

## **MGA Constitution Review Committee**

Committee met on October 16, 2006

Revision Goals:

1. Add new Constituent Church, Yucaipa Valley Spanish.
2. Clarify Article III: Constituency, Section 2: Meetings, Delegates, Quorum.
3. Clarify Article IV: Board of Directors, Section 1: Membership.
4. Add Article XII: Boosters Club
5. Remove italics from last revision.
6. Remove/clarify internal inconsistencies.
7. Correct/improve all document formatting, including punctuation and grammar/spelling.

### **October 19, 2006 MGA School Board Meeting:**

1. Voted to add to the final draft version the next constituency size tier for the make up of the board to include 200 and 250. This will include 2,000 and 2,500 total membership. (Article IV, Section 1, A, iv & v.)

### **December 7, 2006 MGA School Board Meeting:**

1. Voted to remove Article IV, Section 1, A, iv & v; which were added at the October 19, 2006 MGA School Board meeting.
2. Voted to add "a voting member of the MGA Board" to Article IV, Section 2, A. A Chairperson and B. A Vice-Chairperson.

# CONSTITUTION AND BYLAWS

OF

MESA GRANDE ACADEMY

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March 10, 2007

Ratified by  
The Conference Executive Committee  
Date?

# CONSTITUTION AND BYLAWS MESA GRANDE ACADEMY

## PREAMBLE

Recognizing the crucial importance of Christian education in the formation of character, in the nurture of a personal relationship with Jesus Christ, in preparation for the responsibilities of this life and for life eternal, and in the corporate life of the church, we the constituent members of Mesa Grande Academy agree to work together in the establishment and operation of this school as part of the Seventh-day Adventist educational system.

## ARTICLE I: NAME AND LOCATION

This organization shall be known as Mesa Grande Academy (MGA). The main office of this organization is located at 975 S. Fremont, in Calimesa, California, 92320.

## ARTICLE II: PURPOSE

It is the purpose of the MGA constituency to maintain a school in harmony with the teachings of Jesus Christ as set forth in the Scriptures, with the principles of Christian education set forth in the writings of Ellen G. ~~White~~, and with the policies recommended by the General Conference, the Pacific Union Conference (PUC), and the Southeastern California Conference of Seventh-day Adventists (SECC).

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## ARTICLE III: CONSTITUENCY

### Section 1: Membership

#### **A. Regular Constituent Members.**

- i. The regular constituency of MGA, those churches that financially support only one school, shall consist of the Beaumont, Calimesa and Yucaipa, and Yucaipa Valley Spanish Seventh-day Adventist churches and the Forest Falls company.
- ii. Other Seventh-day Adventist churches may join the constituency with the approval of the existing regular constituency.

#### **B. Associate Constituent Members.**

- i. Any Seventh-day Adventist church or organized company wishing to participate in part, but not all, of the MGA program may apply to the MGA Board of Directors (hereinafter referred to as "the MGA Board" or "the Board") for approval by the regular constituency.
- ii. The terms of this associate constituent membership shall be negotiated within the guidelines set forth in Section 4 of this Article and Sections 1 and 2 of Article V, and approved at a regular business session of the

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- constituency.
- iii. The constituency may terminate such participation at any time.

## **Section 2: Constituency Meetings, Delegates, Quorum**

### **A. Meetings**

Regular meetings of the constituency shall be called by the chairperson of the MGA Board once every three years. Constituency meetings that are not regularly scheduled may be called at any time by:

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- i. The chairperson of the MGA Board
- ii. By a majority of the quorum of the MGA Board
- iii. A regular constituent church or company by a majority vote at a duly called church board or church business meeting

### **B. Delegates**

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- i. All members of the churches comprising the constituency shall be considered delegates to all constituency meetings and have voting privileges. Further, for determining a quorum: each constituent church shall select a minimum of one delegate per church plus an additional delegate for each 100 members or major fraction thereof.
- ii. The faculty and staff shall have one delegate for each 5 faculty and staff members or major fraction thereof.
- iii. Ex-officio delegates will include current members of the MGA Board (Which includes the SECC Superintendent of Education or designee, SECC President or designee, SECC Treasurer or designee and the PUC Superintendent of Education or designee) and the president and treasurer of the Pacific Union Conference.

Deleted: a. The academy administration will notify each church as to how many delegates they are to select 6 months in advance of the scheduled constituency meeting.¶  
b. The churches shall submit the list of delegates to the school administration at least three (3) months prior to the constituency meeting.¶  
c. A pre-meeting will be held at least two months prior to the constituency to discuss issues and develop an agenda for the constituency meeting.¶

#### iv Notification of Delegates

a. The academy administration will notify each church as to how many delegates they are to select 3 months in advance of the scheduled constituency meeting.

b. The churches shall submit the list of delegates to the school administration at least one (1) month prior to the constituency meeting.

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### **C. Notification of Agenda**

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- i. A pre-meeting of the MGA Board will be held at least two months prior to the constituency to discuss issues and develop an agenda for the constituency meeting.
- ii. Each regular constituent church and company shall be notified at least two weeks in advance of each constituency meeting. This notice shall state the principal agenda items for which the meeting is called.

### **D. Quorum**

A quorum to transact business is constituted when at least fifty percent (50%) of the delegates are present ~~and one hundred percent (100%) of the constituent~~

~~churches are represented.~~

### **Section 3: Duties of the Constituency:**

Duties of the delegates present at a constituency meeting shall be:

- A. To receive reports on the operation of the school
- B. To consider ~~and formulate~~ plans and policies for the school
- C. To act on requests to join or to withdraw from the constituency
- D. To act on proposed amendments to this Constitution ~~which have been submitted to the constituent churches and companies at least two weeks in advance of the meeting.~~

### **Section 4: Changes in the Constituency**

**A. Admission to the Constituency.** Any church or organized company desiring to become either a regular or an associate constituent member may do so by:

- i. Accepting this Constitution.
- ii. Making written application to the MGA ~~Board.~~
- iii. Filing appropriate financial arrangements and plans with the Southeastern California Conference, the MGA ~~Board,~~ and the regular constituency; these arrangements having been negotiated within the guidelines set forth in Sections 1 and 2 of Article V, and
- iv. ~~Such admission shall be approved,~~ by a simple majority at a ~~duly called~~ constituency meeting.

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**B. Withdrawal from the Constituency.** Any constituent church or company desiring to withdraw from the constituency shall:

- ~~i. Present its request in writing to the MGA Board.~~
- ~~ii. Financial terms of the withdrawal shall be in harmony with Section 2 of Article V of this Constitution.~~
- ~~iii. Such withdrawal shall be approved by a simple majority vote at a constituency meeting.~~

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**C. Removal from the Constituency.** Any regular constituent church, company or associate constituent church not in compliance with its obligations under this Constitution shall:

- ~~i. Be so notified by the MGA Board, and shall have thirty days within which to make appropriate arrangements for compliance.~~
- ~~ii. If by that time it has not done so, it may be removed from the constituency by a 2/3 majority vote of the constituency delegates present at a duly called constituency meeting.~~

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## ARTICLE IV: Board of Directors

### Section 1: Membership

#### **A. Lay Representation**

Lay representatives from each constituent church shall be chosen according to the following formula:

- i. One for each 100 members or major fraction thereof when the total membership of the entire constituency is less than 1,000.
- ii. One for each 125 members or major fraction thereof when the total membership of the entire constituency is 1,000 or more but less than 1,500.
- iii. One for each 150 members when the total membership of the entire constituency is 1,500 or more.
- iv. Each regular constituent church and company shall have at least one elected member.
- v. Associate constituent members shall have one representative for each twenty-five students or major fraction thereof, with a minimum of one representative.
- vi. It is recommended that a church entitled to three or more elected members not change more than one-third of its elected Board members at one time.
- vii. It is recommended that spouses of current MGA employees not serve as representatives to the Board.

B. The pastor or his/her duly appointed representative from each constituent church and company.

C. A financial representative from each constituent church and company

D. The Principal of Mesa Grande Academy

E. The Business Manager of Mesa Grande Academy

F. The Vice-Principal of Mesa Grande Academy

#### G. Ex-Officio Members of the MGA Board

~~i.~~ The President of the Mesa Grande Academy Home and School Association

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~~ii.~~ The President of the Alumni Association of Mesa Grande Academy

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iii. The past Chairperson of the MGA Board (for 1 year) as a Member-at-Large

iv. The past Vice Chairperson of the MGA Board (for 1 year) as a Member-at-Large

~~iv.~~ One to four of the following Ex-officio Conference and Union Personnel:

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~~a.~~ The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee

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~~b.~~ The President of the Southeastern California Conference of Seventh-day Adventists, or his/her designee

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~~c.~~ The Treasurer of the Southeastern California Conference of Seventh-day Adventists, or his/her designee

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~~d.~~ The Director of Education of the Pacific Union Conference of Seventh-day Adventists, or his/her designee

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## **Section 2: Officers: Officers of the MGA Board shall be:**

- A. A Chairperson, a voting member of the MGA Board.
- B. A Vice-Chairperson, a voting member of the MGA Board.
- C. A Secretary. The principal of MGA shall be the secretary of the Board, but a recording secretary may be appointed by the secretary of the Board.
- D. A Treasurer. The Business Manager of MGA shall be the treasurer of the Board.

## **Section 3: Election of ChairPerson and Vice Chairperson and Length of Term**

- A. The Board Chairperson and Vice-Chairperson shall serve concurrently for terms of two (2) years. By at least March of the last year of the term, the Board shall select a Board Chairperson Search Committee. The Committee shall be composed of a minimum of five (5) persons selected by secret nomination and the Academy Principal as a non-voting, ex-officio member. Each of the constituent churches shall be represented in the membership of this Committee.
- B. The Committee shall nominate a person or persons for Chairperson and a person or persons for Vice-Chairperson. It is recommended that the chairperson and the vice-chairperson not be from the same constituent church. Those names shall be presented to the Board at the latest by the May meeting.
- C. The Board Chairperson and the Vice-Chairperson shall be elected by a secret ballot vote of two thirds (2/3) of the MGA Board of Directors members present.
- D. The term shall run for two years beginning July 1, and ending June 30.
- E. The Chairperson and Vice-Chairperson shall no longer be recognized as representatives of any particular church (if they are currently Board members); the church that they represented shall select other members to serve on the Board. At the end of the term, if not reelected, the Chairperson and Vice-Chairperson become ex-officio members-at-large for the following year, if they are not otherwise members of the MGA Board of Directors.

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- F. Removal of the Chairperson or Vice-Chairperson from office requires the signature on a petition by at least one (1) school board member from three (3) of the constituent churches or companies. That petition shall be presented to the Board at its next meeting. By a secret ballot vote of two thirds (2/3) of the total Board membership, the person shall be removed from office. Absentee ballots will be provided if necessary.

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- G. No pastor of a constituent church or company; or a member of an associate constituent church; or a representative of the Southeastern California Conference shall be an officer of the MGA Board.

#### **Section 4: Duties of Officers: The duties of the officers shall be:**

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##### **A. Chairperson:**

- i. To call all meetings of the Board
- ii. To call and preside at constituency meetings
- iii. To be responsible for the implementation of actions voted by the Board
- iv. To appoint a parliamentarian, secretary, and sergeant-at-arms for each constituency meeting
- v. To appoint a parliamentarian and sergeant-at-arms to function at Board meetings as may be deemed necessary
- vi. To be an ex-officio member of all committees of the Board.

##### **B. Vice-Chairperson:**

- i. To act in place of the chairperson in his/her absence or upon his/her request
- ii. To chair the Finance Committee
- iii. To be an ex-officio member of all committees of the Board.

##### **C. Secretary and/or Recording Secretary:**

- i. To keep the minutes and other records of the Board
- ii. To conduct correspondence for the Board
- iii. To notify Board members of meetings of the Board
- iv. To be an ex-officio member of all committees of the Board.

##### **D. Treasurer:**

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- i. To appraise the Board of the financial status of MGA by presenting regular financial statements to the Board
- ii. To present and interpret the financial needs of MGA
- iii. ~~To be an ex-officio member of the finance committee and other committees as appointed~~
- iii. To be an ex-officio member of all committees of the Board

#### **Section 5: Duties and Powers of the Board**

##### **A. Duties of the Board.**

The duties of the MGA Board shall be:



- i. To elect new Board officers by May 31 of each year
- ii. To organize the new board at the last meeting of each fiscal year
- iii. To meet at least seven times each year
- iv. To implement plans and policies ~~set by the constituency~~
- v. To prepare an agenda, make recommendations, and organize each business session of the constituency
- vi. To set tuition rates for students
- vii. To assist the MGA administration in upholding academic, spiritual, and social standards as outlined in the current school bulletin

**B. Powers of the Board. The powers of the MGA Board shall be:**

- i. To operate MGA on a budgeted basis
- ii. To hire a ~~Principal~~, ~~Business Manager~~, and a ~~Faculty~~ in counsel with the Southeastern California Conference Department of Education
- iii. To employ and set salaries for all ancillary personnel
- iv. To determine the share of the operating budget to be prorated to each constituent church as defined in Article V, Section 1, of the Constitution
- v. To authorize a budget, and the expenditure of funds not provided for in the budget.
- vi. To determine needed capital improvements not provided for in the budget
- vii. To prorate to the constituent churches and companies funds required for each capital improvement

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**Section 6: Duties of Individual Board Members:**

**The duties of individual Board members shall be:**

- A. To support the school program and operating policies as voted by the Board
- B. To be present at all meetings of the Board and to participate actively in its deliberations
- C. To report actions taken by the Board, and matters considered by it, to their respective constituent churches and companies
- D. To keep executive Board session and committee deliberations confidential

**Section 7: Quorum**

A simple majority of regular members of the MGA Board, including two officers of the Board, shall constitute a quorum for conducting business.

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**Section 8: Vacancies**

When a vacancy occurs on the Board, it shall be the duty of the constituent church or company whose member has vacated to elect a new member as soon as possible. Vacancies among the officers of the Board shall be filled by the Board. If an elected member of the Board is absent three times in succession from regularly called Board meetings, the Board may consider this absence as the member's resignation and may request the member's church or company to fill the vacancy thus created.

**Section 9: Standing Committees**

At the first meeting of each fiscal year the Board of Directors shall elect the following standing committees and their respective chairpersons: (a) finance, (b) personnel, (c)

curriculum and (d) discipline/grievance committees. The Chairperson of the Board, the Vice Chairperson of the Board, the Principal, the Business Manager, the Vice-Principal and the The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee, shall be ex-officio, voting members of each standing committee and any special committees. The Principal and the Vice-Principal shall share one vote. The Chairperson of each standing committee and any special committees shall vote only when needed to break a tie vote. The Principal and his/her designee shall be secretary of all standing and any special committees. The standing committees shall include, but not be limited to:

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#### **A. Finance Committee.**

Members of the Finance Committee shall be:

- i. The Vice Chairperson of the Board, who shall be chairperson of the committee
- ii. The Chairperson of the Board
- iii. The Principal
- iv. The Business Manager
- v. The Vice Principal
- vi. The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee,
- vii. The pastor of each constituent church and company
- viii. The financial representative of each church and company
- ix. One board member from each regular constituent church and company elected by the Board members representing that church or company

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#### **B. Personnel Committee.**

The members of the personnel committee shall be:

- i. The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee, who shall be chairperson of the committee
- ii. The Chairperson of the Board  
The Vice-Chairperson of the Board
- iii. The Principal
- iv. The Business Manager
- v. The Vice-Principal
- vi. The pastor of each constituent church and company
- vu. One Board member from each regular constituent church and company elected by the Board members representing that church or company

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#### **C. Curriculum Committee.**

The members of the curriculum committee shall be:

- i. The Principal, who shall be chairperson of the committee
- ii. The Vice-Principal  
The Chairperson of the Board  
The Vice-Chairperson of the Board
- iii. The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee,
- iv. One Board member from each regular constituent church and company elected by the Board members representing that church or company

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- v. One faculty member from grades Kindergarten through six
- vi. One faculty member from grades seven and eight
- vii. One faculty member from grades nine through twelve

#### **D. Discipline/Grievance Committee.**

A Discipline/Grievance Committee of not less than ~~nine (9)~~ members, which shall include the officers of the Board of Directors. The Discipline/Grievance Committee shall be composed of the following members:

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- i. The Board Chairperson, who shall serve as the chairperson
- ii. The Vice-Chairperson of the board
- iii. A Board of Directors Pastoral Representative
- iv. The Principal
- v. The Business Manager
- vi. The Vice-Principal
- vii. The Superintendent of Schools of the Southeastern California Conference of Seventh-day Adventists, or his/her designee,
- viii. Three MGA board members chosen by the Board

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A quorum of the Discipline/Grievance Committee shall consist of:

- a. The chairperson and/or the Vice-Chairperson;
- b. The Pastoral Representative or their Pastoral Designee.
- c. The Principal and/or Vice-Principal; and
- d. Two (2) Board of Directors representatives.

### **Section 10: Duties of the Standing Committee**

#### **A. Finance Committee.**

The responsibilities and duties of the Finance Committee shall include but not be limited to the following financial concerns:

- i. To meet ~~at as~~ needed or as requested by the Board
- ii. To study and evaluate all financial statements and other financial needs and concerns and submit a report to the MGA Board

#### **B. Personnel Committee.**

The responsibilities and duties of the Personnel Committee shall include but not be limited to the following personnel issues:

- i. To meet as needed or as requested by the MGA Board
- ii. To make reports and recommendations to the MGA Board regarding the evaluation and hiring of personnel

#### **C. Curriculum Committee.**

The responsibilities and duties of the Curriculum Committee shall include but not be limited to the following curriculum issues:

- i. To meet twice each year or as requested by the MGA Board
- ii. To study and evaluate the academic policies of MGA and to share evaluations and make recommendations to the MGA Board

#### **D. Discipline/Grievance Committee.**

The responsibilities and duties of the Discipline/Grievance Committee shall be

limited to and follow the guidelines outlined below:

- i. To meet in place of the full board to hear discipline and/or grievance issues
- ii. The Discipline/Grievance Committee shall have full authority to make decisions on behalf of the School Board.
- iii. Decisions made by the Discipline/Grievance Committee may be subject to review by the full board.

### **Section 11: Special Committees**

Special committees required to perform functions not delegated to standing committees shall be created by the Board and the members shall be elected by the Board. The duration of these committees shall be decided upon at the committees' inception.

## **ARTICLE V: FINANCIAL STRUCTURE**

### **Section 1: Operating- Plan**

#### **A. Operating Income**

MGA shall operate on monies obtained from:

- i. Subsidies provided by the constituent churches and companies (regular and associate)
- ii. Subsidies provided by the Southeastern California Conference
- iii. Endowments, donations and other gifts from students, alumni, parents and friends of MGA
- iv. Tuition and fees from students enrolled at MGA.

#### **B. Fiscal Year**

The fiscal year shall be from July 1 through the following June 30.

#### **C. Church Subsidies.**

- i. The Board shall prorate to each regular and associate constituent church and company a subsidy required to cover school operating expenses, using a formula based on tithe only of the church and company for the preceding calendar year
- ii. Constituent church and company subsidies are receivable monthly in advance.
- iii. These prorated subsidies are subject to review and revision each semester

#### **D. Non-Adventist Student Enrollment:**

Children of parents, both of whom are not members of the Seventh-day Adventist Church, may register as students subject to the availability of space and the discretion of the principal and the admissions committee and shall pay tuition as determined by the Board.

### **Section 2: Capital Improvements**

#### **A. Major Building Projects**

Major building projects shall be recommended by the MGA Board and submitted for approval by the constituency in business session.

## **B. Funding Capital Improvements**

- i. Funds required for capital improvements authorized by the constituency shall be the responsibility of the regular and associate constituent churches and companies and shall be prorated prior to approval of each project.
- ii. The prorated share of each regular constituent church or company shall be based on the tithe only of the church or company for the preceding calendar year.
- iii. The prorated share of each associate constituent church shall be determined at a constituency meeting by the average number of students from that church over the past three years, divided by the average total enrollment for those years.

## **C. Bookkeeping**

Funds for all capital improvements shall be channeled through the school accounting system.

## **D. Changes in Constituent Status**

- i. Any church or company joining the constituency or changing from associate to regular status may be assessed an amount for capital improvements deemed reasonable by the Board and approved by the constituency, with consideration given to the replacement value of the existing plant and added facilities that may be deemed necessary. Any church or company withdrawing from the constituency shall forfeit all financial and equipment investments it has made in the school, but shall not be relieved of existing obligations without the consent of the continuing constituency. Changes of status shall take effect at the beginning of the following fiscal year, July 1.

# **ARTICLE VI: PROPERTY AND DISSOLUTION**

## **Section 1: Title.**

The Southeastern California Conference of Seventh-day Adventists shall hold title to all real property belonging to Mesa Grande Academy.

## **Section 2: Dissolution.**

In the event of dissolution of Mesa Grande Academy, all real property shall remain with the Southeastern California Conference of Seventh-day Adventists. After all claims have been satisfied, the disposition of any remaining assets, whether real or personal property, shall be as follows:

- A. The Board of Directors of Mesa Grande Academy acting jointly with the Board of Directors of the Southeastern California of Seventh-day Adventists shall prepare a plan for the disposition of said remaining assets and present such to the Southeastern California Conference Constituency for approval.
- B. The plan for dissolution of the remaining assets shall include consideration for the then present and future Seventh-day Adventist Christian educational needs in the Eastern Inland Empire part of the Southeastern California Conference of Seventh-day Adventists.

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### **Section 3: Procedure for Sale of Property**

In. the event the Board of Directors of Mesa Grande Academy votes to sell real property belonging to Mesa Grande Academy, such shall only constitute a request to the Southeastern California Conference of Seventh-day Adventists to sell such property. No real property shall be sold without the consent of said Southeastern California Conference.

### **ARTICLE VII: INDEMNIFICATION**

Mesa Grande Academy and the Southeastern California Conference of Seventh-day Adventists shall indemnify, exonerate, reimburse or defend any present or former director, officer, or employee of Mesa Grande Academy for expenses, claims, liabilities, indebtedness, penalties, damage or injury incurred by or caused by them in such capacity except for their own negligence, knowing unauthorized acts or defalcations not ratified, confirmed, adopted or the benefit thereof received by Mesa Grande Academy.

### **ARTICLE VIII: NON-DISCRIMINATION POLICY**

Mesa Grande Academy administers all educational and financial policies on a racially nondiscriminatory basis. Students who qualify are admitted without regard to race or ethnic origin, and are accorded equal rights and privileges pertaining to facilities and general activities. Furthermore, Mesa Grande Academy makes no discrimination on the basis of race, national origin, color, or gender in the hiring of teachers.

### **ARTICLE IX: PARLIAMENTARY AUTHORITY**

The applicable rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern all MGA Constituency and Board meetings in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the MGA Constituency and Board may adopt.

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### **ARTICLE X: AMENDMENTS**

This Constitution may be amended by a two-thirds (2/3) vote of delegates present at any duly called constituency meeting, subject to the proposed amendment(s) having been submitted to the constituent churches and companies at the time that the announcement of the meeting is made.

### **ARTICLE XI: HOME AND SCHOOL ASSOCIATION**

Home and School Association shall formulate its own constitution, which shall be subject to approval by the MGA Board. The nominations for the presidency of the Home and School Association shall be subject to approval of the MGA Board. Funds of the Home and School Association shall be receipted into the school accounting system and disbursed by the officers of the Association. These funds shall be subject to audit, as part of the regular school accounting system, by the General Conference auditor.

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## **ARTICLE XII: BOOSTERS CLUB**

The Boosters Club shall formulate its own constitution, which shall be subject to approval by the MGA Board. The nominations for the presidency of the Boosters Club shall be subject to approval of the MGA Board. Funds of the Boosters Club shall be receipted into the school accounting system and disbursed by the officers of the Club. These funds shall be subject to audit, as part of the regular school accounting system, by the General Conference auditor.