

**BYLAWS
OF
PS M368 PARENT ASSOCIATION INC.**

APPROVED BY THE MEMBERSHIP ON December 20, 2021

By: Megan Coryat

Name: Megan Coryat

Title: Co-President

Date:

By: Selim Tlili

Name: Selim Tlili

Title: Co-President

Date:

By: Melanie Rodriguez

Name: Melanie Rodriguez

Title: Co-Secretary

Date:

Article I - Name

The name of the association shall be PS M368 PARENT ASSOCIATION INC (the "PA").

Article II - Purpose and Mission

The purposes of the Corporation shall be those set forth in the Certificate of Incorporation, as may be amended from time to time. The Corporation exists to provide support and resources to PS M368, the William Lynch School (PS M368) for the benefit and educational growth of the children enrolled there in New York County, NY.

The mission of the PA shall be:

1. To provide support and resources to PS M368, the William Lynch School (PS M368) for the benefit and educational growth of the children enrolled there;
2. To develop a cooperative working relationship between the parents/guardians and the staff of PS M368;
3. To develop parent/guardian leadership and build capacity for greater involvement;
4. To make available opportunities and training for parents/guardians to participate in school governance and decision making; and

5. To share knowledge and resources within our school community, including other District 6 schools.

The Corporation is organized and operated exclusively for nonprofit purposes.

Article III - Membership

Section 1 Eligibility

Membership in the PA shall be limited to parents (by birth or adoption), step-parent(s), legally appointed guardians, foster parents and persons in "parental relationship" (collectively "Parents and Guardians") to students currently attending PS M368. At the beginning of the school year, a welcome letter from the PA shall be sent to all parents and guardians to encourage participation and shall inform them:

- A. That PS M368 has a parents' association;
- B. That all parents are automatically members of the PA; and
- C. An explanation of the roles and responsibilities of PA leadership positions and information on where to find past PA documentation or resources.

Section 2 Dues/Donations

Parents shall be requested to make a voluntary donation on behalf of their families. The Executive Board will decide the amount of the suggested donation. Donations are not a requirement for membership, voting or running for office.

Section 3 Voting Privileges

Each Parent or Guardian shall be entitled to one vote. Voting by proxy, absentee ballot, email, or conference call is prohibited.

The right of a member to vote may be limited by the Conflicts of Interest restrictions outlined in Chancellor's Regulation A-660 (CR A-660) and as further set forth below:

A PA member or officer who has any direct or indirect interest in a business dealing with PS M368, the community school district, the Panel for Educational Policy ("PEP"), Citywide Council on Special Education ("CCSE"), Citywide Council on High Schools ("CCHS"), Citywide Council on English Language Learners ("CCELL") District 75 Council ("D75 Council"), or the Department of Education ("DOE"), including a contract or personnel appointment, must refrain from participation in any decision relating to the matter.

Such interest, whether direct or indirect, must be disclosed to the membership, and placed in the minutes of the meeting at which the disclosure was made. A Community District Education

Council Member (or any other employee or officer) who is also a PA member and who is likely to hear the same subject of appeal, must refrain from voting or otherwise participating in the decision in which he or she will sit on the appeal panel. Any council member who has participated in the decision making below may not participate at the higher appellate level. Decisions must be made by vote of only those members of the PA who do not have a conflict of interest. In matters where a member or members has/have a conflict of interest, he or she must abstain from voting or otherwise participating in the decision.

PA Members who are employed in PS M368 may not vote or otherwise participate in:

- A. Personnel matters, including tenure recommendations and screening committees for selections of supervisors and administrators.
- B. Selection of or service as parent representatives to committees or the school leadership team.

Except as otherwise noted herein, motions presented at any Executive Board or General Meeting shall be carried by a simple majority.

Article IV - Officers

Section 1 Titles

The officers of the PA who make up the Executive Board shall be:

- A. One or two Co-Presidents; (except as provided in Section 4 below)
- B. One or two Vice Presidents;
- C. One or two co-Secretaries, one of whom must be a Recording Secretary;
- D. One or two co-Treasurers
- E. Up to two grade delegates per grade, except that the PA shall not be deemed to have ceased to function by reason of not having met the minimum requirements for grade delegates.

The mandatory officers of the Association shall be: at least one president, recording secretary and treasurer. The Association must elect the mandatory officers 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 or guardian of a child attending PS M368.

The Executive Board must make a list of elected PA officers available to the membership. The list must include names and either a phone number or email address where parents may contact officers. The list may not include officers' home addresses. A means of contacting the Executive Board must also be provided. The list must be available in the Principal's office, on the school web site, and at every PA Meeting.

Section 2 Term and Term Limits

The term of office for President(s), Vice President(s), Secretary (-ies), and Treasurer(s) shall be from July 1st through June 30th. All members are eligible to run for any office, except that a Grade Delegate from a particular grade shall be a Parent or Guardian of a child in the corresponding grade for which they have been elected.

Grade Delegate(s) shall be elected at the first General Meeting of the school year.

Term limits for each officer position of the PA shall be two consecutive one year terms, with the exception of Grade Delegates, who are not subject to term limits.

A candidate who has served the maximum number of terms may be elected to serve an additional term provided no other interested candidate is nominated and is willing to serve; and the process of Nominations and Elections has been fully carried out according to Section 4.

Section 3 Duties of Officers

1. President(s): The duties of the president(s) 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;
 - 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;
 - h. May be responsible for reviewing, maintaining and responding to all correspondence addressed to the Association; and,
 - i. Assist with the June transfer of Association records, including all pertinent user IDs and passwords, to the incoming executive board.
3. Treasurer(s): 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: 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.
5. Grade Delegates: The Grade Delegates are responsible for facilitating communication between the parents and guardians of the students in individual classrooms and the PA; and between the teachers and the parents and guardians; and between the PA and the grade teachers.

Section 4 Election of Officers

Officers shall be elected by the last day of each school year for a one-year term beginning July 1, with the exception of Grade Delegates, who shall be nominated and elected at the first General Meeting of every school year and shall hold their office until July 1. The principal of PS M368 (the "Principal") must be notified of the date and time of the annual election by April 1.

A call for nomination of Grade Delegates will be issued on or about the first day of the school year.

Employees of PS M368 may not serve as members of the Executive Board. This restriction applies equally to employees who have a child currently attending PS M368.

4.1. Nominating Committee: A nominating committee must be established during the February General Meeting. The nominating committee shall consist of three to five members. The majority of the committee members must come from the general membership. The remaining members of the nominating committee shall be selected by the Co-Presidents, subject to the approval of the Executive Board. The nominating committee shall choose one of its members to serve as chairperson. No person employed at PS M368 shall be eligible to serve on the nominating committee. No person who is running for Executive office may serve as a member of the nominating committee. The nominating committee shall solicit candidates from the membership in writing. Notices should be translated into languages spoken by parents in the school whenever possible. The nominating committee will also be responsible for conducting the election meeting.

4.2 The nominating committee's duties include the following:

- a. Canvassing the membership for eligible candidates;
- b. Preparing and distributing all notices of any meeting pertaining to the nomination and election process, in accordance with A-660
- 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. Ensuring that an opportunity for nominations, including self nominations, to be taken from the floor and then officially closed during the April meeting;
- f. Scheduling the election at a time that ensures maximum participation;
- g. Ensuring that only eligible members receive a ballot for voting;
- h. Ensuring that the election is certified by the principal or his/her designee immediately following the election.
- i. 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.

4.3 Additional Nominations: At the April Membership meeting the nominating committee shall request additional nominations from the floor. Nominations shall then be officially closed and may not be reopened. All nominees may introduce themselves to the membership during the April meeting.

4.4 Notices: The meeting notice and agenda for the spring general membership election meeting shall be distributed at least ten days before the date of the meeting. 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 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.

Election meeting notices shall include:

- a. A list of all available Executive Board positions;

- b. An acknowledgement that the only qualification for all offices is that the candidate be a parent or guardian of a child at PS M368;
- c. Term limits;
- d. The mechanism(s) by which parents can become candidates for PA office; and
- e. The date nominations close.

4.5 Voting Requirements: There shall be one vote per parent or guardian of a child/children currently attending PS M368.

4.6 Contested Elections and the Use of Ballots:

- A. When there is more than one candidate for any office, voting must be by ballot.
- B. For in-person voting, ballots must remain in the meeting room (or in the principal's office with a documented chain of custody) until all the ballots have been counted and the election meeting has been adjourned. For VRP voting, a printed record of electronic ballots must be maintained among the records of the association and be made available upon request.
- C. Ballots must be counted immediately following the conclusion of voting and in the presence of at least three observers from the general membership. For in person voting, the PA must retain ballots on school premises for one year or until the determination of any grievance filed concerning the election, whichever is later. For VRP voting, records of votes in a PA/PTA election meeting conducted remotely must be retained by the PA/PTA for one year or until the determination of any grievance filed concerning the election, whichever is later.

4.7 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.

4.8 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. President
 - ii. Vice President
 - iii. Secretary
 - iv. Treasurer

4.9 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 4.6 of these bylaws.

4.10 School Leadership Team Parent Member Elections

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

Section 5 Disciplinary Action

Grounds for Removal from Office:

- A. Any officer who fails to fulfill the duties of office as outlined in these bylaws, Article 4, Section 3.
- 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 unbecoming 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.

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.

A. Removal Process

- a. The motion to remove an officer and the vote on removal must not occur during the same meeting.
- b. 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.
- c. 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.
- d. The meeting notice must include the vote on removal.
- e. 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

Section 1: Composition

The Executive Board shall be composed of the elected officers of the Association. Officers shall be expected to attend all Executive Board meetings.

Section 2: Meetings

The Executive Board shall meet monthly, September through June, on dates set out by August 31 each year.

Section 3: Voting

Each member of the Executive Board shall be entitled to one vote.

Section 4: Quorum

One-half the total number of members of the Executive Board shall constitute a quorum, allowing for official business to be transacted.

Section 5: 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.

Section 6: 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 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

Section 1: General Membership Meetings

General membership meetings of the Association shall be held monthly, September through June, on dates and times as determined by the executive board by August 31. 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 and executive board meetings must be held in a manner that will maximize attendance and promote participation of its members. Meetings may be in person, hybrid, or virtual. Meetings may be conducted virtually on a platform that allows for a dial-in option. Hybrid meetings must be physically convened in the school building. Members participating from remote locations may be counted toward quorum and are allowed to vote, using established voting protocols for virtual/hybrid meetings.
- B. Committee meetings may be held virtually or 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. PA general membership meetings must be non-exclusive and open to the general public in accordance with NYS Education Law § 414. Non-members may only speak or otherwise participate if acknowledged by the presiding officer.

Section 2: 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

Section 3: 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.

Section 4: 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.

Section 5: 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 PS M368 Parent 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.

Section 6: 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

Section 1: Standing Committees

The Co-Presidents will appoint standing committee chairpersons with the approval of the Executive Board, Ad-hoc committees shall be established by Executive Board approval. No member of a standing committee will be allowed to vote on Executive Board issues unless also a member of the Executive Board.

Article VIII – Financial Affairs

Section 1: Fiscal Year

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

Section 2: Banking

A checking account must be maintained in the name of the Association. All Association funds must be deposited into the checking account.

- A. Online banking: Association may establish online access through the bank's online bill payment system or other electronic payment system that is directly attached to the bank's online banking for goods and services rendered. When this is not possible, payment for goods and services should be carried out by more conventional means, such as but not limited to checks or a bank/debit card.
- B. Checks: The President(s) and Treasurer(s) shall be authorized to sign checks. Of these signatories, authorized representative(s) may be designated to make changes to the bank accounts (i.e. adding/removing signatories, opening/closing bank account, etc.)
- C. Bank/Debit cards: Authorized representative(s) may receive and have use of a bank/debit card for the sole purpose of paying a vendor for goods or services, for example, when a vendor does not accept physical checks or is online.
 - a. Bank/debit cards must not be used for the following items:
 - Third party mobile applications. (i.e., mobile phone wallets, or any other electronic device)
 - Direct donations
 - Out-of-Pocket reimbursements
 - Cash withdrawals from an ATM
 - b. • Receiving "cash-back" or a "cash refund" from an ensuing transaction

- D. Payment requests: Prior to any transaction the Executive Board must provide authorization for the intended expenditure by issuing email approval that must accompany all online transactions. Receipts must accompany an out-of-pocket reimbursement request and an invoice must accompany a vendor payment.
- E. Payments:
 - a. Electronic payments: A single signatory may utilize bank's online bill payment system or electronic payment system to issue payment to a vendor or for out-of-pocket-reimbursements provided that email approval for such payment is received from at least 2 Executive Board members and is filed with the Treasurer(s). An Association member may not issue payment to themselves via electronic payment.
 - b. Check payments: 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.

Section 3: Budget

3.1 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 member 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.

- H. Documentation related to every transaction must be maintained at the school (e.g., canceled checks, deposit receipts, purchase orders, Association minutes related to the financial transactions, etc.)

3.2 Budget Amendment: The budget may be amended by vote of the general membership at any membership meeting.

3.3 Expenditures: All expenditures exceeding \$200 not included in the budget at the time of its adoption must be approved by vote of the general membership.

3.4 Emergency Expenditures: The Executive Board is authorized to make an emergency expenditure not to exceed \$1,000 with a two-thirds approval of the executive board. These expenditures shall be reported to the general membership at the next Association meeting in writing by the Treasurer(s). The minutes of the meeting must reflect a vote taken by the Association to accept this action.

Section 4: Audit

4.1. Audit Committee: The President(s) 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.

4.2. 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.

Section 5: Financial Accounting

5.1. Financial Report: The Treasurer(s) 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.

5.2. 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, canceled 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.

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 December 20, 2021.

Signature Certificate

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