



## **Billerica Public Schools**

### **Special Education Parent Advisory Council Bylaws**

The Billerica (Special Education) Parent Advisory Council submitting these Articles of Organization of the undersigned, desiring to form a non-profit charitable, educational organization, do hereby certify:

#### **Article I: Name of Organization**

The name of this self-governed organization shall be the Billerica (Special Education) Parent Advisory Council, also known as the Billerica SPED PAC or sometimes just referred to as the PAC.

#### **Article II: Objectives**

The objective of the Billerica (Special Education) Parent Advisory Council is to advance the education for, work for understanding of, respect and support of all children with special needs in the community. Said Organization is organized exclusively for charitable and educational purposes. This includes making distributions to other organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. To that end, they will work to:

- A. Develop between educators and the general public such united efforts as will secure for every child the highest advantages in education. Every effort will be made by all concerned to ensure that each child is treated fairly and impartially.
- B. Establish better understanding and communication between parents/guardians and school officials.
- C. Educate special needs parent/guardians to special education laws and the aims of this organization.
- D. Establish communication lines between parents/guardians with similar needs.
- E. To review the programs and the budget of the Billerica Special Education Department and to make recommendations to the Education Administration and School Committee based on needs assessment and program monitoring.
- F. Become more informed about special needs programs.
- G. Serve as a resource to other citizens of Billerica who are concerned about special education.
- H. Support special education in Billerica through various volunteer programs.

#### **Article III: Terms of Membership**

##### **Section I: General Membership**

General membership shall be open to any resident of Billerica; any person employed in said town, any person providing a service to children, or any interested individual.



## Section II: Voting

- A. Voting will be restricted to Billerica residents who are parents/guardians and/or siblings of "special needs" children.
- B. Robert's rules of order are the default procedures for this organization.
- C. A group vote shall be considered valid only if it consists of simple majority of attending members at any meeting, general or parent to parent. Electronic voting (e.g., email, yahoo poll, etc.) shall not be considered valid. Computer voting would not be valid. If a member of the PAC was unable to attend the meeting or had to leave early before the voting, the member could give proxy to another member for voting.
- D. On the PAC Annual 3<sup>rd</sup> Thursday meeting it will be discussed at the end of meeting and voted upon to decide if a parent-to-parent meeting needs to take place on the following 1<sup>st</sup> Thursday of the next month (to finish conducted business or for parents to come with their concerns to be discussed).
- E. At any meeting, a motion can be made and must be seconded to move for a vote of no confidence. If said motion occurs, a vote shall be conducted at the next general meeting, where a 2/3 majority will be required to relieve said officer of their respective duties. When the situation should arise, the said person of no confidence would receive a registered letter from the PAC to invite them to the next meeting for an open discussion. If said person decides not to attend, the meeting would still be conducted.

## Section III: Staff Administrator

Staff administrator shall be the current administrator of special education. He/she shall act as a resource consultant and advisor to the organization. The staff administrator is a non-voting member. The staff administrator shall perform the following functions:

- A. Represent the needs concerns and activities of the organization to the school administrators and staff.
- B. Provide the membership with documented information regarding changes in regulations, new policies, and program changes and mandate reports.
- C. Provide technical assistance on all aspects of public laws, both state and federal, that impact on special education.
- D. Attend all regularly scheduled meetings; arrange for a representative upon parent request when unable to attend.
- E. Provide administrative support services.

## Article IV: Governing Board

**Section I:** The government of this organization shall be vested in the Executive Board members who are elected by the voting membership and hold office for a one-year term. There is no limit to the number of years an Executive Board member may hold a particular position, but they must submit to a vote by the PAC membership at the Annual meeting if there are other interested candidates for the position. Refer to Article VI, Election Procedures. If an Executive Board member is unable to finish out his/her term, an Ad-Hoc election will take place.

**Section II:** The Executive Board shall consist of the Organizations elected officers, and the committee chairperson of the then existing sub-committees.



**Section III:** The Executive Board shall meet monthly during the school year.

**Section IV:** Quorum at any Executive Board meeting. Four (4) executive board members (out of seven) shall constitute a quorum for the transaction of business.

## **Article V: Officers**

**Section I:** The officers of this organization shall be Chairperson, Vice-Chairperson, Secretary/Clerk, Treasurer, Public Relations, Web Volunteer and Contact Person.

### **Section II: Duties of Officers**

The duties and powers of the officers shall be as follows:

#### **Chairperson:**

- a. Shall call and preside at all meetings of the Organization and the Executive Board meeting.
- b. Prepare an agenda for each meeting of the organization
- c. Execute and supervise the performance of all contracts and agreements funded by the organization, which are necessary to the efficient management of its affairs.
- d. Shall assume the duties of the treasurer in his/her absence under the direction of the executive board.
- e. Act as a liaison with the Director of Special Education or delegate a liaison.

#### **Vice-Chairperson:**

- A. Preside at general meetings in the absence of or request of the Chairperson.
- B. During the absence of the Chairperson, the Vice-Chairperson shall act in his/her stead.

#### **Treasurer:**

- A. Have the custody of and be responsible for all funds of the Organization.
- B. Manage accounts and accounting for funds collected or donated.
- C. Manage accounts and accounting for all expenses.
- D. Coordinate efforts to apply for grants, donations or reimbursements.
- E. Any expenditure of over fifty dollars (\$50.00) must be voted on by the Executive Board.
- F. Render a quarterly statement of the finances of the Organization at both the Executive Board meetings and the Organization meetings.
- G. Report officially to Mass DOR, IRS, or others regarding financial matters.
- H. Adhere to IRS guidelines for acknowledging donations.
- I. Maintain all financial information and files.
- J. Be a member in the Fund Raising Committee
- K. Prepare and submit a tentative budget to be presented to the general membership at the Annual meeting.



## **Secretary/Clerk:**

- A. Recording and reporting as a matter of public record the minutes of the organizations general meetings. Alternatively meetings may be video or audio taped.
- B. Be custodian of the organizations records including a current membership list.
- C. Generally perform all duties usually incident to the office of secretary/clerk.

## **Executive Board:**

Shall assume the duties of Chairperson, Vice-Chairperson, Secretary/Clerk, Treasurer, Public Relations, Contact Person and Web Volunteer. The chain of authority (as follows) should be considered if one of the executive board members is unable to attend a PAC meeting: Chairperson, Vice-Chairperson, Treasurer, Secretary/Clerk, Public Relations, Contact Person and Web Volunteer.

## **Committees:**

Shall be established as deemed necessary by the then existing Executive Board. The sub-committees chair or coordinator shall be a willing nominee.

## **Article VI: Election Procedures**

**Section I:** The election of officers shall take place at the Annual meeting of the organization. Written ballots will be issued for any office having more than one nominee.

**Section II:** The officers are elected by a simple majority of those voting members present at the Annual meeting.

**Section III:** The school district, MASSPAC, the DOE, MASS DOR, and IRS will be informed of the annual elections including names, addresses and phone numbers of new board members in June of each year.

**Section IV:** If an executive board member decides to leave during his/her position mid term there would be an Ad-Hoc election.

## **Article VII: Meetings**

**Section I:** Regular meetings there shall be meetings of the organization throughout the school year. The number of meetings will be determined by the executive board.

**Section II:** Special meetings may be called at any time at the discretion of the Chairperson or Executive Board (e.g., at the Annual PAC meeting, 3<sup>rd</sup> Thursday of the month, it will be discussed and voted on to decide if a Parent to Parent meeting needs to take place the following 1<sup>st</sup> Thursday of the next month).

**Section III:** Members are encouraged to attend any committee meetings of the organization.

**Section IV:** The May meeting shall be designated as the Annual meeting.



## **Article VIII: Receipts and Expenditures (Fundraising)**

The Organization is authorized by its bylaws to engage in fundraising activities to support the organization objective. No part of the net contributions of the organization shall inure to the benefit of, or be distributed to its members officers, or any other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III. No substantial part of the activities of the organization shall include the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

## **Article IX: Amendments**

These bylaws may be amended by a two-third vote of the membership present and voting at the Annual or special meeting, provided that written notice has been given prior to said meeting.

## **Article X: Dissolution**

Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501 (c) (3) of the Internal revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not disposed of shall be disposed of by the court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.



**Article XI: Adoption Clause**

Bylaws – Signed in accordance with the agreement of the Executive Board Committee.

Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_

Vice-Chairperson: \_\_\_\_\_ Date: \_\_\_\_\_

Treasure: \_\_\_\_\_ Date: \_\_\_\_\_

Secretary/Clerk: \_\_\_\_\_ Date: \_\_\_\_\_

Public Relations: \_\_\_\_\_ Date: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Date: \_\_\_\_\_

Web Volunteer: \_\_\_\_\_ Date: \_\_\_\_\_