

**BYLAWS OF
COMMUNITY EDUCATION COUNCIL FOR
DISTRICT 27
(CEC 27Q)
APPROVED BY THE MEMBERSHIP
JULY 12, 2023**

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ARTICLE I – NAME & AUTHORITY

Section 1. Name

The name of the Council shall be CEC 27

Section 2. Authority

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

ARTICLE II – OFFICERS AND ELECTIONS

Section 1. Officers

The Officers of the Council shall be:¹

President

[First] Vice-President²

Recording Secretary

Treasurer

Parliamentarian

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

Section 2. Elections

Officers shall be elected by roll call vote, by the majority [6] of the whole number of members [11]³, at the *[month]* meeting, for *[a period of one year/the Councils' term⁴]* and shall serve until their successors have been elected.

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.

¹ Do not list names here—only offices.

² A Second VP may be added but has no real function in a body that consists of 11 members (unlike PA/PTAs, Education Councils don't have an executive board that meets and makes decisions separately from the general membership).

³ [7] and [13], respectively, for CCHS bylaws.

⁴ The length of officers' terms is not prescribed by law or regulation (unlike PA/PTA offices, which are governed by CR A-660). An alternative to annual elections used by some councils is to elect "interim officers" at the start of a new Council term in July; these officers serve until the election of permanent officers in September or October.

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 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 President shall approve all member reimbursement requests except his/her own, which shall be approved by the Treasurer.

3.2 First Vice-President

The First Vice-President shall exercise the powers and perform the duties of the President in his/her absence, and discharge such functions as may be assigned to her/him by the President or by duly adopted Council resolution.⁵

3.3 Recording Secretary

The Recording Secretary shall, in conjunction with the President, supervise the Administrative Assistant in the taking and keeping of meeting attendance, minutes, and the voting record on all motions and resolutions; read each resolution on the agenda of a calendar meeting; 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 Recording Secretary shall also discharge such functions as may be assigned to him/her by the President or by duly adopted Council resolution.

3.4 Treasurer

The Treasurer shall be responsible for working with the Administrative Assistant and designated Department of Education (DOE) staff to ensure that business transactions and member-reimbursement requests are properly documented and follow DOE Standard Operating Procedures. The Treasurer shall sign the President's reimbursement requests; supervise 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 him/her by the President or by duly adopted Council resolution.

3.5 Parliamentarian (Amended 11/21/2016). Parliamentarian- A person who is well versed in the formal rules and procedures of deliberative assemblies and other formal

⁵ If a Second VP was added in Section 1, the powers and duties must be added here.

organizations. The Parliamentarian must assist the Council when needed to facilitate and keep the meeting in order.

Section 4. Vacancies in an Office

An officer who wishes to resign from her/his office must notify the President in writing (or, if the officer resigning is the President, the First Vice-President), who must notify the other Council members within 3 business days.

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. Notice of the vacancy and election to be held shall be included in the notice of the meeting. If, in the filling of any vacancy, another office is vacated, that office shall be filled immediately, by special election held at the same meeting. An officer who wishes to resign from her/his 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 **14** days

Section 5.1 Removal of Officers

An officer may be removed from her/his position by a majority vote [6] of the whole number of members of the Council [11] for any reason, at a regular or special calendar meeting, provided that the officer has been given the opportunity to address the Council at such meeting prior to any vote being taken. Notice of the vote to remove such an officer shall be included in the notice of meeting and agenda.

5.2

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.

Section 6

Absences (Amended) It is incumbent upon all members, except in cases of emergency (which includes but is not limited to illness or work related issues), to notify the AA, President or Secretary to the Council at least 6 hours prior to the scheduled meeting time of their intent to be absent (Amended 11/21/2016).. After the third unexcused absence, the President, with the approval of the remaining Council members, shall render a written notice to the absent and unexcused member the chance to provide a valid reason for such absences. The member will have 15 days to provide a written response. However, in the event that no response is received within the given time frame, the President, with the approval of the remaining Council members, shall notify the absent and unexcused member in writing, the intent to declare a vacancy to the Chancellor by resolution at the next regularly scheduled meeting. 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 4 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. Notice & Public Access

All meetings shall be open to the public except where otherwise permitted by law.

Except as provided in Article III, Section 5, public notice shall be given to the community at least 72 hours prior to all meetings, through local news media and conspicuously posted in one or more designated public places, as provided by the Open Meetings Law (NYS Public Officers Law, Art. 7, Sect. 100-111). 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 other languages, 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 in schools, and to other interested persons and organizations who express a desire to receive meeting notices.

All meetings shall be held in facilities accessible to the disabled.

Section 2. Member Attendance at Meetings

It is the responsibility of each Council member to attend all regularly scheduled calendar and working/business meetings of the Council.

Except in an emergency, members shall notify the President and the Administrative Assistant at least *[24/48/72 hours; 1 business day]* prior to the scheduled meeting time of their intent to be absent. However, such notification shall not in and of itself constitute an excused absence.

Any Council member who fails to attend three regularly scheduled calendar meetings of the Council without a valid excuse, tendered in writing to the President and the Administrative Assistant, vacates his/her office by refusal to serve (NYS Ed. Law § 2590).

Absences shall be noted as “excused” or “unexcused,” as the case may be, in the meeting minutes, and any written excuse tendered shall be attached.

After the third unexcused absence, the President shall, at the next calendar meeting, present a resolution declaring a vacancy to the Chancellor. Notwithstanding the provisions of Article IV, Section 3.2, such resolution shall be voted upon at the same meeting without public comment thereon.

As provided in Chancellor’s Regulations [D-140/150/160/170], the following shall constitute valid excuses for absence: death of a relative or attendance at a relative’s funeral; serious illness or injury of the member or family member; mandatory court attendance including jury duty; military duty; and job-related conflict which makes absence from a Council meeting unavoidable.

If the Council deems it appropriate, other absences may be excused by vote of the Council. The Council reserves the right to request documentary evidence of a member’s excused absences.

Hybrid Meetings: Amended April, 2023- In Person Quorum – 7 members must attend in-person. Some members may attend remote if they have an extraordinary circumstance such as: Work Related, Child Care, Sickness or Death in the Family. Members are responsible for notifying the President and or AA in writing within 72 hours of the meeting.

Section 3. Annual Meeting⁶

The Annual Meeting of the Council shall be held on the **3rd Monday in July**

In the event that the Annual meeting falls on a holiday, the meeting should be scheduled on the previous or following Monday (Amended 11/21/2016). ensuing year. A roll call vote of members shall be required.

The only business considered shall be the election of officers.

Section 4. Calendar Meetings

The Council shall hold calendar meetings at least once a month at which formal decisions and resolutions will be considered and voted upon and where the public will have the opportunity to address the Council.

Calendar meetings shall be held on the [**3rd Monday of each month at [6:30 PM)**] pm. In the event the day falls on a legal or school holiday, the Council shall vote to schedule the meeting on an alternate date, provided it falls within the same calendar month and the meeting is notified in compliance with Article III, Section 1.

NOTE: The calendar meeting is best scheduled on a fixed day (e.g., 3rd Monday of every month) to facilitate public participation. Bylaws should provide a mechanism to reschedule calendar meetings for reasons other than legal/school holiday (e.g., state

⁶ Title must conform to the term of office; if the term is 2 years, this section should be called Meeting to Elect Officers.

tests, Chancellor's Town Hall or other event that will compete for audience); the council votes no later than the prior month.⁷

Section 5. Business/Working Meetings

A working/business meeting shall be held **3rd Monday of the Month**

OR:

[following or preceding each calendar meeting].

Section 6. 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 3 members of the Council to the President.

Special meetings held at the request of three or more Council members must be held no later than two weeks after receipt of the written request by the President.

The President shall ensure that written notice is given to each member of the Council not less than 48 hours in advance, and that public notice is disseminated as provided for in Article III, Section 1. The notice shall state the matter(s) to be considered at the meeting; no other matters may be brought forth except with the consent of all members present.

Section 7. Executive Sessions

Executive Sessions shall be held as needed to discuss matters that by law are permitted to be discussed in a confidential session closed to the public. Decisions shall be made by a vote of the majority [6] of the whole number [11] of Council members, and shall be ratified at a calendar meeting by duly recorded roll call vote.

Executive Sessions may be called to deal only with matters enumerated in the Open Meetings Law, Section 105, including but not limited to:

- 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.
- 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.⁸

Attendance at an executive session shall be permitted to all members of the Council and any other person(s) authorized by the President or by a vote of the Council.

⁷ Members' convenience is not a legitimate reason to reschedule calendar meetings.

⁸ Other matters listed in the OML are extremely unlikely to be properly before any Education Council.

An Executive Session may be convened only by motion made during a business/working or calendar meeting. Such motion shall identify general areas to be considered during the Executive Session and must pass by a vote of the majority [6] of the whole number [11] of Council members.

ARTICLE IV – CONDUCT 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 proposed for adoption by the Council.

Resolutions may be placed on the agenda by:

- a vote of the majority [6] of the whole number [11] of Council members, taken during a business/working meeting; or
- 3 members of the Council who shall have submitted such item to the President and the Administrative Assistant at least 7 days before the calendar meeting; or
- a member of the Council at any time provided that (i) he/she shall have delivered a copy thereof to the President and the Administrative Assistant before the start of the calendar meeting; (ii) such addition is consented to by a vote of the majority [6] of the whole number [11] of Council members, and (iii) copies thereof are distributed to each council member prior to the call to order.

1.2 Business/Working Meetings

The agenda for each business/working meeting shall be developed by the President. Members of the Council shall have the opportunity to place an item on the agenda by notifying the President and Recording Secretary in writing **5** days before the meeting, and to raise issues for consideration under New Business.

Section 2. Order of Business at Calendar Meetings

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

1. Call to Order and Roll Call
2. Approval of Minutes
3. Program Presentation *[first public session may be added here]*
4. Report of President
5. Report of Superintendent
6. Report of Committee(s)
7. Resolutions
8. Public Speakers Session
9. Vote on Resolutions

10. Adjournment

The regular order of business may, at any time, be changed by a vote of a majority [6] of the whole number [11] of the Council.

Students who attend the CEC 27 meeting and wish to speak on a specific agenda item, will be recognized first. One student from each group may speak on behalf of their school (04/15/2019).

The public shall have the opportunity to comment on resolutions on the agenda prior to Council vote by signing the Speakers' List. In addition, the Public Speakers Session shall be conducted without agenda or other formalities, subject to the Council's prerogative to require speakers to have signed the Speakers' List and to manage time.

Speaking time is limited to three minutes per person, including questions and answers. The time may be extended at the discretion of the Chair, and may be limited if necessary to allow all persons who have signed the Speakers' List to speak. Discussion and charges relating to the competence or personal conduct of individuals will be ruled out of order. A speaker ruled out of order forfeits the balance of his/her time and will be directed to leave the microphone; the Chair may enforce the ruling.

Speaking time including DOE employees should be no more than 15-20 minutes , however, if more time is needed, it will be at the discretion of the President in consultation with the rest of the council members (Amended 11/21/2016).

Section 3. Quorum and Majority

Pursuant to the General Construction Law, § 41, the majority of the whole 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.⁹

3.1 Quorum

If there is no quorum present at the time set for a meeting, the members present shall wait for **[15 minutes]** for additional members to arrive, after which time a roll call may be held and a vote taken, by simple majority of members present, to adjourn the meeting to another date.

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

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

⁹ 13 and 7, respectively, for CCHS.

3.2 Official Actions

Official actions of the Council may be by motion or resolution, duly adopted by a vote of the majority [6] of the whole number [11] of the Council.¹⁰

The Council shall solicit public comment on resolutions whenever feasible. Resolutions shall be voted upon only at regularly scheduled or special calendar meetings. The resolution shall be included in the notice of meeting, and the draft text attached if available. If a resolution is added to the agenda pursuant to Art. IV, Section 1, the text shall be made available to the public at the meeting where the resolution is to be voted upon.

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 and shall be available for inspection at the Council's office.

Minutes of calendar meetings shall be created in electronic format, 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.

Audio recordings of meetings shall not constitute minutes.

ARTICLE V - COMMITTEES

The Council may create committees and define their membership as it may determine.¹¹

Membership in committees may be open to persons who are not members of the Council, but all Committee Chairs shall be Council members. Chairs shall be appointed and removed by the President, and shall serve until the appointing President's term expires. The Council may veto the appointment or removal of any Committee Chair by vote of the majority [6] of the whole number [11] of the Council.

It shall be the responsibility of Committee Chairs to schedule meetings, 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 shall be subject to approval by the Council

ARTICLE VI – PARENT ASSOCIATIONS & COMMUNITY INVOLVEMENT

¹⁰ 7 and 13, respectively, for CCHS.

¹¹ The bylaws may list standing committees but if so, they must be constituted and meet; ad hoc committees give the council more flexibility.

Section 1. Parent Associations¹²

The Council is in active partnership with parents in our schools. Pursuant to NYS Ed. Law § 2590, the Council takes note that there shall be a Parent Association (PA) or Parent Teacher Association (PTA) in each school, and that the Council, the community superintendent, and the principal of each school shall have regular communication with all PAs/PTAs.

The Council shall meet quarterly with the duly elected officers of PA/PTAs in the district; this requirement may be satisfied by meetings held jointly with the Presidents' Council for district *[your district/borough]*

Section 2. Superintendent Evaluation

The Council shall seek public comment on the goals and objectives and performance indicators adopted for the annual evaluation of the community superintendent.¹³

ARTICLE VII – VACANCIES ON THE COUNCIL

In the event a Council member resigns, is removed or becomes ineligible to serve, the Council shall appoint a successor to fill the unexpired term within 60 days.

The Council shall solicit recommendations for applicants to fill the vacancy by a Notice of Vacancy, which shall be disseminated as provided in Article III, Section 1. The notice shall state a deadline for submitting applications.

The Council shall interview candidates to fill vacant position(s) in a Special Meeting called for the sole purpose of conducting interviews. The Council shall request the presence and participation during the interview process of the Presidents' Council and members of the community. The Council shall request that they submit any recommendations in writing following the close of interviews.

An appointment to fill a vacancy on the Council shall be by roll call vote at any council meeting following the interviews.

ARTICLE VIII – AMENDMENT OF BYLAWS

These bylaws may be amended at any regularly scheduled calendar meeting of the Council by a vote of the majority [6] of the whole number [11] of the Council, provided the amendment or revised draft, as appropriate, has been presented in writing to the public at the previous calendar meeting. Adoption of the amendment/revised draft shall be by motion or resolution included in the notice of meeting. Amendments are effective immediately unless otherwise stated in the motion/resolution.

¹² NYS Ed. Law requires CEC bylaws to include this section.

¹³ This section applies only to CECs. Citywide councils are not empowered to evaluate superintendents.

ARTICLE IX – PARLIAMENTARY AUTHORITY AND COMPLIANCE

These bylaws shall be the governing instrument of the Council, subject only to applicable laws and regulations.

All procedural questions not covered by these bylaws shall be governed by Roberts Rules of Order Newly Revised to the extent they are not inconsistent with applicable laws, regulations, 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 these bylaws.

In the event any provision of these bylaws conflicts with applicable laws, regulations or NYC DOE policy, the latter shall be deemed controlling. All other provisions shall remain in full force and effect.

ARTICLE X- CODE OF CONDUCT

Section 1. Communications Protocol

- All official communications shall be sent through the Council’s DOE-issued email address.
Both the Administrative Assistant and the President shall have access to the account.
- The Administrative Assistant and the President shall inform all other council members promptly of any official notices and matters pertaining to Council business.