

BOARD AGENDA ITEM FORM
TUCSON UNIFIED SCHOOL DISTRICT

Approved by Board
Date 6-21-05

MEETING OF: June 21, 2005

AGENDA ITEM NO. 11.
(leave blank)

TITLE: Indian Education Committee (IEC) By-Laws.

Information _____
Study X
Action X

PURPOSE: Approval of Revisions to IEC By-Laws approved by IEC, May 19, 2005

DESCRIPTION AND JUSTIFICATION:

The Indian Education Committee has revised its by-laws to update organizational rules to improve operation and function procedures to make it more effective. A name change from IEC to Indian Education Advisory Committee is recommended for the committee to better explain its function in relation to the Native American Studies Department and the Local Educational Agency.

BOARD POLICY CONSIDERATIONS:

LEGAL CONSIDERATIONS:

Legal Advisor Signature (if applicable)

D. Cox 6/10/05

BUDGET CONSIDERATIONS:

_____ District Budget
_____ State/Federal Funds
_____ Other: _____
Estimated Cost: \$ _____
Budget Code: _____

Budget Certification
(for use by Office of Financial Services only):

Date _____
I certify that funds for this expenditure in the amount of \$ _____ are available and may be:
_____ Authorized from current year budget.
_____ Authorized with School Board approval.

Code _____
Fund _____

_____ Budget Manager

BD AGENDA
INITIATOR:

David L. Geesey

David L. Geesey
Interim Director
Native American Studies

Ray Chavez

Ray Chavez
Executive Director
Multicultural Education
Division

Signature

Name/Title

Date

Kelly Langford
Kelly Langford
Sr. Academic Officer
Student Services

Patricia E. Lopez
Patricia E. Lopez, Ed.D.
Deputy Superintendent/Chief
Academic Officer

Roger F. Pfeuffer
Roger F. Pfeuffer
Superintendent

DOCUMENTS
ATTACHED/
ON FILE IN BOARD
OFFICE:

(Board Office Use Only)
Date received in Board Office:

RECEIVED
JUN 15 2005

**TUCSON UNIFIED SCHOOL DISTRICT
INDIAN EDUCATION ADVISORY COMMITTEE
BY-LAWS**

(Approved by School Board on _____)

**PRIORITY STANDARD
(IEAC, Local Education Agency and Federal Guidelines)**

The Indian Education Advisory Committee (IEAC) By-laws were formulated by Native American Studies Department (NASD) and approved by the Tucson Unified School District Board of Education (TUSD) on April 06, 1999 to promote maximum Native American peoples participation in collaboration in achieving an equal educational opportunity and a quality education for American Indian students of the school district. In an advisory role, IEAC committee members should advise and be advocates on commitments to the Indian peoples residing in TUSD as set forth in the Federal Guidelines established by Title VII, Johnson O'Malley Act, Title VIII, American School Act of 1994, Title I, Title IX, Special Education or any other federally required parental involvement formed by TUSD. The IEAC will advise and provide guidance to the District in meeting the unique culturally related academic and programmatic needs of the American Indian, Alaskan Native students for the 21st Century.

**MISSION STATEMENT
INDIAN EDUCATION ADVISORY COMMITTEE WILL ADVISE ON:**

- Assist all Stakeholders to come together for American Indian and Alaskan Native students in developing programs and educational opportunities that promote success and to treat students the way we would want to be treated.
- Engage the coming together of students, parents, teachers, schools, and community to promote Native American student achievement and encourage the development of life skills to strengthen their culture and heritage understanding which ensures success as citizens and leaders.
- Support and assist the local school district, Indian Nations and/or Tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of Native American students, so that each student can meet the same challenging State student academic achievement standards as all other students are expected to meet.

STATEMENT OF UNDERSTANDING

The Indian Education Advisory Committee has been established by Tucson Unified School District to assist in affairs of Indian students, but maintains certain statute responsibilities which will place certain limitations on the IEAC.

- Under rules and procedures as outlined in the IEAC By-Laws which must be approved by the Tucson Unified School District, Local Education Agency (LEA) before action of the IEAC.
- The LEA retains its position for setting policies and procedures for the LEA.

- The LEA maintains a work force that the LEA controls through their agreements and board policy to hire, assign and fire LEA staff, and sets rules under which all subgroups of the LEA must follow for the common good of all students under its control.
- IEAC will follow all the rules of the "Open Meeting Law".

ARTICLE I Name of Committee

The name of the committee shall be the Indian Education Advisory Committee (IEAC).

ARTICLE II Duties and Limitations

Section I. Duties: The IEAC will participate in the planning and development, of services and activities provided by the program.

The IEAC will:

- a) Organize and implement district-wide cultural enrichment activities and events
- b) Serve as a forum to discuss community Native issues, needs and recommendations
- c) Assist the NASD in planning its annual public hearing
- d) Participate in an organizational and training session to up-date skills and responsibilities
- e) Communicate with district officials regarding concerns and ideas relative to Native American student programmatic needs and learning issues.
- f) Review educational services based on documented student needs
- g) Assist local Tribal Nations, other entities and individuals in providing Native American students high achievement expectations as outlined in the State standards for learning.
- h) Discuss and approve Title VII Grant Application Budget yearly.
- i) Promote awareness and understanding of district resources and services.
- j) Promote awareness and understanding of cultural diversity of all racial communities.
- k) Assist the district to screen and interview candidates for department positions.
- l) Participate in curriculum discussions and promote Native American student programs

- m) Review and amend, if necessary, the IEAC By-Laws at least every two years.

Section 2. Limitations: The IEAC shall have no power to bind any member of the school district to any debt, without an express written authorization from the school district:

- a) No member of the IEAC shall be required to provide any sum of money (i.e. membership fees, dues, etc.) or property to the IEAC.
- b) The IEAC shall not pay any member for carrying out the delineated responsibilities in the bylaws;
- c) The committee shall have no powers other than those specified herein.
- d) Members will avoid any appearance of a conflict of interest by abstaining from voting on any program matter, which may benefit their immediate family more than the rest of the program population.
- e) IEAC members shall not work for the Title VII Program.
- f) No more than one family member per household may serve as a voting member of the IEAC.

ARTICLE III Committee Structure

Section 1. Eligibility. The composition of the IEAC will be made up from the following:

- a) Parents of program-enrolled students, including individuals acting "in loco parentis" (legal guardian of a program-enrolled student).
- b) District teachers working with AI/AN students.
- c) Program enrolled secondary school students (where appropriate).

A member will no longer be eligible to serve on the IEAC if:

- a) The parent representative's child no longer attends the district.
- b) The teacher representative is no longer employed by the district.
- c) The student representative no longer attends a district school.

Section 2: Committee Composition. The composition of the Indian Education Advisory Committee must be 50 + 1% parents of program enrolled Indian children. At least two members must be district teachers who are native or have native students in the classroom or teacher/counselor who are native and/or who work with Indian children. At least two members must be a program enrolled secondary school students to comply with the Title IX regulation-one male and one female. (A parent is an eligible constituent who on the date of an election for IEAC membership is a parent of a program enrolled student or a person acting as a parent "in loco Parentis" of a program enrolled student.

Section 3: Committee Membership: The IEAC shall consist of no less than eight (8) and no more than ten (10) eligible members. The committee membership shall be established through general announcement, Internet, NASD Web page, posting, Public Notice, and personal correspondence with the eligible parent constituents of program enrolled students, teachers who are native or have native students in the classroom or

Section 4: Elections:

- 1) All official general elections shall be by secret written ballot mailed to each eligible constituent parent of enrolled students and those "in loco Parentis".

- 2) **Nomination Procedure:** Nominations will be taken between the **Third Monday in March and April 1 of each year**. IEAC Nominations Committee shall notify the membership of vacancies and put in place the nominations process for seeking qualified candidates. NASD letters announcing IEAC vacancies and nomination petitions will be sent to all families who are eligible constituents of program enrolled students seeking candidates for membership on the IEAC. Nomination petitions will be sent to TUSD Native American High School students and teachers who are native or have native students in the classroom or teacher/counselors who work with Indian students.
 - a) Eligible constituents, teachers or teacher/counselors may recommend a member for candidacy, with the person's permission and qualification status certified.
 - b) Each IEAC nominee shall complete and sign an application of service to verify qualifications and to willingly serve as an IEAC member. Any active eligible person may submit a Nomination Petition for another active eligible member, providing the nominee meets qualifications of such office, and agrees to serve as stipulated in the IEAC By-Laws.
 - c) Membership on the IEAC cannot be transferred.
 - d) Tribal Elders, leaders, and community members may attend meetings but they may not vote.
 - e) The Nominations Committee will turn over a slate of Nominations to the Elections Committee who will ask the IEAC, at the regular April meeting, to set the date of the election to fill openings on the committee.

- 3) **Election Procedure:** Election shall be held on the **last Friday of April** and the date will be announced by the IEAC. Such announcement shall be published at least ten (10) days prior to the election and the Official Ballot will be mailed at the same time with instructions, election deadline and a return envelope. The election shall be conducted in accordance with the provisions of the IEAC By-Laws and these provisions shall govern in case of any inconsistency or conflict that should arise from the election.
 - a) Election shall be held through a general election and the election date set by the IEAC will require that all Ballots be mailed or hand carried on or before the final day that ballots will be accepted. Ballots will be accepted if the postmark date shows that the ballot was mailed on the election date. All hand carried Ballots must be in

a sealed envelope provided, date stamped, and must be placed in the Ballot Box by 5:00 P.M. on or before the election date. A secure polling site will be located at the NASD Office and the Ballot Box will be closed each day at 5:00 P.M. on or before the date of the election.

- b) The nominees who receive the largest pluralities in the total vote count will be elected. If there are no student or teacher nominees, the IEAC shall seek appointments for these two positions.
- c) IEAC Elections Committee shall announce the time and place of tallying ballots and such tallying shall be open to IEAC members and any eligible member. The IEAC Elections Committee will report the findings to the IEAC at regular **May** meeting
- d) The ballots shall be turned over to the Elections Committee upon their request. They will sign an authorization form to certify the acceptance of the ballot box and its contents. The Elections Committee shall count the tallies within one (1) day of the election and shall publish the results as expeditiously as possible and present the official election results, signed by each Election Committee member, to the IEAC.
- e) The IECA Chairperson will present the official election results at the IEAC regular meeting in **May** of each year. The installation of officers will be conducted at the IEAC regular meeting in **June** of each year. The Local (LEA) will conduct an organizational and training workshop on Indian Education Advisory Committee's role and responsibilities prior to installation.
- f) The IEAC Chairperson will notify the NASD Director the results of the IEAC Election and request the Director to notify all persons elected to office and other candidates who were not successful.
- g) The Elections Committee shall be responsible for the preparation of letters, standard forms and procedures for use in elections and make rules for conduct of elections not inconsistent with the By-Laws.
- h) The Elections Committee will establish and announce the polling place on the official ballots provided
 - 1) Each Ballot received at the polling place will be logged and number coded by the Election Committee or their appointed representative and date stamped. The ballot will be placed in a secure Ballot Box after it has been processed.
 - 2) The Election Committee's appointed NASD representative will provide a signature and date on the Official Voter Registry. This Registry will be released to the Election Committee with an official signature of a committee member and dated when the Registry was released. An official date stamp will be placed on the Official Voter Registry to provide evidence of release from the polling place and signed by the Director of NASD.
 - 3) The polling place shall be under the supervision of the Election

Section 5. Training: All IEAC members will receive training on Indian Education Advisory Committee roles and responsibilities sponsored by LEA.

Section 6. Termination of membership:

- a) A member may be removed from the IEAC upon missing three (3) consecutive regular meetings for which he/she has not provided prior notification. A member must notify an IEAC officer or contact the NASD office prior to the scheduled meeting if he/she cannot attend.
- b) Termination of an IEAC member will be carried out by a majority vote of the quorum.
- c) Notification of termination shall be given in writing by the Chairperson.

Section 7. Resignation: Any member may resign either in writing or by notifying the IEAC Chairperson. The Chairperson will confirm oral resignations in writing. The Chairperson will inform the IEAC of the resignation at the next formal meeting.

Section 8. Removal: Members may be removed from the IEAC by majority of the committee for : Neglect of duty and or failure to maintain commitment of service due to conditions beyond the members control such as health, personal family responsibilities or others that cause the member to miss three monthly meetings in continuous order.

Section 9. Due Process: Any member of the Indian Education Advisory Committee removed for any reason stated above shall have access to due process to appeal the decision of the committee or the membership. Due process shall include the following:

- a) The committee shall provide a written notification of the decision to the member removed, by certified mail (return receipt requested) stating the reason for removal.
- b) The individual deciding to appeal her/his removal shall file an appeal, in writing, to the committee chair within 15 days of receipt of the removal notice, stating his/her case of appeal.
- c) The committee shall respond to the individual within 30 days of receipt of appeal.
- d) If not satisfied, the individual may request a hearing to present his/her case before the full committee; and shall have the opportunity to have witnesses on his/her consideration by the committee.
- e) The committee shall consider any and all information presented to them in the case of the appeal, and shall render a final decision to the individual within 15 days of the hearing.
- f) The committee, nor any individual of the committee, shall be held liable for any personal or legal costs incurred by the individual appealing the due process.

Section 10. Vacancies: Any vacancy on the committee shall be filled by a motion to fill the vacancy, seconded and approved by the majority vote. The new member will serve out the term of the vacant position.

Section 11. Voting rights: Robert's Rules of Order shall be the parliamentary authority for the IEAC on all matters not vocered by the By-Laws.

Section 12. Delegates: IEAC representatives to national, regional and state training conferences will be chosen based upon their attendance and active participation at IEAC meetings and functions. At its discretion, the IEAC may vote to send a parent or community member as the IEAC representative.

- a) Selected delegate(s) will be expected to attend the entire length of the conference.
- b) Selected delegate(s) will give a verbal report of the conference information obtained at the next regular IEAC meeting.

ARTICLE IV Sub Committees

Section 1. Sub Committees: The IEAC may establish the following standing sub-committees each year at the first regular monthly IEC meeting following the IEAC elections:

- a) Bylaws
- b) Cultural Education
- c) Fund Raising
- d) Needs Assessment
- e) Tribal Liaison

Other ad-hoc sub-committees may be formed periodically (or combined) throughout the year for the duration of a special program as deemed necessary by the IEAC.

Volunteers from the IEC or the community may serve on standing or temporary committees.

ARTICLE V Officers

Section 1. Officer Titles will be as follows: Chairperson, Vice-Chairperson, Secretary and Treasurer.

Section 2. Selection, Terms and Succession

- a) The officers shall serve a term of one year and, with the exception of the Chairperson, may be re-elected without intervening term.
- b) Nominees for office of Chairperson must have been an active member of the IEAC the previous attendance year and maintained an 80% record of attendance as evidenced by the Monthly Attendance Log maintained by the NASD secretary in accordance with IEAC secretary minutes.

Section 3. Duties of Officers:

- a) The Chairperson shall perform all duties incident of the Office of Chairperson and such other duties as may be prescribed by the IEAC. The duties of the Chairperson will be to:

- 1) Know the major roles or parliamentary procedures of conducting a meeting.
- 2) Approve the agenda for the meeting.
- 3) Conduct all general IEAC meetings;
- 4) Uphold order at meetings.
- 5) Sign all letters, reports and other documents as may be required.
- 6) Be an ex-officio member of all standing committees.
- 7) Other duties as may be prescribed by the IEAC.

b) The duties of the Vice-Chairperson will be to:

- 1) Preside in the absence of the Chairperson:
- 2) Exercise all the rights and privileges of the Chairperson when acting in that capacity;
- 3) Oversee work of standing committees;
- 4) Serve as an authorized signatory for expenditure of IEAC funds;
- 5) Perform such other duties as may be prescribed by the Chairperson or by the IEAC.

c) The duties of the Secretary will be to:

- 1) Record minutes of all meetings.
- 2) Provide copies of the minutes to the Program Coordinator, the IEAC and to such other persons the IEAC may indicate.
- 3) Represent the Chairperson in the absence of both the Chairperson and Vice-Chairperson.
- 4) Ensure that required public notices are posted in accordance with the provisions of these bylaws.
- 5) Act as custodian of the IEAC records.
- 6) Maintain an updated list of the addresses and telephone numbers of IEAC members.
- 7) Maintain yearly attendance records of meetings and functions.
- 8) Perform such other duties as may be prescribed by the Chairperson or by the IEAC.

d) The duties of the Treasurer will be to:

- 1) Maintain an accounting of all IEAC funds in accordance with the procedures established by the district controller.
- 2) Promptly deposit any monies received in the IEAC account.
- 3) Obtain appropriate officer signatures for any withdrawal of IEAC funds as approved by a quorum of the committee.
- 4) Provide an updated budget report at all regular IEAC meetings.
- 5) Maintain an active log of program budget reports submitted to the IEAC by the Program Coordinator.
- 6) Serves as an signatory of IEAC funds.

Section 4. Election and Term of Office:

- a) Officers shall be elected by majority vote of IEAC members at the first regular meeting in June and be seated after the organizational meeting.
- b) Officers training workshop will be organized by the LEA at the regular June meeting each year to learn roles and responsibilities.
- c) Term of each office shall be one year and limits determined by these By-Laws.

ARTICLE VI Meetings

Section 1. Regular meeting: The IEAC shall meet not less than 9 times during the school year. The date and time of regular meetings will be decided by a majority vote at the April meeting of each year. All regular meetings of the IEAC shall be open to the public. Notice of regular meetings shall be in writing and shall state the date, hour and location of the meeting. Notices shall be mailed to each member not less than one week before the date of such meeting. A copy of the agenda shall be enclosed with the notice.

Section 2. A quorum: A quorum shall consist of a simple majority of the total number in attendance who have been duly elected.

Section 3. Agenda: The agenda for each meeting shall be prepared by the Chairperson and program staff. Individual members of the IEAC are encouraged to submit agenda items to the Chairperson.

Section 4. Special Meetings: Any special meetings may be called by the Chairperson or by a majority vote of the IEAC. All members shall be notified within at least 1 day prior to the meeting. Notification of special meetings may be by telephone or e-mail.

Section 5. Procedures: Meetings will be conducted in accordance with Robert's Rules of Order or in accordance with appropriate adaptation thereof.

ARTICLE VII Amendments

Section 1. Procedures: These bylaws may be amended at any meeting of the IEAC by a majority vote of all regular members. Any amendment shall not:

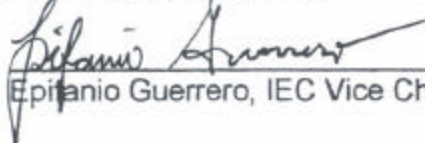
- a) Violate federal or school district policies and regulations.
- b) Confer any power or responsibilities beyond those authorized by current federal regulations pertaining to the Title VII, VIII and IX Indian Education Act, Johnson O'Malley or school district policies and procedures.

ARTICLE VIII Ratification

Section 1. Adoption: These bylaws shall be declared adopted by the IEAC when passed by majority vote at a regular IEAC meeting.

These bylaws are hereby approved by the Title VII, VIII and IX Indian Education Act and Johnson O'Malley Program Indian Education Committee and the Tucson Unified School District.

IN WITNESS THEREOF



Epifanio Guerrero, IEC Vice Chairperson

5/19/05

Date

Bruce Burke, School Board Chairperson

Date



David L. Geesey, Native American Studies Interim Director

6/13/05

Date

Roger F. Pfeuffer, Superintendent

Date

Original document signed on April 6, 1999