



Aldo Leopold Charter School

Live. Learn. Lead.

Governing Council Member's Packet

(Last Update 04/14/2020)

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ALCS Vision and Mission

Mission:

At Aldo Leopold Charter School the human and natural environments serve as text and lab for learning through direct experience, inquiry, and stewardship.

Vision:

Aldo Leopold Charter School graduates will use the skills, perspectives, and information gained to enhance their own lives and advance social, economic, and environmental sustainability.

VII.B. DESCRIPTION OF THE GOVERNING BODY

VII.B.1. Governing Council Contact List

(See Updated list at end of this section)

VII.B.2. Responsibilities and Obligations of Members

B.2.a. Number

The ALCS Governing Council shall have no less than five (5) nor more than nine (9) voting members and collectively they shall be known as the Governing Council of Aldo Leopold Charter School. The Director shall serve as a non-voting member, and one (1) non-voting staff member and one (1) non-voting student member chosen by their respective constituencies.

B.2.b. Qualifications

Any member of the community who does not receive compensation from the school and does not violate the Nepotism Law of NMSA 1978, Section 22-5-6 or ALCS Nepotism rules is eligible to serve on the ALCS Governing Council. Membership of the Governing Council shall strive to reflect the entire ALCS community. Competencies considered will include educational administration, curriculum and instruction, business administration, finance, strategic planning, policy development, natural environment, law, community relations, and other areas of strategic expertise, resources, and perspective needed to achieve the mission and goals of the school.

B.2.c. Powers

Subject to the provisions of the laws of New Mexico and any limitations in the ALCS 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 ALCS shall be conducted and all powers shall be exercised by or under the direction of the Governing Council of Aldo Leopold Charter School.

B.2.d. Duties

It shall be the duty of Governing Council members to adhere to the roles and accountabilities contained in the Statement of Cooperation.

B.2.e. Term of Office

Council members shall hold offices for staggered terms of three (3) years to be determined and as elected by the Governing Council with the intent of ensuring continuity of purpose within the Governing Council. The terms shall begin the first of July and expire at the end of June. Each Council member shall serve until his or her successor is elected and is sworn in and seated. 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). After one (1) year absence, a former Council member who had 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. All Council members will be sworn in and seated at the first regular meeting in July.

B.2.f. Compensation

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

B.2.g. Place of Meetings

Meetings shall be held at the 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 ALCS.

B.2.h. Regular Meetings

Regular meetings of the Governing Council will occur at least eight (8) times/year and shall be held in accordance with the Governing Council's open resolution act annually adopted Open Meetings Act Resolution. Public or other notice of such meetings shall be timely and in accordance with that Resolution and the New Mexico Open Meetings Act. Any Council member may attend a meeting via teleconference if unable to attend in person. The purpose of the regular meetings shall be to hear reports, to consider and adopt policies, to act on committee recommendations and to hear requests and concerns from staff, parents, students and the community.

The Governing Council may, at its discretion, adopt a policy that some meetings will be working sessions at which no action shall be taken. These meetings shall be open to the public and announced in the local media pursuant to the Open Meetings Act Resolution.

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 Open Meetings Act Resolution.

B.2.i. Special Meetings

Special meetings of the Governing Council may be called by the Chair of the Governing Council, the Vice-Chair, or by any two (2) Council members together. Such meetings shall be held at the principal office of ALCS or, if different, at the place designated by the person or persons calling the special meeting. All special meetings shall be noticed and held in accordance with the New Mexico Open Meetings Act and the Open Meetings Act Resolution. Any Council member may attend a meeting via teleconference if unable to attend in person.

B.2.j. 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 § 10-15-1. A closed meeting may be called during an Open Meeting or when the Council is not meeting, according to the provisions of law. Any Council member may attend a meeting via teleconference if unable to attend in person. 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. 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. 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).

B.2.k. Notice of Meetings to Council Members

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

Regular Meetings

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. 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.

Special Meetings

The Chair or the Secretary of the Governing Council shall give at least three days prior notice to each Council member of each special meeting, and 24 hours prior notice of any emergency meeting of the Governing Council, unless the meeting is called on an emergency basis, when consistent with the New Mexico Open Meetings Act and the Open Meetings Act Resolution, 24-hour notice is not appropriate. 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. In the case of facsimile or email 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.

Closed Meetings

The Chairperson or the Secretary of the Governing Council shall give prior notice to each Council member of each closed meeting of the Governing Council in the same manner as for special meetings in sections 1 and 2 above.

Waiver of Notice

Whenever any notice of a meeting is required to be given to any Council member of this Governing Council under provisions of these Policies or the law of New Mexico, 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. 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.

B.2.1. Quorum for Meetings

A quorum shall consist of at least half of the voting members of the Governing Council. Except as otherwise provided under these Policies, or provisions of law, no business shall be considered 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.

B.2.m. Majority Action as Governing Council Action

Every act or decision done or 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 Council policy requires a greater percentage or different voting rules for approval of a matter by the Governing Council.

B.2.n. Conduct of Meetings

Meetings of the Governing Council shall be presided over by the Chair of the Governing Council, or, if no such person has been so designated or, in his or her absence, by the Vice-Chair if in attendance or by a Chair chosen by a majority of the Council members present at the meeting. 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. 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.

B.2.o. Extended Leave

When any governing Council member takes an extended leave (being inactive or absent for a period including 2 or more consecutive Regular meetings), then a quorum shall be described as at least half of the remaining/active Governing Council members.

B.2.p. Removal and Resignation

Any Council member may resign effective upon giving written notice to the Chair or the Secretary of the Governing Council, unless the notice specifies a later time for the effectiveness of such resignation. Unless specified therein, no acceptance of the resignation is necessary. Council members may be removed, with or without cause, by a vote of two-thirds (2/3) of the members of the Governing Council present at the meeting. Such removal must take place at a regularly scheduled meeting. If a Council member misses two (2) consecutive regular meetings, that position may be declared vacant by a majority vote of the remaining Council members, which will be done on motion by any other member of the Council. If a Council member misses three (3) consecutive regular meetings, that position shall be determined to be vacant. The Chair shall declare the position vacant at or by the next regular meeting and the position shall be filled in accordance with these Policies and the laws of this State.

B.2.q. Vacancies

Vacancies on the Governing Council shall exist:

- When a Council member's term of office is completed
- Upon the death, resignation, or removal of any Council member
- Whenever the number of authorized Council members is increased for reasons determined by the Governing Council.

Council members shall be elected to staggered three-year terms beginning and expiring the first of July of each year.

No later than the end of March each year, the Council shall direct a committee to nominate candidates to fill expiring and/or vacant Council positions. The committee shall represent the school community, and should include representation from parents, staff, administration, community members, and former Council members. All members shall have been actively involved with ALCS for the year preceding service on the committee.

The candidate or candidates receiving the most votes of the members present shall be elected to serve the expiring or vacant terms. If the number of Council members then in office is less than a quorum, a vacancy on the Governing Council may be filled by approval of a majority of the Council members then in office or by a sole remaining Council member. A person elected to fill a vacancy on the Governing Council shall hold office for the remainder of a (3) year term. 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.

B.2.r. Non-liability of Council Members

The Council members shall not be personally liable for the debts, liabilities, or other obligations of the ALCS.

B.2.s. Indemnification by 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 New Mexico.

B.2.t. Insurance for Governing Council Agents

Except as may 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) against liabilities asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not the Governing Council would have the power to indemnify the agent against such liability under these Policies or provisions of law.

B.2.u. 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. All decisions made by the Governing Council must be made solely on the basis of a desire to promote the best interests of ALCS. Council members shall, at the beginning of each term served, sign a form acknowledging he or she has read the Conflict of Interest (see [Appendix A](#)) statement, which is included in these Policies, and has disclosed all known potential or actual conflicts.

B.2.v. 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. Neither shall the Council elect a member to the Council who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter or daughter-in-law of any ALCS employee.

VII.B.3. Officers

B.3.a. Designation of Officers

The officers of the Governing Council shall be: Chair, Vice-Chair, and Secretary. The Governing Council may also have other such officers with such titles as may be determined necessary from time-to-time by the Governing Council.

B.3.b. Qualifications

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.

B.3.c. Election and Term of Office

Officers shall be elected by the Governing Council for a one-year term coinciding with the regular election of new board members. In the event of a vacancy prior to completion of the term, newly elected officers shall serve the remainder of the term.

B.3.d. Removal and Resignation

The Governing Council may remove any officer from office at any time, with or without cause by a vote of a quorum of the members of the Governing Council present at the meeting.

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. 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, the acceptance of such resignation shall not be necessary to make it effective. 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.

B.3.e. Vacancies

Any vacancy caused by the death, resignation, removal, disqualification, or otherwise (except for expiration of term), of any officer shall be filled by the Governing Council. In the event of a vacancy in any office other than that of Chair, such vacancy may be filled temporarily by appointment by the Chair until such time as the Governing Council shall fill the vacancy.

Vacancies occurring in offices of officers appointed at the discretion of the Governing Council may or may not be filled, as the Governing Council shall determine. No office shall remain vacant for longer than 30 days.

B.3.f. Duties of Chair

The Chairperson shall be the chief executive officer of the Governing Council and shall, subject to the control of the Governing Council, supervise and control the affairs of the Governing Council and the activities of the officers. He or she shall ensure adherence to these Policies. He or she shall perform all duties incidental to his or her office and such other duties as may be required by law, by the Charter, or by these Policies, or that may be prescribed from time-to-time by the Governing Council. The Chair shall preside at all meetings of the Governing Council. Except as otherwise expressly provided by law, by the Charter, or by these Policies, the

Chair shall, in the name of the Governing Council, execute such deeds, contracts, checks, or other instruments that may from time-to-time be authorized by the Governing Council.

B.3.g. Duties of Vice Chair

In the absence of the Chair, or in the event of his or her inability or refusal to act, the Vice Chair shall perform all the duties of the Chair and when so acting, shall have all the powers of, and be subject to all the restrictions on the Chair. Should the Chair leave the Council prior to the expiration of his or her term, the Vice Chair shall act as Chair until such time the Governing Council may elect a new Chair. The Vice Chair shall have other powers and perform such other duties as may be prescribed by law, by the ALCS Charter, by these Policies, or as may be prescribed by the Governing Council, or delegated by the Chair.

B.3.h. Duties of Secretary

The Secretary shall:

- Certify and keep at the principal office of the Governing Council the original, or a copy, of this Governing Council Policy Manual as amended or otherwise altered to date.
- Keep at the principal office of the Governing Council or at such other place as the Governing Council may determine, a book of minutes of all meetings of the Governing Council, and, if applicable, meetings of committees of Council members, recording therein the time and place of holding, whether regular or special, how called, how notice thereof was given, the names of those present or represented at the meeting, and the proceedings thereof.
- Draft minutes of every Governing Council meeting and circulating such draft within 10 working days of the meeting, except this duty may be designated to a non-member of the Governing Council. See that all notices are duly given in accordance with the provisions of these policies or as required by the New Mexico Open Meetings Act and the Open Meetings Act Resolution.
- Be custodian of the records, which shall include, but not be limited to the Charter and any handbooks or policy and procedure manuals of ALCS.
- Keep at the principal office of the Governing Council a membership book containing the name and address of each and any members, the terms of the Council members and other officers, and, in the case where any membership has been terminated, he or she

shall record such fact in the membership book together with the date on which such membership ceased and provide the reasons therefore.

- Exhibit at all reasonable times to any Council member of the Governing Council on request therefore, the Governing Council Policy Manual, the membership book, and the minutes of the proceedings of the Council members of the Governing Council.
- In general, perform all duties incident to the office of Secretary and such other duties as may be required by law, by the ALCS Charter, or by these Policies, or which may be assigned to him or her from time to time by the Governing Council.

VII.B.4. Governing Council Recruitment and Selection

The Council shall appoint an ad hoc Nominating Committee to recruit candidates to fill expiring and/or vacant Council positions. The committee shall represent the school community, and should include representation from parents, staff, administration, community members, and former Council members. All members shall have been actively involved with ALCS for the year preceding service on the committee.

Committee members will advertise the position available through the school newsletter, local press, and community groups as well as by personal invitation. Applicants may be any member of the community who does not receive compensation from the school and does not violate Nepotism rules. Membership shall strive to reflect the entire ALCS community. Competencies considered will include educational administration, curriculum and instruction, business administration, finance, strategic planning, policy development, natural environment, law, community relations, and other areas of strategic expertise, resources, and perspective needed to achieve the mission and goals of the school.

Candidates will submit an application and resume. The Nominating Committee will review each submission for qualifications. At the committee's discretion some, none or all candidates may be interviewed. The Nominating Committee makes recommendations to the Governing Council at a regularly scheduled meeting for final consideration.

VII.B.5. Governing Council Orientation and Professional Development

As per SB-148, all ALCS Governing Council members will receive at least five hours of training annually. The training may cover topics such as the following: Department of Education rules, policies and procedures, powers and duties of governing councils, legal concepts, finance

and budget. The trainings must be sponsored by either the New Mexico School Board Association or the New Mexico Coalition for Charter Schools.

Each new Council member will receive a personal orientation to the Council and school from the Director and Governing Council Chair. In addition, all new members will receive an orientation binder upon inauguration which will include: contact list of all members, terms and officers, Governing Council Policies, Statement of Cooperation, Conflict of Interest Statement, recent minutes to include financial statements, School Charter, and administrative and student Policy Manuals.

VII.B.6. Staff, Family and Community Involvement in School Governance

The Director shall serve as a non-voting member, and there shall be one non-voting staff member and one non-voting student member chosen by their respective constituencies present at each Governing Council meeting. All meetings will be publicized to the community in accordance with the open meetings act. Notice requirements mandate that the date, time, and location is sent to newspapers of general circulation in the district and to radio broadcast stations. A proposed agenda will be available 24 hours prior all meetings, including emergency meetings. Additionally, the Governing Council will publicize membership openings to the community at large via the press and community organizations. Parents are encouraged to participate through notice given in the school newsletter.

Aldo Leopold Charter School

Governing Council Conflict of Interest Statement

It is the policy of the Governing Council that all members must disclose any actual or potential conflicts of interest prior to joining the Council, or immediately after the conflict is discovered, should it be discovered after becoming a member. In addition, Council Members may not use any confidential information obtained by virtue of their association for their own individual or another's private gain.

The policy of the Governing Council requires that in the event the Council must consider any item of business that also involves:

- a. a member of the Council; or
- b. a member of his or her immediate family or close relative (includes 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
- c. an organization with which a member of the Council is affiliated, an organization of which the member is either the actual or beneficial owner of more than five percent (5%) of the voting stock or controlling interest; or
- d. an organization with which a Council member has any other direct or indirect dealings 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 (\$500.00) a year),

such Council member, at first knowledge of the business, must disclose the actual or potential conflict and refrain from taking any action with respect to such business. It is further required that disclosure must be made of all relationships and business affiliations that reasonably could give rise to a conflict of interest involving ALCS. For this purpose, affiliation is understood to exist if any Council member or a member of his or her family (as defined above) holds one or more of the following positions: an officer, director, trustee, partner, employee, or agent of such organization.

Name

Date

Signature

Aldo Leopold Charter School Governing Council Statement of Cooperation

As a member of the Governing Council of ALCS, I understand that it is my duty to:

- Loyally support the mission, goals, and objectives of the organization.
- Attend regular Governing Council meetings, which take place 8-10 times per year and are approximately two hours in duration.
- Provide proper financial oversight, assisting in development of the annual budget and ensuring that proper financial controls are in place.
- Ensure legal and ethical integrity and maintain accountability. The Council is ultimately responsible for ensuring adherence to legal standards and ethical norms.
- Support the school director and assess his or her performance. The Council should ensure that the chief executive has the moral and professional support he or she needs to further the goals of the organization.
- Provide leadership to Council Committees, serving as an active, ongoing member of at least one committee. This requires attending regular committee meetings and completing tasks between meetings.
- Commit time to developing financial resources for the school, assuring that the school has adequate financial resources for the organization to fulfill its mission.
- Responsibly review and vote on committee recommendations brought to the Council for action.
- Prepare in advance of Council meetings by reading provided materials and take responsibility for self-education on the major issues before the Council.
- Recruit and orient new Council members and assess Council performance, take responsibility to articulate prerequisites for candidates, orient new members, and periodically and comprehensively evaluate its own performance.
- Enhance the organization's public standing. The Council should clearly articulate the organization's mission, accomplishments, and goals to the public and garner support from the community.
- Actively participate in annual Council development and Strategic Planning activities and assist the organization in reaching set goals and objectives throughout the year.
- Follow ALCS Bylaws and policies set by the Governing Council and work cooperatively and with the other members of the Council.

Additional information is contained in the school's by-laws, policies and board orientation materials, which I have read.

Name: _____ Date: _____

