



COMMUNITY DISTRICT EDUCATION COUNCIL 3

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I.A. District 3 Community Superintendent

Resolution Vol. 12A No. 1

Resolution to Amend the Bylaws, Articles II, III, and IV Community Education Council, District 3

**Approved by Unanimous Vote of Members Present (7-0)
at the January 18, 2012 CEC3 Calendar Meeting**

Article II, Section 5. Disciplinary Action

Whereas, the Council desires to resolve any issue requiring disciplinary action fairly and without delay; now therefore be it

Resolved, That the Council hereby amends Article II, Section 5 of its Bylaws to specify that a referral for disciplinary action must be *written* and that the time allowed for a response is *5 business days*.

Article II, Section 6 Absences

Whereas, the Council desires to comply with *Article 52-A of the New York State Education Law, section 2590-c 6.(a) and Regulation of the Chancellor D-150* regarding negligence to attend three meetings without any written excuse within a term of office; now therefore be it

Resolved, That the Council hereby amends Article II, Section 6. of its Bylaws to include the following paragraphs:

After the third unexcused absence, the President, with the majority approval of the Council, shall notify in writing to the absent and unexcused member that the Council shall declare a vacancy to the Chancellor by resolution at its next regularly scheduled calendar meeting.

According to the Regulation of the Chancellor D150, the following constitute a valid excuse for absence: death of a relative or attendance at a relative's funeral; serious illness or injury of a member of family member; mandatory court attendance including jury duty; military duty; job-related conflict which makes absence from a Council meeting unavoidable; and other reasons the CEC deems appropriate.

Other reasons for a valid excuse for absence shall be deemed appropriate by a majority vote of the whole number of the members of the Council.

Article III, Meetings

**Article III, Sections 3 Calendar Meetings,
Section 4 Business Meetings and Section 5 Special Meetings**

Whereas, the Council wishes to performs its duties efficiently and to aligned its meeting calendar and its mode of public notice with the community school district it serves; now therefore be it

Resolved, That the Council hereby amends Article III, Section 3. of its bylaws to state that the Council may vote to hold a regularly scheduled business or calendar meeting at a different time and/or date when the regularly scheduled meeting coincides with a district-wide school event; and be it further

Resolved, That the Council hereby amends Article III, Section 4. of its Bylaws to state that the Council will hold its monthly business meeting prior to the calendar meeting even when they occur on the same day and additional business meetings may be scheduled as needed as long as public notice is given as specified in the council bylaws; and be it further

Resolved, That the council hereby amends Article III, Section 5 of its Bylaws to show that notice given by telephone is not required under the council bylaws.

Article IV, Conducting of Business at Meetings

Article IV, Section 2 Order of Business

Whereas, *Article 7. Open Meetings Law* states that *the public business must be performed in an open and public manner and that the citizens of this state be fully aware of and able to observe the performance of public officials and attend and listen to the deliberations and decisions that go into the making public policy* in order for the commonwealth to prosper; and

Whereas, the Council desires for the public to have every reasonable opportunity to make comment and pose questions regarding Council business prior to any Council vote so that the public may be fully aware of the Council's deliberations and decisions, now therefore be it

Resolved, That the Council hereby amends Article IV, Section 2 of its Bylaws to show an amended Order of Business at calendar meetings to include two Public Sessions prior to Adjournment as follows:

Opening of the Meeting:

1. Call to Order and Roll Call
2. Approval of Minutes

Program Presentation:

1. Guest Speaker
2. First Public Session

Reports and Resolutions

1. Report of Superintendent
2. Report of President
3. Report of Committees
4. Reading of Resolutions
5. Second Public Session
6. Vote on Resolutions

Adjournment

and be it further

Resolved, That the entire paragraph which begins "*Immediately following adjournment of the meeting, a public agenda session shall be conducted . . .*" shall be struck from the bylaws; and be it further

Resolved, That the paragraph beginning *Speaking time per person . . .* shall be amended

to include the following sentence: *In the event that more than 15 speakers sign up, the speaking time shall be limited to 2 minutes.*

CEC3 Bylaws Titles and Terms

Whereas, the council desires that the CEC3 Bylaws provide clarity regarding the duties and actions of the CEC3 council; now therefore be it

Resolved, That the Council amends its Bylaws, throughout, to only use the title *Administrative Assistant* when referring to the council's administrative assistant and the title *Secretary* when referring to an officer of the council; and be it further

Resolved, That the Council amends its Bylaws, throughout, to only use the term *business meeting* and no longer uses two terms -- business and working -- to refer to the business meeting.

Prepared by:
Laurie Frey
Secretary, CEC3