



A cooperative school bringing the heart of home to school since 1947
YORKTOWN COMMUNITY NURSERY SCHOOL
P.O. Box 1146, 247 Veterans Road, Yorktown Heights, NY 10598
Phone: (914) 962-7868 Fax: (914) 962-1349
www.ycns.org

BY-LAWS

Article I

Name

Section 1 - Name: The name of this organization is the Yorktown Community Nursery School (herein referred to as "YCNS").

Article II

Purpose of Incorporation

Section 1- Purpose: The purposes for which this organization has been incorporated are as follows: to provide a program for the physical, social and emotional development of the preschool child under supervision and guidance; to aid parents in developing a better understanding of children's behavior through their actual participation in the operation of a cooperative nursery school.

Article III

Organization

Section 1 - Governing Body: The governing body of YCNS shall be the Board of Trustees (herein referred to as the "Board") which shall consist of twelve (12) Trustees. The Board will elect from among its members a President, Vice-President, Secretary and two (2) Co-Treasurers who together shall constitute the Executive Committee.

Section 2 - Election of Trustees: Election of the Trustees shall be held at a regular meeting of the Board no later than May, with the newly-elected trustees to attend meetings thereafter, but to assume office at the regular June meeting of the same calendar year. Seven (7) Trustees shall be elected to the Board each year for a term of two (2) years so that the total number of Trustees shall remain twelve (12). The term of each Trustee shall be two (2) years, unless otherwise arranged or until his/her successor has been duly elected and qualified. A Trustee whose term of office expires shall be eligible for reelection as a Trustee for a total period not to exceed four (4) consecutive years, after which time at least one (1) year shall elapse before he or she may be eligible for reelection. A slate of nominees for new Trustees shall be prepared in advance by the Nominating Committee to be made public two (2) weeks prior to the scheduled meeting. Additional nominations may be made from the floor. Election shall be by a

majority vote of those Trustees present at the meeting. The Trustees elected shall be parents of children currently enrolled in the school.

Section 3 - Election of Officers: Election of Officers shall take place at the June meeting of the Board. The Nominating Committee as defined below shall prepare the slate of Officers to be made public two (2) weeks prior to the scheduled meeting. Additional nominations may be made from the floor. Election shall be by a majority vote of those Trustees present at the meeting. The newly elected Officers shall take office immediately upon election, shall together constitute the Executive Committee of the Board and serve two (2) year terms, or until their successors are elected. The newly elected Officers shall meet with their respective predecessors as soon thereafter as practical.

Section 4 – Vacancies: The Board at any regular or special meeting shall fill any vacancy by the election of a substitute Trustee or Officer for the remainder of the unexpired term. If any Trustee fails to attend three (3) consecutive meetings without excuse acceptable to the Board, he/she shall be deemed to have resigned. Any vacancy which remains for more than one (1) year or any vacancy which reduces the total number to less than ten (10) may be filled by the Board of Regents of the State of New York (herein referred to as the “Regents”).

Section 5 – Removal: Any Trustee may be removed from the Board without assigning cause, by a vote of the Board at any duly called meeting. Any Trustee may be removed by the Regents for misconduct or incapacity or where it appears to the Regents that the organization has failed to carry into effect its purposes. A hearing for the removal of any such Trustee shall be had before the Regents and the Trustee shall be given at least ten (10) days notice of such hearing. In the event of removal, the Regents may appoint a successor Trustee.

Article IV Meetings

Section 1 – Meeting Place: The meetings of the Board shall for all purposes, except as otherwise provided in the notice of the meeting, be at YCNS, 247 Veterans Road, Yorktown Heights, New York.

Section 2 – Regular Meeting: There shall be a scheduled regular meeting of the Board each month during their term of office unless waived by the Board.

Section 3 – Annual Meeting: The Annual Meeting of the Board shall be held in June of each year, at which time new Trustees shall take office. The Board shall also receive annual reports, from committee chairpersons and conduct such business as may

properly come before it.

Section 5 – Special Meetings: Special Meetings of the Board shall be called by the Secretary upon request of the President, or upon written request of four (4) Trustees, and shall be held at such time and place as specified in such request. Notice of such meetings shall be served on each Trustee personally or by mail at the last known address of such Trustee not less than five (5) or more than ten (10) days before such meeting. Such notice shall state the purpose for which the meeting is being held. No notice of time, place or purpose of any meeting need be given to any Trustee who waives in writing such notice.

Section 6 – Quorum: A majority of the whole number of Trustees in office shall constitute a quorum at any regular or special meeting of the Board.

Article V

Powers and Duties

Section 1 – Powers of the Board: The Board shall have the power to:

- A. Carry on the purposes and business of YCNS and make such rules and regulations consistent with its charter, these By-Laws or with the purposes thereof,
- B. Elect a President, Vice-President, Secretary, and two (2) Co-Treasurers, which shall constitute the Executive Committee,
- C. Elect successor Trustees or fill any vacancy in the office of any Trustee which becomes vacant due to any cause,
- D. Take and hold by gift or otherwise use and dispose of its property either real or personal,
- E. Buy, sell, mortgage, let and otherwise sue and dispose of its property as they shall deem for the best interest of YCNS,
- F. Where deemed necessary by vote of the Executive Committee, to provide for a yearly audit of the books of YCNS.

Section 2 – Powers of the Executive Committee: The Executive Committee shall, in the interval between meetings of Trustees, organize and transact the regular business together with such other business of YCNS as the Trustees may authorize. The Executive Committee shall evaluate the Director of the school.

Section 3 - Duties of the Officers: The duties of the Officers shall be such as are implied from their respective titles and such as are delegated to the respective Officers by the Board.

A. **The President** shall preside at all meetings of the Board and of the Executive Committee; shall consult with all other Officers and the Director as to the agenda for all meetings; shall appoint all Committee Chairpersons with the advice of the Director; in conjunction with the Executive Committee, review and amend, where appropriate, employee compensation schedules; when necessary and after consultation with the Co-Treasurers, negotiate individual employee salaries.

B. **The Vice-President** shall take the place of the President whenever necessary and shall prepare and post the agenda for all meetings of the Board; shall have the responsibility to oversee the Summer Building Rental; shall have the responsibility of annual oil negotiations (amended Sept. 2008); shall be responsible in conjunction with the Director and Legal Committee, for securing adequate insurance coverage in amounts, terms and from companies satisfactory to the Board (amended Feb. 2010).

C. **The Secretary** shall keep an accurate record of all meetings, including the attendance of the Trustees and such records shall be maintained at the office of YCNS and on the website and shall be open to parents and staff; shall be responsible for recording policy and procedures statements and maintenance of a policy and procedures file. The Secretary shall carry on all correspondence incidents to carry out the business of the Board and the Executive Committee and shall keep a complete and accurate file thereof.

E. **The Co-Treasurers** in conjunction with the Fundraising Chair where applicable shall have custody of all moneys and securities of YCNS and shall collect all the moneys paid as tuition or received as gifts, donations or otherwise; shall render bills and give receipts thereof; shall make all duly authorized disbursements; shall keep the funds of YCNS in a bank approved by the Board; shall contract with an accountant to properly file all state and federal tax filings. The Co-Treasurers, in conjunction with the President, shall present income and cash flow statements and shall prepare the proposed budget for the fiscal year extending July 1st through June 30th. The Co-Treasurers, in conjunction with the President shall review and amend where appropriate the employee compensation schedules.

ArticleVI Committees

Section 1 – Standing Committees: The following permanent standing committees shall be filled when possible:

- A. **The Admissions Committee** shall be responsible for helping the Director with the process of enrollment by making application packets, distributing in –school applications and hosting the Open House, the New Family Open House and Community Day. Committee members may be asked to periodically help give tours of the school to alumni parents.
- B. **The Building and Grounds Committee** shall be responsible for the general needs and maintenance of the building, equipment and grounds.
- C. **The Workday Committee** shall consist of a coordinator who is responsible for: working with Building and Grounds chairperson and Director to plan what tasks will be done on the fall and spring Workdays; posting sign-up lists for Workday and alternative service on the bulletin board about a month prior to Workday; making certain that all necessary tools and supplies are on hand for Workdays; planning how parents will be organized to work together to accomplish the tasks; supervising parent volunteers on Workdays ensuring parent attendance or collecting the predetermined fee from families who choose to pay instead of doing a job.
- D. **The Education Committee** shall be responsible for supporting the educational purposes of YCNS; planning and publicizing parent forums; securing and distributing educational materials for parental use; helping the Director on request to screen job applicants. The Committee Chairperson will evaluate the Director as a teacher and conduct a parent survey for Board Review in conjunction with the Director.
- E. **The Legal Committee** shall consist of qualified parents or alumni and shall handle the legal matters of YCNS as well as give advice to the Board, the Director and the Executive Committee. The Legal Committee shall also be responsible for reviewing Policy and Procedures.
- F. **The Publicity Committee** shall be responsible for preparing and distributing press releases and other publicity materials and handling public relations between YCNS and the community.
- G. **The Fundraising Committee** shall be responsible for planning and organizing fundraising activities for general and special purposes of YCNS. The methods of fundraising shall be subject to Board approval. The Fundraising Chair shall be responsible for the management of the fundraising account including all payments and deposits.

H. **The Building Rental Committee** shall be responsible for scheduling, receiving payment, advertising for the rental of school facilities to the general public.

I. **The Events Committee** shall be responsible for organizing, hosting and managing, school wide events that occur throughout the year.

J. **The Finance Committee** shall be a member of the Board and assist in the day to day financial operations of the school. The member shall be appointed by the President with the approval of the Board and shall report to the Co-Treasurers.

K. **The Nominating Committee** shall consist of three (3) Trustees and one (1) or more members of the parent body at large. The President shall appoint members when reasonable need arises.

L. **The Grant Writing Committee** shall consist of a member who is responsible for finding out about possible grants for which YCNS may be eligible, writing and submitting the applications.

M. **The President shall appoint Special Committees** when reasonable need arises.

Section 2 – Committee Chairpersons and Members: Committee Chairpersons shall submit a monthly report at each regular meeting when requested. No activities shall be carried on by a Committee inconsistent with these By-Laws except where approved by the Board. The term of office shall be one (1) year.

Article VII

Employees

Section 1 – Employee Duties and Qualification: The Board shall promulgate policies regarding the duties and qualifications of all employee positions. Said policies shall be embodied in written job descriptions for each type of position.

Section 2 – Employment: The Board shall contract a Director and as many teachers, teacher assistants and teacher aides as class number requires to adequately operate the school. Screening of applications for the Director position shall be performed by a special committee, one (1) member of which shall be the Director. Compensation for all positions shall be negotiated by the President, after consultation with Co-Treasurers and Executive Committee.

Section 3 – Evaluations: Evaluation of all employees' job performances (other than

Director) shall be the responsibility of the Director who shall submit reports and recommendations as to continuing employment as the Executive Committee may require. The Chairperson of the Education Committee will evaluate the Director as a teacher and the Executive Board shall evaluate the Director as an administrator.

Article VIII

Admissions, Tuition and Scholarships

Section 1 – Admissions: Admission qualifications shall be: willingness of parents to cooperate in the running and maintaining of the school and to attend parent meetings where necessary; readiness of the child for participation in the program applied for.

Section 2 – Class Size: The Senior class will be limited to sixteen (16) children; the Junior class will be limited to sixteen (16) children; the Toddler class will be limited to twelve (12) children; the 3-4 Mixed Age class will be limited to eighteen (16) children.

Section 3 – Tuition: Scholarships: The Jack DeVito Foundation Scholarship for YCNS will provide tuition assistance to YCNS families in times of need, with the fund being renewed each year by the Foundation. Families will apply confidentially to the Director and a Scholarship Administrator appointed by the Board of Directors.

Article IX

Nondiscriminatory Policy

Section 1- Students: YCNS has an adopted policy of admitting students of any race, color, national and ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national or ethnic origin in administration of its educational policies, admission policies, scholarship and loan programs and athletic and other school-administered programs.

Section 2-Employees: It is the policy of YCNS to provide equal employment opportunities without regard to actual or perceived race, color, religion, creed, ethnicity, national origin, alienage, citizenship status, age, marital status, partnership status, disability, sexual orientation, gender (sex), military status, unemployment status, caregiver status, consumer credit history, prior record of arrest or conviction (except as permitted by law), predisposing genetic characteristics, or status as a victim of domestic violence, sexual offenses and stalking, and to maintain an environment free of harassment on any of the above-noted grounds, including sexual harassment or retaliation.

Article X

Board Policies

Section 1 – Promulgation: Policies of the school Board that will effect the ongoing operation of the school or policies required by these By-Laws shall be voted on and adopted by a vote of the Board at any duly called meeting.

Section 2 – Recording Policies: All such policies shall be reviewed by the Legal Committee after adoption by the Board. The Board shall approve the final writing of any policy and it shall be entered into a policy file to be established and maintained at the office of the school and subject to open review.