

Alaska Native Cultural Charter School Bylaws



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## **Academic Policy Committee Bylaws**

Adopted by the Academic Policy Committee  
August 12, 2006, modified August 16, 2006, May 6, 2010, February 4, 2013, January 14, 2014, and  
March 20, 2015.

# Alaska Native Cultural Charter School Bylaws

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**ALASKA NATIVE CULTURAL CHARTER SCHOOL BYLAWS**  
**ARTICLE I**

**Name, Office, Fiscal Year, and Governance**

SECTION 1. Name. The name of the organization shall be "Alaska Native Cultural Charter School" and may be referred to as ANCCS.

SECTION 2. Office. The principal office shall be at Alaska Native Cultural Charter School located in Anchorage, Alaska.

SECTION 3. Fiscal Year. The fiscal year of Alaska Native Cultural Charter School shall coincide with the fiscal year of the Anchorage School District: July 1 through June 30.

SECTION 4. Governance. The school shall be governed by the Academic Policy Committee.

**ARTICLE II**

**Academic Policy Committee**

SECTION 1. General Powers. Alaska Native Cultural Charter School shall have an Academic Policy Committee ("APC"), which is the primary governing body designated to oversee and supervise all aspects of the School. No members of the APC shall act on his/her own in the name of the APC unless so authorized by these bylaws or by resolution of the APC. The APC shall have the maximum power permitted by law, shall establish policy for the school, shall fulfill the duties prescribed in A.S. 14.03.250, et seq., and as set forth in these Bylaws, and shall perform the following functions, including, but not limited to:

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- A. Ensure the fulfillment of the mission of Alaska Native Cultural Charter School as stated in the Alaska Native Cultural Charter School/Anchorage School District contract;
- B. Oversee and have ultimate accountability and responsibility for academics, curriculum, legal/risk management, personnel issues, finances, operations/maintenance and budgeting issues, and as otherwise permitted or required by the above-mentioned contract or by law;
- C. Promote professional conduct in accordance with Anchorage School District policies;
- D. Contract with a Type B certificated administrator;
- E. Delegate to the Principal those tasks deemed appropriate by the APC and render to the principal and/or acting principal opinions regarding the hiring, evaluation, and/or termination or non-retention of teachers, staff, and other personnel to the extent permitted by law;
- F. Review contracts;
- G. Review, upon request by any parent, teacher, or staff, requests for any purchase of materials initially denied by the principal or acting principal; and
- H. Review and rule on any other questions, issues, or policies that may from time to time arise, to the extent permitted by law.

SECTION 2. Members of the Academic Policy Committee. The APC shall consist of no less than eight (8) nor more than eleven (11) voting members, each of whom shall be

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an adult resident of the Anchorage School District, State of Alaska. Committee members shall represent the following positions: five (5) shall be parents/guardians/grandparents of students enrolled in the school, one (1) shall be an elder representing an elder council, two (2) ANCCS staff members, one (1) shall be a founding APC member representing the founder council, and two (2) community members whose expertise would benefit the school.

Staff who are under contract to the school and who also are parents of one or more children enrolled in the school shall be eligible only for the two staff APC positions, unless they are part time employees (such as aides, noon duties, etc.).

The principal or acting principal then under contract to the school shall be a perpetual “ex officio” member of the APC, and shall have no vote. An ASD representative/liaison shall also be an ex officio member with no vote.

If an APC members’ eligibility changes during their term (i.e.: staff member is no longer employed with ANCCS, parent’s child is un-enrolled,) the APC shall consider placing the member in a different eligible position, if a vacancy is available. If no such vacancy exists and the APC member is no longer qualified, their membership ends when their eligibility changed.

Elders are an honorary position and are not voted in or out. Members of the council are made up of interested elders whose attendance is encouraged, but not required. The council shall designate one person to be the voting member at a meeting.

The founding members are honorary positions and are not voted in or out. They are individuals who signed the original charter and they shall designate one person to be the voting member at a meeting. There is no term limitation to this seat.

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SECTION 3. Term. The term of all elected members of the APC shall be one (1) to three (3) years starting after February elections. The APC members shall consist of the following seats for the terms indicated below:

<u>Name</u>	<u>Position</u>	<u>Length of Term</u>
ANCCS Staff	Seat 1	1 Year
ANCCS Staff	Seat 2	1 Year
Elder		Perpetual
Parent	Seat 1	3 Years
Parent	Seat 2	3 Years
Parent	Seat 3	3 Years
Parent	Seat 4	3 Years
Parent	Seat 5	3 Years
Community Member	Seat 2	2 Years
Community Member	Seat 4	2 Years
Founding APC member		Perpetual
Principal/Acting Principal		Perpetual (Ex Officio)
ASD Employee/Liaison		Ex Officio

SECTION 4. Family Restrictions. Only 1 parent or immediate family member may serve on the APC at time.

SECTION 5. Term Limitations. There shall be no limitation on the number of consecutive or non-consecutive terms that any member of the APC may serve.

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SECTION 6. Vacancies. Any vacancy occurring on the APC shall be filled by an established quorum at an APC meeting. The replacement member of the APC shall be elected for the unexpired term of his/her predecessor in office.

SECTION 7. Compensation. Members of the APC shall not receive any salaries, compensation, or benefits for their services.

SECTION 8. Resignation. Any APC member may resign at any time by giving written notice to the President or Secretary of the APC. Such resignation shall take effect at the time specified therein and, unless otherwise stated, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 9. Attendance at Regular Meetings. APC members are expected to attend, at a minimum, all regular monthly APC meetings. Although absences at times cannot be avoided, the APC may remove any APC member who has one (1) unexcused absences within a twelve-month period during his/her term. Absences must be excused by the APC President for due cause. The board may also review excused absences and decide whether the absences are detrimental for the board to remain productive. The reasons may remain confidential.

SECTION 10. Removal. Failure to follow code of ethics, job description or absenteeism (excused or unexcused) may result in removal by an established quorum at an APC meeting.

SECTION 11. Conflict of Interest. Service on the APC is a trust created in the interest of the common good and for the benefit of the School. It is the intent of these Bylaws to maintain confidence and prevent the use of this membership for private gain or any other improper purpose. No member will vote when they have direct personal or financial



conflict of interest. It is the responsibility of all members to declare their conflict of interest and withdraw from the vote. If needed, the remaining members may decide if there is a conflict of interest.

### **ARTICLE III**

#### **Election of Members to the Academic Policy Committee**

SECTION 1. Elections Committee. By January of each year, the President of the APC shall appoint an Elections Committee of two (2) APC members and one (1) non-APC parent; a fourth person may be delegated by the Elections Committee. The Elections Committee shall oversee the election process for positions on the APC by holding elections that will coincide with an ANCCS function in February to allow for newly elected members to take office at the regular meeting in March. The Elections Committee shall do the following:

- A. Advertise the election for a period of 30 days by posting an announcement by appropriate disseminators of media;
- B. Solicit and accept applications from candidates for membership to the APC for 30 days by appropriate dissemination media;
- C. In its discretion, nominate individuals who have expressed an interest, but not submitted an application as candidates for positions on the APC;
- D. Make available within the school office copies of statements any candidate chooses to submit to the election committee ;
- E. May establish a forum for public introduction of

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candidates;

- F. Prepare a secret ballot listing the candidates, plus a space for write-in candidates;
- G. Distribute and collect the secret ballots and otherwise oversee the election so that it is conducted in a fair manner;
- H. Advise the candidates and the APC of the election results;
- I. Prepare a report within two days after the election stating the final results of the election. The report shall be kept in the office of the school and made available for review by interested parents, teachers, or staff members of the school.

SECTION 2. Eligibility to Vote. Only parents or legal guardians of students enrolled in the school and ANCCS staff are eligible to vote. Each family has one vote. By way of example, if a family has two children enrolled at the School, only one parent or legal guardian may vote; also if a parent is a staff member, their family may not vote more than once. The parents or legal guardians shall decide amongst themselves how to cast their family vote. The Elections Committee shall be responsible for monitoring voter eligibility and resolving any disputes involving the casting of ballots.

SECTION 3. Casting of Ballots. Voting may occur in two ways: (1) at any posted time during school hours and shall continue till 7 PM on the date of election at the school or (2) by absentee ballot completed according to procedures established by the Elections Committee.

- A. Write-in candidates may be added to the secret ballot by any voter.
- B. All eligible voters, as defined in ARTICLE III, SECTION 2 above, may vote for open positions on the APC. By way

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of example, if there are three parent positions open and seven parent nominees, and one teacher position open and three teacher nominees, an eligible voter may cast three votes for the parent positions, and one vote for the teacher position.

- D. If there is a tie for a seat(s) then a second election will be held for that seat(s).

### ARTICLE IV

#### **Officers of the Academic Policy Committee**

SECTION 1. Officers. The officers of the APC shall be president, vice president, secretary, and treasurer, each of who must simultaneously be a member of the APC. The APC may elect or appoint such other officers, including one or more assistant secretaries, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the APC.

SECTION 2. Election and Term of Office. The term of all officers of the APC shall be one (1) year. The officers of the APC shall be elected annually by an established quorum of the APC at the first regular meeting following the election of the APC.

SECTION 3. Removal. Any officer elected or appointed by the APC may be removed from office (but not from the APC) by an established quorum at a meeting whenever, in its judgment, the best interests of the School would be served.

SECTION 4. Vacancies. A vacancy in any office because of death, resignation, removal, disqualification, or otherwise may be filled by an established quorum at an APC meeting for the unexpired portion of the term.

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SECTION 5. President. The president must have been involved with ANCCS either through the school, attending APC meeting or other events for a year prior to being nominated as president. The president shall be decided by majority vote of the APC, and shall be the presiding officer at all meetings of the APC. The president shall have such authority and perform such duties as shall be directed by the APC from time to time. The president shall sign letters or documents necessary to carry out the will of the APC only with prior approval of the APC. The president may enlist the assistance of a parliamentarian to be present at APC meeting.

SECTION 6. Vice President. The vice president must have been involved with ANCCS either through the school, attending APC meeting or other events for a year prior to being nominated as vice president. The vice president shall be decided by majority vote the APC. In the absence of the president, or in the event of his/her death, inability or refusal to act, the vice president acts as president with permission from the APC. The vice president shall perform such other duties as from time to time may be assigned to him/her by the APC.

SECTION 7. Secretary. The secretary shall keep the minutes of the meetings of the APC in computer files and/or one or more books provided for that purpose, see that all notices and agendas are duly given and posted in accordance with the provisions of these Bylaws or as required by law, keep an updated list of the mailing address, e-mail addresses, and telephone numbers of each member of the APC, and in general perform such other duties as from time to time may be assigned to him/her by the APC.

SECTION 8. Treasurer. Each October, the treasurer shall present to the APC the annual budget for the forthcoming year which has been prepared by the school, and shall ensure that it justly supports the mission and goals of the school. The treasurer will

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present an update on the budget at each APC meeting, and in all ways shall be accountable to the APC and the ASD School Board. The treasurer will serve as the financial liaison for all fund raising entities, will serve as the coordinator of all school funds, and shall file and maintain such financial reports as are required by law.

### **ARTICLE V**

#### **Meetings of the Academic Policy Committee**

SECTION 1. Regular Meetings. The APC hereby formally adopts the Open Meetings Act, A.S. 44.62.310 et seq. (“the Act”). All meetings shall be conducted and all notices and agendas posted in accordance with the Act. If any portion of these Bylaws are more specific than the Act, than that portion of these Bylaws shall control over the Act, unless prohibited by law.

The APC shall also hold regular meetings, typically monthly, but at least ten (10) times a year. Stakeholders and the public are hereby invited to such meetings. Work sessions may also be held interim to regular meetings.

SECTION 2. Special Meetings. Special meetings of the APC may be called by the president, principal, or any three members of the APC.

SECTION 3. Place of Meetings. The APC will hold regular meetings at the school or a designated place with in Anchorage city limits.

SECTION 4. Notice of Meetings. Notice of regular meetings will be posted, along with the a tentative agenda, at least 2 days prior so as to provide ample public notice. Agendas, stating the place, day, and hour of any meeting shall be delivered either personally, by mail, by facsimile, or by e-mail, to each member of the APC not less than two (2) days before the date set for such meeting. In addition, at least twenty-four (24) hours prior to

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non-regular meetings, notice of the agenda for each meeting shall be posted at the school. New issues not posted on the agenda may nonetheless be raised, discussed, and voted upon at any meeting.

SECTION 5. Quorum. Greater than fifty percent (50%) of the voting members of the APC constitutes a quorum. Telephonic participation is permitted.

SECTION 6. Manner of Acting. The act of a majority of the members of the APC at a meeting at which a quorum is present either in person or telephonically shall be the act of the APC, unless the act of a greater number is required by law or by these Bylaws.

SECTION 7. Executive Sessions. All regular and special meetings of the APC shall be open to the public, except that, upon a vote of a quorum, an executive session may be held to discuss matters limited to:

1. Attorney-client matters;
2. Contract proposals or negotiations;
3. Sensitive personnel matters;
4. Student discipline matters; and
5. Financial matters that would have an adverse effect upon the school.

The motion requesting the executive session shall state the nature of the matter to be discussed. Only those persons invited by the APC or permitted by law may be present during the executive session. Unless invited or permitted by law, no ANCCS staff APC member shall be entitled to attend any executive session in which personnel issues specific to a particular employee are discussed, and no ANCCS staff APC member shall be entitled to vote on any such issue in public session. The APC shall not make final policy decisions, nor shall any resolution, rule, regulation, or formal action or any action approving a contract or any other final action, be approved at any session which is closed to the general public. Matters discussed during the executive sessions shall remain

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confidential among those attending, failure to do so shall result in removal of the APC and possible legal actions permitted by law. The secretary of the APC shall maintain topical minutes of all executive sessions.

SECTION 8. No Proxies. Members of the APC may not vote by proxy.

### **ARTICLE VI**

#### **Principal**

SECTION 1. Selection/Removal. The APC shall select the principal. Removal of the principal will require a quorum vote of the APC, excusing the two (2) staff members, when in its judgment the best interest of the school would be served thereby and should follow the terms described in the principals contract.

SECTION 2. Duties and Responsibilities. The principal shall have those day-to-day management and other duties as assigned and delegated by the APC, or as required by law. With the advice of the APC, the principal shall select, appoint, or otherwise supervise employees of the School. The Principal shall see that all policies, orders, and resolutions of the APC are carried into effect. The principal shall:

1. Maintain financial records of the school;
2. Manage the day-to-day operation of the school to ensure that the terms of the contract are met;
3. Meet regularly with parents and with teachers of the school to review, evaluate, and improve academic goals of the school;
4. Meet with the APC regularly and often to monitor progress in achieving the APC's and ASD's policies and goals;

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5. Submit appropriate information as required by the School District, Department of Education or Federal and State Agencies; and
6. Submit for approval or disapproval to the APC all significant policy and financial decisions that may have a substantial impact upon the school.
7. The principal shall form a hiring committee for open ANCCS positions, which shall include at least one (1) APC member.

### **ARTICLE VII**

#### **Committees**

SECTION 1. Membership of Committees. The APC, by an established quorum at an APC meeting, may designate and appoint one or more committees to perform specific tasks assigned by the APC. Members will be selected by the APC from a list of volunteers who are elders, parents/guardians of children attending the school, community members at large, the Principal, teachers, or teachers' assistants.

SECTION 2. Instruction and Responsibility. Each committee shall be clearly instructed as to the length of time each member is being asked to serve, the service the APC wishes each committee to render, the extent and limitations of responsibility, the resources the APC will provide, and the approximate dates on which the APC wishes to receive reports.

SECTION 3. APC Powers and Prerogatives. All recommendations of a committee must be submitted to the APC for official action. The APC shall have the power to



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dissolve any committee and shall reserve the right to exercise this power at any time during the life of any committee.

### **ARTICLE VIII**

#### **Contracts and Accounting**

SECTION 1. Contracts. The APC has the authority to enter into contracts, execute and deliver instruments, and otherwise legally bind the school. The APC may delegate this authority, either in specific instances or in general, to the principal or his/her designee, or to any officer of the APC.

SECTION 2. Accounting. The treasurer or his/her designee shall present to the APC at each monthly APC meeting a ledger itemizing all income, expenses and budget transfers since the prior APC monthly meeting. The APC may at any time cause a full or partial independent audit of School monies to occur.

### **ARTICLE IX**

#### **Code of Ethics**

SECTION 1. Code of Ethics. Integrity, trust and dignity to uphold the Bylaws and charter of our school is a vital responsibility to the success of our school, but most importantly the success of our students. Each board member has a personal obligation to demonstrate a level of commitment of the highest standards.

For these reasons, the APC adopts the following Code of Ethics:

Each board member will...

- Practice honest and ethical conduct;
- Provide fair, full, accurate, timely and understandable disclosure;
- Adhere to applicable laws, governmental rules and regulations;
- Exhibit professionalism when speaking to and of the APC and school that maintains public confidence to the integrity of our community;

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- Respect different perspectives , yet one common goal;
- Communicate before acting;
- Maintain confidentiality of executive sessions until permitted by law.

This Code is not meant to be a comprehensive guide and cannot address every situation we may be challenged with; it suggests an overall code of ethical conduct. ANCCS and the APC may have other policies that are not intended to conflict with this Code.

Violation of this Code may result in removal from the APC by an established quorum at a meeting and/or legal action to the fullest extent of the law.

### **ARTICLE X**

#### **Conflict Resolution**

Communication is paramount within the ANCCS community. Most complaints can be resolved by informal discussions between the complainant and the employee or the employee's principal/supervisor. The formal complaint process is reserved for complaints which are not resolved after the informal process has been attempted.

SECTION 1. Informal Complaint Resolution. Complaints should be first directed to the staff member involved in order to work through the problem to get it resolved. If talking with the staff member directly does not resolve the complaint, document (write) the complaint and attach any other related documentation. Send the written complaint to the principal. The principal will get back to you within three days to schedule a conference to assist you in resolving the difficulty. The principal will decide upon a course of action that is in the best interest of the school.

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SECTION 2. Formal Complaint Resolution. If communication with the principal does not satisfactorily resolve the issue, contact an APC member (names are found on the website and listed at school). Send the written complaint and any related paperwork. If the APC member feels further review is warranted, he/she may offer to accompany you to a meeting with the principal to resolve the issue. If a meeting between the APC member, complainant, and the principal does not result in a satisfactory resolution, a subcommittee (consisting of three APC members) will be appointed by the president to conduct a hearing and make a recommendation. The recommendation of the three member committee is presented to the full APC, who shall then rule to accept or reject the recommendation of the three-member committee. The full APC ruling shall be final and binding unless appealed to the District.

The process to appeal to the District is excerpted below from School Board Policy 333.97:

*d. District Appeal.* Any party directly involved in the complaint may appeal the Academic Policy Committee's decision to the Anchorage School District. Appeals must be in writing and signed by the person bringing the appeal. In addition, all appeals will include the following information:

- (1) a clear, concise statement of the complaint or dispute;
- (2) a statement of the steps by which the Charter School's complaint resolution process has been followed, or the reasons that process could not be followed; and
- (3) a proposed remedy or resolution.

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Ordinarily, if the complaint resolution process has not been followed or completed, the appeal will be referred back to the Charter School for completion of that process.

*e. District Review.* The Superintendent or designee shall review the written appeal and may conduct such other investigation as he or she deems appropriate. At his or her discretion, a hearing may be held by the Superintendent, designee, or hearing officer. A written decision shall be issued promptly, but in any event within 30 days unless extenuating circumstances require more time.

*f. School Board Review.* A party to the dispute or complaint may request that the School Board review the Superintendent's decision. The decision will be presented as a Board Memorandum for approval, modification, or rejection, and the Board will take such action as it deems appropriate.

*g. Standard of Review.* The Academic Policy Committee should remain free to make reasonable discretionary decisions concerning the operation of the Charter School without interference from the Board or District except as stated in this policy. The Academic Policy Committee's decision will not be reversed or modified unless clearly required for health or safety reasons, or to comply with law, collective bargaining agreements, the Charter School Contract, or School Board Policies with which the Charter School is required to comply.

*h. Charter School Complaints.* If a charter school believes the District's actions or inactions are inappropriate, it should attempt to resolve that situation informally. In addition, the Academic Policy Committee may file a complaint with the District pursuant to the procedures set out in 333.97(d) – (g), above, except that d(2) is not applicable.

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(These procedures will not apply to matters of discipline of specific students, personnel matters relating to specific employees, other than the principal of the charter school. Also excluded from this policy are allegations of criminal activity or of acts or conditions tending to create immediate risk of serious harm to the health and safety of others. In these cases, a report should be immediately made to the Superintendent or designee, or to the appropriate state or municipal enforcement agency. *See SBP 333.97.*)

### **ARTICLE XI**

#### **Indemnification**

SECTION 1. Indemnification. The school may, to the maximum extent permitted by law and in the absence of school or District insurance, defend, hold harmless and indemnify all current and former members of the APC, all persons who at the request of the APC have acted or not acted, and all persons currently or previously employed by the school, from and against any claims, civil or criminal, in which that person is made a party by reason, in whole or in part, of being or having been an APC member or officer, at the request of the APC have acted or not acted, or being or having been an employee of the school, when that person has acted within the course or scope of his or her duties to the school. Indemnification shall be provided by a majority vote of a quorum of the APC, on a case-by-case basis.

### **ARTICLE XII**

#### **Amendments to Bylaws**

SECTION 1. Amendments. These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by an established quorum of a regular meeting provided that the proposed change in the Bylaws has been submitted in writing to all of the members of

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the APC and posted publicly in the School's office at least two (2) days prior to the meeting at which the proposed change will come up for a vote. Proposed changes to the Bylaws may be submitted by any member of the APC, by parents with students currently enrolled in the School, or by the principal, teacher-in-charge, or teachers, each under contract with the school, for consideration by the APC.

Date Adopted: \_\_\_\_\_

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President