

Community Choice Schools Commission

October 2, 2023

Montana State Capitol Building, Room 152

1301 E 6th Avenue, Helena, MT

1:00 p.m. to 5:00 p.m.

Agenda Packet Contents:

Proposed Agenda

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Robert's Rules of Order Quick Sheet

Community Choice Schools Commission Meeting Agenda

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Montana State Capitol Building, Room 152
1301 E 6th Avenue, Helena, MT
1:00 p.m. to 5:00 p.m.

	Estimated Time	Details
Call to Order	1:00 p.m.	<ol style="list-style-type: none"> 1. Pledge of Allegiance 2. Roll Call 3. Statement of Public Participation 4. Welcome Visitors
Note to the Public		<ol style="list-style-type: none"> 1. Action may be taken on any item listed on the Choice Commission agenda. Per §2-3-103 MCA, <i>the Choice Commission encourages public comment on any item prior to final action.</i> 2. All times are approximate and may change as reasonably necessary.
Agenda		
Item 1	1:15 p.m.	Action: Approval of Agenda
Item 2		Chairperson Welcome Statement; Commission Members Individual Introductory Statements
Item 3	1:30 p.m.	Discussion: Partial Injunction and Activities the Commission May Engage in Pending Final Resolution of Lawsuit
Item 3	2:00 p.m.	Discussion: (Training)--Montana Public Meeting Laws and Code of Ethics (brief intro)
Item 4	2:30 p.m.	Discussion: Fundraising and establishing special revenue account
Recess		10 minutes
Item 5	3:15 p.m.	Action: Bylaws
Future Agenda Items	4:15 p.m.	Discussion: <ol style="list-style-type: none"> 1. choose dates of next meeting 2. action items for next meeting 3. discussion items for next meeting
Public Comment	4:30 p.m.	This time will be provided for public comment on items not listed on the agenda. This meeting is open to the public both in person and electronically. For those wishing to give virtual public comment, please contact bpe@mt.gov to request the Zoom link for the meeting. Members of the public who have joined virtually on Zoom may "raise their hand" at the appropriate time to participate after being recognized by the Chairperson. Written public comment may be submitted to the Executive Director of the BPE at bpe@mt.gov and will be shared with the Commission members and included as part of the official public record.
Adjourn	5:00 p.m.	
Note to the Public		**Agenda items are handled in the order listed on the approved agenda. Items may be rearranged unless listed "time certain." Public comment is welcome on all items listed as "Action" and as noted at the end of each meeting. **The Choice Commission will make reasonable accommodations for known disabilities that may interfere with an individual's ability to participate in the meeting. Individuals who require such accommodations should make requests to the Board of Public Education as soon as possible prior to the meeting start date. You may write to: Kris Stockton, PO Box 200601, Helena MT, 59620, email at: kmstockton@mt.gov or phone at 406-444-0302.

**STATE OF MONTANA
COMMUNITY CHOICE SCHOOLS COMMISSION**

BYLAWS

Article I. Name

The legal name of the Commission is the Community Choice Schools Commission (“Choice Commission”).

Article II. Objective

The objective of the Commission is to carry out its statutory responsibilities under the Community Choice Schools Act, 20-11-101 et seq., MCA, including performing the functions of a community choice school authorizer and authorizing other authorizers (20-11-105 and 106, MCA) and overseeing the performance and effectiveness of all other authorizers established in the state (20-11-107, MCA). The overall goal of the Choice Commission is to foster other public educational institutions open to all K-12 students, especially to those students at risk of academic failure or academic disengagement and to advance Montana’s commitment to the preservation of American Indian cultural identity. The Choice Commission is an autonomous entity and operates under the general supervision of the Board of Public Education in accordance with 20-11-104, MCA.

Article III. Membership

- A. The Choice Commission consists of seven members. Per 20-11-104, MCA two members are appointed by the Governor, one member by the State Superintendent of Public Instruction, one member by the Senate President, one member by the Senate Minority Leader, one member by the Speaker of the House, and one member by the House Minority Leader. Members of the Choice Commission must collectively possess substantial experience and expertise in board governance, business, finance, education, management, and philanthropy. All members of the Choice Commission must have a demonstrated understanding of and commitment to Choice Schools as a strategy for strengthening public education.
- B. The Choice Commission members will serve staggered three-year terms to ensure the orderly succession of officers and members. To initiate staggering, the terms of initial members are as prescribed at 20-11-104, MCA.
- C. When a vacancy occurs, the appointing authority of the vacant seat shall appoint a new member for the remainder of the term of the incumbent.
- D. If any appointing authority fails to make an appointment within 60 days of the expiration of a term or the occurrence of a vacancy, the remaining appointing authorities may make the appointment (20-11-104, MCA). Members appointed to the Choice Commission, before discharging their duties, shall take and subscribe to the constitutional oath of office.

- E. A member of the Choice Commission may be removed by a majority vote of the Commission for any cause that renders the member unable or unfit to discharge the duties of the office, as prescribed at 10-11-104(7), MCA.
- F. The Choice Commission shall establish a conflict-of-interest policy. If a member of the Choice Commission has a conflict of interest regarding a matter that comes before the Commission, the member shall recuse himself or herself from the Commission's deliberations and voting on the matter.

Article IV. Officers

- A. The officers of the Choice Commission shall consist of a Chairperson, Vice Chairperson and Treasurer. The officers must be members of the Choice Commission.
- B. The initial presiding officer, the Chairperson, shall be designated by the governor for a two-year period (20-11-104(5)). The other officers shall be elected to serve a term of one year. Officers may serve up to three consecutive terms. After the Chairperson's initial two-year term, subsequent Chairpersons shall be elected for a term of one year. Elections of the officers shall be conducted by voice vote or roll call. The Chairperson, Vice Chairperson and Treasurer elect shall assume their respective offices upon adjournment of the meeting at which they were elected.
- C. If an office is vacated prior to the expiration of the term, the Choice Commission will hold an election to fill the vacated office. The newly elected officer will serve for the remainder of the unexpired term.
- D. The duties of the Chairperson shall include presiding at meetings, participation in the construction of meeting agendas and appointing all committees. The Chairperson may vote on all matters and may make motions. In the absence of the Chairperson, the Vice Chairperson shall preside and shall perform such duties as are prescribed for the Chairperson.
- E. The duties of the Vice Chairperson shall include substituting for the Chairperson as needed and carrying out additional leadership duties related to the functioning, responsibilities, and effectiveness of the Commission.
- F. The duties of the Treasurer shall include acting as the general liaison for the Choice Commission in working with other agencies and support staff on matters regarding budget planning, financial reporting, record-keeping, and managing incoming and outgoing funds.

Article V. Meetings

- A. The Choice Commission shall meet at least quarterly. Special meetings may be called by the Governor, the Chairperson of the Board of Public Education, the Chairperson of the Choice Commission, or by a written request to the Chairperson submitted by four members. The purpose of a special meeting must be described in any call or request for a meeting.

- B. At the discretion of the Chairperson, meetings may be conducted in-person or electronically, including by telephone or by using an internet meeting service.
- C. The Chairperson shall notify each member either by email, by mail or by telephone sufficiently in advance of any regular or special meetings of the Choice Commission to allow all members to arrange for travel or for electronic means of attendance. The purpose of any special meeting shall be provided with notice of the meeting.
- D. Meetings of the Commission shall be open to the public in accordance with Montana law. The Chairperson may close the meeting to the public in accordance with Montana law if he or she determines:
 - 1. That the demand of individual privacy clearly exceeds the merits of public disclosure, or
 - 2. That an open meeting would have a detrimental effect on the bargaining or the litigating position of the Commission.

The Chairperson shall briefly state the reason for the closing.

Article VI. Quorum; Voting

A majority of the members of the Choice Commission shall constitute a quorum for the transaction of business. A vote of a majority of members present and casting a vote is required to approve any action of the Choice Commission.

Article VII. Committees

- A. Standing Committees shall be as follows:
 - 1. An Executive Committee composed of the Chairperson, Vice Chairperson and Treasurer. The duties of the Executive Committee shall include facilitation of decision making between board meetings or in urgent and crisis circumstances. The Executive Committee shall also act as the communication link to any employees or vendors and shall perform performance evaluations of any hired staff.
- B. The Choice Commission may create special committees as deemed necessary to carry out the responsibilities of its work. The Choice Commission shall prescribe the duties, duration, and scope of work of any special committees. Members of the special committees shall be appointed by the Chairperson.
- C. Committee meetings may be scheduled and held as necessary to execute committee assignments.
- D. Committees may not take action on behalf of the Choice Commission. Committees shall review, report on, and make recommendations concerning any item referred to them and

alert the Chairperson on any matters which should be placed on the agenda for Choice Commission discussion or action.

- E. Upon request of the Board of Public Education, the Chairperson of the Commission may appoint a designated member of the Board to contribute on special committees of the Choice Commission.

Article VIII. Order of Business

The regular order of business shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Statement of Public Participation
5. Welcome Visitors
6. Items Pulled from Consent Agenda
7. Consent Agenda Adoption
8. Agenda Adoption
9. Agenda
10. Public Comment
11. Date and Place of Next Meeting
12. Adjournment

Article IX. Communications

All official communications should come to the attention of the Commission through the Chairperson. The Chairperson shall serve as the official spokesperson for the Choice Commission.

Article X. Parliamentary Procedure

The Commission will use Robert's Rules of Order as a guide on questions of parliamentary procedure to the extent those Rules are not inconsistent with these bylaws.

Article XI. Amendments

These bylaws may be added to or amended by a majority vote at any meeting of the Choice Commission provided that a quorum is present and provided that the proposed amendment is sent in writing to members of the Commission at least seven days in advance.

Article XII. Professional Development

The Choice Commission may offer professional development opportunities for Commission members, subject to funding. Members may attend at least one professional development conference each year when funding is available. All requests must be submitted to the Chairperson and Treasurer at least one month prior to the conference on a form developed by the Choice

Commission. All requests shall be considered by and subject to approval of the Executive Committee based upon criteria developed by the Executive Committee and approved by the Choice Commission.

Article XIII. Member Compensation and Expense Reimbursement

- A. Members shall not receive compensation for serving on the Choice Commission.
- B. Subject to funding, members shall be entitled to reimbursement of travel expenses as provided for in 2-18-501 through 2-18-503, MCA. Members shall submit requests for travel expenses to the Treasurer on a form developed and approved by the Choice Commission. If funding is available and the Treasurer determines that the travel expense reimbursement is adequately documented and allowable under 2-18-501 through 2-18-503, MCA, the Treasurer shall authorize reimbursement.
- C. Subject to funding, members may receive reimbursement for other expenses incurred by them in performance of their duties and responsibilities as a member of the Choice Commission under criteria and procedures developed and approved by the Choice Commission.

These bylaws were approved and adopted by the Choice Commission on the _____ day of _____, 2023.

_____, Chairperson

Community Choice Schools Commission Meeting Evaluation

Name:

Meeting Date:

Please rate the following statements on a 1 to 5 scale according to:

1=strongly disagree

2=disagree

3=neutral

4=agree

5=strongly agree

Statements	1	2	3	4	5
The Commission meeting materials prepared me well for the meeting.					
I received the agenda packet in time to prepare for the meeting.					
Commission members came prepared to the meeting and ready to conduct business.					
The meeting was well facilitated.					
We focused most of our time on that which is most important.					
We used our time in the meeting room well today.					

The best part of the Commission meeting today was:

The meeting could have been better if we:

ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

PROCEDURE FOR HANDLING A MAIN MOTION

NOTE: Nothing goes to discussion without a motion being on the floor.

Obtaining and assigning the floor

A member raises hand when no one else has the floor

- The chair recognizes the member by name

How the Motion is Brought Before the Assembly

- The member makes the motion: *I move that (or "to") ...* and resumes his seat.
- Another member seconds the motion: *I second the motion* or *I second it* or *second*.
- The chair states the motion: *It is moved and seconded that ... Are you ready for the question?*

Consideration of the Motion

1. Members can debate the motion.
2. Before speaking in debate, members obtain the floor.
3. The maker of the motion has first right to the floor if he claims it properly
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.

The chair puts the motion to a vote

1. The chair asks: *Are you ready for the question?* If no one rises to claim the floor, the chair proceeds to take the vote.
2. The chair says: *The question is on the adoption of the motion that ... As many as are in favor, say 'Aye'. (Pause for response.) Those opposed, say 'Nay'. (Pause for response.) Those abstained please say 'Aye'.*

The chair announces the result of the vote.

1. *The ayes have it, the motion carries, and ...* (indicating the effect of the vote) or
2. *The nays have it and the motion fails*

WHEN DEBATING YOUR MOTIONS

1. Listen to the other side
2. Focus on issues, not personalities
3. Avoid questioning motives
4. Be polite

HOW TO ACCOMPLISH WHAT YOU WANT TO DO IN MEETINGS

MAIN MOTION

You want to propose a new idea or action for the group.

- After recognition, make a main motion.
- Member: "Madame Chairman, I move that _____."

AMENDING A MOTION

You want to change some of the wording that is being discussed.

- After recognition, "Madame Chairman, I move that the motion be amended by adding the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words, _____, and adding in their place the following words _____."

REFER TO A COMMITTEE

You feel that an idea or proposal being discussed needs more study and investigation.

- After recognition, "Madame Chairman, I move that the question be referred to a committee made up of members Smith, Jones and Brown."

POSTPONE DEFINITELY

You want the membership to have more time to consider the question under discussion and you want to postpone it to a definite time or day, and have it come up for further consideration.

- After recognition, "Madame Chairman, I move to postpone the question until _____."

PREVIOUS QUESTION

You think discussion has gone on for too long and you want to stop discussion and vote.

- After recognition, "Madam President, I move the previous question."

LIMIT DEBATE

You think discussion is getting long, but you want to give a reasonable length of time for consideration of the question.

- After recognition, "Madam President, I move to limit discussion to two minutes per speaker."

POSTPONE INDEFINITELY

You want to kill a motion that is being discussed.

- After recognition, "Madam Moderator, I move to postpone the question indefinitely."

POSTPONE INDEFINITELY

You are against a motion just proposed and want to learn who is for and who is against the motion.

- After recognition, "Madame President, I move to postpone the motion indefinitely."

RECESS

You want to take a break for a while.

- After recognition, "Madame Moderator, I move to recess for ten minutes."

ADJOURNMENT

You want the meeting to end.

- After recognition, "Madame Chairman, I move to adjourn."

PERMISSION TO WITHDRAW A MOTION

You have made a motion and after discussion, are sorry you made it.

- After recognition, "Madam President, I ask permission to withdraw my motion."

CALL FOR ORDERS OF THE DAY

At the beginning of the meeting, the agenda was adopted. The chairman is not following the order of the approved agenda.

- Without recognition, "Call for orders of the day."

SUSPENDING THE RULES

The agenda has been approved and as the meeting progressed, it became obvious that an item you are interested in will not come up before adjournment.

- After recognition, "Madam Chairman, I move to suspend the rules and move item 5 to position 2."

POINT OF PERSONAL PRIVILEGE

The noise outside the meeting has become so great that you are having trouble hearing.

- Without recognition, "Point of personal privilege."
- Chairman: "State your point."
- Member: "There is too much noise, I can't hear."

COMMITTEE OF THE WHOLE

You are going to propose a question that is likely to be controversial and you feel that some of the members will try to kill it by various maneuvers. Also you want to keep out visitors and the press.

- After recognition, "Madame Chairman, I move that we go into a committee of the whole."

POINT OF ORDER

It is obvious that the meeting is not following proper rules.

- Without recognition, "I rise to a point of order," or "Point of order."

POINT OF INFORMATION

You are wondering about some of the facts under discussion, such as the balance in the treasury when expenditures are being discussed.

- Without recognition, "Point of information."

POINT OF PARLIAMENTARY INQUIRY

You are confused about some of the parliamentary rules.

- Without recognition, "Point of parliamentary inquiry."

APPEAL FROM THE DECISION OF THE CHAIR

Without recognition, "I appeal from the decision of the chair."

Rule Classification and Requirements

Class of Rule	Requirements to Adopt	Requirements to Suspend
Charter	Adopted by majority vote or as proved by law or governing authority	Cannot be suspended
Bylaws	Adopted by membership	Cannot be suspended
Special Rules of Order	Previous notice & 2/3 vote, or a majority of entire membership	2/3 Vote
Standing Rules	Majority vote	Can be suspended for session by majority vote during a meeting
Modified Roberts Rules of Order	Adopted in bylaws	2/3 vote