

PROPOSED REVISIONS TO THE RRPS NAPAC BY-LAWS

BY-LAWS OF THE

RIO RANCHO PUBLIC SCHOOLS

INDIAN EDUCATION ACT PARENT ADVISORY COMMITTEE

ARTICLE I: NAME

- Section 1. The name of this parent committee shall be the Rio Rancho Public Schools Native American (NA) Parent Advisory Committee (PAC), hereafter referred to as the NAPAC.

ARTICLE II: PURPOSE, RESPONSIBILITIES

- Section 1. The purpose of the Rio Rancho NPAC shall be to collaborate with the Rio Rancho Public School District in developing and implementing the most effective Indian education program which responds to the cultural and academic needs of the District's Native American students. NAPAC shall advise, recommend and work with the Rio Rancho Public School District as required by the "Indian Education Act". NMSA 1978: 22-23A-1 to 22-23A-8.
- Section 2. The responsibilities of the Rio Rancho NAPAC shall include, but not limited to, all the following tasks.
- a. Meet with LEA representative and the Indian Education staff to review and discuss the overall operation and on-going activities of the project (s).
 - b. Review and approve, in writing, any new Indian Education Project application(s) continuation application(s), project extension requests or amendments.
 - c. Collaborate in the development of a project design, which reflects the needs assessment results.
 - d. Support the LEA in its effort to identify and certify all eligible Native American students as required by the "Indian Education Act" and SEC. 7101. TITLE VII — Indian, Native Hawaiian, and Alaska Native Education - Part A — Indian Education.
 - e. Act as 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).
 - e. Attend all regularly scheduled and special meetings.
 - f. Become familiar with the rules and regulations of the Indian Education Act.
 - g. Perform other duties assigned to the group or individual members.
 - h. Participate in public meetings.

ARTICLE III: MEMBERSHIP

- Section 1. Rio Rancho 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 district.
- c. Secondary school Native American students (if LEA serves K-12 grade level).
- d. Legal guardians standing “in loco parentis” (in place of the parents) with whom the student resides. (examples: foster parents, grandparents)
- e. Interested community members who support the purpose of NAPAC.

Section 2. The composition of the Rio Rancho NAPAC shall comply with the Indian Education rules and regulations. The Rio Rancho NAPAC shall be composed of a minimum of six members.

**ARTICLE IV: PARENT COMMITTEE TERMINATION/RESIGNATION/
REMOVAL**

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

Section 2. Termination will become effective when a:

- a. Parent ceases 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 member is 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 shall require the majority vote of the Rio Rancho NAPAC. The following reasons are grounds for removal.

- a. Neglect of duty.
- b. Proven violation of the (PAC) by-laws and school district code of ethics.
- c. Found guilty of any felony charge in state, federal, or tribal court of law.

ARTICLE V: OFFICERS OF THE COMMITTEE

Section 1. The following Executive Officers of the Rio Rancho NAPAC shall be elected from the parents and legal guardians of Rio Rancho 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 beginning the day after the election and continuing until the next election.
- b. No more than three consecutive terms for the same position.

Section 3. Election of Officers:

- a. Officers shall be elected by ballot during the 2nd meeting of the new school year when a position is vacant due to an expired term.

- b. Nominations shall be made from the floor, provided that the candidate is present and accepts the nomination.
- c. Officers shall assume their duties upon confirmation of election.

Section 4.

Vacancies of Officers. 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 Rio Rancho NAPAC members at the next regular meeting.

Section 5.

Duties of Officers

- a. The Chairperson shall preside over all general meetings and sign all documents upon consultation with the Rio Rancho NAPAC membership, as required. Chairperson, in conjunction with 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 Rio Rancho NAPAC.
- b. The Vice-Chairperson shall assist the Chairperson in coordinating all duties/responsibilities of the Rio Rancho 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 Rio Rancho NAPAC.
- c. The Secretary/Recorder shall arrange to have the minutes of each meeting recorded and copies made available at each meeting. The secretary shall provide a list of the Rio Rancho NAPAC members upon request from the appropriate authorities per Rio Rancho Public School District policies. The secretary shall maintain a record of documents related to the Rio Rancho PAC.
- d. The Public Relations Officer shall provide press releases in conjunction with the program coordinator.
- 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 signature. The Treasurer shall also be bonded.

Section 6.

Removal of Officers. Any officer may be removed for cause by a majority vote of all members when it is in the best interest of the Rio Rancho NAPAC.

ARTICLE VI: VOTING RIGHTS

Section 1.

Each Rio Rancho 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 VII: 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 in the local newspaper or school newsletter giving information as to date, time, and location. Each Rio Rancho 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 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 Chairperson and the project staff. A copy of the agenda will be made available to the Rio Rancho NAPAC membership at each meeting. Individual members of the Rio Rancho NAPAC may submit items to 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 Rio Rancho 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 Rio Rancho 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. Fund raising
 - d. Application review
 - e. Any other subcommittee which promotes the improvement of project goals
- Section 3. Subcommittee terms will expire upon conclusion of the business activities for which they were created.

ARTICLE IX: RESOLUTION/COMPLIANCE

- Section 1. The Rio Rancho 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 Rio Rancho 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 Rio Rancho NAPAC, with opportunity for meaningful 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 Rio Rancho NAPAC.

- d. That the Rio Rancho 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 Rio Rancho Public School District.
- e. That the Rio Rancho NAPAC will receive all project and financial reports pertinent to the Indian Education Act project(s), to insure that grant funds are being used to supplement and not supplant the level of funds available to the Rio Rancho Public School District for education of Native American children.
- f. That in conformance with federal guidelines, the Rio Rancho 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 Rio Rancho 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 Rio Rancho NAPAC and the local education agency.

ARTICLE X: DUE PROCESS

Section 1. Any member of the Rio Rancho 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 Rio Rancho 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 Rio Rancho NAPAC Chairperson within 10 work days of removal.
- b. The Rio Rancho NAPAC shall 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 Rio Rancho NAPAC, to present witnesses to testify on his/her behalf, and to introduce any written documentation for review by the Rio Rancho NAPAC.
- d. The Rio Rancho NAPAC shall consider any information or testimony presented to them in appeal process and shall render a final decision to the individual within 15 days of the hearing.
- e. The Rio Rancho 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 XI: 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 Rio Rancho 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 Rio Rancho 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 Rio Rancho NAPAC and the approval of the LEA.
- Section 4. Any amended by-laws shall have written approval of the Rio Rancho Board of Education.

ARTICLE XII: RATIFICATION

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

IN WITNESS THEREOF:

Chairperson

Date

IN WITNESS THEREOF, the Superintendent, Rio Rancho Public School, has caused these by-laws to be duly approved on the _____ day of _____, 2008.

Superintendent of Schools