

Resolution No. 1375-17
Establishing Measure K Charter Facilities Committee and
Adopting Bylaws for the Measure K Charter Facilities Committee

WHEREAS, the Chico Unified School District ("**District**"), through this Governing Board of the District, submitted to the voters of the District pursuant to Article XIII A, Section 1(b) of the California Constitution and California Education Code section 15264, a general obligation bond proposal in the amount of up to one hundred fifty-two million dollars (\$152,000,000) for the election held on November 8, 2016; and

WHEREAS, an election was conducted pursuant to Article XIII A, Section 1(b)(3) of the California Constitution, which allows a fifty-five percent (55%) majority to pass the bond ("**Proposition 39**"); and

WHEREAS, the District was successful at the elections conducted on November 8, 2016, in obtaining authorization from the District's voters to issue and sell bonds of up to one hundred fifty-two million dollars (\$152,000,000) (referred to as "**Measure K**"); and

WHEREAS, more than fifty-five percent (55%) of the votes cast in connection with Measure K were in favor of issuing the aforementioned bonds; and

WHEREAS, the District adopted Resolution No. 1342-16 stating 15.34% of the Bond proceeds shall be available to pay the costs of finance facilities for charter schools serving in-district students; and

WHEREAS, the District Governing Board adopted No. 1342-16 ordering the election for Measure K and included in the Part III of the resolution it reads "The Board of Education shall consider recommendations of a special committee establish by the District and comprised of a majority of representatives of the charter schools within the district's boundaries regarding expenditure of the bond proceeds for financed facilities for charter schools"; and

WHEREAS, this Governing Board of the District hereby wishes to establish the Measure K Charter Facilities Committee, a special committee, in connection with issuance of bonds under Measure K; and

WHEREAS, this Governing Board of the District wishes to adopt bylaws for the Measure K Charter Facilities Committee.

NOW, THEREFORE, BE IT RESOLVED, for good and sufficient cause based on the entire record of proceedings, the Chico Unified School District Board of Trustees ("**Board**") hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals are true.

Section 2. The Measure K Charter Facilities Committee, a special committee of the Chico Unified School District Board of Trustees, is hereby established as required by resolution No. 1342 (Measure K)

Section 3. The Board approves the Bylaws for the Measure K Charter Facilities Committee attached hereto as **Exhibit A**, and incorporated herein by this reference.

Section 4. The Measure K Charter Facilities Committee shall operate pursuant to the Board-approved Bylaws attached hereto as **Exhibit A**.

PASSED AND ADOPTED by the Governing Board of the Chico Unified School District on March 1, 2017, by the following vote:

AYES: Loustale, Hovey, Griffin, Robinson

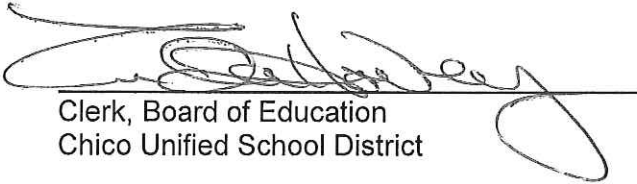
NOES: None

ABSENT: Kaiser

ABSTENTIONS: None



President, Board of Education
Chico Unified School District



Clerk, Board of Education
Chico Unified School District

Exhibit A
Measure K Charter School Facility Committee Bylaws
March 1, 2017

1. COMMITTEE ESTABLISHMENT

- A. The Chico Unified School District (the "District") was successful at the election conducted on November 8, 2016 (the "Bond Election") in obtaining authorization from the District voters to issue up to \$152,000,000 in general obligation bonds; 15.34% is designated to Charter Schools within Chico Unified School District boundaries ("Measure K"). The election was conducted under Proposition 39, being chaptered as the Strict Accountability in Local School Construction Bonds Act of 2000, at Section 15264 *et seq.* of the Education Code of the State ("Prop 39"). The Board of Education of the Chico Unified School District (the "Board"), by Board Resolution, hereby establishes the Chico Unified School District Charter School Facility Committee (the "Committee") on March 1, 2017. The Committee shall have the duties and rights set forth in these Bylaws. The Committee does not have legal capacity independent from the District.

2. PURPOSES

- A. The Committee is charged with and empowered to evaluate the facility needs and options of the Charter Schools operating within the Chico Unified School District boundaries and to make recommendations on behalf of the Charter School community for the expenditure of bond proceeds allocated for Charter Schools, including the acquisition of new facilities, and the construction, reconstruction and/or modification of new or existing school facilities, as permitted by law and as stated in Measure K ballot language.
- B. The Committee may also review the facilities-related policies and practices of the District under Education Code section 47614 and may recommend changes or additional policies or procedures that it believes would facilitate use of bond proceeds on behalf of Charter Schools to meet the Charter Schools' facility needs.

3. DUTIES

- A. Develop guidelines and a process to recommend efficient and effective use of Measure K bond funds allocated to charter school facility projects.
- B. Analyze, evaluate and recommend any necessary modification of the District's facilities policies that represent barriers to Charter Schools operating within District boundaries.
- C. Submit recommendations for use of Measure K bond funds to District administration so projects can be placed on a District board meeting agenda for approval by the Board before any charter facility projects begin.

4. MEMBERSHIP

- A. **NUMBER:** The Committee shall consist of nine (9) members and (9) alternate members, representing each of the Charter Schools within the Chico Unified boundaries. The District Superintendent or designee will submit potential members to the District Board of Trustees for approval. Alternate members shall only serve in the event the member is temporarily unable to fulfil their duties.

- B. COMPOSITION: A representative may be a board member, employee, parent, community member, or an individual with expertise, knowledge or background related to charter school operations/facilities.

5. TERM

- A. Committee members will serve continuously at the request of the charter school they represent and as approved by the District board.

6. REMOVAL; VACANCY: A charter school may remove their own Committee member for any cause, including but not limited to failure to attend two (2) consecutive regular Committee meetings without reasonable excuse, being absent for more than fifty percent (50%) of the regular Committee meetings without reasonable excuse in a term year, being absent from regular Committee meetings more than four (4) times without reasonable excuse in a term year, or for failure to comply with the provisions of these Bylaws. The District Board may also remove any committee member at the Board's sole discretion.

7. COMPENSATION: The Committee members shall receive no compensation for their services.

8. AUTHORITY OF THE MEMBERS: Individual members of the Committee shall not have the authority to direct staff of the District. Individual members of the Committee retain the right to address the Board, either as an individual, or on behalf of the Committee when so directed or authorized by the Committee.

9. OFFICERS: The Committee shall, by a majority vote, select the following positions at a meeting to be held annually at the last regularly scheduled meeting of the calendar year.

- A. The Committee shall elect a Chairperson and a Vice-Chairperson/Secretary who shall act as Chairperson in the Chairperson's absence
- B. The Committee Chairperson shall be elected annually and may serve no more than two (2) consecutive one (1) year terms.
- C. The Chairperson shall be responsible for organizing the meetings of the committee including developing and posting agendas, ensuring minutes of the meetings are taken and made available for public viewing, and conducting the meetings using the 10th edition of Roberts Rules of Order as a guideline.

10. MEETINGS OF THE COMMITTEE

- A. BROWN ACT: The Committee shall be subject to the Ralph M. Brown Public Meetings Act of the State of California, and shall conduct its meetings in accordance with the provisions thereof.
- B. REGULAR MEETINGS: The Committee shall establish a schedule for the date and time of regular meetings to be held no more than monthly unless a specific need is agreed to by the majority of the Committee.
- C. DOCUMENTATION: The committee shall provide agendas for public viewing and minutes to the meetings subject to the Ralph M. Brown Public Meetings Act of the State of California.
- D. LOCATION: All Committee meetings shall be held where noticed, within the jurisdictional boundaries of the Chico Unified School District.

- E. Quorum: Except as provided herein, a majority of the number of Committee members shall constitute a quorum for the transaction of any business, discussion, or action except adjournment. Except as provided herein, action of the Committee shall be by a majority vote of the Committee members. In regards to the Committee, a quorum constitutes five (5) members present out of the total nine (9) members. For an action to be approved by the committee, a majority of the members, five (5), need to vote in favor of an agenda item.

11. PROCEDURES

- A. All meetings of the Committee or any standing Committee established to conduct business on behalf of the Committee will operate in compliance with the Brown Act.
- B. The rules contained in the 10th edition of Robert's Rules of Order shall serve as a guide to the conduct of meetings when applicable, and when not inconsistent with these Bylaws.

12. DISTRICT SUPPORT.

- A. The District shall provide to the Committee necessary technical and administrative assistance as needed, including:
 - i. Posting of public notices as required by the Brown Act, ensuring that all notices to the public are provided in the same manner as notices regarding meetings of the District Board;
 - ii. Provision of a meeting room if requested, including any necessary audio/visual equipment;
 - iii. Preparation and copies of any documentary meeting materials, such as agendas and reports;
 - iv. Retention of all Committee records, and providing public access to such records on an Internet website maintained by the Board.
 - v. District staff shall make reasonable efforts to attend Committee and Subcommittee meetings as appropriate to report on the status of projects and the expenditures of bond proceeds.
 - vi. District staff shall provide information, as needed, to facilitate the work of the Committee.

- 13. **TRANSPARENCY:** The Committee shall strive to achieve the highest level of transparency to ensure accountability and provide information to the taxpayers within the boundaries of the Chico Unified School District.
- 14. **AMENDMENT OF BYLAWS:** The Committee may submit recommendations for revisions to these Bylaws to the District Board of Trustees for their approval. Adoption and any amendment to these Bylaws shall be approved by majority vote of the District Board, with only one reading necessary.
- 15. **TERMINATION:** The Committee shall automatically terminate and disband when all Charter School projects funded by the allocation of Measure K bond proceeds to charter schools are completed.