

First Amended Bylaws of the San Diego Unified School District Charter School Facility Committee

1. COMMITTEE ESTABLISHMENT

A. The San Diego Unified School District (the “District”), through the governing Board of Education (“Board”), by Board resolution, established the San Diego Unified School District Charter School Facility Committee (“Committee”) on September 4, 2012 for recommendations on the use of Proposition Z funds allocated for charter school facilities. By resolution on May 14, 2019, the Board expanded the purview of the Committee by including Measure YY.

2. PURPOSES

A. The Committee is charged with and empowered to evaluate the facility needs and options of the charter schools of the District and to make recommendations on behalf of the charter school community for the expenditure of Proposition Z and Measure YY 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.

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 Proposition Z and Measure YY 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 Proposition Z and Measure YY bond funds for allocation to new and existing charter school bond projects.

B. Analyze, evaluate and recommend any necessary modification of the district facilities policies that represent barriers to strengthening and growing charter schools serving District students.

C. Recommend to the District Board, if appropriate, the engagement of a consultant or expert on bond facilities use for charter projects to supplement district staff support as needed.

4. MEMBERSHIP

A. Number: The Committee shall consist of seven (7) members recommended by the Superintendent and appointed by the Board.

B. Composition: The Committee shall consist of five (5) charter school board members or employees from San Diego Unified authorized charter schools and two (2) other individuals with expertise, knowledge or background related to charter school operations/facilities who are not employed by San Diego Unified, are not employed by a charter school organization that serves students who live within San Diego Unified boundaries, and are not board members at a charter school organization that serves students who live within San Diego Unified boundaries

5. TERM

- A. The Committee members will have two year terms. The Board will appoint the first committee members in staggered terms whereby three (3) of the initial members will be assigned a one (1) year term. District staff will randomly select members to one (1) year or two (2) year terms and forward the nominations to the Board for appointment of the Committee.
- B. All other appointments after the first year will be two (2) year appointments.
- C. Upon completion of the first term, those appointees who were assigned to serve one (1) year terms become eligible for additional two (2) year terms should the Board choose to approve and appoint them.

6. REMOVAL; VACANCY

The Committee may remove any Committee member for 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 Board may also remove any Committee member in the Board's sole discretion. If a member fails to meet the qualification standards set forth in Section 4B of these Bylaws at any time during the term of service, the member shall be disqualified and the position shall be declared vacant. Upon a member's removal, his or her seat shall be declared vacant, and the Committee shall nominate a new member for Board approval and appointment as described in section 7.

7. NOMINATION

The Committee will approve a process to ensure vacancies are communicated to all eligible charter schools and the Committee will consult with the District Charter Principal's Advisory group and other charter representative groups to receive input on applicants for vacant committee positions. The Committee will take action in a public meeting to make recommendation(s) to the District Board.

8. COMPENSATION

The Committee members shall receive no compensation for their services.

9. 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.

10. OFFICERS.

- A. The Committee shall elect a Chair and a Secretary/Vice-Chair who shall act as Chair in the absence of the Chair.
- B. The Committee Chair shall be elected to serve a single, two (2) year term.
- C. The Secretary/Vice-Chair will become the Chair at the end of the Chair's two (2) year term to provide continuity to the Committee.
- D. Should the Chair vacate his role as Chair or as a member on the Committee, the Vice-Chair will become Chair and an election will be held to select a Vice-Chair for a new two (2) year term.

11. 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. Location. All Committee meetings shall be held where noticed, within the jurisdictional boundaries of the San Diego Unified School District, which includes but is not limited to Physical Plant Operations, 4860 Ruffner Street, San Diego, CA 92111.
- D. 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 four (4) members present out of the total seven (7) members, except that a quorum shall constitute a majority of the seats actually appointed by the Board when vacancies exist provided that a quorum shall be a minimum of three (3) members present. (Example #1: If only four (4) members of the Committee are appointed by the Board with three (3) vacancies, then a quorum shall be three (3) members present.) In the event that a member removes themselves from the consideration of any particular recommendation that directly would benefit their organization or employer, the need for a quorum will be satisfied by a minimum of three voting members.

12. 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.
- C. Members of the Committee shall excuse themselves from discussion and any vote upon any project that particularly benefits their organization or employer. In this context, "organization" shall include an organization with which their organization shares a common parent. Such recusal does not apply to actions that would benefit a group of organizations even if they are employed by or serve as a board member of one such organization.
- D. Each member of the Committee agrees to comply with the Conflict of Interest provisions of Article 4 (commencing with Section 1090) and Article 4.7 (commencing with Section 1125) of Division 4 of Title 1 of the California Government Code, and the Political Reform Act of Title 9 (commencing with Section 81000) of the Government Code, which includes the submitting of Form 700: Statement of Economic Interests with the District. Form 700 records will be maintained in the possession of the District's Legal Services Office at the Eugene Brucker Education Center.

13. DISTRICT SUPPORT

- A. The District shall provide to the Committee necessary technical and administrative assistance as needed, including, but not limited to:
 - i. Preparation of and 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 all 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 and support, as needed, to facilitate the work of the Committee.

14. TRANSPARENCY

The Committee shall strive to achieve the highest level of transparency to ensure accountability and information for all District residents.

15. INDEMNIFICATION

The Board shall indemnify and hold harmless Committee members for and during their service on the Committee arising out of their Committee service. Such indemnification and actions to hold them harmless shall be consistent with to what is provided for the members to the Board, its officers, and employees.

16. AMENDMENT OF BYLAWS

The Committee may submit recommendations for revisions to these Bylaws to the Board. Adoption and any amendment to these Bylaws shall be approved by majority vote of the Board, with only one reading necessary.

17. TERMINATION

The Committee shall automatically terminate and disband when all charter school projects funded by bond proceeds are completed.