

# THE MULBERRY SCHOOL BYLAWS

UPDATED May 2019

## Article I. Title

The name and legal title of the not-for-profit corporation is the Bloomington-Normal Mulberry School Corporation.

## Article II. Purpose

The purpose of the corporation is set forth in its Articles of Incorporation and further described as:

Being dedicated to providing McLean and surrounding counties with a play based, cooperative, early education foundation for students Pre-school through second grade in which students, teachers, and parents work together to ensure that children grow and learn at their own pace while encouraging exploration, creativity, and self-confidence.

## Article III. Fiscal Year

The fiscal year of the corporation shall begin on the first day of July, and end on the last day of June of the next year.

## Article IV. Membership

Membership of the corporation shall include all families under current contract and in good financial standing with the Mulberry School. Membership of the corporation will also include all salaried employees. All Members of the corporation are entitled to vote on matters presented to the membership, unless those matters pertain to a member's employment with the Mulberry School.

## Article V. Meetings

- A. Board meetings are to be scheduled monthly and open to all members in good standing. Member Meetings are to be scheduled at least six (6) times during the school year and are open to all members in good standing.
- B. A quorum is constituted when one-fourth ( $\frac{1}{4}$ ) of all Mulberry voting members are present at member meetings. A quorum is the minimum number of voting members that must be present at the meeting for business to be validly transacted. A simple majority prevails for items to pass, so long as quorum is

met. Only one vote is allowed per family regardless of how many family members are present.

- C. Elections will be held annually for each Board of Director's position. In the case of a vacancy during the year, an election will be held as soon as possible to fill the vacated position.
- D. Policy may be initiated by the general membership and/or members of the Board.
- E. New policies, policy changes, and curriculum changes require membership approval.
  - 1. These shall be considered by the membership at any lawful meeting that such proposed policy or change is distributed to the members at least (5) days before a vote is taken.
  - 2. This proposed policy or change shall be accepted when approved by two-thirds of the members present at a lawful meeting.

## **Article VI. Financial Management**

The funds of the corporation shall be deposited in the bank(s) or the savings and loan association(s) designated by the Board of Directors. The funds of the corporation may be withdrawn from the financial institutions designated by the Board by checks or withdrawal orders signed by the Bookkeeper, Director of Finance, or Academic Director of the corporation.

All check or withdrawal orders of non-budgeted nature require signatures of both the Bookkeeper or Director of Finance and the Academic Director. A Finance Committee will meet regularly and provide monthly written reports to the Board of Directors. The Finance Committee will be chaired by the Director of Finance, and include all the Board members or staff with financial access and/or responsibilities (for example, the Director of Finance, the President, the Academic Director, and the Bookkeeper). The Committee is charged with providing clear, up-to-date, and publicly available financial policies, determining responsibilities and providing yearly evaluations of the bookkeeper, arranging for and managing yearly audits when required, and providing monthly financial updates and projections to the Board. Any member of the Finance Committee may be removed from the committee by a majority vote of the Board of Directors.

## **Article VII. Board of Directors**

The business of the corporation shall be managed by a Board of Directors who are members, or former members of the not-for-profit corporation and elected in accordance with these bylaws and the Academic Director. The Board of Directors will include the

corporation positions of President, Director of Facilities, Director of Finances, Director of Communications, Cooperative Liaison, Director of Technology, Director of Marketing, Director of Advancement, and the Academic Director. Each director will have responsibility for a segment of school operations.

All Directors will be elected at an annual meeting by the general membership of the corporation. The term of office will begin after the transition meeting takes place. The Academic Director will have voting rights on all issues except those directly related to his/her employment.

- A. *Resignation*: A Director who wishes to resign shall do so, in writing, giving the effective date of resignation. If three (3) consecutive meetings are missed by a Board member, the Board has the option of removing said board member, thus creating a vacancy.
- B. *Impeachment*: Impeachment of a member of the Board of Directors requires a two-thirds majority vote of all other Board members.
- C. The Directors shall not be personally liable for the debts, liabilities, or other obligations of the Mulberry School.

All salaried teachers may vote to select a Teacher Representative to attend Board meetings and other official functions on behalf of the teachers. The Teacher Representative is entitled to present motions to the Board, to participate in policy discussions, and to vote on Board actions; however, the Teacher Representative is not a member of the Board of Directors, and is not entitled to participate in Executive Sessions.

The Teacher Representative will be elected by the vote of salaried teachers at the conclusion of each school year. The elections will be conducted and votes tallied by either the President of the Board of Directors or the Cooperative Liaison. The Teacher Representative's term will begin at the same time the new Board of Directors begin their service. The current Teacher Representative may be re-elected in subsequent terms, but may serve no more than three years consecutively. The Teacher Representative may be removed from their position at any time by a majority vote of salaried teachers. In such cases, a new Teacher Representative will be elected immediately. The Teacher Representative may also resign at any time by providing written notice to the Board of Directors and staff. Service as the Teacher Representative is voluntary, is not compensated, shall not be considered a part of a teacher's normal duties, and shall have no bearing on a teacher's evaluations.

## **Article VIII. Duties of the Board of Directors**

The Board of Directors shall have the general direction of the program and policy of the corporation; shall have charge of its property, its administration, including appointment of such committees deemed necessary. (Duties of each Director are detailed in the policy pages, and updated annually).

## **Article IX. The Staff**

The staff shall consist of all employees of the corporation and shall be chosen according to policies established by the membership of the corporation. Terms of the appointment shall be for no more than one (1) year and be renewable. Staff members may from time to time ask membership to help him/her carry out responsibilities and/or duties.

## **Article X. The Bylaws**

- A. *Adoption.* These bylaws shall become effective when adopted by a two-thirds vote of all voting members present at any lawful meeting and shall constitute the rules adopted by the corporation of the regulation and management of its affairs.
- B. *Amendment to the Bylaws*
  - 1. A proposed amendment to these bylaws shall be considered by the membership at any lawful meeting that such proposed amendment is distributed to the members at least five (5) days before a vote is taken.
  - 2. A proposed amendment shall be accepted when approved by two-thirds of the members present at a lawful meeting.
- C. *Dissolution.* The corporation will be dissolved in accordance with the Articles of Incorporation.