

`BYLAWS OF
COMMUNITY EDUCATION COUNCIL FOR DISTRICT 23

APPROVED BY THE MEMBERSHIP ON

October 4th, 2021

Abbie Anderson
President
October 4th, 2021

Charaya Hardy
Recording Secretary
October 4th, 2021

ARTICLE I – NAME OF THE ORGANIZATION

The name of the Council shall be: **Community Education Council For District 23.**

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 Council shall be:

President
Vice-President
Recording Secretary
Treasurer
Parliamentarian

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

Section 2: Elections of Officers

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

Following a Council election, in the event that no officer is re-elected to convene the annual meeting, the Administrative Assistant to the Council shall execute the notice of meeting pursuant to the Article III, Section 1. The Administrative Assistant shall call the annual meeting to order and conduct an election for a president pro tem who will then begin the process of electing officers.

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 over all CEC meetings. 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 works closely with the Administrative Assistant and supervises his/her work activities.

3.2 Vice-President

The Vice-President shall exercise the powers and perform the duties of the President in his/her 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.

3.3 Recording Secretary

The Recording Secretary shall supervise the taking and keeping of attendance, proofreading the minutes, and sending the minutes with the voting record of each member on all resolutions to the Council 2 weeks before the next Business and Calendar meeting. 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. He/she shall assume the duties of President in the temporary absence of the President and the Vice-President.

3.4 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, receipts, and expense recordkeeping are maintained on a monthly basis. The Treasurer is responsible for creating a monthly expense log on purchases and member's reimbursements from the CEC Fiscal Budget. The Treasurer must approve purchases over \$250.00. The Treasurer must schedule a monthly meeting with the Administrative Assistant prior to the Calendar Meetings in order to maintain Department of Education standard operating procedures.

3.5 Parliamentarian

The Parliamentarian shall be responsible for advising the presiding officers on questions of the parliamentary law and matters of procedures. The presiding officer may call on the Parliamentarian for advice when needed.

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/member who wishes to resign from her/his seat, must notify the President, Administrative Assistant, and FACE representative in writing within 21 days of their resignation.

Section 5: Disciplinary Action

An officer may be removed from her/his position as an officer by a majority vote of the whole number of the Council for misconduct, malfeasance, or neglect of duty, following the referral and investigation of charges, and an opportunity for the officer to respond.

ARTICLE III – MEETINGS

Section 1: Open to the Public

All meetings shall be open to the public except where otherwise permitted by law. 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, and 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 aware of and able to observe the performance of public officials and attend and listen to their deliberations and decisions

All meeting minutes, recordings, agendas and financial reports will be located on a public website.

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/Parent Teacher Association, the President's' Council, heads of schools, parent coordinators to post conspicuously, and to other interested persons and organizations who express a desire to receive meeting notices.

Section 2: Annual Election Meeting

The Annual Election Meeting of the Council shall be held on the second (2nd) Monday of July, unless said date falls on a legal holiday, in which event the meeting shall be rescheduled for the next business day or following week, provided that all rules for notification of meetings are adhered to. At the Annual Election Meeting, the first order of business shall be the Annual Election of officers for the ensuing year. A roll call vote of members shall be required.

Section 3: Calendar Meetings

Calendar meetings of the Council shall be held on the first (1st) Monday of each month at 6:00PM, except when such a date shall be a legal or school holiday in which event a majority of the Council may vote to schedule the meeting on an alternate day, provided that it observes the rules for notification of meeting.

Section 4: Business Meetings

The Council shall hold a Business Meeting after the Calendar meeting each month. Additional Business meetings may be scheduled by the Council. The public shall be notified of all Business meetings as described in Article III, Section 1.

Section 5: Special Meetings

Special meetings, either 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 no 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 1, the Council shall send notification in writing (in English and other languages, as appropriate) in a form suitable for mass reproduction, to the President of every Parent Association/Parent Teacher Association, the President's' Council, heads of schools, parent coordinators to post conspicuously, and to other interested persons and organizations who express a desire to receive meeting notices. 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 shall be made by the majority of the whole number of the members of the Council, shall be recorded by roll call vote, and shall be ratified at a Calendar meeting.

Executive Sessions may only be called 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 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 resolutions placed by a majority of the whole number of the members at a working session.

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 five (5) 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 he or she shall have theretofore delivered a written copy thereof to the President or Recording Secretary to the Council before the start of any Calendar meeting, such addition is consented to by a vote of the majority of the whole number of the members of the Council, and unless impractical under the circumstances, copies thereof are distributed at the meeting.

1.2 Business Meeting

The agenda for each Business meeting shall be developed by the President and members of the Council, who shall have the opportunity to raise issues for consideration under New Business. In

addition, any member may place an item for discussion on the agenda of a meeting by contacting the President and the Administrative Assistant.

Section 2: Order of Business

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

1. Call to Order and Roll Call
2. Report of President
3. Report of Community Superintendent
4. Approval of Agenda and Minutes
5. Resolutions
6. Report of Committee(s)
7. Adjournment
8. Public Agenda Session

The regular order of business may at any time, be changed by a vote of a majority of the whole number of the Council. Immediately following adjournment of the meeting, a public agenda session 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 Public Agenda Session, the public may comment on resolutions pending before the Council at a Calendar meeting, by signing the speakers' list to speak prior to Council discussion and vote.

Speaking time is limited to three (3) minutes per person. Questions asked by speakers 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 a speaker is ruled out of order, the speaker's balance of time will be forfeited and the speaker will be directed to leave the microphone. In the event the speaker refuses, the President will take measures to enforce the ruling.

Section 3: Quorum and Majority

3.1 Quorum

The majority of the whole number of the members of the Council shall be six (6) and must be present to constitute a quorum. If there is no quorum present at the time set for the meeting, the members present shall wait for 15 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.

3.2 Official Actions

Official actions 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. There shall be no proxy or absentee voting, or polling by phone or email.

Section 4: Minutes

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 otherwise mechanically reproduced and shall be available in draft form upon request within two weeks following a meeting. The minutes of Calendar meetings shall report the resolutions acted upon and the votes of individual members.

ARTICLE V - COMMITTEES

The Council may create committees and define their membership as it, in its sole discretion, may determine. Committees shall be chaired by members of the Council, who shall be appointed and removed by the President with the approval of the council. They shall serve through June 30th of the following year or until their successors have been selected.

It shall be the responsibility of Committee Chairpersons to schedule meetings as necessary, notify committee members and the public of all meetings, and maintain accurate records of all activities and report monthly to the Council. Each committee shall operate under the Open Meetings Law, these bylaws and Robert's Rules of Order Newly Revised, and all committee recommendations are subject to the approval of the Council.

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 Chancellor's Regulation A-660:

- A. There shall be a Parent Association (PA) or Parent Teacher Association (PTA) in each school.
- B. The Council, the community 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

The Council will seek public comment on the goals and objectives and performance indicators adopted for the annual evaluation of the community superintendent and local instructional superintendents.

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 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 in the resolution.

ARTICLE IX – PARLIAMENTARY AUTHORITY AND COMPLIANCE

Section 1: Parliamentary Authority

All procedural questions not covered by these bylaws shall be governed by Roberts Rules of Order Newly Revised. The Council may elect one of its members to serve as a Parliamentarian to advise the Council on matters of procedure and matters pertaining to these bylaws.

ARTICLE X – COUNCIL PROTOCOLS AND MEMBERS CODE OF CONDUCT

Section 1: Code of Conduct, Council Protocols and Members

1.1 Communications Protocol

All official Council communications shall be sent from the Council's official Department of Education email account. As the Chief Executive Officer, the President shall have access to the password for the Council's official email account in addition to the Administrative Assistant.

1.2 Corrective Or Disciplinary Action:

While self-determination is essential to the functioning of the Council, there are circumstances that require corrective or disciplinary action for their protection. Corrective or disciplinary action is appropriate when a Council member's conduct violates laws, policies, rules, or regulations, or threatens the rights of students, families, or staff.

1.3 Threats Or Risks To Others:

Complaints or allegations of threatening behavior by a Council officer must have 3 written reports to the police, SCI and FACE. Council members whose conduct presents a threat or risk to members of the school, district or borough community may be removed from Council office. This includes frequent verbal abuse and unnecessarily aggressive speech during meetings, which serves to intimidate and causes others to have concern for their personal safety. Council members who have been removed from office for their conduct may be prohibited from subsequently serving on any PA/PTA, Presidents' Council boards, school or district leadership teams, school or district Title I Parent Advisory Councils, CEC, CCSE, CCHS, CCELL, or D75 Councils by decision of the Chancellor or the Chancellor's designee on a case-by-case basis.

1.4 Absences

It is the responsibility of each Council Member to attend Business and Calendar Meetings, Joint Public Meetings, Charter School Hearings, and Community Meetings of the Council. It is incumbent upon all Council Members, except in cases of emergency, to notify the President or the Administrative Assistant to the Council at least 24 hours prior to the scheduled meeting time of their intent to be absent. Members who do not attend any meetings will not receive a stipend. Any member of the Council who fails to attend three public meetings of the Council of which she/he is duly notified, without rendering in writing a good and valid excuse thereof to the President, vacates his/her office by refusal to serve (Education Law § 2590-C). Each written excuse and absence noted as excused or unexcused shall be included within the official written minutes of such meeting. After the third unexcused absence, the President, with the approval of the Council, shall notify in writing the absent and unexcused member that the Council shall declare a vacancy to the Chancellor by resolution at its next regularly scheduled Calendar meeting.

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.

AMMENDMENTS

FEBRUARY 15, 2018:

- 1) Review the CEC's current By-Laws as it relates to meeting times, officers to be elected and updating names of 2017-2019 elected officers.
- 2) CEC 23 will change their Business meeting time from 4:30pm to 6:00pm.
- 3) Added Parliamentarian Office position
- 4) Combined both the Business and Calendar meetings on the same day, with one proceeding after the other has adjourned.
- 5) Meeting time will begin at 6:00pm and now have an end time of 8:00pm. The permit will read from 6:00pm to 8:30pm.

Amendments proposed by Vice-President Samuels and approved by the membership during the Business meeting on February 15, 2018

MARCH 10, 2021:

- 1) Review and update the CEC's current By-Laws as it relates to meeting times, officers to be elected and updating names of 2020-2021 elected officers.
- 2) CEC 23 voted to continue their monthly combined Calendar and Business meetings using a Zoom platform. Meetings times will continue from 6:00PM.-9:00PM on the 1st Monday of every month unless the first Monday falls on a holiday; therefore, the Calendar and Business Meetings will be moved to the second Monday.

Amendments proposed by President Anderson and approved by the membership during the Business meeting on March 10, 2021.

OCTOBER 4, 2021:

- 1) Significant formatting and grammar fixes throughout all sections
- 2) Update all Council name references throughout the document to "Community Education Council For District 23"
- 3) Removal of specific officer names from Article II, Section 2
- 4) Remove multiple references to Zoom meetings in favor of general language that the Council will comply with NYS Open Meetings Laws
- 5) Update Article III, Sections 3 and 4 to reflect actual meetings times and order
- 6) Significant readability updates and paragraph numbering in Article IV, Section 3
- 7) Remove largely redundant Article II, Section 6 and merge with the Article X
- 8) Update all references to "Business/Working meetings" to "Business meetings" for consistency.

Amendments proposed by Bylaws Committee Chairperson Archambault and approved by the membership during the Business meeting on October 4th, 2021.