

**BY-LAWS OF A PARENT PARTICIPATING ORGANIZATION
AS REVISED APRIL 2010**

**ARTICLE 1
MEMBERSHIP**

SECTION 1

Applicant: Any parent or legal guardian of a child or children between the ages as listed in the rules and procedures as set forth in the Membership Handbook of the Pacifica Nursery School, Inc. (“Rules and Procedures”), who wishes to enroll their child or children in the school and who agrees to abide by these by-laws and the Rules and Procedures, may become an applicant for membership in the organization.

SECTION 2

Application Procedure: A parent and child may be admitted to the nursery school after the submission of properly completed forms and payment of monies as set forth in the Rules and Procedures. All alumni must have fulfilled all previous contractual and financial obligations.

SECTION 3

Admission: Applicants shall be placed on the waiting list in the order in which their applications are received but this order may be waived in order to maintain the proper age groupings and gender ratio of the children in the school. Priority is as follows: 1) siblings, 2) alumni, 3) new members. The Pacifica Co-op Nursery School does not discriminate on the basis of race, color, religion, ethnic origin or sexual orientation in the administration of its education policies, scholarship programs or any other school-administered programs.

SECTION 4

Membership:

A. Active Members:

1. Participating members: Every parent of a child enrolled in the nursery school shall be considered a participating member.
2. Membership Workday Option: A parent may make arrangements for a permanent substitute to participate on his/her behalf in the nursery school as covered in the Rules and Procedures. You are still responsible for all other membership commitments.

B. Honorary and Associate Members: Any person who is not an active member shall be considered an honorary or associate member upon the recommendation of the Board of Directors.

C. All members are volunteers: members are not employees of the Nursery School.

SECTION 5

Rights of Membership:

- A. Each parent of a child enrolled in the school will constitute one member. When voting, each family will have one vote.
- B. All active members may hold elective offices.
- C. All members may inspect the financial records of the organization upon request.
- D. Any member may attend meetings of the Board of Directors, unless the meeting has been announced as closed by the President.
- E. Active members may arrange for a private meeting with the Director, staff or any officer of the school for discussion of individual problems.
- F. Any member may raise questions, propose recommendations and make motions concerning the school at the Communication/Information Meetings.
- G. Honorary and associate members may attend meetings and may hold appointive offices in the organization but are not entitled to a vote.

SECTION 6

Responsibilities of Adult Membership:

- A. One member of active member family is required to attend the four Communication/Information Meetings.
- B. One active member from each family is required to participate as parent-aide with the supervision of the Director and staff on a scheduled work day, unless they use the Membership Workday Option.
- C. Members must comply with financial requirements of the school as set forth in the Rules and Procedures.
- D. Members must comply with health rules and safety precautions as established by the organization.
- E. Each member must hold an elective office or a job within the school.
- F. Each member must participate in all fund raisers as set forth in the Rules and Procedures.
- G. Each member must complete a minimum of 4 enhancement project hours per semester as outlined in the Rules and Procedures.
- H. Member families participating in the school's scholarship program are expected to participate as active members, except for hardship cases upon Board approval.

SECTION 7

Child Membership:

- A. A child may be excluded from the program by the Director/Teachers on any day when, in his/her judgment, the child does not seem well.
- B. A child must be reported to the Director/Teachers as soon as communicable disease is suspected. Re-admittance after an absence due to illness shall be conducted as set forth in the Rules and Procedures.

SECTION 8

Temporary or Permanent Resignation from the Organization:

A. Termination of Membership: A member may be asked to withdraw from the membership on recommendation of the Director/Teachers and the majority vote of the Board of Directors by reason of non-cooperation of the member, inability of the child to adjust to the school, or other good cause.

B. Emergency Leave of Absence: In case of emergency, a special leave of absence may be obtained by application to the Board of Directors. Conditions for such leaves are spelled out in the Rules and Procedures. The representatives are responsible for posting a sign-up sheet for volunteers to cover the missed workday(s).

C. Parent Withdrawal: A member who desires to withdraw from the organization must notify the Board of Directors in writing at least two weeks in advance of departure. The member must continue to pay tuition and to fulfill all requirements through the date of departure.

SECTION 9

Member Code of Conduct (adopted April 2002): PCNS shall foster a climate of mutual respect for others. Each parent/guardian is expected to respect the rights and privileges of other parents/guardians, children, teachers, staff members or any guest of PCNS. Parents/Guardians shall act responsibly. Parents/Guardians who violate the rights of others or who violate school rules shall be subject to disciplinary measures including probation and or expulsion*. Member responsibilities for achieving a positive environment at the school board meetings, parent Communication/Information meetings or any PCNS related activities are as follows: Every participant in the program is expected to communicate in an appropriate manner. All members must treat others with respect and dignity, and must conduct themselves in a responsible manner. Showing disrespect toward another Parent/Guardian, child, teacher, staff member or any guest of the Co-op community; using harsh verbal words, tone of voice, foul language or gestures will not be tolerated and will result in probation and or expulsion* from the program. The Director and or President have the right to excuse any member from the school, any meeting or PCNS function if inappropriate behavior is exhibited. * 1st infraction will result in a warning. 2nd infraction will result in probation. 3rd infraction will result in expulsion from the program. If the 2nd offense is serious enough the board and the Director have the right to expel.

ARTICLE II
FINANCES

SECTION 1

Tuition: The regular monthly tuition and fees to cover operating costs of the Nursery School shall be specified in the Rules and Procedures.

A. There shall be no refund of tuition, application fees and registration fees.

B. One half-month tuition is due in December and one half month tuition is due in June. If a child enters at any other time, the tuition will be prorated.

C. All moneys owed the school must be paid by June 10 or the parent(s) will be brought before the Board of Directors. Readmission into the school is contingent upon payment of all moneys in the prior year(s).

SECTION 2

Application Fee: There shall be an application fee for families to be placed on the waiting list as specified in the Rules and Procedures.

Registration Fee: There shall be a registration fee as specified in the Rules and Procedures.

Janitorial Fee: There shall be a janitorial fee as specified in the Rules and Procedures.

Change of Tuition: The amount of tuition and fees may be changed only by a two-thirds majority vote at a general membership meeting, following a recommendation by the Board of Directors which must be posted on the bulletin board at least one week in advance of the voting.

Special Fees: There may be a special fee required to cover field trips, insurance, or other assessments as specified by the Board of Directors.

SECTION 3

Due and Delinquent: Tuition is due and payable on the first day of each month. If tuition is not paid by the tenth of the month, a penalty of 10% of the amount shall be paid. If tuition is two months in arrears and no arrangements for payment have been made with, and approved by the Board, the member shall be placed on the in-active list until current and back dues are paid.

SECTION 4

Use of Tuition: The tuition, fee assessments, and/or fines of the organization are to be used for the necessary expenditures of the organization or set aside for special purposes voted upon by the Board of Directors and approved by the membership.

SECTION 5

Job Compensation: The Board shall have the authority to grant tuition reductions to regular/certain school employees and certain school volunteers.

SECTION 6

Audit of Financial Records: There shall be a regular review of the books by a financial review board as recommended by the Board of Directors.

SECTION 7

Scholarships: Applications for scholarships shall be presented to and acted upon by a Scholarship Committee, consisting of the President, Treasurer, and Vice-President. The Committee shall keep the Director informed as to the list of current scholarship program participants.

ARTICLE III

BOARD OF DIRECTORS

SECTION 1

Members: The Board of Directors shall consist of four executive officers (the "Executive Board"), and up to four representatives, (up to two elected by the AM parents and up to two elected by the PM parents). The Executive Board shall consist of the President, the 1st Vice President, the 2nd Vice President, the Secretary and the Treasurer.

SECTION 2

Duties of the Board of Directors: As representatives of the parent organization, the duties of each Board member shall be:

- A. Executive Board members shall attend all meetings of the Board of Directors; a representative from each session shall attend a minimum of five meetings per year.
- B. Determine and evaluate the general policy to guide the school in fulfillment of its purpose and objectives.
- C. Manage the assets and properties of the corporation.
- D. Assist the professional staff in the general planning of school program and facilities.
- E. Employ such personnel as may be necessary.
- F. Represent and consider the wishes of the general membership.
- G. Maintain written records of all proceedings.
- H. Update the Membership Handbooks and make these available to the general membership.

SECTION 3

Term of Office: Each member of the Board of Directors shall be elected for a one year term, with the exception of AM and PM representatives elected in September, who shall serve for a ten (10) month term. The term of office of all members of the Board of Directors ends on June 30. The members of the Board of Directors elected at the May Communication/Information Meeting assume office on July 1st.

SECTION 4

Meetings: Regular meetings of the Board of Directors shall be held once a month at a time fixed by the Board and a notice of each meeting shall be posted a week in advance.

SECTION 5

Special Meetings: Special meetings of the Board may be called by the President, with two days notice to the membership. If the meeting must be held immediately, the two day notice may be waived and only Board members will be notified. A majority of the members may also call a special meeting.

SECTION 6

Quorum: At any Board of Directors meeting, a minimum of four Board members, three of whom are executive Board members, must be present to constitute a quorum.

ARTICLE IV **OFFICERS AND DUTIES**

SECTION 1

President:

- A. Preside at all meetings
- B. Appoint all committee chairpersons/heads
- C. Be an ex-officio member of all committees, except the Nominating Committee.
- D. Fill vacancies in office to the satisfaction of the Board of Directors.
- E. Counter-sign the Bookkeeper's monthly Income and Expense Statement

- F. Vote only when the voting is by ballot at a meeting of the membership or in case of a tie vote at a Board Meeting.
- G. Maintain a file of appointive and elective officers in detail
- H. Act as liaison between the Director/Teachers and the Board of Directors and the membership.
- I. Serve on the Scholarship Committee.
- J. Maintain a current list of all changes to the by-laws.

SECTION 2

1st Vice-President:

- A. Assist the President at all times.
- B. Preside at all meetings in the absence of the President.
- C. Act as parliamentarian at Board of Directors and Communication/Information Meetings.
- D. Give tours of the school
- E. Work with Director in maintaining full capacity enrollment to the greatest extent possible.
- F. Work with Scheduling Chairperson to keep him/her informed of the new members and withdrawals.
- G. Notify the Treasurer of the official date of starting and withdrawal of members in the school and changes in the number of days of attendance.
- H. Work with representatives to facilitate orientation of new families.
- I. Work with Scheduling Chairperson to keep him/her informed of the new members and withdrawals.
- J. Keep all records of children and parents.
- K. Serve on Scholarship Committee.
- L. Maintain the Earthquake Emergency Supply verification and replenishment.

SECTION 3

2nd Vice-President:

- A. Assist the President at all times.
- B. Maintain files and Communication folders in coordination with the 1st Vice President.
- C. Maintain Safety and Health compliance and information.
- D. Keep all records of children and parents.
- E. Serve on Scholarship Committee.
- F. Serve as Administrator of Bug School.
- G. Organize and Maintain Bulletin Boards.

SECTION 4

Secretary:

- A. Keep, distribute, post, and file the minutes of all membership and Board of Directors meetings.

- B. Be responsible for the posting of proposed amendments to the by-laws.
- C. Be responsible for posting meeting notices and agendas.
- D. Keep the official annotated copy of the by-laws, including all changes and the dates they became effective.

SECTION 5

Treasurer:

- A. Supervise the collection of all tuition and moneys.
- B. Maintain all accounts (i.e., receivable and payable).
- C. Issue all checks for supplies, payroll, services, etc.
- D. Work closely with the Bookkeeper in all financial matters
- E. Notify the Bookkeeper of the official date of starting and withdrawal of members in the school and changes in the number of days of attendance, and give Bookkeeper copies of updated school rosters.
- F. Serve on Scholarship Committee.
- G. Oversee the finances of the Food Program Administrator.

SECTION 6

Representative:

- A. Act as liaison between the membership and the Board of Directors.
- B. Assist the Vice-President with new members.
- C. Post sign-up sheets for substitute workers for members on maternity, emergency, medical and bereavement leaves.
- D. Assist in the orientation of families who enter the program after September.

ARTICLE V ELECTIONS

SECTION 1

Voting Eligibility: Any active member is eligible to vote at elections. However, if both parents from the same family are present, only one vote will be counted per family.

SECTION 2

Nominations: Any current active member in good standing may nominate candidates for any election of the Board of Directors.

SECTION 3

Election Procedures: The election for the members of the Board of Directors will be held during the Communication/Information Meeting in May. Nominations shall be accepted from the floor at the election meeting. For any office for which more than one person is nominated, voting shall be by ballot, and the votes shall be counted by a committee consisting of any member of the Board of Directors who is not running for an elective office in the election. If all current members of the Board of Directors are running for an elected office, the Board may appoint a current school employee to count the votes. If there are vacant AM and PM representative positions at the

beginning of the regular school year, the Board shall hold an election to fill these positions at the September Communication/Information Meeting.

If there is a need for an immediate vote from the membership, an online or paper vote may be conducted by the board:

Paper Vote (added 2/6/01): The votes shall be returned to the president within four (4) days and be counted by the board. A double envelope system will be used to protect the confidentiality of the vote. (Double envelope system: each family will seal their anonymous vote within an unmarked envelope, which will then be sealed within a second envelope on which is written the family's name. The envelope will then be given to the president who will record that a vote has been submitted from that family before removing the outer envelope and placing the envelope with the others to be counted by the board.)

Online Vote (added 3/20/10): A vote will be set up on the Yahoo Group at <http://groups.yahoo.com/group/pacificaccop> by the board and will remain open for one week. The vote results will then be distributed to the membership and printed to become part of the official record.

ARTICLE VI **MEETINGS**

SECTION 1

Communication/Information Meetings: A meeting of the membership shall be held four times during the school year at the time fixed by the Board of Directors. Written notice of regular meetings shall be posted on the bulletin board one week prior to the meeting.

ARTICLE VII **STAFF**

SECTION 1

Selection: In case of a vacancy in credentialed staff, the President shall appoint a personnel committee to interview candidates and recommend their choice to the Board of Directors. The Board of Directors shall hire such auxiliary persons as listed in the Rules and Procedures and decide upon their pay.

SECTION 2

Duties: In addition to their teaching duties, the Director/Teachers in each session shall serve as consultants to the Board of Directors, cooperate closely with the Vice-President, serve on the Scholarship Committee, and be responsible for overall liaison between the staff and the membership. They shall counsel members individually as required. In addition, the Director/Teachers shall assume final responsibility for overall coordination of the program, for working closely with the President in carrying out all policies of the nursery school and community groups.

SECTION 3

Evaluation: Teacher evaluation forms are filled out by the membership at the May Communication/Information Meeting and reviewed by the Board of Directors in May Hiring: The Board will review the staff at this time and decide whether to rehire the Director/Teachers and Assistant Director/Teachers

SECTION 4

Pay: The Board of Directors shall set the rate of pay for any employee the school hires and shall assume the responsibility for deducting and paying any necessary payroll taxes and insurance, including Workman's Compensation Insurance for the staff when engaged in nursery school business.

SECTION 5

Meeting Attendance: The Director is urged to attend all Board of Directors meetings, unless the President has declared the meeting closed. The Director/Teachers may request a meeting with the Board of Directors with two days notice to the President.

ARTICLE VIII AMENDMENTS

These by-laws may be amended by a two-thirds vote of the members present at a regular meeting of the membership, provided the proposed changes are posted on the bulletin board, together with notice of the meeting, at least two (2) weeks in advance of the meeting at which the vote will be taken.

ARTICLE IX. APPLICABLE RULES

The rules contained in Roberts' Rules of Order, revised, shall govern the organization in all cases to which they are applicable and in which they are not inconsistent with the by-laws or the special rules of the organization.