



# Bylaws of Eagle Academy

## Eagle Academy Mission Statement

**Eagle Academy encourages academic excellence by integrating proven instructional methods with a challenging curriculum and high expectations. This combination provides every child with the foundation needed to achieve proficiency of Eagle Academy’s performance standards at each instructional level.**

## Bylaws of Eagle Academy

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## Article I - Offices

Section 1. Name. The name of the organization shall be Eagle Academy Charter School ("Eagle Academy") which is a public charter school within the Anchorage School District. Eagle Academy is governed by the Academic Policy Board ("APB").

Section 2. Location. The principal office for the transaction of affairs will be maintained at 10901 Mausel Street, Suite 101, Eagle River, Alaska 99577.

Section 3. Fiscal Year. The fiscal year of the organization shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup> of each year.

Section 4. Statute and Code. The organization shall operate solely as an Anchorage School District charter school under AS 14.03.250 *et seq.*, in accordance with all applicable local, state, and federal laws, and shall not conduct business as any other type of legal entity.

## Article II – Academic Policy Board

Section 1. General Powers. The affairs of the school shall be managed by the APB. The APB shall be a single body. In addition to managing the school, the APB shall have the powers and shall fulfill the duties prescribed in these Bylaws and in Alaska Statutes, including but not limited to, A.S. 14.03.250 *et seq.*

Section 2. Powers and Duties. The Board is the policy-making branch of Eagle Academy. The powers granted to the Board are set forth in Anchorage School District Policy 6181. The Board shall adopt, amend or revoke policies in accordance with the procedures established in these bylaws. The Board will:

1. Support the academic operation of the school and ensure the fulfillment of the mission of the school. It shall also oversee accountability in academics, legal/risk management, finances, operations/maintenance, and budgeting issues of Eagle Academy.
2. Ensure that the school preserves the confidentiality of records related to the students or personnel of the school as outlined in School Board Policy 5125.
3. Ensure that Eagle Academy operates as a nonpartisan, noncommercial and nonsectarian organization. The names of members of the APB in their individual capacity or the name of Eagle Academy shall not be used in connection with any commercial concern, any partisan interest, or for any purpose not appropriately related to the promotion of the responsibilities of the APB.
4. Promote professional conduct in accordance with Anchorage School District policy.
5. Select and supervise a principal, and delegate those administrative and other duties the APB from time-to-time desires. Principal candidates must have a current Type B certificate and must be currently employed, eligible to be employed or previously employed with the Anchorage School District.

Direct the principal to hire additional staff or teachers as the APB, in its discretion, deems appropriate. In the event the principal's position is vacant, the APB is authorized to interview and select staff for hire, as it deems appropriate, and to ensure that principal responsibilities are carried out in accordance with District policy.

6. Review and monitor student achievement.
7. Monitor the overhead rate, approve annual and other budgets, and take those steps deemed appropriate by the APB to control school administrative and other costs.
8. Carry fiscal responsibility, including the receipt of funds for the operation of the school in accordance with charter school laws and the receipt of grants and donations consistent with the mission of the school. The

APB will approve Eagle Academy's budgets by majority vote prior to their submission to the Anchorage School District.

9. Regularly measure the progress and performance of the program.
10. Promote the school program to parents and the community.
11. Review all special activities/services contracts made on behalf of Eagle Academy.
12. Conduct an annual review of the principal, as required in the Principal's Contract, such review to be kept in the principal's personnel file. A mid-year review will also be conducted in January to provide the principal with an opportunity to address any concerns or issues before the end of the school year.
13. Review requests for purchase of materials beyond those which are provided for in the annual budget.
14. Enter into contracts, leases and other agreements which are, in the APB's judgment, deemed necessary or desirable for the operation of the school.
15. Execute all other responsibilities provided for in the State of Alaska Department of Education, the charter school bylaws, and the school's charter necessary to ensure the proper operation of the school.

### Section 3. Actions by the Academic Policy Board.

1. No individual member of the APB shall act on behalf of, or in the name of, the APB unless so authorized by these Bylaws or by resolution of the APB.
2. APB members will be excused from voting upon, but not from the discussion of, any matter involving: (a) a conflict of interest; (b) a self-dealing transaction; (c) indemnification of the APB member; or (d) any other matter at the discretion of a majority of the APB members present.
3. Teachers and staff members may be excused from both discussions and voting regarding sensitive personnel issues of the school.
4. It shall be the duty of every APB member to maintain the confidentiality of all APB discussions that are conducted while in Executive Session. Any APB member violating this confidence may be disciplined to the extent and in a manner deemed appropriate by the APB, including removal from the APB.

Section 4. Number, Tenure and Qualifications. The Academic Policy Board shall consist of seven (7) members: four parents, one community member at large and two teachers of Eagle Academy. The parent positions must be filled by parents of students currently attending Eagle Academy and may not be filled by teachers, permanent staff members, or long-term temporary staff members of Eagle Academy. The community member may be a parent or classified employee but may not be a certificated staff member. Only one parent per family may serve on this Board at a time. The teacher positions must be filled by certificated teachers currently employed full-time as such by Eagle Academy.

Academic Policy Board Seats A, B, C, D, E and F are two year terms, and shall terminate on the last day of June of the second year. Seat G is a one year term.

The initial APB members shall carry the following specific terms and general responsibilities:

- Seat A/Primary Teacher. Term expires June of even numbered years. Responsible for interfacing with and advising on primary classrooms in APB matters.
- Seat B/Intermediate Teacher. Term expires June of odd numbered years. Responsible for interfacing with and advising on intermediate classrooms in APB matters.
- Seat C/Parent. Term expires June of even numbered years. Responsible for contracts, legal matters and member selection.
- Seat D/Parent. Term expires June of odd numbered years. Responsible for coordinating budget, finances, and grants (including appropriateness of any grants).

- Seat E/Parent. Term expires June of odd numbered years. Responsible for curriculum and academic matters.
- Seat F/Parent. Term expires June of even numbered years. Responsible for public relations, advertising, and school promotion.
- Seat G/Community Member. Term expires in June yearly. Responsible for assisting in all school related matters.

The Principal of Eagle Academy shall attend APB meetings, as requested by the APB, in a non-member, consulting capacity. The Anchorage School District may appoint a representative to attend APB meetings in a non-member, advisory capacity, but such school district representative shall also not have any member rights and shall not be entitled to attend any Executive Sessions unless invited by the APB.

Section 5. Election, Term. The community member seat shall have a one (1) year term. All other APB seats shall have two (2) year terms. Parent board member terms automatically end when they no longer have a student enrolled at Eagle Academy. Teacher member terms automatically end when they are no longer employed by the school. There are no term limits.

Section 6. Election Committee. In March of each year, the APB member in Seat C shall convene an Election Committee of three (3) persons. The composition of the committee shall be two (2) parents and one (1) teacher who meet the qualifications to vote as set forth in Article II, Section 7. Of these three committee members, at least one person shall be a member of the APB and chair the Election Committee. The Election Committee shall oversee the election process for positions on the APB.

The Election Committee shall do the following:

1. Solicit and receive candidate applications for membership.
2. Prepare a ballot listing the candidates along with the candidate's application. No write-in votes will be valid or counted.
3. Ensure that an up-to-date master list of qualified voters is compiled within two weeks preceding the election.
4. Oversee the voting, by secret ballot, to ensure that it is conducted in a fair manner in accordance with whatever further election procedures the Election Committee or APB adopts.
5. Tally all eligible votes within one week after the election, checking the names against the master list and also ensuring only a single vote per qualified voter and family.
6. Advise the candidates and the APB of the election results.
7. Prepare a report stating the results of the election, which report shall be kept at the principal office of the school and be made available for review by interested parents, students, teachers, and staff members of Eagle Academy Charter School.

Section 7. Eligibility to Vote. Eligibility to vote in elections for members of the APB shall be as follows:

1. Parents. Parents or legal guardians of one or more students enrolled in Eagle Academy Charter School two weeks prior to the election, with the exception as noted below in this paragraph, are eligible to vote for parent representatives. The parents or legal guardians shall decide amongst themselves how to cast their family vote.
2. Teachers. Anchorage School District certificated teachers employed by Eagle Academy Charter School are eligible to vote for teacher representatives on the APB.
3. Number of Votes and Dispute Resolution. Each family is allowed one ballot for voting. The Elections Committee shall be responsible for monitoring voter eligibility and exercising its discretion to resolve any disputes involving the casting of ballots.

Section 8. Vacancies. Should a vacancy occur before a term is complete, a notice shall be sent out to invite applications for the seat. The vacancy will be filled by appointment by a majority of the remaining members of the APB. The replacement member of the APB shall serve out the unexpired term of his or her predecessor in office.

Section 9. Compensation. No compensation shall be paid to Board members for their services, nor to any committee of the Board.

Section 10. Resignation. Any member may resign at any time by giving a written notice to the Secretary or Chairperson of the Academic Policy Board. Such resignation shall take effect at the time specified therein; and, unless otherwise stated therein, the acceptance of such resignation shall not be necessary to make it effective. The written resignation shall become part of the APB's permanent records.

Section 11. Attendance. The Secretary or the Secretary's designee of the Board shall maintain a record of attendance of Board members at all regular and special Board meetings.

Section 12. Censure, Suspension or Removal. A board member may be censured, suspended, or removed from the Board for any of the following:

1. Missing more than two (2) consecutive regular meetings.
2. A significant conflict of interest.
3. Divisive or unprofessional behavior.
4. Being convicted of any crime while serving as a board member.

If a member is charged with any of the above allegations, by majority vote of the APB, the Board 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 Academic Policy Board 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 Academic Policy Board nor employees of the school. The investigative committee's recommendation shall be submitted in writing to all Academic Policy Board 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 removal from the Board, 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.

Section 13. Limitation on Terms. There shall be no term limit.

Section 14. Rules of Order. Unless inconsistent with these bylaws, meetings shall be conducted in accordance with Robert's Rules of Order.

Section 15. 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.

Section 16. Liability. No member or former member of this Board shall have any personal liability to the organization for monetary damages for the breach of fiduciary duty as a member except as provided in AS 10.20.151(d).

### **Article III – Officers of the Academic Policy Board**

Section 1. Designation. Officers of the Academic Policy Board shall consist of the Chair, Vice- Chair, and Secretary. The Board members may appoint other officers as, in their judgment, may be necessary or advisable.

Section 2. Election of Officers. The officers of the Board shall be members of the Academic Policy Board and shall be elected annually at the first regular meeting following June 30 of each year. The remaining members of the Board may fill any vacancies in offices.

Section 3. Duties of Elected Officers. The duties of elected officers will be similar to those of officers of a non-profit organization or as required by law. Other additional duties may be assigned to them by members of the board. The duties of the officers will be such as are usually imposed upon such officials of non-profit organizations, and are required by law, and such as may be assigned to them by the members of the Board from time to time.

Chair: will preside at all meetings of the Academic Policy Board. Any voting member of the APB may serve as the Chair.

Vice-Chair: In the absence of the Chair, or in the event of his or her death, inability or refusal to act, the Vice-Chair shall perform the duties of the Chair, and when so acting shall have all the powers of and be subject to all the restrictions upon the Chair. Any Vice-Chair shall perform such other duties as from time-to-time may be assigned to him or her by the APB. Any voting member of the APB may serve as the Vice-Chair.

Secretary: The Secretary shall keep, or make provision for the keeping of, the minutes of the meetings of the APB in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; be custodian of the corporate 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; keep a list of the post office address and e-mail address of each member of the APB; and in general perform such other duties as from time-to-time may be assigned to him or her by the APB. Any voting member of the APB may serve as the Secretary.

### **Article IV - Meetings of the Academic Policy Board**

Section 1. Regular Meetings. The Academic Policy Board will meet at least once every quarter to consider, change or adopt policy, at such time and place as the members of the Board may designate. Notice of regular meetings of the Board shall be given to each member not less than seven (7) days in advance of the meeting. All portions of all meetings of the APB (except Executive Sessions) will be open to the public, and all parents, teachers and staff members of Eagle Academy are hereby invited and encouraged to attend. The Chair of the APB will be responsible for guiding discussion, keeping discussions to time limits imposed by the Chair and/or a majority of the APB, and for restating all decisions so that the Secretary can record them accurately.

The agenda must be approved by a majority of the quorum at the start of each meeting. No action items can be added at the meeting itself. Non-action items may be added as time allows. Action items are those for which a vote is taken at that meeting; non-action items are all other items.

The APB Secretary (or his/her designee) shall record summary minutes which contain meeting date, time and attendance, an exact statement of motions, a brief summary of comments made during any public comment period, and the APB's vote on each motion. The Public Comment summaries shall include only the speaker's name and topic of comment. Committee reports, administrative reports and treasurer's reports may be attached.

Section 2. Special Meetings. Special meetings of the Academic Policy Board may be called by the Chair or by two or more members to be held at such time and place as is specified in the notice of the meeting. Special meetings may be called on a three (3) day notice.

Section 3. Place of Meetings. The APB may designate any place within the Municipality of Anchorage as the place of meeting for any annual meeting, regular meeting or special meeting. If no designation is made, the place of meeting shall be the principal office of the school.

Section 4. Quorum. At all meetings of the Academic Policy Board, a majority of the members shall constitute a quorum for the transaction of business by the Board. The act of a majority of the members of the APB at a meeting at which a quorum is present shall be the act of the APB, unless the act of a greater number is required by law or by these Bylaws. If a quorum is not present at any meeting of the APB, or if a quorum is initially present but thereafter one or more members departs the meeting, the meeting may continue but no votes may be taken.

Section 5. Executive Sessions. All regular and special meetings of the Academic Policy Board shall be open to the public, except that, upon a vote of a majority of the members present, an executive session may be held in accordance with AS 44.62.310.

Non- members, including the principal, may not attend executive sessions without invitation by the APB.

Section 6. Adjournment. A majority of the APB members present at a meeting, whether or not a quorum exists, may adjourn the meeting to another time and place. If the adjournment is to be for no more than twenty-four (24) hours and if the matters to be discussed are already included on the agenda for the adjourned meeting, then neither a new agenda nor notice of the date, time or place of holding the next meeting need be given to APB members or to anyone else not present at the time of the adjournment. If the next meeting is scheduled to occur more than twenty-four (24) hours after the adjourned meeting, notice of the date, time and place for the next meeting, and an agenda, shall be given as specified elsewhere in these Bylaws.

Section 7. Telephonic Participation and Informal Action by Members. APB members may participate in APB meetings through use of conference telephone or similar communication equipment, so long as all APB members participating in such meetings can hear one another. Telephonic participation in a meeting pursuant to this section constitutes personal presence at such meetings. Meeting minutes shall be approved by a majority vote of the APB, and such approval may be given in person at the next APB meeting or prior to such meeting by first class mail, facsimile or e-mail.

Section 8. No Proxies. No members of the APB may vote by proxy.

## **Article V – Committees of the Academic Policy Board**

Section 1. Authorization. The Academic Policy Board may, by resolution, establish such standing or special committees, composed of Directors and other persons, that may from time to time be determined.

Section 2. Responsibilities. It is the responsibility of the committee to report findings at all regular meetings of the Academic Policy Board. Any and all recommendations of a committee must be submitted to the Academic Policy Board in writing for official action.

Section 3. Meetings. Committees of the Academic Policy Board will comply with the same policies concerning public meeting notices in Article V, Section 1 above.

#### **Article VI – Contracts and Gifts**

Section 1. Contracts. The APB may authorize any officer or officers, agent or agents of the school, 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 the school, and such authority may be general or confined to specific instances. Such authority shall be executed through a vote of the Board.

Section 2. Gifts. The APB may accept on behalf of the school any contribution, gift, bequest or grant for the general purposes or for any special purpose of the school.

#### **Article VII – Amendments to the Bylaws**

These Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a two- thirds vote of the APB who are present at any annual, regular or special meeting where a quorum is present. Proposed changes to the Bylaws may be submitted by any member of the APB, by parents with students enrolled in the school, and by teachers or staff under contract with the school. The proposed Bylaws change(s) shall first be submitted in writing to the members of the APB and placed on the agenda at the annual or regular APB meeting prior to the meeting at which the proposed change(s) will come up for a vote. Following the introduction of the proposed change(s) at a regular APB meeting, such proposed change(s) shall be posted at the school's principal office for no less than three weeks before the proposed change(s) will come up for a vote, the purpose being to make the proposed change(s) available for comment by families with students enrolled in the school and by teachers and staff with contracts with the school. No alteration, amendment, or repeal of these Bylaws, or passage of new Bylaws, shall take effect until approved by the Anchorage School District.

#### **Article VIII - Adoption**

These Bylaws are duly adopted by the Academic Policy Board at a meeting held on the 7th day of October, 2008.

Adopted: November 16, 2006  
Amended: October 7, 2008  
Amended: April 14, 2009  
Amended: March 9, 2010  
Amended: May 29, 2013  
Amended: May 27, 2014  
Amended: December 13, 2016