

**CONSTITUTION AND BYLAWS OF
PUYALLUP SCHOOL DISTRICT NATIVE AMERICAN EDUCATION PROGRAM
TITLE VI/JOHNSON O'MALLEY, AND NATIVE AMERICAN ADVISORY BOARD**

ARTICLE I – NAME OF COMMITTEE

The Title of this organization shall be the Puyallup School District Native American Advisory Board (NAAB). Hereinafter, The Native American Advisory Board shall be referred to as NAAB. This organization addresses the Title VI Indian Education grant [U.S. Department of Education, Office of Indian Education, Indian Education Formula Grant Program (Title VI, Part A, subpart 1 of the ESEA, as amended by ESSA)] and Johnson O'Malley (JOM) Program grant authorized by the Johnson-O'Malley Act of 1934 and regulations provided in Part 273 of Title 25 of the Code of Federal Regulations.

ARTICLE II – GOALS

The goal of the NAAB is to support the Puyallup School District Native American Education Program to meet the unique educational and culturally related academic needs of Native American/Alaska Native students to increase academic achievement through:

- I. Culturally responsive academic support
- II. Student advocacy or leadership
- III. Culturally responsive professional development

Supported by our families and community, the Puyallup School District Native American Education Program strives to improve academic achievement, attendance, and graduation rates of American Indian and Alaska Native students, while also enhancing their social and cultural awareness.

ARTICLE III – PURPOSE

The purpose of the Puyallup School District NAAB is as follows:

- Section 1:** To comply with the rules and regulations of the JOM and Title VI per U.S. DOE, DESE Grant, Title VI Part A, Section 7117(b).
- Section 2:** To inform and advise the District School Board and superintendent and/or their representatives on matters pertaining to the Native American Education Program as the Committee deems appropriate and/or necessary.
- Section 3:** To promote the best education interests of Native American students in the Puyallup School District.
- Section 4:** To assist in educating teachers and other school staff on the educational and culturally related needs of the Native American students.
- Section 5:** To advise and/or consult with the Native American Education Program regarding the needs of the Program and/or Native American students in the District.
- Section 6:** To approve the annual Title VI, Indian Education Formula Grant, by the closing date of Part I and Part II each year.
- Section 7:** To review the JOM grant each year, as well as the Needs Assessment.

ARTICLE IV – OBJECTIVE

- Section 1:** 1. To provide an avenue of communication
 2. Enhance mutual understanding
 3. Foster a cooperative relationship between parents and the administration, teaching faculty, staff, and other personnel within the Puyallup School District.
- Section 2:** To promote the welfare of Native American/Alaska Native children in home, school, and community.
- Section 3:** To encourage Native American/Alaska Native Students and their families within the Puyallup School District through social and educational events.

ARTICLE V – MEMBERSHIP

Section 1: Composition. The following are eligible to serve on the NAAB, also known as the general body:

JOM voting membership includes:

- A. Parents/guardians or person(s) acting *in loco parentis** of Native American students, tribally enrolled or a quarter or more Indian blood, who are enrolled and in attendance in the Puyallup School District.
- B. Native American secondary students, tribally enrolled or at least a quarter or more Indian blood, enrolled in the Puyallup School District may serve as non-voting members.

Title VI voting membership includes:

- A. Teachers, including counselors, and other interested district personnel may serve as non-voting members.
- B. Community members who have demonstrated support of Native American education, may serve as non-voting members, including, but not limited to former students who have graduated, parents of graduated students and former Native Education personnel who reside within the Puyallup School District. These persons are to serve in an advisory capacity and have no bylaw, amendment making, or voting privileges in NAAB projects.

Section 2: Voting Rights - for NAAB meetings

- A. Each member of the NAAB shall have one vote on each matter put to a vote by the Parent Advisory Committee.
- B. Proxy voting and absentee balloting are not permitted.
- C. A NAAB member may abstain only from a conflict of interest that is determined valid by the Chairperson. If there is no conflict, the NAAB member must cast a vote.
- D. The Chairperson may only vote in the case of a tie among the other members.

ARTICLE VI – OFFICERS

The NAAB officers shall be known hereafter as the Native American Advisory Board:

Section 1: Officers. The NAAB shall consist of six (6) officers. The Officers of the NAAB will be selected from the eligible general membership, and shall be known as the Chairperson, Vice-Chairperson-Title VI, Vice-Chairperson-JOM, Secretary, Member-At-Large-Title VI, and Member-At-Large-JOM. Officers must be parents/guardians of Native American/Alaska Native students in the Puyallup School District.

Section 2: National Johnson O’Malley Association (NJOMA) Conference. The NAAB members may attend the annual NJOMA Conference, depending on the availability of Johnson O’Malley (JOM) funds for that school year. The JOM funds would cover the cost of registration. Airfare and hotel would be the responsibility of the Board member. This would have to be voted on by the membership.

Section 3: Election of the six (6) Board Members of the Native American Advisory Board (NAAB)

- A. New Board Members are elected in an open meeting for a term of two years by a majority vote of parents/guardians of eligible Native American students in attendance in a public school within the Puyallup School District.
- B. Three members (Member-at-Large, Vice Chairperson, Secretary) are elected in odd calendar years and three members (Member-at-Large, Vice Chairperson, Chairperson) elected in even calendar years.
- C. Board Members may run for consecutive two-year terms, if reelected by the membership.
- D. Board Members must be approved Puyallup School District volunteers before the start of the new school year. This process can be done online through the Puyallup School District website. The applicant must complete an Online Volunteer Application, must sign and submit the PSD Volunteer Code of Conduct, and must read and understand the PSD Volunteer Handbook. Once approved, it is good for two years.

Section 4: Annual Election Voting Procedures

- A. The Puyallup School District NAAB shall be made up of six (6) parents/guardians or person(s) acting *in loco parentis** of eligible Native American students enrolled in the Puyallup School District.
- B. The Annual Election meeting shall be held during the month of May of each school year, or as near to that as determined by the PAC.
- C. Nominations for new NAAB Board members shall be taken from the floor by an eligible voter at the duly called Annual meeting.
- D. The Nominator must be an eligible parent/guardian or person acting *in loco parentis** of an eligible Native American student enrolled in a school within the Puyallup School District.
- E. Each person nominated will have an opportunity to give a 3-minute speech explaining why they want to serve on the committee.
- F. The top vote recipients will be seated as the new NAAB Board Members.
- G. When there are multiple candidates for a position, individual votes shall be cast by secret ballot and tallied visibly so that all in attendance will know the results.
- H. The NAAB Chairperson or designee shall act as the election judge for the Annual meeting.
- I. To avoid conflict of interest or give the appearance of a conflict of interest, school officials or their spouses (persons directly involved in oversight of the Puyallup School District Native American Education Program), should not be eligible to serve as NAAB members.

Section 5: Powers and Duties

- A. **Chairperson** – The Chairperson shall preside at all general and special meetings of the Puyallup School District NAAB and shall perform such other duties as ordinarily pertain to such an officer. The Chairperson must sign off on program applications and amendments, including revisions to the program budget and program design. In the event of a vacancy in the office of Chairperson, the Vice-Chairperson – Title VI and/or the Vice-Chairperson – JOM, shall assume the office and title during the unexpired term of the Chairperson. The Chairperson does not vote in executive board session meetings unless there is a tie.
- B. **Vice-Chairperson – Title VI** – The Vice-Chairperson -Title VI shall assist the Chairperson when called upon, and in the absence of the Chairperson, he/she shall preside at the meeting and shall have all the rights, privileges, duties, and responsibilities of the Chairperson. In the event of vacancy, the Chairperson, upon approval of the Puyallup School District Native American Education Program Advisory Board, shall appoint a Vice-Chairperson – Title VI for the unexpired term.

- C. **Vice-Chairperson – JOM** – The Vice-Chairperson - JOM shall assist the Chairperson when called upon, and in the absence of the Chairperson and Vice-Chairperson – Title VI, he/she shall preside at the meeting and shall have all the rights, privileges, duties, and responsibilities of the Chairperson. In the event of vacancy, the Chairperson, upon approval of the Puyallup School District NAAB, shall appoint a Vice-Chairperson - JOM for the unexpired term.
- D. **Secretary** – The Secretary shall take the minutes of all meetings of the Puyallup School District NAAB. The Secretary shall maintain a notebook containing the membership rolls, parent names and contact information, minutes, constitution, bylaws, etc. The Secretary shall keep an accurate record of the proceedings of all meetings of the Puyallup School District NAAB and the Executive Board in a bound book which is the legal record of the Puyallup School District NAAB. The Secretary shall attend all general and executive board meetings. The Secretary will be prepared to refer to minutes of the previous meetings, prepare a list of all unfinished business for the use of the Chairperson, and record all expenditures in the minutes. Minutes of each Board and General Meeting will be produced, distributed to members, and maintained for at least 3 years. The notebook is to remain in the Native American Education Program Office. In the event of vacancy, the Chairperson, upon approval of the Puyallup School District Native American Education Program, shall appoint a Secretary for the unexpired term
- D. **Member-at-large – Title VI** - The Member-at-large – Title VI will serve as a liaison to the general membership.
- E. **Member-at-large – JOM** - The Member-at-large – JOM will serve as a liaison to the general membership.

ARTICLE VII – MEETINGS

- Section 1:** General Membership Meetings may be held in person at a school district site voted on by the Board members or held virtually, if needed. They may be held monthly or at a minimum of four times per year, not including the Public Forum meeting, or when special meetings are called. All Puyallup School District NAAB meetings shall be open to the public. Native American Education Program staff will post the approved agenda twenty-four (24) hours prior to each formal public meeting. The Puyallup School District NAAB may hold a General Meeting if a quorum of four (4) are present, providing that at least two (2) are parent officers of the Committee. Each year, the Puyallup School District NAAB shall hold a Public Forum during Part II of the Title VI Indian Education Formula Grant process to discuss and approve the Title VI Grant for submittal. A Public Notice for the Public Forum meeting must be posted in the local newspaper and open to the public.
- Section 2:** NAAB Board meetings shall be held in the hour prior to an official General Membership meeting, unless voted on to change the meeting time and place. The agenda may be set between the Native American Education Liaison and the Chairperson. A NAAB Meeting may be held if a quorum of the officers is present.

ARTICLE VIII – STANDING RULES

- Section 1:** In case of emergency, action may be taken by the Chairperson after consultation with the Vice-Chairpersons and the Secretary. There must be a concurrence of a majority of these officers, and such action shall be noted in a special memorandum placed in the minutes book and signed by the person obtaining such concurrence and shall be reported in the minutes of the next scheduled meeting.
- Section 2:** A request for financial support/assistance from the Puyallup School District Native American Education Program must be submitted on a Request for Support/Assistance form. The form must be filled out completely with pertinent documents attached. The form must be submitted to the Puyallup School District NAAB before the monthly meeting. Amount approved will be determined at the discretion of the

members voting at the meeting and dependent upon availability of funds. Students and families cannot be reimbursed. Payments will be made directly to the school or other entity deemed appropriate for the support/assistance.

Section 3: Standing rules may be adopted as needed and without previous notice by majority vote at any General Membership meeting. However, amendments to the standing rules require a two-thirds (2/3) vote of the quorum without previous notice or majority vote with such notice. They should be procedural rather than parliamentary in nature and may not conflict with the Bylaws.

Section 4: Bylaws shall be reviewed and updated every two years by the Puyallup School District NAAB General Membership and Board members.

ARTICLE IX – AMENDMENTS

Upon recommendation of the Board or upon the recommendation of the quorum of the active membership, this constitution and bylaws may be amended by a two-thirds (2/3) majority vote of the active membership present.

ARTICLE X – ORDER OF BUSINESS

The following order of business is established for all Puyallup School District NAAB Membership and Board meetings in accordance with Parliamentary Procedures Robert's Rules of Order.

- I. Call to order by Chairperson
- II. Invocation
- III. Ascertainment of a quorum by circulating an attendance roster
- IV. Approval of agenda
- V. Approval of minutes of last meeting
- VI. Announcements/Public Comments
- VII. Financial and/or Program Report
- VIII. Next meeting scheduled
- IX. Adjournment

ARTICLE XI - RATIFICATION

These Bylaws shall be declared adopted by the Puyallup School District Native American Advisory Board when passed by a simple majority of the full membership of the committee.

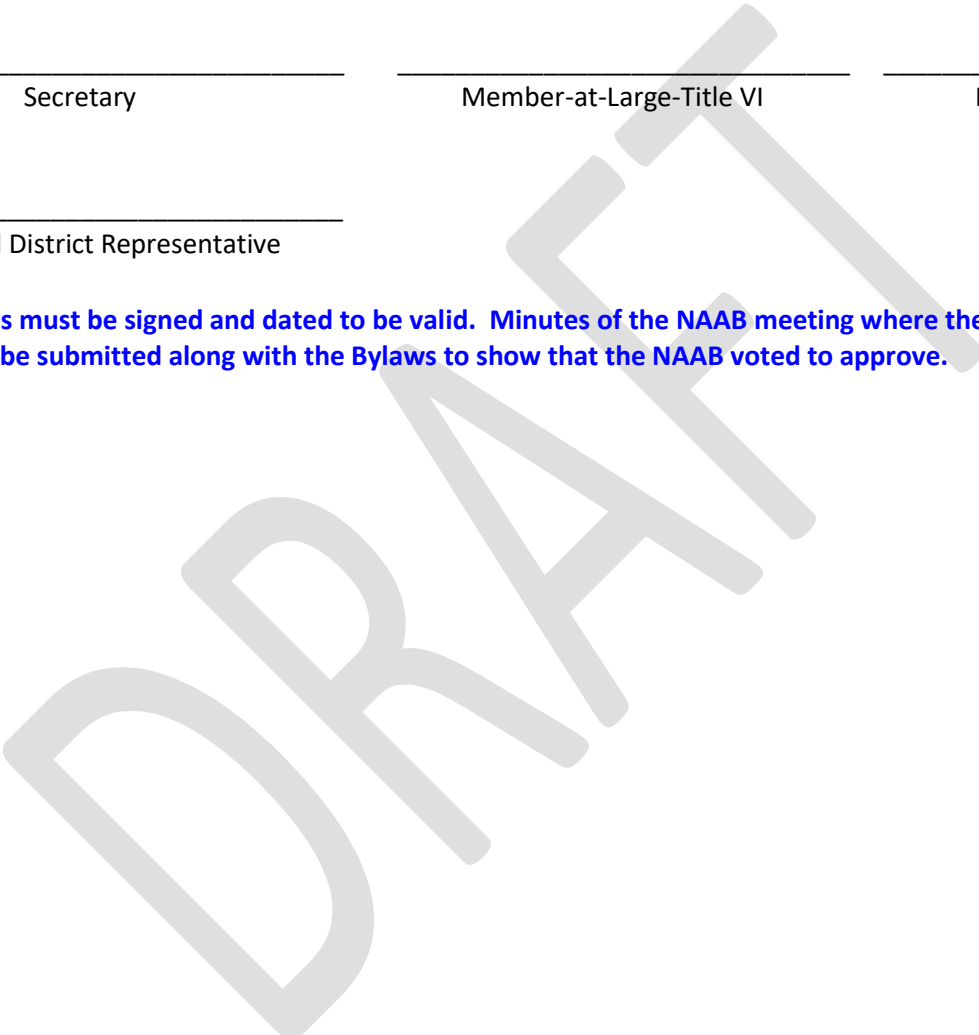
These Bylaws are approved on the _____ day of _____, 2022.

IN WITNESS THEREOF,

_____	_____	_____
Chairperson	Vice-Chairperson-Title VI	Vice-Chairperson-JOM
_____	_____	_____
Secretary	Member-at-Large-Title VI	Member-at-Large-JOM

School District Representative		

The bylaws must be signed and dated to be valid. Minutes of the NAAB meeting where the minutes were approved must also be submitted along with the Bylaws to show that the NAAB voted to approve.



Definition of “in loco parentis”

This definition is provided so that tribes would have the option to allow grandparents, and other extended family members who are raising their grandchildren, nieces, and nephews the opportunity to serve on the Indian Education parent committee. Within the Indian communities it is unlikely that extended family members have legal custody (court documentation) of the children they provide 24-hour care for. This definition is provided to offer the Indian Education program the ability to include those extended family members, who are the primary care givers, the responsibility to be involved in the education of their grandchildren.

In loco parentis is a Latin phrase defined as: “in the place of a parent”. The English language definition is: “Acting as a temporary guardian of a child.” (Black’s Law Dictionary).

Indian Education Committee members, who are exercising ***in loco parentis***, should also have daily responsibility for a student’s health, safety, and welfare.

PARENT – The term parent includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with who the child lives, or a person who is legally responsible for the child’s welfare).

The term “in loco parentis,” according to its generally accepted common law meaning, refers to a person who has put himself in the situation of a lawful parent by assuming the obligations incident to the parental relation without going through the formalities necessary to legal adoption. It embodies the two ideas of assuming parental status and discharging the parental duties.... The key in determining whether the relationship is found is the intention of the person allegedly in loco parentis to assume the status a parent toward the child. The intent to assume such parental status can be inferred from the acts of the parties. Other factors which are considered in determining whether in loco parentis status has been assumed are (1) the age of the child; (2) the degree to which the child is dependent on the person claiming to be standing in loco parentis; (3) the amount of support, if any, provided; and (4) the extent to which duties commonly associated with parenthood are exercised....

The definitions of the term “in loco parentis” are often context specific, and no court or regulation has defined the term exhaustively. The presence of a biological parent in the home may foreclose another from holding the status of “in loco parentis.”