

BYLAWS
AQUARIAN CHARTER SCHOOL
Revision Approved on August 21, 2017

ARTICLE I

Name

The name of the organization shall be AQUARIAN CHARTER SCHOOL.

ARTICLE II

Purpose

The purpose of the organization shall be to educate K-6 children under a charter agreement between the Aquarian Charter School and Anchorage School District in accordance with the mission set forth in said charter agreement.

ARTICLE III

Governance

Aquarian Charter School shall be governed by the Academic Policy Committee (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:

- Section 1.** Ensure the fulfillment of the mission of Aquarian as stated in the Aquarian Charter School/Anchorage School District contract;
- Section 2.** 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;
- Section 3.** Promote professional conduct in accordance with Anchorage School District policies;
- Section 4.** Contract with a Type B certificated administrator;
- Section 5.** 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;
- Section 6.** Review contracts;

Section 7. 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

Section 8. Review and rule on any other questions, issues, or policies that may from time to time arise, to the extent permitted by law.

Section 9. 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.

ARTICLE IV

Academic Policy Committee

Section 1. Membership. Membership on the Academic Policy Committee is by election, except as provided herein. The number of members constituting the entire APC shall be between eight (8) to eleven (11) voting members. Five (5) to eight (8) of the members shall be parents of the students currently enrolled in the school; two (2) of the members shall be a teacher then under contract to the school, the teacher positions may be filled by a primary, intermediate or specialist teacher but the positions may not be filled by more than one of each position type, one (1) of the members shall be a teacher's aide then under contract to the school. Of the five (5) to eight (8) parent positions, one (1) position may be filled by a person from the Anchorage community with no students enrolled at the school, the purpose being to obtain local expertise on the APC from wherever possible, and who shall hereinafter in these Bylaws be referred to as a "parent member" merely for convenience. 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 three teacher/teacher's aide APC positions, not the five to eight parent APC positions. The Principal or Teacher-In-Charge then under contract to the School and a representative of the ASD Administration shall be non-voting *ex officio* members of the APC.

Section 2. Term. The term of all elected members of the APC shall be two (2) years. It is the goal of these Bylaws that at any regular election one (1) of the APC teacher positions and four (4) of the APC parent positions shall be open for re-election, and that the remaining one (1) teacher and four (4) parent positions shall come up for re-election at the following year's regular election. If at any time this balance is not maintained, the APC may extend (but not shorten) the term of any APC member(s) until this balance is achieved. A majority vote of the full APC shall be required to extend any term.

Section 3. 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 4. Vacancies. Any vacancy occurring on the APC may be filled by majority vote of the remaining members of the APC. The replacement member of the APC shall be appointed for the unexpired term of his/her predecessor in office.

Section 5. Compensation. Participation on the APC is voluntary. Members of the APC shall not receive any monetary or non-monetary compensation for their participation on the APC.

Section 6. Resignation. An 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 7. Removal. APC members are expected to attend, at a minimum, all regular meetings of the APC. The APC may remove any APC member who fails to attend three (3) such meetings during his/her term. Removal shall require a majority vote of the full APC, including the APC member who is subject to removal.

Section 8. 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. To avoid conflict of interest, excepting the teacher/teacher's aide APC positions, no voting member of the APC shall be a paid staff member of the School, inclusive of the Principal and any other person who receives any monetary compensation from the School.

Section 9. From time to time, by two-thirds vote, the Board may appoint an additional member to the APC board when deemed necessary to benefit the mission of the school's charter.

ARTICLE V

Officers of the Academic Policy Committee

Section 1. The officers shall be the Chair, Vice Chair, Secretary, and Treasurer.

Section 2. Election of Officers. The officers shall be elected from among the members of the Academic Policy Committee by a majority of members present at the first regular meeting following an election of the Academic Policy Committee, or as soon thereafter as conveniently may be held.

Section 3. Term. The term of all officers shall be one (1) year.

Section 4. Removal. Any officer elected or appointed by the Academic Policy Committee 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 thereby.

Section 5. Vacancies. A vacancy in any office may be filled by a majority vote of the full APC for the unexpired portion of the term.

Section 6. Chair's Functions. The Chair shall be a parent member of the APC, and shall:

- a. Preside at all meetings of the APC;
- b. Appoint, with the consent of the APC, all committee chairs and require them to give reports of their actions to the Board;
- c. Set the time and place of all special meetings of the APC; and
- d. Have authority and perform duties as directed by the APC from time to time.

Section 7. Vice Chair's Functions. The Vice Chair shall be a parent member of the APC and shall:

- a. Serve in the place of the Chair if the Chair is unable to serve or chair Board meetings; and
- b. Perform such other duties as from time to time may be assigned by the APC.

Section 8. Secretary's Functions. The Secretary shall:

- a. Keep the minutes of the meetings of the APC in computer files and/or one or more books provided for that purpose;
- b. See that all notices and agendas are duly given and posted in accordance with the provisions of these Bylaws or as required by law;
- c. Keep an updated list of the mailing address, e-mail address, and telephone numbers of each member of the APC; and
- d. In general perform such other duties as from time to time may be assigned to him/her by the APC.

Section 9. Treasurer's Functions. The Treasurer shall:

- a. 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;
- b. At each regular meeting present or delegate an update on the budget; and
- c. In all ways shall be accountable to the APC and the School Board.
- d. The Treasurer shall cause to be completed the audits specified in Article X, Section 4 of these Bylaws.

ARTICLE VI

Nominations and Elections

Section 1. Nominating Committee. In January of each year, the Chair of the APC shall appoint a nominating 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 nominating committee shall oversee the nominations for open positions on the APC. The nominating committee shall do the following:

- a. Solicit and accept applications (see Article IV, Section 8), on a form prescribed by the nominating committee, from candidates for membership to the APC;
- b. In its discretion, nominate individuals who have not submitted an application as candidates for positions on the APC;
- c. Make available within the School office copies of applications candidates submit to the nominating committee.
- d. Publish in the school newsletter a list of nominees.
- e. Present to the APC, at its next Board meeting, a slate of all qualified nominations for open positions.

Section 2. Election. Upon receipt of a slate of nominees, the APC shall call an election. The Chair shall task the nominating committee to:

- a. Prepare a secret ballot listing the nominees, plus a space for write-in candidates;
- b. Distribute, collect and count the secret ballots, and otherwise oversee the election so that it is conducted in a fair manner;
- c. Advise the candidates and the APC of the election results;
- d. Prepare a report stating the results of the election, which report shall be kept at the principal office of the School and be made available for review by the public.

Section 3. Eligibility to Vote. Only parents or legal guardians of students enrolled in the School on the day of the election, the Principal, teachers, teachers' aides, School staff employed by the Anchorage School District, each with a current contract for the School which is effective on the date of the election, not to exceed one vote per household per open position, are eligible to vote in elections. The Nominating Committee shall be responsible for monitoring voter eligibility and resolving any disputes involving the casting of ballots.

Section 4. Number of votes per eligible voter. All eligible voters, as defined in Article VI, Section 3 above, may cast one vote for each open position on the ballot.

Section 5. Write-in candidates. Write-in candidates may be added to the secret ballot by any voter. In the event that a write-in candidate is deemed eligible per Article IV, Section 1, votes for that candidate shall be counted in the same manner as nominated candidates. Should the write-in candidate receive a sufficient number of votes to win a seat, the nominating committee shall contact the candidate to inquire as to their willingness to serve on the APC. In the event the write-in candidate declines, the seat shall be offered to the candidate receiving the next highest number of votes.

Section 6. Casting of Ballots. Secret ballots must be cast on the form prescribed by the nominating committee by the designated date and time. Proxy, facsimile, e-mail, or other method of voting not expressly authorized above are not permitted or valid.

Section 7. Exceptions. In the event that the nominating committee presents a slate of nominees where the number of qualified nominees is less than or equal to the number of open

positions, the APC may dispense with an election and, with a 2/3 vote of members present, seat the slate of nominees.

ARTICLE VII

Meetings of the Academic Policy Committee

Section 1. Open Meetings Act. The APC hereby formally adopts the Open Meetings Act, A.S. 44.62.310 et seq. (“the Act”). All meetings are open to the public and 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.

Section 2. Meetings. The APC shall also hold regular meetings typically monthly but at least four (4) times a year. Parents, teachers, and staff members of the School are hereby invited to such meetings.

Section 3. Special Meetings. Special meetings of the APC may be called by the Chair, Principal, or any three members of the APC.

Section 4. Notice of Meetings. Notice of regular or special meetings stating the place, day, hour and agenda shall be delivered to each member of the APC and posted at the school not less than one (1) day before the date set for such meeting. New issues not posted on the agenda may nonetheless be raised, discussed, and voted upon at any meeting.

Section 5. Communication. Any materials pertinent to any regular or special meeting may be transmitted by mail, fax or electronic mail.

Section 6. Quorum. Greater than fifty percent (50%) of the voting members of the APC constitutes a quorum. Telephonic participation is permitted.

Section 7. Executive Sessions. In accordance with the Open Meetings Act, an executive session may be held to discuss matters including but not limited to:

- a. Attorney-client matters;
- b. Contract proposals or negotiations;
- c. Sensitive personnel matters; and
- d. 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 VIII

Committees

Section 1. Membership of Committees. 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 parents 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.

Section 4. Meetings. Special committees to the APC shall comply with the Open Meeting Act and notice requirements set forth in Article VII, Section 4 of these Bylaws.

Section 5. Tri-Board Executive Committee. This committee serves to foster the coordination and collaboration among the tri-bodies that support the School – the teachers, APC (Academic Policy Committee), and the PTO (Parent Teacher Organization.) The committee membership will consist of the Principal and the Chair/President or alternate of the teachers, APC, and PTO. The committee will meet typically monthly but at least four (4) times a year.

ARTICLE IX

Principal

Section 1. Selection/Removal. The Principal shall be selected by the Academic Policy Committee. Removal of the Principal will require a majority vote of the full APC when, in its judgment, the best interests of the School would be served.

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. The Principal shall select employees of the School with advice from the APC. The Principal shall 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:

- a. Maintain financial records of the School;
- b. Manage the day-to-day operation of the School to ensure that the terms of the contract are met;
- c. Meet regularly with parents and with teachers of the School to review, evaluate, and improve operations of the School;
- d. Meet with the APC regularly and often to monitor progress in achieving the APC 's policies and goals;
- e. Submit appropriate information as required by the School District, Department of Education, or Federal and State Agencies; and
- f. Submit for approval or disapproval to the APC all significant policy and financial decisions that may have a substantial impact upon the School.

ARTICLE X

Administration of Finances

Section 1. Fiscal Year. The fiscal year of Aquarian shall coincide with the fiscal year of the Anchorage School District (July 1 through June 30).

Section 2. 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 3. Budget and Purchasing Authority. The APC, with support from the Principal, is responsible for development and approval of the School budget in accordance with Anchorage School District timelines and standards. Significant budget changes that may occur during the school year require APC approval. Withdrawals or transfers from any and all District-monitored school funds for purchase of any single non-consumable item or capital improvement over \$2500 shall be approved by both the APC and the Principal. In instances requiring emergent action, the Treasurer may act on behalf of the APC; the Treasurer or Principal shall report such expenditures, and the reason for emergent action, to the APC at the next regular meeting following said action. Any expenditure for single non-consumable items less than \$2500 and purchases of consumable items necessary for school operations from funds available for such purchases require only the approval of the Principal.

Section 4. Accounting. The Principal or his/her designee shall present to the APC at each regular monthly APC meeting an accounting of expenditures and performance relative to the approved budget. The APC may at any time cause a full or partial independent audit of School monies to occur.

ARTICLE XI

Parliamentary Authority

Conduct of meetings. The rules contained in Robert's Rules of Order shall govern the conduct of meetings of the organization in all cases to which they are applicable and in which they are not inconsistent with these bylaws. The Chair may apply Robert's Rules informally in order to facilitate discussion amongst the members.

ARTICLE XII

Ethics

Aquarian Charter School is committed to delivering a quality education for all of its students without regard to race, ethnicity, gender, gender identification, or disability. The APC, administration, teachers and staff shall conduct themselves in such way as to promote that ethical standard. No member of the APC, administration, teachers, or staff shall take advantage of their position for their personal gain above and beyond that which is made available to all other members of the Aquarian Charter School community and/or reasonable and customary contractual allowances.

ARTICLE XIII

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 XIV

Amendments to Bylaws

These Bylaws may be amended or revised by a two-thirds vote of the APC present at any regularly scheduled or special meeting provided that the amendments or revisions proposed were submitted in writing to the APC and posted publicly in the School's office at least four weeks in advance of voting on said amendments.

Revised May 3, 2015

Amended: May 18, 2015 by amending Article IV, Section 1 and adding Section 5 under Article VIII

Amended: August 21, 2017 by amending Article X, Section 3