FPCS Bylaws

5th Amendment

11/10/2011
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Article I - School

Section 1 - Name
The name of the school shall be Family Partnership Charter School, herein referred to as FPCS.

Section 2 - Office
The principal office of FPCS shall be located in the City of Anchorage and the State of Alaska. The registered office may be, but need not be, identical with the principal office in the City of Anchorage, State of Alaska, and the address of the registered office may be changed from time to time by the Academic Policy Committee/Board of Directors herein referred to as APC.

Section 3 - Fiscal Year
The fiscal year of FPCS shall begin on the first day of July and end on the last day of June of each year.

Section 4 - Governance
FPCS shall have one governing body, the APC. As much as possible the APC shall govern using this input to enable decisions to be made in light of the needs of Parents, Teachers and Staff for the accomplishment of achieving the schools mission. In the event that there is a disagreement on policy or procedure between bodies that cannot be worked out through consensus (including but not limited to emergency actions), the APC shall prevail.

Article II – APC

Section 1 – APC General Powers
FPCS shall have an APC which is the primary governing body designated to govern all aspects of the school. The APC shall be a single body. In addition to governing FPCS the APC shall fulfill the duties prescribed in A.S. 14.03.250 et. seq., and as set forth in these bylaws and shall perform the following functions:

1. The APC shall uphold the mission statement as stated in the FPCS IAP dated 2012 and oversee accountability in academics, legal/risk management, finances, operations/maintenance, ASAA activities, and capital budgeting issues of FPCS;
2. The APC shall ensure that FPCS operates as a nonpartisan, noncommercial and nonsectarian organization. The names of the members of the APC or the name of FPCS or the names of any member in their official capacities shall not be used in connection with a commercial concern or with any partisan interest of for any purpose not appropriately related to the promotion of the responsibilities of the APC;
3. No members of the APC shall act on his or her own in the name of the APC, either to external entities such as but not limited to the ASD or State of Alaska, local business, vendors, PTSO or
other schools or school districts, unless so authorized by these bylaws or by resolution of the APC;
4. The APC shall promote professional conduct in accordance with ASD policy;
5. The APC shall select a Principal and assign duties as required for the administration of FPCS;
6. The APC shall monitor and approve the school budget to ensure fiscal responsibility;
7. The APC shall select qualified directors or coaches for ASAA activities in FPCS;
8. The APC shall review contracts upon the request of the Principal.

Section 2 – Members
The APC shall consist of nine (9) voting members, seven (7) of the members shall be eligible parents and two (2) of the members shall be eligible teachers. In addition, two non-voting high school students shall occupy shadow seats. The Principal shall be an ex-officio member of the APC, but shall not have voting rights. The Anchorage School District may select one (1) ex-officio member of the APC to represent the ASD, but such representative shall not have voting rights.

Section 3 - Term
The term of the parent seats will be for three (3) years. The term of the Student Shadow Seats will be for one year. The Principal seat shall be held by the Principal of PFCS for the duration of their position. All expiring terms of APC members shall terminate on the last day of May in the year of expiration.

Section 4 - Term limitations
No member of the APC shall serve more than two (2) consecutive terms with the exception of the Principal.

Section 5 – Vacancies

Vacancies due to early departure
Vacancies due to early departure shall be defined as any kind of vacancy that permanently removes a member from their seat. Examples include, but are not limited to, resignation, removal, or disqualification. Vacancies due to early departure shall be filled by majority vote of the remaining members of the APC, not the majority of a quorum. All vacancies shall be announced publicly within 48 hours of the seat becoming vacant. Eligible candidates shall be required to complete the APC Board application and submit it to the APC Chair. The application shall then be reviewed by the APC. An Executive Session will be called at the next Monthly Meeting of the APC where applicants will be invited to attend and can be interviewed by the APC. The APC then may vote in open meeting to appoint applicants to fill the vacancies.

If it is deemed necessary to vote on replacement APC members in a Special Meeting any member(s) can call such meeting in accordance with the outlined procedures in these Bylaws. The meeting and its Executive Session must also be properly noticed as per all applicable Open Meeting Act Laws.

Vacancies not filled by election at the end of a term
Vacancies not filled by the annual election shall be seated in accordance with the guidelines for vacancies due to early departure.
Section 6 – Compensation
Members of the APC shall not receive any salaries or compensation for their services. Nothing contained herein shall be construed to preclude any member of the APC from serving FPCS in any other capacity and receiving compensation relative to that service.

Section 7 – Resignation
Any APC member may resign at any time by given written notice to the Chair or Secretary of the APC. Such resignation shall take effect at the time specified therein and, unless otherwise stated, the acceptance of such resignation shall not be necessary to make it effective.

Section 8 - Attendance
FPCS APC members are expected to attend the annual meeting and all monthly meetings. Although absences at times cannot be avoided, an APC member that misses three (3) consecutive monthly meetings or four (4) monthly meetings within a school year will be automatically removed from the APC.

Section 9 - Informal Action by Members
No members of the APC shall act on his/her own in the name of the APC unless so authorized by these bylaws or by resolution of the APC. Infractions of this policy would be deemed grounds for immediate removal in the cases of legal issues, public relations where deliberate actions are damaging to the APC or schools reputation, and/or deliberate defamation of character of any member of the school.

Section 10 - Conflict of Interest
Service on the APC is a trust created in the interest of the common good and for the benefit of the School. It is the intent of these Bylaws to maintain confidence and prevent the use of this membership for the private gain or any other improper purpose. To avoid a conflict of interest, excepting the two teachers and the Principal, no voting member of the APC shall be a paid staff member of the School and/or any other person who receives any monetary compensation from the School.

Section 11 – Removal
Any member of the APC can be removed by a majority vote of the entire APC (not majority of a quorum) or when a board member is in violation of any part of these bylaws where it is stated that an infraction is subject to removal.

In the case of a violation of these Bylaws where it is stated that infractions are subject to removal the process for removal shall be as follows.

A board member may be removed from the Board for any of the following:

1. Missing more than three (3) consecutive or four (4) total regular meetings in a school year;
2. A significant undisclosed conflict of interest;
3. Derogatory, slanderous, and/or unprofessional behavior;
4. Being arrested for any crime while serving as a board member;
5. Unauthorized informal actions as defined in Article II Section 9

If a member is charged with any of the above allegations, by majority vote of the APC, the APC shall appoint an impartial investigative committee of five (5) persons to investigate the allegations and bring
the decision of the committee to the board. The charge must be in writing and state the exact nature of the charge and be submitted at a regular meeting of the Board.

The APC shall have ten (10) working days to convene an impartial investigative committee. The investigative committee must be comprised of impartial persons who are neither members of the APC nor employees of the school. The investigative committee’s recommendation shall be submitted in writing to all APC members three days prior to the regular meeting at which the Academic Policy Board will act on the recommendation. If the investigative committee finds that there is no basis for the removal from the APC, then the charges shall be dropped.

Any person being investigated shall not be allowed to vote on issues at any meeting, regular or special, until the investigation has been completed.

**Article III - Election of Members**

**Section 1 - Elections Committee**

In November of each year, the APC shall elect a election committee of three (3) persons. The composition of the committee shall be two parents who are eligible to vote for a parent seat and one teacher who is eligible to vote for a teacher seat. Of these three, at least one person shall be a member of the APC. The election committee shall oversee the election process for positions on the APC. Elections shall culminate at the annual meeting of FPCS. The election committee shall do the following:

1. Publicly announce (by electronic notification via email and on the FPCS web site) upcoming open seats on the APC, purpose and responsibilities of the board, timeline for election and election events to the entire FPCS population by December.

2. Accept applications from and verify eligibility of candidates for membership to the APC. Nominations begin January 1 and close March 31.

3. In its discretion, nominate individuals who have not submitted an application as candidates for positions on the APC. All individuals nominated must grant their permission.

4. The committee will compile an information packet to be given to all candidates which will contain, but is not limited to, the following information: timeline for election and election events, explanation of how the candidate can participate in election events, list of resources for acquiring information pertinent to FPCS specifically and charter schools in general, list of questions and information needed to compile the voter’s election guide.

5. Organize a candidate open forum to be held on the third week of April at the principal office of FPCS or at another location to be determined by the election committee and announced in the December newsletter or bulletin.

6. Prepare a voter’s election guide which will include a brief statement not to exceed two typewritten pages from candidates. Copies shall be available at the principal office of FPCS and sent by mail to all parents, students, teachers, and staff members of the FPCS by mid April.

7. Prepare an electronic ballot listing the candidates. No write-in votes will be counted.

8. Ensure that an up-to-date master list of qualified voters is compiled and verified by the FPCS registrar and Principal within one week preceding the election.
9. Distribute the ballots according to accepted election procedures and oversee the election so that it is conducted in a fair manner.

10. Advise the candidates and the APC of the election results in writing.

11. Prepare a report stating the results of the election which report shall be kept at the principal office of FPCS and be made available for review by interested parents, students, teachers, or staff members of the FPCS.

12. Announce the election results at the Annual Meeting the second week of May.

Section 2 - Eligibility to Vote

Eligibility to vote in elections for members of the APC shall be as follows:

1. Parents. Parents or legal guardians of one or more students enrolled in the FPCS one week prior to the election, with the exception noted below are eligible to vote for parent representatives. Parents who are Alaska certified teachers and are otherwise eligible to enter into contracts with FPCS families are not eligible to vote for parent seats on the APC.

2. Teachers. Anchorage School District teachers having one or more contracts with FPCS students are eligible to vote for teacher representatives on the APC. A parent or legal guardian who has the credentials to serve as a FPCS teacher is eligible to vote for teacher representatives. A teacher whose children are enrolled in the school is eligible to vote for teacher representatives but not parent representatives.

3. Students. Students in grades 6th through 12th who are enrolled in the FPCS one week prior to the election are eligible to vote for student representatives.

Section 3 - Casting of Ballots

The electronic voting will take place from the last week of April concluding at the end of the first week of May. The election committee will be responsible for the implementation of the voting mechanism and validation of the results to ensure a fair process.

Article IV - Officers

Section 1 – Officers
The officers of FPCS shall be a Chair, one Vice-Chair, and a Secretary, each of which shall also serve as a member of the APC. The APC may elect other officers, including one or more assistant secretaries, as it shall deem desirable. Such officers will have the authority and perform the duties prescribed, from time to time, by the APC.

Section 2 - Elections and Terms of Office
The officers of FPCS shall be elected annually by the APC at the June Monthly Meeting, following the seating of newly elected APC members. If the June Monthly Meeting cannot be convened, election of officers will take place at the next Monthly Meeting. The term of officers is one year.
Section 3 – Removal of Officers
Any officer elected or appointed by the APC may be removed from office (but not from the APC), using the same criteria in Article II section 11. Removal shall be by a majority vote of the full APC, not of a quorum.

Section 4 – Vacancies
A vacated office may be filled by a majority vote of the full APC, not the majority of a quorum, for the unexpired portion of the term. The procedure will follow the same guidelines as outlined in Article II Section 5.

Section 5 - Chair
The Chair shall be a parent member of the APC. The Chair shall be the presiding officer at all meetings of the APC. The Chair shall set the APC meeting agenda in coordination with the other APC members. The Chair is the point of contact for the APC and responsible for communication with the School community on APC actions. The Chair shall facilitate action through consensus. The Chair shall have such authority and perform such duties as shall be directed by the APC from time to time.

Section 6 - Vice-Chair
The Vice-Chair shall be a parent member of the APC. The Vice-Chair shall orient all newly elected or appointed members of the APC and provide them with copies of these Bylaws, the APC Code of Ethics, the APC Member Agreements, and other materials the Vice-Chair deems relevant. The Vice-Chair shall serve as timekeeper in meeting of the APC. In the absence of the Chair, or in the event of his/her death, inability or refusal to act, the Vice-Chair or other APC member designated by the Chair shall perform the duties of the Chair. When so acting, they shall have all the powers of, and be subject to all the restrictions upon the Chair. The Vice-Chair shall perform any other duties that may be assigned to him/her by the APC.

Section 7 - Secretary
The Secretary shall maintain public access to all APC documents, including these Bylaws, the APC Code of Ethics, the APC Member Agreements, meeting agendas and minutes, policy and procedure documents, and reports in computer files and/or one or more books provided for that purpose. The secretary shall see that all notices and agendas are duly given and posted in accordance with the provisions of these Bylaws or as required by law. The secretary shall keep an updated list of the contact information for APC members. The secretary shall be custodian of the FPCS APC records and of the seal of the school and see that the seal of the school is affixed to all documents which require a seal. The secretary shall maintain a record of appointments, elections, and term rotations of all APC members, and in general perform other duties that may be assigned to him/her by the APC.

Article V - Meetings
Section 1 – Annual Meeting
The Annual Meeting of FPCS APC shall be held on the second Tuesday in May of each year for the purpose of announcing the election of members of the APC and for the transaction of urgent business as
may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Alaska, the meeting shall be held on the next succeeding business day at the time set forth above.

Section 2 - Monthly Meetings
The APC shall also meet monthly. Parents, students, teachers, staff members of FPCS and the public shall be invited to the meetings and a notice of the meeting date or dates shall be posted at the principal office of FPCS and on the web page maintained by FPCS at least one week prior to the start of any meeting. All laws concerning Open Meeting Act shall also be observed.

Section 3 - Special Meetings
Special meetings of the APC may be called by the Chair or any three members of the APC. Notice shall be given as specified in Article V, Section 5.

Section 4 - Place of Meetings
The APC may designate any place within the City of Anchorage as the place of meeting for any annual meeting, regular meeting or for any special meeting. If no designation is made or if the special meeting is otherwise called, the place of meeting shall be the principal office of FPCS.

Section 5 - Notice of Meetings
Notice of monthly or special meetings stating the place, day, hour, and agenda of any meeting shall be delivered, either personally, by mail or by e-mail, to each member of the APC not less than one week before the date set for such meeting. In addition, notice of the meeting and the agenda for the meeting shall be posted at the principal office of FPCS and on the website maintained by FPCS at least one week prior to such meeting. In case of a special meeting or when required by statute or by these bylaws, the purpose or purposes for which the meeting is called shall be stated in the notice.

Section 6 – Quorum
A Quorum shall be constituted as greater that fifty-percent (50%) of the nine (9) voting seats of the APC, whether filled or vacant. Under these Bylaws this number is five (5) members.

Section 7 - Manner of Acting
The act of a majority of the members of the APC at a meeting at which a quorum is present shall be the act of the APC, unless the act of a greater number is required by law or by these bylaws.

Section 8 - Executive Sessions
The voting members of the APC may meet at any time in executive session to discuss personnel, legal or other sensitive issues. These sessions will be posted in accordance with Open Meeting Act Laws.

Section 9 – Proxies
Members of the APC may not vote by Proxy.

Section 10 – Parliamentary Authority
The rules contained in Robert’s Rules of Order, Simplified and Applied, as amended or updated shall govern procedures at all APC meetings except to the extent such Rules of Order are inconsistent with
these bylaws, State Statues, or regulations, laws or resolutions adopted by the APC in which event the referenced Rules of Order shall not apply.

Article VII - Committees

Section 1 - Standing Committees
Committee members may be volunteers from the Family Partnership Charter School population unless otherwise stated within these bylaws. If volunteers are not readily forthcoming the APC may appoint committee members by a vote of the majority of the board. Committee members serve at the pleasure of the APC. Each standing committee reports to the APC and does not have nor exercise the authority of the APC. The FPCS Principal is tasked with ensuring that each committee is supplied with all documents and information relevant to the duties of the committee. The following standing committees are to be active each year:

1. Business/finance committee. This committee shall review and monitor business practices, projected and actual budgets, overhead expenses, the handling of grant monies, operations/maintenance, and other relevant issues related to the finances of the school. The Family Partnership Charter School business manager shall serve as a nonvoting ex-officio member of this committee.

2. Academic committee. This committee shall review and monitor enrollment practices, academic policies, teacher contract issues, student eligibility issues, and other issues relevant to the academic accountability of the school. The Family Partnership Charter School Principal shall serve as a nonvoting ex-officio member of this committee.

3. Legal/risk management committee. This committee shall review and monitor all legal and risk management issues concerning Family Partnership Charter School.

4. Elections committee. As discussed in Article III Section 1 of these bylaws.

Section 2 - Special Committees

Special committees not having nor exercising the authority of the APC in the management of the School may be appointed by vote of the majority of the board. The chairman shall be an ex-officio member of all such committees.

Section 3 - Instruction and Responsibilities

1. Meetings of Committees. The meetings of a committee may be called by a majority vote of the APC, by the chairperson of the committee, or by a majority of the committee’s voting members. Each committee shall meet as often as necessary to perform its duties. Notice of a committee meeting may be given at any time and in any manner reasonably designed to inform the committee members of the time and place of the meeting, unless otherwise prescribed by the APC or by majority vote of the board.

2. Committee reports. Committees will provide a written report to the APC. Content of committee reports must be approved by a majority of the committee members.

3. Resignation of committee members. Any member of a committee may resign at any time by giving written or verbal notice to the committee chairman. The APC may appoint with consent
from the nominee(s), by majority vote, an individual or individuals to fill a vacancy on any committee.

Section 4 – Meetings
The meetings of a committee may be called by a majority vote of the APC, by the chairperson of the committee, or by a majority of the committee’s voting members. Each committee shall meet as often as necessary to perform its duties. Notice of a committee meeting may be given at any time and in any manner reasonably designed to inform the committee members of the time and place of the meeting, unless otherwise prescribed by the APC by majority vote of the board.

Article VIII - Contacts and Funds

Section 1 – Contracts
The APC may authorize any officer or officers, agent or agents of FPCS, in addition to the officers so authorized by these bylaws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of FPCS, and such authority may be general or confined to specific instances.

Section 2 – Gifts
The APC may accept on behalf of the School any contribution, gift, bequest or device for the general purposes or for any special purpose of the School. The APC may not receive any contribution, gift, bequest or device intended for the personal use or profit of the APC collectively or individually.

Article IX – Indemnification
The personal liability of the members of the Board shall be limited to the extent allowable under the laws of the State of Alaska.

Article X – Amendments to Bylaws
These bylaws may be altered, amended, or repealed and new bylaws may be adopted by a two-thirds vote of the APC who are present at any regular meeting or any special meeting (where a quorum is present) provided that the proposed change in the bylaws has been submitted in writing to the members of the APC at least two (2) days prior to the meeting at which the proposed change will come up for a vote. Proposed changes to the bylaws may be submitted by parents with students enrolled in FPCS or by teachers under contract with the school for consideration by the APC. All proposed changes to these bylaws must be made public and subjected to a period for public comment before a final vote can be taken and changes can be implemented. The period for public comment shall be from the meeting at which the proposed bylaw changes are introduced and initially voted on (provided the proposed changes receive a two-thirds vote at said meeting) to the next regularly scheduled meeting at which the proposed changes are subjected to a final vote.
Article XI – Definitions and Acronyms

Definitions
Ex-offico – A member of the APC or a committee that does not have a vote. In the case of the Principal service begins and terminates with the contract between the Principal and FPCS. With respect to the APC Chari and committees the Chair holds a non-voting seat on all APC appointed committees until the committee is dissolved.

Majority – When voting, a majority shall be greater than 50% of the votes cast unless otherwise stated in these Bylaws

Acronyms
ASD – Anchorage School District
APC – Academic Policy Committee / Board of Directors
FPCS – Family Partnership Charter School
PTSO – Parent, Teacher and Student Organization