

CALIFORNIA COLLABORATIVE FOR EDUCATIONAL EXCELLENCE GOVERNING BOARD BYLAWS

ARTICLE I

Authority

The California Collaborative for Educational Excellence (“Collaborative”) is established by the California Legislature, as set forth in statute, *Education Code* section 52074, enacted as part of the Local Control Funding Formula legislation (AB 97 [Chapter 47, Statutes of 2013; as amended by SB 97, Chapter 357, Statutes of 2013; and SB 858 Chapter 32, Statutes of 2014]).

ARTICLE II

Powers and Duties

Section 1. General Purposes.

The Collaborative is established in statute to advise and assist school districts, county superintendents, and charter schools in achieving the goals set forth in their Local Control and Accountability Plans adopted under the provisions of the Local Control Funding Formula legislation. The Governing Board may contract for services and goods, hire staff and direct activities of staff consistent with this purpose, and in accordance with the terms of the contract between the State and Fiscal Agent.

Section 2. Fiscal Agent.

The governing statute requires the Superintendent of Public Instruction (“SPI”), with the approval of the State Board of Education, to contract with a local educational agency, or consortium of such agencies, to serve as the Fiscal Agent (“Fiscal Agent”) for the Collaborative. The SPI is required to apportion to the Fiscal Agent funds appropriated by the Legislature for the Collaborative’s purposes. The role of the Fiscal Agent is to provide administrative support to the operation of the Collaborative and its Governing Board in accordance with its contract with the State.

Section 3. Contracting for Expertise.

At the direction of the Collaborative’s Governing Board, the Fiscal Agent is required to contract with individuals, local educational agencies, or organizations with expertise, experience and record of success to carry out the purposes of the Local Control Funding Formula legislation concerning Local Control and Accountability Plans. The areas of expertise, experience, and record of success must include, but are not limited to: (1) the State priorities identified in *Education Code* section 52060, subdivision (d); (2) improving the quality of teaching; (3) improving the quality of school district and school site leadership; and (4) successfully addressing the needs of special pupil populations, including but not limited to English learners, pupils eligible for free or reduced-price meals, pupils in foster care, and individuals with exceptional needs.

ARTICLE III

Members

Section 1. Appointment

The Collaborative is governed by a Governing Board consisting of five (5) members, as specified in *Education Code* section 52074, subdivision (b), and set forth below:

- The Superintendent of Public Instruction (“SPI”), or his or her designee
- The President of the State Board of Education, or his or her designee
- A County Superintendent of Schools appointed by the Senate Committee on Rules
- A Teacher, appointed by the Speaker of the Assembly
- A Superintendent of a school district, appointed by the Governor

Section 3. Compensation and Expenses

Members of the Governing Board shall serve without compensation, but shall be allowed actual and necessary travel, lodging and meals while on official business of the Collaborative, to be reimbursed at the rates established by the California Department of Personnel Administration regulations.

Section 3. Conflict of Interest Code

Members of the Governing Board shall file statements of economic interest as required by the Fair Political Practices Commission (“FPPC”).

ARTICLE IV

Officers and Duties

Section 1. Governing Board Officers

Officers of the Governing Board shall be a Chair and Vice-Chair. No member may serve as both Chair and Vice-Chair.

Section 2. Election of Officers

The Chair and Vice-Chair shall be elected annually in accordance with the procedures set forth in this section.

At the first meeting of the Governing Board, the Fiscal Agent shall oversee the Governing Board's first election of officers. The Fiscal Agent, or designee, shall ask members to nominate individuals for the office of Chair. Thereafter, the Fiscal Agent, or his designee, shall ask members to nominate individuals for the office of Vice-Chair. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office. Procedures for election of officers and the terms of office shall be the same as those applicable to subsequent elections, as described below.

Commencing in 2016, at the first regular meeting of each calendar year, the Governing Board Vice-Chair shall ask members to nominate individuals for the office of Chair. At the same meeting, the Governing Board Chair shall ask members to nominate individuals for the office of Vice-Chair. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office.

Three votes are necessary to elect an officer, and each officer shall serve for one year or until his or her successor is elected.

If, in the Governing Board's judgment, no nominee for the office of Chair or Vice-Chair can garner sufficient votes for elections to the office at the first meeting, a motion to put the election over to the next subsequent meeting is in order.

Newly elected officers shall assume office immediately upon election.

In the event a vacancy occurs in the office of Chair or Vice-Chair during the calendar year, an election shall be held at the next meeting. A member interested in completing the term of the office that has become vacant may nominate himself or herself, but any nomination requires a second.

Section 3. Duties of the Chair

The Chair shall:

- Serve as spokesperson for the Governing Board
- Represent the Governing Board, or appoint a board member designee, to attend such meetings or conferences, and to serve on such committees or councils, when, in the judgment of the Chair, such representation or service is necessary to fulfill the purposes of the Collaborative
- Keep abreast of local, state, and national issues regarding public education and impacting the work of the Collaborative, and report to the Governing Board on such issues
- Preside at all meetings of the Governing Board
- Appoint members to serve on committees established by the Governing Board, as prescribed in these by-laws
- Provide direction to any individual selected to serve as the executive director of the Collaborative
- In consultation with the Fiscal Agent, executive director, and other members of the Governing Board as permitted by law, direct the preparation of agendas for meetings of the Governing Board
- Act as designated by the Governing Board as necessary between meetings of the Governing Board

Section 4. Duties of the Vice Chair

The Vice Chair shall:

- Preside at meetings of the Governing Board in the absence of the Chair
- Represent the Governing Board at functions designated by the Chair
- Fulfill all duties of the Chair when he or she is unable to serve

Article V

Committees and Representatives

Section 1. Ad Hoc Committees

From time-to-time, the Chair may appoint ad hoc committees for such purposes as he or she deems necessary. Ad hoc committees shall remain in existence until abolished by the Chair.

Section 2. Representatives

From time to time the Chair may assign Governing Board members responsibility of representing the Collaborative in meetings, presentations, committees, councils and such in connection with matters relating to the responsibilities of the Collaborative.

Article VI

Meetings

Section 1. Open Meetings

All meetings of the Governing Board, except closed sessions as permitted by law, and all meetings of Governing Board committees, to the extent required by law, shall be open and public.

All meetings shall conform to the Bagley-Keene Open Meeting Act, including requirements for notices of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and special meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of the Board are hereby incorporated by reference into these Bylaws.

Unless otherwise provided by law, meetings of any advisory body, committee, or subcommittee thereof, created by statute or the formal action of the Governing Board, which is required to advise or report or recommend to the Governing Board, shall be open to the public

Section 2. Regular Meetings

Generally, meetings of the Governing Board shall be held on the first Thursday of every other month beginning June 2015.

However, the Governing Board may deviate from this pattern to accommodate state holidays and special events. Other regularly noticed meetings may be called by the Chair for any stated purpose.

Section 3. Notice of Meetings

Notice of each regular meeting shall be posted at least 10 days prior to the time of the meeting and shall include the time, date, and place of the meeting and a copy of the meeting agenda.

Notice of any meeting of the Governing Board shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Board will be included on the mailing list for notice of regular meetings.

Section 4. Special Meetings

Special meetings may be called to consider those purposes specified in law if compliance with the 10-day notice would impose a substantial hardship on the board or if immediate action is required to protect the public interest. Such special meetings may be called by the Chair.

Notice of a special meeting shall be provided in accordance with law.

Section 5. Emergency Meetings

Emergency meetings of the Governing Board may be called by the Chair without providing the notice otherwise required in the case of a situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities and which is properly the subject of an emergency meeting in accordance with law.

The existence of an emergency situation shall be determined by concurrence of three of the members during a meeting prior to an emergency meeting, or at the beginning of an emergency meeting, in accordance with law.

Notice of an emergency meeting shall be provided in accordance with law.

Section 6. Closed Meetings

Closed meetings shall be held only as authorized by and in accordance with law.

Section 7. Quorum

A quorum consists of three members of the Governing Board. The concurrence of a majority of the members of the Governing Board at a meeting in which there is quorum present is necessary to the validity of any of the actions of the Governing Board.

Section 8. Order of Business

The order of business for all regular meetings of the Governing Board shall generally be:

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the Fiscal Agent
- Special Presentations
- Agenda Items
- Adjournment

Section 9. Consent Calendar

Non-controversial matters may be presented to the Governing Board on a consent calendar.

Items may be removed from the consent calendar on the request of an individual Governing Board member.

Section 10. Attendance at Meetings

The Fiscal Agent's designated staff shall attend meetings of the Governing Board.

ARTICLE VII

Public Records

Public records of the Collaborative shall be available for inspection and duplication in accordance with law, including the collection of any authorized fees for research and duplication.

ARTICLE VIII

Parliamentary Authority

Section 1. Rules of Order

Debate and proceedings of the Governing Board shall be conducted in accordance with Robert's Rules of Order (Newly Revised) when not in conflict with the Governing Board's bylaws or other statutory requirements.

Section 2. Comment and Discussion

Members of the public, and staff of the Collaborative and Fiscal Agent may be recognized by the Chair of the Governing Board as appropriate, to speak at any meeting. Speaker comments shall be limited to the time determined by the Chair. All remarks shall be addressed to the Chair. In order to maintain appropriate order in the meeting, the Chair shall determine the person having the floor at any given time and, if discussion is in progress or is to commence, who may participate in the discussion.

Section 3. Questions Directed to Governing Board and Speakers

Public speakers shall not directly question members of the Governing Board or staff of the Collaborative or Fiscal Agent without permission of the Chair or other presiding individual, nor shall Governing Board Members or such staff directly question speakers without permission of the Chair or other presiding individual.

Section 4. Speaker Remarks

All speakers shall confine their remarks to the pending matter as recognized by the Chair. Individual speakers shall be allowed two minutes to address the Governing Board on each agenda and each non-agenda item, unless another time is specified by the Chair.

ARTICLE IX

Amendment of the Bylaws

These bylaws may be amended at any regular meeting of the Governing Board, provided the amendment has been submitted in writing to the Governing Board and members of the public with the meeting notice.

Adopted February 25, 2015