

**APPENDIX B**

**ALASKA NATIVE CULTURAL  
CHARTER SCHOOL**

**Bylaws**

Adopted by the Academic Policy Committee  
August 12, 2006, modified August 16, 2006, modified January 25, 2008, January 12, 2009,  
January 27, 2009

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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 shall hereinafter be referred to as "the School" or "Alaska Native School."

SECTION 2. Office. The principal office shall be at the facility of 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:

- 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 Teacher-In-Charge 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 Teacher-In-Charge; 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) members voting members, each of whom shall be an adult resident of the Anchorage School District, State of Alaska. The Committee shall be selected from persons representing the following positions; four (4) to shall be parents/guardians/grandparents of students in the school, one (1) shall be an elder, two (2) shall be teachers at the school, or one (1) other employee and six (6) shall be community members whose expertise are needed by the school.

Teachers and teachers' aides who are then 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 teacher/teacher's aide APC positions, not the five to eight parent APC positions. The Principal or Acting Principal then under contract to the School shall be a perpetual "ex officio" member of the APC, but shall have no vote.

SECTION 3. Term. The term of all elected members of the APC shall be three (3) years. One half of the initial Academic Policy Committee members shall be elected to terms of two years and the remainder to terms of three years.

Thereafter, each Academic Policy Committee member will be elected for a term of three years. If at any time this balance is not maintained, the APC shall be required to extend any term. A majority vote of the full APC shall be required to extend any term.

The APC members as of the date of adoption of these bylaws shall consist of the following members for the terms indicated below:

<u>Position</u>	<u>Seat Number</u>	<u>Length of Term</u>
Teacher	Seat 1	3 Years, February 2008-2011
Teacher/ Teacher Aide	Seat 2	3 Years, February 2007 - 2010
Parent	Seat 1	3 Years, February 2007 - 2010
Parent	Seat 2	3 Years, 2008-2011
Elder		3 Years, 2007 - 2010
Community Member	Seat 1	3 Years, 2009 - 2012
Community Member	Seat 2	3 Years, February 2009 - 2012
Community Member	Seat 3	3 Years, February 2008 - 2011
Community Member	Seat 4	3 Years, February 2009 - 2012
Community Member	Seat 5	3 Years, February 2009 - 2012
Community Member	Seat 6	3 Years, February 2007 - 2010
Principal	Perpetual (Ex Officio)	

Starting with the February, 2009, election the following plan to phase in the election of APC members will be followed:

**Election 2009 / 2012 / 2015 / 2018**

Community member seat 1

Community member seat 2

Community member seat 4

Community member seat 5

**Election 2010 / 2013 / 2016 / 2019**

Teacher seat 2

Parent seat 1

Community member seat 6

Elder seat

**Election 2011 / 2014 / 2017 / 2020**

Teacher seat 1

Parent seat 2

Community member seat 3

Rotation begins again each elected group.

SECTION 4. Term Limitations. There shall be no limitation on the number of consecutive or non-consecutive terms that any member of the APC may serve.

SECTION 5. Vacancies. Any vacancy occurring on the APC shall be filled by majority vote, (poll or absentee), of 100% of the remaining members of the APC. The replacement member of the APC shall be elected for the unexpired term of his/her predecessor in office.

SECTION 6. Compensation. Members of the APC shall not receive any salaries for their services.

SECTION 7. Resignation. Any APC member may resign at any time by giving written notice to the Chair 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 8. Attendance. 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 fails to attend three (3) such meetings within a twelve-month period during his/her term. Absences may be excused by committee for due cause, (illness, death in the family, etc.). Removal shall require a majority vote of the full APC, including the APC member who is subject to removal.

SECTION 9. 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. In January of each year, the Chair of the APC shall appoint an Elections Committee of three (3) persons. One person shall be a parent member of the APC, one person shall be a teacher member of the APC, and one person shall be a parent of a student enrolled in the School but who is not a member of the APC. The Elections Committee shall oversee the election process for positions on the APC, holding elections the third Tuesday in February. The new members will take office in March. The Elections Committee shall do the following:

- A. Advertise the election for a period of 30 days by posting an announcement in the school district office and with any other appropriate disseminators of media;
- B. Solicit and accept applications from candidates for membership to the APC for 30 days by posting announcements in the school, district office, and any other public dissemination media;
- C. In its discretion, nominate individuals who have 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 nominating committee or to the parents, students, or personnel;
- E. May establish a forum for public introduction of each candidate;
- 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 of the election stating the results of the election. The report shall be

kept in the principal's office of the School and be 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 ASD school staff assigned to the building on the day of the election 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. 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 time during school hours and shall continue to 8 PM. on the date of election at the school office 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. Other secure voting methods may be approved by the APC.
- C. All eligible voters, as defined in ARTICLE III, SECTION 2 above, may vote for both parent and teacher positions on the APC. By way 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.

#### 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 a majority of a 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 a majority vote of the full APC 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 a majority vote of the full APC for the unexpired portion of the term.

SECTION 5. 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.

SECTION 6. Vice President. The Vice President shall be decided by majority vote of the APC. In the absence of the President, or in the event of his/her death, inability or refusal to act, the Vice President or other APC member designated by the President shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all the restrictions upon the President. Any 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 present an update on the budget at each APC meeting, and in all ways shall be accountable to the APC and the School Board. The Treasurer shall cause to be completed the audits specified in ARTICLE VIII, SECTION 3 of these Bylaws. 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 eight (8) times a year. Parents, teachers, and staff members of the School are hereby invited to such 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.

SECTION 4. Notice of Meetings. Notice of regular meetings will be posted, along with the a tentative agenda, two weeks prior so as to provide ample public notice, or special meetings 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) day before the date set for such meeting. In addition, at least twenty-four (24) hours prior to each meeting, 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 majority of the members present, an executive session may be held to discuss matters including but not limited to:

1. Attorney-client matters;
2. Contract proposals or negotiations;
3. Sensitive personnel matters; and
4. Student discipline matters.

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 teacher/teacher's aide APC member shall be entitled to attend any executive session in which personnel issues specific to a particular employee are discussed, and no teacher/teacher's aide 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 confidential among those attending. 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 Principal shall be selected by the Alaska Native Cultural Charter School Academic Policy Committee. Removal of the Principal will require a majority vote of the full APC when in its judgment the best interest of the School would be served thereby.

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. Upon delegation by the APC, 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 operations of the School;
4. Meet with the APC regularly and often to monitor progress in achieving the APC's policies and goals;
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.

## ARTICLE VII

### **Committees**

SECTION 1. Membership of Committees. The APC, by resolution adopted by a majority of a quorum of the APC, 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. Recommendations of special advisory committees shall be based on research and fact and shall be advisory to the APC.

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

## **ARTICLE IX**

### **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 X**

### **Amendments to Bylaws**

SECTION 1. Amendments. These Bylaws may be altered, amended, or repealed and new bylaws may be adopted by a two-thirds vote of the APC who are present at any regular meeting or any special meeting (where a quorum is present), provided that the proposed change in the Bylaws has been submitted in writing to all of the members of 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 then under contract with the School, for consideration by the APC.

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

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President