



San Juan Unified School District
American Indian Education Program (AIEP)
Parent Advisory Committee Meeting (PAC)
Wednesday, January 14, 6:00-8:00pm
District Office, Board Room
All meetings will be recorded for accurate minutes

AGENDA

- Norms:**
- Start and end on time
 - Cells on Silent
 - Stay on Topic
 - Be respectful

PAC Members:

- Buck Ellingson, Chair (year 1 of 2)
- Lena Morales, Vice Chair (year 2 of 2)
- Amber Butler, Secretary/Treasurer (year 1 of 2)
- Donna Madsen, Member-At-Large, Elder (year 1 of 1)
- Calvin Hedrick, Member-At-Large (year 1 of 2)
- Chrystal Bernasconi, member-At-Large (year 1 of 1)
- Kelly Benken, Member-At-Large (year 1 of 1)
- Albert Tillman, Member-At-Large (year 1 of 1)

Item	Topic	Facilitator
I.	Opening/Call to Order (5 Minutes) <ul style="list-style-type: none"> ● Roll Call: Members, Guests, Staff ● Introductions ● Sign in Sheet 	Buck
II.	Visitor Comments (5 minutes) See comment below	
III.	Brown Act Training (1 hour)	San Juan Unified Legal Department
IV.	By-Laws Update Workshop (45 minutes)	Buck and District Staff



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V.	New Business (items for discussion at next PAC meeting) (5 minutes) <ul style="list-style-type: none">● Budget Update● Review revised Bylaw and vote on revisions (possible action)●	Buck
VI.	Adjournment	Buck

Website: <https://www.sanjuan.edu/academics/indian-education>




UNDERSTANDING THE BROWN ACT

Presented to the
**American Indian Education Program
Parent Advisory Committee (PAC)**
January 14, 2026

Fhanysha Gaddis
General Counsel - San Juan Unified School
District

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Why Brown Act Applies

Title VI American Indian Education Act

PAC must:

1. Be a representative, **participatory body** of parents and community members and,
2. Take **actions** (review and approval of Title VI plan, evaluations) be **documented and available to the public** and the American Indian community for **accountability**.

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Why Brown Act Applies

Education – related advisory committees – Title VI PACs generally meet these conditions, because;

- The district board authorizes the committee to satisfy federal grant requirements
- The district provides notice, staff support, and facilities
- The committee advises the district on the use of public funds

THEREFORE, a PAC under Title VI in California is subject to the Brown Act’s open meeting requirements, unless it is entirely private and unaffiliated with the district.

FINAL summary:

A Title VI American Indian PAC in California is legally required to hold open and accessible meetings consistent with the Brown Act because it is a publicly created advisory body to a school district. Federal law requires transparency to parents and tribes; California law enforces that transparency through open-meeting procedures.

Brown Act Teleconferencing Framework: Current Standards & 2026 Reforms

1. Traditional Teleconferencing Standards

Government Code section 54953(b)

These rules remain unchanged and continue to apply outside of emergency or special statutory allowances.

- All teleconference locations must be listed on the posted agenda
- Each teleconference location must be open and accessible to the public
- A quorum of the legislative body must participate from locations within the agency’s jurisdiction
- Members of the public must be able to address the legislative body at each teleconference location

Brown Act Teleconferencing Framework: Current Standards & 2026 Reforms Continued

2. Assembly Bill 557 — Emergency Teleconferencing (No Sunset)

Effective January 1, 2024

Eliminates the sunset on AB 361 emergency teleconferencing authority

May be used when the Governor has proclaimed a state of emergency (local or statewide)

Legislative body may meet via teleconference when it determines:

- In-person meetings pose imminent risks to health or safety, **or**
- The body has previously made that determination by majority vote

Continued use requires renewal findings **every 45 days** that:

- The body has reconsidered the emergency circumstances; and
- The emergency continues to directly impact the ability to meet safely in person

Removes all references to "social distancing" from the statute

Brown Act Teleconferencing Framework: Current Standards & 2026 Reforms Continued

3. Senate Bill 707 — Brown Act Modernization

Effective January 1, 2026

Comprehensive reorganization and expansion of Brown Act teleconferencing rules

Establishes clear, uniform pathways for remote participation, including:

ADA reasonable-accommodation teleconferencing

- Audio and video required
- Disclosure of adults present in the room

"Just cause" remote participation, extended through **December 31, 2029**

Includes caregiving, illness, family medical emergencies, and military service

Teleconferencing authority for:

- Neighborhood councils
- Community college student organizations
- Eligible subsidiary bodies
- Eligible multijurisdictional legislative bodies

Major Areas of Reform Under SB 707

Major Areas of Reform Under SB 707

Social Media & Brown Act Distribution

Removes the AB 992 sunset for social media use

Officials may engage with the public on social media, but may not engage with each other on agency business

Requires mandatory distribution of the Brown Act to all elected and appointed legislative body members

Teleconferencing Modernization

Reorganizes teleconferencing provisions into new Government Code sections **54953.8–54953.8.7**

Moves emergency and health-authority teleconferencing into standalone sections

Expands and clarifies eligibility and procedural requirements across body types

Major Areas of Reform Under SB 707 Continued

Major Areas of Reform Under SB 707

Applies to “eligible legislative bodies” (larger cities, counties, and special districts)

Requires:

- Public remote access to meetings
- One-hour recess if remote access fails
- Translation of agendas and participation instructions where 20%+ of the population has limited English proficiency
- Multilingual, accessible webpages and interpreter assistance
- Outreach to underrepresented communities
- Electronic posting of meeting materials
- Adoption of a public disruption policy

Public Participation & Meeting Procedures

Expands the public’s right to record meetings using any modern device

Narrows public comment exemptions for items previously heard by committees

Expands 24-hour posting requirements for special meetings to all legislative bodies

Prohibits special meetings on salary or compensation for executives or legislative bodies

Authorizes removal of disruptive participants, including those participating via two-way audiovisual or telephonic platforms

Agenda

- Telephone.
- What is the intent/purpose of the Brown Act?
- Who is subject to the Brown Act?
- What does the Brown Act require legislative bodies to do?
- How is the Indian Ed PAC impacted by Brown Act?
- How PAC members can use social media in accordance with Brown Act?
- Handling Disruptive Behavior, Interruption and Threats.
- Consequences of Brown Act Violations.

Telephone

- Person A – Person B
- Person B – Person C
- Person C – Person D
- Person D – Person E
- Person E – Person F
- Person F – Person G



Intent And Purpose Of The Brown Act

- Definition.
- Who is Ralph M. Brown?
- CA Constitution (codified).
- Right of the People.

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Intent of the Brown Act


- To keep the public informed of the actions, debates, and views of locally elected representatives.
- To provide the procedural framework for local legislators to meet, debate, act, and listen collectively to their constituents.
- Found in Government Code sections 54950 through 54963.
- The intent is to ensure:
 - deliberations and actions of a local agency legislative body are **open and public**,
 - meaningful **public access to local government decisions**, and
 - the public is **fully informed** and able to participate in decisions involving the public agency. (Government Code section 54950)

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Open and Public



"The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know."
California Government Code §54950

Ralph M. Brown 1959
Photo courtesy: The Honorable/Rep.

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Open Meetings – California Constitution

"The people have the right of access to information concerning the conduct of the people's business, and, therefore the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny. A statute, court rule, or other authority . . . shall be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access."

California Constitution, Article 1, section 3

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Rights of the Public

- Right to be notified of items on agenda.
- Right to attend without identifying oneself.
- Right to record the meeting.
- Right to speak before or during consideration of an item.
- Right to see board materials.
- Right to say anything, even if unrelated to agency business.



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Who Is Subject To The Brown Act?

- Legislative bodies
 - Legislative bodies/local government, **including anyone who has been elected but has not yet assumed office.**
- Committees (roles/conduct)
 - Committees and subordinate bodies (created by formal action of the Board of Education).
 - Note: ad hoc committees are **not** subject to the Brown Act

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What Does The Brown Act Require Legislative Bodies To Do?

Create a T.E.A.M for Public Participation:

T: Transparency – Conduct all meetings openly and publicly to provide full access to the decision-making process.

E: Engage the Public – Facilitate public participation by allowing attendance and input on agenda items, ensuring inclusivity.

A: Agenda Compliance – Post and distribute agendas in advance, listing all topics for discussion or action.

M: Meet Properly – Prevent serial or private meetings among a majority of members, and maintain order during meetings to comply with legal requirements.

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American Indian Education Program Parent Advisory Committee Roles And Conduct

- PAC members have collective, not individual authority.
- No individual PAC member has authority other than as conferred by a majority of the PAC.
- Committee bylaws
- Subject to the Brown Act

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What Does The Brown Act Require The American Indian Education Program PAC To Do?

- Meetings must be held on a regular schedule,
- Meetings be conducted in public,
- Meetings be conducted with an agenda available in advance of the meeting,
- Meeting agendas must be posted on the District's website and made available upon request in appropriate alternative formats to persons with disabilities.
- All persons must be permitted to attend and participate in meetings, **and**
- Actions and deliberations must be taken openly, in public.

How Is The American Indian Education Program PAC Impacted By Brown Act?

- Meeting requirements
 - During and post-pandemic
 - Serial meetings
- Agenda

What Constitutes A Meeting?

- Any congregation of a majority of the members of the legislative body at the same time and place (including teleconference locations) to hear, discuss or deliberate on any matters within its jurisdiction.
- There need not be action taken or planned, for a “meeting” to occur. (Government Code section 54952.2)

What this means: A majority may not consult outside an agency-convened meeting.

Note: Here, a majority is six out of the 11 voting PAC members (including self)

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Meetings – Location, Logistics

- All meetings must be open and public.
- Meeting place must be accessible to public—nondiscriminatory, accessible to disabled, no payment or purchase required.
- Meeting place must be within agency boundaries, with limited exceptions:
 - To comply with court order or attend a judicial proceeding;
 - To inspect real or personal property which cannot be brought within bounds of agency;
 - To meet with state or federal elected or appointed officials, when a local meeting impractical;
 - To participate in meetings of multi-agency significance.

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What Is Not A Meeting?

The definition of meeting excludes:

- Appearance of a American Indian Education Program PAC majority at a general conference open to the public involving a discussion of broad issues and attended by a broad spectrum of officials from a variety of governmental agencies.
- Attendance at open and publicized meetings, organized to address a topic of local concern by a person or organization other than the local agency.
- Individual contacts and conversations.
- Social or ceremonial occasions.
- Attendance by a majority at open and noticed meetings of another body of the same local agency or any other agency.
- If a quorum (a simple majority) doesn't appear, there is no meeting under the Brown Act, and no action can be taken.

For these exclusions to apply, committee members shall not discuss topics within the subject matter of the Board "other than as part of the scheduled program."

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Is This An Improper Meeting?

Example 1:

The Hillcrest Unified School District Board of Trustees consists of seven members. Board Member A and Board Member B frequently discuss district matters outside of formal board meetings. Recently, they started meeting informally at a local coffee shop to talk about upcoming agenda items, including budget allocations, curriculum updates, and a proposed facilities bond measure.

In preparation for an upcoming vote on the bond measure, Board Member A invites Board Member C and D to join their next meeting at the coffee shop. During this meeting, Members A, B, C and D collectively agree on how they will vote on the bond measure and outline a strategy to publicly present a unified front during the next board meeting.



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Is This An Improper Meeting?

Example 2:

The Lincoln Valley School District Board of Trustees is a seven-member board. The Board of Trustees is preparing to review and vote on a new district-wide literacy program. To ensure transparency and compliance with the Brown Act, the board schedules a properly noticed public meeting.

Board Member A is particularly interested in understanding community perspectives on the program. Before the meeting, Member A visits a local Parent-Teacher Association (PTA) meeting to hear feedback about the proposed literacy initiative. During the PTA meeting, Member A listens to concerns and suggestions from parents and teachers but does not deliberate, share their opinions, or make any commitments on behalf of the board.

Separately, Board Members B and C, who are part of the board's Curriculum Committee, hold a publicly noticed committee meeting to review the details of the literacy program. The meeting is open to the public, and the agenda is posted 72 hours in advance as required. The committee discusses specific aspects of the program, gathers input from staff, and prepares a recommendation to present at the upcoming full board meeting.



Remote Meetings – Post-Pandemic

Three Options

1. Traditional teleconference requirements
2. Assembly Bill 557 (formerly AB 361)
3. Senate Bill 707

During Pandemic

Assembly Bill 361 – Emergency Meeting Requirements

- Option to meet electronically (audio or audio/video) without compliance with traditional teleconference requirements.
- Do not need to:
 - Provide any public meeting location.
 - Open or notice locations.
 - Have quorum within jurisdiction.
- BUT still need to:
 - Use roll call for votes.
 - Must allow for remote real-time public comments.

Assembly Bill 361 – Emergency Meeting Requirements:

Requirements to use the option:

- State of emergency
 - Officials have impr
 - Committee has de
 - health/safety of at
 - Committee is mee
- CA state of emergency wa



distancing, OR
 ent imminent risks to the

Post Pandemic Provisions: Old School

Traditional Teleconference Requirements

- The teleconference location must be **open and accessible to the public**.
- The agenda shall **identify** all locations, including the teleconference location(s).
- The **agenda must be posted at all locations**, including the teleconference location(s) at the proper time before the meeting.
 - The agenda should indicate how/if the meeting will proceed if technical problems prevent teleconferencing.
- The agenda shall provide for **public comment at all locations**, including the teleconference location.
- A majority of the board must be **within the boundaries of the District**, even if participating by teleconference.
- All votes during a **teleconference meeting shall be by roll call**.

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Assembly Bill 557

- (1) Eliminates the [sunset date for AB 361 teleconferencing provisions](#);
- (2) Amends existing teleconference requirements set forth in Government Code section 54953 to extend the previous **30-day findings** a legislative body (as described below) to a finding **every 45 days**;
- (3) **Eliminates** references to "**social distancing**" in Government Code section 54953; and
- (4) **Eliminates** previously enacted teleconferencing alternatives per **AB 2449**.

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Senate Bill 707 The Equalizer

Major Areas of Reform

Social Media & Brown Act Distribution

Removes AB 992 sunset; officials may interact with public on social media but not with each other.

Requires mandatory Brown Act distribution to all elected/appointed legislative body members.

Teleconferencing Modernization

Allows **teleconferencing as a disability accommodation**; audio + video required and disclosure of adults present.

Reorganizes teleconferencing rules into new Government Code sections 54953.8–54953.8.7.

Extends “just cause” teleconferencing through **Dec. 31, 2029**, and expands definition to include caregiving, illness, family medical emergencies, and military service.

Moves emergency teleconferencing and health authority provisions into new standalone sections.

Establishes teleconferencing rules for **neighborhood councils, community college student organizations, subsidiary bodies, and multijurisdictional bodies**.

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Senate Bill 707 The Equalizer Continued

Remote Access & Multilingual Requirements (2026–2029)

“Eligible legislative bodies” (larger cities, counties, special districts) must:

Provide remote public access to meetings and pause for 1 hour if access fails.

Translate agendas & instructions where 20%+ speak a language with LEP.

Maintain multilingual webpage, provide interpreter assistance, conduct outreach, and electronically post materials.

Adopt a public disruption policy.

Public Participation & Meeting Procedures

Recording rights expanded to all modern devices.

Public comment exemptions tightened: no exemption unless item unchanged, committee had an in-person quorum, and committee lacks jurisdiction over high-interest topics (e.g., budgets, police oversight).

Special meeting rules expanded: 24-hour posting now applies to all legislative bodies; special meetings may not address salary/compensation for executives or legislative bodies.

Authority expanded to remove disruptive individuals, including those on two-way telephonic/audiovisual platforms.

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Summary: Teleconference Meetings Post January 1, 2026

1. Traditional Standards — Government Code section 54953(b)

Remote locations must be **listed on the agenda**.

Each teleconference location must be **open to the public**.

Quorum must participate **within the jurisdiction**.

Public must be able to **address the body at every location**.

2. Assembly Bill 557 — Emergency Teleconferencing (No Sunset)

May be used **when the Governor has proclaimed a state of emergency**.

Body may meet via teleconference when:

- It determines **in-person meeting poses imminent health/safety risks**, or
- It previously made that determination by **majority vote**.

Ongoing use requires renewal findings **every 45 days**:

- Body has **reconsidered** the emergency circumstances;
- Emergency **continues to directly impact** the ability to meet safely in person.

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Summary: Teleconference Meetings Post January 1, 2026 Continued

3. Senate Bill 707 — Brown Act Modernization (Effective Jan. 1, 2026)

Major reorganization and expansion of teleconferencing rules.

Adds clear pathways for:

ADA reasonable-accommodation teleconferencing (audio + video; disclosure required).

"Just cause" remote participation (extended through Dec. 31, 2029).

Teleconferencing by **neighborhood councils, student organizations, subsidiary bodies**, and **multijurisdictional bodies**.

Establishes new requirements for **remote access, multilingual outreach**, and **disruption procedures** for large agencies (2026–2029).

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Brown Act: Meeting Revisited

A meeting can occur no matter how inadvertent or informal the congregation of a majority of the board.

A majority of board members shall not, outside a meeting:

- use a series of communications of any kind,
- directly or through intermediaries,
- to hear,
- discuss, or
- deliberate business that is within the subject matter jurisdiction of the committee.

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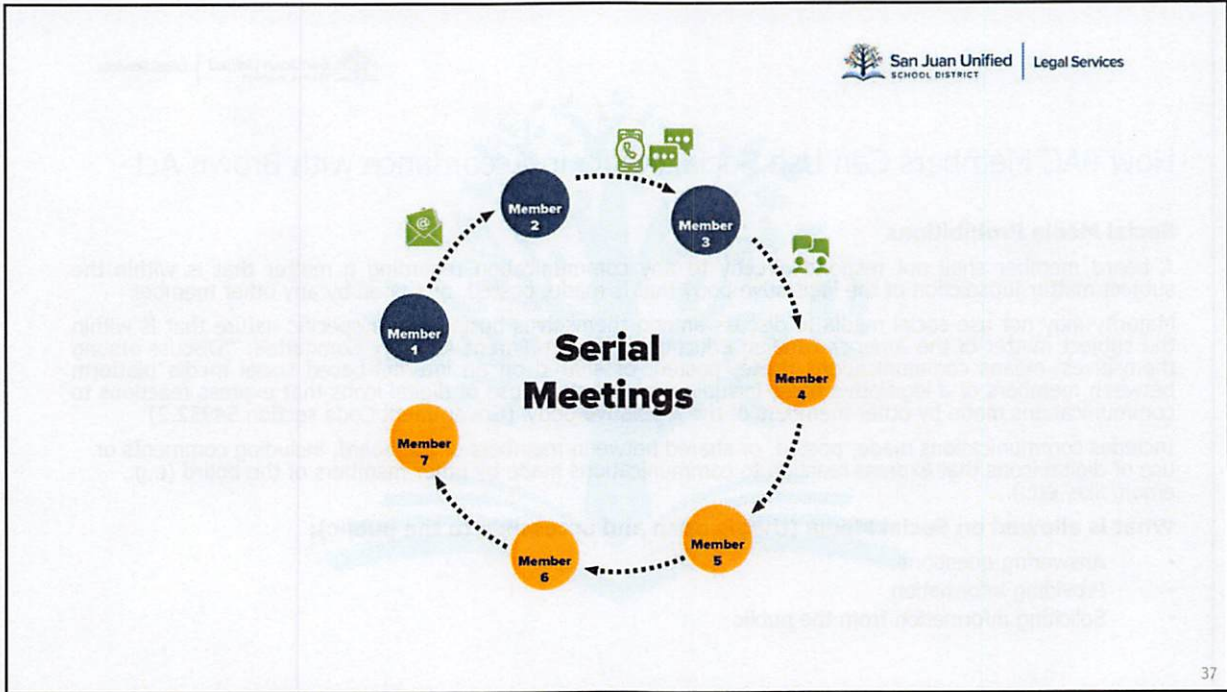
Brown Act: Serial Meetings

Serial meetings

- “[A] serial meeting is a series of communications, each of which involves less than a quorum of the legislative body, but which taken as a whole involves a majority of the body’s members.” (Attorney General’s Brown Act Handbook)
- A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. (Government Code section 54952.2)
 - Includes communications through telephone, electronic mail, facsimile, internet, communication through an intermediary
- Common Serial Meeting Scenarios
 - Email/text messages in which a majority of board members is copied
 - Consecutive conversations through an intermediary to poll the board
 - Telephone conference calls involving a majority of the board
 - Zoom/Teams and blogs

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Committee Meeting Agenda

Agenda Items

- A meeting opening.
- A statement triggering roll call and ensure the board has a quorum present at the meeting.
- For regular meetings, an opportunity for the public to address the American Indian Education Program Parent Advisory Committee on matters within its jurisdiction which are not on the agenda.
- Descriptions of all items to be discussed.
- An opportunity for public to address American Indian Education Program Parent Advisory Committee prior to, or during, consideration of any agenda item.
- A statement of adjournment.

Non-Agenda Items

- No action or discussion shall be undertaken on any item not appearing on the posted agenda.
- Without taking action, board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda.
- May ask a question for clarification.
- PAC members may make a brief announcement, or brief report on own activities.

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How PAC Members Can Use Social Media in Accordance with Brown Act

Social Media Prohibitions

A board member shall not respond directly to any communication regarding a matter that is within the subject matter jurisdiction of the legislative body that is made, posted, or shared by any other member.

Majority may not use social media to discuss among themselves business of a specific nature that is within the subject matter of the American Indian Education Program Parent Advisory Committee. "Discuss among themselves" means communications made, posted, or shared on an internet-based social media platform between members of a legislative body, including comments or use of digital icons that express reactions to communications made by other members of the legislative body. (Government Code section 54952.2)

Includes communications made, posted, or shared between members of the board, including comments or use of digital icons that express reaction to communications made by other members of the board (e.g., emoji, like, etc.).

What is allowed on Social Media (that is open and accessible to the public):

- Answering questions
- Providing information
- Soliciting information from the public

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Social Media Takeaways:

PAC members may use internet-based social media platforms open and accessible to the public to engage in separate conversations or communications to:

- Answer questions from the public.
- Provide information to the public.
- Solicit information from the public.

Board members may use social media unrelated to board business.

Board members may not directly respond to any communication "made, posted, or shared by" another board member regarding committee business.

Board members must avoid otherwise permissible use of social media which results in a discussion between majority of board members regarding business of a specific nature.

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Handling Disruptive Behavior, Interruptions, Interruptions, And Threats

Disruption, Interruption, Threats

Board of Education president shall not permit any disturbance or willful interruption of board meetings.

Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds to terminate the privilege of addressing the board.

Clearing the Room (Government Code section 54957.9); Removal for not ceasing disruptive behavior. (Government Code section 54957.95)

Prior to removal, the individual shall be **warned** that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the Committee president, or designee, may have the individual removed from the meeting. (Government Code section 54957.95)

When an individual's behavior constitutes **the use of force or a true threat of force**, the individual shall be removed from a Committee meeting **without a warning**. (Government Code section 54957.95)

The Board of Education may order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the board. When the room is ordered cleared due to a disturbance, further board proceedings shall concern only matters appearing on the agenda. (Government Code section 54957.9)

When disruptive conduct occurs, the board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. The board may direct the superintendent or designee to contact local law enforcement as necessary.

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Consequences For Brown Act Violations

- Violations of the meeting notice and agenda provisions:
 - May cause an American Indian Education Program Parent Advisory Committee **action to be null and void** if judgment is found against the District/committee.
 - Any interested party or the Sacramento County District Attorney must demand in writing that the committee **"cure or correct"** the alleged violation prior to action being commenced.
- Any PAC member who attends a PAC meeting where action is taken in violation of any provision of the Act, and where the member intends to **deprive the public of information to which the member knows or has reason to know the public is entitled**, is guilty of a **misdemeanor**. (Government Code section 54959)

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Q&A



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**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 (9th to 12th 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 Elder/Alumni 2 Student Representatives	1 year terms
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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.

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

ARTICLE I

PURPOSE

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/Alaska Native community obtains information dealing with the progress of the AIEP in the LEA.

Section 9: Ensuring all PAC meetings shall be open to the public except for meetings about personnel issues.

ARTICLE II

DUTIES

The PAC shall advise and counsel the LEA, through the AIEP-designated staff member, on programs and matters of the AIEP and, more directly, the Indian students. The PAC shall serve as a focal point to coordinate, review, recommend, and initiate the 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 that will have an impact on the social and academic needs of American Indian/Alaska Native 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 the 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/Alaska Native students enrolled in the LEA, and certified American Indian/Alaska Native students in high school (9th to 12th grade), enrolled in the LEA.

Section 2: Membership of the PAC will not exceed twelve (12) members.

a. Those eligible to serve on the committee will be: parents/family members of certified American Indian/Alaska Native children enrolled in the AIEP; teachers and counselors of the LEA, certified American Indian/Alaska Native students high school (9th to 12th grade) 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/family members of American Indian/Alaska Native students, with the remainder being American Indian/Alaska Native high school students (9th to 12th grade) and teachers and counselors of American Indian/Alaska Native students.

Section 3: A designated delegate may represent a PAC member and can constitute a quorum if the regular member has notified the chairperson before the 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 before the meeting) from scheduled meetings, and 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 the 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 every month, working in conjunction with the AIEP.

Section 4: Except for 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 subcommittee.
- c. Membership of each sub-committee shall be composed of at least two (2) members.
- d. The PAC can appoint a parent/family member, teacher/counselor of students, and an American Indian/Alaska Native high school (9th to 12th grade) 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. The Executive Committee is defined as the Chairperson, Vice Chairperson, Secretary, and Treasurer.

Section 4: Definition of an executive quorum will be three (3) of the four (4) 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) year or one (1) year term of office as noted. A person may be elected for multiple terms in the same office, with a maximum of four (4) consecutive years in any one office.

- b. The PAC shall consist of twelve (12) 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 who is of high school age (9th to 12th grade) 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 is 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 as follows:

- a. Two (2) consecutive years:
 - 1. Chairperson
 - 2. Vice Chairperson
 - 3. Secretary
 - 4. Treasurer
 - 5. Two (2) Members-at-Large
- b. One (1) year:
 - 1. Teacher/Counselor
 - 2. Elder/Alumn
 - 3. Two (2) Memer-at-Large
 - 4. Two (2) High School Student Representatives (9th to 12th grade)

Section 2: In the event of a vacancy on 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 about the AIEP, acts as an ex officio member of all subcommittees and Ad Hoc Committees, and appoints 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. Co-signer on the PAC checking account.

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

Vice Chairperson:

a. The Vice Chairperson shall assume the responsibilities of the Chairperson in the 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 the PAC Chairperson of the name of the delegate.

f. A co-signer on the PAC checking account.

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

Secretary:

a. Perform all duties relevant to the office of secretary 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 and special meeting of the PAC.

c. Perform the duty of seeing that minutes of said PAC Meetings are dispersed.

d. Responsible for storage and maintenance of all official records and see that the records are turned over to the next secretary.

e. Notify the Chairperson if unable to attend meetings.

f. Assign a designated delegate as a replacement when unable to attend a PAC meeting. Notify the PAC Chairperson of the name of the delegate.

Treasurer:

a. Perform all duties relevant to the office of treasurer and all such other duties of the office as assigned by the Chairperson and/or the PAC.

b. Carry out the responsibility of being actively involved in the Fiscal aspect of the AIEP, working in concert with the LEA and AIEP staff.

c. A donation checking account will be established separately from the LEA and Grant. The Account will require two signatures of voting members of the PAC for the distribution of funds.

d. 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.

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 the PAC Chairperson of the name of the delegate.

Members-at-Large [Parent/Family Members, Elder/Alumni, and Students(9th to 12th grade)]:

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 of the PAC.

e. Notify the Chairperson if unable to attend meetings.

f. One (1) 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 the PAC Chairperson of the name of the delegate.

h. Teach the new Member-at-Large the job responsibilities at the first meeting after the 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, except for 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 officers.

Section 5: All PAC Members shall be notified of future meetings at least two (2) calendar days before 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

Members of the PAC will remove themselves 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 the 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/Alaska Native 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.

Revision approved :
IJ:1 Revised 2/10/20

Article III, Section 2:

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 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.

**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.

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**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 (9th to 12th 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.

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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.

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- 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**

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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 Elder/Alumni

2 Student Representatives

1 year terms

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.**

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- 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.

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- 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.

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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.

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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.**