



**The Yuba Environmental Science
Charter Academy
(YES Charter Academy)**

"YES to Excellence in Education"

**CHARTER PETITION
Element 4**

Prepared in compliance with the terms, conditions, and requirements of
The Charter Schools Act, Education Code Section 47600, *et seq.*, and related
statutes



IV. Element 4 -- Governance Structure

The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parental involvement.

Education Code Section 47605(b)(5)(D)

A. Governance Structure of YES CHARTER ACADEMY

The organizational design of the governance structure of YES CHARTER ACADEMY reflects the vision of an educational community and the core values of strong parental involvement and participation. The governance structure includes administrative guidance from the sponsoring school County Office of Education, governance by an elected Council of Directors, and participation by corresponding standing and special committees.

YES CHARTER ACADEMY will be non-sectarian in its programs, admission policies, employment practices, and all other operations. YES CHARTER ACADEMY shall not charge tuition, and shall not discriminate on the basis of race, ethnicity, gender, religion, national origin, ability, or disability.

YES CHARTER ACADEMY will be a directly funded independent charter school and will be operated as a California Nonprofit Public Benefit Corporation pursuant to California law. YES CHARTER ACADEMY will be governed pursuant to the bylaws adopted by the incorporators, as subsequently amended pursuant to the amendment process specified in the bylaws. YES CHARTER ACADEMY will maintain in effect general liability and Council of Directors errors and omissions insurance policies.

The Charter School will operate autonomously from the County Office of Education, with the exception of the supervisory oversight as required by statute and other contracted services as negotiated between the County Office of Education and the Charter School. Pursuant to California Education Code Section 47604(c), the County Office of Education shall not be liable for the debts and obligations of the Charter School, operated by a California non-profit benefit corporation, or for claims arising from the performance of acts, errors, or omissions by the Charter School as long as the County Office of Education has complied with all oversight responsibilities required by law.

Attached, as Appendix 8, please find the Charter School Articles of Incorporation, Corporate Bylaws, and Conflicts Code.

B. County Office of Education Relationship

The County Office of Education shall provide legally mandated oversight for the charter, yet as an independent charter school, YES CHARTER ACADEMY is deemed to be an independent public school.



YES CHARTER ACADEMY pledges to furnish the YCOE board with copies of all policies and procedures developed with regard to any operational or educational program, upon adoption by the Council of Directors.

YES CHARTER ACADEMY's Council of Directors will submit an annual written progress report, as discussed above, to the YCOE board and the community. This report will include information about student performance in academics and an analysis of academic programs. Attendance and disciplinary data will also be incorporated into the annual report. In addition to an annual report to the YCOE board and the community, the YES CHARTER ACADEMY Council of Directors will require monthly reports from the Business Manager concerning operations, budget, attendance, student discipline, and personnel matters. YES CHARTER ACADEMY will participate in all audits required by California law.

C. Bylaws

YES CHARTER ACADEMY shall be governed by adherence to its bylaws (See Appendix 8). At a minimum, these bylaws shall contain the following:

- The means by which Council Members are to be nominated, selected, and removed from office
- The duration of each Council member's term of office
- The method by which Council meetings will be held
- The means by which parents, teachers, students, and other members of the community may communicate with the Council
- The procedure by which bylaws may be amended.

D. Council of Directors

Yuba Environmental Science Charter Academy shall be governed by the YES Charter Academy Council of Directors members. The council will be composed of at least seven (7) members, known as "directors," who will represent the parents, the community, and the interests of the YCOE. In accordance with Education Code Section 47604(b), the County Office of Education may appoint a representative to sit on the Council of Directors. Vacancies on the permanent Council will be appointed by the remaining council members by majority vote.

The composition of the Council of Directors shall remain as follows:

- Three of the directors should be parents of children enrolled in YES CHARTER ACADEMY
- Three directors may be parents and/or community members
- One director shall be a representative appointed by the YES CHARTER ACADEMY teacher's organization (teacher representative). The teacher representative is authorized to vote in all normal business matters, with the exception of matters associated to teacher discipline, teacher compensation or any other matter the YES Council of Directors deem inappropriate due to a real or perceived conflict of interest. The teacher rep will not participate in closed session except as deemed appropriate and by invitation of the regular board members.
- One director shall be the Director/Principal.



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- At the discretion of the YCOE Board of Trustees, one representative may be appointed.

A quorum by the Council shall be a majority of members.

The Council of Directors will meet approximately once a month to hear reports, to consider and adopt policies, to act on working group recommendations, and to consider requests and concerns. These meetings will be advertised and conducted in compliance with the California Brown Act (Gov. Code Section 54950, *et seq.*).

YES CHARTER ACADEMY shall adhere to its conflicts code which complies with the Political Reform Act (Government Code Section 87100), and applicable conflict restrictions required by the Corporations Code and any charter school specific conflicts of interest regulations as adopted by the State Board of Education.

The Board of Directors meetings will be headed by a Board President, who will be elected by the Board at the concluding meeting of the school year.

As long as a quorum exists as defined by the corporate bylaws, measures voted on by the Board of Directors may be passed with a simple majority of present members.

The Council of Directors shall participate regularly in training regarding board governance, Brown Act, and conflicts of interest rules.

The Council of Directors shall have authority to exercise the following duties and responsibilities:

- Determine and uphold YES CHARTER ACADEMY's mission and vision
- Select YES CHARTER ACADEMY's Director / Principal
- Approve contracts of all staff (including teachers) and determine levels of compensation
- Ensure effective organizational planning
- Determine how the budget is spent
- Contract for goods and services, including insurance
- Develop school policies and procedures
- Accept or reject gifts, donations, and grants
- Enhance the organization's goodwill and public image
- Monitor School's performance (educational, fiscal, legal, operational)
- Monitor its own performance (internal and external relations, adhering to legal duties, effective board practices, fiscal responsibilities, etc.)
- Clarify board's role vs. director's/staff's roles

The Board may execute any powers delegated by law to it and shall discharge any duty imposed by law upon it and may delegate to an employee of the Charter School any of those duties with the exception of budget approval or revision, approval of the fiscal audit and performance report, and the adoption of Board policies. The Board however, retains ultimate responsibility over the performance of those powers or duties so delegated. Such delegation will:



- Be in writing;
- Specify the entity designated;
- Describe in specific terms the authority of the Board of Directors being delegated, any conditions on the delegated authority or its exercise and the beginning and ending dates of the delegation; and
- Require an affirmative vote of a majority of Board members.

E. Role of the Director/Principal

The role of the Director/Principal is to act as the liaison between the Council of Directors and the daily operations of the school. The Director/Principal will be an arm of the Council in community relations as well as an advisor to the Council. Duties include:

- Provide instructional leadership to the Charter School
- Attend County Office of Education Administrative meetings as requested by the County Office of Education and stay in direct contact with the County Office of Education to assist the County Office of Education in its oversight duties
- Develop Council of Directors' meeting agenda in compliance with the Brown Act; bring matters forward to the Board of Directors for agendaing
- Supervise all employees of the YES CHARTER ACADEMY
- Provide timely performance evaluations of all YES CHARTER ACADEMY employees at least once annually
- Propose policies for adoption by the Council
- Provide comments and recommendations regarding policies presented by others to the Council
- Communicate with YES CHARTER ACADEMY legal counsel
- Stay abreast of school laws and regulations
- Approve all purchase orders, pay warrants, and requisitions, and upon approval, forward on for processing
- Participate in the dispute resolution procedure and the complaint procedure when necessary
- Oversee grant writing
- Attend meetings with the Chief Financial Officer of the County Office of Education on fiscal oversight issues as needed
- Provide all legally required financial reports to the County Office of Education
- Make budget line item revisions when necessary and report changes regularly to the Council
- Develop and administrate the budget in accordance with generally accepted accounting principles
- Present a quarterly financial report to the Charter School Council
- Provide assistance and coordination to the Faculty in the development of curriculum
- Oversee student/teacher relations
- Attend IEP meetings when necessary
- Oversee student disciplinary matters
- Coordinate the administration of Standardized Testing



- Attend all meetings with the Sheriff's Department as necessary
- Attend all YES CHARTER ACADEMY meetings and attend as necessary County Office of Education Board meetings
- Foster an amicable relationship between County Office of Education and Charter School and facilitate a sharing of resources between both entities
- Propose of procedures to YES CHARTER ACADEMY designed to carry out Council policies;
- Oversee scheduling
- Oversee graduations
- Manage communications between County Office of Education and Council
- Develop a YES CHARTER ACADEMY annual performance audit
- Present a performance audit to the Council and upon review of YES CHARTER ACADEMY Council present audit to the County Office of Education Board of Trustees and the County Office of Education Superintendent

F. Parental Involvement

Parents have collaborated in the crafting of this educational vision and plan, and will play a key role in the interviewing and hiring of teaching staff. Parents will collaborate with the teachers in the creation of the academic and other school-wide goals.

Parents of YES CHARTER ACADEMY students will pledge a fixed number of hours per year to YES CHARTER ACADEMY activities (with accommodations made for low income or otherwise challenged families). In addition, frequent two-way communication between teachers, school administration, and home will be a hallmark of YES CHARTER ACADEMY. Parents will be a crucial element in the success of YES CHARTER ACADEMY's field experience plan. In order to work safely in the foothill environment, for example, an ample number of adults must be present. Ventures into the workplaces of adults, and into cities and towns to take advantage of cultural and other resources, would not be possible without the active planning and participation by parents. Family education nights, a YES CHARTER ACADEMY newsletter, carpooling, and extramural and sports activities will require active family support.

YES CHARTER ACADEMY will encourage families to give of their time to promote the success of YES CHARTER ACADEMY and its programs. YES CHARTER ACADEMY will work with parents to develop parent involvement policies and strategies.

Parent involvement includes the following:

- Participation in the development of the Individual Learning Plans
- Participation with homework and support of weekly learning assignments
- Attendance at Parent Association meetings
- Attendance for progress report meetings with the teacher
- Service to YES CHARTER ACADEMY: This can include serving on the Council of Directors or Standing Committees, providing physical labor, providing professional or paraprofessional services, staffing field trips, or any other ways as outlined in the Parent and Student Handbook, which anticipates a per-parent time commitment of twelve hours per year.