

Bylaws of NYOS Charter School, Inc.

Table of Contents

Article I	Names, Address and Place of Business	Page 3
	Section 1.01 Name	
	Section 1.02 Mailing Address	
	Section 1.03 Site	
Article II	Purposes	Page 3
	Section 2.01 Purposes	
Article III	Membership	Page 3
	Section 3.01 Membership	
Article IV	Governance	Page 3
	Section 4.01 Governing Body	
	Section 4.01(a) Teacher Members	
	Section 4.01(b) Parent Members	
	Section 4.01(c) Community Members	
	Section 4.02 Role of Council Members	
	Section 4.03 Purpose of Council	
	Section 4.04 Training	
	Section 4.05 Employment of Council Members	
	Section 4.06 Role of the Executive Director	
	Section 4.07 Role of the Secondary Principal	
	Section 4.08 Role of the Pre-K – 5 th Grade Principal	
Article V	Operation of the Council	Page 6
	Section 5.01 Scope	
	Section 5.02 Accountability to the Texas Education Agency	
	Section 5.03 Meetings	
	Section 5.04 Emergency Meetings	
	Section 5.05 Executive Sessions	
	Section 5.06 Public Attendance at Meetings	
	Section 5.07 Employees at Meetings	
	Section 5.08 Quorum	

- Section 5.09 Compensation
- Section 5.10 Vacancies, Unexpired Terms
- Section 5.11 Decisions of the Council

Article VI Duties of Officers and Committees Page 8

- Section 6.01 Officers
- Section 6.02 Duties of Officers
- Section 6.03 Committees
- Section 6.04 Attendance

Article VII Nominations and Election Page 9

- Section 7.01 Nominees
- Section 7.02 Slate of Nominees, Ballots
- Section 7.03 Election, Voting
- Section 7.04 Vote Counting
- Section 7.05 Election Results

- Section 7.06 Term of Office
- Section 7.07 Resignation, Removal

Article VIII Financial Affairs Page 11

- Section 8.01 Fiscal Year
- Section 8.02 Budget Input
- Section 8.03 Budget
- Section 8.04 Modifications to an Adopted Budget
- Section 8.05 Financial Audit

Article IX Conflict of Interest Page 12

- Section 9.01 No Undisclosed Interests
- Section 9.02 Disclosed Interests

Article X Books and Records Page 13

- Section 10.01 Maintenance of Books and Records
- Section 10.02 Examination of Books and Records

Article XI Amendments of Bylaws Page 13

- Section 11.01 Amendments

Article XII Dissolution Page 13

- Section 12.01 Dissolution

Bylaws of NYOS Charter School, Inc.

ARTICLE I NAME, ADDRESS AND PLACE OF BUSINESS

- 1.01 **Name.** This non-profit corporation shall be known as NYOS Charter School, Inc. (hereinafter sometimes referred to as the “School”).
- 1.02 **Mailing address.** The mailing address of the School shall be 12301 N. Lamar Blvd., Austin, Texas 78753
- 1.03 **Site.** The School sites shall be 12301 N. Lamar Blvd., Austin, Texas 78753 and 1605 Kramer Lane, Austin, Texas 78758.

ARTICLE II PURPOSES

- 2.01 **Purposes.** The purposes shall be to:
1. create an exceptional educational center for children in grades Pre-K-12
 2. operate the educational center solely in the *interest of children*
 3. create a premiere multi-cultural educational center for children
 4. develop and conduct a fine arts/science program at the School
 5. support projects and activities directly or indirectly related to the School
 6. conduct or oversee any fund raising activities aimed at providing funds for any of the above-listed endeavors

ARTICLE III MEMBERSHIP

- 3.01 **Members.** The School’s members shall consist of the entire faculty, all staff, and the parents or legal guardians of any student enrolled at the School.

ARTICLE IV GOVERNANCE

- 4.01 **Governing Body.** The School shall be governed by a Governing Council (hereinafter known as the “Council”). If applicable law permits service on the Council by employees of the School, the Council shall consist of four (4) Teachers, four (4) Parents, and a maximum of three (3) Community members. If applicable law forbids service on the Governing Council by employees of the School, the Council shall consist of four (4) Parents and three (3) Community members. Additionally, there will be one student representative to the council.

4.01(a) **Teacher members.** The teacher members of the council shall be elected from the teaching staff of the School. The teacher representation will be proportioned among the campuses according to the ratio of students enrolled at a particular campus to the entire student population of the School. The student population will be based on the enrollment on the first day of the school year in which the election is held. A NYOS teacher who is also a parent shall be permitted to vote for both the Teacher members and the Parent members of the respective campuses. A NYOS teacher may only serve as a Teacher member.

4.01(b) **Parent members.** The parents or legal guardians of the students in the School shall elect the Parent members of the Council. The parent representation will be proportioned among the campuses according to the ratio of students enrolled at a particular campus to the entire student population of the School. The student population will be based on the enrollment on the first day of the school year in which the election is held. Each parent or guardian shall have one vote, regardless of the number of children that they have enrolled at the School. Each family will have a maximum of two votes. Voting members must be listed at the time of enrollment, and may be changed if legal guardianship of the student changes.

4.01(c) **Community members.** The Community members shall be representatives of the business, academic, and/or broader community, and may not be a parent or legal guardian of any child attending the School nor a member of the faculty or staff. Community members shall be elected by the School membership.

4.01(d) **Student Representative.** The Student representative of the Council shall be nominated and elected by students in the School. There will be one student representative who must be a sophomore or a junior when elected to serve as a junior or a senior. Student candidates must have parental consent and be approved by school administration to serve. Students in the School in grades six through twelve may vote. The Student representative shall be a non-voting member to the Council, and shall not participate in any Executive Session discussions of the Council.

4.02 **Role of the Council Members.** Council members shall represent the students, parents, staff, and community/cultural segments of the community as a whole. Each member shall bring their own expertise, their own experience, and their collective wisdom to benefit the Council and School as a whole.

4.03 **Purpose of Council.** The Council shall define the School's direction in accordance with these by-laws. Activities of the Council shall include, but not limited to the following:

1. hiring, supervision, evaluation, and removal of the Executive Director
2. development of strategic goals and objectives
3. establishment of the School policy
4. review and approve the budget
5. negotiations with and accountability to the Texas Education Agency
6. attending to the needs of the School community

- 4.04 **Training.** The Council officers will ensure that each newly elected Council member is provided with an orientation to the history, principles, goals, programs, and operations of the School within sixty (60) days of their election. Additional training will be held in accordance with applicable law.
- 4.05 **Employment of Council Members.** A Parent member of the Council shall not become an employee of the School within 180 days following the end of their service on the Council.
- 4.06 **Role of the Executive Director.** The Executive Director serves as chief operating officer of the School and reports directly to the Council. The Executive Director:
1. advises the Council and executes Council policies and directives
 2. recruits and evaluates the Principals
 3. maintains custody of the NYOS Charter and assures that all academic, disciplinary and school structures adhere to the prescriptions of the Charter and its Bylaws
 4. coordinates legal compliance and accountability
 5. prepares and submits an overall budget for the School to the Council for approval
 6. oversees the administration of the School's education, business and facilities operations and directly oversees personnel who do not report to one of the Principals
 7. pursues and implements fundraising and grant opportunities, including grant proposals
- 4.07 **Role of the Secondary Principal.** The Secondary Principal is the primary instructional leader of grades 6-12, and reports to the Executive Director. The Secondary Principal:
1. enacts the charter under the supervision of the Executive Director and consistent with council directives in the educational program for the Secondary School
 2. provides leadership for the ongoing assessment and improvement of the School's curriculum, pedagogy, multicultural program, and students' responsibilities and expectations to the school including discipline, behavior, and service to meet the needs of students as defined by the goals of the School's charter
 3. collaboratively works with and under the supervision of the Executive Director to set short- and long-term academic and campus goals consistent with the School's charter,
 4. collaboratively works with the Elementary Principal and school stakeholders to set short- and long-term academic and campus goals consistent with the School's charter
 5. hires, supervises, and removes teachers, counselors, and support staff serving the Secondary School
 6. implements the budget designated for the Secondary School

7. resolves discipline and personnel issues with students, parents, and staff to create a safe, respectful, and positive learning climate in the Secondary School
 8. supports fundraising and grant writing by the Executive Director within the Secondary School structure
- 4.08 **Role of the Elementary Principal.** The Elementary Principal is the primary instructional leader of grades pre-K through 5, and reports to the Executive Director. The Elementary Principal:
1. enacts the charter under the supervision of the Executive Director and consistent with council directives in the educational program for the Elementary School
 2. provides leadership for the ongoing assessment and improvement of the School's curriculum, pedagogy, multicultural program, and students' responsibilities and expectations to the school including discipline, behavior, and service to meet the needs of students as defined by the goals of the School's charter
 3. collaboratively works with and under the supervision of the Executive Director to set short- and long-term academic and campus goals consistent with the School's charter
 4. collaboratively works with the Secondary Principal and school stakeholders to set short- and long-term academic and campus goals consistent with the School's charter;
 5. hires, supervises, and removes teachers, counselors, and support staff serving the Elementary School
 6. implements the budget designated for the Elementary School
 7. resolves discipline and personnel issues with students, parents, and staff to create a safe, respectful, and positive learning climate in the Elementary School
 8. supports fundraising and grant writing by the Executive Director within the Elementary School structure

ARTICLE V OPERATION OF THE COUNCIL

- 5.01 **Scope.** The scope of the Council is to provide oversight and vision for the School, including the hiring the School's Executive Director.
- 5.02 **Accountability to the Texas Education Agency.** The Council shall be accountable to the Texas Education Agency in accordance with the charter license. The Council shall adopt bylaws consistent with the charter policies and laws of the State of Texas, except where waivers have been granted. In the event a discrepancy exists and no waiver has been granted, these bylaws shall be reviewed and the policies of the Texas Education Agency shall prevail.
- 5.03 **Meetings.** The Council shall meet regularly, at least eight (8) times per year, at such place and time as determined by the Council. Additional meetings may be

scheduled as needed. A meeting notice shall be posted at all campuses at least three (3) days and in accordance with the law prior to any regularly scheduled meeting. All meetings shall be open meetings, except that executive sessions may be held as noted below.

- 5.04 **Emergency meetings.** If, in the opinion of at least three (3) members of the Council, a situation that requires an immediate meeting of the Council (i.e., a matter that can not wait for the next regularly scheduled meeting and that meets the exceptions contained in Chapter 551 of the Texas Government Code to the general rules for notice of meetings), the members may call for an emergency meeting of the Council as long as a notice is posted at all campuses at least 24 hours in advance and the members make a reasonable attempt to notify all Council members and other parties known to have interest in the agenda items. To convene an emergency meeting, a quorum must be present.
- 5.05 **Executive sessions.** All School business must be transacted in public meetings, except that the Council may meet in executive session, limiting attendance to its members and those persons invited to participate, to consider any of the matters permitted under the Open Meetings Act. Those matters to be discussed in executive session include:
1. personnel matters, including matters related to employment and compensation
 2. personnel matters will be heard without the presence of the teacher members unless specifically invited by the Chair as a participant of the issue
 3. legal claims against the School, whether in litigation or otherwise
 4. discussion of any individual student where public disclosure would adversely affect the person or persons involved
 5. legal consultations and advice
 6. negotiations concerning the purchase, sale, lease or other acquisition of real or personal property, or interests therein, or concerning any contracts
 7. other matters as permitted by law
- 5.06 **Public attendance at meetings.** All meetings of the Council, except executive sessions, shall be open to the public provided that no member of the public shall be allowed to interfere with the orderly conduct of the meeting. A decision of the Chair, not subject to discussion, is sufficient to require that such disorderly person be removed from the place of meeting.
- 5.07 **Employees at meetings.** The Executive Director, or in his or her absence, a designee, shall attend all regular session meetings of the Council. The Executive Director shall make reports as required by the Council and recommend to the Council such measures as are necessary to operate the School.

The Principals, or in their absence, their designees, shall attend all regular sessions of the Council. The Principals shall make reports as required by the Council and recommend to the Council such measures as are necessary to ensure the educational goals of the School are being met.

The Teacher members of the Council are expected to perform all required duties of an elected member of the Council, but shall refrain from voting on any personnel issue that directly affects their individual employment terms and conditions. Any Teacher member shall participate in discussion and voting on issues affecting the staff at large, including, but not limited to, general salary and benefits issues, general employment conditions, and personnel policies.

- 5.08 **Quorum.** A quorum shall consist of a simple majority of the members of the Council.
- 5.09 **Compensation.** Members of the Council, other than by virtue of School employment, shall not receive any compensation for their services as Council members. Members of the Council may receive direct reimbursement for actual expenditures on behalf of the Council if the Council approves such expenditures.
- 5.10 **Vacancies, unexpired terms.** Vacancies on the Council occurs when a Teacher member resigns or is removed because these positions are contingent on employment. The Parent member positions are contingent on the member having an enrolled child at NYOS Charter School. A vacancy on the Council may be filled by appointment of the Council for a period of up to ninety (90) days to allow time to hold an orderly election to fill the remainder of the term. If the remaining term of the vacant position is less than one hundred twenty (120) days, the Council may choose to wait until the regularly scheduled election is held rather than holding a special election. In this case only the appointee may be re-appointed to serve out the remaining period of the term after the expiration of the first ninety (90) days. The appointee shall be eligible to stand for election to the vacant seat.
- 5.11 **Decisions of the Council.** The Council may approve any action or decision by a majority vote of the members present at such meeting, provided that every decision shall fully comply with Article IX of these bylaws, applicable provisions of the Texas Education Code, or successor provisions, and applicable provisions of the Texas Non-Profit Corporation Act. All votes shall be recorded in the minutes of the meetings. Any member of the School may request a roll call on any vote.

ARTICLE VI DUTIES OF OFFICER AND COMMITTEES

- 6.01 **Officers.** The Council shall elect from among its members a Chair, Secretary and Parliamentarian. The Chair, Secretary and Parliamentarian will be elected at the first Council meeting following the seating of the new members after a regularly scheduled election.
- 6.02 **Duties of Officers.**
1. The Chair shall set the agenda and facilitate meetings of the Council, maintain order during Council meetings, and sign documents on behalf of

the Council. Executive Session minutes of the Council shall be maintained by the Chair.

2. The Secretary shall ensure that minutes are taken of all Council meetings, ensure that notices of meetings and elections are posted and distributed as required, and co-sign documents on behalf of the Council.
3. The Parliamentarian shall ensure that school business is conducted in accordance with these by-laws and the rules contained in the current edition of Robert's Rules of Order, Newly Revised.

6.03 **Committees.** The Council shall appoint the following committees.

1. *Nomination Committee.* The Nomination Committee shall be appointed no less than 60 days before a regularly scheduled election, and shall have the responsibility of identifying a slate of eligible persons for the available positions for Parent and Community members for the next Governing Council.
2. *Election Committee.* The Council shall appoint five (5) members of the School community who are not currently on the Council or seeking office, to serve as the Election Committee and Election Judges. The committee Chair shall be selected from among the committee members.
3. *Compensation Committee.* The Council shall appoint a committee to recommend salaries. This committee shall not consist of any paid employees of the school. The Executive Director will provide relevant financial information to the committee.
4. Other committees as necessary.

6.04 **Attendance.** If any member misses more than two (2) consecutive, regularly scheduled Council meetings without a valid excuse as determined by the remaining members, the Council may vote to terminate that member's Council membership for non-attendance.

ARTICLE VII NOMINATIONS AND ELECTIONS

7.01 **Nominees.** Parents, and community members eligible for an elected position may be nominated by any parent, staff, or community member, including themselves. Teacher members can only be nominated by teachers, including themselves. Students eligible for the Student Representative position may be nominated only by students in the school in grades six through twelve, including themselves. Persons nominated by others shall be required to state their willingness to stand for election, and to serve if elected. Nominations shall open forty-five (45) days and close fourteen (14) days before the election. A schedule of filing dates shall be posted in the School and sent to the households of students prior to the first date on the schedule.

7.02 **Slate of nominees, Ballots.** All eligible nominees shall be included in the slate of nominees for the election. Separate ballots shall be prepared for the students, staff, and the parents. Each ballot will show only those candidates who may be voted upon by the recipient of the ballot. A staff member who is also a parent

may elect to vote in both capacities, however they may only vote once on issues that appear on both ballots. Sample ballots shall be available at the School ten (10) days in advance of the election and shall be sent home with the students the week before elections.

- 7.03 **Election, Voting.** Elections shall be held from 7:30 a.m. to 6:00 p.m. on the fourth Tuesday of April each calendar year. Official ballots shall be available at the School during the Election Day.
- 7.04 **Vote Counting.** All ballots will be collected from sealed ballot boxes before 7:00 p.m. on the day of the election. The Election Committee will control the ballots and ensure only proper ballots are in the box. At the end of the election window, the Election Committee will validate the seals on the boxes and the ballots within. Within two days of the end of the election, the election committee will count and verify the voting. The results of the voting will be posted in the School as soon as possible and in no case longer than three (3) days following the close of the election, and entered into the minutes the following Council meeting.
- 7.05 **Election Results.** The candidates with the most votes shall be elected to the available seats. In the case of a tie, the winner of the election shall be determined by a run-off election, to be held within two weeks of the election that resulted in the tie, between the two candidates with the most votes. In the case where one or more seats are for partial terms, the seats shall be filled in order of full-term seats first, then partial term seats in order of longest remaining term.
- 7.06 **Term of office.** Each elected Parent, Teacher, and Community member of the Council shall serve for a period of two (2) years. The Student representative of the Council shall serve for a period of one (1) year. A Council member may not serve more than three (3) consecutive elected terms in the same capacity. Terms of office shall be staggered so that approximately half of the Council positions are up for election each year. If NYOS teachers are serving on the Council, then two (2) parent representatives, two (2) teacher representatives, and up to two (2) community member will be elected each year. If NYOS teachers are not serving on the Council, then two (2) parent representatives and up to two (2) community members will be elected each year. At the first regularly scheduled meeting in June after the election, terms of the incoming council members shall commence and terms of the outgoing members shall expire.
- 7.07 **Resignation or Removal.** Any member of the Council may resign at any time by delivering a written resignation to the Council. The acceptance of this resignation is not necessary to make it effective.

A council member may be removed from his or her position as Chair at any time for cause, including but not limited to conduct injurious to the best interests of the school, by an affirmative vote of two thirds (2/3) of all the Council members, provided that the notice of the meeting where such action is taken specifies that one of the items of the agenda for said meeting shall be the proposed removal of the Chair. At this same meeting a vote for a new Chair shall be held.

Council members may be removed from the Council (recalled) by a recall procedure leading to a special election. The petition for recall may be generated from the staff, parents, or community members. Petitions for removal of a Council member will not be accepted within 90 days of a regularly scheduled election in which the member stands for re-election.

A petition for recall shall have valid signatures representing at least twenty five percent (25%) of the qualified voters within the School. Petitions for recall must be submitted in their completed form to a Council member with a copy to the Executive Director, who will validate the petition. The Council must accept or reject the petition within two (2) weeks from the date of submission and must accept it if it meets the terms and requirements of this section. The Council must hold a special election within sixty (60) days of the petition submission date. The ballot of the election will be solely to determine if the subject of the recall shall be removed from the Council. A successful recall requires a simple majority of the voters in the election favoring the removal of the Council member.

ARTICLE VIII FINANCIAL AFFAIRS

- 8.01 **Fiscal Year.** The School shall adopt a fiscal year that shall coincide with that of the Texas Education Agency. Currently the fiscal year of the School begins on the first day of July and ends on the thirtieth day of June of each year.
- 8.02 **Budget Input.** The Executive Director shall notify all members of the School of the upcoming budget preparation. The two Principals will be responsible for compiling budget requests from their grade levels and assembling a proposal for their portion of the overall budget. A budget request form will be available in the school office for any teacher, parent, community member, or student to submit. All budget requests will be due to Principals six months prior to start of the next fiscal year, and the Principals' budget proposals are due to the Executive Director five months prior to the start of the next fiscal year. At least two (2) public meetings will be held where individuals can present their budget requests and expected results in the quality of schooling if the request were to be approved.
- 8.03 **Budget.** The final budget shall be prepared by the Executive Director in consultation with the Principals and submitted to the Council no later than four months prior to the start of the fiscal year covered by the budget. Council meetings will allow opportunity for any member of the school to voice support or concern for the budget. The Council shall work with the Executive Director to make any modifications necessary for the following:
1. to include suggestions agreed to by the Council
 2. to align the budget with the contract with the Texas Education Agency
 3. to take into consideration changes in student body size, facility rents
 4. other items as determined by the Council

The Council shall approve the budget no later than two (2) months prior to the school year covered by the budget or as established by the contract with the Texas Education Agency.

The Executive Director or his or her designee shall present a record of expenditures to date against the current budget to the Council at least once a month.

- 8.04 **Modifications to an adopted budget.** Any administrator with budget authority may move budgeted funds between object codes within a function by notifying the Executive Director in writing when the decision is made. The movement of budgeted funds less than twenty-five hundred dollars (\$2,500.00) between functions of an adopted budget, shall be approved by the Executive Director with notification to the Finance Committee within thirty (30) days. All other modifications to the budget shall be done only after consultation and agreement from the Council. If time is of the essence, the Executive Director may request the Council Chair to call an emergency meeting of the Council.
- 8.05 **Financial audit.** An audit of the financial records will be conducted annually by an independent accounting firm selected by the Governing Council.

ARTICLE IX CONFLICT OF INTEREST

- 9.01 **No undisclosed interests.** No member of the Council shall be interested, directly or indirectly, in any contract relating to the operations conducted by the School, nor any contract for furnishing services or supplies to the School, unless such contract is authorized by a majority of the Council members at a meeting in which the presence of such interested Council member is not necessary for the purposes of a quorum or for the purposes of such majority, and the fact and nature of such interest is fully disclosed or known to the Council members present at the meeting at which such contract shall be authorized.
- 9.02 **Disclosed interests.** Every vote of the Council shall comply with applicable provisions of the Texas Education Code or successor provision, including parts of Chapter 171 of the Texas Local Government Code as made applicable to Texas charter schools, and applicable provisions of the Texas Non-Profit Corporation Act. In the event that these by-laws conflict with such statutory provisions, the statutory provisions shall govern. No member of the Council shall vote on any questions in which they have a financial interest, other than the common public interest, or on any question concerning their conduct, but on all other questions each member who is present shall vote. In instances where the Council member has interests other than the common public interest, the member shall disclose this interest to the Council as detailed in section 9.01. Any member refusing to vote, except when prohibited by this paragraph, shall be deemed delinquent in their duties. Application to abstain from voting must be made before the votes are cast. Upon approval to abstain from voting by the Council Chair, the abstaining

Council member shall not be counted in determining either a quorum or a majority of the Council.

ARTICLE X BOOKS AND RECORDS

- 10.01 **Maintenance of books and records.** The School shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Council and any committees having any of the authority of the Council. These documents shall reside in the executive offices of the School. All books and records, (including signature authority), shall be turned over to the School within ten (10) days of the end of the term of office. The Executive Director or his or her designee shall keep and make available upon request a record listing the names and addresses of the Council members.
- 10.02 **Examination of books and records.** All books and records of the School may be inspected by any Council member, his agent or attorney, for any proper purpose at any reasonable time during customary hours of operation of the principle office of the School. The records may also be examined by others in accordance with applicable law.

ARTICLE XI AMENDMENTS OF BYLAWS

- 11.01 **Amendments.** Proposals for amendments to these bylaws may be brought by any member of the School community. Proposals approved by the Council will be circulated to all parents and staff at least two (2) weeks prior to an election on the proposal. Proposals not accepted by the Council may be forced to election by submission to the Council of a petition containing signatures equal in number to at least twenty-five (25) percent of qualified voters within the School. Qualified voters will include faculty, staff, and parent members. An election shall be conducted not later than thirty (30) school days after the presentation of the petition of the Council, unless a waiver is agreed to by the presenters of the petition. All elections conducted on amendments to these bylaws shall be conducted among all those eligible to vote for Council members and in the same manner as stated in Article VII. The proposed changes will be enacted upon a simple majority of those voting.

ARTICLE XII DISSOLUTION

- 12.1 **Dissolution.** The NYOS Charter School, Inc. may be dissolved at a meeting of the Council called for that purpose. On dissolution of the Corporation or closure of the open-enrollment charter school operated by the Corporation, the assets of the Corporation shall to the extent owed to the State of Texas be distributed to such entities and in the manner required by Chapter 12, Subchapter D, Texas Education Code, or successor provisions, and roles adopted thereunder. If upon dissolution of the Corporation or the winding up of its affairs, the Corporation has retained assets not owed the state, such assets shall be distributed exclusively to

literary or educational organizations which would then qualify under the provisions of Section 501(c) (3) of the Internal Revenue Code of its regulations as they now exist or as they may hereafter be amended; to a non-profit corporation, association or organization duly formed for the express purpose of education facilities, which corporation shall also qualify under the above-referenced provisions of the Internal Revenue Code; or to the State of Texas, City of Austin, or a similar governmental entity.

These bylaws were adopted November 25, 1997 and amended on October 26, 2001, May 25, 2005, August 16, 2007, and April 14, 2009.