

LA ACADEMIA DOLORES HUERTA  
“Charter School”

**BYLAWS**

ARTICLE I. NAME

The name of the charter school is La Academia Dolores Huerta, hereafter referred to as La Academia.

ARTICLE II: VISION & MISSION STATEMENT

Vision Statement

La Academia Dolores Huerta holds that the current and growing globalization will increasingly demand that our future leaders in all spheres and arenas possess and apply a knowledge and appreciation of the cultures and languages to which they may be exposed locally and beyond. La Academia Dolores Huerta will encourage students’ development of social identity through language, cultural values, and global realities. La Academia Dolores Huerta therefore holds that its enrollment, curriculum, goals and objectives and methodologies provide its students with an education based on dual language and multicultural exposition and applications. The curriculum will be academically rigorous, relevant, and content rich to meet the needs of all students. La Academia Dolores Huerta will serve students in grades 6-8 from the greater Las Cruces area whose population is diverse, lower socioeconomic status, socially impacted and currently underserved.

Mission Statement

La Academia’s mission is to: **create an environment that enables middle school students to achieve high academic standards and personal growth through: (1) promoting multilingualism with a focus on bilingualism; (2) nurturing cultural awareness and appreciation; (3) recognizing and developing the gifts and skills of each student; (4) providing an education equal or better than that provided by other public or private schools; and (5) promoting nonviolence emulating of the principals espoused by leaders such as Martin L. King, Cesar Chavez, and Dolores Huerta.**

La Academia encourages and assists its students and their parents to maximize the child’s educational experience by facilitating their ability to partner with the school’s staff, and thereby help them grow in self-motivation, competency, independence, experience, knowledge and self-worth.

ARTICLE III: GOALS AND OBJECTIVES

In order to best accomplish its stated mission, La Academia hereby adopts the following goals and objectives:

1. Establish and implement curriculum, instructional and assessment strategies that support high achievement standards that develop and enhance each student’s capacity as an independent learner.

2. Promote and provide the means by which to maximize each student's achievement in language acquisition and fluency in English and Spanish.
3. Implement strategies that promote and strengthen parent, community and school interactions that support achievement of La Academia's stated mission.
4. Implement technology-based education for every student in order to develop the student's competency and literacy as necessary and desirable skills in their future education and eventual employment.
5. Promote nonviolence through instruction and practices based on the principals and spirit of Cesar Chavez, Martin Luther King, and Dolores Huerta.
6. Promote cultural diversity and appreciation through programs of music, dance, art, etc., that present that diversity in a positive light.

#### ARTICLE IV: GOVERNANCE

The affairs of La Academia shall be governed by a Governing Council that will function in accord with provisions of these By-laws and such other applicable public and school district policies, rules, regulations, and statutes.

#### ARTICLE V: COUNCIL'S ROLE, RESPONSIBILITIES AND AUTHORITIES

The governing council shall:

1. Establish and promulgate all policies regarding the operations of La Academia, its mission, goals and objectives.
2. Have sole responsibility for the selection, appointment, monitoring and evaluation of the chief administrator (Principal), who in turn shall have and exercise the authority to hire, monitor, evaluate, promote, demote or terminate all other employees.
3. Develop, and approve the school's yearly operating budget and revisions thereto, and through its Secretary/Treasurer shall monitor financial transactions during the course of a fiscal year.
4. Approve the curriculum and any changes thereto proposed by the Principal.
5. Establish and implement procedures governing the processes and actions of the council.
6. Approve all major contracts and agreements executed on behalf of the school and approve any legal action(s) that may need to be initiated, and authorize accessing legal counsel when legal action is initiated against the Council or the school.
7. Conduct all meetings in accord with adopted schedule and in compliance with provisions of these by-laws and in accordance with other legal provisions or requirements.
8. Through its President, act as the primary point of contact and negotiation with the Authorizer's governing entity with the Principal being the primary point of contact with the Authorizer's chief administrative officer or his/her designee.
9. Through its Officer and members promote the involvement and interaction of the community, parents and professionals with the school and thereby strengthen and sustain the school's resource base and public image and recognition.

## ARTICLE VI: GOVERNING COUNCIL

1. Composition: The Governing Council shall consist of five (5); six (6) members; or seven members.
2. Qualifications: One (1) or two (2) members of the Council shall be parents or guardians of students attending La Academia during the current school year. The remaining members shall be individuals from the community who demonstrate a commitment to the mission and values expressed in the school's charter and these By-laws; who does not receive compensation from the school; and does not violate the Nepotism Law of NMSA 1978, Section 22-5-6 or LADH Nepotism rules. Membership of the Governing Council shall strive to reflect the entire LADH community. Competencies considered will include educational administration; curriculum and instruction; business administration; finance; strategic planning; policy development; natural environment; law; community relations; and other areas of strategic expertise, resources, and perspective needed to achieve the mission and goals of the school.
3. Recruitment and Election: New members to the Council shall be recruited by public solicitation of applicants. A board committee charged with recruitment will be created and maintained. The committee will identify potential future members that can be immediately contacted when a vacancy occurs. All applicants shall submit a letter of intent, which will be reviewed by all seated GC members. The GC President and one GC member volunteer will meet with the nominee(s) (in person, via telephone, or via video conference) and conduct an interview. The GC President will inform the GC of recommendations. The elected member(s) shall be officially seated at the next general GC meeting.
4. Term of Office: The term of office shall be three (3) years. Members may serve up to three (3) consecutive terms.
5. Vacancies: 60-days prior to a planned vacancy or at the time of an unplanned vacancy the remaining Council members shall implement the established processes for recruitment, interviewing and appointment of the replacement member. The newly appointed person will serve the full term of the GC position they accepted.
6. Removal and Suspension: A member or officer of the Governing Council may be removed or suspended by a vote of three (3) of the remaining four (4) Council members for malfeasance, unexcused absenteeism, violation of its adopted Code of Ethics, or for misrepresentation of the council or the school.
7. Conflicts of Interest: If a Council member knows that he/she is in a conflict of interest regarding any matter coming before the Council, or in matters concerning personnel, that member will voluntarily excuse him/herself from discussing, participating or voting on said matter. Should the member fail to excuse him/herself voluntarily, the President is empowered to suspend the member from all proceedings regarding the particular matter under consideration.
8. Ex Officio Membership: In order to establish and sustain an effective working relationship between the School Advisory Committee (SAC) a member of the SAC shall be seated as an Ex officio, non-voting member of the Council except during closed door sessions regarding personnel or potential litigation; and the Council's President shall designate in rotation, a Council member as an Ex officio representative at SAC meetings.

## ARTICLE VII: OFFICERS

1. Composition: The officers for the Governing Council shall consist of: 1) President; 2) Vice-President; 3) Secretary/ Treasurer.
2. Term of Office: The term of office for each position shall be for one (1) year with a maximum of 2 consecutive years. An officer after serving the maximum of two (2) terms may not be elected to another officer position without a lapse of one year.
3. Vacancies: Should a vacancy occur in any officer position by removal, relinquishment or resignation, the position shall be filled by majority vote of the remaining Council members at the meeting immediately following the creation of the vacancy.

## ARTICLE VIII: DUTIES AND RESPONSIBILITIES OF OFFICERS

1. President: The president shall:
  - a. Preside at all Council meetings.
  - b. Create such committee(s) as may be deemed necessary, and appoint the chairperson for each committee.
  - c. Represent the Council in dealings with state and local public school entities, the media and general public.
  - d. Be the recipient of any/all complaints that may come under the Council's jurisdiction as set forth in adopted policies regarding "complaints".
2. Vice-President: The Vice-President shall:
  - a. In the absence or unavailability of the President, serve in that capacity.
  - b. Perform other such duties as may be assigned by the President.
3. Secretary: The Secretary shall:
  - a. Record (or have recorded), keep, preserve, distribute, or cause to be distributed to Council members, minutes of all meetings conducted by the Council within ten (10) days following the meeting.
  - b. Be responsible for the proper public posting and notification of meetings in compliance with adopted council policies and/or applicable state statute.
  - c. The GC Secretary will be responsible for maintaining a comprehensive GC log to include:
    - Beginning term date
    - Ending term date
    - Resignation date
    - Completion of GC changes report to PED
  - d. The GC secretary will initially provide all new members and continuing members with a list of training requirements via email and at the first GC meeting of the school year.
  - e. The GC secretary, in conjunction with the business specialist, will monitor training completion by maintaining a training roster/log and will continuously update members of the trainings that are lacking.

- f. The GC secretary will inform NMPED of any changes in the GC in a timely manner, following all guidelines.
  - g. The Secretary will maintain all logs and submitted documentation on a flash drive, which will be the property of LADH and will be available for future GCs to reference, ensuring continuity.
4. Treasurer:
- a. The treasurer will oversee all matters related to the school’s finances, property, budget, and compliance with integrity and care, remaining apprised of legal and ethical requirements for the position.
  - b. The treasurer must be knowledgeable about standard financial and accounting practices; align all financial transactions with the mission, goals, bylaws, and legal requirements of the school; and provide the information needed for all board members to make financial decisions for the school.
  - c. The treasurer will have a strong and positive working relationship with the Head Administrator, Budget Manager, and Chief Procurement Officer (CPO), allowing for the delivery of accurate and complete financial reports to the Governing Council on a regular basis.
  - d. The treasurer will serve as the chair of the finance committee and lead the committee in setting and meeting annual goals.
  - e. The treasurer will ensure that all members of the Governing Council fully comprehend the financial matters of the school and receive reliable and timely information regarding those matters
  - f. The treasurer will work with the finance committee, Head Administrator, and CPO in leading the development of an annual school budget and presenting the budget to the full Governing Council for approval.
  - g. The treasurer will understand financial accounting for charter schools.
  - h. The treasurer will oversee and review the annual audit process.

## ARTICLE IX: MEETINGS

- 1. Regular Meetings:
  - a. The Council shall meet in regular session at least once per month, but more often as provided for in these By-laws.
  - b. A calendar of regular meetings shall be established at the Council’s annual meeting. Modification of the calendar may occur during the year by resolution of the quorum majority of Council members.
  - c. A draft of the previous meeting minutes shall be made available to each Council member and the public within ten (10) days prior to the date of the subsequent meeting.
  - d. An agenda for each regular meeting shall be provided to each Council member not less than three (3) days prior to the date of the next scheduled meeting.
  - e. “Notice of meeting” shall be publicly posted at the school’s facilities not less than three (3) days prior to the date of the scheduled meeting.

2. Special Meetings: For purposes of these By-laws, a special meeting is defined as “a meeting called and conducted as an additional meeting to the established schedule of “regular meetings”, and:
  - a. Shall be called by the President (or Vice-President in the absence of the President).
  - b. Posting of notice of a special meeting shall be made at the school’s facility at least three (3) days (72-hours) prior to the date of the meeting; and an agenda for a special meeting shall be made available to each Council member and the general public not less than three (3) days (72-hours) prior to the date of the meeting.
3. Emergency Meetings: For purposes of these By-laws, an emergency meeting is defined as “a meeting called due to conditions and circumstances that are of an urgent or critical matter that require the immediate attention of the Council”, and:
  - a. Shall be called by the President (or the Vice-president in the absence of the President) at the request of any two Council members.
  - b. Notice of the meeting shall be posted at the school’s facilities two (2) (48-hours) days prior to the date of the meeting. The agenda for an emergency meeting shall be limited to only the issue that caused the emergency need for a meeting. Minutes of an emergency meeting shall be made available to each council member not less than three (3) (72-hours) days prior to the next scheduled regular meeting.
4. Executive Closed-Door Meetings: The Council at any properly convened regular, special or emergency meeting, may go into executive, closed session by majority vote of a quorum present at such meeting, only when notice has been given on the meeting agenda and:
  - a. Shall be called only for the purpose of dealing with issues or topics stipulated under the New Mexico Open Meetings Act.
  - b. No “action” shall be taken during the executive session.
  - c. The Council shall move and vote to return to “open session”.
  - d. Any action deriving from the discussion held in “closed sessions” shall be enacted by a majority vote of a quorum of Council members in open session.
  - e. No person except the Council members shall participate in a closed session unless a two-thirds majority of the Council member present in quorum votes to allow an individual to be present for purposes of obtaining or clarifying information pertinent and critical to the issue under discussion.
6. Work Sessions: The Council may meet for purposes of general discussion of matters of interest or concern to the Council; in no case shall a vote be take that can or may be construed to constitute, or in fact constitutes establishing a policy or acts regarding fiscal matters. Public notice shall be posted at the school’s facilities not less than three (3) days prior to the date of the work session.
7. Open Meeting Act. All meetings without exception shall be conducted in accordance with the New Mexico Open Meetings Act.

8. Quorum: A quorum shall consist of a majority of the seated Council members present regardless as to the type of meeting. A simple majority that shall not be less than three members. No action may be taken by the Board in the absence of a quorum. A quorum shall be required for all matters being voted on regarding matters of:
  - a. Policies.
  - b. Personnel.
  - c. Fiscal.
  - d. Legality.
  - e. Contracts.
9. Standing Authority: All meetings shall be conducted in accord with Robert’s Rules of Order”.

#### ARTICLE X: PUBLIC INPUT

The agendas for all Council meetings except those of executive and work sessions shall provide for public input as an action item; however, public input on a particular item under discussion or consideration by the Council may be allowed at the discretion of the presiding officer. In order to maintain the order and conduct of the meeting, public input participation shall be subject to the following:

1. The President must “recognize” the individual and shall stipulate a 5-minute time limit.
2. The individual recognized by the presiding officer shall;
  - a. Give his/her name, and state whether he/she is a teacher, parent, student, or other;
  - b. The Secretary shall note the person’s identification in the minutes of the meeting;
  - c. Be limited to speaking only to a particular agenda item at the time that the item is being discussed and considered; but may address a non-agenda subject during the period specifically designated for public input in the agenda.

#### ARTICLE XI: COMMITTEES

The President (or the Vice-President in the absence of the President) may:

1. Appoint Ad Hoc, standing or special committees from the Council membership as deemed necessary and appropriate;
2. Specify the mission, tasks, and deadlines assigned to each committee.
3. Appoint the chair for each committee.
4. Establish the term of each committee and its membership.
5. Limit each committee’s council membership to two members in the case of a five-member Council, or three members in the case of a seven member Council in order to avoid the quorum stipulations in the New Mexico Open Meetings Act.
6. Membership on committees may include representation of teachers, staff and/or parents.
7. Standing committees may but are not necessarily limited to the areas of policy, finance, and nomination of potential council members. Other Ad Hoc committees may be established at the President’s discretion.

#### ARTICLE XII: AMENDMENTS

These By -laws may be amended by a two -thirds vote of a quorum of seated Council members present at a properly called meeting of the Council.

### ARTICLE XIII: ADOPTION AND EXECUTION

Adoption of these By-laws will be by a majority of a quorum of the Council at a properly convened meeting in which action of adoption is placed on the agenda provided to the Council members not less than 10 days prior to the date of the meeting. These By-laws once adopted shall become effective on the date of their adoption and shall remain in effective until otherwise officially amended or withdrawn by appropriate action of the Council.

DATE OF ADOPTION: This By-laws were formally adopted by unanimous vote of the Council members convened in a Special Meeting on November 28, 2007, at which date the contained provisions become applicable and enforceable.

DATE OF AMENDED: These By-laws were amended to include a vision statement and clarify the provision setting forth the “annual meeting” and further clarify the role of the governing council. These By -laws were amended in a Special Meeting on September 10, 2008, at which date the contained provisions become applicable and enforceable.

DATE AMENDED: Various sections of these By-laws were amended in a Regular GC Meeting on July 9, 2020, at which time the contained provisions became applicable and enforceable (refer to agenda for details).

Governing Board Members have authority only when acting as a Governing Board in regular or special session. The Board will not be bound by any statement or action by an individual Board member, unless the Board, by majority vote in a properly convened meeting, delegates authority to that individual member to speak for or represent the entire Board. Unless acting pursuant to said express-delegated authority from the Board, no Board member shall undertake any individual action to implement any plan or action of the Board. When a Board member is assisting the Head administrator with implementing school policies, programs or other directives of the Head administrator or Board, in this role the Board member shall be considered a volunteer and have no special authority beyond that of a volunteer.

Committees may exercise any subordinate power, authority, or function delegated to it by the board or these bylaws.

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Adrian Gaytan (Date)  
LADH GC President

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Elaine Palma (Date)  
LADH GC Secretary