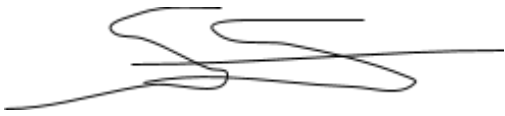


# Community Education Council 20 Bylaws

APPROVED BY THE MEMBERSHIP

ON October 11, 2023



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**Stephen Stowe, President**

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**Xiaoqiong Xie, Recording Secretary**

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## **ARTICLE I – NAME & AUTHORITY**

### **Section 1. Name**

The name of the Council shall be Community Education Council 20 (CEC20)

### **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:

- President
- First 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 by roll call vote, by the majority of the whole number of members at its annual meeting, for a period of two years, and shall serve until their term is completed.

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

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

#### **3.1 President**

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. The Council, by majority vote, may delegate the power to execute documents to such other officers or to 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 his/her absence, and discharge such functions as may be assigned to her/him by the President or by duly adopted Council resolution.

#### **3.3 Second Vice-President**

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

#### **3.4 Recording Secretary**

The Recording Secretary shall, supervise 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 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. She/He shall assume the duties of the President in the temporary absence of the President, the First Vice President, and the Second Vice President. The Recording Secretary shall also discharge such

functions as may be assigned to him/her by the President or by duly adopted Council resolution.

### **3.5 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.

### **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 30 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 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.

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

Any officer may be removed from her/his position by a majority vote of the whole number of members of the Council at a regular or special calendar meeting for reasons of misconduct, malfeasance or neglect of duty, following the referral and investigation of charges and an opportunity for the officer to respond. Such officer can address the Council at such meeting prior to any vote being taken. Notice of the vote to remove such officer shall be included in the notice of meeting and agenda.

## **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.

## **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 hours 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 may 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 or at the President's discretion. The Council reserves the right to request documentary evidence of a member's excused absences.

### **2.1 Videoconferencing Procedures**

In compliance with Public Officers Law (POL) § 103-a(2)(a), the Council, following a public hearing, authorized by resolution the use of videoconferencing as described in POL § 103-a.

The following procedures are hereby established to satisfy the requirement of POL § 103-a(2)(b) that any public body which in its discretion wishes to permit its members to participate in meetings by videoconferencing from private locations – under extraordinary circumstances – must establish written procedures governing member and public attendance.

1. Council Members shall be physically present at any meeting unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.

2. For purposes of these procedures, the term “extraordinary circumstances” includes disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member’s physical attendance at such meeting.

3. If a Council member is unable to be physically present at one of the designated public meeting locations and wishes to participate by videoconferencing from a private location due to extraordinary circumstances, the member must notify the President no later than four (4) business days prior to the scheduled meeting in order for proper notice to the public to be given. If extraordinary circumstances present themselves on an emergent basis within four days of a meeting, the Council shall update its notice as soon as practicable to include that information. If it is not practicable for the Council to update its notice, the Council may reschedule its meeting.

4. If there is a quorum of members participating at a physical location(s) open to the public, the Council may properly convene a meeting. A member who is participating from a remote location that is not open to in-person physical attendance by the public shall not count toward a quorum, but may participate and vote if there is a quorum of members at a physical location(s) open to the public.

5. Except in the case of executive sessions conducted pursuant to POL § 105, the Council shall ensure that its members can be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. This shall include the use of first and last name placards physically placed in front of the members or, for members participating by videoconferencing from private locations due to extraordinary circumstances, such members must ensure that their full first and last name appears on their videoconferencing screen.

6. The minutes of the meetings involving videoconferencing based on extraordinary circumstances pursuant to POL § 103-a shall include which, if any, members participated by videoconferencing from a private location due to such extraordinary circumstances.

7. The public notice for the meeting shall inform the public: (i) that extraordinary circumstances videoconferencing will (or may) be used, (ii) where the public can view

and/or participate in such meeting, (iii) where required documents and records will be posted or available, and (iv) the physical location(s) for the meeting where the public can attend.

8. The Council shall provide that each open portion of any meeting conducted using extraordinary circumstances videoconferencing shall be recorded and such recordings posted or linked on the Council's website within five (5) business days following the meeting, and shall remain so available for a minimum of five (5) years thereafter. Such recordings shall be transcribed upon request.

9. If members are authorized to participate by videoconferencing from a private location due to extraordinary circumstances, the Council shall provide the opportunity for members of the public to view such meeting by video, and to participate in proceedings by videoconference in real time where public comment or participation is authorized. The Council shall ensure that where extraordinary circumstances videoconferencing is used, it authorizes the same public participation or testimony as in person participation or testimony.

10. Open meetings conducted using extraordinary circumstances videoconferencing pursuant to the provisions of POL § 103-a shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this guideline, "disability" shall have the meaning defined in Executive Law § 292.

11. The in-person participation requirements of POL § 103-a(2)(c) shall not apply during a state disaster emergency declared by the governor pursuant to Executive Law § 28 or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to § 24 of the Executive Law if the Council determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the Council to hold an in-person meeting.

12. These procedures shall be conspicuously posted on the Council's website.

### **Section 3. Annual Meeting**

The Annual Meeting of the Council shall be held on the second Wednesday of July and replaces the normal Business meeting. In the event the date falls on a legal holiday, the meeting shall be scheduled for the next business day.

The first order of business shall be the election of officers. A roll call vote is required for the elections.

### **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 second Wednesday of each month at 6:00 PM. In the event the day falls on a legal or school holiday, standardized testing dates, Chancellor's or DOE events, or any event that may compete for audience, 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.

A full schedule of Calendar meetings for the year shall be discussed at the July Calendar meeting and finalized no later than the August Calendar meeting.

These meetings shall be held in schools throughout the district that permit access to the disabled.

### **Section 5. Business/Working Meetings**

A working/business meeting shall be held following 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. The written request must state the purpose of the proposed meeting and the matter(s) to be discussed. 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 of the whole number 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.
- Matters which will imperil the public safety, if disclosed.
- Matters which may disclose the identity of law enforcement agency personnel or informer.
- 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 all members of the Council and any other person(s) authorized by the President or by a vote of the 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 of the whole number 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 consenting vote equal to the quorum of the Council as defined in Article IV, Section III, 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 2 days before the calendar meeting; or
- a member of the Council at any time provided that he/she shall have delivered a copy thereof to the President and the Administrative Assistant before the start of the calendar meeting; such addition is consented to by a vote equal to the quorum of the Council as defined in Article IV, Section III, and 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 in writing 72 hours 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. Public Speaking session (general)
4. Report of Superintendent
5. Report of President
6. Report of Committee(s)
7. Public speaking session (resolutions)
8. Resolutions
9. Vote on Resolutions
10. Adjournment

The regular order of business may, at any time, be changed by a vote equal to the quorum of the Council as defined in Article IV, Section III.

The public shall have the opportunity to comment on resolutions on the agenda prior to Council vote by signing the Speakers' List or signaling to speak on an online platform. 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 who is ruled out of order forfeits the balance of his/her time and will be directed to leave the microphone; the Chair may take appropriate measures to enforce the ruling.

## **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 12 voting members; therefore, no fewer than 7 members must be present to constitute a quorum and no fewer than 7 votes are needed to carry any motion or adopt any resolution.

### **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.

### **3.2 Official Actions**

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

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 Article 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 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 and video recordings of meetings shall not constitute minutes.

## **ARTICLE V - COMMITTEES**

The Council may create committees and define their membership.

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 equal to quorum of the Council as defined in Article IV Section III.

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**

### **Section 1. Parent Associations**

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.

### **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. The public shall have an opportunity to comment on the evaluation of the community superintendent at the Business meeting prior to the Council's submission of their evaluation to the DOE.

## **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 of the whole number 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.

## **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.

The Administrative Assistant, the President, and the Recording Secretary shall have access to the account.

The Administrative Assistant, the President, and the Recording Secretary shall inform all other council members promptly of any official notices and matters pertaining to Council business.

Social media account content should relate to the promotion and support of the educational needs of students. All social media accounts representing the Council shall be registered using the Council's official email address and contact information. Council Members maintaining personal social media sites are expected to adhere to NYC DOE Social Media guidelines. Council Members shall not present their personal views to be the viewpoint of the Council.

The Administrative Assistant is the primary administrator of the social media accounts, is responsible for posting content, and is entrusted with maintaining login information. If these tasks are not able to be performed by the Administrative Assistant, the responsibility falls to any Council Member with login rights. No approval is required to post content from the NYC Department of Education and New York State Education Department. All other content shall be sent to the Council for approval. If there are no objections within a 24 hour period, the content may be posted. If there are objections, approval may be obtained by a vote equal to quorum of the Council as defined in Article IV, Section III. Any content not from an approved source will be removed by the Administrative Assistant or a Council Member with login rights. In addition, public comments that are deemed offensive, including but not limited to ethnic or racial epithets, personal attacks or profanity will be removed by the Administrative Assistant or a Council Member with login rights. Any content or public comment removal decision made by the Administrative Assistant or any Council Member with login rights may be overturned with a vote equal to quorum of the Council as defined in Article IV, Section III.

## **Section 2. Code of Conduct**

Council Members shall treat others professionally and respectfully while in person, online or in any official medium of the Council. Members shall not engage in fighting, physically or verbally aggressive behavior, dishonesty in any form. Members shall use respectful language that addresses ideas and not people.

Council Members, when speaking to the press or in any other venue, shall clearly represent known facts and not willfully advance conjecture or known falsehoods. Council Members shall not attempt to represent the views of any other Council Member.

Council Members shall not use their official Council position to resolve personal disputes or school matters on behalf of themselves, their own children, and/or children of their friends and family.

Council members shall conduct their business with consideration towards others. Council Members shall be respectful of the confidentiality of information shared in Executive Sessions. Council Members shall arrive on time, be mindful of others in the building they are in, especially when classes are in session. Council members shall respect school property and the property of others, and shall leave rooms and facilities tidy.

Council Members shall be helpful to any visitors/parents/administrators and/or members of our District school community. Council Members shall be mindful of others in the building they are in, especially when classes are in session. Council Members shall show respect to all members of the school community and/or councils they serve.

In the course of their term, Council Members shall participate in any or all trainings and developments as required, unless excused. Council Members shall submit all reports in

a timely manner to ensure that Council business moves at a steady pace. Council Members shall be clear and familiar with rules and regulations. Council Members shall only follow protocol and use resources available to all parents at such schools and inform the entire Council of any school dispute or conflict of interest that they become a part of at the next working or calendar meeting.

#### **Article XI- Transfer of Knowledge**

At the end of the President's term, it is recommended that the President create a document listing ongoing projects, recommendations and goals for the incoming Council members. This document shall be circulated to all members for comment and approval. Said document may then be given to the Administrative Assistant to be passed onto the next Council.