

Pacific Union Conference
Early Childhood Education and Care
CONSTITUTION AND BY-LAWS INSTRUCTIONS

Early Childhood Education and Care Constitution

The constitution is the definition of the early childhood education and care (ECEC) program. The definition and explanation included in the model are the current definition and explanations as found in the Early Childhood Education and Care *Policy Manual* (PM). They are the official voted definition of ECEC programs within the Pacific Union. The Constitution for a specific ECEC program may add information to this definition, but constitution changes cannot supersede state regulatory guidelines nor adopted union policies as outlined in the PM.

Early Childhood Education and Care By-laws

The by-laws for a specific ECEC program may add information to these sections, but changes in the by-laws cannot supersede state regulatory guidelines nor adopted union policies as outlined in the PM.

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| Article 1 | Specify the legal name and physical address of the ECEC program. |
| Article 2 | Outline the purposes of the ECEC program. This section is answering the question as to why this program was started. What are the generic, or perhaps specific, goals for the ECEC program? |
| Article 3 | The local ECEC Board composition, election and term of office, membership qualification, authority, functions, meetings, officers and ad-hoc committee requirements are current adopted union policies as outlined in the PM. Changes to this section will require approval from the local conference office of education and ECEC liaison. |
| Article 4 | The duties of the local ECEC host site, whether church-based, school-based or a combination, are outlined in boiler plate form. Specific details regarding the agreement between the ECEC program and the host site will need to be added. All added details in this section will require approval from the local conference office of education and ECEC liaison. |
| Article 5 | The usual parliamentary rules as laid down in the current edition of Robert's Rules of Order shall govern all deliberations in constituency meetings and local ECEC program board meetings when not in conflict with these by-laws. Changes to this section will require approval from the local conference office of education and ECEC liaison. |
| Article 6 | The Indemnification Clause. Changes to this section will require approval from the local conference office of education and ECEC liaison. |
| Article 7 | Dissolution Clause requirements are current adopted union policies as outlined in the PM and refers back to this document. Changes to this section will require approval from the local conference office of education and ECEC liaison. |

MODEL CONSTITUTION FOR EARLY CHILDHOOD EDUCATION & CARE PROGRAMS

Definition of an ECEC Program

A Seventh-day Adventist ECEC program is a purposefully organized entity of a Seventh-day Adventist church or school, which provides for the education and care of young children, under the direction of trained personnel, and in accordance with PUCOE ECEC policies, procedures, guidelines and relevant governmental regulations. In addition, it may include programs for extended care for school-age children. Age groups serviced are determined by the local state licensing agency.

Pre-kindergarten classrooms are not covered by the *Pacific Union Conference Education Code*. They are instead overseen by governmental regulation agencies and the *Policy Manual*.

Per *Pacific Union Conference Education Code* A14-116 regarding Pre-kindergarten classrooms:

Early childhood education/pre-kindergarten are not covered by this *Education Code*. Pre-kindergarten are governed by state licensing codes and the union Early Childhood Education and Care Division. See also Section C15-104.

Transitional K classrooms are not covered by the *Policy Manual*. They are instead overseen by the *Pacific Union Conference Education Code*.

Per *Pacific Union Conference Education Code* A14-118 regarding Transitional K classrooms:

Each local conference shall develop a Transitional K policy in alignment with applicable state law.

Mission Statement

**MODEL BY-LAWS
FOR
EARLY CHILDHOOD EDUCATION & CARE PROGRAMS**

ARTICLE 1 – NAME and OFFICE

Section 1.1

The official name of this organization shall be _____

It is identified as _____ in the following articles.

The principle office of this early childhood program, for the transaction of business, is located at

Street address

City State Zip

ARTICLE 2 – PURPOSE

Section 2.1

The purposes of

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- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

ARTICLE 3 –LOCAL ECEC PROGRAM BOARD

Section 3.1 Local ECEC Program Board

Each local ECEC program shall organize an ECEC board, elected by the local church or school board. With prior conference approval, an existing school or church board may act as an ECEC governing board.

School board meetings are open meetings, except when sensitive topics are being discussed. In this instance, the board chair may call for an executive session, which is a closed meeting of the board when only the regular and ex-officio members are present. The board may invite interested persons to be present to provide needed information. However, such persons should be excused prior to discussion and vote by the school board.

Section 3.2 Composition

The board shall be composed of members of the Seventh-day Adventist Church who represent a cross section of the ECEC program church or school board. This membership is to include the chairperson, vice-chairperson, secretary (ECEC program administrator, if different from the ECEC director), and treasurer. In addition to the above members, the board is to include as voting ex-officio members a representative from the local church(es) (if affiliated with a church), a representative from the local school(s) (if affiliated with a school), the ECEC program director (if different from the ECEC administrator) and the local conference office of education ECEC liaison. A representative from the program's clientele may be appointed to the program board as a non-voting invitee.

The ECEC program board members (other than ex-officio members) are to be elected by the local church and/or school board in accordance with the ECEC by-laws and/or working policies.

Section 3.3 Election and Term of Office

The chairperson, vice-chairperson and treasurer are elected members of the local ECEC program board. The church and/or school representatives to the local ECEC program board are appointed members. The ECEC program administrator and/or director, the local conference office of education ECEC liaison, and the union office of education ECEC associate director are ex-officio members. Members may serve consecutive terms. Mid-term vacancies are to be filled by majority vote of the current local ECEC program board. A voting member who fails to attend two thirds (2/3) of the regular meetings during a fiscal year may be replaced by the local ECEC program board. In a newly-established board, the staggering of terms should be determined by the local ECEC board. Subsequent terms shall follow the established term of office as outlined in these by-laws.

Section 3.4 Qualifications

A person serving as a member of the local ECEC program board shall be a member of a Seventh-day Adventist Church. ECEC program staff and teachers are ineligible for membership on the local ECEC program board where they are employed. (Refer to Section 3.2 Composition.)

Each local ECEC program board member should sign a Conflict of Interest form and a Statement of Confidentiality form on an annual basis (see PM for forms).

Section 3.5 Authority

The local ECEC program board is responsible for the operation of the ECEC program within the union adopted ECEC policies, procedures and guidelines, conference adopted procedures and practices, governmental regulations, and the provisions of the ECEC constituency. The board has authority only when meeting in an official session. The board acts as a group and no individual member or committee can act in place of the board except by board action. All actions of the board are implemented through the ECEC director/administrator.

Section 3.6 Functions of the Local ECEC Program Board

Functions of the local ECEC program board include, but are not limited to the following:

- 3.6.1 To consider, in counsel with the superintendent of schools or designee, a proposed plan for the organization of an ECEC program
- 3.6.2 To cooperate with the local conference office of education in all actions relating to the employment status of ECEC program personnel
- 3.6.3 To ensure implementation of the PUCOE ECEC policies and best practices as well as the policies and practices of the local conference office of education
- 3.6.4 To develop policies in areas of local concern such as:
 - i. Property use
 - ii. Purchasing procedures
 - iii. Fees and/or other methods of support
 - iv. Methods of financial support
 - v. Methods of operational support
 - vi. Admission requirements
 - vii. Equipment and maintenance master planning
 - viii. Curriculum
- 3.6.5 To support the director in the administration of the ECEC program

- 3.6.6 To insure that official minutes of each meeting of the board are kept and a duplicate copy filed with the conference office of education
- 3.6.7 To implement board decisions only through authorized agents
- 3.6.8 To respond to regulatory issues regarding the operation of the ECEC program
- 3.6.9 To participate in the process of evaluation as determined by the local conference office
- 3.6.10 To participate in the process of accreditation
- 3.6.11 To cooperate with the conference office of education in planning for in-service education
- 3.6.12 To maintain and update parent and staff handbooks in consultation with the local conference office of education
- 3.6.13 To assume responsibility for the funding of an annual operating budget
- 3.6.14 To make provision for the training of individuals who are members of a Seventh-day Adventist church for substitute and permanent employment
- 3.6.15 To appoint the Personnel Committee members and to form other committees as needed. The Personnel Committee shall consider and make recommendations regarding personnel matters and decisions as empowered by the local ECEC program board.
- 3.6.16 To encourage the organization and maintenance of an active parent group
- 3.6.17 To preside at grievance hearings of employees and clientele and make necessary decisions for change and/or improvements.

Section 3.7 Meetings

The ECEC program board should meet at a regular time and place and shall meet at least six (6) times during the calendar year. The ECEC program director, chairperson, and treasurer should meet monthly to review and analyze a financial report to ensure financial stability. This report is to be provided for review by the entire board.

3.7.1 Notice

Written notice of the date, time, and place of the regular meeting of the local ECEC program board shall be mailed or otherwise delivered to each member at least four weeks and no fewer than five (5) days prior to the date of such meetings.

3.7.2 Agenda Items

Agenda items shall be brought to the ECEC board chairperson or secretary before each regularly scheduled ECEC board meeting. Agenda items brought forward during a regular or special session will be tabled to a future meeting.

3.7.3 Special Meetings

3.7.2.1 Special meetings of the local ECEC program board may be called at any time by the chairperson after giving written notice as specified in 3.7.1.

3.7.4 Waiver of Notice

The transactions of any meeting of the local ECEC program board, however called and noticed, shall be as valid as though taken at a meeting duly held after regular call and notice, if

3.7.3.1 A quorum is present, and

3.7.3.2 Either before or after the meeting, each of the members not present signs a written waiver of notice, consenting to hold the meeting, or an approval of the minutes.

3.7.5 Quorum

A majority of its members with at least two (2) officers present at a duly called regular or special board meeting shall constitute a quorum.

3.7.6 Executive Session

Executive sessions of the local ECEC board should be called whenever dealing with issues of liability, legal issues of a sensitive nature or are highly confidential.

Section 3.8 Officers

The officers of the local ECEC program board shall be a chairperson, vice-chairperson, treasurer and executive secretary (the ECEC program director/administrator).

3.8.1 Election

The chairperson and vice-chairperson shall be elected by secret ballot at an appropriate regular meeting. Only members of the board are eligible to serve as an officer. Election is for a three-year term, with officers being eligible for re-election.

3.8.2 Duties

3.8.2.1 Chairperson

- 3.8.2.1.1 To preside at meetings of the local ECEC program board
- 3.8.2.1.2 To be informed by the board secretary of the agenda for board meetings
- 3.8.2.1.3 To follow parliamentary procedures as adopted by the program board
- 3.8.2.1.4 To promote the interests of the local ECEC program
- 3.8.2.1.5 To encourage discussion which is relevant to the agenda items
- 3.8.2.1.6 To be acquainted with the ECEC program and confer with the administrator on items pertaining to its operation
- 3.8.2.1.7 To act as a liaison with the constituency in communicating pertinent ECEC issues
- 3.8.2.1.8 To mediate grievances from employees and clientele
- 3.8.2.1.9 To assist in implementing actions of the local ECEC program board
- 3.8.2.1.10 Serve as an ex-officio member of all committees.

3.8.2.2 Vice-chairperson

The duty of the vice-chairperson is to act in the place of the chairperson's absence.

3.8.2.3 Secretary (ECEC Administrator/Director)

- 3.8.2.3.1 To serve as secretary of the local ECEC program board
- 3.8.2.3.2 To administer the actions of the local ECEC program board
- 3.8.2.3.3 To foster and promote an active parent group

3.8.2.3.4 To prepare board agendas in counsel with the chair and distribute to board members prior to a board meeting

3.8.2.3.5 To distribute minutes of board meetings to all members after each meeting

3.8.2.3.6 To distribute minutes of board meetings in executive session and/or Personnel Committee to its members following the board meeting in executive session and/or Personnel Committee

3.8.2.3.7 To serve as ex-officio members of all the committees.

3.8.2.4 Treasurer

3.8.2.4.1 To be responsible for the financial records and funds

3.8.2.4.2 To supply a current financial report at least nine (9) times per year

3.8.2.4.3 To be responsible for dispersing funds from the treasury to satisfy debts incurred by the local ECEC program

3.8.2.4.4 To adhere to the board-voted expenditure limit.

Section 3.9 Committees

The local ECEC program board may elect or appoint such committees as are deemed necessary to fulfill the functions of the board. Such committees receive their authority and direction from the board, and are responsible to the board.

When personnel issues are discussed, the board must convene a Personnel Committee and this committee must be chaired by the local conference office of education ECEC liaison.

ARTICLE 4 – ECEC HOST SITE

Section 4.1 Duties

It shall be the duty of each local church and/or school host site to support the local ECEC program by:

4.1.1 Electing its representatives to the local ECEC program board

4.1.2 Providing ways to ensure the stable operation of the local ECEC program

4.1.3 Ensuring plans are in place for capital improvement needs of the local ECEC program.

ARTICLE 5 – PARLIAMENTARY PROCEDURE

Section 5.1 Rules

The usual parliamentary rules as laid down in the current edition of Robert's Rules of Order shall govern all deliberations in constituency meetings and local ECEC program board meetings when not in conflict with these by-laws.

ARTICLE 6 – INDEMNIFICATION

Section 6.1

The local ECEC program shall indemnify any person who is serving or has served as a member of the local ECEC program board or local ECEC program administrators against all reasonable expenses (including, but not limited to, judgments, costs and legal fees) actually and necessarily incurred by him(her) in connection with the defense of any litigation, action, suit or proceeding, civil, criminal or administrative, to which he(she) may have been a party by reason of being or having been a member of the local ECEC program board or local ECEC program administrators, except he(she) shall have no right to reimbursement for matters in which he(she) has been adjudged liable to the local ECEC program for gross negligence or willful misconduct in the performance of his(her) duties.

Section 6.2

This right of indemnification shall be in addition to, and not exclusive of, all other rights to which such member of the local ECEC program board or officer may be entitled.

ARTICLE 7 – DISSOLUTION CLAUSE

Section 7.1

A decision to close an ECEC facility must be recommended to the local conference Executive Committee by the local ECEC board through the local conference ECEC liaison. For information on the requirements for dissolution (operational cessation) of an ECEC facility, refer to the PUC ECEC PM.

VOTED:

Date _____

City, State/Province _____