

**BY-LAWS OF THE
Kwiyagat Community Academy
INDIAN EDUCATION ACT PARENT ADVISORY COMMITTEE
TITLE VI**

ARTICLE 1: NAME

Section 1 The name of this parent committee shall be the Kwiyagat Community Academy (KCA) Native American (NA) Parent Advisory Committee (NAPAC), hereafter referred to as the NAPAC.

ARTICLE II: PURPOSE, RESPONSIBILITIES

Section 1 The purpose of the KCA NAPAC shall be to collaborate with the School District in developing and implementing an equitable and the most effective Indian education program which responds to that supports the cultural, linguistic and academic needs of the District's Native American students. NAPAC shall advise, recommend and work with the School District as required by the "Indian Education Act". NMSA 1978: 22-23A-1 to 22-23A-8 and SEC. 7101. TITLE VI - Indian, Native Hawaiian, and Alaska Native Education - Part A -- Indian Education.

Section 2 The responsibilities of the KCA NAPAC shall include, but not limited to, all the following tasks. Meet with Local Education Agency (LEA) representatives to review and discuss the overall operation and on-going activities of the project(s). Review and approve, in writing, any new Indian Education Project application(s), continuation application(s), project extension requests or amendments. Collaborate in the development of a project design, which reflects the needs assessment results. Support the LEA in its effort to identify and certify all eligible Native American students. Act as a review body for any individual or group who may wish to propose changes, additions or to express relevant concerns regarding the Indian Education project(s). Attend all regularly scheduled and special meetings. Become familiar with the rules and regulations of the Indian Education Act. Perform other duties assigned to the group or individual members. Participate in public meetings.

ARTICLE III: MEMBERSHIP

Section 1 KCA NAPAC membership shall consist of the following:

- A. Parents of Native American children who will participate in the Indian Education project(s)
- B. At least one teacher, guidance counselor or district administrator employed in the school.
- C. Secondary school Pre K-12 Native American students (if LEA serves K-12 grade level)
- D. Secondary students may vote on issues that require votes.
- E. Legal guardians standing "in loco parentis" (in place of the parents) with whom the student resides (examples: foster parents, grandparents)
- F. Interested community members who support the purpose of NAPAC.

Section 2 The composition of the KCA NAPAC shall comply with the Indian Education rules and regulations.

ARTICLE IV: PARENT COMMITTEE TERMINATION/RESIGNATION/REMOVAL

Section 1 Three consecutives unexcused absences from regularly scheduled meeting(s) shall be grounds for automatic termination of a committee member.

Section 2 Termination will become effective when a:

- A. Parents cease to meet the eligibility requirements set forth in the applicable federal regulations.
- B. Teacher or counselor representative terminates employment with the school district.
- C. Secondary student members are no longer enrolled in the school district.

Section 3 Resignation shall be accepted from the membership upon review of a written request stating reason(s) for the resignation,

Section 4 Removal of any member may result if member is:

- A. Proven to be in violation of the (NPAC) by-laws and school district code of ethics.
- B. Found guilty of any felony charge in state, federal, or tribal court of law.

ARTICLE IV: OFFICERS BOARD MEMBERS OF THE COMMITTEE

Section 1 The following Executive Officers Board Members of the KCA NAPAC shall be elected from the parents and legal guardians of KCA Public School Native American students:

- A. Chairperson
- B. Vice-Chairperson
- C. Secretary/Recorder
- D. Public Relations Officer
- E. Treasurer

Section 2 Term of Office shall be:

- A. For the term of one year upon confirmation of election beginning the day after the election and continuing until the next election; and
- B. No more than a total of two three consecutive terms for the same position.

Section 3 Election of Officers/Board Members:

- A. Officers Board Members shall be elected by ballot during the 2nd meeting of the new school year or when a position is vacant due to an expired term.
- B. Nominations shall be made prior to the election meeting. from the floor, provided that the candidate is present and accepts the nomination.
- C. Officers/Board Members shall assume their duties upon confirmation of election.

Section 4 Vacancies of Officers/Board Members. In the case of vacancy

- A. In the position of Chairperson, the Vice-Chairperson shall become the Chairperson until the term expires.

- B. In the position other than the Chairperson, the vacancies will be filled by majority vote of the KCA NAPAC members at the next regular meeting.

Section 5 Duties of Officers Board Members:

- A. The Chairperson shall preside over all general meetings and sign all documents upon consultation with the KCA NAPAC membership, as required. The Chairperson, in conjunction with the LEA, shall also review all meeting records for accuracy and completeness. The Chairperson shall perform all other duties as prescribed by the LEA and the KCA NAPAC.
- B. The Vice-Chairperson shall assist the Chairperson in coordinating all duties/responsibilities of the KCA NAPAC. The Vice-Chairperson shall perform the duties of the Chairperson in his/her absence or inability to serve, and shall perform other duties prescribed by the KCA NAPAC.
- C. The Secretary/Recorder shall arrange to have the minutes of each meeting recorded. The secretary shall provide a list of the KCA NAPAC members upon request from the appropriate authorities per KCA Public School District policies. The secretary shall maintain a record of documents related to the KCA NAPAC.
- D. The Public Relations Officer shall provide press releases in conjunction with the program coordinator work with the LEA to promote events and communicate information.
- E. The Treasurer shall be responsible for the proper accounting and reporting of all receipts and expenditures to the NAPAC membership at every meeting. The Treasurer shall maintain all proper documents supporting every transaction. The Treasurer shall have signing authority for all disbursements from the NAPAC account, with a secondary Executive Officer's? the Executive Director of Native American Program's signature.
- F. The Treasurer shall also be bonded.

Section 6 Removal of Officers/Board Members. Any officer/Board Member may be removed for cause by a majority vote of all members when it is in the best interest of the KCA NAPAC.

Any board member may be removed as a result of not performing duties as described for their position in which a majority vote of all members will be required for removal.

ARTICLE V: VOTING RIGHTS

Section 1 Each KCA NAPAC member shall have one vote regarding any matter submitted for a general vote. Any member may abstain from voting on any matter.

Section 2 Absentee ballot of any proxy voting shall not be permitted.

ARTICLE VI: MEETINGS

Section 1 Regular meetings shall be held at least quarterly on the second Tuesday of September, November, January, March, and May at 5:00 pm at a predetermined location. All regular meetings shall be open to the public.

- Section 2 Notice of regular meetings shall be made by publication on the RRPS website and through the district mass notification system, giving information as to date, time, and location. Each KCA NAPAC member shall be notified at least 5 days prior to the meeting date.
- Section 3 A quorum shall consist of two (2) Executive Officers Board Members and three (3) NAPAC members at any regular meeting. The presence of a quorum shall be required for transacting any business or voting on matters related to the Indian Education project(s).
- Section 4 The agenda for each meeting shall be prepared by the NAPAC Board Members, Executive Director and Instructional Coordinator of Native American Programs. Chairperson and the project staff. A copy of the agenda will be made available to the KCA NAPAC membership at each meeting. Individual members of the KCA NAPAC may submit items to the LEA or any Board Member be considered for discussion. Discussion items shall be submitted within six to ten days before the regular meeting date.
- Section 5 Special meetings may be called by the Chairperson or by majority vote of the KCA NAPAC membership. All members shall be notified by telephone and/or correspondence at least 24 hours before the meeting time.
- Section 6 Robert's Rules of Order shall be used as a guide to conduct all business brought before the KCA NAPAC.

ARTICLE VII: SUBCOMMITTEES

- Section 1 Subcommittees may be created as needed. A volunteer shall be selected as the Chair of any subcommittee. The subcommittee will consist of volunteers from the membership.
- Section 2 Standing subcommittees shall be appointed for the following tasks on an annual basis, or when needed:
- A. Monitoring of project activities
 - B. Needs assessment
 - C. Application review
 - D. Any other subcommittee which promotes the improvement of project goals
- Section 3 Subcommittee terms will expire upon the conclusion of the business activities for which they were created.

ARTICLE VIII: RESOLUTION/COMPLIANCE

- Section 1 The KCA NAPAC resolves:
- A. That all hiring related to Indian Education project staff shall be conducted within parameters of Federal law, rules, regulations and guidelines and KCA Public School District policies, procedures, and laws related thereto. LEA hiring practices shall reflect appropriate recommendations and involvement and input.
 - B. That all job descriptions related to the activities of the project be reviewed by the KCA NAPAC, with the opportunity for meaningful recommendations, involvement and input.

- C. That all budget revisions, project amendments, and changes in project staff be reviewed and recommended for approval in writing? by the KCA NAPAC.
- D. That the KCA NAPAC will review the needs assessments for the Indian Education Act project(s) and establish priority determinations for meeting such identified cultural and academic needs and make recommendations to the KCA Public School District.
- E. That the KCA NAPAC will receive information related to the project and financial reports pertinent to the Indian Education Act project(s) in regards to the NAPAC Activities Account?, and during the Title VI grant application process, to insure that grant funds are being used to supplement and not supplant the level of funds available to the KCA Public School District for education of Native American children.
- F. That in conformance with federal guidelines?, the KCA NAPAC shall give written approval of the proposed application to be submitted to Washington, D.C. This approval shall be by a majority of the committee voting in open session.

Section 2 These by-laws conform to all rules, regulations and guidelines of the Indian Education Act, the KCA Public School District policies and laws. If any article or section of these by-laws conflicts with federal and school district regulations and policies, said article or section shall be declared null, void, and deleted, upon review by the KCA NAPAC and the local education agency.

ARTICLE IX: DUE PROCESS

Section 1 Any member of the KCA NAPAC who has been removed for any reason shall have access to due process. The Member may appeal the decision for removal, reason for removal, and effective date. A copy of the due process procedure shall be provided to the member.

Section 2 The KCA NAPAC shall provide a written notification of the decision for removal, reason for removal, and effective date.

Section 3 The due process procedure shall include the following:

- A. The individual (removed from the committee) shall file a written appeal to the KCA NAPAC Chairperson within 10 work days of removal.
- B. The KCA NAPAC Chairperson shall review the appeal with the other Board members and then respond to the individual within ten work days of removal.
- C. If not satisfied, the individual may request a hearing to present his/her case before the full KCA NAPAC Board, Executive Director and Instructional Coordinator, to present witnesses to testify on his/her behalf, and to introduce any written documentation for review by the KCA NAPAC Board.
- D. The KCA NAPAC shall consider Any information or testimony presented to them in the appeal process and shall be considered and rendered a final decision to the individual within 15 days of the hearing.
- E. KCA, the KCA NAPAC, nor any individual of the Committee, shall be held liable for any personal or legal costs incurred by the individual during due process.

ARTICLE X: AMENDMENTS

- Section 1 These by-laws may be amended, provided that written notice of the proposed change has been sent out to each member of the KCA NAPAC and the LEA, at least five days prior to a regularly scheduled meeting,
- Section 2 The reason for the change in amendments shall be presented and discussed at the regular KCA NAPAC meeting. Any plans for further review of proposed amendment(s) shall be made at this time.
- Section 3 These by-laws may be amended if approved by a majority vote of the KCA NAPAC and the approval of the LEA.
- Section 4 Any amended by-laws shall have written approval of the KCA Board of Education.

ARTICLE XI: RATIFICATION

These by-laws are declared adopted by the KCA NAPAC Parent Advisory Committee as passed by a majority vote of the membership of the KCA NAPAC at a regular meeting.