

**BYLAWS
OF
Boreal Sun Charter School**

**Adopted by Boreal Sun Charter School Academic Policy Committee
on**

April 14, 2021

Amended on December 2, 2021

Revised June 1, 2022

Fairbanks, Alaska

**Boreal Sun Charter School
Fairbanks North Star Borough
Alaska
www.k12northstar.org/borealsun**

ARTICLE I

Name, Office, Fiscal Year, Governance

SECTION 1. NAME

The name of this organization shall be Boreal Sun Charter School (“the School” or “BSCS”).

SECTION 2. PRINCIPAL OFFICE OF THE INITIATIVE

The principal office for the transaction of the activities and affairs of the School is 2404 South Barnette Street, Fairbanks, State of Alaska.

SECTION 3. FISCAL YEAR

The fiscal year of the School shall coincide with that of the Fairbanks North Star Borough School District (July 1 through June 30).

SECTION 4. GOVERNANCE

The School shall be governed by the Academic Policy Committee (APC).

ARTICLE II

Academic Policy Committee

SECTION 1. GENERAL POWERS

Boreal Sun Charter School will have an Academic Policy Committee (APC), which is the primary governing body designated to oversee and supervise all aspects of the School. No members of the APC shall act on his or her own in the name of the APC unless so authorized by these Bylaws or by resolution of the APC. The APC shall have the maximum power permitted by law, shall establish policy for the school, shall fulfill the duties prescribed in A.S. 14.03.250- AS 14.17.450(d) and as set forth in these Bylaws, and may include, but is not limited to, the following functions:

- A. Ensure the fulfillment of the mission of Boreal Sun Charter School as stated in the Boreal Sun Charter School/Fairbanks North Star Borough School District (FNSBSD) contract.
- B. Oversee and have ultimate accountability and responsibility for academics, curriculum, operations & maintenance of the school. Oversight of personnel issues, finances and budgeting, and other administrative tasks as required by the School.
- C. Promote professional conduct in accordance with Fairbanks North Star Borough School District policies.
- D. Delegate to the ~~Head Teacher~~ Principal those tasks deemed appropriate by the APC, and to collaborate with the ~~Head Teacher~~ Principal regarding the hiring, evaluation, and/or termination or non-retention of teachers, staff, and other personnel to the extent permitted by law and FNSBSD negotiated contracts.
- E. Review and rule on any other questions, issues, or policies that may arise from time to time, to the extent permitted by law.

SECTION 2. MEMBERS

A. Membership on the Academic Policy Committee is by community election, except as provided herein. The number of members of the APC shall be no fewer than seven (7) and no more than ~~eleven~~ nine (9) voting members. Voting APC members shall represent the staff and the community. Three (3) of the members shall be permanent staff, at least two (2) of whom shall be certified teachers. Six (6) APC members shall be parents/legal guardians of students currently enrolled in the school, who are not also permanent Boreal Sun Charter School staff members.

~~Two more voting members will be appointed. The Tribal Seat Representative will be held by a member appointed by the Diversity, Equity, Inclusion, and Belonging (DEIB) Council. The Mentor's Seat will be appointed by the APC. This seat will be held by a member of the extended Boreal Sun community who has knowledge of Waldorf educational practices.~~

In the event ~~that APC membership drops below seven members~~ an APC position becomes vacant outside of the election timeline, the APC shall appoint members of the staff and/or community to serve until the next election period.

B. The ~~Head Teacher~~ Principal will serve in perpetuity as an ex officio, non-voting member of the Academic Policy Committee whose membership will not count towards the total number of APC Board Members.

(amended December 1, 2021)

(amended February 2, 2022 to add Item B)

SECTION 3. TERM

The term of all members of the APC shall be two (2) years from March to March. It is the goal of these Bylaws that the terms expire in alternate years so that not all parent or teacher positions expire in the same year. The APC members as of the date for adoption of these Bylaws shall consist of the following members.

Stacy Foshee	Principal	Permanent
Susan Kerndt	Teacher	2021 – 2023
Vacant	Parent	2021 – 2023
Vacant	Parent	2020 - 2022
Lucia Zaczkowski	Teacher	2021 – 2023
Sara Wood	Parent	2020 – 2022
Ben Prax	Parent	2021 - 2023
Genevieve Pfisterer	Teacher	2022 - 2024
Tiffany Gifford	Parent	2020 – 2022
Elizabeth Green	Parent	2021 - 2023

SECTION 4. TERM LIMITATIONS

There shall be no limitation on the number of terms that an APC member may serve. If current members wish to serve additional terms, they must go through the election process.

Section 5. Election of Members to the Academic Policy Committee

A. Vacancies and New Members

APC staff and community members shall be elected by a majority of the school community as outlined below:

1. **Eligibility to Vote for Parent APC Positions.** Only parents or legal guardians of students enrolled in the school during the period of the election are eligible to vote for parent APC members.
2. **Eligibility to Vote for Staff APC Positions.** Only permanent staff members employed by Boreal Sun Charter School with a current contract effective during the period of the election are eligible to vote for staff APC members.
3. **Number of votes per eligible voter.** Eligible voters may cast one vote for each vacant position on the ballot, not to exceed one vote per open position.

B. Elections Committee

In October of each year, the Chair of the APC shall appoint an Elections Committee of ~~four (4)~~ five (5) persons. One person shall be a parent member of the APC, one person shall be a staff member of the APC, one person shall be a parent/legal guardian of a student enrolled in the school who is not a member of the APC, ~~and the fourth member will be the Head Teacher~~ Principal, and the fifth member will be the Administrative Secretary.

The Elections Committee shall oversee the election process for open positions on the APC. The Elections Committee shall:

1. Set a deadline for candidate applications and set opening and closing dates for the election period;
2. Solicit and accept applications from candidates for membership to the APC;
3. Bring the full list of candidates to the APC meeting held prior to the elections;
4. Make available within the school office copies of statements candidates choose to submit to the Boreal Sun community;
5. Establish a forum for public introduction of candidates;
6. Prepare a ballot listing candidates;

7. Distribute and collect ballots and otherwise oversee the election to ensure secrecy of ballots and that the election is conducted in a fair manner;

8. Report election results by or before February 20th, and advise candidates and the APC of election results.

C. Casting of Ballots

Voting for APC members will occur over two weeks at the end of January and/or the beginning of February. Voting will be by secret, paper ballot provided to eligible voters at the Boreal Sun office. Ballots must be returned in person or mailed and received by the closing date of the election period. Proxy, facsimile, email or any other method of voting not authorized above is not permitted.

D. Role of the APC in Elections

The APC shall do the following:

1. Approve the final ballot at the regular meeting prior to elections.
2. Swear in newly elected members at the annual meeting.

In the event that the number of qualified candidates is less than or equal to the number of vacant positions, the APC may dispense with an election and, with a 2/3 vote of members present, seat the slate of candidates.

(amended December 1, 2021)

SECTION 6. COMPENSATION

Members of the APC shall not receive any salary or other compensation for their services.

SECTION 7. RESIGNATION

Any APC member may resign at any time by giving 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. EXPECTATIONS AND REMOVAL

APC members are expected to attend, at a minimum, all regular monthly APC meetings. Although absences at times cannot be avoided, the APC may remove any APC member who fails to attend three regularly scheduled meetings during a term year. Additionally, the APC may remove a member with or without cause when it determines that the best interests of the APC and the school would be served by removal of that member. Removal shall require a supermajority vote (2/3) of the APC, during which the member in question retains voting rights.

SECTION 9. CONFLICT OF INTEREST

Each member of the APC shall act in the interest of the common good and for the benefit of the School. It is the intent of these Bylaws to maintain confidence in the APC and to prevent the use of this membership for private gain or any other improper purpose.

ARTICLE IV

Officers of the Academic Policy Committee

SECTION 1. OFFICERS

The officers of the APC shall be Chair, Co-Chair, Secretary, Treasurer and Historian each of whom must be a current member of the APC. The APC may elect or appoint other officers, including one or more assistant secretaries, as it shall deem desirable. Such officers may have the authority and perform the duties prescribed, from time to time, by the APC.

Lucia Zaczkowski	Chair	2021-2022
Vacant	Co- Chair	2021-2022
Susan Kerndt, interim	Secretary	2021-2022
Tiffany Gifford	Treasurer	2021-2022
Vacant	Historian	

SECTION 2. ELECTION AND TERM OF OFFICE

The term of all officers of the APC shall be for one (1) year. The officers of the APC shall be elected annually by a majority of the APC members at the annual meeting of the APC in March.

SECTION 3. REMOVAL

APC may remove an officer by majority vote with or without cause when it determines that the best interests of the APC and the school would be served by removal of that officer. Removal of an officer from office shall not constitute removal from the APC, as that action requires a separate vote.

SECTION 4. VACANCIES

A vacancy in any office may be filled by a majority vote of the entire APC for the unexpired portion of the term.

SECTION 5. CHAIR

The Chair shall be a member of the APC, and shall be the presiding officer at all meetings of the APC and set the agenda. The Chair shall have such authority and perform such duties as shall be directed by the APC from time to time. Additionally, the Chair will organize and facilitate the All School Meeting every fall.

SECTION 6. CO-CHAIR

The Co-Chair shall be a member of the APC. In the absence of the Chair, the Co- Chair shall perform the duties of the Chair, and when so acting, shall have all the powers of the Chair. The Co-Chair shall also perform such other duties as from time to time may be assigned to him/her by the APC.

SECTION 7. SECRETARY

The Secretary shall:

- Keep the minutes of the meetings of the APC in computer files and a book provided for that purpose.
- See that all notices and agendas are duly given and posted in accordance with the provisions of these Bylaws or as required by law.
- Keep an updated list of the mailing addresses, e-mail addresses, and telephone numbers of each member of the APC.
- Perform such other duties as from time to time may be assigned to him/her by the APC.

SECTION 8. TREASURER

Each spring and fall, the Treasurer will work collaboratively with the Head Teacher to present to the APC the annual budget and shall ensure that it justly supports the mission and goals of the charter. The Treasurer and Head Teacher will meet monthly and present an update of the budget at each APC meeting and in all ways shall be accountable to the APC.

SECTION 9. HISTORIAN

The historian shall maintain records of past APC topics and decisions.

ARTICLE V

Meetings of the Academic Policy Committee

SECTION 1. ANNUAL AND REGULAR MEETINGS

The APC hereby formally adopts the Open Meetings Act, A.S. 44.62.310 et seq. (“the Act”). All meetings shall be conducted and all notices posted in accordance with the Act. The APC shall hold regular meetings at least four (4) times a year, but typically monthly on the first Wednesday of every month. Additionally, the APC will hold a separate annual meeting in March, during which review of Bylaws and election of APC officers will occur.

SECTION 2. SPECIAL MEETINGS

Special meetings of the APC may be called by the Chair, Co-Chair, or any three members of the APC.

SECTION 3. PLACE OF MEETINGS

The APC may designate any place within the Fairbanks North Star Borough as the place of meeting for any regular meeting or special meeting. If no designation is made, the place of meeting shall be at the school.

SECTION 4. NOTICE OF MEETINGS

Notice of annual, regular, or special meetings stating the place, day, and hour of any meeting shall be delivered, either personally, by phone, text, or by email, to each member of the APC not less than one (1) day before the date set for such meeting. In addition, at least twenty-four (24) hours prior to each meeting, notice of and the agenda for each meeting shall be posted at the school. New issues not posted on the agenda may nonetheless be raised, discussed, and voted upon at any meeting.

SECTION 5. INFORMAL ACTION BY MEMBERS

Any action that otherwise may be taken at any meeting of the APC may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed and unanimously agreed upon in writing or e-mail by 100% of the members of the APC entitled to vote with respect to the subject matter thereof. A record of these actions shall be kept either digitally or in the book.

SECTION 6. QUORUM

A quorum shall be a majority of the current number of APC members. Telephonic or video participation may be permitted at both regular and special meetings at the discretion of the APC and must be set up ahead of time.

SECTION 7. MANNER OF ACTING

The act of a majority of the voting members of the APC, at a meeting at which a quorum is present either in person or telephonically, shall be the act of the APC, unless the act of a greater number is required by law or by these Bylaws.

SECTION 8. NO PROXIES

Members of the APC may not vote by proxy.

ARTICLE VI

Checks, deposits, funds, accounting, contracts

SECTION 1. BANK ACCOUNTS, CHECKS, WITHDRAWALS, ETC.

The School shall use district accounting services, policy, and practices for all money transactions. The non-profit entity, Friends of Boreal Sun Charter School (FOB), has their own policies and practices that will not intermingle with the School's Federal, State and local funding. No depository account in the name of Boreal Sun Charter School may be established without the approval of the APC. Purchases of \$10,000 or more will be presented to the APC for discussion.

SECTION 2. ACCOUNTING

The Head Teacher and the Treasurer shall meet monthly to compile and summarize the district report of all income and expenses since the prior APC regular monthly meeting. The APC may at any time request a full or partial budget report of School monies from the district.

SECTION 3. CONTRACTS

Contracts shall be run through the Head Teacher and Fairbanks North Star Borough School District. The APC shall be made aware of contracts in excess of \$10,000 that are in negotiation.

ARTICLE VII

Amendments to Bylaws

SECTION 1. AMENDMENTS

Outside of the Annual meeting, these Bylaws may be altered, amended, or repealed and new Bylaws may be adopted by a majority vote of the entire APC at any regular meeting or special meeting, provided that the proposed change in the Bylaws has been submitted in writing to all of the members

of the APC, and posted publicly in the school office, 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 any member of the APC.

ARTICLE VIII

Indemnification

SECTION 1. INDEMNIFICATION

The School may, to the maximum extent permitted by law and in the absence of School or District insurance, defend, hold harmless and indemnify all current and former members of the APC, all persons who at the request of the APC have acted or not acted, and all persons currently or previously employed by the School, from and against any claims, civil or criminal, in which that person is made a party by reason, in whole or in part, of being or having been an APC member or officer, at the request of the APC have acted or not acted, or being or having been an employee of the School, when that person has acted within the course or scope of his or her duties to the School. Indemnification shall be provided by a majority vote of the APC, on a case-by-case basis.

Date Adopted: _____

Secretary: Susan Kerndt

Chair: Lucia Zaczkowski
