



The Academy for Technology and the Classics

74 A Van Nu Po
Santa Fe, New Mexico 87508
www.atcschool.org
505.473.4282

Governing Council Bylaws

Adopted February 27, 2012
Revised December 5, 2012
Revised August 20, 2014

ARTICLE 1: OFFICES

Section 1: Principal Office

The principal office of the Academy for Technology and the Classics (ATC) is 74 A Van Nu Po Road, Santa Fe, New Mexico, 87508.

ARTICLE 2: ATC COUNCIL MEMBERSHIP

Section 1: Membership

The ATC Governing Council (Council) shall be composed of 7 Members: 2 parents or legal guardians of students enrolled at ATC at the time of their election, 2 professional educators one of whom may be a parent or legal guardian of a student enrolled at ATC, 2 members of the community who shall not be parents or legal guardians of students enrolled at ATC, and 1 member with a financial background who shall not be a parent or legal guardian of a student enrolled at ATC.

Section 2: Representatives

Non-voting representatives to the Council may consist of the Principal of ATC, an ATC teacher selected by the ATC teachers, an ATC parent selected by the ATC Parent-Student-Teacher Coalition (or equivalent organization), and an ATC student selected by the ATC Student Council (or equivalent organization).

Section 3: Elections

Council Members shall be elected by eligible voters at ATC who shall consist of the parents and legal guardians of students enrolled at ATC and ATC teachers and administration. Elections shall be conducted using secret ballot. Under the direction of the Council, the ATC administration shall prepare all necessary materials for the election, including a roster of voters of persons eligible to vote and shall prepare the ballot. Proxy voting is not allowed. The ATC administration shall tally the votes. In the event of a tie vote, the winner shall be determined by a flip of the coin with the person whose last name is earliest in the alphabet and who is available calling the coin side. The ATC administration may enlist the assistance of a state or local election government department to assist in the conduct of the election.

Section 4: Notice of Elections

Elections shall occur at ATC or another location determined by the Council in October on a date determined by the Council. Notice of the election shall be posted on the ATC website at least 15 days prior to the election. Notice soliciting candidates shall be posted in English and Spanish on the ATC website at least 30 days prior to the election.

Section 5: Term

Council Members shall be elected for 3-year terms. Terms shall be staggered so that no more than 4 Council Members shall be up for election in any year. Council membership shall be limited to 2 consecutive full 3-year terms. Former Council Members shall be eligible for election after a lapse of 2 years. If the child of a parent Member graduates from or disenrolls from ATC during that Member's term, that parent Member may serve the remainder of his or her term.

Section 6: Resignation and Removal

A Council Member may resign effective upon giving written notice to the Chair of the Council. A Council Member may be removed, with cause, by a vote of 5 Council Members. If a Council Member misses 4 consecutive meetings without cause, that position may be declared vacant by a majority vote of the other Council Members in attendance in an open meeting.

Section 7: Vacancies

A vacancy on the Council shall be filled by appointment by a majority vote of the Council in an open meeting. The newly appointed Council Member shall serve the remainder of the term vacated.

ARTICLE 3: POWERS, DUTIES AND LIMITATIONS

Section 1: General Powers and Duties

Subject to the laws and limitations of the State of New Mexico, the activities and affairs of ATC shall be conducted under the authority of the Council. The Council has the rights and responsibilities set forth in NMSA 1978, § 22-8B-4, and the powers and duties as set forth in the ATC Charter.

Section 2: Goals and Policy

The Council shall establish the mission, policies, and short-term and long-range academic, fiscal, and facility goals for ATC.

Section 3: Selection of Principal

The Council shall employ the ATC Principal and set the Principal's salary.

Section 4: Finances

The Council shall have the power to approve the ATC budget and enter into contracts relating to real property and the provision of goods and services for ATC.

Section 5: Execution of Instruments

The Council may authorize any officer or agent of the Council to enter into contracts or execute instruments on behalf of ATC, and such authority may be general or limited to specific instances.

Section 6: Exercise of Powers and Duties

The Council shall endeavor to work cooperatively with and to solicit input from ATC administration, teachers, parents and students in the exercise of its duties.

Section 7: Spanish Translations

The Council shall use reasonable efforts to have documents that it generates translated to Spanish.

Section 8: Compensation

Council Members receive no payment for their services. With Council approval, Members may be reimbursed for out-of-pocket expenses incurred on Council business. Council Members must present receipts for all such expenses.

Section 9: Non-liability of Council Members and Insurance

Council Members shall not be individually liable for the debts, liabilities, or any obligations of ATC. The Council may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of Council Members against liabilities or claims asserted against Council Members arising out of their actions as Members if the Council is not otherwise adequately insured under state law.

Section 10: Conflicts of Interest

Council Members serve a public interest role and have an obligation to conduct all affairs of ATC in a manner consistent with that role. All actions taken and decisions made by Council Members shall be made solely on the basis of a desire to promote the best interests of ATC and not to further personal interests inconsistent with those of ATC. Council Members are subject to the conflict of interest provisions in NMSA 1978, § 22-8B-5.2 and any other applicable laws.

Section 11: Nepotism Prohibited

The Council shall not employ an ATC Principal or directly contract with a person who is the spouse, domestic partner, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, or daughter-in-law of any Council Member.

ARTICLE 5: OFFICERS

Section 1: Officers

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

Section 2: Election and Term

Officers shall be elected by the Council at the annual organizational meeting, and shall serve a 1-year term until successors are elected and seated. The Chair shall not be a parent or legal guardian of a student enrolled at ATC. The Chair shall serve no more than 3 consecutive 1-year terms. Members elected to other offices may serve no more than 5 consecutive 1-year terms. Former Council Members shall be eligible for office after a lapse of 2 years.

Section 3: Duties of Chair

The duties of the Chair include but are not limited to working with the Principal and Council Members to develop agendas for Council meetings; presiding over Council meetings; voting to break a tie and voting as any other Council Member; appointing chairs of Council committees; participating as a member or ex-officio member of all Council committees; executing contracts as authorized by the Council; and working collaboratively with the Principal and Council Members to further the mission, goals, and interests of ATC.

Section 4: Duties of Vice-Chair

The duties of the Vice-Chair include presiding over Council matters in the absence of the Chair. If the Chair leaves office, the Vice-Chair shall assume the position of the Chair until the next.

Section 5: Duties of Secretary

The duties of the Secretary include assisting the Chair in developing agendas for Council meetings; ensuring that notice of Council meetings is provided in accordance with the Open Meetings Act; working with the Principal to disseminate the agenda and related materials to Council Members prior to meetings; ensuring that the minutes of all Council meetings are adequately recorded, as provided for in in these Bylaws; ensuring

that all Council agendas, packets, minutes and signup sheets; the ATC Charter and Bylaws; and the Council's Open Meetings Act Resolution are maintained at ATC. The Secretary shall maintain a list of all current Council members, their contact information, and their terms, and a list of all current Council officers and their terms.

Section 6: Committees

The Council shall maintain standing finance and audit committees, as required by law, and any other committees required by law. The Council shall maintain a nominating committee for the purpose of recruiting qualified people to run for positions on the Council. The Council may establish other committees or task forces in its discretion. Such committees are advisory to the Council, and may include ATC administration, teachers, parents, students, and community members, as determined by the Council. The Chair of the Council shall appoint chairs of the committees and task forces. Any committee with a quorum of the Council is subject to the requirements of the Open Meetings Act.

ARTICLE 6: COUNCIL MEETINGS

Section 1: Open Meetings Act

All meetings of the Council shall be held in accordance with the requirements of the Open Meetings Act, NMSA 1978, §§ 10-15-1 *et seq.*, and in accordance with the Open Meetings Act Resolution adopted annually by the Council.

Section 2: Notice of Meetings

Notice of Council meetings shall be conducted in accordance with the Open Meetings Act and the Council's Open Meetings Act Resolution.

Section 3: Organizational Meeting

An annual organizational meeting of the Council shall be held during each November regular meeting of the Council. At that meeting, all newly elected Council Members shall be seated and take an oath of office, and officers shall be elected.

Section 4: Regular Meetings

The Council shall meet at least once each month September through June to conduct Council business, which includes but is not limited to hearing reports, considering and adopting policies, acting on committee recommendations, and allowing for public input about matters of ATC.

Section 5: Special Meetings

Special meetings of the Council may be called at any time by the Chair or by any 2 Council Members.

Section 6: Quorum and Majority Action by Council

Four Members of the Council shall constitute a quorum for the transaction of business of the Council. When a quorum is present, a majority of Council Members may take action on behalf of the Council, unless otherwise provided for in these Bylaws.

Section 7: Conduct of Meetings

Meetings of the Council shall be presided over by the Chair or, in his or her absence, the Vice-Chair. The Council shall rely upon *Roberts Rules of Order*, as revised, as guidance to conduct its meetings, unless other laws or regulations govern. When appropriate, the Chair may use discretion in adherence to any procedural rule.

Section 8: Minutes

Minutes shall be recorded and maintained for all Council meetings that are subject to the Open Meetings Act. The minutes shall include at a minimum the date, time, and place of the meeting; whether the meeting was a regular, special or emergency meeting; how notice of the meeting was provided; the names of Council Members in attendance and those absent; the substance of the proposals considered and a record of any decisions and votes taken that show how each Member voted. There shall be a sign up sheet at the meetings for other attendees. Draft minutes shall be prepared within 10 working days after the meeting and shall be approved, amended or disapproved at the next meeting where a quorum is present.

ARTICLE 7: AMENDMENT AND CONSTRUCTION OF BYLAWS

Section 1: Amendment

These Bylaws may be amended or repealed upon by a vote of 5 Members of the Council.

Section 2: Construction

If there is a conflict between the terms of the ATC Charter and these Bylaws, the terms of the Charter shall govern. Should any of the terms of these Bylaws be held unenforceable or invalid, the remaining provisions shall be severable and shall continue in full force and effect.

August 20, 2014

The undersigned, with approval of the Council, hereby execute the foregoing Bylaws on behalf of the Council.

TCC Fox

Tannis Fox
ATC Council Chair

Aug. 20, 2014
Date

Leslie Fagre

Leslie Fagre
ATC Council Secretary

Aug. 20, 2014
Date