

BY LAWS

OF THE

COMMUNITY EDUCATION COUNCIL

FOR DISTRICT 15

CEC15 approved By Laws for 2024-25, in accordance with the law, were adopted by unanimous vote of the Community District Education Council for District 15 at its public meeting on Tuesday, November 19, 2024.

Council Members present included: Antonia Ferraro Martinelli, Leslie King, Vanessa Gonzalez Ueoka, Nancy Cruz, Katina Rogers, Jonathan Davis, Hans Arrieta, and Kwame Egerton.

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ARTICLE I

NAME AND AUTHORITY

Section 1. Name

The name of the Council shall be Community Education Council District 15, CEC15.

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

- a. The officers of the Community Education Council for District 15 shall be
 - i. President
 - ii. Co-Vice President 1
 - iii. Co-Vice President 2
 - iv. Recording Secretary
 - v. Treasurer
 - vi. Parliamentarian
- b. No member may hold more than one office at a time.

Section 2. Elections

- a. Officer elections shall be conducted at the July meeting by roll call vote. At least seven (7) Council Member votes are required to win. Officers shall serve a one-year term and shall serve until their successors have been elected.
- b. 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

- a. The President shall be the Chief Executive Officer of the Council.
- b. 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.
- c. 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.
- d. The President shall be an ex-officio member of all committees.
- e. The President shall represent the Council in all external bodies in which it is represented, including, but not limited to: meetings with the Chancellor; the Borough President, and the District 15 Leadership Team.
- f. The President shall supervise the Administrative Assistant to the Council on its behalf.
- g. The President shall ensure the proper organization and transfer of records to an incoming President. Records include but are not limited to Meeting Agendas, Approved Minutes, Resolutions, Budget Documents, digital login information and passwords associated with CEC15.
- h. The President shall approve all member reimbursement requests except their own, which shall be approved by the Treasurer.

3.2 Co-Vice Presidents

- a. The Co-Vice-President 1 shall exercise the powers and perform the duties of the President in their absence, and discharge such functions as may be assigned to them by the President or by duly adopted Council resolution.
- b. The Co Vice-President 2 shall exercise the powers and perform the

duties of the President and Co-Vice President 1 in their absence, and discharge such functions as may be assigned to them by the President or Co-Vice President 1 or by duly adopted Council resolution.

- c. The Co-Vice Presidents shall share duties equitably, including, as necessary, attendance at meetings of the Presidents' Council for District 15.

3.3 Recording Secretary

- a. 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; sign all approved minutes, and ensure appropriate record-keeping by the Council, including compliance with the Open Meetings Law and Freedom of Information Law.
- b. In the absence of the Administrative Assistant, the Recording Secretary shall be responsible for taking minutes.
- c. The Recording Secretary shall also discharge such functions as may be assigned to them by the President or by duly adopted Council resolution.

3.4 Treasurer

- a. 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.
- b. The Treasurer shall sign the President's reimbursement requests; supervise the Administrative Assistant in preparing budgets and regular financial reports; and present the same to the Council for approval.
- c. The Treasurer shall also discharge such functions as may be assigned to them by the President or by duly adopted Council resolution.

3.5 Parliamentarian

- a. The Parliamentarian shall fulfill the following goals:
 - i. Protect the rights of individuals, the views of the minority, the views of the majority, absentees, and all the CEC15 members as a single body;

- ii. Dispose of issues in a quick and orderly fashion;
 - iii. Enable the majority to make official determinations;
 - iv. Prevent Community Education Council members from discussing more than one motion at a time.
- b. The Parliamentarian shall rule on points of procedure relating to the bylaws.
- c. The Parliamentarian shall be responsible for maintaining order at any meeting and that a meeting is held according to its scheduled timetable.

Section 4. Vacancies in an Office

- a. An officer who wishes to resign from their 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.
- b. 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.
- c. 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 a special election held at the same meeting.

Section 5. Removal of Officers

- a. An officer may be removed from their position with seven (7) Council Member votes, for any reason, including absences, 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.
- b. Notice of the vote to remove such an officer shall be included in the notice of meeting and agenda.

ARTICLE III

MEETINGS

Section 1. Notice & Public Access

- a. All meetings shall be open to the public except where otherwise permitted by law.
- b. 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.¹
 - i. 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.
- c. 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.
- d. All meetings shall be held in facilities accessible to the disabled.

Section 2. Member Attendance at Meetings

- a. CEC members shall be physically present at the scheduled calendar and working/business meetings unless such member is unable to be physically present at one of the designated public meeting locations due to extraordinary circumstances.
- b. For purposes of these procedures, the term "extraordinary circumstances" includes disability, illness, caregiving responsibilities, or

¹ NYS Public Officers Law, Art. 7, Sect. 100-111.

any other significant or unexpected factor or event that precludes the member's physical attendance at such a meeting.

Section 3. Hybrid Meetings

- c. If a member is unable to be physically present at one of the designated Council meetings due to extraordinary circumstances, and if there is a quorum of members participating at a physical location(s) open to the public, the Council may properly convene a meeting.
- d. To properly convene a meeting, a quorum of members must vote, in-person, to proceed as a hybrid meeting. A member who is participating from a remote location *shall not* count toward a quorum to proceed with a vote for a hybrid meeting.
- e. Except in the case of executive sessions, any member attending by video conferencing shall ensure that they 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. Such members must ensure that their full first and last name appears on their video conferencing screen.
- f. The minutes of the meetings involving video conferencing based on extraordinary circumstances shall include which, if any, members participated by video conferencing from a private location due to such extraordinary circumstances.
- g. The public notice for the meeting shall inform the public:
 - i. that extraordinary circumstances video conferencing 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.
- h. The Council shall provide that each open portion of any meeting conducted using extraordinary circumstances video conferencing 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.
- i. If members of the Council are authorized to participate by video conferencing 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 video conferencing is used, it authorizes the same public participation or testimony as in-person participation or testimony.

Section 4. Absences

- a. 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.
- b. 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 their office by refusal to serve.²
- c. 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.
- d. After the third unexcused absence, the President shall, at the next calendar meeting, present a resolution declaring a vacancy to the Chancellor.
 - i. Notwithstanding the provisions of Article IV, Section 3.2, such resolution shall be voted upon at the same meeting without public comment thereon.
- e. As provided in Chancellor’s Regulations D-140, 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.
- f. 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.

Section 3. Annual Meeting

- a. The Annual Meeting of the Council shall be held in July, ensuring that all rules for notification of meetings are adhered to.
- b. The only business considered shall be the election of officers.

² NYS Ed. Law § 2590.

Section 4. Calendar Meetings

- a. 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.
- b. Calendar meetings shall be held on the last Tuesday of each month at 6:30 p.m. In the event the day falls on a legal or school holiday, the meeting will be held the Tuesday prior.

Section 5. Business/Working Meetings

- a. A working/business meeting shall be held on the second Tuesday of the month.
- b. In the event there is unfinished business, the Council may vote to schedule an additional business/working meeting, and may vote to schedule additional business/working meetings as needed.
- c. The public shall be notified of all working/business meetings as described in Article III, Section 1.

Section 6. Special Meetings

- a. Special meetings, either business/working or calendar, may be held at the call of the President, or upon the written request to the President of three members of the Council.
 - i. 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.
- b. 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.
 - i. 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

- a. In accordance with Section 105 of the New York Open Meetings Law (Public Officers Law, Article 7), Executive Sessions may be held to

discuss matters that require confidentiality.

- b. Executive Sessions may be called to deal only with matters enumerated in the Open Meetings Law, Section 105, including but not limited to:
 - i. 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.
 - ii. Information relating to current or future investigation of criminal offenses which will imperil effective law enforcement if disclosed.
 - iii. Discussions regarding proposed, pending or current litigation.
- c. To uphold the confidentiality protections provided by the New York Open Meetings Law and ensure the integrity of executive session proceedings, the use of any recording devices, including but not limited to audio recorders, video recorders, and electronic devices capable of capturing or transmitting sound or images, is strictly prohibited during such sessions.
- d. Executive Sessions shall be held as needed, and convened only by motion. Such motion shall identify general areas to be considered during the Executive Session. Decisions shall be made by a vote of seven (7) Council members, and shall be ratified at a calendar meeting, business meeting or special session meeting by duly recorded roll call vote.
- e. 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.

ARTICLE IV

CONDUCT OF BUSINESS AT MEETINGS

Unless otherwise specified, the format for the meetings of the CEC15 shall be as follows:

1. Only the person presiding/chairing the meeting has the authority to yield the floor to a member of the Council or a guest.

2. Each member who has the floor may speak uninterrupted for two (2) minutes. All members of the Council shall respect the member of the Council, or guest, who has the floor. All other procedural details not specifically mentioned in the CEC15 Bylaws, shall be deferred to the Robert's Rules of Order.

Section 1. Agendas

1.1 Calendar Meetings

- a. Each notice of a calendar meeting shall state the topic(s) to be considered and shall be accompanied by the text of any resolutions proposed for adoption by the Council.
- b. Resolutions may be placed on the agenda by:
 - i. A vote of 7 Council members, taken during a business/working meeting; or
 - ii. Three (3) Council members who shall have submitted such item to the President and the Administrative Assistant at least five (5) days before the calendar meeting; or
 - iii. A member of the Council at any time provided that
 1. they shall have delivered a copy thereof to the President and the Administrative Assistant before the start of the calendar meeting;
 2. such addition is consented to by a vote of seven (7) Council members, and
 3. copies thereof are distributed to each council member prior to the call to order.

1.2 Business/Working Meetings

- a. The agenda for each business/working meeting shall be developed by the President.
- b. Members of the Council shall have the opportunity to place an item on the agenda by notifying the President in writing one (1) day before the meeting and to raise issues for consideration under New Business.

Section 2. Order of Business at Calendar/Business Meetings

- a. The order of business at any calendar/business meeting, except when otherwise prescribed by the President, shall be as follows:
 1. Call to Order and Roll Call
 2. Hybrid Meeting vote, if necessary
 3. Approval of Minutes
 4. Program Presentation *[first public comment session may be added here]*
 5. Report of President
 6. Report of Superintendent *[second public comment session may be added here]*
 7. Old Business
 8. New Business/Resolutions *[followed by public comment session regarding new business/resolutions]*
 9. General Public Comment/Speakers Session
 10. Vote on Resolutions
 11. Adjournment
- b. The regular order of business may, at any time, be changed by a vote of seven (7) members of the Council.
- c. 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.
- d. Speaking time is limited to one (1) minute per person. The time may be extended at the discretion of the President or Parliamentarian and may be limited if necessary to allow all persons who have signed the Speakers' List to speak.
- e. 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 their time and will be directed to leave the microphone; the President or Parliamentarian may take appropriate measures to enforce the ruling.

Section 3. Quorum and Majority

- a. 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.
- b. The Council has twelve (12) voting members; therefore, no fewer than seven (7) members must be present to constitute a quorum and no fewer than seven (7) votes are needed to carry any motion or adopt any resolution.

3.1 Quorum

- a. If there is no quorum present at the time set for a meeting, the members present shall wait for fifteen (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.
- b. Notice of the adjourned meeting shall be given forthwith to all Council members, and the public as provided for in Article III, Section 1.
- c. In the case of a calendar meeting without a 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

- a. Official actions of the Council may be by motion, letter, statement or resolution, duly adopted by a vote of seven (7) Council Members.
- b. The Council shall solicit public comment on resolutions whenever feasible.
- c. Resolutions shall be voted upon only at regularly scheduled or special session meetings.
- d. The review of, or intent to vote on, a resolution shall be included in the notice of meeting, and the draft text attached if available.
- e. If a resolution is added to the agenda pursuant to Art. IV, Section 1, the text shall be made available to the public at, or before, the meeting where the resolution is to be voted upon. There shall be no

proxy or absentee voting by email or phone.

Section 4. Minutes

- a. The minutes of all meetings shall be a matter of public record and shall be available for inspection at the Council's office.
- b. 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.
- c. Audio recordings of meetings shall not constitute minutes.

ARTICLE V

COMMITTEES

- a. The Council may create committees and define their membership as it may determine, including but not limited to the Communications Committee, Legislative Committee, and Equity Committee.
- b. 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.
- c. The Council may veto the appointment or removal of any Committee Chair by a vote of seven (7) Council members.
- d. 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.
- e. 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.
- f. Ad Hoc Committees, such as the Bylaws Committee, *inter alia*, may be formed as needed for short-term projects of less than 6 months and will dissolve after the project completion.

ARTICLE VI

PARENT ASSOCIATIONS AND COMMUNITY INVOLVEMENT

Section 1. Parent Associations,

- a. 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), Parent Teacher Association (PTA), and/or Family Teacher Association (FTA) in each school, and that the Council, the community superintendent, and the principal of each school shall have regular communication with all PAs/PTAs/FTAs.
- b. The Council shall meet quarterly with the duly elected officers of PA/PTAs/FTAs in the district; this requirement may be satisfied by meetings held jointly with the Presidents' Council for District 15.

Section 2. Superintendent Evaluation

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

ARTICLE VII

VACANCIES ON THE COUNCIL

- a. In the event a Council member, other than the District 75 member, resigns, is removed, or becomes ineligible to serve, the Council shall appoint a successor to fill the unexpired term within 60 days.
- b. 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.
- c. The Council shall interview candidates to fill vacant position(s) in a Special Meeting called for the sole purpose of conducting interviews.
- d. The Council shall request the presence and participation during the interview process of the Presidents' Council and members of the

community.

- e. The Council shall request that they submit any recommendations in writing following the close of interviews.
- f. An appointment to fill a vacancy on the Council shall be by roll call vote at any council meeting following the interviews.
- g. If a District 75 member on the CEC15 resigns or is removed, the Council shall notify the DOE of the vacancy in writing as soon as the seat becomes available.

ARTICLE VIII

AMENDMENT OF BYLAWS

- a. These bylaws may be amended at any regularly scheduled calendar meeting of the Council by seven (7) Council members, provided the amendment has been presented in writing to the public at the previous calendar meeting and appears in the notice of the meeting as amended.
- b. 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

- a. 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 consistent with applicable laws, regulations, or these bylaws.
- b. The Council shall elect one of its members to serve as a Parliamentarian, to advise the Council on matters of procedure and matters pertaining to these bylaws.
- c. 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

- a. All official correspondence representing and on behalf of this Council shall be on the Council's official letterhead and submitted via the Council Member's official email account.
- b. Both the Administrative Assistant and the President shall have access to the account.
- c. The Administrative Assistant, under the supervision and direction of the President, shall inform all other council members promptly of any official notices and matters pertaining to Council business.

Section 2. Personal Conduct

- a. Each Council member represents the Council when conducting the Council's business. Violations of the standards outlined in Article X may be met with disciplinary action as outlined in NYS Education Law § 2590-L, including recommendation from the Council for removal of the offending member of the Council by the Chancellor.
- b. Council members shall comply with any applicable Chancellor's regulations, including but not limited to Chancellor's Regulation D-210. Violations of the Chancellor's Regulations may be grounds for suspension and possible recommendation for expulsion to the Chancellor.
- c. 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 seven members and ratification by the Chancellor.
- d. Council members should adhere to the confidentiality of information shared as part of their role in the Council. Breaches of confidentiality are grounds for disciplinary action, including possible recommendation for removal under New York State Education Law § 2590-L(ii)(b).
- e. Council members will follow the DOE Division of Human Resource Rules and Regulations Governing Non-Pedagogical Administrative

Employees as a guide provided by the Office of Support Services. Council members must be respectful, show no malice, indifference or behave in a threatening manner towards the Council's Administrative Assistant.

- f. Council members shall undertake and participate in all training and professional development as required. Participating in anti-harassment and anti-bias training regarding Chancellor's Regulation D-210 is recommended.
- g. Council members shall submit all reports, including but not limited to member reimbursements, member individual performance reports, school visit reports, and committee reports, in a timely manner. Failure to submit such reports on time may result in a delay in processing reimbursements or other evaluations.
- h. To ensure that council meetings are focused on discussion, deliberation, and decision-making, no reports, including member reimbursements, individual performance reports, school visit reports, or committee reports, may be worked on, drafted, or completed during council meetings. Members are expected to prepare and submit these reports prior to or following the scheduled meetings.
- i. Council members shall be mindful of others in the school buildings, especially when classes and after-school programs are in session, as well as respect school property, school staff, and the property of others as outlined in NYS Education Law § 2801.
- j. Council members shall comply with Title 53 §1-13(d)(2) of the NYC COIB Code, which provides that "[a] public servant engaging in a personal and private activity may use, or permit the use of, their City title in connection with print or online published work, teaching, or paid speaking engagements, under either of the following circumstances... their City title is used to demonstrate such public servant's relevant professional qualifications provided that their City title is accompanied by a reasonably prominent disclaimer stating that the views expressed in the work, teaching, or speaking engagement do not necessarily represent the views of the agency or the City."