

texas charter schools association leadership Candidate Questionnaire

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BYLAWS OF THE TEXAS CHARTER SCHOOLS ASSOCIATION

A Texas Non-Profit Corporation

These Bylaws (the "**Bylaws**") govern the affairs of Texas Charter Schools Association, a non-profit corporation (the "**Corporation**"), organized under the Texas Business Organizations Code (the "**Texas Code**").

ARTICLE I OFFICES

1.1 <u>Principal Office</u>. The principal office of the Corporation shall be located in Austin, Travis County, Texas, or in such other place as the Corporation's Board of Directors (the "**Board of Directors**" or "**Board**") may determine from time to time.

1.2 <u>Other Offices</u>. The Corporation may have such other offices, either inside or outside of the State of Texas, as the Board may determine or as the affairs of the Corporation may require from time to time.

1.3 <u>Registered Office and Registered Agent</u>. The Corporation shall have and continuously maintain in the State of Texas a registered office, and a registered agent whose office is identical with such registered office, as required by the Texas Code. The registered office may, but need not be identical with the principal office of the Corporation in the State of Texas, and the address of the registered office may be changed from time to time by the Board of Directors.

ARTICLE II MEMBERS

2.1 <u>Charter Holder Members</u>. The Corporation shall have a primary class of charter holder members. The Board of Directors shall determine, and may from time to time alter, the duties, obligations and qualifications of membership in the Corporation and the procedures whereby individuals and organizations interested in the objectives of the Corporation may become, or be removed as, members thereof.

2.2 <u>Other Members</u>. The Corporation may have additional members, including but not limited to teachers, parents, associates, and vendors. The Board of Directors shall determine, and may from time to time alter, the duties, obligations and qualifications of membership in the Corporation and the procedures whereby individuals and organizations interested in the objectives of the Corporation may become, or be removed as, members thereof.

2.3 <u>Voting Rights</u>. A charter holder member is in good standing if the charter holder is paid current on membership dues; has no past due balances beyond 90 days, and; all campuses and districts have completed a quality framework within three (3) years. Charter holder members in good standing shall have the right to vote on the following leadership positions:

(a) one chair and one vice chair of the Member Council;

(b) twelve elected representatives who shall serve on the Advocacy Committee as provided in Section 5.3(a); and

(c) charter school operators to serve on the Board of Directors

2.4 <u>Fees and Dues</u>. Membership dues and fees, if any, shall be payable in accordance with a dues schedule fixed by the Board of Directors from time to time.

2.5 <u>Member Council</u>. Each charter holder member in good standing of the Corporation shall be a member of the Member Council. The Member Council shall meet no less than annually at such place and time and for such purposes as determined by the Board of Directors.

ARTICLE III BOARD OF DIRECTORS

3.1 <u>General Powers</u>. The affairs of the Corporation shall be managed by its Board of Directors.

3.2 <u>Number and Qualifications of Directors</u>. The total number of directors shall be designated by the Board of Directors from time to time by majority vote of the Board of Directors, but in no event shall the number be less than three. Following the second annual meeting of the Board of Directors of the Corporation, the Board of Directors shall be comprised of an odd number of directors as follows:

(a) one to nine directors representing the primary contributors to the Corporation, community representatives, including civic leaders or other strategic stakeholders, and business representatives, as determined by the Board of Directors;

(b) six directors representing charter school operators, elected by - eligible voters of the Member Council based on respective school size;

(c) one director elected by a majority of the eligible voters of the Member Council to serve as Member Council Chair;

(d) a director position, referred to as the Large Standing Member School, will be created for each charter member school with a membership enrollment of 20,000 or more students; and

(e) in the event that the Large Standing Member School director position increases to more than one, a Small Standing Member School director position will be created for each additional created Large Standing Member School director position that is created. The Small Standing Member School shall be elected by the membership.

(f) The Board of Directors may establish other qualifications, from time to time, as it determines is appropriate.

(g) The Executive Director will serve as an ex-officio, non-voting member of the Board of Directors.

3.3 <u>Election and Term of Directors</u>. The initial Board of Directors shall be comprised of those directors named in the Certificate of Formation. Thereafter, directors shall be elected at the annual meeting of the directors at which a quorum is present by an affirmative vote of a majority of the directors in attendance and shall serve for a term of two years and until their successors are elected, qualified and have accepted office, or until their earlier resignation, removal or death. A director may serve any number of consecutive or non-consecutive two-year terms unless the Board of Directors has otherwise established term limits through rules and procedures. Directors shall be nominated in accordance with procedures adopted by the Board. The terms of office shall be staggered in accordance with rules and procedures adopted by the Board of Directors.

3.4 <u>Newly-Created Directorships and Vacancies</u>. Newly-created directorships resulting from an increase in the number of directors and vacancies occurring in the Board for any reason shall be filled by a majority of the directors in attendance at a meeting at which a quorum is present in a manner consistent with the requirements of Section 3.2 and any additional requirements that may be established by the Board from time to time. A director elected to fill a vacancy shall hold office for the unexpired term of his or her predecessor or in the case of newly created directorships, until the next annual meeting of the Board at which directors are elected.

3.5 <u>Annual Meetings</u>. An annual meeting of the Board of Directors shall be held at least every 12 months. At such meeting, directors (if necessary) and officers shall be elected and such other business as shall properly come before the meeting shall be transacted.

3.6 <u>Regular Meetings</u>. The Board of Directors shall provide for regular meetings by resolution stating the time and place of such meetings. Unless otherwise determined by the Board, regular meetings shall be held quarterly. The meetings may be held either inside or outside of Texas and shall be held at the Corporation's principal office in Texas if the resolution does not specify the location of the meetings. No notice of regular meetings of the Board is required other than a resolution of the Board of Directors stating the time and place of the meetings.

3.7 <u>Special Meetings</u>. Special meetings of the Board of Directors may be called by or at the request of the President or one-third of the directors. The persons calling the special meeting may fix any place within the State of Texas as the place for holding the special meeting called by them. The person or persons calling a special meeting shall notify the Secretary of the Corporation of the information required to be included in the notice of the meeting and the Secretary shall give notice to the directors as required in these Bylaws.

3.8 <u>Notice</u>. Notice of any special meeting of the Board of Directors shall be given at least 10 days prior to the meeting by written notice delivered personally or sent by mail, facsimile, or, on consent of a director, by electronic transmission, to each director at his or her address as shown in the records of the Corporation. Notwithstanding the above, notice of any meeting of the Board of Directors at which directors shall be elected to fill vacancies, shall be given at least 20 days prior to the meeting. If mailed, the notice shall be deemed to be delivered when deposited in the United States mail so addressed with postage prepaid. If notice is given by facsimile or electronic transmission, it is deemed given when the notice is transmitted to a facsimile number or an electronic mail address provided by the director for the purpose of receiving notice or communications to the director. Any director may waive notice of any meeting. The attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice or waiver of notice of such meeting, unless specifically required by law or by these Bylaws.

3.9 <u>Meetings Held by Consent; Waiver of Notice</u>. A meeting of the Board of Directors may be held at any time and place without notice by prior unanimous consent of the directors, or with the presence and participation of all directors. Any notice required to be given under these Bylaws may be waived by the person entitled thereto.

3.10 <u>Quorum</u>. A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board. However, if less than a majority of the directors is present at a meeting, a majority of the directors present may adjourn the meeting from time to time without further notice.

3.11 <u>Manner of Acting</u>. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by the Texas Code, the Certificate of Formation or these Bylaws. Notwithstanding the above, the act of at least two-thirds of the directors is required to (a) amend the Certificate of Formation of the Corporation, (b) voluntarily wind up the Corporation under the Texas Code, (c) revoke a voluntary decision to wind up under Section 11.151 of the Texas Code, (d) cancel an event requiring winding up under Section 11.152(a) of the Texas Code, (e) reinstate under Section 11.202 of the Texas Code, (f) adopt a distribution plan under Section 22.305 of the Texas Code, (g) approve a plan of merger, (h) approve a sale of all or substantially all of the assets of the Corporation, (i) approve a plan of conversion or exchange or (j) amend Section 3.2 of these bylaws.

3.12 <u>Compensation</u>. Directors shall not receive any salaries for their services as directors, but by resolution of the Board of Directors, the expenses of attendance at Board and committee meetings and other reasonable business expenses, if any, may be reimbursed on submission of reimbursement requests in a form acceptable to the Corporation. Nothing shall preclude any director from serving the Corporation in any other capacity and receiving compensation therefor.

3.13 <u>Action by Written Consent</u>. Any action required by law to be taken at a meeting of directors or any committee, or any action which may be taken at a meeting of directors or any committee, may be taken without a meeting if a consent in writing setting forth the action to be taken is signed by a sufficient number of directors or committee members as would be necessary to take that action at a meeting at which all of the directors or members of the committee were present and voted. The director's signature may be transmitted via facsimile or other electronic

means, and an electronic copy or other facsimile of the signature of the director shall be deemed an original signature for all purposes and have the same force and effect as a manually signed original.

3.14 <u>Resignation or Removal of Directors</u>. Any director may resign at any time by giving written notice to the Corporation; however, the Board of Directors need not accept such resignation for it to be effective. Any director may be removed, with or without cause, by resolution passed by a majority of the directors. Any resignation or removal shall be without prejudice to the indemnification rights and the contract rights of the director.

3.15 <u>Attendance by Telephone</u>. Directors may participate in and hold a meeting of the Board by means of conference telephone or similar communications equipment whereby all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this Section shall constitute presence in person at such meeting.

ARTICLE IV OFFICERS

4.1 <u>Officers</u>. The principal officers of the Corporation shall consist of a President, a Secretary and a Treasurer. The Corporation may also have such other officers, assistant officers, and agents as may be deemed necessary, each to have such duties and authority as the Board of Directors may from time to time determine. Any two or more offices may be held by the same person, except the offices of President and Secretary. Officers need not be directors of the Corporation.

4.2 <u>Election and Term of Office</u>. The officers of the Corporation shall be elected annually by the Board of Directors at the annual meeting of the Board of Directors and will assume office immediately upon election. If the election of officers is not held at the annual meeting, it shall be held as soon thereafter as conveniently possible. New offices may be created and filled at any meeting of the Board of Directors. Except as otherwise provided in Sections 4.3 and 4.4, each officer shall hold office until his successor shall have been duly elected and qualified. Except as otherwise required by law, all officers are eligible to be elected to successive terms of office.

4.3 <u>Removal</u>. Any officer may be removed with or without cause, by a majority vote of the Board of Directors. Such removal shall be without prejudice to the indemnification rights and the contract rights of the officer so removed.

4.4 <u>Resignation</u>. Any officer may resign by written notice to the Board of Directors, but such resignation shall be without prejudice to the indemnification rights and the contract rights of the resigning officer. The resignation need not be accepted to be effective.

4.5 <u>Vacancies</u>. A vacancy in any office because of death, resignation, disqualification or otherwise, shall be filled by the Board of Directors. Any officer so appointed or elected shall serve until the next annual meeting of the Board of Directors and until his or her successor shall have been duly elected and qualified.

4.6 <u>President</u>. The President shall have general supervision over the affairs of the Corporation, and shall perform all duties incident thereto and have such power as may from time to time be assigned by the Board of Directors. The President, or President's designee, shall preside at all meetings of the Board of Directors.

4.7 <u>Treasurer</u>. The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever, and deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with the provisions of Article VIII of these Bylaws; and in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned by the President or by the Board of Directors. If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of duties in the sum and with a surety or sureties as the Board of Directors shall determine.

4.8 <u>Secretary</u>. The Secretary shall keep the minutes of the meetings of the Executive Committee, if any, and of the Board of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these Bylaws or as required by law; be custodian of the corporate records; keep a register of the post office address of each director which shall be furnished to the Secretary by each director; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

4.9 <u>Compensation and Expense Reimbursement</u>. Salaries or other compensation of the officers, if any, may be fixed from time to time by the Board of Directors, provided that such salaries and compensation shall not be excessive in amount and shall be for services which are reasonable and necessary for performance of the Corporation's purposes.

ARTICLE V COMMITTEES AND MEMBER COUNCIL

5.1 Committees of Directors. The Board of Directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees which may include an Executive Committee and other standing committees. Each committee shall consist of two or more directors, shall have and exercise the authority of the Board of Directors in the management of the Corporation, to the extent delegated by the Board of Directors. The majority of the members of a committee must be directors. However, no committee shall have the authority of the Board of Directors in reference to amending, altering or repealing the Bylaws; electing, appointing or removing any director or officer of the Corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the Corporation; authorizing the voluntary dissolution of the Corporation or revoking proceedings therefor; adopting a plan for the distribution of the assets of the Corporation; or amending, altering or repealing any resolution of the Board of Directors which by its terms provides that it shall not be amended, altered or repealed by any committee. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed on it or the director by law.

(a) <u>Executive Committee</u>. If an Executive Committee is established, it shall include the President (who shall serve as the Chair of the Executive Committee), and such other members as shall be designated by the Board. Except as otherwise provided in Section 5.1, the Executive Committee shall have and exercise the authority of the Board of Directors in the management of the Corporation. The Executive Committee shall meet at the discretion of the President.

(b) <u>Other Committees</u>. The Board of Directors may establish such other committees as deemed necessary and proper. Each committee shall have, and may exercise, such powers not inconsistent with the Texas Code, the Certificate of Formation, or these Bylaws, as authorized by the Board of Directors. The designation of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director, of any responsibility imposed upon it or him or her by law. The members of a committee shall act only as a committee. The President of the Corporation shall appoint a Chair of each committee. Any members of a committee may be removed by the President of the Corporation or the Chair of the committee subject to the right of the Board of Directors to veto such removal.

(c) <u>Term of Office</u>. Each member of a committee shall continue as such until the next annual meeting of the Board and until the committee member's successor is appointed, unless the committee shall be sooner terminated, or the member resigns, is removed or ceases to qualify as a member.

(d) <u>Vacancies</u>. Vacancies in the membership of any committee may be filled by appointments made in the same manner as original appointments are made.

(e) <u>Quorum</u>. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

(f) <u>Rules</u>. Each committee may adopt rules for its own governance not inconsistent with these Bylaws or with rules adopted by the Board of Directors. Such rules shall be subject to amendment or repeal by the Board of Directors.

5.2 <u>Advisory Committees</u>. The Board of Directors may establish Advisory Committees, with such advisory duties as determined from time to time by the Board. Members of an Advisory Committee need not be members or directors of the Corporation and may be removed at any time by the Board of Directors. No Advisory Committee shall have authority to take any action on behalf of the Corporation, but shall simply advise the Board of Directors as requested by the Board of Directors.

5.3 <u>Member Council</u>. The Corporation shall have a Member Council which shall function as an advisory committee of the Corporation. The members of the Member Council shall be the charter holders who are in good standing of the Corporation. The Board shall adopt rules and procedures for the operation of the Member Council.

(a) Member Council Elections. The Board shall adopt a policy for the election of the: (i) Chair of the Member Council, (ii) Vice-Chair of the Member Council, (iii) twelve elected representatives to serve on the Advocacy Committee, and the charter operator positions on the Board of Directors.

ARTICLE VI STAFF

6.1 <u>Management Staff</u>. The President, with the approval of the Board of Directors, may hire or appoint an Executive Director to conduct the activities of the Corporation. The Board of Directors will determine the pay, conditions of employment, and responsibilities and powers of the Executive Director, unless the Board of Directors delegates this authority to the President.

6.2 <u>Executive Director</u>. The Executive Director shall serve at the pleasure of the Board of Directors, subject to the terms of any contract approved by the Board of Directors between the Executive Director and the Corporation. The Executive Director shall serve as an ex-officio, non-voting member of the Board and shall be the chief administrator of the Corporation responsible for management functions under the direction of the President. He or she shall employ, and may terminate, members of the staff as appropriate to carry on the work of the Corporation, shall fix their compensation within the approved budget, and supervise them in the conduct of their duties, in all cases subject to the direction and approval of the President and the Board of Directors.

ARTICLE VII

BUDGET, CONTRACTS, CHECKS, DEPOSITS AND FUNDS

7.1 <u>Budget</u>. Prior to each fiscal year, the Executive Committee, if one has been appointed, or the Treasurer, if there is no Executive Committee, shall prepare and submit for the approval of the Board of Directors, a detailed budget, and the Corporation shall not materially deviate from such budget, except upon approval of the Board of Directors.

7.2 <u>Contracts</u>. The Board of Directors may authorize any officers or agents of the Corporation, in addition to the officers authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation. Such authority may be general or confined to specific instances.

7.3 <u>Checks and Drafts</u>. All checks, drafts or orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officers or agents of the Corporation and in such manner as shall, from time to time, be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Treasurer and countersigned by the President of the Corporation, unless the Board determines that checks under a certain amount may be signed by the Treasurer without the necessity of a counter-signature.

7.4 <u>Loans</u>. No loans to or from the Corporation shall be contracted on behalf of the Corporation unless authorized by a resolution of the Board of Directors. Such authority may be general or confined to specific instances.

7.5 <u>Deposits</u>. All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies or other depositaries as the Board of Directors may select.

7.6 <u>Gifts</u>. The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

7.7 <u>Interest of Directors, etc.</u> Subject to the restrictions of Sections 7.4 the Corporation may, by vote of a majority of the disinterested directors, enter into contracts or other transactions with any other person or entity even though one or more of the directors or officers of the Corporation may be a party to or interested directly or indirectly in such contracts or transactions in some capacity other than as a director or officer. However, such other interest shall be fully disclosed to the Board of Directors before it finally authorizes or approves the contract or transaction, and the contract or transaction shall be fair in all respects to the Corporation.

ARTICLE VIII AMENDMENTS TO BYLAWS

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by a vote of two-thirds of the directors of the Corporation, if at least five days written notice is given of an intention to alter, amend or repeal these Bylaws or to adopt new Bylaws at such meeting, and a copy of the amendments or new Bylaws is delivered along with the notice of the meeting.

ARTICLE IX MISCELLANEOUS PROVISIONS

9.1 <u>Legal Authorities Governing Construction of Bylaws</u>. These Bylaws shall be construed in accordance with the laws of the State of Texas and the Code. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time.

9.2 <u>Legal Construction</u>. If any Bylaw provision is held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability shall not affect any other provision and these Bylaws shall be construed as if the invalid, illegal, or unenforceable provision had not been included in the Bylaws, and such provision shall be modified to the minimum extent necessary to cause it to be valid, binding and enforceable.

9.3 <u>Books and Records</u>. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors.

9.4 <u>Fiscal Year</u>. The fiscal year of the Corporation shall be the calendar year unless otherwise determined by the Board of Directors.

9.5 <u>Waiver of Notice</u>. Whenever any notice is required to be given under the provisions of the Texas Code, or the Certificate of Formation or Bylaws of the Corporation, a

waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

9.6 <u>Headings</u>. The headings used in these Bylaws are used for convenience and shall not be considered in construing the terms of these Bylaws. All references to section numbers in these Bylaws are references to sections in these Bylaws, unless otherwise specifically indicated. Whenever used in these Bylaws, the singular number will include the plural, and the plural number will include the singular, and pronouns in the masculine, feminine, or neuter gender will include each other gender, as the identity of the antecedent may require.

<u>Power of Attorney</u>. A person may execute any instrument related to the Corporation by means of a power of attorney if an original executed copy of the power of attorney is provided to the Secretary of the Corporation to be kept with the Corporation record.

The undersigned Secretary of the Corporation hereby certifies that these Bylaws were duly amended by the Board of Directors of the Corporation as of July 18, 2016

Alfredo Segura, Secretary

TCSA Board of Directors and Member Council Nomination and Election Policy

WHEREAS the mission of the Texas Charter Schools Association is to improve student achievement in Texas by advocating for and strengthening a diverse set of high quality charter schools; and

WHEREAS the Association is a membership organization governed by the Board of Directors; and

WHEREAS Article III of the Association Bylaws directs the Board to establish procedures for nomination and election to the Board, including the process for electing charter operator directors; and

WHEREAS Article V of the Association Bylaws directs the Board to establish the rules and procedures of the Member Council, including the process for electing council leadership;

THEREFORE BE IT RESOLVED THAT the TCSA Board of Directors hereby adopts the following Board of Directors and Member Council Nomination and Election Policy, which shall be effective on the date that the policy is adopted or amended by the TCSA Board of Directors.

SECTION 1. DEFINITIONS.

For purposes of this Nomination and Election Policy, the following terms shall have the following meanings:

"Charter Operator" shall mean a charter school representative currently employed as the highest ranking official, i.e. CEO, Superintendent, or Executive Director, of their respective school(s), or a high level official approved by the highest ranking official at the charter to hold a leadership position within TCSA.

"Annual Meeting" shall mean the Member Council Meeting and Election Announcement held at the Annual Texas Charter School Conference.

"Good Standing" shall mean a charter holder member that is paid current on membership dues; has no past due balances beyond 90 days, and; all campuses and districts have completed a quality framework within three (3) years.

SECTION 2. <u>NOMINATION AND ELECTION OF CHARTER OPERATORS TO LEADERSHIP POSITIONS</u> ON THE TCSA BOARD OF DIRECTORS, MEMBER COUNCIL, ADVOCACY COMMITTEE, AND COMMITTEE CHAIRS. SECTION 2.1. <u>Leadership Positions</u>. The TCSA Board of Directors has established leadership positions for charter operators on the Board of Directors, Member Council Chair, Vice Chair, Immediate Past Chair, Advocacy Committee, and Standing Committee Chairs, included in Attachment A.

SECTION 2.2. Eligibility.

(a) Each candidate for a leadership position in Attachment A must satisfy the Nominations & Election criteria set forth in Attachment B.

(b) In addition to the eligibility criteria set out in Attachment B, persons eligible to serve as charter operators within the TCSA Leadership Structure must (1) be employed by Member Schools in good standing with the Association in accordance to the bylaws, (2) have interest in filling an open charter operator leadership position, and (3) submit a completed candidate questionnaire to the Board Nominations Committee no later than 45 days before the TCSA Annual Meeting.

(c) The nomination and election criteria continually apply during each elected person's term of office. If, during an elected person's term of office, the elected person's school fails to adhere to the nomination and election criteria, then the person must resign from the office. The resignation will become effective at the next regular election at the TCSA Annual Conference where the members in good standing will elect an eligible candidate to fill the unexpired term of office.

SECTION 2.3. <u>Role Definitions and Job Descriptions.</u> The TCSA Board of Directors has established ten (10) categories of school size and mission type for leadership positions within the TCSA. Attachment C denotes the use of school size for the Board of Directors and both school size and mission type to determine the composition of the Advocacy Committee.

SECTION 2.4 <u>Additional Leadership Roles.</u> If a member school is represented on the TCSA Board of Directors, that individual or another employee from the same school may not serve in additional leadership positions as defined in Section 2.3, with exception to Elected Advocacy Committee. Members of the TCSA Board of Directors or persons employed by the same school may serve as a member of the Elected Advocacy Committee, but cannot serve as the Advocacy Chair.

SECTION 2.5. <u>Board Nominations Committee. The Nominations Committee shall be</u> <u>appointed by the Executive Committee. The Nominations Committee shall be made up</u> <u>of five persons consisting of: Member Council Chair; one non-operator director; two</u> <u>charter operator directors, and the Advocacy Committee Chair. The Board Nominations</u> <u>Committee works with TCSA staff to facilitate the candidate selection and election</u> <u>processes.</u> SECTION 2.6. <u>Questionnaire</u>. The Nominations Committee shall develop an eligibility questionnaire for charter operator leadership positions. TCSA staff shall circulate the questionnaire to Member Schools and place the questionnaire on the TCSA website no later than 75 days before the TCSA Annual Meeting.

SECTION 2.7. <u>Nomination Slate</u>. The Nominations Committee shall review each questionnaire and, using Board adopted eligibility criteria, prepare a slate of eligible charter operator director candidates. The Nominations Committee shall make a good faith effort to ensure that at least two eligible candidates per each leadership position are included on the slate. TCSA shall circulate the slate to members in good standing no later than 30 days before the TCSA Annual Meeting.

SECTION 2.8. <u>Elections.</u> The election of charter operators to all leadership positions, with exception to Standing Committee Chair positions which are elected in accordance with Section 6.2 of this policy, shall be conducted using the nomination slate approved by the Board Nominations Committee.

SECTION 2.9. <u>Ballot and Voting Process.</u> The election shall be conducted by electronic ballot. A third party administrator will be utilized to assist with pulling data and ensuring confidentiality of voters. Members shall submit ballots no sooner than twenty (20) days before and no later than midnight the first night of the Annual Conference. Only members in good standing with the Association shall be eligible to vote. The majority vote for each vacant seat wins. The ballots will be tallied and election results will be announced at the TCSA Annual Meeting. In the event of a tie, a runoff election will be conducted at the annual meeting by paper ballot.

SECTION 2.10. <u>Establishment of Staggered Terms.</u> The terms of all charter member Board of Director positions shall be staggered.

SECTION 2.11. <u>Term of Office.</u> Newly elected charter operator leadership terms, with exception to Committee Chairs, shall begin on the first day of the calendar year following each election. The term of office for all charter leadership positions is two years.

SECTION 2.12. <u>Resignations and Vacancies.</u> If a vacancy in an elected position occurs because a person resigns from the charter school or is otherwise unwilling or unable to complete the elected term, then the charter school will name an interim replacement whose appointment will be ratified by the TCSA Board of Directors. The interim replacement must meet the applicable nomination and election criteria. The interim replacement will serve in the office until the next regular election at the TCSA Annual Conference.

SECTION 2.13. Job Description. The TCSA Board of Directors has developed a job description, included in Attachment C.

SECTION 3. NOMINATION AND ELECTION OF CHARTER OPERATORS TO THE BOARD OF DIRECTORS.

SECTION 3.1. <u>Director Type</u>. The TCSA Board of Directors has established three (3) categories of charter operator type, included in Attachment A.

SECTION 3.2. Large <u>Standing Member School(s)</u>. Large Standing Member School(s) are defined as a charter holder that educates 20,000 or more students in Texas. This position does not require election; however, all of the requirements set out in Section 2.2 Eligibility apply to the Standing Member School(s) Representatives.

SECTION 3.3. <u>Large School Representatives.</u> Large Schools are identified as charter holders with enrollment of 1500 students to 19,999.

SECTION 3.4. <u>Small School Representatives.</u> Small Schools are identified as charter holders with enrollment of 1499 students or less.

<u>SECTION 3.5. Small Standing Member School(s).</u> In the event that the Large Standing Member School director position increases to more than one, a Small Standing Member School director position will be created for each additional Large Standing Member School director position that is created. The Small Standing Member School director position shall be elected by the membership and subject to charter leadership term periods. If the number of Large Standing Member School director positions are reduced, the corresponding Standing Member Small School Director position(s) shall be eliminated as well.

SECTION 3.6. <u>Voting</u>. Charter holder members in good standing are eligible to cast votes for either the Large or Small School Representatives, based on whether the charter holder is defined as a Large or Small School according to the current membership year's enrollment numbers.

SECTION 4. <u>MEMBER COUNCIL.</u> The Member Council is comprised of charter holders in good standing with the Association.

SECTION 4.1. <u>Membership Required</u>. Only charter holders that are in good standing with the Association shall participate on the Member Council.

SECTION 4.2. <u>Chair and Vice Chair.</u> The Member Council shall elect a Chair and Vice Chair to serve a two year term. The Vice Chair will serve as the Chair for two years immediately following his or her two year term as Vice Chair. The Vice Chair can serve a total of six years; two years as each: Vice Chair, Chair, and Immediate Past Chair. All three chairs (Chair, Vice Chair and Immediate Past Chair) shall serve on the Advocacy Committee.

SECTION 4.3 <u>Additional Leadership Roles.</u> The Chair, Vice-Chair, or Immediate Past Chair, may not serve in additional leadership positions within the Association and may not be elected to Elected Advocacy Committee or as Advocacy Committee Chair.

SECTION 5. <u>ADVOCACY COMMITEE.</u> The Advocacy Committee is comprised of twelve (12) elected representatives by school size and mission type in addition to the three Member Council Chairs. Additional charter holder members may participate in the Advocacy Committee. The TCSA Board of Directors shall determine and may alter the duties, obligations, qualifications, and process by which the Advocacy Committee operates.

SECTION 5.1. <u>Elected Advocacy Committee Representatives.</u> The member schools shall elect twelve (12) representatives to serve as elected members with full voting rights. Each Elected Advocacy Committee Member will be elected by their respective group based on school size and mission as defined in Attachment C. For example, only schools with the self-selected distinction of "Drop Out Recovery" will be able to cast a vote for the "Drop Out Recovery Elected Advocacy Committee Representative". Member schools shall also cast a vote for the Large or Small school representative on the Advocacy Committee based on their respective school size. Standing Member Schools automatically hold a position on the Elected Advocacy Committee.

SECTION 5.2. <u>Non-Elected Advocacy Committee Representatives.</u> The Member Council Chair may assign additional members to the Advocacy Committee.

SECTION 5.3. <u>Advocacy Committee Chair.</u> The Chair of the Advocacy committee shall be elected by and from the eligible <u>elected</u> members of the committee. Members whose charter holders are already represented on the TCSA Board of Directors, the Member Council Chair, Vice Chair, Immediate Past Chair, Standing Committee Chairs, or any Standing Member School(s) are not eligible to seek election as the Chair of the Advocacy Committee.

SECTION 5.4. <u>Voting Rights on the Advocacy Committee</u>. Only elected members of the Advocacy Committee may cast a vote on formal recommendations to the Board of Directors. At the Advocacy Committee Chair's discretion, non-elected members of the committee can be polled.

SECTION 6. <u>MEMBER COUNCIL STANDING COMMITTEES.</u> The Member Council is comprised of three standing committees: Annual Conference, Quality Services, and Growth Initiatives. The TCSA Board of Directors shall determine and may alter the duties, obligations, qualifications, and process by which the Standing Committees operates.

SECTION 6.1. <u>Appointment to the Standing Committees.</u> The Chair of the Member Council will invite members to join a standing committee for a two-year period based primarily on the school's ranked committee preferences as expressed on the school's TCSA membership form. The Chair of the Member Council will also attempt to balance representation on each committee by the school size and mission types identified in Attachment C and by geographic location.

SECTION 6.2. <u>Standing Committee Chairs.</u> The Chair of each standing committee is elected by the appointed members of the committee and shall serve a term of two years commencing from the date of election. Members of the TCSA Board of Directors, the Member Council Chair, Vice Chair, Immediate Past Chair, and any Standing Member School(s) are not eligible to seek election as a Chair of a Standing Committee. Elections for the Standing Committee Chairs shall not be conducted at the Annual Meeting.

SECTION 7. NOMINATION AND ELECTION OF PRIMARY PHILANTHROPY , BUSINESS, AND COMMUNITY REPRESENTATIVES TO THE BOARD.

SECTION 7.1. <u>Eligibility</u>. Persons eligible to serve as a primary philanthropy representative on the TCSA Board of Directors are persons who (1) are employed by a primary philanthropy contributor for the Association, and (2) have interest in filling an open primary philanthropy representative director position. A primary philanthropy contributor is a non-profit Association, foundation, or other charitable organization that makes significant, multi-year financial contributions directly to the Association to support its mission and operations. A primary philanthropy contributor shall not be an affiliate member, conference exhibitor, conference sponsor, or any other entity.

Persons eligible to serve as a business or community representative on the TCSA Board of Directors are persons who (1) are committed to the mission and vision of the Association, and (2) have interest in filling an open business or community representative director position.

Persons interested and eligible to serve as a philanthropy, business, or community representative must submit a current biography to the Board Nominations Committee no later than 10 days before the Board of Directors meeting where the nominee is considered for a Board position.

SECTION 7.2. <u>Nominations Slate</u>. The Board Nominations Committee shall prepare a slate of eligible primary philanthropy, business, and community representative director candidates. TCSA shall circulate the slate, including a biography, to Board members no later than 5 working days before the board meeting where a candidate's nomination is voted upon by the full Board of Directors.

SECTION 7.3. <u>Elections.</u> The election of the primary philanthropy representative, business representative, and community representative directors to the Board shall be conducted during the last meeting in a calendar year of the Board of Directors. Until all positions are filled, the Board of Directors may elect to fill positions as candidates are identified.

SECTION 7.4. <u>Voting Process</u>. All primary philanthropy representative, business representative, and community representative directors to the Board shall be elected by a simple majority of the Board of Directors.

SECTION 7.5. <u>Establishment of Staggered Terms.</u> The terms of all primary philanthropy, business, and community representative Board of Director positions shall be staggered.

SECTION 7.6. <u>Term of Office.</u> The term of office for primary philanthropy representatives, business representatives, and community representatives is three years. Primary philanthropy, business, and community representative director terms are not limited. Newly elected primary philanthropy, business, and community representative terms shall commence at the first Board meeting following his or her election to Board.

SECTION 7.7. <u>Resignations and Vacancies.</u> The TCSA Board of Directors may vote to fill a primary philanthropy representative, business representative, or community representative director position at any meeting of the Board of Directors if a vacancy exists.

SECTION 7.8. <u>Job Description</u>. The TCSA Board of Directors has developed a job description, included in Attachment C.

SECTION 8. <u>CONFLICT WITH THE CORPORATION BYLAWS.</u> To the extent that any person any provision in this policy conflicts with a provision in the corporate bylaws, the bylaws provision shall prevail.

I hereby affirm that this TCSA Board of Directors and Member Council Nomination and Election Policy was amended by the TCSA Board of Directors on July 8, 2016. The policy shall be effective on this date.

Alfredo Segura, TCSA Board Secretary – Printed Name

Alfredo Segura, TCSA Board Secretary – Signature

Date of Signature



Leadership Structure

Elected by the Membership

Assigned by the Member Council Chair

Elected by each Committee Membership

Elected by each Committee w	lenibership										
TCSA BOARD OF DIRECTORS											
Member Council Chair	Philanthropy/Community/Business Representative	Philanthropy/Community/Business Representative		Philanthropy/Community/Busin Representative		Philanthropy/Community/Business Representative		Philanthropy/Community/Busin Representative	Philanthropy/Community/Business Representative		
Large School Representative ¹	Large School Representative ¹	Large School Representative ¹		Standing Mem	ber School(s)	Small School Representative ¹		Small School Representativ	Small School Representative ¹		
	Philanthropy/Community/Business Representative		Philanthropy/Community/Business Representative		Philanthropy/Community/Business Representative						
EXECUTIVE DIRECTOR Non-voting Board Member, Advocacy Committee Member, Standing Committees Member											
ADVOCACY COMMITTEE Elected					STANDING COMMITTEES Assigned						
Member Council Chair Member Council Vice Chair Immediate Past Member Council Chair				Member Council Chair Member Council Vice Chair							
Advocacy Chair ² Elected by the elected members of the Advocacy Committee					Annual Confer	ence Chair (elected)	Quality I	nitiatives Chair (elected)	Growth Initiatives Chair (elected)		
Large School Representative La	rge School Representative Large S	School Represe	entative Standing I	Member School(s)							
Small School Representative Small School Representative					Committee Members as assigned by the		Committee Members as assigned by the		Committee Members as assigned by the		
RTC/IDC College Prepa	ratory University Charter Dropor	ut Recovery	Specialized Mission	Pre-K Elementary		Council Chair	Member Council Chair		Member Council Chair		
Committee Members as assigned by the Member Council Chair											

1. Large and Small School Representatives elected to the Board of Directors may also be elected to seats on the Advocacy Committee. 2. Board members are not eligible for this position. Revised January 2016 Policy Adoption Date: September 2012 Structure Revised: September 2013

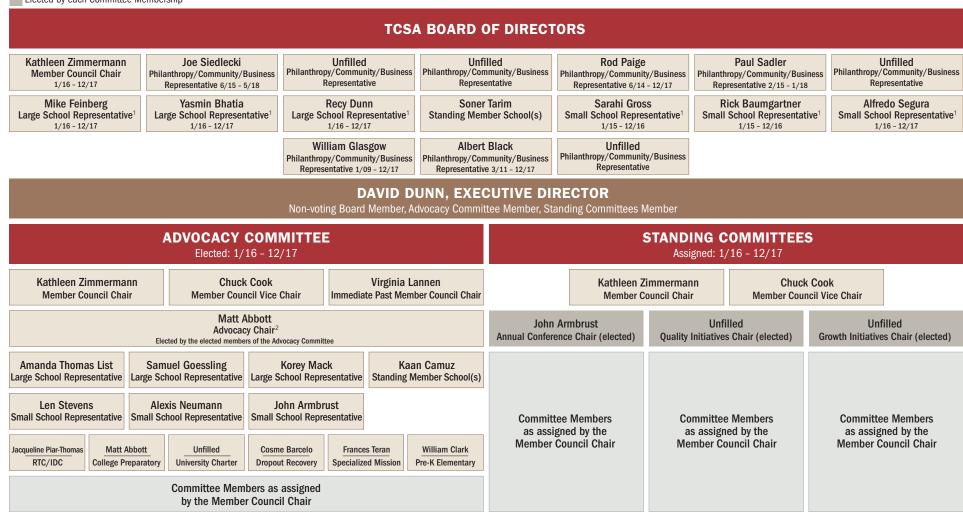


Leadership Structure

Elected by the Membership

Assigned by the Member Council Chair

Elected by each Committee Membership



1. Large and Small School Representatives elected to the Board of Directors may also be elected to seats on the Advocacy Committee.

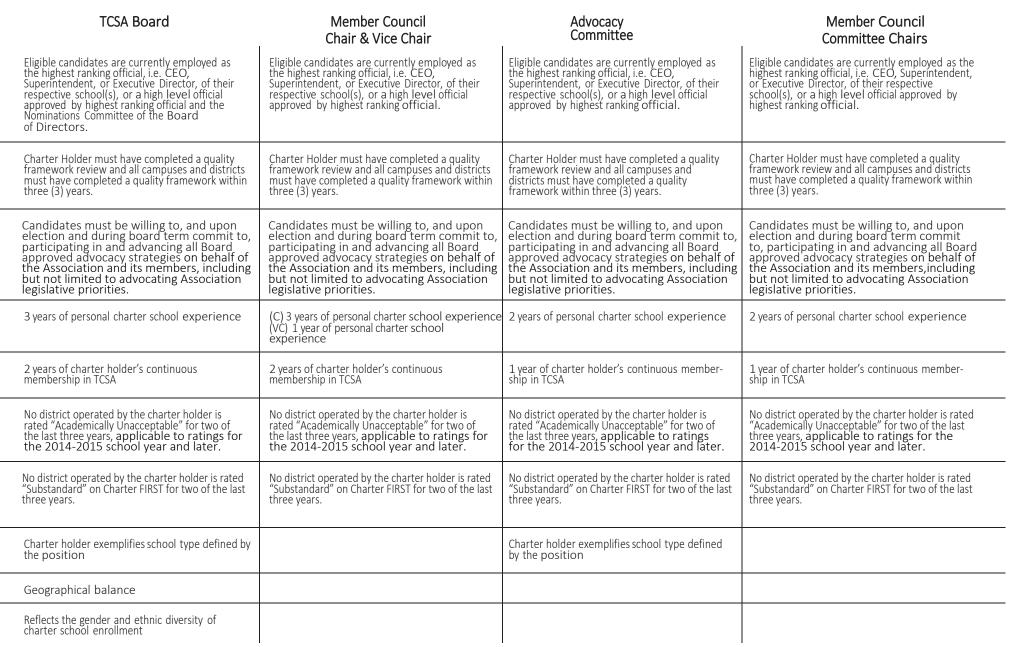
2. Board members are not eligible for this position.

Revised January 2016 Policy Adoption Date: September 2012 Structure Revised: September 2013

TCSA Leadership Structure for Charter Operator Positions: Nomination & Election Criteria

Attachment B

POLICY ADOPTION DATE: July 18, 2016





TCSA Leadership Structure for Charter Operator Positions: Job Description & Role Definition



Attachment C

POLICY ADOPTION DATE: July 18, 2016

In addition to the requirements below, all candidates for elected positions must have submitted a Quality Framework review and all campuses and districts must have completed a quality framework within three (3) years

Board of Directors

- Participate in at least 85% of all scheduled board meetings.
- Be available (via teleconference) for special called meetings of the board.
- Represent the interests of the membership classification from which the director is elected.
- Remain in good standing with TCSA during board tenure.
- Travel to Austin (as needed).
- Commit to the association's sustainability by way of regularly participating in and subscribing to TCSA's services and trainings, as well as maintaining a regular charter presence at member council meetings and the annual conference.
- During leadership term commit to participating in and advancing all Board approved advocacy strategies on behalf of the Association and its members, including but not limited to advocating Association legislative priorities.

Member Council Chair and Vice Chair

- Participate in at least 85% of all scheduled council meetings.
- Represent the interests of the entire membership.
- Remain in good standing with TCSA during term tenure.
- Travel to Austin (as needed).
- Commit to the association's sustainability by way of regularly participating in and subscribing to TCSA's services and trainings, as well as maintaining a regular charter presence at member council meetings and the annual conference.
- During leadership term commit to participating in and advancing all Board approved advocacy strategies on behalf of the Association and its members, including but not limited to advocating Association legislative priorities.

Elected Advocacy Committee

- Participate in at least 75% of all scheduled meetings.
- Be available (via teleconference) for special called meetings and to provide testimony before the Legislative and state agencies as necessary and appropriate.
- Represent the interests of the membership classification from which the representative is elected.
- Remain in good standing with TCSA during board tenure.
- Travel to Austin (as needed).
- During leadership term commit to participating in and advancing all Board approved advocacy strategies on behalf of the Association and its members, including but not limited to advocating Association legislative priorities.

Member Council Committee Chairs

- Participate in at least 75% of all scheduled council meetings.
- Represent the interests of the committee on member council executive committee.
- Remain in good standing with TCSA during term tenure. Travel to Austin (as needed).
- During leadership term commit to participating in and advancing all Board approved advocacy strategies on behalf of the Association and its members, including but not limited to advocating Association legislative priorities.

Definitions

Each of the following member categories, excluding Standing Member School(s), vote for leadership roles from amongst members categorized in their same category. For example, Large School Representatives will choose leaders from only the members of the Large School Category.

Large Standing Member School(s): A public charter that educates 20,000 or more students.

Large School Representative: A public charter that educates 1500 to 19,999 students.

Small School Representative: A public charter that educates 1499 students or less.

Small Standing Member School(s): In the event that the Large Standing Member School director position increases to more than one, a Small Standing Member School director position will be created for each additional Large Standing Member School director position that is created.

College Preparatory: A public charter school with a stated mission to prepare students for a 4-year college degree. Schools have developed college placement offices and conducts tracking of students through college graduation.

Dropout Recovery: A public charter school with a stated mission to serve students who have dropped out of school or are at-risk of dropping out of school based on the statutory definition. Dropout Recovery schools have college readiness programs, however, their first priority is to help students recover educational deficiencies and prevent them from dropping out of school in the future.

RTC/JDC: A public charter school that serves students in a residential setting or who have been ordered or assigned to attend the school by a court of law. These schools also have college readiness programs; however, their student enrollment is often determined by the judicial or other governmental system.

Specialized Mission: A public charter school with a stated mission of serving students in any grade level(s) with a distinctive focus. Schools in this category focus on fine arts, STEM (science, technology, engineering and math), and many other types of public charter schools. In many cases, this special mission is woven throughout the school's entire curriculum and all other special purpose public charter schools not specifically described in any other category above. These charter schools may also have very strong college readiness programs.

Early Childhood & Elementary Education: A public charter school with a stated mission to expressly serve Pre-K and/or Elementary students with no intention to expand to full K-12.

University Charter: A Texas Education Agency approved Subchapter E Charter run by a public college or university.