



Item: VII.

Wednesday, January 30, 2008

SUBJECT: APPROVAL OF FAUS ADVISORY BOARD BYLAWS

PROPOSED BOARD ACTION

Approve the proposed Bylaws of the Florida Atlantic University Schools Advisory Board.

BACKGROUND INFORMATION

Pursuant to Florida Statutes Section 1002.32, FAU sponsors developmental research public schools through its College of Education. As required by statute, the schools are advised by a volunteer body appointed by the President, the Florida Atlantic University Schools Advisory Board (the "FAUS Board").

The new Chair of the FAUS Board recently asked University General Counsel to review the FAUS Board's Bylaws for conformance with Florida law and University Regulations. Counsel recommended certain changes, and the FAUS Board adopted new proposed bylaws incorporating all recommended changes at its January 16, 2008 public meeting.

Normally these Bylaws would be presented to the BOT's Committee on Academic and Student Affairs for recommendation to the full BOT. However, with the recent BOT approval of a new affiliated charter laboratory school in St. Lucie County and with other FAUS issues requiring immediate attention, the FAUS Board needs to implement policy revisions as soon as possible. To enable the FAUS Board to take necessary actions in conformance with new Bylaws, Chairman Tripp and President Brogan authorized the placement of this item on the full BOT's agenda at this time.

IMPLEMENTATION PLAN/DATE

Upon approval by the BOT.

FISCAL IMPLICATIONS

None

Supporting Documentation:

Presented by: David Kian, General Counsel

Proposed FAUS Bylaws

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Florida Atlantic University Schools School Advisory Board By-Laws

Article I

Name and Mission

The name of this organization is the Florida Atlantic University Schools (“FAUS”) School Advisory Board (“the Board”). The Board’s mission is to provide general oversight and guidance of FAUS, as provided under Florida law.

Article II

Board

The Board shall:

1. Meet at least once a month. The Board shall approve an annual meeting calendar at its August meeting each year that complements the schedule of the Florida Atlantic University (“FAU”) Board of Trustees. The chairperson of the Board may call special meetings upon providing at least three (3) school days written notice to the public and Board members.
2. Monitor the operations of FAUS and the distribution of monies allocated for that purpose.
3. Establish necessary policies, programs and administrative modifications.
4. Evaluate annually the performance of the director and principal and recommend corresponding action to the dean of the college of education.
5. Review annually reports of the FAUS operations and research projects.

Article III

Membership

The Board shall consist of ten members as follows:

- The dean of the College of Education at FAU shall be a standing member of the board.
- The president of FAU shall appoint:
 - Four faculty members from FAU, at least two of whom are from the College of Education.
 - One layperson who resides in Palm Beach County.
 - Two parents of students who attend FAUS.
- The principal shall appoint one full time FAUS student of grade seven or higher.
- An ADHUS/FAUS employee elected by the ADHUS/FAUS faculty.

Voting

All members present at any meeting must vote on all matters considered for action by the Board except when, with respect to any such member, there is, or appears to be, a possible conflict of interest under Florida law. In such cases, said member shall comply with all requirements under Florida law. Each member has one vote on all matters, and only members present during a vote may vote.

Article IV

Members’ Term, Vacancy and Resignation

Each member’s term shall be two years. The term of membership shall commence on August 1 and expire

on July 31, two years later.

Any Board member (other than the Dean of the FAU College of Education) not in attendance for four consecutive meetings or a total of five meetings within a 12-month period shall be removed from the Board.

A Board member (other than the Dean of the College of Education) may resign at any time by giving written notice to the Board chairperson. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board. Acceptance of such resignation shall not be necessary to make it effective.

Any Board vacancy shall be filled by a person of the same classification as his/her predecessor for the balance of the unexpired term and in the same manner as described in Article III.

Any Board member that is no longer holding the classification that qualified him/her to serve on the Board will no longer be a Board member, effective on the date of the status change.

There is no limit on successive appointments to the Board.

Article V

Officers of the Board

The Board shall elect from its membership a Chairperson, Vice-chairperson, Corresponding Secretary and Treasurer annually at its August Meeting.

Chairperson - The chairperson shall prepare (with the assistance of the FAUS Director) the agenda for each meeting, conduct each meeting, and delegate responsibilities for specific programs and projects.

Vice-chairperson - The vice-chairperson shall assist the chairperson as requested and assume the duties of the chairperson in the event of absence. In the event of the chairperson being removed or relinquishing the office, the vice-chairperson will become the chairperson until the end of the chairperson's term. The vice-chairperson shall chair the Personnel Committee.

Corresponding secretary - The corresponding secretary shall be responsible for all correspondence of the organization. The corresponding secretary shall maintain a file of minutes, correspondence, notices, and programs at a location accessible to the public (as designated by the FAUS director.)

Treasurer - The treasurer shall be responsible for reporting to the Board the financial position of FAUS. The treasurer shall chair the Finance Committee.

There is no limit on terms that any officer of the Board may serve.

Article VI

Administrative Responsibilities

The director of FAUS shall serve as the Board's staff, recording secretary and liaison to FAUS.

Article VII

Standing Committees

The Board will be organized into three committees which will meet between official Board meetings, as needed, to make recommendations to the full Board. The director will provide administrative services to all

standing committees.

Finance Committee - The finance committee is assigned the responsibility of ensuring that FAUS maintains a sound financial position and operates in accordance with legal requirements for financial administration and control. Members of the committee shall include but not be limited to the treasurer of the Board, who will serve as chairperson, the Dean of the College of Education or his/her representative, and at least one other Board member. This responsibility shall be accomplished by:

- Working through the director to review, investigate and make recommendations to him/her on financial matters;
- Advising the Board on the current financial position of the FAUS;
- Submitting for consideration by the full Board policies relating to financial oversight and matters requiring approval;
- Reviewing budgets presented to the Board for approval; and
- Ensuring that audits are performed in a timely and accurate manner.

Personnel Committee - The personnel committee is responsible for advising the board on development of personnel policies for approval by the Board and establishment and compliance with personnel policies designed to meet a high standard of education. Members of the committee shall include but not be limited to the vice-chairperson, who will serve as chair of the committee, and two Board members. This responsibility shall be accomplished by working with the director to:

- Review and make recommendations to him/her on personnel policy matters;
- Ensure that FAUS has and follows equitable and legal personnel policies;
- Develop the annual evaluation of the director and principal and review the director's appraisal of the principal;
- Review personnel policies being presented to the Board for consideration; and
- Submit for consideration by the full Board those matters requiring approval.

Education Committee - The education committee is responsible for advising the Board on policies related to curriculum and materials purchased under the advisement of the professional curriculum committees, policies related to the delivery of the instruction and student-related policies. Members of the committee shall include but are not limited to three Board members with one serving as the chair. These responsibilities shall be accomplished by working with the director to:

- Review the reports of the school advisory committee's school improvement plan and make recommendations to the Board;
- Review the performance of FAUS annually on admissions, accreditation reports, state testing systems, and student safety and behavior; and
- Review the implications of research conducted at FAUS for improving school effectiveness.

Article VIII

Board Policy Development and Distribution

The Board intends that its policies serve as a source of information and guidance for all persons who are interested and connected to FAUS. The Board's policies are framed, and meant to be interpreted, in terms of the policies and Regulations of FAU, the laws and rules of the State of Florida, and the statutes, rules, and regulations of the United States. The Board's written policies shall be developed thoughtfully and maintained regularly so they may be used as a basis of Board action and administrative decision. This shall be accomplished as follows:

1. The director's responsibility is to call the Board's attention to policies that need revision. However,

- proposals regarding FAUS policies may originate from any of several sources including a parent/guardian, an employee, a member of the Board, the director and/or a consultant to the Board or FAUS.
2. The request for policy action will be sent to the appropriate committee of the Board for review. Following such review, if approved by the appropriate committee, the requested policy action will be publicly displayed for a 30-day public review period. After the review period, the Board will consider action on the policy request.
 3. Policies introduced and recommended to the Board shall not be adopted until after the 30-day public review period. Temporary approval, however, may be granted by the Board in order to meet emergency conditions or special situations that may occur before a policy change can be formally adopted.
 4. In cases where urgent action must be taken and the Board has no policy established, the director shall have the power to act on behalf of the Board. It is the duty of the director to inform the Board as soon as possible of such action and to prepare a draft of policy needed to guide future action.
 5. The operation of any section of Board policies not established by law and/or contract may be suspended by a two-thirds vote of the Board members present at any regular or special meeting.
 6. After written policies are formulated and adopted, copies will be distributed to each Board member and be available to the public in the director's office, in the ADHUS office, and on the FAUS website. Policies that require further approval by FAU shall be submitted by the director to the FAU Board of Trustees at the earliest opportunity. All policies shall state their effective date upon approval by the Board or the FAU Board of Trustees, as appropriate.

Article IX

Board Meetings/Agenda

Quorum – Five Board members present at a regular meeting or special meeting shall be designated as a quorum and shall be entitled to take action on behalf of the Board. A member is said to be present if available during the meeting by phone.

Conduct of Meetings - In the conduct of all meetings, the Board shall follow Robert's Rules of Order, Newly Revised, except as otherwise provided by FAU Regulations, law, or Board policy.

Meeting Agenda and Notice - Any item requested to be placed on the agenda of a regular Board meeting shall be submitted, in writing, to the director's office no later than twelve o'clock (12:00 p.m.) noon, seven (7) days prior to the meeting. This rule shall not preclude the right of any citizen to address the Board; however, except for good cause as provided in Board policy, the Board shall not take action on any substantive proposal until such matter has been formally placed on the Board meeting agenda. Copies of the agenda for regular meetings shall be made available at least seven (7) days prior to the scheduled meeting to the public or other parties who have expressed a desire for a copy of the agenda. Copies of the agenda for a special meeting shall be prepared at least forty-eight (48) hours prior to the meeting.

Public Comment - Anyone desiring to speak to an agenda item or address the Board under "public comment period" shall file a written request with the Director by eight o'clock (8:00 a.m.) on the morning of the meeting. Such request shall contain the following information:

- The name and address of the person making the request.
- The organization or group, if any, represented.
- Content of the information to be presented - If written material is to be passed out, a copy of such material shall be provided to the director with the request.
- Desired Board Action, if any

Presentations shall be no longer than three (3) minutes unless the chairperson chooses to extend the time limit. The presentation should include specific action(s) desired of the Board, if any.

No one who is not a member of the Board shall be permitted to address the Board without the permission of the chairperson of the Board. Persons wishing to address the Board shall be recognized as provided in Board meeting procedures.

Order of Business - The normal order of business at a regular meeting of the Board shall be:

1. Call to order, roll call, flag salute Approval of Agenda
2. Acceptance of Minutes
3. Awards and Recognitions
4. SAC Report
5. Director's Report
6. Action Items
7. Discussion Items
 - Personnel
 - Finance
 - Education
 - Other
8. Old Business
9. Public Comment Period
10. Announcements, Communications, School Advisory Board Member Comments
11. Adjournment

Revised and approved by the board on _____