ACS WASC
BYLAWS

2014 ACS WASC EDITION
ACCRREDITING COMMISSION FOR SCHOOLS
WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES

ACS WASC
BYLAWS

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2014 ACS WASC EDITION
ACCRREDITING COMMISSION FOR SCHOOLS, WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES
www.acswasc.org
ACS WASC BYLAWS AND POLICY MANUAL

Accrediting Commission for Schools
Western Association of Schools and Colleges

BYLAWS

ARTICLE I: PURPOSE

SECTION 1 NAME

The name of this nonprofit corporation shall be the Accrediting Commission for Schools, Western Association of Schools and Colleges (ACS WASC). This corporation shall be referred to throughout these bylaws as ACS.

SECTION 2 PURPOSE

ACS is a nonprofit, public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporations Law of the State of California for public and charitable purposes. Those public purposes include improving and validating the quality of education at public and private, secular and non-secular elementary, secondary, and non-profit postsecondary educational institutions, through the creation and application of standards of accreditation and related policies, and through a process of review by education professionals and public members. Through ACS’s evaluation of institutions, ACS accreditation assures the educational community, the general public, and other organizations and agencies that an institution has clearly defined objectives appropriate to education; has established conditions under which their achievement can reasonably be expected; appears in fact to be accomplishing them substantially; is so organized, staffed, and supported that it can be expected to continue to do so; and demonstrates that it meets ACS’s criteria and accreditation standards. ACS encourages and supports institutional development and improvement through an institutional self-evaluation using the accreditation criteria and Policies, as well as mid-cycle, follow-up, and special reports, and periodic evaluation of institutional quality by qualified peer professionals.

SECTION 3 PRINCIPAL OFFICE

The principal office of ACS is located at 533 Airport Blvd, Suite 200, Burlingame, CA, 94010-2009, or at such other location as the Commission shall decide. The Commission may establish branch or subordinate offices.

SECTION 4 BOARD OF DIRECTORS

The Board of Directors shall at all times consist of the Commission Chair and Vice Chair, the Executive Director of ACS, and each of the respective committee chairs for the Audit Committee, Finance Committee, and Nominating Committee.
SECTION 5  FISCAL YEAR

The fiscal year of the Commission is July 1 through June 30.

ARTICLE II: THE COMMISSION

SECTION 1  RESPONSIBILITIES OF THE COMMISSION

The Commission believes that the goal of any school should be to provide for successful student learning. Programs encompassing both the cognitive and affective components of learning should foster human growth and development and enable students to become responsible, productive members of the school community and our democratic society. Each school should develop a school purpose to reflect its beliefs. For ongoing program improvement, each school should engage in objective and subjective internal and external evaluations to assess progress in achieving its purpose. It is the intent of the Commission to collaborate with interested schools, organizations, or institutions to fulfill those goals through the accreditation process.

1.1  Scope of Activities

a. To accredit institutions offering elementary education;
b. To accredit institutions offering secondary education;
c. To accredit public adult schools and/or non-degree granting, non-profit postsecondary institutions of higher education; and;
d. To accredit supplementary education programs.

1.2  Bylaws

To establish Bylaws for the governance of the Commission.

1.3  Policy Development

To establish policies, procedures, and protocols for the accreditation activities described in these Bylaws.

1.4  Criteria

To establish Criteria for accreditation.

1.5  Terms or Status

To grant terms or status of accreditation.

1.6  Finances

The Commission shall maintain adequate financial resources to carry out its accrediting responsibilities, taking into account the funds required to conduct current accrediting activities and the income necessary to meet the anticipated costs of its activities in the future.

1.7  Maintenance of Records

The Commission shall maintain complete and accurate records of the last full accreditation or pre-accreditation reviews of each institution or program, including on-site evaluation team reports, institution responses to on-site reports, periodic review reports, any reports of special
reviews conducted by the agency between full accreditation reviews, and the institution’s or program’s most recent self-study report; and all pre-accreditation and accreditation decisions, including all adverse actions.

1.8 Other Functions

To perform other functions consistent with the Bylaws and Operational Guidelines.

SECTION 2 COMPOSITION OF THE COMMISSION

The Commission will carry out the purpose of ACS as described in Article I, Section 2 of these bylaws, by encouraging school improvement through a process of continuous evaluation which includes rigorous and relevant self-evaluation and peer review that focuses on student learning.

The Commission shall be comprised of up to thirty-two (32) persons, representing various constituencies of ACS, selected by the Commission’s Nomination Review Committee from candidates nominated by member organizations or the Commission. Representatives shall be nominated as follows:

- Seven (7) by the Association of California School Administrators;
- One (1) by the Association of Christian Schools International;
- One (1) school board member by the California School Boards’ Association;
- One (1) by the California Teachers Association;
- One (1) by the California Department of Education;
- One (1) by the California Federation of Teachers;
- One (1) parent by the California State PTA;
- One (1) by the California Association of Independent Schools;
- One (1) practicing classroom teacher from the California Association of Private School Organizations;
- One (1) from Charter Schools;
- One (1) by the East Asia Regional Council of Schools;
- One (1) by the Hawaii Association of Independent Schools;
- One (1) by the Hawaii Complex Area Superintendents;
- One (1) by the Hawaii Government Employees’ Association;
- One (1) by the Hawaii State Department of Education;
- One (1) on a rotational basis by the Hawaii Public and Private Schools;
- One (1) by the National Lutheran School Accreditation;
- One (1) from the Pacific Islands;
- One (1) by the Pacific Union Conference of Seventh-day Adventists;
- Four (4) by the Western Catholic Education Association: one (1) of whom must be a practicing classroom teacher and one (1) of whom must be an Elementary Commissioner;
- One (1) teacher from Postsecondary Institutions;
- Two (2) non-school public members: one (1) from California business, community,
of public organizations and one (1) from Hawaii business, community, or public organizations.

The California Department of Education and the Hawaii Department of Education will each have an ex-officio seat on the Commission. The Commission shall determine which organizations shall be represented by voting Commission members and which shall be represented by non-voting ex-officio members.

If a change in eligibility status for constituency appointments of any of the above appointees occurs during the term of office, the individual may at the discretion of the appointing agency, serve the remainder of the term or may be replaced. A person completing a term after a change of status may not be reappointed.

SECTION 3  CHANGES IN CONSTITUENCIES

The constituent composition of the Commission can be changed by the Commission.

SECTION 4  REVIEW OF COMPOSITION

The Commission shall review its standards for membership and its composition at five-year intervals beginning in January 1993. It is the intent of the Commission to maintain a membership which is representative of its constituents and which operates effectively and collaboratively. The size of the Commission needs to be consistent with its mission so that its duties can be accomplished in a thoughtful and efficient manner. Consistent with the standards established by the Commission, the following procedure shall be required of organizations seeking a change in the Commission’s composition.

a. A written request shall be delivered to the Commission office prior to the annual policy meeting.

b. The request will include a description and history of the petitioning organization, the number of schools/memberships represented, a projection of its growth in the next five years, and a rationale for its request.

c. Upon the recommendation of the Executive Director or the Chairperson, and with the approval of the Commission, a representative of the requesting organization may be asked to appear before the Commission.

d. The Commission shall consider all relevant information and will make the final determination relative to the proposal.

SECTION 5  OFFICERS OF THE COMMISSION

5.1  Titles of Officers

The officers of the Commission shall be a Chairperson and a Vice Chairperson.

5.2  Election of Officers

The officers shall be elected at an Annual Meeting held in June.
5.3 Terms of Office

The Vice Chairperson shall be elected for a two-year term after which he or she shall become the chairperson for a two-year non-renewable term. The Chairperson and Vice Chairperson shall be from different constituent organizations.

5.4 Vacancies

Any vacancy occurring before the end of a term shall be filled by the Commission at its next meeting.

5.5 Duties of Commission Officers

In addition to the duties specified elsewhere in these Bylaws, the Chairperson shall preside over meetings of the Commission, shall assist the Executive Director of the Commission in preparing agendas of meetings, shall ensure that the Executive Director has notified in writing each school concerning its term or status of accreditation.

SECTION 6 COMMITTEES OF THE COMMISSION

6.1 Appointment of Members

Except as noted, the Commission Chairperson shall appoint each committee chairperson. The Commission Chairperson, in consultation with the committee chairperson, shall appoint the committee members. The Chairperson and Vice Chairperson of the Commission shall be ex-officio members of all committees.

6.2 Standing Committees

Standing committees shall be appointed in January for a term of two years.

6.3 Nomination Review Committee

The Nomination Review Committee shall be comprised of five members. The Executive Director of the Commission shall serve on this committee in an ex-officio capacity. The committee’s responsibilities are:

a. To present for Commission action one or more nominees for vacant positions of Commission officers and appointments; and

b. To review and select applicants suggested by sending organizations to fill Commission seats. The review should include analysis of sending organizations’ proposals in support of nominees, and interviews wherever practicable.

6.4 Finance Committee

The Finance Committee shall be comprised of three to seven members. Its responsibility is to review and advise the Commission on the financial proposals of the Executive Director. In addition, the committee advises the Commission on the compensation for staff.

6.5 Executive Committee

The Executive Committee shall be comprised of the Commission Chairperson and Vice Chairperson, the Executive Director and each of the respective committee chairs for the Audit
Committee, Finance Committee, and Nominating Committee. It is the Executive Committee’s responsibility to develop the Commission Meeting Agenda, consider proposed actions brought to it by members of the Committee, and to conduct Commission business as necessary between meetings. The Executive Committee actions on behalf of the Commission are subject to Commission ratification.

6.6 Audit Committee

The Audit Committee shall be comprised of three to seven members. Its responsibility is to review the ACS Annual audit. The Executive Director of the Commission shall serve on this committee in an ex-officio capacity.

6.7 Ad hoc Committees

Other committees may be established for designated tasks or purposes. The term of the committee shall end with the completion of the assigned task and/or at the direction of the chairperson.

SECTION 7 THE COMMISSIONERS

7.1 Nomination of Commissioners

The Nomination Review Committee will review and select applicants suggested by sending organizations. The Executive Director of the Commission shall serve on this committee in an ex-officio capacity.

7.2 Length of Appointment

Appointments shall be for a three-year term, and organizations may propose reappointing an incumbent representative for a second term. Commissioners whose appointments arise from their positions within sending organizations may serve longer if their organizations so desire, with the consent of the Commission.

7.3 Vacancies

Sending organizations with seats which have become vacant will be requested to submit a candidate or a list of candidates, from which the Nomination Review Committee will select.

7.4 Responsibilities of Individual Commissioners

Sitting Commissioners should participate on or accompany a Visiting Committee at least once every other year during their term of office on the Commission. A new public sector Commissioner who has never been on a Visiting Committee before is expected to accompany a Visiting Committee into the field at the beginning of his or her first term on the Commission. Additionally, whenever practicable, a potential new Commissioner without Visiting Committee experience should be given the opportunity of accompanying a Visiting Committee before a final selection and commitment have been made.

7.5 Training of New and Continuing Commissioners

Prior to beginning service, new Commissioners shall receive training on the Commission’s standards, policies, and procedures regarding the conduct of on-site evaluations, the establishment of Commission policies, and the processes used for making accrediting and pre-
accrording decisions. All Commissioners shall receive regular training on trends, issues, policies, and procedures pertaining to accrediting and pre-accrediting decision-making for the various types of schools and institutions served by the Commission.

SECTION 8 MEETINGS OF THE COMMISSION

8.1 Frequency

The Commission shall schedule meetings three times each year and/or as needed. A Mid-Winter Meeting shall be devoted primarily to policy matters. The Spring and Annual Meetings (generally held in April and June) shall be devoted primarily to actions on terms or status of accreditation.

8.2 Location

April and June Commission meetings shall generally be held near the Commission Offices. The Commission shall schedule a Mid-Winter Policy Meeting in Southern California; such meeting shall be held in the state of Hawaii approximately every three years.

8.3 Open Meetings

Meetings of the Commission are open to the public except when the Commission is deliberating and acting on matters concerning the accreditation of specific schools or personnel matters or where it has been deemed necessary to consult with legal counsel.

8.4 Presentations to the Commission

Presentations may be made to the Commission with prior approval of the Executive Director and Commission Chairperson. Such presentations shall be made in open meeting unless they involve matters concerning the accreditation of specific schools.

8.5 Executive Sessions

Executive sessions of either the Board of Directors or the Commission to discuss matters involving confidential personnel matters as well as any matter where it has been deemed necessary to consult with legal counsel may be called by the Chairperson of the Commission or the Executive Director.

8.6 Presence of Staff

The Executive Director shall be in attendance at all Commission meetings except when his or her salary or evaluation is being discussed.

8.7 Quorum

A quorum shall consist of a majority of Commission members.

8.8 Meeting Rules

Meetings shall be conducted in accordance with the Roberts Rules of Order except where otherwise specified in these Bylaws.
SECTION 9  ACCREDITATION ACTIVITIES

9.1 Basis for Accreditation

The Commission grants accreditation to a school based upon the criteria, procedures, and policies set forth in the ACS Policy Manual. However, in general, accreditation is based on the following:

a. The presumption that primary goals of accreditation are:
   1) The improvement of the school; and
   2) Certification to the public that the school is a trustworthy institution of learning.

b. The school’s self-study and the visiting committee’s report provide compelling evidence that:
   1) The school is substantially accomplishing its stated purposes and functions identified as appropriate for an institution of its type, and;
   2) The school is meeting an acceptable level of quality in accordance with the general Criteria adopted by the Commission as set forth in the ACS Policy Manual.

9.2 Types of Schools Eligible

Eligibility for accreditation is determined by the standards, policies, procedures, and requirements set forth in the ACS Policy Manual.

9.3 Regions Served

The ACS accredits primarily public and private schools located in California, Hawaii, Guam, American Samoa, Commonwealth of the Northern Marianas, the Republic of Marshall Islands, the Federated States of Micronesia, and American and international schools in Asia and the Pacific. When invited and when circumstances suggest the feasibility and appropriateness of the relationship, the Commission will authorize staff to work with schools in the Middle East, Africa, and Europe.

9.4 Commission Rights

The Commission reserves the right to grant, deny or revoke candidacy or accreditation. The Commission also reserves the right to make special visits when deemed necessary in order to validate conditions at the school or confirm appropriate progress on implementation of accreditation recommendations.

9.5 Basis for Decisions

The Commission shall base its decisions regarding accreditation or pre-accreditation on the criteria published in the ACS Policy Manual, and shall evaluate a school’s adherence to the criteria through the examination of the school’s self-study and the visiting team report.

9.6 Accredited Organizations

Accreditation will continue for so long as an institution remains in compliance with all ACS policies, procedures, published accreditation criteria, and these bylaws and remains current on
payment of any dues or special assessment obligations. In the event an institution falls out of compliance with the aforementioned ACS policies or accreditation criteria for any reason, its accreditation status shall cease immediately and without further notice. In the event an institution resigns its accreditation, its accreditation status shall cease immediately and none of the review or appeal rights which might otherwise be applicable shall apply. The ACS Policy Manual provides a comprehensive description of the requirements and procedures attendant to receipt and maintenance of accreditation status. These bylaws do not serve to circumvent, replace, expand, contract or otherwise alter the rights and obligations contained therein.

9.7 Review of Accreditation Criteria

The Commission shall review its criteria every six years to ensure that its criteria are valid and reliable indicators of the quality of the education or training provided by the institutions or programs it accredits and are relevant to the education or training needs of affected students. The review process shall involve both feedback from participants in the accreditation process and examination of the process by evaluation experts who are not involved in the ACS.

9.8 Review of Criteria

The Commission shall take necessary actions to ensure that as a result of its program of criteria review, each of its standards provides:

a. A valid measure of the aspects of educational quality it is intended to measure; and

b. A consistent basis for determining the educational quality of different institutions and programs.

SECTION 10 STAFF OF THE COMMISSION

10.1 Composition of Staff

The administrative staff shall consist of an Executive Director, and such other administrative staff as is deemed necessary to carry on the work of the Commission. Administrative personnel shall be appointed by the Commission and serve on a contractual basis. The Executive Director shall be responsible for employing other staff as needed to further the mission of the organization.

10.2 Duties of Staff

The Executive Director shall serve as the Commission’s chief administrator and be responsible for the overall management, direction, and supervision of the Commission operations. His or her responsibility shall be performed in accordance with the Commission Bylaws and Operational Guidelines.

10.3 Financial Responsibilities

The Executive Director is specifically authorized and charged to open and maintain an account or accounts in the name of this organization in any banks or financial institutions, deposit the organization’s funds in such accounts, and withdraw funds therefrom in the name of the organization. The Executive Director shall submit an annual budget for approval of the Commission and shall arrange for an annual external audit of accounts to be presented to the Commission for review and approval.
10.4 Authorization to Sign
It is resolved that the Executive Director of the ACS is hereby authorized to sign all official documents of the Commission as have been duly approved by the Commission. This authorization includes, but is not limited to, contracts with employees. It is further resolved that the Executive Director is authorized to sign such contracts and agreements as are necessary to carrying out the normal and customary business of the Commission in an amount not to exceed $10,000 per month for any lease/purchase or not exceeding $50,000 for any single purchase. All other contracts shall require the signature of the Executive Director and either the Chairperson or Vice Chair of the Commission, or such other Commissioner as may be designated in writing by the Chairperson of the Commission.

10.5 Appointments to Other Organizations
The Executive Director shall serve as a Commission appointee to the East Asia Regional Council of Schools, and other appropriate organizations subject to Commission approval.

10.6 Employee Supervision
The employment, evaluation, and termination of clerical and support staff shall be the responsibility of the Executive Director working within the personnel policies and budgetary guidelines of the Commission.

10.7 Notification of Actions
It shall be the responsibility of the Executive Director to notify institutions of any Commission actions pertaining to the institutions’ accreditation status in writing within 30 days of such Commission action.

SECTION 11 ADOPTION OF POLICIES AND CRITERIA

11.1 Policies and Accreditation Criteria
The Commission shall adopt such policies and accreditation criteria as are necessary to carry out the Commission’s programs and implement the Bylaws.

11.2 Votes Required for Policy or Criteria Change
A majority vote of Commission members present is required for adoption or revision of policies and accreditation criteria.

SECTION 12 ADOPTION OF OPERATIONAL GUIDELINES

12.1 Develop Operational Guidelines
The Executive Director shall develop operational guidelines as necessary to carry out the Commission’s programs and implement the Bylaws.
SECTION 13  CONFLICTS OF INTEREST

13.1  Controls Against Conflict of Interest

The ACS shall maintain clear and effective controls against conflicts of interest or the appearance of conflicts of interest by the Commission’s board members, commissioners, evaluation team members, consultants, administrative staff, and other agency representatives.

13.2  Conflicts Involving Commissioners

Commissioners shall abstain from voting on terms or status of accreditation for any school with which they have an administrative, supervisory, governing, or other relationship that might prejudice the vote. Commissioners with such conflicts of interest shall exclude themselves from the deliberations as well as the voting whenever there is a debate regarding the term or status of accreditation.

13.3  Commissioners Who Serve on Visiting Teams

Commissioners who serve as members of Visiting Committees to schools accredited by ACS shall abstain from voting on the terms or status of accreditation for those schools.

13.4  Conflict of Interest Statements

The ACS Policy Manual set forth the policies and procedures regarding Conflicts of Interests. However, generally, it is expected that Commissioners shall sign a conflict-of-interest statement upon the date of commencement of each new term of office. Commission staff and consultants shall sign a conflict of interest statement on commencement of duties. Visiting team members and chairs shall sign a conflict-of-interest statement upon acceptance of each invitation to serve on a visiting team.

SECTION 14  AMENDMENTS TO BYLAWS

14.1  Changes to Bylaws

Proposed amendments or additions to these Bylaws must be included in the written agenda mailed prior to any scheduled meeting of the Commission.

14.2  Votes Required for Bylaws Change

The requirement to change bylaws shall be a two-thirds’ affirmative vote of Commission members present or a majority vote of all Commissioners, whichever is larger.