



AMERICAN ACADEMY
EDUCATE | INNOVATE | EXPLORE

Board of Directors Election Policy

This policy was approved by the American Academy Board of Directors on May 6, 2010

Purpose

If a vacancy on the AA Board of Directors is to be filled by means of a parent (or "Member") election, such election shall occur in accordance with this policy.

Election Date

The currently seated Board of Directors ("BOD") shall determine the date for the Member election.

- a. The election date shall be determined, by majority vote, no later than the BOD's regular meeting held in February.
- b. The election date shall fall on any school day between May 1st and May 31st.

Board Election Committee

No fewer than two months prior to the election date, the currently seated BOD shall, by majority vote, appoint and commission individuals to a Board Election Committee ("BEC") for the purpose of organizing and administering the election of directors.

- a. The BOD shall determine the responsibilities and authorities, if any, of the BEC upon its commission.
- b. The BEC shall consist of the following individuals:
 - one currently seated Director of the BOD;
 - the Head of School, or his/her designee from among his/her direct reports;
 - one current employee, with recommendations, if any, provided by the AA FSAB;
 - one parent or legal guardian of a child currently enrolled in any grade, K-5;
 - one parent or legal guardian of a child currently enrolled in any grade, 6-8.
- c. No Candidate (as defined in the section titled "Candidacy" of this policy), spouse of a Candidate, or current director running for re-election shall be a member of the BEC.
- d. In the event all directors are running for re-election, the BOD may appoint an employee or community member at large to sit on the BEC in lieu of a director.
- e. Once the BOD has appointed, and the individuals have agreed to serve on, the BEC, the members of the BEC shall, at their first meeting, determine a chairperson. If the BEC cannot unanimously agree upon a chairperson, the BOD shall, at its next regular meeting, identify a chairperson among the BEC members.
- f. If a member of the BEC resigns their position on the BEC at any point prior to the election, the remaining members of the BEC may, if they so chose, appoint another individual to fill the seat so long as the BEC continues to meet the requirements of this section.
- g. If, at any time, a majority of the currently seated BOD determines that the BEC is not adhering, in good faith, to its responsibilities and authorities, if any, the BOD may reschedule the election and, if necessary, begin the election process anew, in accordance with this policy.
- h. Current directors running for re-election shall not participate in any process of the appointment of BEC members unless a quorum is needed. Further, the director shall not be appointed as a member of the BEC or participate in its deliberations, operations, or affairs and shall abstain from participation to the election process except in the role of Candidate.

Notice of Election

No fewer than one month prior to the election date, the BOD shall notify the school's Members that one or more seats on the BOD will be filled by Member election.

- a. The notice shall be provided by means of email communication as well as a posting on the American Academy ("AA" or "School") website.
- b. The notice shall detail how many seats are up for election, the term length for each seat, and the effective beginning date of service.
- c. The notice shall provide the requirements for candidacy, as detailed in the section titled "Candidacy" of this policy of this policy.
- d. The notice shall provide a brief description of the roles and responsibilities of the BOD.
- e. The notice shall provide a statement that candidates must sign a "Candidate Intent & Acknowledgement" form prior to the election.
- f. The notice shall provide contact information for the BEC and a deadline by which individuals must submit their interest in candidacy.

Candidacy

No fewer than two months prior to the election date, the BOD shall notify the school's Members that one or more seats on the BOD will be filled by Member election.

- a. A candidate must meet the following requirements:
 - i. Having served, at any time, a minimum of one year on any of the following:
 - AA Board of Directors ("BOD")
 - AA Parent Advisory Board ("PAB")
 - AA Faculty & Staff Advisory Board ("FSAB")
 - AA Community Advisory Board ("CAB")
 - AA School Accountability Committee ("SAC")
 - AA Parent Teacher Organization ("PTO")The one year minimum service can take place any year prior to the election; it is not required that the service occur immediately prior to the election year.
 - ii. Is a parent of a currently enrolled student.
 - iii. Is not an employee, or spouse of an employee, of American Academy.
- b. A candidate must submit a letter of interest, accompanied by an abbreviated resume, to the BEC no later than 30 calendar days prior to the election.
- c. Any candidate who meets the above requirement must submit, to the BEC, a signed "Candidate Intent & Acknowledgement" form prior to the election.
- d. If a candidate fails to provide the necessary documentation to the BEC by the appropriate deadlines, the BEC may, at its majority discretion, disqualify the candidate from the election.
- e. A copy of the "Board Member Statement of Agreement" shall be made available for review by candidates.

Campaigning for Election or Re-Election to the BOD

- a. The BEC shall publish, to the Members, a list of candidates and their letters of interest and abbreviated resumes no later than 10 business days prior to the election.
- b. The BEC shall arrange at least one opportunity for the public to meet with the candidate(s), at which time questions may be asked of the candidate(s)
 - i. The opportunity shall be held no later than 2 business days prior to the election.
 - ii. The opportunity shall be conducted publicly and can be attended by any Member, student, prospective parent and/or student, director, employee or the general public.
 - iii. The chairperson of the BEC, or his/her designee, has authority to keep order and may ask members of the public to leave if necessary. The chairperson of the BEC, or his/her designee, has authority to adjourn the gathering at his/her discretion.
 - iv. Any person attending the opportunity may publicly question any candidate for election or re-election to the BOD, provided they limit their questioning to no more than 3 minutes in total.
- c. Candidates will not be permitted to campaign on School property, or by use of School data other than as prescribed in this section of this policy. Any candidate who campaigns or solicits votes by any other method is subject to disqualification in the election, at the discretion of the BEC.

Eligible Voters

Eligible voters are those Members as defined by the AA Bylaws. Each eligible voter is allowed one vote per vacant seat on the BOD. No votes shall be counted from any Member who casts more votes than there are available seats.

Election Process

- a. The BEC shall make available to the Members an electronic "ballot" for casting their vote(s) for each seat available in the election.
 - i. The electronic method/tool/provider shall be identified no less than 30 days prior to the election date.
 - ii. The method shall be tested, using fictional candidate names and fictional Member votes, prior to the election date. Fictional data shall be tallied and BEC certified with 100% accuracy at least two (2) times prior to allowing the method to be used for the actual election.
 - iii. Open Election Hours: Members shall have access to the electronic ballot for a minimum of 24 hours prior to 11:59pm (MST) on the date of the election. The election shall close at 11:59pm on the election date. Any vote cast prior to, or after, the Open Election will not be counted.
 - iv. In the event a viable electronic method has not been identified, secured, tested and certified by the BEC at least prior to the election date, the BEC shall make available, on an emergency basis, paper ballots for Members to cast their vote(s) beginning on the previously designated election date and in accordance with the following:
 - the Members shall have five (5) business days to cast their vote(s);
 - the Members shall cast their vote(s) at the School facility during normal business hours;
 - the election shall close at 3:30pm of the fifth business day of the election;
 - Any vote cast prior to, or after, the election hours will not be counted.
- b. The BEC shall communicate to the Members the process(es), date(s) and time(s) by which Members may vote, as follows:
 - At least two times within the 30 days prior to the election date; and
 - At least one time within the 24 hours prior to the election date.
- c. Each ballot, whether electronic or paper, shall clearly state the number of open seats available. Each ballot shall list all eligible candidates who have met all requirements in this policy.
- d. Disqualified votes: Absentee votes will not be counted. Proxy votes will not be counted. No votes shall be counted from any Member who casts more votes than there are available seats. Any vote cast prior to, or after, the election hours and/or date(s) will not be counted.
- e. All votes shall be secret unless all candidates agree to forego secrecy.
- f. The Members' vote(s) shall be collected in confidence by members of the BEC, and no one else.
- g. The Members' vote(s) shall be tabulated in confidence by members of the BEC, and no one else.
- h. Upon closing of the election, the BEC shall tabulate the results. The candidate(s) receiving the most votes shall be elected as directors for the term defined by the AA Bylaws. The BEC shall certify the accuracy of the results prior to any announcements.
- i. The BEC chairperson, or his/her designee, shall contact the elected candidate(s), by phone and/or email, to notify him/her of the election results and to receive their acceptance of the nomination. A candidate has 24 business hours to accept the nomination, or they forfeit it, at the discretion of the BEC. Should a candidate decline or forfeit the nomination, the BEC shall offer the nomination to the candidate who received the next-highest number of votes and so forth until the seat(s) has/have been filled.
- j. The BEC shall announce the certified election results to the Members following the closing of the election and verbal acceptance from the newly elected director(s).
- k. The newly elected director(s) shall be expected to attend the first regular meeting of the Board of Directors that is scheduled at the commencement of their term. In order to be seated to the Board of Directors, the candidate(s) must submit a signed copy of the "Board Member Statement of Agreement" form to the currently seated Board of Directors. If the candidate, who previously accepted of the nomination, does not submit a signed copy of the "Board Member Statement of Agreement" form at the first regular meeting of the Board of Directors which is scheduled at the commencement of their term, the currently seated BOD may assume the candidate has forfeited his/her nomination and the BOD can, at their majority vote, either (1) call for another election to be carried out in accordance with this policy, or (2) treat the forfeited nomination as a resignation, by which the vacancy will be filled in accordance with AA Bylaws.

Vacancies

Vacancies of any seats on the Board of Directors which had previously been filled by Member election shall be filled in accordance with the AA Bylaws.

Authority

In the event this policy has conflicting language, the currently seated BOD has ultimate authority to determine an appropriate resolution and may subsequently modify this policy as needed.

POLICY HISTORY

Original: approved by the BOD on January 21, 2010

Revision 1: approved by the BOD on May 6, 2010