

## COMMISSION BY-LAWS

### ARTICLE I

#### Name

The name of this agency shall be the Washington State Charter School Commission (WSCSC), henceforth referred to as “Commission.”

### ARTICLE II

#### Mission

The mission of the Commission is to authorize high-quality public charter schools and provide effective oversight and transparent accountability to improve educational outcomes for at-risk students.

### ARTICLE III

#### Membership and Responsibilities

**Section 3.1 Commission composition.** The Commission shall consist of nine appointed members; the Superintendent of Public Instruction or the Superintendent’s designee; and the Chair of the State Board of Education or the Chair’s designee. The Commissioners are appointed as provided in RCW 28A.710.070.

**Section 3.1b Term of Commissioners.** Appointed members shall serve four-year, staggered terms. No appointed member may serve more than two consecutive terms. Whenever a vacancy on the Commission exists among its appointed membership, the Commission will notify the original appointing authority requesting the appointment of a member for the remaining portion of the term within no more than thirty (30) days.

**Section 3.2 Reimbursement.** Commission members shall serve without compensation but may be reimbursed for travel expenses in the same manner as provided for in RCW 43.03.050 and 43.03.060.

**Section 3.3 Meeting attendance and preparation.** Members are expected to consistently attend and prepare for Commission and committee meetings, of which they are members, in order to be effective and active participants. Members are further expected to stay current in their knowledge and understanding of the Commission’s projects.

**Section 3.4 External communication.** Members of the Commission should support Commission decisions

and policies when providing information to the public. This does not preclude Commission members from expressing their personal views, as long as they are communicated as such. The executive director or a Commission designee will be the spokesperson for the Commission in media matters.

**Section 3.5 Commission responsibilities.** The Commission may meet in order to review any concerns presented to the Chair or Executive Committee about a Commission member's inability to perform as a member or for neglect of duty.

**Section 3.6 Conflict of Interest Policy.** Commissioners are expected to familiarize themselves with their obligations under the Executive Ethics Act, the Charter Schools Act, and Commission policies in order to ensure that conflicts of interest and, when necessary, perceived conflicts of interest are addressed.

## ARTICLE IV Officers and Terms

**Section 4.1 Designation.** The officers of the Commission shall be the chair, vice chair, and one member-at-large.

**Section 4.2 Term of officers.** The term of chair and vice chair and member-at-large shall be for one (1) year beginning September 1 and expiring on August 31. A vacancy in the office of chair or vice chair or member-at-large shall be filled by the Commission at the next regular or special meeting of the Commission to serve out the remainder of the term. The member elected to fill the vacant officer position shall begin service on the executive committee at the end of the meeting at which she or he was elected and complete the term of office associated with the position (August 31).

**Section 4.3 Officer elections.** The chair, vice chair, and member-at-large shall be elected annually by the Commission at a regular or special meeting of the Commission. The election of the chair and vice chair may occur as a slate, with the vice chair agreeing to stand as a candidate for chair when the chair's term expires. A Commissioner may serve a maximum of four (4) consecutive one-year terms in the same officer position.

## ARTICLE V Duties of Officers and Commission Members

**Section 5.1 Chair.** The Chair shall call meetings of the Commission and shall preside at all meetings of the Commission when a quorum of Commissioners is present. The Chair shall delegate assignments and duties to other Commission members, manage all matters of the Commission, and perform such other duties as are incident to the office or are required by the Commission or by law.

**Section 5.2 Vice Chair.** In the absence or unavailability of the Chair, the Vice Chair shall perform all of the duties of the Chair, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair. The Vice Chair shall assist the Chair as the Chair deems necessary and shall have such powers and perform such other duties as from time to time may be prescribed by the Chair or the Commission.

**Section 5.3 Member-at-large.** The Member-at-large shall carry out duties as requested by the Chair and sit on the executive committee. In the absence or unavailability of the Chair and when the Vice Chair is also absent or unavailable to serve as Chair, the Member-at-large shall perform all of the duties of the Chair, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair.

**Section 5.4 Commission Members.** Members shall fulfill duties and responsibilities as provided by law and delegated by the Chair and shall comply with the Executive Ethics Act and with Conflicts of Interest provisions provided by law.

## **ARTICLE VI**

### **Committees**

**Section 6.1 Standing Committees.** The Commission shall have five Standing Committees:

- 1) Executive Committee;
- 2) Finance Committee;
- 3) Charter School Authorization Committee;
- 4) Charter School Performance Committee; and
- 5) Legislative Committee.

**Section 6.2 Committee Chairs.** Committee Chairs shall report activities, recommendations or decisions of their respective committees to the full Commission and shall inform the Chair when items need to be placed on the agenda. Committee Chairs are responsible for meeting topic development and approving committee meeting minutes

**Section 6.3 Executive Committee.**

- 1) The executive committee shall consist of the chair, vice chair, and one member-at-large.
- 2) The executive committee shall be responsible for the management of affairs that are delegated to it as a result of Commission direction, consensus or motion.
- 3) The Commission chair shall serve as the chair of the executive committee.
- 4) The executive committee shall meet at regularly scheduled intervals.
- 5) The executive committee shall assure that the Commission annually conducts a Commission review and evaluation.

#### **Section 6.4 Finance Committee.**

- 1) The finance committee shall consist of at least three Commissioners.
- 2) The finance committee shall be responsible for working with the Executive Director and appropriate staff to review and recommend to the entire Commission the biennium budget, annual budget and reviewing year-to-date actual and projected expenses versus budget.
- 3) The finance committee will meet with charter schools that have financial data indicating that their financial viability is in jeopardy to discuss the school's plans regarding improving financial viability. Any such meeting with a school may be hosted with the charter school performance committee and must be made a public meeting in accordance with the Open Public Meeting Act.
- 4) The finance committee shall provide recommendations to the full Commission regarding charter school and Commission financial oversight actions.
- 5) The finance committee shall meet no less than six times per year.

#### **Section 6.5 Charter School Authorization Committee.**

- 1) The charter school authorization committee shall consist of at least three Commissioners.
- 2) The charter school authorization committee shall be responsible for working with the Executive Director and appropriate staff to review the annual charter school solicitation calendar and documents and recommend to the entire Commission the changes to the calendar and documents.
- 3) The charter school authorization committee shall meet as needed.

#### **Section 6.6 Charter School Performance Committee.**

- 1) The charter school performance committee shall consist of at least three Commissioners.
- 2) The charter school performance committee shall be responsible for working with the Executive Director and appropriate staff to review data from charter schools pertaining to the performance framework and annual school reports.
- 3) The charter school performance committee will meet with charter schools that have academic or organizational data indicating that their performance does not meet or falls far below Commission-set standards to discuss the school's plans regarding improvement.
- 4) The charter school performance committee may also meet with charter schools that have financial data indicating that their financial viability is in jeopardy to discuss the school's plan regarding improving financial viability, in partnership with the finance committee. Any such meeting with a school must be made a public meeting in accordance with the Open Public Meeting Act.
- 5) The charter school performance committee shall provide the entire Commission its recommendations concerning probation, revocation and closure of Commission authorized charter schools.
- 6) The charter school performance committee shall meet as needed.

#### **Section 6.7 Legislative Committee.**

- 1) The legislative committee shall consist of at least three Commissioners.
- 2) The legislative committee shall be responsible for working with the Executive Director and

appropriate staff to provide the entire Commission its recommendations concerning legislative priorities, developing strategies to effectuate the priorities, and to advance the mission of the Commission.

- 3) The legislative committee shall meet as needed.

**Section 6.8 Standing Committee Members and Officers.** Each Standing Committee shall have a Committee Chair and a Committee Vice Chair. The Commission Chair shall nominate a slate of Chair and Vice Chair candidates for approval by the Commission. The Commission shall vote on the appointment of Standing Committee members. All members must be appointed to at least one Standing Committee.

**Section 6.9 Voting.** Standing Committees can make a recommendation to the Commission upon the concurrence of a simple majority of the Standing Committee.

**Section 6.10 Advisors/Consultants to Committees.** Each committee may consult with or be advised by non-Commission members, as determined appropriate by the Committee Chair. However, prior to a committee consulting with or being advised by non-Commission members but after being deemed appropriate by the Committee Chair, the Executive Director will consult with counsel to assure compliance with the Open Public Meetings Act.

**Section 6.11 Ad Hoc Committees.** The Commission Chair may, as circumstances warrant, authorize the creation of an ad hoc committee for a discrete and specific purpose of interest to the Commission and shall appoint all members and officers of such ad hoc committee(s). The Commission shall approve the charge of any ad hoc committee. Such committee may be created for a definite time period or until its specific function has been completed, but shall not exist longer than one (1) year from the date of authorization unless specifically authorized by its charge.

**Section 6.12 Investigative Committees.** The Commission, as provided by law, may designate two or more members, but less than the number of members that would constitute a quorum of the Commission, to investigate matters concerning Commission business. The members designated by the Commission are required to report their resulting findings and recommendations to the entire Commission.

## ARTICLE VII Meetings

**Section 7.1 General Business Meetings.** Meet at least bimonthly per pre-approved schedule by the Commissioners. This same body will set new schedule by December of each year. The new schedule will be submitted to the Office of Code Reviser in accordance with the statutory requirements of the Open Public Meetings Act.

**Section 7.2 Special Meetings.** The Commission Chair may call a special meeting of the Commission at any time, subject to statutory notice requirements.

**Section 7.3 Committee Meetings.** All committees shall meet at the discretion of the Committee Chair. The Committee Chair, with the approval of the Commission Chair, may change or cancel any committee meeting date, time, or location, subject to statutory notice requirements.

**Section 7.4 Meeting Agenda.** The General Business Meeting agenda shall be promulgated by the Executive Director, with input from the Committee Chairs and members.

**Section 7.5 Consent Agenda.** Routine matters may be presented to the Commission on a consent agenda. Items shall be removed from the consent agenda upon the request of an individual Commissioner. Items removed from the consent agenda shall be added to the regular agenda for further consideration.

**Section 7.6 Hearings.** Hearings to receive information and opinions, other than those subject to the provisions of Chapter 34.05 RCW relating to adoption of rules and regulations or as otherwise provided by law, shall be scheduled when necessary on the agenda prior to final consideration for action by the Commission.

**Section 7.7 Conference Call Meetings.** Members of the Commission, or any standing committee of the Commission, may participate in a meeting of the Commission or standing committee by means of conference telephone or similar communications equipment by which means all persons participating in the meeting can simultaneously hear each other during the meeting. Participation in a meeting pursuant to this Section shall constitute presence in person at such meeting.

## ARTICLE VIII Public Comment

**Section 8.1 Public Comment.** All interested persons shall be provided an opportunity to present public comment on any agenda item to the extent that time allows.

- 1) An individual or representative wishing to comment should make the Commission aware of their desire to provide comment by completing the requested information contained within the Commission meeting agenda or sign-in sheet.
- 2) Each individual or representative of an organization is allotted two (2) minutes, or an amount of time otherwise designated by the Chair, to provide comment to the Commission. Written comments are strongly encouraged.

## ARTICLE IX Executive Director

**Section 9.1 Hire.** The Commission may hire an executive director.

**Section 9.2 Duties.** The executive director shall perform such duties as may be determined by the Commission and shall serve as secretary and non-voting member of the Commission.

The executive director shall house records of the Commission's proceedings in the Commission's office and the make the records available upon request.

The executive director, subject to the input and advice from the Commission, shall supervise and have general charge of all operating functions and activities of the Commission and shall be charged with carrying out the policies, programs, orders, and resolutions of the Commission.

The executive director may employ, discharge and supervise, and determine the compensation of, employees of the Commission.

The executive director shall perform such other duties and shall have such other authority and powers as the Commission may from time to time prescribe, shall keep the Commission, officers, and committees of the Commission fully informed as to the business and affairs of the Commission and may consult freely with them concerning its business and affairs.

**Section 9.3 Commission Duties.** The Commission may create or modify a job description for the executive director as needed.

**Section 9.4 Annual Evaluation.** The Commission shall establish or modify the evaluation procedure of the executive director as needed. This evaluation should be conducted by the Commission no earlier than one year after the job description or evaluation tool is established or modified. Subsequent to the evaluation, the chair, or chair's designee, will communicate the results to the executive director.

**Section 9.5 Compensation and termination of the executive director.** The rate of compensation or termination of the executive director shall be subject to eight votes– if the number of Commissioners is increased, then the number needed to terminate will also need to be increased.

## ARTICLE X Amendment to By-laws

**Section 10.1 Notice Regarding Proposed Amendments.** These bylaws can be amended at any General Business or Special Meeting provided that previous written notice was given to all members, including the specific language for the proposed amendment, and the matter was properly placed on the Commission's agenda.

**Section 10.2 Approval of Amendments.** Any amendment to the Commission's bylaws requires the concurrence of at least six members.

## ARTICLE XI Legal Counsel

**Section 11.1 Advice.** The Commission Chair, Executive Director, or their designee(s), may seek advice from the Attorney General’s Office (AGO). When the Commission Chair, Executive Director, or their designee(s), receives broadly applicable advice that will assist the Commissioners in the performance of their duties, that advice shall be shared with all of the Commissioners.

**Section 11.2 Written Opinion.** The Commission Chair or Executive Director, with support from a quorum of the Commission, may submit a written request for a formal AGO Opinion to the AGO.

## **ARTICLE XII**

### **Parliamentary Authority**

**Section 12.1 The rules contained in *Robert’s Rules of Order*.** The newly revised *Robert’s Rules of Order* shall govern public meetings where they are not in conflict with the law, these bylaws, or other rules of the Commission. In making a ruling or interpretation of the rules, the order of determination shall be 1) the law, 2) these bylaws, 3) Commission policy, and 4) *Robert’s Rules of Order*, newly revised.