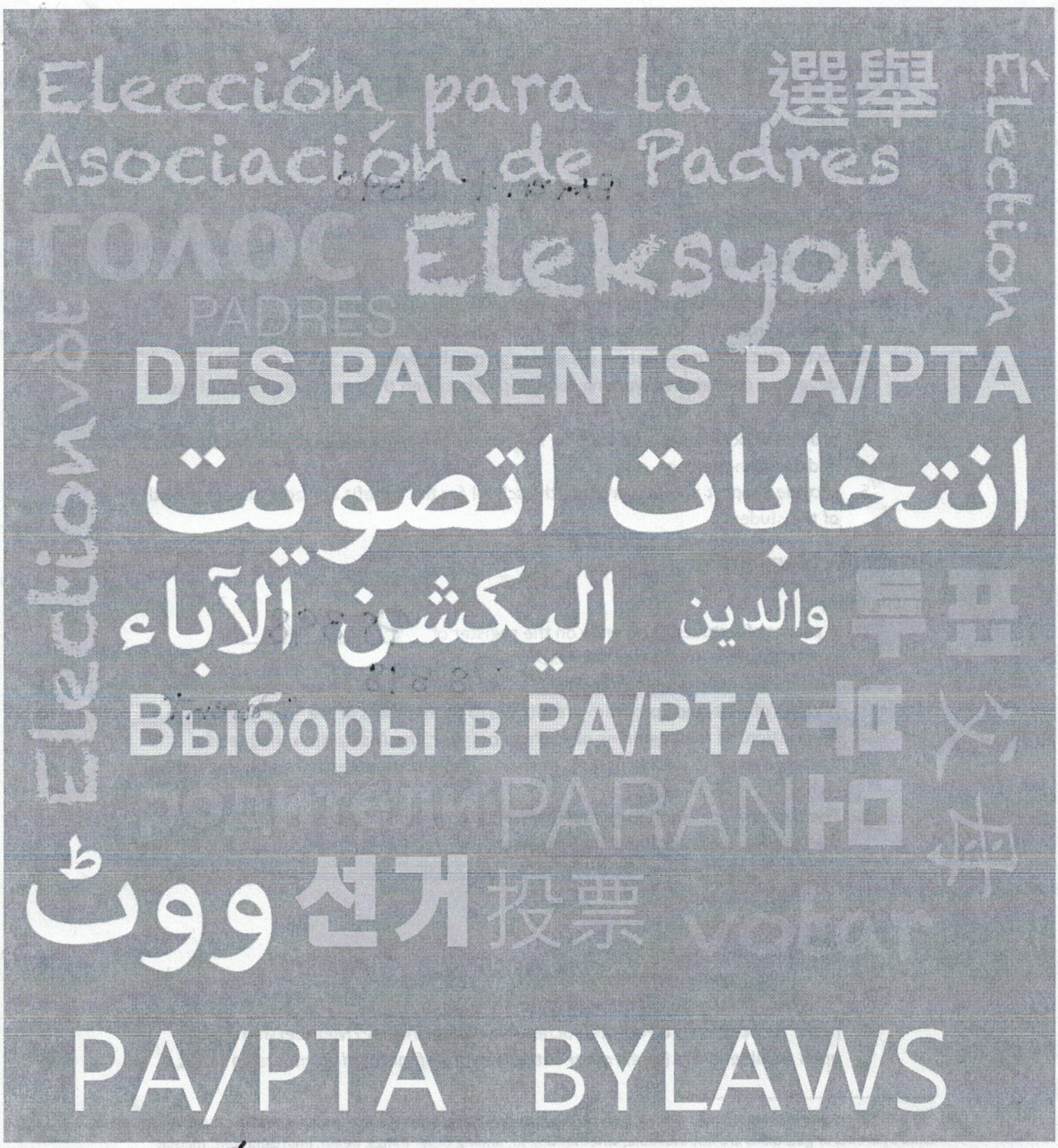

Sept 26, 6:30

Bylaws of PS 398 Q

Approved by the Membership on _____

NYC Department of Education

Eleccion para la Asociacion de Padres

PA/PTA BYLAWS

Article I – Name

The name of the Association shall be Parent PS 398 and hereafter referred to as **the Association.**

Article II – Objectives

A. The objectives of the Association include but are not limited to:

1. Develop parent leadership and build capacity for greater involvement;
2. foster and encourage parent participation on all levels;
3. develop a cooperative working relationship between the parents and staff of our school;
4. provide opportunities and training for parents to participate in school governance and decision-making;
5. provide support and resources to the school for the benefit and educational growth of the students.

Article III – Membership

A. Eligibility

1. A parent of a student currently on the register of PS 398 is automatically a member of the Association.
2. Parents of a child who is attending PS 398 full time while on the register of a citywide program are eligible to be members of the Parent Association. At the beginning of each school year, the Association shall send a welcome letter to inform parents of their automatic membership status and voting rights.
3. The term parent is defined as any person in a parental or custodial relationship to the student; which includes the following.
    i. Birth parent
    ii. Adoptive parent
    iii. Foster parent
    iv. Step-parent
    v. Legally appointed guardian
    vi. Person(s) in parental relation[1]
4. [*If the Association is a Parent-Teacher Association include*] Membership shall be open to all teachers (*insert other categories of staff granted membership status,*

[1] The term "person in parental relationship" refers to a person who has assumed the care of a child because the child's parents or guardians are not available, whether due to, among other things, death, imprisonment, mental illness, living outside the state, or abandonment of the child. Any determinations about who constitutes a person in parental relations must be based on the individual circumstances surrounding guardianship and custodial care of the particular child. A person who provides temporary care for a child (e.g. babysitter, nanny, or non-custodial relative) does not qualify as a person in parental relation under Chancellor's Regulations A-660.

such as paraprofessionals, school aides, school secretaries, and food service workers) currently employed at the school.

B. Dues/Donations

1. The payment of dues is not a condition for participation or membership.
2. Members may be requested to make a voluntary donation of $_____.

C. Voting Privileges

1. Every parent of a student currently enrolled at P.S. 398 shall be entitled to a single vote during any meeting. However, that right may be limited by the Conflicts of Interest restriction outlined in Chancellor's Regulation A-660 (CR A-660).[2]
2. Voting by proxy, absentee ballot, email, or conference call is prohibited.
3. *(If the Association is a Parent-Teacher Association, include the following)* Each teacher and (Insert other categories of staff granted membership rights, such as para-professionals, school aides, school secretaries and food service workers) staff currently employed at the school shall be entitled to a single vote.

Article IV – Officers

A. Titles

1. The mandatory officers of the Association shall be; president, recording secretary and treasurer. The Association must elect the mandatory officers (president, recording secretary and treasurer) in order to be a functioning Association. There shall be no qualification requirements for any parent to be an office holder of the Association, other than to be a parent of child attending P.S. 398. The eligibility of a member may be limited by the Conflicts of interest restrictions outlined in Chancellor's Regulation A-660.
2. Non-Mandatory Officers of the Association may consist of but are not limited to following: Vice President, Corresponding Secretary, Parliamentarian and Sargent at Arms.

B. Term and Term Limits

1. The term of office shall be no more than 12 months beginning July 1st and ending June 30th.

[2] Restrictions based on Conflicts of interest as determined by Chancellor's Regulations A-660 (Section I.C.3.c)

2. Term limits[3] for each officer position of the Association shall be two consecutive one year terms. A candidate who has served the maximum number of terms may only be elected to serve an additional term if no other interested candidate is nominated and willing to serve.

C. Duties of Officers

1. ***President:*** The duties of the president shall include but are not limited to the following:
   a. preside at all meetings of the Association;
   b. is an ex-officio member of all committees except the nominating committee;
   c. appoint Association committee chairpersons with the approval of the executive board;
   d. encourage meaningful participation in all parent and school activities;
   e. provide opportunities for members' leadership development;
   f. delegate responsibilities to members of the Association as needed;
   g. attend all regular meetings of the presidents' council;
   h. is a mandatory member of the School Leadership Team[4];
   i. meet regularly with the executive board members;
   j. plan the agendas for the general membership meetings;
   k. is one of the eligible signatories on checks, and
   l. assist with the June transfer of Association records, including all pertinent user ids and passwords, to the incoming executive board.

2. ***Recording Secretary*:** The duties of the recording secretary shall include but are not limited to the following:
   a. record minutes at all Association meetings;
   b. prepare notices, agendas, sign-in sheets and materials for distribution;
   c. prepare and read the minutes at Association meetings;
   d. distribute copies of the minutes for review and approval by the general membership;
   e. maintain the custody of the Association's records on school premises;
   f. incorporate all amendments into the bylaws, and;
   g. ensure that signed copies of the bylaws with the latest amendments are on file in the principal's office;

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[3] The term of office pertains to the length of time a single person may be elected to a position on the executive board of the Association. The number of times a person may hold a particular office may be limited by the number of consecutive times a person may serve in that particular office.

[4] Co-presidents must determine who will serve on the SLT and who will attend President Council meetings.

h. may be responsible for reviewing, maintaining and responding to all correspondence addressed to the Association[5]; and,
i. assist with the June transfer of Association records, including all pertinent user ids and passwords, to the incoming executive board.

3. ***Treasurer:*** The duties of the treasurer shall include but are not limited to the following:
   a. responsible for all financial affairs and funds of the Association;
   b. maintain an updated record of all income and expenditures on school premises;
   c. is one of the signatories on checks;
   d. adhere to and implement all financial procedures established by the Association;
   e. prepare and present a written report of all transactions at every executive board and general membership meeting (which includes income, refunds, reimbursements and other expenditures, and opening and closing balances for the reporting period);
   f. prepare the Association's interim and annual financial reports;
   g. make available all books and financial records for viewing by members upon request and for audit;
   h. assist with the June transfer of Association records, including all pertinent user ids and passwords, to the incoming executive board.

4. ***Non Mandatory Officers[6]:*** *The duties of the _____ shall include but are not limited to the following:*
   a. *assist the _____ and shall assume the _____ duties in their absence or upon request;*
   b. *may be one of the signatories on all checks;*
   c. assist with the June transfer of Association records, including all pertinent user ids and passwords, to the incoming executive board.

D. Election of Officers

1. Officers shall be elected by the last day of each school year for a one-year term beginning July 1. Any timeline established by the Association to complete the nominations and election process must adhere to this timeframe. The principal must be notified of the date and time of the annual election by April 1.

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[5] Associations may choose to elect a Corresponding Secretary, and in such cases these responsibilities fall to that office holder.

[6] Non-mandatory officers may include but are not limited to; Vice – President, Corresponding Secretary or Parliamentarian. Duties of non-mandatory officers can be found in Robert's Rules of Order Newly Revised.

2. Employees of P.S 398. may not serve as members of the executive board. This restriction applies equally to employees who have a child currently attending the school.
3. **Nominating Committee**
   A nominating committee must be established during the March. monthly general membership meeting. The nominating committee shall consist of three to five volunteers, none of whom are members of the executive board or plan to run for office.

   The nominating committee shall solicit nominations for candidates from the general membership and individuals may also submit their own names to be candidates for office in writing. In addition to written nominations, the committee may also provide an opportunity to accept nomination from the floor at a general membership meeting prior to the close of nominations.

   Notices should be translated into languages spoken by parents in the school whenever possible.[7] The nominating committee will also be responsible for conducting the election meeting.

   The nominating committee's duties may include the following:

   a. canvassing the membership for eligible candidates;
   b. preparing and distributing all notices of any meeting pertaining to the election process;
   c. preparing ballots, attendance sheets, a ballot box, tally sheets and all other materials pertaining to the election;
   d. verifying the eligibility of all interested candidates prior to the election;
   e. scheduling the election at a time that ensures maximum participation;
   f. ensuring that only eligible members receive a ballot for voting;
   g. ensuring that the election is certified by the principal or designee immediately following the election.

   If a nominating committee cannot be formed, the Association must proceed with an expedited election – a single meeting where all nominations are taken from the floor for all offices immediately prior to the election.
4. **Notices**
   The meeting notice and agenda for the spring general membership election meeting shall be distributed in accordance with CR A-660's notice requirements. All meeting notices and agendas shall be available in English and translated into languages spoken by parents in the school whenever possible. The distribution date shall

[7] Translated templates, for all election materials, can be found in all 9 languages on the DOE PA/PTA Resources Page.

appear on all notices. If nominations have been closed, the election meeting notice shall list all candidates in alphabetical order by surname under the office for which they are nominated.

5. Contested Elections and the Use of Ballots[8]

a. Written ballots are required for all contested offices. Candidates must be listed on ballots in alphabetical order by last name for each office. Candidates running for co-offices must be listed together and voted for as a team. Where possible, ballots should contain instructions in all languages spoken by parents in the school.

b. Ballots must remain in the meeting room until the election meeting has been adjourned. Ballots must be counted immediately following the conclusion of voting and in the presence of any members and observers.

c. Ballots must not be removed from the school. The Association must retain ballots on school premises for one year following the date of the election or until the determination of any grievance filed concerning the election, whichever is later.

6. Uncontested Elections

Where there is only one candidate for any office, the membership may vote to accept that candidate by a single motion. The result of the motion is to be reflected in the minutes.

7. Officer Vacancies

Officer vacancies must be filled by succession or by an expedited election. A vacancy occurs when an officer resigns or is removed from the position. Officers who wish to resign their positions once an election has been certified must submit their written resignation to the recording secretary and immediately turn over all Association records.

a. When an office cannot be filled through succession, by the next highest ranking officer, an expedited election must be held to fill the vacancy.

b. An officer may choose to retain their current position and not assume the higher ranking office.

c. The ranking of officers for succession purposes shall be:

i. [list the order of succession]
ii. [list the order of succession]
iii. [list the order of succession]

[8] Contested elections consists of two or more candidates for any office; voting must be by ballot.

8. **Expedited Election Process:**
   Expedited elections shall be held to fill vacancies in the event the office cannot be filled through succession of the next highest ranking officers as listed in the order of succession. The executive board shall be responsible for announcing vacancies and distributing written notice of the expedited election. All nominations must be taken from the floor, immediately prior to the election. If the election is contested, written ballots must be used in accordance with Section 5a of these bylaws.

E. School Leadership Team Parent Member Elections

1. The election of parent members to the School Leadership Team (SLT) may take place during the same meeting as officer elections.
   a. Once the election of PA/PTA officers has concluded, the election of parent members to the SLT may begin.
   b. The election of parent members to the SLT should follow the same or similar election procedure as PA/PTA officer elections.

F. Disciplinary Action

1. ***Grounds for Removal from Office***:
   a. Any officer who fails to fulfill the duties of office as outlined in these bylaws, Article IV, Section C.
   b. Any officer who accrues 3 consecutive unexcused absences from executive board or general membership meetings.
   c. Any officer who poses a threat to the safety and well order of the Association or larger school community.
   d. Any officer who exercises behavior unbefitting the office as determined by the general membership.
   e. Any officer who commits a violation of the law may be removed from office by the recommendation of the investigatory entity.
2. ***Officer Removal***:
   Association officers may be removed for unsatisfactory performance by recommendation of the executive board or a motion from a member and two thirds vote of the membership.[9]
   a. Removal Process
      i. The motion to remove an officer and the vote on removal must not occur during the same meeting.
      ii. Once a motion or recommendation has been made to remove an officer, a review committee should be formed. This committee will gather information and provide the Association with a recommendation in writing, within 30 days of the motion to remove an officer.

[9] Officer removal is a serious matter for any Association, special care must be taken not to violate the rights of any party before any action or vote is taken.

iii. The vote on a motion to remove an officer will take place at the next general membership meeting, after the review committee's written recommendation has been completed.
iv. The meeting notice must include the vote on removal.
v. The content of the motion and the result of the vote must be included in the minutes and submitted to and filed with the principal and the Superintendent's office.

Article V – Executive Board

A. Composition

The executive board shall be composed of the elected officers of the Association as listed here [insert all executive board officers here]. Officers shall be expected to attend all executive board meetings.

B. Meetings

The executive board shall meet monthly, September through June, on the_____of every month at_____:_____, unless such date falls on a legal or religious holiday, in which case the meeting shall be held on the following or previous_____.

C. Voting

Each member of the executive board shall be entitled to one vote.

D. Quorum

2 members of the executive board shall constitute a quorum, allowing for official business to be transacted.

E. Education Council Selectors

The three mandatory officers of the Association shall be the selectors for the parent members of the Community Education Councils (CECs), the Citywide Council on High Schools (CCHS), and the Citywide Council for District 75 (CCD75), which occurs once every two years. In the case of co-officers, the executive board must determine which co-officer will be the designated selector.[10]

F. June Transfer of Records

The Association must maintain the following records for a minimum of 6 years: bylaws and related amendments; meeting notices, agendas and minutes, records of officer elections other than ballots, and financial records. Outgoing executive board members must ensure that records, including user ids, passwords, and all parent contact information are transferred to the newly elected executive board members. Transfers must occur on school

[10] Chancellor's Regulation A-660 (Article I, Section G, 5)

premises, in the presence of the principal, the next practicable day after the election. At least one meeting will be scheduled during the month of June for this purpose. Any member of the executive board may request the assistance of the presidents' council during this process.

Article VI – General Membership Meetings

A. General Membership Meetings

1. General membership meetings of the Association shall be held monthly, September through June, on the 1st thursday day of the month; at 5:30, unless such date falls on a legal or religious holiday, in which case the meeting shall be held on the following or ~~previous~~ Thursday 5:30, as determined by the executive board. Written notice of each membership meeting shall be distributed in languages spoken by parents at the school, whenever possible. Notice must be sent at least 10 calendar days prior to the scheduled meeting.
   a. All general membership meetings must be held in the Association's home school.
   b. Committee meetings may be held at locations convenient to the members, but may not be held in private homes.
   c. All eligible members may attend and participate in general membership meetings.
   d. Non-members may only speak or otherwise participate if acknowledged by the presiding officer.

B. Order of Business

The order of business at meetings of the Association, unless changed by the executive board, shall be:

a. Call to Order
b. Reading and Approval of Minutes
c. President's Report
d. Treasurer's Report
e. Principal's Report
f. School Leadership Team Report
g. Committee Reports
h. Old Business
i. New Business
j. Adjournment

C. Quorum

A quorum of at least 8 Association members, including a minimum of 2 executive board members and 6 parent members, shall be required in order to conduct official Association business.[11]

D. Minutes

Minutes of the previous meeting shall be available in written form approved at every general membership meeting. The minutes of any Association meeting must be made available to any member upon request.

E. Special Membership Meetings

A special membership meeting may be called to deal with a matter of importance that cannot be postponed until the next general membership meeting. The president may call a special membership meeting with a minimum of 48 hours written notice to parents stating precisely what the topic of the meeting will be.

Upon receipt of a written request from Parent398 Association members, the president must call a special membership meeting within 5 calendar days of the request and provide 48 hours written notice to parents

F. Parliamentary Authority

Meeting rules of order should be adopted for use as a guide and included in these bylaws. Where no meeting rules of order are adopted, *Robert's Rules of Order – Newly Revised* will be deemed to apply, provided that it is consistent with laws, policies, rules, and regulations.

Article VII – Committees

A. Standing Committees

1. **Membership:** The responsibilities of the membership committee shall include but are not limited to:
    a. encourage parent participation through recruitment and outreach;
    b. plan various activities and events for member participation;
    c. coordinate outreach efforts with the Parent Coordinator when possible;
    d. maintain current list of the Association's membership.

[11] In exceptional circumstances, the Association may seek a waiver of the minimum quorum requirement from FACE as per CR A-660

2. **Budget:** The responsibilities of the budget committee shall include but are not limited to:
   a. review prior year's budget and make recommendations to executive board;
   b. draft a proposed budget each spring for approval by general membership.

3. **Audit:** the responsibilities of the audit committee shall include but not are limited to:
   a. Conduct an internal audit of all financial affairs of the organization when needed or as determined by these bylaws;
   b. Review as needed all financial records;
   c. Prepare written reports of its findings.

4. **Ad Hoc:** to accomplish a specific task or address a specific issue the executive board may recommend the formation of a committee that will cease to function once the task or issue has been addressed. The creation and dissolution of the committee must be recorded in the minutes of the Association.

Article VIII – Financial Affairs

A. Fiscal Year

The fiscal year of the Association shall run from July 1 through June 30.

B. Signatories

The president, treasurer, and required shall be authorized to sign checks. All checks require at least 2 signatures. The 2 signatories of a check may not be related by blood or marriage (i.e. spouses, siblings, in-laws, relatives or members of the same household). An Association member may not sign a check if she/he has any direct or indirect interest in the expenditure.

C. Budget

1. Budget Process

The executive board shall be responsible for the development and/or review of the budget process, which includes:

a. The outgoing executive board must review the current budget, annual financial status, accounting, expenditures and outstanding bills, and prepare a proposed budget for the next school year.
b. The proposed budget must be presented to and approved by the membership no later than the June meeting.
c. The incoming executive board must review the proposed budget for presentation and discussion during the September meeting. Budget amendments may be proposed at this time.

d. The executive board must present the budget process for membership approval no later than the October meeting.
e. The counting and handling of any cash, checks, or money orders received by the Association must be completed by at least 2 members of the Association. These Association members cannot be related by blood or marriage. Funds must be counted in the school on the same day of receipt. The Association's financial records must display the total amount of funds and the signatures of the Association members who participated in counting the funds.
f. The principal's written consent is required when a fundraising activity is held during school hours or on school property.
g. All funds should be deposited into the bank account by an authorized executive board members within 1 business day of receipt, but in any event, no longer than 3 business days. If the deposit will not be made within 1 business day, the executive board must ensure that all funds are secured in a locked location on school premises. The executive board must obtain written acknowledgement from the principal when Association funds are secured in the school. Under no circumstances may fundraiser proceeds be stored in a member's place of work or residence. Association funds must be taken to the bank for deposit by at least 2 authorized members.
h. Documentation related to every transaction must be maintained at the school (e.g., cancelled checks, deposit receipts, purchase orders, Association minutes related to the financial transactions, etc.)

2. Budget Amendment

The budget may be amended by vote of the general membership at any membership meeting.

3. Expenditures

All expenditures not included in the budget at the time of its adoption must be approved by vote of the general membership.

4. Emergency Expenditures

The executive board is authorized to make an emergency expenditure not to exceed $ 200 with a two-thirds approval of the executive board. Emergency expenditures are appropriate for the following purposes:

_____. These expenditures shall be reported to the general membership at the next Association meeting in writing by the treasurer. The minutes of the meeting must reflect a vote taken by the Association to accept this action.

D. Audit

1. Audit Committee

The president shall request volunteers to form an audit committee of 3 to 5 persons of the general membership. Executive board members who are not eligible signatories on

Association checks may serve on the audit committee. The majority of the committee shall be comprised of general members.

2. Duties

a. The audit committee shall conduct an audit of all financial affairs of the Association with the help of the treasurer who shall make all books and records available to them.

b. The audit committee may examine all relevant financial statements and records of disbursements, verify all Association equipment and ensure compliance with bylaw provisions for the transaction of funds.

c. The audit committee shall prepare a written audit report to be presented to the membership at a general membership meeting, upon completion of their review and investigation. This report shall be included for review and discussion during the June transfer of records.

E. Financial Accounting

1. Financial Report

The treasurer shall prepare the Interim PA Financial Report by January 31st and the Annual PA Financial Report by the June meeting, including all income, expenditures, and other transactions. These reports shall be presented and reviewed by general membership. Copies of these reports shall be provided to the principal.

2. Record Keeping

The treasurer shall be responsible for all funds of the Association and shall keep accurate records in a form consistent with these bylaws and applicable Regulations of the Chancellor. In accordance with Chancellor's Regulation A-610, parents must obtain written approval from the principal before collecting fundraiser proceeds from students. The treasurer and at least one other officer shall transport all funds to the bank. Deposit slips shall identify the source of all deposited funds. All parties involved in financial transactions shall initial the deposit slips. All financial records of the Association including checkbooks, ledgers, cancelled checks, invoices, receipts etc., shall be maintained and secured on school premises.

Article IX - Amendments and Regular Review of Bylaws

These bylaws may be amended at any regular meeting of the Association by a two-thirds vote of the members present, provided the amendment was presented in writing to the membership at the previous meeting and appears in the notice of the meeting at which it is to be amended. Amendments are effective immediately unless otherwise specified. A thorough review of these bylaws shall be conducted every 3 years. All provisions of these bylaws must conform to CR A-660 and Department of Education guidelines.

NYC Department of Education

Eleccion para la Asociacion de Padres

PA/PTA BYLAWS

Any member may present a motion at a general membership meeting to amend a provision of the bylaws that is not in compliance with CR A-660. Amendments that bring the bylaws into compliance must be voted on immediately after the motion is presented. A two-thirds vote of the membership is required for approval.

These bylaws, as set forth above, have been voted on and approved by the membership. The most recent amendment was approved, in accordance with the provisions of Article IX, at the membership meeting held on Sept 12, 2019.

Signed By:

Print Name

_____ _____

President

President

_____ _____

Recording Secretary

Recording Secretary

_____ _____

Date:

Date:

_____

Date filled with Principal (Month) (Day) (Year)

Sept 12, 2019