

# BYLAWS OF COMMUNITY DISTRICT EDUCATION COUNCIL 30

APPROVED BY THE MEMBERSHIP ON MARCH 14, 2016

AMENDED BY THE MEMBERSHIP ON JUNE 12, 2023

## **Bylaws of Community District Education Council 30**

**Approved by the Membership on**

### **Article I – Name and Authority**

The name of the Council shall be: “District 30 Community Education Council,” “CEC 30,” or “the Council”. The Council shall have the powers and duties set forth in NYS Education Law, Art. 52-A, §2590 and the NYC Department of Education’s Chancellor’s Regulations, Volume D. 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 Community Education Council 30 shall be:

President or two Co-Presidents

First Vice President

Second Vice-President (if no Co-Presidents)

Recording Secretary

Treasurer

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

## **Section 2. Elections**

Officers shall be elected annually by roll call vote, and by the majority of the whole number of the members, at its annual meeting, for a term of one year and shall serve until their successors have been elected.

Nominations for the position of Co-Presidents must be presented as a team and voted on as a team.

At the beginning of any new Education Council term, in the event that no officer is re-elected or re-appointed to the Council, the Administrative Assistant to the Council (or a Department of Education representative) shall convene the first meeting of the Council by (i) executing the notice of meeting pursuant to Article III, Section 1; (ii) calling the meeting to order; and (iii) conducting an election from among the council members for a chair pro-tem, who will then begin the process of electing officers.

## **Section 3. Duties of Officers**

### 3.1 President (or Co-Presidents)

The President(s) shall be the Chief Executive Officer(s) of the Council. The President(s) shall call and preside at all meetings, execute all documents on behalf of the Council, and exercise all other powers and perform all other duties pertaining to the office of President.

. The President(s) 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. In the event that the Council elects Co-Presidents, unless alternate arrangements are agreed upon by both Co-Presidents, the remaining Council members will determine which Co- President will serve on district and city-wide committees. The President shall supervise (i.e., have regular contact with and oversee daily responsibilities of) the Administrative Assistant to the Council on its behalf.

The President shall approve all member reimbursement requests except their own, which shall be approved by the Treasurer.

The President shall approve the employee time sheets of the Council's Administrative Assistant.

In the event of Co-Presidents, the monthly reimbursement to cover expenses [for Presidents] would alternate monthly between the Co-Presidents, beginning in July, alphabetically by surname, unless alternate arrangements are agreed upon by both Co-Presidents.

Correspondence regarding District or Council business which is sent to the attention of the President will be shared with all Council Members in a timely fashion, unless marked "Personal and Confidential".

The Council, by majority vote and /or agreement, may delegate the power to execute documents to such other officers or employees as it designates.

### 3.2 First Vice President

The First Vice-President shall exercise the powers and perform the duties of the President in their absence. The Vice-President shall also discharge such functions as may be assigned to them by the President or by duly adopted Council resolution.

### 3.3 Second Vice-President

(Position will not be filled if the Council elects Co-Presidents.) The Second Vice-President shall exercise the powers and perform the duties of the President in the absence of the President and First Vice President. The Second Vice-President shall also discharge such functions as may be assigned to them by the President or by duly adopted resolution.

### 3.4 Recording Secretary

The Recording Secretary shall, in conjunction with the Administrative Assistant, supervise the taking and keeping of attendance, minutes, and the voting record of each member on all resolutions. The Secretary shall sign all approved minutes, and ensure appropriate record-keeping by the Council, including compliance with the Open Meetings Law and Freedom of Information Law. In the absence of the Administrative Assistant, the Recording Secretary shall be responsible for taking minutes. The Secretary shall in general perform such duties as may be assigned by the President or by duly adopted resolution. They shall assume the duties of President in the temporary absence of the President, the First Vice-President and the Second 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. The Treasurer shall sign the President's reimbursement requests; collaborate with the Administrative Assistant in preparing budgets and regular financial reports, and shall present same to the Council for approval. The Treasurer shall also discharge such functions as may be assigned to them by the President or by duly adopted Council resolution.

#### **Section 4. Vacancies in an Office**

A vacancy in an office shall be filled for the un-expired 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 that office must notify the President (or, if the officer resigning is the President, the (First) Vice-President), who must notify the other Council members within three (3) business days.

#### **Section 5. Removal of Officers**

An officer may be removed from their position as an officer by a majority vote of the whole number of the Council for any reason stated at a Calendar or Special 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 therefore 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.

### **Article III – Meetings**

#### **Section 1. Open to the Public (Amended November 14, 2022)**

All meetings shall be open to the public except where otherwise permitted by law. Public notice of the time and place of a meeting scheduled at least one week prior thereto shall be given to the news media and shall be conspicuously posted in one or more designated public locations at least seventy two (72) hours before such meeting. Public notice of the time and place of every other meeting shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one or more designated public locations at a reasonable time prior thereto, as provided by the Open Meetings Law, (Article 7, Section 104 of the New York State Public Officers Law).

All Hybrid/Virtual meetings will be recorded. The recordings will be posted/linked on the council's website no later than 5 business days after the meeting and remain there for at least 5 years. The recordings must also be transcribed upon request.

As videoconferencing will be used, the council will maintain an official website. The meeting notice will state that a videoconferencing platform will be used, and will include the meeting link and where documents will be posted/available. When possible, meeting documents will be distributed at least 24 hours in advance.

The public will also be able to view the meeting via video and, where allowed, for hybrid meetings, participate in real time on the same basis as in-person attendees. Accordingly, for hybrid meetings a strong and stable WiFi signal or telephone line is essential, as well as a good microphone, multiple laptops/iPads/tablets/telephone lines for participation. Also, barring any technical difficulties, council members must leave their cameras on while in the meetings. In addition, the technology used must meet ADA accessibility requirements.

In addition, 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 President of every Parent Association, the Presidents' Council, and all 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 held one hour before the Calendar Meeting in July, as per Article III, Sec.3, 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 Annual Meeting, the first order of business shall be the annual election of officers for the ensuing year. A roll call of members shall be taken.

## **Section 3. Calendar Meeting**

Calendar meetings of the Council shall be held on a date and time agreed upon by a majority of the whole number of Council Members each year, unless otherwise indicated, when the date conflicts with a holiday, a school closing break, parent/teacher conferences or as the Council deems as a conflict. These meetings shall be held in schools throughout the district that are designated ADA accessible.

#### **Section 4. Business Meetings (Amended November 8, 2021)**

A Business/ meeting shall be held each month on a date and time agreed upon by a majority of the whole number of the Council Members. If the Business/Working meeting is scheduled immediately following a Calendar Meeting, the start time of the Business/Working meeting will not be specified, as it will depend on the length of the Calendar Meeting. The public shall be notified of all Working/Business meetings as described in Article III. Section 1.

#### **Section 5. Special Meetings**

Special meetings, either Business/working 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 to be considered. No other matters may be considered at said special meetings except with the consent of all members present.

Any such 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 I, the Council will notify Parent Association/Parent Teacher Association Presidents and school staff via e-mail, telephone and public posting. The local news media will also be given notice of the meeting.

#### **Section 6. Executive Sessions**

Upon a majority vote of its total membership, taken in an open meeting (Calendar or Business) pursuant to a motion which must identify the general area or areas of the subject or subjects to be considered, the Council may conduct an Executive Session for the below enumerated purposes only, provided, however, that no action by formal vote shall be taken to appropriate public moneys:

- 1) matters which will imperil the public safety if disclosed;
- 2) any matter which may disclose the identity of a law enforcement agent or informer; 3) information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
- 4) discussions regarding proposed, pending, or current litigation;
- 5) collective negotiations pursuant to article fourteen of the civil service law; 6) the 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 or corporation;
- 7) the preparation, grading, or administration of examinations; and
- 8) 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, by majority vote.

#### **Section 7. Minutes**

Minutes shall be taken at both Calendar and Business meetings which shall consist of a record or summary of all motions, proposals, resolutions, and any other matter formally voted upon and the vote thereon. Minutes shall be taken at Executive Sessions solely of any action that is taken by formal vote, which shall consist of a record or summary of the final determination of such action, and the date and vote thereon. Minutes from Calendar meetings shall be available to the public in accordance with the provisions from the Freedom of Information Law within two (2) weeks from the date of such meeting. If Minutes are requested before they have received Council approval, they should be distributed in draft form and be marked "unofficial" until adopted. Minutes taken during an Executive Session shall be available to the public within one week from the date of the Executive Session.

#### **Section 8. Absences**

It is the responsibility of each Council member to attend all meetings of the Council. For purposes of this By-Law, "meeting" shall be defined as a Calendar, Business, or Annual meeting. Further, for purposes of this By-Law, a Calendar and/or Business and/or Annual meeting which take place on one date shall be defined as one (1) meeting. It is incumbent upon all Council members to notify the Administrative Assistant and the Secretary to the Council, in writing, of the member's intent to be absent no later than (24) hours prior to the scheduled meeting time. In the event of an emergency occurring within twenty four (24) hours of a meeting, a phone call shall be made, or text message shall be sent, to the Administrative Assistant and/or the Secretary of the Council followed by a written explanation prior to the next meeting. If no such attempt is made, and a member misses a meeting with no prior notice, that absence shall be considered unexcused. If a member is more than one (1) hour late to a scheduled meeting, that absence shall be considered unexcused. There shall be no proxy nor absentee voting.

The following constitute valid excuses for absence: death of a relation 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 family and job-related conflict which makes absence from a Council meeting unavoidable (per Chancellor's Regulation D-140). In addition, the Council may excuse any and all absences relating to CEC business, provided the member gives the Council-at-large notice of said absence, via e-mail, no less than three (3) days prior to the meeting, other than in cases of emergency. During that three (3)-day period, if six (6) Council members disagree with the appropriateness of the absence, said absence will be considered unexcused.

Any member of the Council who fails to attend three (3) unexcused meetings of the Council of which they are duly notified, within a 12-month-period, beginning and ending on July 1st, thereby vacates their office by refusal to serve (Education Law 2590-c). If a member of the Council fails to attend three (3) excused meetings of the Council of which they are duly notified within the aforementioned 12-month-period, the Council may address said absences at the next Business Meeting. Said member may be advised that the next absence may trigger a letter from the Council to the Chancellor and/or Borough President advising them of said member's excessive absences.

Any member of the Council who wishes to appeal a ruling of the Council with regard to absences may do so at the subsequent monthly meeting immediately following said ruling. Each absence, noted as excused or unexcused, shall be included within the official written minutes of such meeting. All absences of a Borough President appointee shall be reported to the Borough President by the Administrative Assistant or President (per Chancellor's Regulation D-140, Section IX).

## **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 resolutions. Resolutions shall be placed by a majority of the whole number of the members prior to seven (7) days before the following Calendar meeting.

In addition, three (3) 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 three (3) calendar 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) they shall theretofore delivered a written copy thereof to the President or Secretary to the Council before the start of any Calendar meeting, (2) such addition is consented to by a majority of the whole and (3) unless impractical under the circumstances, copies thereof are distributed at the meeting.

#### 1.2 Business Meeting

The agenda for each Business/working meeting shall be developed by the President and by members of the Council who shall have the opportunity to raise issues for consideration under “New Business” at each Business/working session. In addition, any member may place an item for



discussion on the agenda of a Business/working meeting by contacting the Administrative Assistant to the Council, seven (7) days before the following Calendar meeting.

## **Section 2. Order of Business**

### **2.1 Calendar Meeting**

The order of business of any Calendar Meeting, except when otherwise prescribed by the President(s) or specially ordered, shall be as follows:

1. Call to Order and Roll Call
2. First Public Speaking Session
3. Guest Speaker(s) (if any)
4. Resolutions (if any), each followed by public comment
5. Report of the Community Superintendent
6. Second Public Speaking Session
7. Adjournment

### **2.2 Business/Working Meeting**

The order of business of any Business Meeting, except when otherwise prescribed by the President(s) or specially ordered, shall be as follows:

1. Call to order and Roll Call
2. Approval of Minutes
3. Committee/Member Reports
4. New Business

The regular order of business may, at any time, be changed by a vote of a majority of the whole number of the Council.

## **Section 3. Public Speaking Sessions**

General Public Speaking Sessions shall be conducted without agenda or other formalities and is intended to give the public an opportunity to express themselves on any matter concerning education within the district.

In addition to the General Public Speaking Sessions, the public may comment on resolutions pending before the Council at a Calendar meeting during a comment period prior to a vote on the resolutions.

Personal attacks during public speaking sessions will be ruled out of order, at which time the speaker's balance of time will be forfeited and the speaker will be expected to leave the microphone. In the event the speaker refuses, the chairperson will take measures to enforce the ruling.

### **Section 3. Official Actions**

Official actions (defined as Resolutions) of the Council may be taken only at Calendar or Special Calendar meetings and must be by a vote of the majority of the whole number of the members of the Council.

### **Section 4. Quorum/Majority**

The majority of the whole number of the members of the Council shall be present to constitute a quorum. For the Council, the quorum/majority must always be seven (7) (majority of the whole number of the twelve (12) voting members). If there is no quorum present at the time set for the meeting, the members present shall wait for thirty (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. No action can be taken unless at least seven (7) members are present and at least seven (7) members vote for or against a resolution. A majority vote in favor means that a resolution is approved, a majority vote against means that the resolution has failed. Failure to achieve a majority vote on either side means that no action has been taken and the resolution may or may not come back on the next month's agenda.

## **Article V – Committees**

The Council may create committees as it, in its sole discretion, may determine. Committees shall be chaired by members of the Council and shall be appointed and removed by the President. They shall serve until the following year's Annual Meeting. If specific standing committees are to be established by the Council, the By-Laws must be amended to name these committees and outline their duties and functions. Once referenced in the By-Laws, the standing committees become continuously existing bodies with changes only in membership and chairmanship.

## **Section 1. Standing Committees**

- a. Zoning Committee
- b. By-Laws Committee (By-Laws shall be reviewed every year.)
- c. Communications and Outreach

## **Section 2. Committee Chairperson**

It shall be the responsibility of Committee Chairperson 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 these bylaws and Robert's Rules of Order Newly Revised, and all committee recommendations are subject to the approval of the Council.

## **Section 2. Ad Hoc Committees**

In addition to Standing Committees, the Council may elect to create ad hoc committees with a term of one-year. Examples of such committees include, but are not limited to: District 30 Family Fun Day, Special Education, and Racial Justice.

# **Article VI- Parent, Parent Association & Community Involvement**

## **Section 1. Parent Associations**

The Council is in active partnership with parents in our schools and in our district. Pursuant to Section 2590-d of the New York State Education Law and Department 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 PAs/PTAs.
- c. The Council shall meet quarterly with the duly elected officers of PAs/PTAs.

## **Section 2. Superintendent Evaluations**

Consistent with New York State Education Law 2590-e 15-16 and Chancellor's Regulations, the Council will seek public comment on the annual evaluation of the District 30 Superintendent and all other instructional supervisory personnel who have responsibility for more than one school within the district.

## **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 (60) days, appoint a successor to fill the un-expired 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 I. 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, the Title I District Parent Advisory 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 By-laws may be amended at any regularly scheduled Calendar meeting of the Council by a majority vote of the whole number of the council, 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.

The Council may not use their bylaws to create grounds for removing a Council Member other than for reasons authorized by law, nor may the Council adopt a definition of absence that is

inconsistent with how absence is defined in Chancellor's Regulation D-140. By-laws may not include votes by absentee proxy, or secret ballot.

## **Article IX – Parliamentary Authority**

Roberts Rules of Order, Newly Revised, shall govern all procedural questions not covered by these bylaws provided they are not inconsistent with law, policy, regulation, or these bylaws.

**Approved by the Membership on xxxxx xx, 2023**

**Effective as of July 1, 2023**