



Department of Education

Joel I. Klein
Chancellor



Bylaws Of Community Education Council – District 31 (CEC 31)

REVISION APPROVED BY THE MEMBERSHIP ON January 3, 2011
(If subsequently amended, dates are indicated in body of document.)

Angelic Sealy (*Recording Secretary*)

Kathy Baldassano (*Administrative Assistant*)

Sam T. Pirozzolo
Council President

/s/ Sam T. Pirozzolo
(Signature)
January 3, 2011
(Date)

Angelic Sealy
Recording Secretary

/s/ Angelic Sealy
(Signature)
January 3, 2011
(Date)

ARTICLE I – NAME

The name of the Council shall be: the Community Education Council – District 31.

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 of District 31 (CEC 31) shall be:

- President
- Vice-President
- Second Vice-President
- 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 in September, for a period of one year, and shall serve until their successors have been elected. In the event of unusual circumstances, the members may vote to extend the term by no more than 3 months.

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 Article III, Section 1. The Administrative Assistant shall call the annual meeting to order and conduct an election for a chair 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 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 majority vote may delegate the power to execute documents to such other officers or the Administrative Assistant as it designates.

3.2 First Vice-President

The First 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.

3.3 Second Vice-President

The Second Vice-President shall act for 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 her/him by the President or by resolution duly 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 Secretary shall read each resolution on the agenda of a calendar meeting. The 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, 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.

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 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 5 business days.

Section 5. Disciplinary Action

An officer may be removed from his/her 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 to a committee of Council members, and an opportunity for the officer to respond within 10 days.

Section 6. Absences

It is the responsibility of each Council member to attend all meetings of the Council. It is incumbent upon all Council members, except in cases of emergency, to notify the President or the Secretary to the Council at least 2 hours prior to the scheduled meeting time of their intent to be absent. If circumstances occur during the 2 hours prior to a scheduled meeting which prevent attendance, a member must notify the President or Secretary as soon as possible.

Any member of the Council who fails to attend three meetings of the Council of which she/he is duly notified, without rendering in writing a good and valid excuse therefore 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.

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 all meetings shall be given to the community at least 72 hours prior to the date of the meeting, through local news media and posted conspicuously 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 aware of and able to observe the performance of public officials and attend and listen to their deliberations and decisions.

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, heads of schools, and parent coordinators 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 on the first regularly scheduled meeting date in September.

At the Annual 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 Monday of each month in the evening, except when such a date shall be:

- A legal or school holiday;
- The same day as Parent/Teacher conferences for District 31 elementary or middle schools;
- Consecutive calendar meetings scheduled two weeks or less apart;
- Determined by the President to be an occurrence of inclement weather, unforeseen events, or situations which would adversely impact participation.

If the President determines that an alternate date is more appropriate due to unusual circumstances, the President may choose an alternate date for any meeting, provided that it meets the examples listed earlier in this section and observes the rules for notification to the public. Specific meeting time will be indicated on the meeting notices and agendas. These meetings shall be held in schools throughout the district that permit access to the disabled.

Section 4. Business/Working Meetings

The Council shall hold a business/working meeting prior to the calendar meeting each month.

Section 5. Special Meetings

Special meetings, either business/working or calendar, may be held at the call of the President or 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(s) to be considered. No other matter(s) may be considered at said special meetings except with the consent of a majority of the whole number of the members.

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 will notify Parent Association Presidents and school staff via e-mail, telephone and public posting. The local news media may 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 14 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 resolutions placed by a majority of the whole number of the members at a working session.

In addition, any member 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 before the date of the next calendar meeting and, unless impractical under the circumstances, copies thereof are distributed at the meeting.

1.2 Business/Working 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 working/business meeting by contacting the Administrative Assistant to the Council.

Section 2. Order of Business

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. Approval of Minutes
3. Listed Speakers Session
4. Report of President
5. Report of Community Superintendent
6. Resolutions
7. Report of Committees
8. Open Public Agenda Session
9. Adjournment

The regular order of business may, at any time, be changed by the President, if there is no objection by any member of the Council. Upon any such objection, a Council vote will be taken to decide the issue.

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.

The public may also address the Council on any educational topic during the Listed Speaker Session. All those who wish to be heard as a "Listed Speaker" must contact the CEC Office no later than 12 noon on the day of the meeting by phone, fax or e-mail. Listed speakers are requested to: (1) make notification of the topic they wish to discuss; (2) restrict their remarks to the topic being considered, and limit their speaking time to three minutes; (3) submit written copies of their comments to the CEC Administrative Assistant before they speak.

Immediately preceding adjournment of the meeting, an Open 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.

Speaking time is limited to three 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 expected to leave the microphone. In the event the speaker refuses, the chairperson will take measures to enforce the ruling.

Section 3. General Construction Law

§41. Quorum and Majority

Whenever three or more public officers are given any power or authority, or three (3) 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 bylaw 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 of 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

Therefore, the majority of the whole number of the members of the Council shall always 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 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 the majority (six) 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 a matter of public record.

Minutes 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 and define committees, to include - but not be limited to - a combination of Council members and members of the public. Each committee is restricted to a maximum of three Council members per committee. Committee membership shall be determined by the President, with the approval of the Council. Committees may only be chaired by Council members. Committee chair(s) will be selected by the members of each committee. They shall serve through June 30th of the following year or until their successor(s) has been selected.

It shall be the responsibility of committee chairperson(s) to schedule meetings as necessary, notify committee members of meetings, maintain accurate records, and make reports 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. All statutory committees and committees without public membership are subject to the *Open Meetings Law*, and must be publicly announced and advertised. Council members may participate in any publicly announced committee meeting.

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 in the district.
- (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 PA/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 (60) days, appoint a successor to fill the unexpired term, and by appropriate screening procedures in accordance with applicable law.

In the case of expected future vacancies (*due to an impending or imminent disqualifying event, such as a child's graduation causing parent to be ineligible to remain on the Council*), the

Council may begin the application process and screening procedures of the candidates during the ninety (90) days prior to the actual occurrence of the vacancy.

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

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.