governing Council meeting if an administrative resolution fails;
- 1.17.9.13 Speak on behalf of the group represented, clearly distinguishing the group's interest from personal ideas and opinions, and;
- 1.17.9.14 Understand that ex-officio members do not attend closed Governing Council sessions.

1.17.10 Replacement of Ex-Officio Members (except the Director)

In a case of malfeasance, non-attendance, breach of ethics, or resignation of an ex-officio member, the Council, with recommendations from the appropriate constituencies, may choose to request that the representative group appoint another representative to complete the term of the disengaged ex-officio member.

1.18 Governing Council Meetings

The East Mountain High School Governing Council will meet at least once each month to hear reports, consider and adopt policies, act on committee recommendations, allow for public input, and engage in public discourse about matters of the school.

1.18.1 Location of Regular of Meetings

Meetings shall be held at East Mountain High School unless otherwise provided by the Governing Council or at such other place as may be designated from

time-to-time by resolution of the Governing Council of East Mountain High School.

1.18.2 Agenda for Regular Meeting

- 1.18.2.1 The East Mountain High School Governing Council Chair and the Director set the Governing Council meeting agenda.
- 1.18.2.2 Every East Mountain High School Governing Council agenda shall contain a list of specific items of business to be discussed or transacted at the meeting.
- 1.18.2.3 Except for emergency matters, the East Mountain High School Governing Council shall take action only on items appearing on the agenda.
 - 1.18.2.3.1 The Governing Council may discuss, but cannot take action on, items that do not appear on the agenda.
 - 1.18.2.3.2 Action on items outside the agenda must be taken at a subsequent special or regular meeting.
- 1.18.2.4 The Governing Council must provide an agenda for an emergency meeting, but it needs to be available at least 24 hours before the meeting. If an emergency matter arises too late to appear on a meeting's agenda, the Governing Council may take action on, as well as discuss the matter.
- 1.18.2.5 No later than two working days before the regular meeting, the approved agenda is sent to the school office for posting.
 - 1.18.2.5.1 The current agenda is also distributed to the East Mountain High School E-mail Distribution List and published on the East Mountain High School Webpage.
 - 1.18.2.5.2 For a Regular or Special Meeting, the agenda will be sent to the East Mountain High School E-Mail Distribution List no later than the end of the workday two business days in advance of the meeting.
- 1.18.2.6 In the case of an Emergency Meeting, all attempts will be made to provide that the agenda is sent to the East Mountain High School E-mail Distribution List no later than twenty-four hours in advance of the meeting..

1.18.3 The Council Meeting Packet.

- 1.18.3.1 The Governing Council will provide a Council Packet of preparatory materials for each of its regular meetings.
- 1.18.3.2 The Governing Council Chair, the Governing Council Secretary, and the Director (or their delegate) will assemble the Governing Council ePacket collaboratively. The Council ePacket will contain:
 - 1.18.3.2.1 the meeting agenda;
 - 1.18.3.2.2 the minutes of the previous meeting;
 - 1.18.3.2.3 written administrative reports;
 - 1.18.3.2.4 Council committee reports;

- 1.18.3.2.5 supportive and explanatory documents for agenda business items to be discussed and/or acted upon, particularly proposals by Governing Council committees, and
- 1.18.3.2.6 any other material(s) deemed necessary for the quality operation of the Council. The Governing Council Packet will be made available to the Governing Council in the School Office at least two business days before each regular meeting. Governing Council members may either pick up their Packet or choose to have it mailed to their home address.

1.18.4 Public Comment During Regular Meetings

- 1.18.4.1 Time will be allowed for citizens to speak on their concerns at the regular East Mountain High School Governing Council meetings.
- 1.18.4.2 An individual may speak on any item that appears on the adopted agenda by being recognized by the Chair of the Governing Council.
- 1.18.4.3 Governing Council members are not to engage in conversation with or debate community concerns unless so authorized by the Chair.
- 1.18.4.4 All presentations by the public to the Governing Council should be given during the Public Comments section of the agenda, and those individuals should limit their remarks to three (3) minutes.
- 1.18.4.5 The Chair may modify these procedures when deemed appropriate.

1.18.5 New Mexico Open Meetings Act.

Governing Council meetings will reflect the requirements of the New Mexico Open Meetings Act.

- 1.18.5.1 Regular meetings of the Governing Council members shall be held in accordance with the annually adopted New Mexico Open Meetings Act Resolution.
- 1.18.5.2 Public or other notice of such meetings shall be timely and in accordance with that resolution, these Bylaws and the New Mexico Open Meetings Act.
- 1.18.5.3 The Council may recess any Open Meeting and reconvene, if prior to recessing the Council specifies for the minutes the date, time, and place for the continuation of the meeting, the reason for the recess, and immediately prior to recessing, posts notice of the date, time, place and agenda of the reconvened meeting on or near the door of the place where the meeting was held, or in accordance with the New Mexico Open Meetings Act Resolution.
- 1.18.5.4 Resolution to be voted on each July below:

**Governing Council
East Mountain High School
EMHS Resolution 20__-20__**

WHEREAS, the East Mountain High School Governing Council is a public body established to form policy and provide oversight of the operations of East Mountain High School; and WHEREAS, the East Mountain High School Governing Council met in regular session at East Mountain High School on July ____, 20__ at 6p.m. as required by law; and WHEREAS, Section 10-15-1(B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to 4) states that , except as otherwise provided in the Constitution or the provisions in the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and WHEREAS, Section 10-15-1(D) of the Open Meetings Act requires the Governing Council of East Mountain High School to determine annually what constitutes reasonable notice of its public meetings;

NOW THEREFORE, BE, IT RESOLVED, by the East Mountain High School Governing Council that:

- 1) All Governing Council meetings during the 202__-202__ school year shall be held at East Mountain High School at 6:00p.m. or as indicated otherwise in the meeting notice. All meeting notification requirements if notice of the date, time, place and agenda are posted in the East Mountain High School Administrative Office and e-mailed to the East Mountain High School E-Mail Distribution List. Copies of the written notice shall be made available to newspapers of general circulation that have made a written request for notice of public meetings.
- 2) Regular meetings shall be held on the fourth Monday unless otherwise specified. The agenda will be available at least three business days prior to the meeting from the East Mountain High School Administrative Office located in Building 1 of the campus in Sandia Park, New Mexico. This agenda shall be disseminated to those on the East Mountain High School E-Mail Distribution List and shall be displayed in the Administrative Office.
- 3) A special meeting may be called by the Chair of the Governing Council or a majority of the members upon three days' notice. The agenda shall be available to the public at least twenty-four hours before any special meeting. This agenda shall be disseminated to those on the East Mountain High School E-Mail Distribution List and shall also be displayed in the Administrative Office.
- 4) An emergency meeting will be called only for unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens or to protect the public body from substantial financial loss. The East Mountain High School Governing Council will avoid emergency meetings whenever possible. Emergency meetings may be called by the Chair or a majority of the members upon twenty-four hours, notice, unless threat of personal injury or property damage requires less notice. An agenda for the emergency meeting will be posted in the school's Administrative Office and disseminated to those on the East Mountain High School E-Mail Distribution List.
- 5) In addition to the information specified above, all notices shall include the following language: *"If you are an individual with a disability who is in need of a reader, amplifier, or qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the Assistant Principal of East Mountain High School at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be located on the school's website at <http://www.eastmountainhigh.net/index.aspx>. Please*

contact the Secretary of the Governing Council at East Mountain High School if a summary or other type of accessible format is needed.”

- 6) The East Mountain High School Governing Council may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) of the Open Meetings Act
 - a) If any meeting is closed during an open meeting, such closure shall be approved by a majority roll-call vote of a quorum of the East Mountain High School Governing Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.
 - b) If a closed meeting is conducted when the East Mountain High School Governing Council is not in an open meeting. The closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.
 - c) Following the completion of any closed meeting, the minutes of the meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.
 - d) Except as provided in Section 10-15-1(H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of the East Mountain High School Governing Council in an open public meeting.
- 7) A member of the Governing Council may participate in a meeting of the Council by means of a conference telephone call or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the public body who speaks during the meeting.
- 8) Once transcribed and approved, all minutes produced as a result of open meetings will be available to the public on the school's website <http://www.eastmountainhigh.net/index.aspx> and in accordance with the Open Meetings Act.
- 9) This resolution will become effective on the ___nd day of July, 20__.

PASSED, APPROVED, AND ADOPTED BY THE EAST MOUNTAIN HIGH SCHOOL GOVERNING Council on this 22nd day of July, 2019.

// Signed//

EMHS Governing Council Chair

//Signed//

EMHS Governing Council Secretary

1.19 Closed Meetings

Closed meetings of the Governing Council are limited to those subject matters allowed to be closed to the public under the New Mexico Open Meetings Act, NMSA 1978 § 10-151.

- 1.19.1** A closed meeting may be called during an Open Meeting or when the Council is not meeting, according to the provisions of law.
- 1.19.2** Any Council member may attend a meeting via teleconference if unable to attend in person.
- 1.19.3** No business other than the business on the published agenda for a closed meeting may be covered in a closed meeting of the Governing Council, and no action shall be taken.
- 1.19.4** At the next Open Meeting immediately following the closed meeting, the Council shall state on the record that a closed meeting was held, the date, time and place, and that nothing other than the published matter or matters were discussed.
- 1.19.5** A reconvened meeting shall constitute the next Open Meeting for purposes of this requirement. This shall be done in accordance with NMSA 1978 § 10-15-1(I).

1.20 Special Meetings

Special meetings of the Governing Council may be called by the Chair of the Governing Council, the Vice-Chair/Chair-Elect, or by any two (2) Council members together.

- 1.20.1** Such meetings shall be held at the Director's office of East Mountain High School or, if different, at the place designated by the person or persons calling the special meeting.
- 1.20.2** All special meetings shall be noticed and held in accordance with the New Mexico Open Meetings Act and the Open Meetings Act Resolution.
- 1.20.3** Any Council member may attend a meeting via teleconference if unable to attend in person.
- 1.20.4** The Governing Council may, in its discretion, adopt a course of action that some meetings will be working and/or training sessions at which no action shall be taken.
 - 1.20.4.1 These meetings shall be open to the public and announced in the local media pursuant to the New Mexico Open Meetings Act Resolution.
 - 1.20.4.2 At these meetings, the Governing Council may also approve the minutes from a previous meeting in order to expedite timely public notification.

1.21 Meeting of Council Organization

The organizational meeting for each term shall be at the first regular meeting in July. At that meeting, all Council members will be seated, and the officers shall be elected. It is recommended that the Governing Council include the following items on the agenda of its annual Organizational Meeting:

- 1.21.1** Council Evaluation. Evaluation of last year's Governing Council operation – The Council will conduct an East Mountain High School annual review of the Governing Council goals and assess the effectiveness of the ongoing Council

operation, either at this organizational meeting or at the final meeting of the previous school year.

- 1.21.2** Council Seating. Seating of the Governing Council members for the upcoming year – The Chair will seat all Council members who will sign the Governing Council Code of Conduct and the Governing Council Conflict of Interest.
- 1.21.3** Determination of Council Terms. The Governing Council will designate new member terms to assure, to the extent reasonable feasible, that at least a majority of members will carry over from one year to the next.
- 1.21.4** Officer Election. Election of the chair, statement of the chair’s declaration of target length of service, election of vice-chair/chair elect, and election of secretary.
- 1.21.5** Meeting Date and Time. Determination of the monthly regular meeting date(s) for the upcoming year.
- 1.21.6** In compliance with the stipulations of the New Mexico Open Meetings Act, the Council Secretary will prepare the annual resolution certifying the information above for Council approval at the first regular meeting following the Organizational Meeting.
- 1.21.7** Retiree Recognition.
- 1.21.8** At the Direction of the Council development Committee, the Council members retiring during the past Council year will be recognized for their service via a plaque and Council resolution.

1.22 Notice of Meetings to Council Members

Unless otherwise provided by these Bylaws, or the laws of this State, the following provisions shall govern the giving of notice for meetings of the Governing Council to Council Members:

- 1.22.1** Regular Meetings.
 - 1.22.1.1 If the regular meeting of the Governing Council is determined by the Governing Council to be held consistently, no notice to Council members need be given.
 - 1.22.1.2 However, if regular meetings are held only at the discretion of the Governing Council, then at least one-week prior notice shall be given by the Chair or the Secretary or an individual so authorized by the Chair to give such notice.
- 1.22.2** Special Meetings.
 - 1.22.2.1 The Chair or the Secretary of the Governing Council shall give at least one-week prior notice to each Council member of each special meeting of the Governing Council, unless the meeting is called on an emergency basis consistent with the New Mexico Open Meetings Act and the Open Meetings Act Resolution.
 - 1.22.2.2 Such notice may be oral, written, or electronic, may be given personally, by first class mail, by telephone, by e-mail, or by facsimile, and shall state the place, date and time of the meeting and the matters on the agenda for action or discussion at the meeting.

1.22.2.3 In the case of facsimile or e-mail notification, the Council member contacted shall acknowledge personal receipt of the facsimile or e-mail notice by a return message or telephone call within twenty-four (24) hours of the initial facsimile or e-mail transmission.

1.22.3 Closed Meetings.

The Chair or the Secretary of the Governing Council shall give at least one-week prior notice to each Council member of each closed meeting of the Governing Council in the same manner as for special meetings in subsection above.

1.22.4 Waiver of Notice.

1.22.4.1 Whenever any notice of a meeting is required to be given to any Council member of this Governing Council under provisions of these Bylaws or the law of this State, a waiver of notice in writing signed by the Council member, whether before or after the time of the meeting, shall be equivalent to the giving of such notice.

1.22.4.2 Attendance at the meeting, recorded in the official minutes, shall be deemed to be a valid waiver by a member who was not noticed pursuant to these provisions.

1.23 Quorum for Meetings

1.23.1 A quorum is defined as a majority of voting Governing Council members and a majority vote will constitute the action by the Governing Council.

1.23.2 Except as otherwise provided under these Policies, or provisions of law, discussion may occur, but no decisions will be made by the Governing Council at any meeting at which the required quorum is not present, and the only motion which the Chair shall entertain at such meeting is a motion to adjourn.

1.23.3 Any Council member may attend a meeting via teleconference if unable to attend in person.

1.23.3.1 The physical setup must be in accordance with the conditions of the New Mexico Open Meetings Act.

1.23.3.2 The member participating via teleconference will also be considered as present when deciding a quorum.

1.24 Conduct of Meetings

Meetings of the Governing Council shall be presided over by the Chair of the Governing Council.

1.24.1 Or, if no such person has been so designated, or, in his or her absence, by the Vice-Chair if in attendance, or by Chair chosen by a majority of the Council members present at the meeting.

1.24.2 The Secretary of the Governing Council shall act as secretary of all meetings of the Governing Council, provided that, in his or her absence, the presiding officer shall appoint another person to act as Secretary of the Meeting.

1.24.3 Robert's Rules of Order Revised shall govern the Governing Council meetings, except when other regulations prevail. When appropriate, the Chair may use

discretion in the adherence to any procedural rule.

1.25 Majority Action as Governing Council Action

Every act done or decision made by a majority of the Council members present at a meeting duly held at which a quorum is present shall be construed as an act of the entire Governing Council, unless these policies require a greater percentage or different voting rules for approval of a matter by the Governing Council.

1.26 One-Voice Principle

The GC subscribes to the “one voice” best-practiced described by John Carver in the Policy Governance model.

- 1.26.1** As such, the Governance Council can act only as a plurality where quorum exists.
- 1.26.2** By definition, then, there is no such thing as an individual governing council member.
- 1.26.3** When operating outside of quorum, all GC members serve as volunteers without GC authority except as explicitly delegated to them by the entire GC.
- 1.26.4** When in the minority of a GC decision, it is expected that you will be publicly and privately in support of the majority following a decision.

1.27 Governing Council Use of Committees

- 1.27.1** The GC uses various committees to assist in accomplishing the work of governance.
- 1.27.2** The Governing Council may choose to adopt rules and regulations pertaining to the meetings of its committees to the extent that such rules and regulations are not inconsistent with the provisions of these Policies.
- 1.27.3** If any committee meeting has a quorum of Governing Council members in attendance, it must follow the procedures outlined for an open Governing Council meeting.
- 1.27.4** In addition to standing committees that accommodate policies, procedures and budget oversight, the East Mountain High School Governing Council shall create such committees that are necessary for the operation of the school and for the principal work of the Council, including the support necessary for the realization of the East Mountain High School Charter and the East Mountain High School Vision, Mission and Stakeholder Goals.
- 1.27.5** Committees may be modified, added or deleted when determined necessary by resolution of the Council.
- 1.27.6** Each Governing Council committee shall be chaired by a member of the Governing Council appointed by the Council Chair, and shall include at least one other Council member as a committee member, when possible.
- 1.27.7** Additional committee members shall be appointed by the respective committee chair, and, where appropriate, shall be representative of the school community – staff, parents, and community members. When appropriate, some committees may also include students.

- 1.27.8** Council committees are non-decision making but have the power as they fulfill their responsibility to recommend to the full Governing Council.
- 1.27.9** The Council Chair may from time-to-time appoint any other committees he/she deems necessary.
- 1.27.9.1 These committees will consist of persons designated by the Governing Council Chair and shall act in an advisory capacity to the Governing Council.
- 1.27.9.2 Ad hoc committees may be established either to make recommendations to the Governing Council, to evaluate the advantages and disadvantages of optional actions, or for any other support function to assist the Council.
- 1.27.9.3 Examples include a Principal Search Committee, a Council Recruitment Task-Force, a Conflict Resolution Committee, or a committee to suggest alternative actions for consideration by the Council.
- 1.27.9.4 Because of its importance, the GC has provided specific policies regarding Director Search Committee below:
- 1.27.9.4.1 East Mountain High School shall select and hire the best possible Principal to lead the school to achieve its Vision, Mission, and Goals.
- 1.27.9.4.2 Council assigns several of its members to staff an ad hoc search committee.
- 1.27.9.4.3 The search committee will be chaired by a GC member.
- 1.27.9.4.4 The appointed Council members meet in preliminary sessions to outline the search process, including the scope of the search, funds required, a tentative timeline for the key decision points, a method of interviews and decision making and selection criteria.
- 1.27.9.4.5 The full committee membership is solicited, and should include a minimum of two of each of the following school stakeholders: students, teachers, administration/staff, parents and community
- 1.27.9.4.6 Operating principles of Principal Search Committee:
- 1.27.9.4.6.1 There will be an equal opportunity for participation by all stakeholder groups and all individuals within those groups.
- 1.27.9.4.6.2 The selection process will focus on a definition of desired characteristics for the new principal.
- 1.27.9.4.6.3 These characteristics will be linked to the Vision, Mission, and Charter.
- 1.27.9.4.7 The Committee reviews the search process outline, then proceeds to design and post notices of vacancy as defined in the scope of the search.
- 1.27.9.4.8 During this time, members meet with their constituencies to establish the content and format of the interviews.

- 1.27.9.4.9 All stakeholder groups have the opportunity to interview candidates and provide ranking to Council.
- 1.27.9.4.10 After all applications are received, those candidates meeting the minimum selection criteria are scheduled for interviews.
- 1.27.9.4.11 After initial interviews have been completed, the Principal Search Committee members consult with their constituents and determine their top candidates.
- 1.27.9.4.12 The committee then meets to select its overall top candidates and invites them to return for a presentation to Council and second interview.
- 1.27.9.4.13 All of the process except the final decision is held in sessions open to the public.
- 1.27.9.4.14 The final decisions about who is selected, the salary to be offered and any subsequent negotiations are made by Council in closed session.

1.27.10 The general purpose of each of the Council committees shall be stated in the charter of each committee.

1.27.11 Annual committee goals are set annually and committee accomplishments are evaluated in the form of a written report at the regular June Governing Council meeting.

1.27.12 Committee Chair Responsibilities

- 1.27.12.1 Attend all meetings
- 1.27.12.2 Call and reside over meetings of the committee.
- 1.27.12.3 Set the agenda for the committee meetings.
- 1.27.12.4 Record the decisions and recommendations made by the committee.
- 1.27.12.5 Report the committee's activities and recommendations to the full Council.
- 1.27.12.6 Invite the Director, as appropriate, and Council Chair to attend committee meetings.
- 1.27.12.7 Work with the Director and Council Chair to decide who should serve on the committee.
- 1.27.12.8 Delegate responsibilities to other committee members and encourage their full participation.
- 1.27.12.9 Evaluate the work of the committee with other committee members, the Council Chair, and the Director.
- 1.27.12.10 Ensure the committee has a written committee charter, which details the scope of work, composition of the committee (number of people and skills and qualifications desired), constituencies to be represented, and skills and qualifications desired and committee ground rules.
- 1.27.12.11 Ensure that clear, tangible goals are set for the committee and approved by the Council.

- 1.27.12.12 Council committees of the East Mountain High School Governing Council have a variety of means to and/or seek input from the Governing Council, among which are
- 1.27.12.12.1 Committee agendas and minutes distributed to the Governing Council;
 - 1.27.12.12.2 Discussion/action items at regular Governing Council meetings; and/or
 - 1.27.12.12.3 A special Council meeting.
- 1.27.12.13 As a courtesy to Governing Council members and as a method of keeping the Governing Council continuously informed, it is desired that each Council committee will communicate the agenda and minutes of each of its meetings using email.
- 1.27.12.14 Committees are expected to use regular Governing Council meetings to either seek Council input by means of Governing Council discussion or to submit recommendations (motion) for the Governing Council to act upon from time to time.
- 1.27.12.15 On occasion, the Council committee may request that the Governing Council convene a special session to thoroughly explore a specific topic.
- 1.27.12.16 The Assembly of past governing council Members may be convened by the Council Chair or designee for general or specific matters associated with East Mountain High School.

1.27.13 Standing committees (may include but are not limited to) the following:

- 1.27.13.1 Executive Committee/Policy Committee
 - 1.27.13.1.1 Consists of Chair, Vice-Chair, and Secretary
 - 1.27.13.1.2 Manages the policy revision described above
- 1.27.13.2 Finance, Facilities and Audit Committee
- 1.27.13.3 Strategic Planning and Outcomes
- 1.27.13.4 Board Development

1.28 Designation of Officers

The officers of the Governing Council shall be a Chair, Vice-Chair/Chair Elect, and a Secretary.

- 1.28.1** The Governing Council may also have assistant secretaries and such other officers as the Governing Council may determine from time to time.
- 1.28.2** All members of the Governing Council are encouraged to assume the role of an officer during their tenure on the Council.

1.29 Qualification of Officers

Any Member of the Governing Council may serve as an officer of this Governing Council, at the discretion of the Governing Council, with all rights and responsibilities afforded those offices.

1.30 Election of Officers and Terms

Officers shall be elected by the Governing Council to a term specified for a given opening, at any time. Each officer shall hold office until the end of the term of that office, his or her successor is elected and qualified, or until s/he resigns, is removed or is otherwise disqualified to serve, whichever occurs first.

1.31 Removal and Resignation of Officers

1.31.1 The Governing Council may remove any officer from office at any time, with or without cause, by a vote of two-thirds (2/3) of the members of the Governing Council present at the meeting.

1.31.2 Any officer may resign from office at any time by giving written notice to the Governing Council or to the Chair or Secretary of the Governing Council.

1.31.2.1 Any such resignation shall take effect on the date of receipt of such notice or at any later date specified therein, and, unless otherwise specified therein.

1.31.2.2 Council acceptance of such resignation shall not be necessary to make it effective.

1.31.2.3 The above provisions of this Section shall be superseded by any conflicting terms of a contract that has been approved or ratified by the Governing Council relating to the employment of any officer of the Governing Council.

1.32 Officer Vacancies

Any vacancy caused by the death, resignation, removal, disqualification, or otherwise (except for expiration of term) of any officer shall be filled by majority vote of the Governing Council.

1.32.1 Vacancy may be filled temporarily by appointment by the Chair until such time as the Governing Council shall fill the vacancy.

1.32.2 Vacancies occurring in offices appointed at the discretion of the Governing Council may or may not be filled, as the Governing Council shall determine.

1.32.3 To the extent reasonably feasible, no office shall remain vacant for longer than thirty (30) days.

1.33 Continuity of Governing Council Leadership.

To encourage continuity of Governing Council leadership, when the conclusion of the term of the Immediate Past-Chair of the Governing Council coincides with the completion of his/her term of membership, the Immediate Past-Chair may exercise a prerogative to serve on the Governing Council as a non-voting, ex-officio member for one additional year.

1.34 Duties of Chair of the Governing Council

1.34.1 The chair is the senior volunteer leader of East Mountain High School who presides at all meetings of the Governing Council and other meetings as required.

- 1.34.2** Term is for one year, renewable for three years or more at the Council's discretion.
- 1.34.3** The chair is an ex-officio member of all committees of the Council.
- 1.34.4** The Council Chair oversees implementation of corporate and local policies and ensures that appropriate administrative systems are established and maintained.
- 1.34.5** Works with the Director, Council officers, and committee chairs to develop the agendas for Governing Council meetings, and presides at these meetings.
- 1.34.6** Chairs all meetings of the Governing Council, facilitates discussions and rules on questions of procedure.
- 1.34.7** Must vote to break tie votes, and may vote on any issue, including to cause a tie, as might any other member in good standing.
- 1.34.8** Must remain neutral on matters in debate until voting. May, however, participate in debate and move Governing Council action, as any other member in good standing, by appointing a Chair pro-tem for the period of the debate and thereby vacating the Chair.
- 1.34.9** Collaborates with the Council to set annual Governing Council Goals
- 1.34.10** Assigns volunteers to key leadership positions
- 1.34.11** Appoints chairs of Council committees.
- 1.34.12** Supports annual fund-raising efforts and sets an example for other Council members.
- 1.34.13** Works with the Governing Council and paid and volunteer leadership, in accordance with these policies, to establish and maintain systems for:
 - 1.34.13.1 Planning the school's human and financial resources and setting priorities for future development.
 - 1.34.13.2 Reviewing operational effectiveness and setting priorities for future development.
 - 1.34.13.3 Controlling fiscal affairs.
 - 1.34.13.4 Acquiring, maintaining, and disposing of property.
 - 1.34.13.5 Maintaining a public relations program to ensure community involvement.
 - 1.34.13.6 Ensuring the ethical standard.
- 1.34.14** Communicates on a regular basis with the Director without implying to speak on behalf of the Governing Council unless given formal authority to do so by the council.
- 1.34.15** Conveys to the Governing Council, when necessary, appropriate matters communicated directly and privately by the Director, either prior to or at a subsequent Governing Council meeting.
- 1.34.16** Qualifications:
 - 1.34.16.1 One year of previous Governing Council Service
 - 1.34.16.2 A dedication to East Mountain High School and its values
 - 1.34.16.3 A commitment to realizing the East Mountain High School Charter and the East Mountain High School Vision, Mission and Stakeholder Goals.
 - 1.34.16.4 Ability to understand concepts and articulate ideas

1.34.16.5 Excellent facilitator

1.35 Duties of Vice-Chair

1.35.1 Preside in the Chair's absence

1.35.2 May serve as a member of any standing committees

1.35.3 Length of term: One year, renewable for three consecutive terms or more at the Council's discretion.

1.35.3.1 Key Responsibilities:

1.35.3.1.1 Presides at meetings of Governing Council at the request of the Chair or in his/her absence

1.35.3.1.2 Works closely with the Chair to acquire the skills, competencies, and knowledge of EMHS objectives, activities, procedures, and services,

1.35.3.1.3 In case of the disability of the Chair, temporarily exercises all the powers and perform all the duties of the Chair,

1.35.3.1.4 Performs such liaison duties as the Governing Council or the Chair may determine.

1.35.3.1.5 In case of resignation or death of the Chair, succeeds to the office of the Chair for the remainder of that term of office as well as for his/her subsequent term of office as Chair,

1.35.3.1.6 Generally, exercises such other powers and duties as may be prescribed by the Chair and or the Governing Council.

1.36 Duties of Secretary

The secretary is the designated member of the East Mountain High School Governing Council who ensures that, via minutes, all business of the Council is accurately recorded, maintained, and disseminated in a timely manner.

1.36.1 Length of Term: One year; renewable for three consecutive years or more at the council's discretion.

1.36.2 Facilitate preparation of agendas, when appropriate, with cooperation and under the direction of the Chair.

1.36.3 Certify and keep at the principal office of the school the original or a copy of the Policies as amended or otherwise altered to date.

1.36.4 Keep at the principal office of the school or at such a place as the Council may determine a book of minutes of all meetings of the Council.

1.36.4.1 Minutes shall record time and place of meeting, whether regular or special, how called, how notice was given, the names of those present or represented at the meeting and the proceedings thereof.

1.36.5 Ensure that all notices are duly given in accordance with the provisions of the Policies.

1.36.6 In general, ensure all duties incident to the office of the secretary and such other duties as may be required by law, or by the Policies, or which may be assigned to him or her from time to time by the Governing Council. Including

- 1.36.6.1 Certify and keep at the principal office of the Governing Council the original, or a copy, of the East Mountain High School Governing Council Bylaws as amended or otherwise altered to date;
- 1.36.6.2 Provide the school Principal the approved minutes and non-confidential Council Packet contents of each Council meeting in the Council Book of Minutes. The Director will be responsible for filing and maintaining the approved official minutes of all meetings and file same in the principal office of the Governing Council or at such other place as the Governing Council may determine;
- 1.36.6.3 Ensure the recording of the proceedings of the Governing Council in abbreviated "action" minutes as opposed to "narrative" minutes. The essentials of the action minutes are as follows:
 - 1.36.6.3.1 the kind of meeting, regular, special, or emergency or adjourned regular, adjourned special, or adjourned emergency;
 - 1.36.6.3.2 the name of the organization, i.e., Governing Council;
 - 1.36.6.3.3 the date of meeting and place;
 - 1.36.6.3.4 the fact of presence or absence of Council members, both official and ex-officio;
 - 1.36.6.3.5 whether the agenda of this meeting was approved;
 - 1.36.6.3.6 whether the minutes of the previous meeting approved, or their reading dispensed with;
 - 1.36.6.3.7 all the main motions, who made the motion, the vote of each council member, and whether approved or defeated; and
 - 1.36.6.3.8 the time of meeting and adjournment.
- 1.36.6.4 Within ten (10) working days of the meeting, ensure availability for public inspection a draft copy of the minutes and clearly indicate on the draft that they are not the official minutes and are subject to approval by the Governing Council at its next meeting at which there is a quorum.
- 1.36.6.5 Ensure dissemination the approved official minutes of each Governing Council meeting to the east Mountain High School E-mail Distribution List and posting the minutes on the East Mountain High School Webpage within ten (10) working days of the meeting at which the minutes were approved. Official minutes are open to public inspection and subject to public inspection under the Inspection of Public Records Act, NMSA 11978, Sections 14-2-1 to -12.

1.37 Execution of Instruments, Deposits and Receipt of Gifts

1.37.1 Execution of Instruments

- 1.37.1.1 The Governing Council, except as otherwise provided in these Policies, may by resolution authorize any officer or agent of the Governing Council to enter into any contract or execute and deliver any instrument in the

name of and on behalf of East Mountain High School, and such authority may be general or confined to specific instances.

1.37.1.2 Unless so authorized, no officer, agent, or employee shall have any power or authority to bind the Governing Council to any contract, or to render it liable monetarily for any purpose or in any amount.

1.37.2 Deposits

All funds of East Mountain High School shall be deposited from time to time to the credit of East Mountain High School in such banks, trust companies, or other depositories as the Director may select.

1.37.3 Gifts

The Governing Council may accept on behalf of East Mountain High School any contribution, gift, bequest, or devise for the nonprofit purposes of East Mountain High School subject to the provisions of Policy K-004 Gifts and Donations.

1.38 Maintenance of Records

The Governing Council shall electronically maintain the following:

- 1.38.1** Minutes of all meetings of Governing Council members and committees of the Governing Council, indicating the time and place of holding such meetings, whether regular or special, how called, the notice given, and the names of those present and the proceedings thereof;
- 1.38.2** Adequate and correct books and records of account, including accounts of its properties and business transactions and accounts of its assets, liabilities, receipts, disbursements, gains and losses;
- 1.38.3** A copy of the East Mountain High School Charter, Bylaws as amended to-date, and Governing Council policies, which shall be open to inspection at all reasonable times during office hours or by appointment.

1.39 Council Member's Inspection Rights

Every Council member shall have the absolute right at any reasonable time to inspect and copy all books, records and documents of every kind and to inspect the physical properties of East Mountain High School.

1.40 Right to Copy and Make Extracts

Any inspection under the provisions of this Article may be made in person or by agent or attorney, and the right to inspection shall include the right to copy and make extracts.

1.41 Periodic Report

The Governing Council shall cause any annual or periodic report required under law to be prepared and delivered to an office of this state to be so prepared and delivered within the time limits set by law.

ADOPTION OF POLICIES:

The undersigned, in consent with and on behalf of the Governing Council members of East Mountain High School, hereby adopts the foregoing Policies, consisting of the preceding pages.

CHAIR OF THE GOVERNING COUNCIL

Dated

SECRETARY OF THE GOVERNING COUNCIL

Dated