

BYLAWS

THE CITYWIDE EDUCATION COUNCIL FOR DISTRICT 75

APPROVED BY THE MEMBERSHIP

October 5, 2016
(Date)

Phargus et L. Dargen
(Secretary)

GLORIA SMITH
President

Gloria Smith
(Signature)
10/06/2016
(Date)

Celia Green
(Print Officer's Name)
Vice-President
(Title)

Celia Green
(Signature)
10-5-2016
(Date)

ARTICLE I

-NAME-

The name of the Council shall be: **THE CITYWIDE EDUCATION COUNCIL FOR DISTRICT 75**

These Bylaws, **THE BYLAWS OF THE CITYWIDE EDUCATION COUNCIL FOR DISTRICT 75**, shall be the governing instrument of the Council subject only to applicable provisions of law, policies, and regulations.

ARTICLE II

-OFFICERS AND ELECTIONS-

Section 1. Officers

As elected, the Officers of The Citywide Education Council for District 75 shall be:

PRESIDENT: GLORIA SMITH

VICE-PRESIDENT CELIA GREEN

RECORDING SECRETARY MARGARET HARPER

TREASURER SANDRA RENTAS

NO MEMBER MAY HOLD MORE THAN ONE OFFICE AT A TIME.

Section 2. Authority and Mission Statement

The Council shall have the powers and duties set forth in NYS Education Law, Art. 52-A, §2590 and implementing Chancellor's Regulations.

Guidance/Reference:

For CECs, the citation is §2590-e and D-140; for CCHS, §2590-b and D-160; for CCSE, §2590-b and D-150; for CCELL, §2590-b and D-170. For CCD75, the citation is CR D-150 only.

THE CITYWIDE EDUCATION COUNCIL FOR DISTRICT 75 MISSION STATEMENT

The Citywide Education Council for District 75 is comprised of parents with children attending

District 75 schools and programs. We are officially elected advocates who are passionately committed to serving the students and parents of our district by addressing their issues and needs. We promote transparency as well evoke and engage conversation and action on education, instruction, inclusion, transition, transportation, employment and related therapy and services. We foster individual's independence, opportunities and emphasize dignity and respect for all children.

Section 3. Elections

Officers shall be elected annually by roll call vote, and by the majority (6) of the whole number of the members at its annual meeting, for a period of one year, and shall serve until their successors have been elected.

Candidates for office must be present to be 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 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 4. Duties of Officers

4.1 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. In addition, the President should be a parent/guardian of a student who is currently registered or previously attended a District 75 School/Programs in order to hold the Office of President.

The Council, by majority vote of six (6), may delegate the power to execute documents to such other officers or to the Administrative Assistant as it designates.

4.2 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. In addition the Vice-President should be a parent/guardian of a student who is currently registered or

previously attended a District 75 School/Programs in order to hold the Office of Vice-President.

4.3 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 Vice-President. In addition the Recording Secretary should be a parent/guardian of a student who is currently registered or previously attended a District 75 School/Programs in order to hold the Office of Secretary.

4.4 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 and member-reimbursement activities are properly documented and maintained and follow Department of Education standard operating procedures. In addition the Treasurer should be a parent/guardian of a student who is currently registered or previously attended a District 75 School/Programs in order to hold the Office of Treasurer.

Section 5. 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 her/his office must notify the President (or, if the officer resigning is the President and the Vice-President) including Council members in writing sent to the council's email account (NYC DOE Outlook Account).

Section 6. Disciplinary Action

An officer may be removed from her/his position as an officer by a majority vote of six (6) 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.

Section 7. 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 four (4) hours prior to the scheduled meeting time of their intent to be absent.

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.

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, which 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 Spanish, as appropriate) in a form suitable for mass reproduction, to the President of every Parent Association/Parent Teacher 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 week in 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 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 third week of each month at 6:30 PM, in the evening 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. 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 or on the first week of each month at 6:30 PM in the evening, 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. Additional business/working meetings may be scheduled by the Council. The public shall be notified of all business/working meetings as described in **Article III, Section 1.**

Section 4.2. Rescheduling of Meetings

The Council shall make every effort to adhere to the schedule of meetings set pursuant to §4.1 in order to ensure ample notice and minimize inconvenience to the public.

If it becomes necessary to reschedule a calendar meeting due to inclement weather or other emergency, a new date shall be set by the President, after consultation with the Council, and included in the notice of cancellation of the scheduled meeting. To the extent possible, the new date shall fall within the same calendar month.

Section 5. Annual Meeting

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 1, the Council will notify Parent Association/Parent Teacher Association Presidents and school staff via e-mail, telephone and public posting. The council's social media accounts, District 75 and the D75 Family Advocate 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 (6) whole number of the members of the Council (11), 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 public body and any other persons authorized by the public body.

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 Meetings

Each notice of a calendar meeting shall state the topic(s) to be considered and be accompanied by the text of any resolutions purposed for adoption by the council. A detailed agenda should be available at the meeting.

Agenda topics for each calendar meeting shall be set at the business meeting held prior to scheduled meeting. In addition, council members shall have the opportunity to add items to the agenda during the working/business meeting and/or by notifying the President in writing no later than two to three calendar days (see below 1.2. Business/Working Meeting).

1.2 Business/Working Meetings

The agenda for each business/working meeting shall be developed by the President. Council members 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 President or the Vice President in the absence of the President in writing no later than two to three calendar days.

1.3 Resolutions

Resolutions may be place on the agenda by:

- A vote of the majority (6) of the total members of the council (11), taken during a business/working meeting; or
- During the working/business meeting 3 members of the council can submit a resolution to the President and thereafter to the Administrative Assistant at least two to three calendar days before the scheduled meeting. Members will have the opportunity to bring forth a resolution for review which is consented to majority vote of (6) of the total members of the council (11) copies thereof are distributed to each council member prior to the call to order.

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. Appointment of time Keeper
3. Approval of Minutes
4. Report of President
5. Report of Community Superintendent
6. Program Presentation/Guest Speakers Session
7. Public Q&A session
8. Resolutions
9. Report of Committee(s)
10. Adjournment

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 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 person chairing the meeting will take measures to enforce the ruling.

Section 3. General Construction Law

§ 41. Quorum and Majority

Pursuant to the General Construction Law, § 41, the majority of the total number of voting members of the Council must be present to constitute a quorum regardless of the number of vacancies that exist on the Council. The Council has 11 voting members; therefore, no fewer than 6 members must be present to constitute a quorum and no fewer than 6 votes are needed to carry any motion or adopt any resolution.

3.1 Quorum

If there is no quorum at the time set for a meeting, the members present shall wait fifteen minutes for additional members to arrive, after which time a roll call may be held and a vote taken, by simple majority of six (6) members who are present, to continue with the meeting or adjourn it to another date.

In the case of a calendar meeting without quorum, any program presentation, the report of the superintendent, report of the president and the Public Agenda session shall be allowed to go forward before the meeting is adjourned.

Should the Council decide to continue with the meeting, member reports may be given and discussions held on any pending matters, but no votes or other official action may be taken.

Notwithstanding any provisions to the contrary in Roberts Rules of Order Newly Revised, the Administrative Assistant (or, in his/her absence, the Recording Secretary) shall record Council members' attendance and absences as provided for in Art. III, §2, and make a record of the meeting.

Notice of an adjourned meeting shall be given forthwith to all Council members, and to the public as provided for in Article III, Section 1.

3.2 Official Actions and Decisions

Official actions of the Council by resolution may be taken only at a regular or special calendar meeting and shall be by vote of the majority (6) of the total number of members of the Council (11). Except as otherwise provided by law, regulation or these bylaws, all other matters may be decided by vote of the majority (6) of the total number of members of the Council (11), upon a motion presented at any calendar or business meeting.

Official actions of the Council may be taken only at calendar or special meetings and must be by a vote of the majority (six) of the whole number (11) of the members of the Council.

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

Section 4. Minutes

In accordance with the Open Meetings Law, §106, minutes shall be taken at all meetings of the Council. Minutes shall include a record or summary of all resolutions and motions presented, and the votes of individual members on each resolution and motion.

Minutes of all meetings shall be created in electronic format, and shall be available to the public in draft form upon request within two weeks following a meeting. Audio recordings of meetings shall not constitute minutes.

The minutes of all meetings shall be a matter of public record. A printed copy shall be available for inspection at the Council's office.

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; 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 ASSOCIATIONS & 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 District 75 Presidents' Council (including 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 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 District 75 school community, council members, parent associations via District 75 Presidents' Council, District 75 Parent Coordinators, District 75; NYC Department of Education: The Office of Family and Community Engagement (FACE) and the council's social media accounts 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. Thereafter, the Council will contact Presidents' Council for District 75 to schedule an interview with the candidate(s) for the sole purpose of conducting interviews. Other educational groups in the district as well as representatives from concerned and affected community organizations during the interview process will receive a Special Meeting Notice disseminated via the District Office and/or the council's social media accounts. The Council will discuss their recommendations following the close of interviews and will consult with the President of Presidents' Council upon the conclusion of the interview process. 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 THE BYLAWS-

These bylaws may be amended at any regularly scheduled calendar meeting of the Council by a roll call vote of six (6) of the whole number of eleven (11) 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-

Section 1. 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.

The Parliamentarian should be qualified to serve by membership and/or by attending a training by completing a course in Parliamentary Rules and Procedures provided by the National Association of Parliamentarians.

Section 1. Compliance

These bylaws shall be the governing instrument of the Council, subject only to applicable laws and regulations. Pursuant to NYS Ed. Law § 2590, a copy of these bylaws shall be filed with the Panel for Educational Policy and the Commissioner of Education, and be available for public inspection at the Council office.

ARTICLE X

-COUNCIL PROTOCOLS AND MEMBERS' CODE OF CONDUCT-

Section 1. Communications Protocol

All communications on behalf of the council including (media, public speaking, hearings, testimony, events and online) on behalf of the council shall be done by the President or a councilmember designated by the President.

Section 2. Citywide Educational Council for District 75 Code of Conduct
(Implemented and adopted by the Citywide Education Council for District 75)

The code of conduct is intended to give council members a formatted guideline within a limited set of rules. Violation of this code will be met with disciplinary action not excluding removal by the Chancellor.

1. Council members shall not engage in fights or physically/verbally aggressive behavior. Such conduct is grounds for suspension and possible expulsion by the Chancellor.
2. Council members shall be careful in their choice of words. Bearing in mind that some language may be hurtful and offensive to others. Offensive language has no place in our communities and work place.
3. Council members should represent themselves in a professional manner.
4. Council members shall not engage in dishonest behavior of any form. Such conduct, if proven, is grounds for suspension and possible expulsion in a roll call vote of six and ratification by the Chancellor.
5. Council members should adhere to the confidentiality of information shared either via office, private, DOE emails and postal mail.
6. Council members shall undertake and participate in any or all trainings and developments as required.
7. Council members shall submit all reports in a timely manner so that the work being done is reflected.
8. Emergencies may occur, as leaders we must plan ahead to be considerate of the councils and public's time.
9. Council members shall be helpful to all visitors, parents, DOE administration and staff including members of the Citywide Education Council for District 75 as well as the local school communities.
10. Council members shall be mindful of others in the building, especially when classes and after school programs are in session as well as respect school property and the property of others.
11. All correspondence representing and on behalf of this council should be formatted on the council's letterhead and submitted via the council's official email outlook account or via postal mail with the council's contact information on the envelope.

