

SAN JUAN UNIFIED SCHOOL DISTRICT  
**AMERICAN INDIAN EDUCATION PROGRAM**  
PARENT ADVISORY COMMITTEE BY-LAWS

ARTICLE I

PURPOSE

American Indian Education Parent Advisory Committee Responsibilities

The American Indian Education Parent Advisory Committee (hereinafter referred to as PAC) will be responsible for providing advice to the San Juan Unified School District (hereinafter referred to as the Local Education Agency or LEA) in determining the direction of the American Indian Education Program (hereinafter referred to as the AIEP), to meet the needs of the American Indian students in the District.

The PAC shall be actively involved in the following:

- Section 1: The Needs Assessment and baseline data gathering.
- Section 2: The initial process of setting the goals and objectives and ensuing revisions.
- Section 3: The actual determination of establishing program direction and content of the funding document which will include implementation of new programmatic approaches and the activities needed to attain programmatic success, as well as their prioritization.
- Section 4: Reviewing the present structure of the AIEP and through the designated district staff member, implementing any changes that may be needed.
- Section 5: Annual Evaluation of the overall AIEP staff and programmatic progress.
- Section 6: The hiring of AIEP personnel, working in concert with the LEA at all times observing and adhering to existing district policies and procedures. The PAC will review the qualifications of and make recommendations concerning applicants for project staff positions.
- Section 7: Seeking information on a regularly scheduled basis, i.e., Coordinator's Report at PAC meetings.
- Section 8: Ensuring the American Indian community does obtain information dealing with the progress of the AIEP in the LEA.
- Section 9: Ensuring all PAC meetings shall be open to the public with the exception of meetings pertaining to personnel issues.

## ARTICLE II

### DUTIES

The PAC shall advise and counsel the LEA, through the AIEP designated staff member, on programs and matters pertaining to the AIEP and more directly the Indian students. The PAC shall serve as a focal point to coordinate, review, recommend and initiate American Indian Education program, in concert with the LEA, funded by all Federal, State and Private agencies. Through the AIEP designated staff member, the PAC shall establish communications and working relationships with all public and private agencies and/or programs which will have an impact on the social and academic needs of American Indian students.

The PAC, in concert with the LEA, will supervise expenditures of funds received from Federal, State, Local and Private Agencies for the benefit of American Indian children in LEA.

## ARTICLE III

### MEMBERSHIP

#### Section 1: Membership of Community At Large

- a. Those eligible to vote at the Public Hearing on Title VII proposal recommendations will be any resident within the District present at the Public Hearing.
- b. Those eligible to vote at PAC elections and on By-Laws revision will be: parents/guardians of certified American Indian children enrolled in the LEA, and certified American Indian students/children, high school age and older enrolled in the LEA.

#### Section 2: Membership of the PAC will not exceed eleven members.

- a. Those eligible to serve on the committee will be: parents of certified American Indian children enrolled in the AIEP; teachers and counselors of the LEA, certified American Indian secondary or above students in the AIEP, and an American Indian/Alaska Native elder nominated by a parent, teacher, counselor, or student associated with the AIEP.
- b. Ex-officio members of the PAC may be elected from the community at large. (Ex-officio members do not have voting powers but may participate in discussions.)
- c. The PAC must be comprised of at least 51% of Parents/Guardians of American Indian students with the remainder being American Indian senior high school students (9<sup>th</sup> to 12<sup>th</sup> grade) and teachers and counselors of American Indian students.

Section 3: A designated delegate may represent a PAC member and can constitute a quorum if the regular member has notified the chairperson prior to meeting that they cannot be present and gives the name of the delegate.

Section 4: The "designated delegate" must meet the membership requirements, as spelled out in Article III Membership, Section 1.

- Section 5: Upon notification of resignation submitted to the PAC, the Chairperson may appoint a replacement at a regular PAC meeting.
- Section 6: A PAC member has two consecutive unexcused absences (unexcused is defined as not notifying the Program Office prior to the meeting) from scheduled meetings, can be replaced by the PAC majority vote at the third consecutive meeting.
- Section 7: The members of the Executive Committee of the PAC (Chairperson, Vice-Chairperson and Secretary/Treasurer) may not be members of the same family or living in the same household.

## **ARTICLE IV**

### **RECORDS**

Throughout the school-funding year, the PAC or its designee shall maintain at a minimum, the following records as they relate to the PAC:

- Section 1: The PAC shall maintain an up-to-date/current membership roster with names, phone numbers and email addresses of the committee members who have resigned and their appointed replacements.
- Section 2: The aforementioned membership roster shall be maintained in the AIEP office and shall be made available at the request of interested community.
- Section 3: The PAC shall retain information relating to PAC Meetings and activities including:
- a. Time, date and place of all PAC Meetings.
  - b. Minutes, of all PAC Meetings, including all official decisions relating to the AIEP, i.e., recommendations, planning and evaluation.
  - c. An official record of those in attendance, including PAC members and other interested community members via a sign-in sheet.
  - d. Budget report on a monthly basis working in conjunction with the AIEP.
- Section 4: With the exception of Personnel files and AIEP students' files, all books and records of the AIEP shall be made available for public review, upon request made to the PAC, the AIEP Coordinator or their signee.

## **ARTICLE V**

### **COMMITTEES**

- Section 1: Ad Hoc Committees
- a. The PAC shall authorize, appoint and establish Ad Hoc Committees on an as needed basis.

- b. It shall be the responsibility of the PAC to appoint the Chairperson of said Ad Hoc Committee(s).
- c. Membership shall be composed of at least two (2) PAC members.

Section 2: Sub-Committees:

- a. The PAC shall authorize, appoint, and establish standing sub-committees as decided by the PAC, i.e., By-laws Committee, Finance Committee, etc.
- b. It shall be the responsibility of the PAC to appoint a Chairperson of each sub-committee.
- c. Membership of each sub-committee shall be composed of at least two (2) members.
- d. The PAC can appoint a parent/guardian, teacher /counselor of students, and American Indian senior high school student to serve on more than one of the aforementioned committees.
- e. The PAC shall be an ex-officio member of all established committees.

Section 3: Executive meeting - An executive meeting may be called in the absence of a PAC quorum, if there is a quorum of the executive committee. Executive committee is defined as the Chairperson, Vice Chairperson and Secretary/Treasurer.

Section 4: Definition of an executive quorum will be two (2) of the three (3) aforementioned in Section 3.

Section 5: The executive committee may handle all business of the PAC and its decisions will be binding.

## ARTICLE VI

### ELECTIONS

Section 1: Drawing from the Membership, as spelled out in Article III, the PAC will hold elections yearly.

- a. Officers of the PAC shall be elected to serve a two (2) years term of office. A person may be elected for a second term in the same office, with a maximum of four (4) consecutive years in any one office.
- b. The PAC shall consist of eleven (11) elected members.
- c. The election shall take place at an open, publicized, public meeting and verification of public notice shall be kept on file in the AIEP office.
- d. Each adult in attendance shall be entitled to one vote. Each student/child, high school age and older, shall be entitled to one vote.
- e. No absentee ballots shall be acceptable during the election process.
- f. For election purposes, there shall be a motion for each candidate and subsequent

voting being done by secret ballot for each candidate.

- g. A quorum for the community meeting shall be two thirds of those in attendance at the public hearing.

**ARTICLE VII**

OFFICERS

Section 1: The following officers of the PAC shall be elected to serve a two (2) year consecutive term and the officers shall include the following:

- a. Chairperson
- b. Vice Chairperson
- c. Secretary/Treasurer
- d. Four (4) Members-at-Large (one and two year terms)
  - i. Two positions – two year term
  - ii. Two positions – one year term

The following officers of the PAC shall serve a 1 year term

1 Teacher/Counselor	1 year terms
1 Elder/Alumni	
2 Student Representatives	

Section 2: In the event of a vacancy of the PAC, the chairperson will appoint a replacement.

Section 3: The responsibilities of the individual officers shall be as follows:

Chairperson

- a. Chairperson-presides over all regularly scheduled PAC Meetings, Special Meetings pertaining to the AIEP, act as an ex-officio member of all subcommittees and Ad Hoc Committees, and appoint the chairperson(s) to these committees.
- b. Establish and maintain lines of communication between PAC, staff and the LEA as it relates to the AIEP.
- c. Retain the responsibility to sign off on all legal documents relating to the AIEP.
- d. Perform all other duties relating to the office of the Chairperson prescribed by the PAC to ensure the continuing progress of the AIEP and services to the American Indian students in the program.
- e. Work in concert with the AIEP Coordinator to ensure a continuum of activities leading to program progress and a good working relationship with the LEA and the American Indian community.
- f. A co-signer on the PAC checking account.

- g. Teach new Chairperson the job responsibilities at the first meeting after election of new officers.

#### Vice Chairperson

- a. The Vice Chairperson shall assume the responsibilities of the Chairperson in Chairperson's absence.
- b. Act as liaison between sub-committees, Ad Hoc Committees, PAC and AIEP staff.
- c. Perform any such other duties as assigned by the Chairperson or the PAC.
- d. Notify the Chairperson if unable to attend meetings.
- e. Assign a designated delegate as a replacement when unable to attend a PAC meeting. Notify PAC Chairperson of the name of the delegate.
- f. A co-signer on the PAC checking account.
- g. Teach new Vice Chairperson the job responsibilities at the first meeting after election of new officers.

#### Secretary / Treasurer

- a. Perform all duties relevant to the office of secretary/treasurer and all such other duties of the office as assigned by the Chairperson and/or the PAC.
- b. Ensure the accurate recording of the official minutes and all records of each regular special meetings of the PAC.
- c. Perform the duty of seeing that minutes of said PAC Meetings are dispersed.
- d. Carry out the responsibility of being actively involved in the Fiscal aspect of the AIEP, working in concert with the LEA and AIEP staff.
- e. A donation checking account will be established separate from the LEA and Grant. The Account will require two signatures of voting members of the PAC for distribution of Funds.
- f. The two signatures on a specific check may not be family members or members of the same household.
- g. A budget update including a copy of the current bank statement will be presented at each PAC meeting.
- h. Responsible for storage and maintenance of all official records and see that the records are turned over to next secretary/treasurer.
- i. Notify the Chairperson if unable to attend meetings.
- j. Assign a designated delegate as a replacement when unable to attend a PAC meeting. Notify PAC Chairperson of the name of the delegate.

- k. Teach new Secretary / Treasurer the job responsibilities at the first meeting after election of new officers.

Member-at-Large

- a. Perform all duties as assigned by the Chairperson and/or the PAC.
- b. Attend all scheduled meetings of the PAC.
- c. Represent the families and students in the AIEP.
- d. Vote on all matters pertaining to the PAC.
- e. Notify the Chairperson if unable to attend meetings.
- f. One Member-at-Large to be a co- signer on the PAC checking account.
- g. Assign a designated delegate as a replacement when unable to attend a PAC meeting. Notify PAC Chairperson of the name of the delegate.
- h. Teach new Member-at-Large the job responsibilities at the first meeting after election of new officers.

ARTICLE VIII

MEETINGS

Section 1: The members of the PAC shall review the dates of regular PAC Meetings.

Section 2: All PAC Meetings shall be open to the public, with the exception of AIEP staff personnel meetings and/or grievances.

Section 3: An official meeting can take place only if 51% (or 50% plus one PAC Member) of the PAC is in attendance to conduct official business, with the exception of Article V, Section 3, 4, and 5.

- a. An unofficial meeting may take place if the above conditions are not met.

Section 4: Special Meetings of the PAC may be called:

- a. by the Chairperson or
- b. as requested by one-third (1/3) of the total members.

Section 5: All PAC Members shall be notified of future meetings at least two (2) calendar days prior to the date of any Special Meetings, being notified of the purpose of the meeting and shall include time, date and place of the meeting.

Section 6: All PAC members shall be notified of emergency meetings at least six (6) hours before the meeting and informed of the time, date, place and purpose of the meeting.

## ARTICLE IX

### GRANT CRITERIA

Goals and objectives as well as the budget designated in the Grant application for the school year may not be changed once the Grant has been approved by the Grantee. If a change is deemed to be necessary then an application to the Grantee must be made for prior approval of the change.

## ARTICLE X

### CONFLICT OF INTEREST

Member of the PAC will remove himself or herself from participating in administrative decisions from which they or a member of their family will financially benefit. The member may participate in the discussion and refrain from voting.

## ARTICLE XI

### EMERGENCY PROCEDURES

In circumstances when the coordinator needs the PAC to meet and a quorum is impossible, a telephone or email poll is an acceptable procedure to obtain PAC approval. The coordinator must contact a minimum of 51% of PAC members and the vote must be carried by 51% of the total PAC members either for or against issue. This vote will be binding.

## ARTICLE XII

### CIVIL RIGHTS

It shall be the policy of the PAC, that no person shall be discriminated against and the PAC shall comply with Public Law 93-638; all efforts will be made to encourage applicants for employment who are of American Indian descent, and are qualified, for any position in the AIEP, which may be vacant.

## ARTICLE XIII

### AMENDMENTS

The PAC may review and make recommendations for amendments to their By-Laws to the Community Members at Large as defined in Article III, Section 1, (b). Notice of intention to amend, including text of the amendments, must be submitted to the Membership, in writing, at least five (5) days prior to the membership meeting called to vote on such amendments. It shall require a two-thirds (2/3) vote of the membership present to amend these By-Laws.



IJ:1 Revised 9/16/20

Revision approved :

Article III, Section 2: Membership of the PAC will not exceed eleven members.

- a. Those eligible to serve on the committee will be: parents of certified American Indian children enrolled in the AIEP; teachers and counselors of the LEA, certified American Indian secondary or above students in the AIEP, and an American Indian/Alaska Native elder nominated by a parent, teacher, counselor, or student associated with the AIEP.

**Definition of “Indian”:**

The definition of “Indian” used for the IM exemption in the 2013 Rulemaking Process is located in 45 CFR § 155.600 (g)(6), and reads:

“Indians” or “Indian”, unless otherwise designated, means any person who is a member of an Indian tribe, as defined in subsection (d) hereof, except that, for the purpose of sections 102 and 103, such terms shall mean any individual who (1), irrespective of whether he or she lives on or near a reservation, is a member of a tribe, band, or other organized group of Indians, **including those tribes, bands, or groups terminated since 1940 and those recognized now or in the future by the State in which they reside, or who is a descendant, in the first or second degree, of any such member,** or (2) is an Eskimo or Aleut or other Alaska Native, or (3) **is considered by the Secretary of the Interior to be an Indian for any purpose,** or (4) is determined to be an Indian under regulations promulgated by the Secretary.