# BYLAWS

OF

# Community Education Council District 2

APPROVED BY THE MEMBERSHIP ON May 22, 2013
*(Date)*

Tamara Rowe
*(Recording Secretary)*

Shino Tanikawa
*(Print President's Name)*

*(Signature)*

6/26/13
*(Date)*

Tamara Rowe
*(Print Officer's Name)*

*(Signature)*

Recording Secretary
*(Title)*

6.26.13
*(Date)*

## ARTICLE I - NAME

The name of the Council shall be: Community Education Council District 2.

These bylaws shall be the governing instrument of the Council subject only to applicable provisions of law, policy, and regulation.

## ARTICLE II – OFFICERS AND ELECTIONS

Section 1. Officers

The officers of the Community Education Council District 2 shall be:

President
Vice-President
Recording Secretary
Treasurer

No member may hold more than one office at a time.

Section 2. Election of Officers.

Officers shall be elected by not less than a majority of the whole number of the members of the Council (6), each year at the Annual Meeting, and shall serve from the date of their election until the later of June 30 of the subsequent year or the election of their successors in accordance with these bylaws. Nomination and election of officers shall proceed in the following order: President, Vice-President, Recording Secretary and Treasurer. Officers shall be elected by roll call vote.

Section 3. Duties of Officers

3.1 President

The President shall be the Chief Executive Officer of the Council. The President shall call and preside at all meetings, execute all documents on behalf of the Council as authorized by them, and exercise all other powers and perform all other duties pertaining to the office of President. The President shall have a vote upon all questions before the Council and shall have the right to take part in the debate on any question under consideration. The President shall be an ex-officio member of all committees. The President shall supervise the Administrative Assistant to the Council on its behalf.

The Council by vote of not less than a majority of the whole Council (6)may delegate the power to execute documents to such other officers or to the Administrative Assistant as it

designates.

3.2 Vice-President

The Vice-President shall exercise the powers and perform the duties of the President in her/his absence. The Vice-President shall also discharge such functions as may be assigned to her/him by the President or by resolution adopted at any meeting at which a quorum is present.

3.4 Recording Secretary

The Recording Secretary shall supervise the taking and keeping of attendance, minutes and the voting record of each member on all resolutions. The Recording Secretary shall read each resolution on the agenda of a calendar meeting. The Recording Secretary shall in general perform such duties as may be assigned by the President or by resolutions duly adopted at any meeting at which a quorum is present. She/he shall assume the duties of President in the temporary absence of the President and the First Vice-President.

3.5 Treasurer

The Treasurer shall be responsible for working with the Administrative Assistant to the Council and designated Department of Education staff to ensure that business transactions and member-reimbursement activities are properly documented and maintained and follow Department of Education standard operating procedures.

Section 4. Vacancies in an Office

A vacancy in an office shall be filled for the unexpired term by special election at the next regularly scheduled calendar meeting of the Council, and for which notice of the vacancy and election to be held has been disseminated. If, in the filling of any vacancy, another office is vacated, that office shall be filled immediately.

An officer who wishes to resign from his/her office must notify the President (or, if the officer resigning is the President, the Vice-President) who must notify the other Council members within five days.

Section 5. Removal of Officers.

An officer may be removed from his/her position as an officer by a vote of not less than a majority of the whole number of the Council (6) for any reason at a regular or special calendar meeting, provided that notice of the vote to remove such officer shall be included in the agenda for such meeting and circulated in accordance with the rules provided therefor herein and, provided, further, that such officer shall have the right to address the Council at such meeting with respect to this issue prior to any vote being

taken.

Section 6. Absences

It is the responsibility of each Council member to attend all calendar and regular working business meetings of the Council. It is incumbent upon all Council members, except in cases of emergency, to notify the President or, if unable to reach the President, the Vice President to the Council at least one business day prior to the scheduled meeting time of their intent to be absent.

Any member of the Council who fails to attend three calendar meetings of the Council of which she/he is duly notified, without (a) notifying the President or, if unable to reach the President, the Vice President and (b) rendering in writing a good and valid excuse therefore to the President, vacates his/her office as a Council member by refusal to serve.

According to Chancellor's Regulations D-140, D-150 and D-160, the following constitute valid excuses for absence: death of a relative or attendance at a relative's funeral; serious illness or injury of a member or family member; mandatory court attendance including jury duty; military duty; and job-related conflict which makes absence from a Council meeting unavoidable, and other reasons the CEC deems appropriate. All absences shall be included in the official written minutes of the meeting which was missed and designated as excused or unexcused.

After the third unexcused absence of a Councilmember, the President (or if the Councilmember is the President, then the Vice President) shall, at the next calendar meeting, present for a vote a resolution for the approval of the Council declaring a vacancy in the Council to the Chancellor.

A Council member who is absent from six (6) calendar meetings (whether such absences are excused or unexcused) shall be deemed to have vacated their seat on the Council, provided, however, that at the next regular calendar meeting following such sixth absence, the Council may, by resolution, vote to excuse such Council member and permit such Council member to continue to serve out their term. If the Council does not so vote, then the President shall, at such calendar meeting, present for a vote a resolution for the approval of the Council declaring a vacancy in the Council to the Chancellor. If the Council does vote to allow such Council member to continue to serve out their term and such Council member subsequently is absent from a regular calendar meeting for any reason, then at the next regular calendar meeting, the President shall present for a vote a resolution for the approval of the Council declaring a vacancy in the Council to the Chancellor.

## ARTICLE III – MEETINGS

Section 1. Open to the Public

All meetings shall be open to the public except where otherwise permitted by law. Except as provided in Section 5 of Article III, public notice of meetings shall be given to the community at least 72 hours prior to the date of the meeting, through local news media and conspicuously posted in one or more designated public places prior to the meeting as provided by the Open Meetings Law, (Article 7, Sections 100-111 of the New York State Public Officers Law.) The Open Meetings Law requires that public business be performed in an open and public manner that the community be fully informed of and able to observe the performance of public officials and attend and listen to their deliberations and decisions.

Except as provided in Section 5 of Article III, notice of all meetings shall be given in writing (in English and other languages, as appropriate) in a form suitable for mass reproduction, to the Presidents of Parent Associations/Parent Teacher Associations, the Chairs of School Leadership Teams (SLT), the Presidents' Council, and heads of schools, to post conspicuously, and to other interested persons and organizations who express a desire to receive meeting notices.

Section 2. Annual Meeting

The Annual Meeting of the Council shall be convened on the second Wednesday in July.

The Annual Meeting shall be for the sole purpose of nominating and electing officers for the ensuing year. The election of officers shall take place and the Annual Meeting shall be concluded no later than the second Wednesday of August, unless said date falls on a legal holiday in which event the next business day.

The Annual Meeting shall be called by the President. In the event that, following the election and seating of a new Council, the Councilmember who was the President of the immediately prior Council is not re-elected to the new Council, then the Council member who served as Vice President in the immediately prior Council shall convene and preside over the Annual Meeting. In the event that, following the election and seating of a new Council, neither the Council members who served as President and Vice President in the immediately prior Council are not re-elected to the new Council, the Council member who served as Recording Secretary of the immediately prior Council shall convene and preside over the Annual Meeting. In the event that, following the election and seating of a new Council, neither the Council members who served as President, Vice President and Recording Secretary in the immediately prior Council are not re-elected to the new Council, the Council member who served as Treasurer of the immediately prior Council shall convene and preside over the Annual Meeting. In the event that no Council member

who served as an officer in the immediately prior Council is re-elected to convene the Annual Meeting, the Administrative Assistant to the Council shall (a) execute the notice of Annual Meeting pursuant to Article III, Section 1 and (b) call the Annual Meeting to order and conduct an election for a Chair Pro-Tem from amongst the Council members who will preside over the Annual Meeting until the President has been elected, after which, the President shall preside over the Annual Meeting.

Section 3. Calendar Meetings

The Council shall hold regular calendar meetings at least once a month at which all formal decisions, resolutions and actions of the Council will be taken and the public will have the opportunity to address the Council. The first Calendar meeting of each new Council term shall be held at 6:30 p.m. on the second Wednesday of July, unless said date falls on a legal holiday, in which event the meeting shall be scheduled for the next business day, provided that all rules for notification of meetings are adhered to. At the first Calendar meeting, the Council shall set a schedule of monthly Calendar meetings for the remainder of the term with the intention to maximize attendance by members of the Council and the public provided that no Calendar meeting shall be scheduled on a weekend, a legal or school holiday or on a date immediately prior to a legal or school holiday.

Section 4. Working Business Meetings

The Council shall hold a working business meeting at the conclusion of the calendar meeting each month. The public shall be notified of all working business meetings as described in Article III, Section 1, except as provided in Section 5 of Article III. The public may attend all working business meetings but may not address the Council during such meetings.

Section 5. Special Meetings

Special meetings, either working business or calendar, may be held at the call of the President and must be held upon the written request of three (3) members of the Council to the President. The President shall ensure that written or telephone notice of such meeting shall be given to each member of the Council not less than 48 hours in advance and shall state the matter or matters to be considered. No other matters may be considered at said special meetings except with the consent of all members present.

Any such special meeting must be held not more than two weeks after the receipt of the written request.

Where the public cannot be given notice as provided in Article III, Section 1, the Council shall notify Parent Association/Parent Teacher Association Presidents and school staff via

e-mail, telephone and public posting as soon as is practicable of the meeting and the matter or matters to be considered. The local news media will also be given notice of the meeting.

Section 6. Executive Sessions

Executive Sessions shall be held as needed to discuss matters that by law (Open Meetings Law, Section 105,) are permitted to be discussed in a confidential session closed to the public. Decisions on matters to be addressed in Executive Session shall require approval of not less than a majority of the whole number of the members of the Council, shall be taken by roll call vote, and shall be ratified at a calendar meeting.

Executive Sessions may be called only to deal with the following issues:

- Matters of individual privacy: medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person.
- Matters which will imperil the public safety if disclosed.
- Matters which may disclose the identity of law enforcement agency personnel or an informer.
- Information relating to current or future investigation of criminal offenses which will imperil effective law enforcement if disclosed.
- Discussions regarding proposed, pending or current litigation.
- Collective negotiations pursuant to article fourteen of the civil service law.
- Preparation, grading, or administration of examinations.
- The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

Attendance at an executive session shall be permitted to any member of the Council and any other persons authorized by the Council.

To convene an Executive Session, a motion must be made during a business/working or calendar meeting, and must identify general areas to be considered during the Executive Session.

## ARTICLE IV - CONDUCTING OF BUSINESS AT MEETINGS

Section 1. Agendas

1.1 Calendar Meeting

Each notice of a calendar meeting shall be accompanied by an agenda of matters to be addressed at such meeting together with copies of any resolutions to be considered by the Council at such meeting. The President shall, with the assistance of the Administrative Assistant, prepare the agenda for circulation together the notice of calendar meeting.

In addition, three members of the Council may place a resolution on the agenda for general circulation in accordance with the preceding paragraph by submitting such item to the Administrative Assistant to the Council at least four (4) business days before the date of the next calendar meeting. Notwithstanding the foregoing, a resolution may be added to any agenda by a member of the Council at any time provided that (1) she/he shall have theretofore delivered a written copy thereof to the President or Recording Secretary to the Council before the start of any calendar meeting, (2) such addition is consented to by a vote of majority of the members of the Council present at the meeting and (3) unless impractical under the circumstances, copies thereof are distributed at the meeting.

The Council shall record attendance of members of the public at calendar meetings by means of a sign-in sheet. No member of the public shall be required to sign the sign-in sheet to attend a calendar meeting.

1.2 Working Business Meeting

The agenda for each working business meeting shall be developed by the President following consultation with the members of the Council. Such agenda shall include the opportunity to raise issues for consideration under New Business at each working business meeting.

Section 2. Order of Business at Calendar Meetings.

The order of business of any calendar meeting, except when otherwise prescribed by the President or specially ordered, shall be as follows:

1. Call to Order and Roll Call
2. Guest Speaker(s)
3. Presentation of Resolutions to be Considered
4. First Public Session
5. Approval of Minutes
6. Report of President
7. Report of Community District Superintendent
8. Report of Committee(s)
9. Second Public Session
10. Adjournment.

The regular order of business may, at any time, be changed by a vote of a majority of the Council members in attendance at the meeting.

The First Public Session shall be reserved for comment by the public on resolutions pending before the Council at a calendar meeting and issues addressed by the guest speaker(s), if any. To be recognized by the Council, members of the public must sign the speakers' list to speak prior to the First Public Session.

The Second Public Session shall provide the public the opportunity address the Council on any matters concerning education in Community Education District 2.

Speaking time is limited to three minutes per person. In the event that there is a lengthy speakers' list, it is the prerogative of the President to limit speaking time.. Questions asked by speaker shall be considered to be part of the time allotted to the speaker.

Discussion and charges relating to the competence or personal conduct of individuals will be ruled out of order.

When an attendee is ruled out of order, the President will take measures to enforce the ruling including, without limitation, the exclusion of the speaker from the balance of the meeting.

Placards, banners, flags, picket or other signs, and other unusually bulky material and amplification equipment will not be permitted to be taken into the meeting room.

Section 3. General Construction Law

§ 41. Quorum and Majority

Whenever three or more public officers are given any power or authority, or three or more persons are charged with any public duty to be performed or exercised by them jointly or as a board or similar body, a majority of the whole number of such persons or officers, gathered together in the presence of each other or through the use of videoconferencing, at a meeting duly held at a time fixed by law, or by any by-law duly adopted by such board or body, or at any duly adjourned meeting of such meeting, or at any meeting duly held upon reasonable notice to all of them, shall constitute a quorum and not less than a majority of the whole number may perform and exercise such power, authority or duty. For the purpose of this provision, the words "whole number" shall be construed to mean the total number which the board, commission, body or other group of persons or officers would have were there no vacancies and were none of the persons or officers disqualified from acting. As amended L.2000, c.289, 5 eff. Aug. 23, 2000.

3a. Quorum

The majority of the whole number of the members of the Council shall be present to constitute a quorum, and shall always be six (6). If there is no quorum present at the time set for the meeting, the members present shall wait for 30 minutes for additional members to arrive. Those members of the Council who are present on the call of the roll may adjourn the meeting to another date, and notice shall be given forthwith to all members of the Council and the public of such adjourned meeting.

3b. Official Actions

Official actions of the Council may be taken only at calendar or special calendar meetings and must be by a vote of not less than a majority (6) of the whole number of the members of the Council.

There shall be no proxy or absentee voting, or polling by phone or e-mail.

Section 4. Minutes

The minutes of all meetings shall be taken and prepared by the Recording Secretary. In the absence of the Recording Secretary, the minutes shall be taken and prepared by the Administrative Assistant to the Council or such other individual as the President may designate. The minutes of all meetings shall be a matter of public record and will be available for inspection at the Council's office.

Minutes of calendar meetings shall be printed or posted on the Council's website within two weeks following a meeting at which they are approved. The minutes of Calendar Meetings shall report the resolutions acted upon and the votes of individual members.

## ARTICLE V – STANDING AND AD HOC COMMITTEES

The Council may create ad hoc and standing committees as it, in its sole discretion, may determine. Committees shall be chaired or co-chaired by members of the Council, which chair(s) shall be appointed and removed by the President with the approval of the Council. Ad hoc committees shall expire no later than the 30th day of June immediately following their creation. Members of the public may serve on Council Committees at the request of the Committee Chair or Chairs and with the approval of not less than a majority of the whole number of the Council (6).

It shall be the responsibility of Committee Chairpersons to schedule meetings as necessary, notify committee members and the public of all meetings, maintain accurate records of all activities, and report monthly to the Council. Each committee shall operate

under the Open Meetings Law and these bylaws. All actions or determinations of committees shall comprise recommendations which shall have no effect until approved by the Council.

The Zoning Committee, tasked with addressing requests by the Department of Education to rezone any school zones within District 2, will be a standing committee on the Council. The Chair or Chairs of the Zoning Committee shall be appointed at the first Calendar meeting of each year following the election of the President and shall serve a term until June 30 of the subsequent year.

## ARTICLE VI – PARENT, PARENT ASSOCIATION & COMMUNITY INVOLVEMENT

Section 1. Parent Associations

The Council is in active partnership with parents in our schools and district. Pursuant to Section 2590-d of the New York State Education Law and Board of Education policy regarding "Parent Associations and the Schools" and Chancellor's Regulation A-660:

(a) There shall be a Parent Association (PA) or Parent Teacher Association (PTA) in each school in the Council.

(b) The Council, the superintendent, and the principal of each school shall have regular communication with all PA/PTAs.

(c) The Council shall meet quarterly with the duly elected officers of PA/PTAs.

Section 2. Superintendent Evaluations

The Council shall prepare an evaluation of the Community District Superintendent on an annual basis. The Council will seek public comment on the goals and objectives and performance indicators adopted for the annual evaluation of the Community District superintendent.

## ARTICLE VII – VACANCIES ON THE COUNCIL

Upon the occurrence of a vacancy on the Council by reason of death, resignation or other circumstance, the Council shall, within sixty days, appoint a successor to fill the unexpired term, and by appropriate screening procedures in accordance with applicable law.

Notice of such vacancy shall be disseminated to all members of the community, parent associations and local media as identified in Article III, Section 1 - Notice of Meetings. Such notice shall include a request for recommendation of candidates to fill such vacancies on the Council. The Council will solicit candidates and review all applicants

for consideration to fill such vacancy. The Council will interview all eligible candidates prior to making its decision.

The Council will interview candidates to fill vacant position(s) in a Special Meeting called for the sole purpose of conducting interviews. The Council will request the presence and participation of the Presidents' Council and other educational groups in the district as well as representatives from concerned and affected community organizations during the interview process. The Council will solicit their recommendations in writing following the close of interviews. An appointment to fill a vacancy on the Council will be by roll call vote at the next regularly scheduled calendar meeting.

## ARTICLE VIII – AMENDMENT OF BYLAWS

These bylaws may be amended at any regularly scheduled calendar meeting of the Council by a vote of not less than a majority of the whole number of the Council (6), provided the amendment has been presented in writing to the public at the previous calendar meeting and appears in the notice of the meeting at which it is to be amended. Amendments are effective immediately unless otherwise stated in the resolution.

## ARTICLE IX – PARLIAMENTARY AUTHORITY

All procedural questions not covered by these bylaws shall be governed by Roberts Rules of Order, Newly Revised, provided they are not inconsistent with law, policy, regulation, or these bylaws. The Council may appoint one of its members to serve as a Parliamentarian, to advise the Council on matters of procedure and matters pertaining to the bylaws.