

B.I.

From: Michael & Sandi Hettinga [hettinga@idcomm.com]
Sent: Thursday, January 31, 2008 2:10 PM
To: John Bleich; Brooks Imperial
Cc: Candice Trevino
Subject: 2008 Legacy Academy Election Committee Update

John, Here is an update of the Election Committee.

Brooks, As promised Here is an update of our progress to date. I have CC'd Candice Trevino as Co chair of the Election Committee.

2008 Election Committee update

From Mike Hettinga

Mr. Imperial,

I wanted to update you for your blog and transparency concerns about what has been happening with the Election committee to date.

Candice Trevino and I, Mike Hettinga are the co-chairs of the Election committee. As of yet we have not formally met nor do I envision a formal meeting unless one is requested by the Board or others. We have talked a few times on the phone or met in the hall of Legacy while waiting to pick up our children and I will try to fill you in on what we have discussed about the 2008 Election for the Board of Directors of Legacy Academy.

I would like to note at the outset that this email is also being sent to John Bleich as President of the Legacy Academy Board, and Candice Trevino as the co-chair of the Election committee.

I have read over the charge of the Election Committee as put forth in the Bylaws of Legacy Academy and the Governance policies of the Governing Board of Legacy Academy. I have attached what I believe to be the pertinent parts to the end of this letter.

The election day as called for by the Bylaws is the third Tuesday of April which this year will be April 15th, 2008.

There are two seats up for election this year. One full term, i.e. three-year seat, and one seat with one year remaining of its term. Based on this we are hoping to have at least four candidates as per the Governing Policy of Legacy Academy. As I understand it, the candidate with the most votes will win the three-year seat and the candidate with the next highest vote total will win the one-year seat.

One item we specifically discussed was in regard to what happens if we are not able to find enough candidates. What we decided was simply this. The board has charged us with performing an election for the open seats of the board and the bylaws call for that election to be held on the third Tuesday of April. We will have an election on that day regardless of the number of candidates. At that point we will have fulfilled the charge as directed by the board and in compliance with the bylaws and governance policies. What happens after that is in the purview of the Board.

Our primary concern right now is to get the word out in the Legacy Ledger about the Election. To this end Mrs. Trevino has gone back into the archived Ledgers and is pulling out the articles from last year. We hope to use these to at least get the first notification out in the Ledger as soon as possible. This notification of the upcoming election is another reason I wanted to get this info to you so that you could post about it on your blog.

We will request Bios from each candidate and will ask that each candidate participate in a “Meet the Candidates” night to be scheduled in early April, obviously, prior to the election.

As of now that is what we have discussed.

Thank you for your time

Mike Hettinga

From the Legacy Academy Bylaws

Revised December 5, 2007

ARTICLE III, ELECTIONS, Section 3.1

Previous Text

... For these purposes, eligible voters shall include the parents or guardians of all children currently attending Elbert County Charter School, teachers currently employed at the Institute, and paid employees of the Institute. Elections shall be conducted using secret ballots. ... Revised Text ... For these purposes, eligible voters shall include the parents or guardians of all children currently attending Elbert County Charter School, teachers currently employed at the Institute, and paid employees of the Institute.

There shall be a maximum of one vote per person with no more than two votes per family regardless of the number of students. Elections shall be conducted using secret ballots. ...

ARTICLE III

ELECTIONS

Section 3.1 Elections. Elections of Board members will be held annually on the third Tuesday of April.

Elections will be held from 7 a.m. to 7 p.m.

at the

Institute. At this time, eligible voters may vote other issues that are determined by the Board to require parental approval. For these purposes, eligible voters shall include the parents or guardians of all children currently attending Legacy Academy, teachers currently employed at the Institute, and paid employees of the Institute. There shall be a maximum of one vote per person with no more than two votes per family regardless of the number of students. Elections shall be conducted using secret ballots.

Voters shall be required to sign a roster of voters confirming their eligibility to vote. Each voter shall be allowed only one vote, regardless of the number of children attending the Institute. The election process will be overseen as described in the Committee Principles policies within the Governance Process Section of the Governance Policies.

From the Governance Policy of the Legacy Academy Board

Revised 12/05/2006

GP7-7b

Previous Text

ii) The committee will develop election rules and process to be approved by the Board (i.e. absentee ballot, tie breaker, proxy voting) Adopted Text

ii) The committee will develop election rules and process to be approved by the Board (i.e. absentee ballot, tie breaker) Adopted Text – (New)

vi) No Proxy Voting will be allowed

Policy Governance

Approval: _____ Revised 12/05/06 (Board President)

9

POLICY TYPE: GOVERNANCE PROCESS

POLICY TITLE: #7 COMMITTEE PRINCIPLES

Board committees, when used, will be assigned to reinforce the wholeness of the Board’s job so as never to interfere with delegation from Board to Administrator.

1. Board committees are to help the Board do its job, never to help or advise the staff. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. In keeping with the Board’s broader focus, Board committees will normally not have dealings with current staff operations.
2. Board committees may not speak or act for the Board except when formally given such authority for specific and time limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Administrator. See bylaws article VI.
3. Board committees cannot exercise authority over staff. Since the Administrator works for the Board, he or she will not be required to obtain approval of a Board committee before taking an executive action.
4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore a Board committee that has helped the Board create policy on some topic will not be used to monitor organizational performance on that same topic.
5. Non-standing committees will be used sparingly and ordinarily in an ad hoc capacity.
6. This policy applies to any group that is formed by Board action, whether or not it is called a committee and regardless whether the group includes Board members. It does not apply to committees formed under the authority of the Administrator.
7. The following are standing committees:

7b. The Election Committee will consist of a Board appointed chairperson and other members of the school community as required. (See Article III and Section 5.2 of Bylaws for more information) i. The committee will be formed in January of each election year.

- ii. The committee will develop election rules and process to be approved by the Board (i.e. absentee ballot, tie breaker)
 - iii. The committee will attempt to recruit at least two candidates for each open position in an unbiased way.
 - iv. The committee will communicate details of the election to the school community to include (but not limited to) candidate's bios, meet the candidate night, and publications in the Legacy Ledger.
 - v. The committee will conduct the election process.
 - vi. No Proxy Voting will be allowed
-

End