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# **Constitution and Bylaws of the Soquel Parents Education Nursery School**

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**(Soquel PENS)**

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## **Article I      Name and Purpose**

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Section 1      The name of this non-profit organization is Parent Education Nursery, commonly referred to as Soquel PENS.

Section 2      The purpose of this non-profit organization is to promote and operate a non-sectarian, non-racial and non-profit parent co-operative pre-school and to conduct adult education classes under the direction of the Santa Cruz City School District Adult Education Program

Section 3      Standards of the school are subject to the rules of the Bureau of Adult Education, a division of the State Department of Education.

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## **Article II      Membership**

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Section 1      **Statement.**

Membership in the non-profit organization shall be granted to the parents or guardian of a child accepted for enrollment, without regard as to race, color or creed.

Section 2      **Property Rights.**

Membership in the non-profit organization shall not confer upon the members or any member any right to or an interest in the property or assets of the corporation. Upon dissolution of the corporation all of its property and assets shall be transferred as determined by the Nursery School Board only to an educational, charitable, benevolent, or fraternal organization or to the City of Santa Cruz, or the State of California.

Section 3      **Numbers and Qualifications.**

Family membership shall be granted on the basis of residence within Santa Cruz county boundaries. Families residing in other counties may be

granted membership if there are no county applicants on the waiting list  
The number of families with two children enrolled in one of the four  
programs: M-W-F AM or PM or T-TH AM or PM; shall be limited to  
three families in each program. The number of families with two children  
enrolled in each program will not be limited.

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### **Section 3      Numbers and Qualifications Continued**

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Members with two children enrolled in a program will pay twice the  
Adult Education fees and work twice as other members tuition.  
Attendance and financial requirements as set by the Board shall be met.  
Membership in the Nursery School shall be granted to parents, or  
guardians of a child accepted for enrollment, upon the completion of  
admission requirements.

Children who are physically or emotionally disturbed shall be accepted if  
it is determined by the teachers and the Board that:

- (1) There will be no adverse effect upon the other children, either  
through the direct behavior of the child or through requiring staff time which  
the other children need, and
- (2) The Nursery School Soquel PENS is able to meet the special needs  
of the child. This special situation shall be reviewed at monthly intervals  
as needed. If conditions should become unacceptable, family membership  
may be terminated by the teachers and the Board. However, if the  
teachers and/or the Board feel that the needs of the child cannot be met  
by the school, membership may be terminated.

### **Section 4      Rights and Privileges.**

Each member family shall have the right to petition the Nursery School  
Board on any matter he/she wishes, shall have the right to consult with the  
teachers, shall have the right to one vote per family, shall have the right to have  
either father, mother, guardian or sponsor hold office, and shall have the right to  
have the child attend Soquel PENS.

### **Section 5      Responsibilities.**

All members shall actively participate in the affairs and operation of the  
school, in accordance with established school *Policies and Procedures*. It is  
the responsibility of each member to bring to the attention of the Board any  
extenuating circumstances which make adhering to the *Policies and Procedures*

difficult.

Section 6      **Tuition.**

Tuition is due the first (1<sup>st</sup>) of the month in the amount set by the membership. A fee to be set by the Board will be charged if not paid by the twentieth (20<sup>th</sup>) and a reminder will be sent. A termination letter will be sent on the twenty-fifth (25<sup>th</sup>) day of the month stating that the member will pay the tuition or family membership will be terminated. A charge to be set by the Board will be made on all returned tuition checks.

Section 7      **Termination of Membership** (voluntary).

Two weeks written notice shall be given to the Membership Chairperson and the teacher by a member who is withdrawing from the school. Such withdrawal notice will not relieve the member of his/her obligation to pay dues and participate up to the day of withdrawal. All monies owed the school must accompany the notice of withdrawal.

Section 8      **Termination of Membership** (involuntary).

The Nursery School Board will terminate a family membership for failure to meet any of the requirements set forth in these Bylaws or in the *Policies and Procedures*.

Section 9      **Sick and Maternity Leave.**

Leave of not less than two (2) weeks nor more than six (6) weeks may be granted upon written notice to the Program when accompanied by a doctor's note. The Program Representative upon being notified by the sick or pregnant member of a needed leave, must notify the President, Treasurer, Membership Chairpersons, and teacher. Any exceptions must be granted by the Nursery School Board. Notice shall be given two (2) weeks in advance when possible. Children of the parents on sick or maternity leave are entitled to attend Nursery School and the members must pay full tuition. Members on sick or maternity leave are not required to participate in any Nursery School meetings or functions, but are required to make temporary arrangement for any position they hold. No more than three (3) members may be on sick or maternity leave at any one time except with special permission of the Nursery School Board.

Section 10     **Personal Leave.**

A personal leave from Nursery School Board duties and Nursery School

support job may be granted by the Board for no more than one (1) month for personal reasons that need not be given. A temporary replacement must be found by the member taking the leave with the approval of the Board. The child may continue to attend Nursery School if the tuition is paid.

Section 11 **Leave of Absence.**

Leave of absence of not less than two (2) weeks, not more than two (2) months may be granted by the Board. Request for the proposed leave must be given to the Board two (2) weeks in advance of the proposed leave of absence. Dues shall be one-half of the regular monthly fee, payable during the leave of absence. Members of the leave of absence are not entitled to attend school during leave. Members on leave of absence are not required to participate in any Nursery School meetings, or functions.

Section 12 **Scholarships.**

Four-day cleaning scholarships will be reviewed and granted twice a year by the Executive Board, as available. A cleaning schedule will be compiled by the President in September and again in January. Housekeeping can be done from Friday night until Midnight on Sunday. If school housekeeping commitments are not met on time, full tuition will be charged for the month. Members on work scholarships should trade weekend commitments if unable to work. \*Additional scholarships may be established by the Board as needed and as finances allow, based on the recommendation of the Treasurer.

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**Article III Participation of Members**

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Section 1 **Time and Place.**

The number, time and place of meetings shall be determined by the membership, with the consent of the Santa Cruz Adult Education Department.

Section 2 **Regular Meetings.**

There will be one General Business meeting per month. Small Group Meetings will be once a month and the membership will be divided into the small groups according to the teacher they have. Speakers meetings will vary. A maximum of two (2) meeting per month will be required of the general membership and a maximum of three (3) meeting per month will be required of

Board members unless an extra emergency Board meeting must be scheduled.

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**Article III Participation of Members (Continued)**

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**Section 3 Attendance.**

Members must attend all regularly scheduled meetings and any special membership meetings called by the President and three members of the Board, or requested by a majority of the general membership in an emergency situation. The Santa Cruz Adult Education Department and the Board considers these meetings classroom hours and will allow one (1) excused absence per family per quarter. If an additional meeting per quarter is missed, it must be made up by an extra workday or special project by arrangement with the teacher. The meeting make up must be completed by the next General meeting. If the required time is not made up, the member will be called to appear before the Board. The Board will assign the member to work double the amount owed. If the time has not been worked by the next Board meeting, membership may be terminated.

**Section 4 Special Membership Meetings.**

Special membership meetings may be called by the President and three members of the nursery School Board, or by written request of a majority of the general membership. Notice of special meetings will be by telephone, newsletter, or by posting on the school bulletin board at least five (5) days prior to the meeting.

**Section 5 Workdays.**

One workday per week is required per family membership in the M-W-F and T-TH AM programs. One workday per week is required per family membership in the M-W-F and T-TH PM programs. One workday per family membership in the PM program is also required for each additional three days of attendance. One day per week shall be a regularly scheduled workday. Additional workdays for those with a child attending more than three days per week shall be scheduled on a rotating or "floating" basis. All workdays shall be worked within the concurrent month of attendance, with any remaining attendance days carried forward and worked in the following month. If you cannot work your regularly scheduled workday, you must trade with another member or pay a substitute to work in your place. Those parents with two children in the school shall work time-and-a-half if the total child time exceeds six school days per week, or pay and additional. If the family has a child in both groups, the time shall be

equally divided between both groups.

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**Article III Participation of the Members (Continued)**

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**Section 6 Power of Membership.**

The membership shall have the power to recall any or all of the officers of the Nursery School Board by  $\frac{3}{4}$  majority vote of all the general membership. The membership shall have the power to approve and adopt policies governing the operation and affairs of the school, such policies to be recommended for adoption by the Nursery School Board and upon the membership of the school when approved and adopted by majority vote of the membership. The membership shall have the power to approve withdrawals from the savings account and expenditures in excess of \$250.00 and to authorize the transfer of funds from the savings to the checking account.

**Section 7 Quorum.**

A quorum shall consist of one person more than one-half of the active membership; unless otherwise specified herein, all business shall be transacted by majority vote of those present.

**Section 8 Points of Order.**

Except as otherwise provided in these Bylaws, all questions of order shall be decided in accordance with *Robert's Rules of Order*.

**Section 9 Evaluations.**

An evaluation of the Nursery School programs will be given once a year. It will cover curriculum, schedule, the Board, parent performance, communication, and content of night meetings. It shall be distributed the last week of November and returned completed by the second week of December. The Program Representatives will be in charge of distribution and compiling completed evaluations, unless an Evaluation Person support job is assigned to a member. The Program Representative or Evaluation Person will compile the information from the evaluations and present them with the teacher at the following Small Group meeting. A separate yearly evaluation procedure of the teachers shall take place, as specified in the Nursery School personnel policy.

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## **Article IV The Nursery School Board**

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### **Section 1 Definition.**

The Nursery School Board (herein after called the Board) shall consist of the following officers: President, Vice-President, Secretary, Treasurer, Membership Coordinator, Fundraising Coordinator, Support Job Coordinator, Representatives (one from each group). The teachers shall attend board meetings as ex-officio members.

### **Section 2 Executive Board.**

The Executive Board shall consist of the President, Vice President, Secretary, Treasurer, and Membership Coordinator(s). The President may call a special meeting of the Executive Board to decide an urgent matter. An urgent matter shall be considered one in which the health or safety of the majority of the membership may be at stake. All decisions of the Executive Board will be made at such special meetings and will be final. Decisions of urgent matters will be made available to the general membership within 48 hours after the special meeting. Only one member of the Executive Board may be absent at a special meeting, otherwise the Executive Board's decision is not binding. The Executive Board will serve as the Scholarship Committee, reviewing and granting scholarships at the Board's recommendation and as the Budget allows.

### **Section 3 Nominations for the Office of the Board.**

A nominating committee shall be appointed by the Board in January. Its four members will come from each of the four programs (MWF AM and PM, T-TH AM and PM). Members of the committee shall not be Board members. It is the committee's responsibility to promote service on the Board and to seek out and encourage members to run. Nominations will be submitted to the committee anonymously in sealed envelopes by the March general meeting. The committee will include all names submitted when they print the ballot. If there are no candidates nominated for a position, it will be the committee's responsibility to recruit candidates from the membership. The ballot will be distributed no later than three weeks before the April general meeting and must be returned to the committee no later than one week before the April general meeting. The votes will be tabulated and the candidates with the highest number of votes will win. The committee will contact the candidates to inform them of their election to the Board position. If the newly elected officer declines to serve, the position will be given to the person with the next highest vote. The new Board will be presented at the April general

meeting.

Section 4      **Vacancies.**

Vacancies on the Board will be filled by appointment by the President to serve as acting officers until approved by special election at the first possible business meeting. Said appointment shall serve until the next year's Board takes over at the May meeting.

Section 5      **Tenure.**

The officers of the Board shall serve for a period of one year, commencing with their installation. The officers and officers-elect shall attend a joint Board meeting in May for the purpose of orientation. The officer-elect will be installed at the May business meeting, at the point in the agenda where new business begins, and shall assume full powers of office at that time. The Treasurer shall assume responsibilities at the completion of the year end financial statement when all business can be transferred over to the new year.

Section 6      **Powers.**

The Board shall have the power:

- (a) to determine the time and place of Board meetings
- (b) to fix the terms of employment and compensation of the teachers, except as provided by the Board of Education and to adopt personnel policies to be presented to the teachers for their use and guidance
- (c) to recommend projects to the membership
- (d) to call special meetings of the membership whenever they deem it necessary, with five (5) days notice;
- (e) to appoint a Nursery School attorney;
- (f) to appoint a qualified person to audit the Treasurer's books at the end of the year
- (g) to terminate family memberships
- (h) to grant all types of leaves
- (i) to consider petitions from the general membership for exceptions to these Bylaws
- (j) to conduct the normal business of the Nursery School
- (k) to select and activate special committees
- (l) to formulate *Policies and Procedures* and recommend these to the membership for adoption
- (m) to issue keys to persons having need of them for the business of their offices and positions and duties to the school.

Section 7      **Duties.**

It shall be the duty of the Board:

- (a) To conduct the normal business of the Nursery School
- (b) To prescribe the duties of the members
- (c) To ensure that the provisions of these Bylaws are followed
- (d) To ask for a membership approval at the May business meeting for the summer expenditures.
- (e) To carry out the *Policies and Procedures* adopted by the school.
- (f) To submit a budget to the general membership for approval for the ensuing year. The Budget Committee will consist of the Treasurer as Chairperson and at least six members of the membership. The Secretary will serve as the recorder of all committee meetings. The Treasurer will begin in January to recruit potential committee members and the Budget shall be submitted to the general membership no later than the May General Meeting.

Section 8      **Limits.**

The Board is limited in that:

- (a). All monies raised through fundraising projects will be deposited in the Nursery School savings account only
- (b) The Board will not make withdrawals from the savings account without the approval of the membership
- (c) The Board will not make expenditures for the merchandise costing over \$250.00 without the approval of the membership.

Section 9      **Meetings.**

The regular meetings of the Board shall be once each calendar month at a time and place set by the President upon seven (7) days notice, or as specified in the *Policies and Procedures* . The President may call special Board Meetings when necessary, with 24 hours notice.

Section 10      **Compensation.**

The officers of the Board shall serve as such without compensation for their services. with the exception of the President, Treasurer, and Membership Person, who will receive free tuition for 3 days. A support person will be provided for membership support at the discretion of the Membership person. Officers are encouraged to 'give back' any unused scholarship to the school, but unneeded portions may be used to fulfill fundraising and/or yard day commitments.

Section 11     **Eligibility of Family Members.**

A family may only serve one Board position in a given year, unless approved by the general membership.

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**Article V     Responsibilities of Board Members**

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Section 1     Board Members must know the school policies, program and people. As participants on the policy-making level, members must separate the other roles they play within the school, such as parent or teacher, and assume only the role of Board member, making decisions with the whole school in mind.

Section 2     Board members are responsible for attending meetings, participating by preparing for the meeting beforehand, sharing their thoughts with others, and joining in the discussion. Sometimes the best way to help is to set forth questions such as “What do we do about this item? What do we need to know? What are our options?”

Section 3     Other responsibilities of Board members are to listen attentively at meeting, confine Board business to Board meetings and not to small groups afterward, and to interpret to other members the policies the Board has set. Loyalty to the group requires that a decision be supported even by members who voted against it. Board members are responsible for attending the August Board meeting and Orientation of New Members, dates to be set by the President.

Section 4     **President**

It shall be the duty of the President to:

- A. Call and preside at all meetings of the Board and of the membership as a whole.
- B. Sign documents and countersign all checks and orders for payments.
- C. Have general supervision and control of the policies, procedures and operations of the school, subject to the approval of the Board.
- D. Keep the membership informed of the affairs and conditions of the nursery School
- E. Call emergency Board meetings.
- F. Establish committees and to appoint committee chairpersons with the consent of the Executive Board.
- G. Serve the following term in an advisory capacity to the Board with no vote

- H. Act as ex-officio member of committees
- I. Act as official representative of the school at conferences or meeting of other organization at which the Board deems it desirable that the school be represented
- J. Fill vacancies in offices with Board approval until an election can be held
- K. Be on scholarship committee with Vice President, Treasurer and Membership Chairperson to evaluate scholarship applications.

Section 5      **Vice President**

It shall be the duty of the Vice President to:

- A. Preside in the absence of the President and to assume the duties of the President during his or her absence
- B. Act as assistant to the President and to perform such duties as shall be by the President.
- C. Act as a “checks and balances” to the Treasurer on a monthly basis by double-checking her/his balancing of the school bank accounts against all bank statements.
- D. Act as ex-officio member of all committees.
- E. Act as Parent-Education Chairperson working with teachers in planning all educational meetings
- F. Inform the membership of outside activities parallel with the course of study.
- G. Inform the membership through the newsletter of all activities relating to educational matters.
- H. To countersign checks
- I. Succeed the President if the office becomes vacant.
- J. Fill in for Secretary in case of his or her absence.

Section 6      **Secretary**

It shall be the duty of the Secretary to :

- A. Take minutes of all membership and Board meetings, keep minutes of Budget committee meetings and Scholarship committee meetings, keeping a copy as a permanent record in the minute book, give a typed copy to the copy person to make 4 copies, one, to be distributed to the President, the remaining returned to the Secretary to be posted on the bulletin board and filed in the school’s permanent record.
- B. Prepare a list of all unfinished business for the President to assist

- him/her in preparing next month's agenda.
- C. Replace the Treasurer at meetings as needed.
  - D. Carry upon all general correspondence of the Nursery School and to keep accurate records thereof
  - E. Keep an accurate record of all alumni.
  - F. Have available for reference at all meetings, a copy of the handbook
  - G. Act in place of the Vice President whenever she/her is absent or unable to act.

Section 7      **Treasurer**

It shall be the duty of the Treasurer to:

- A. Become legally Bonded upon taking over the position of Treasurer.
- B. Keep proper books of account showing all of the business affairs and
- C. Receive all monies on any account payable to the non-profit organization, and to deposit sums in the name of the non-profit organization in such bank as may be designated by the Board.
- D. Sign all checks and orders for the payment of money in behalf of the non-profit organization except as otherwise authorized by resolution of the Board, all such checks and orders must be countersigned by the President or the Vice-President.
- E. Collect all fees due on the first of the month and send all delinquent tuition and attendance reminders and membership termination letters
- F. Prepare any necessary W-2 forms required by the government and give them to the secretary for mailing.
- G. Close the books and ready them for audit in June of each year.
- H. Be responsible for securing adequate property and liability insurance
- I. Act as Chair of the Budget Committee, recruiting at least six members of the Nursery School beginning in January. Budget shall be submitted to the membership for approval no later than the May General Meeting.
- J. Present to the Board all non-budgeted bills for payment approval.
- K. Present at each monthly Board meeting a complete statement of financial transactions of the non-profit organization for the preceding month, such statement to be read to the membership at the quarterly General Business meeting and posted at the Nursery School, and a copy to each member of the Board.

Section 8      **Membership Person**

There will be one Membership Person. A support person will be provided for membership support at the discretion of the Membership Person. It shall be the duty of the Membership Person to:

- A. Be the first contact for all potential members, informing them of school *Policies and Procedures* and providing information about school

admissions.

B. Keep files of members medical records and insurance policies and any other required forms.

C. Communicate to the Treasurer, Teacher, Program Representatives, Newsletter Person, Support Job Coordinator when changes in the membership occur.

D. Schedule parent work days and child watch days at school, the schedule for which must be turned in by the Board Meeting.

E. Keep active records of members and maintain a waiting list of prospective members in chronological order by date of applications received, except that preference shall be given to continuous family membership enrollment and priorities shall be in accordance with current *Policies and Procedures*; co-chair Open House.

F. Be responsible for maintaining maximum enrollment as stated in *Policies and Procedures*.

G. Be on the Scholarship committee with President, Vice President and Treasurer to evaluate scholarship applications.

#### Section 9      **Fundraising Chairperson**

It shall be the duty of the Fundraising Chairperson to:

A. Organize and plan all Nursery School fundraising projects with the help of the fundraising committee.

B. Keep a record of all fundraising by each member.

C. Obtain membership approval of the nature and number of projects by the second general meeting of the school year.

D. Oversee a SCRIP salesperson for each program who is a member of the board and/or on the fundraising committee.

E. Present monthly financial statement on SCRIP purchases and obtain a countersignature from the President or Vice President. When funds will be cabled out of the Fundraising account via computer, vocal notification must be made by the Fundraising Chairperson to the President or the Vice President.

F. This is a mandatory Board position.

G. Attendance at monthly Board meetings is required.

#### Section 10      **Support Job Coordinator**

It shall be the duty of the Support Job Coordinator to:

A. Assign all support jobs, creating and/or eliminating jobs as needs/enrollment demands

B. Keep in touch with new people.

C. Keep a master list posted at school.

D. Be the person to get in touch with when someone is having a problem with her/his support job or wishes to switch jobs.

- E. Keep a master file of each job responsibility
- F. Remind members of Support Job obligations and responsibilities during the school year.

Section 11     **Program Representative**

There will be four program representatives, one for each group (MWF AM and PM and T/TH AM and PM), each with the same duties and responsibilities. The T/TH AM representative may be elected in October since this program is predominantly new members. In the interim the MWF AM representative may act for the entire AM program.

It shall be the duties of the program representatives to:

- A. Call new members and remind them of Orientation.
- B. Distribute a copy of the Bylaws and Policies and Procedures with the new members packets at the beginning of the year.
- C. Prepare a calendar of parents workdays and child watch days at school.
- D. Call workers and child watchers who will be working the first week of
- D. Make name tags for children and parents.
- E. Prepare parent's packets and children's cubbies with the member's name.
- F. Act as orientation persons, providing new members with handbooks, and explaining Nursery School rules, obligations of membership activities and procedures, etc. and orienting any new members that join in the course of the year.
- G. Be familiar with the Policies and Procedures and be on call for all family members in her/his group for questions.
- H. Facilitate members in finding proper channels for voicing their concern.
- I. Prepare and distribute current membership lists with names, addresses and telephone numbers of members and staff
- J. Keep a list of substitutes and include in current roster requirements are met and notify all proper Board Members.

Article VI     **The Teachers**

Section 1     Subject to the rules and regulations of the Nursery School Board, the duties of the teachers of the Nursery School are to:

- A. Plan and Supervise the daily program of the Nursery School.
- B. Attend all General Membership meetings.
- C. Attend the Board meetings as an ex-officio member
- D. Keep a record of attendance of children, parents and members and visitors at the Nursery School.
- E. Act as consultant and advisor on all matters concerning the children at

school, to arrange a schedule for parent conferences and inform the membership.

F. To determine child group placement.

G. Work with the Vice President in the preparation of material for the Adult Education classes.

H. Be certified yearly in CPR on their own time, fees to be paid by the school.

## Section 2      **Responsibilities**

It shall be the responsibility of the teachers:

A. To be familiar with the personnel policies approved by the Board.

B. Attend the August Board meeting and Orientation of new members, date to be set by President.

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## **Article VII    Dues and Assessments**

Section 1      Tuition fees are to be fixed by the membership. All dues are payable on the first day of the month. See Bylaws Article II, Section 9 and *Policies and Procedures* for more details.

Section 2      A registration deposit to be fixed by the Adult Education Department shall be required of each family upon enrollment and will be non-refundable. This deposit will cover Adult Education fees for the last two (2) months of school, if the fundraising goal for the year has been met. There may be additional financial obligations in connections with fundraising activities; see *Policies and Procedures* in the Soquel Co-Op Nursery School Handbook.

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## **Article VIII   Permanent Committee**

Section 1      The Staffing Committee shall select and consider applicants for presentation to the Principal of the Santa Cruz City Adult Education Department for teacher positions and side positions in the Nursery School. The Staffing Committee shall be one of the teachers appointed by the Board, the President of the Board, and one other volunteer member of the Board, and one volunteer member from each group of the school. The President will appoint members from each of the two groups as necessary.

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## **Article IX     Powers Not Specifically Delegated**

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Section 1 Any powers not specifically delegated in these Bylaws to the teachers, to the Board, to the Officers of the Board, or to a committee established by the Board, shall be powers of the membership of the Nursery School.

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**Article X Amendment of Bylaws**

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Section 1 These Bylaws may be repealed or amended with new Bylaws adopted by presenting changes in writing thirty (30) days prior to any regular meeting by a majority of the membership.

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**Article XI Revision of Handbook**

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Section 1 A copy of the Bylaws and Policies and Procedures shall be distributed to each family at the beginning of their Nursery School membership. In addition, every school needs at least one meeting early in the school year, perhaps just prior to opening school. At this meeting, the parents should be acquainted with the philosophy and the history of the school, and given the handbooks and other printed materials they need.