

# BYLAWS

## Table of Contents

1.	Membership	2-4
1.1.	Non-discrimination clause	2
1.2.	Procedures for Prospective Members	2
1.3.	Duration of Membership	2
1.4.	Withdrawal	3
1.5.	Duties of Members	3
1.6.	Leaves of Absence	3
1.7.	Meetings	3
2.	Tuition and Fees	3-4
2.1.	Determination of Tuition and Fees	3
2.2.	Fiscal Year	4
2.3.	Due Dates	4
2.4.	Refund of Tuition	4
2.5.	Scholarship Reserve	4
2.6.	Withdrawal	4
2.7.	Late Enrollment	4
3.	Organization	5-7
3.1.	Governing Board	5
3.2.	Nomination and Election of Governing Board	5
3.3.	Duties and Powers of Governing Board	5-6
3.4.	Duties of Officers	6
3.5.	Staff	6-7
4.	Audit	7
5.	Housing	7
6.	Procedure for Amendments	7
7.	Amendments	8-14
7.1.	Amendment 1	8
7.2.	Amendment 2	8
7.3.	Amendment 3	9
7.4.	Amendment 4	9
7.5.	Amendment 5	9-10
7.6.	Amendment 6	10-11
7.7.	Amendment 7	11
7.8.	Amendment 8	11-14

## **MEMBERSHIP**

### 1.1 Non-Discrimination Clause

Kensington Nursery School Inc admits 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 and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

### 1.2 Procedures for Prospective Members

- a) Make written application accompanied by fee
- b) (optional) Visit the school if in session
- c) (optional) Have interview with teacher a member of the membership committee

### 1.3 Duration of Membership

Members shall enroll for not less than one (1) school year or the balance of the school year. The Governing Board shall have the right to require the resignation of any member if the member fails to comply with the policies of the school and/or is found to be uncooperative. The Governing Board shall have the right to require withdrawal of any child in the school upon the recommendation of the child's teacher.

### 1.4 Withdrawal

Members shall be allowed to withdraw prior to the end of the school year only in the following cases

- a) Serious and prolonged illness
- b) Permanent removal of the family from the area
- c) Mutual agreement between member and teacher

Any parent who wishes to withdraw should notify the Membership Chair

### 1.5 Duties of Members

- a) To be familiar with and comply with school policy and participate in it's formulation
- b) To obey school health and safety rules
- c) Each member of the school must assume one job which contributes to the administration, maintenance, or enhancement of the school.
- d) Members are expected to attend business and special meetings.
- e) Participate in the classroom.

- f) Contribute to the physical and financial well-being of the school
  - i) Members shall be required to fulfill a number of maintenance and fundraising hours determined by the Governing Board.

#### 1.6 Leaves of Absence

- a) A member may be given temporary non-cooperative status, that is, to be excused from school duties, at the discretion of the Governing Board.
- b) In the event that a death occurs in the immediate family (son, daughter), a member may be granted a thirty-day bereavement leave excusing him/her from school participation. During such leave, tuition must still be paid.
- c) In the event of the death of a student's parent, the school shall assume all of that member's obligations and responsibilities, if necessary.

#### 1.7 Meetings

- a) The Governing Board shall meet monthly to conduct the business of the school.
- b) Each year, teachers shall have at least one meeting with the parents of the children in his or her class.
- c) A special meeting of the members shall be called upon the vote of the Governing Board or upon a written request to the President, signed by not fewer than three members.
- d) A special meeting of the Governing Board shall be called upon written request to the President, signed by any member.
- e) Members will be notified of each meeting.
- f) Robert's Rules of Order shall be the parliamentary authority, unless in conflict with these Bylaws, in which case these Bylaws shall take precedence.
- g) A majority of the members of the organization in good standing shall constitute a quorum. A quorum of the Governing Board shall consist of a simple majority.
- h) Each family shall have one vote for each child it has currently enrolled in the school. Either parent may cast the family vote or votes.

## **TUITION AND FEES**

#### 2.1 Determination of Tuition and Fees

The registration fee and tuition for the following school year shall be determined by the Governing Board after receiving the recommendation of the Treasurer. The schedule of fees and tuition shall be subject to approval by the membership.

Special financial assessments may be levied on members during the school year by a three-quarters affirmative vote of those present at a business meeting. The membership shall be informed at least three days in advance of the meeting that a vote will be taken on a special assessment.

A non-refundable registration fee shall be paid at the time of application for enrollment.

## 2.2 Fiscal Year

The school's fiscal year shall begin on the first day of July. The school year, for the purpose of computing tuition and salaries, shall be considered to consist of ten months beginning in September.

## 2.3 Due Dates

The due dates for tuition and other financial obligations of the membership shall be determined by the Governing Board. The due dates shall be arranged so as to provide approximately one month's financial protection to the school.

## 2.4 Refund of Tuition

Applications for partial refund of tuition, in the case of extended illness or economic hardship, may be made to the Governing Board. The Governing Board will act upon it without recourse to the membership.

## 2.5 Scholarship Reserve

The scholarship reserve shall be administered by the Scholarship Committee to be appointed by the Governing Board.

## 2.6 Withdrawal

A member who withdraws before the end of the school year is responsible for giving 30 days prior written and verbal notification to the Membership Chair of intention to withdraw. Any tuition paid, including the final month's tuition, is non-refundable.

## 2.7 Late Enrollment

For members who enter late, the tuition shall be computed to the nearest quarter month, between enrollment and the previous tuition date. Registration fee and last month's tuition are required of late registrants.

## **ORGANIZATION**

### **3.1 Governing Board**

The Governing Board shall consist of the following elected positions: President, Vice-President, Treasurer, Secretary, the Chairperson of the Communications Committee, the Chairpersons (no more than 2) of the Fundraising Committee, the Chairperson of the Maintenance Committee, the Chairperson of the Membership Committee, and the Chairperson of the Participation Committee.

### **3.2 Nominations and Election of Governing Board**

#### **a) Annual Election of Officers**

Members interested in serving on the Governing Board may nominate themselves during the annual job registration. All interested members will be included on a slate of nominations to be presented at the Spring General Membership Meeting. This slate must be published prior to the Spring General Membership Meeting. Nominations may also be made from the floor, with the prior consent of the nominees. Election shall take place at that meeting. In order to provide for continuity in the conduct of school business, the members shall use their best efforts to fill the position of President with someone who has previously served on the Governing Board. The outgoing and incoming officers shall attend the end-of-the year Governing Board meeting, at which time the incoming officers shall assume full duties.

#### **b) Officers Resignation**

An officer may resign by giving two weeks written notice to the Governing Board. The members, by two-thirds vote of those present at a business meeting, may remove any officer. Vacancies among officers, however occurring, shall be filled by a vote of the Governing Board until election takes place by the membership.

### **3.3 Duties and Powers of the Governing Board**

- a) The Governing Board shall recommend and administer the policy of the organization in compliance with the bylaws and resolution adopted by the general membership. It is incumbent upon the Governing Board to inform the general membership of matters pertaining to policy formulation. Final constitutional authority rests with the general membership.
- b) The Governing Board shall have the power to establish committees as may be found necessary.

- c) The Governing Board shall ensure that the school meets all standards set by the Maryland State Department of Education.
- d) During the summer vacation, school business shall be conducted by the Governing Board.

### 3.4 Duties of Officers

The Officers of the school are the President, Vice-President, Secretary and Treasurer. This group shall also be referred to as the Executive Committee.

- a) **President:** The President shall be the Chief Executive Officer of the organization, shall represent the organization, shall summon meetings of the Governing Board, shall preside at membership meetings, shall make all non-elective appointments and shall report these actions to the membership. The President shall act as liaison with the teachers, and sign with the Secretary or Treasurer all contracts or other instruments authorized by the Governing Board. The President shall be responsible for receiving and dealing with any complaints by members or teachers which fall outside the province of committee chairpersons.
- b) **Vice-President:** The Vice-President shall assist the President and preside at meetings when the President is absent. The Vice-President shall be in charge of long-range planning.
- c) **Treasurer:** The Treasurer shall have supervision and control of all the financial affairs and funds of the organization, subject to the direction of the Governing Board. The Treasurer shall collect all dues and manage the disbursement of funds and shall oversee books of account and such other books as the Governing Board shall direct. The Treasurer shall oversee preparation of the annual financial statement and report of the fiscal year, and shall present at the Spring Membership Meeting a budget for the following year which shall be adopted or amended by the membership at the meeting. The Treasurer shall have authority to sign checks, to deposit and withdraw moneys of the organization.
- d) **Secretary:** The Secretary shall keep and post the minutes of the Governing Board and membership meetings.

### 3.5 Staff

- a) The teaching staff shall consist of at least two qualified teachers, one of whom shall be designated as director of the School. These teachers shall be approved by the State Board of Education.
- b) The Director and teacher(s) shall be hired by the Governing Board upon the recommendation of the hiring committee, appointed by the President. The Director, or, if the Director's position is vacant, another teacher shall be a member of this committee
- c) **Termination of Teacher Contract**
  - i) A teacher's resignation must be submitted to the board for acceptance by a majority of those present.

- ii) A teacher may be removed on recommendation of the Governing Board and majority vote of those present at a membership meeting.
- iii) Thirty days notice must be given by either party to terminate a contract
- d) The Director's and teacher's salaries shall be determined by the Governing Board.
- e) The President and Treasurer shall evaluate teacher contracts for renewal each Spring and shall offer the contracts to the teachers for approval. Teacher contracts are available for general membership review.
- f) Duties of the Teaching Staff:
  - i) Assist the administration of the daily program of the school, and be in charge of one classroom, under the general supervision of the Director of the school.
  - ii) Attend membership meetings, be available for meetings of the Governing Board as deemed necessary, and assist in the parent education program.
  - iii) Conduct interviews of prospective members, and hold individual conferences with parents of their class once a year.
- g) Duties of the Director: In addition to the above, the Director shall supervise the education program of the school, and the staff, and is responsible for maintaining student records. The Director shall apply for and post the annual renewal of the license.

### **AUDIT**

A Certified Public Accountant, independent of the school, shall be appointed to act as auditor at the end of the fiscal year. The auditor shall make an examination of the books of the organization and shall make available a report of his findings in the form of a review or audit to the Governing Board.

### **HOUSING**

The school shall carry liability insurance which adequately protects the corporation. Fire drills shall be held at regular intervals, in accordance with County fire regulations.

### **PROCEDURE FOR AMENDMENTS**

This Constitution/Bylaws may be amended by a two-thirds vote of the members present at any business meeting, provided such amendments have been distributed to the general membership in writing at least two weeks prior to the business meeting at which the vote will be cast.

## **AMENDMENTS**

### **FIRST AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. Article III, Section 1 shall be deleted and the following shall be inserted in its place:  
The Governing Board shall consist of the President, Vice-President, Treasurer, Secretary, the Delegate to the Maryland Council of Parent Participation Nursery Schools, the person responsible for obtaining grants on behalf of the school, and the Chairperson(s) of the following standing committees: Membership, Participation, Fundraising, Maintenance, Newsletter, Educational Program and Community Outreach.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members

### **SECOND AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. The following sentence in Article III, Section 2 of the Bylaws shall be deleted:  
In order to provide for continuity in the conduct of school business, the position of President must be filled by a member who has previously served on the Governing Board.

In its place the following sentence shall be inserted: In order to provide for continuity in the conduct of school business, the members shall use their best efforts to fill the position of President with someone who has previously served on the Governing Board.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

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Pamela Stuckey

Secretary

Approved by Members

May 13, 1998



**THIRD AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. Article III, Section 1 (as previously amended by the First Amendment to the Bylaws of Kensington Nursery School, Inc.) shall be further amended by deleting the phrase “the person responsible for obtaining grants on behalf of the school,”.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members May 13, 1999

**FOURTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. Article III, Section 1 shall be deleted and the following shall be inserted in its place: The Governing Board shall consist of the following elected position: President, Vice-President, Treasurer, secretary, Delegate to the Maryland Council of Parent Participation Nursery Schools, and the chairperson(s) of the following standing committees: Membership, Participation, Fundraising, Maintenance, Education, Community Outreach, and Communications (formerly Newsletter).

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members May 22, 2003

**FIFTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. Remove all mentions of the Maryland Council of Parent Participation Nursery Schools (MCP PNS) from the Bylaws as this organization is no longer active.
2. The following sentence in Article III, Section 2, paragraph a. shall be deleted:  
The President shall appoint a nominating committee, made up of all members not returning to the following year, which shall prepare a slate of nominations to be presented at the Spring General Membership Meeting.

In its place, the following sentences shall be inserted: Members interested in serving on the Governing Board may nominate themselves during the annual job registration. All interested members will be included on a slate of nominations to be presented at the Spring General Membership Meeting.

3. The last sentence in Article III, Section 4, Paragraph c. shall be deleted:

The Treasurer shall be in charge of extended day programs and the Firefly and Seesaw book sales.

In its place, the following sentences shall be inserted:

The Treasurer shall oversee the extended day program and its designated coordinators.

4. Article III, Section 5, paragraph e shall be deleted and the following shall be inserted in its place:

The Governing Board shall evaluate teacher contracts for renewal each Spring and shall offer the contracts to the teachers for approval. Teacher contracts will be available for general membership review.

5. The following paragraph in Article VI shall be deleted:

This Constitution/Bylaws may be amended by a two-thirds vote of the members present at any business meeting, provided such amendments shall be proposed in writing at the preceding meeting.

In its place, the following paragraph shall be inserted:

This Constitution/Bylaws may be amended by a two-thirds vote of the members present at any business meeting, provided such amendments have been distributed to the general membership in writing at least two weeks prior to the business meeting at which the vote will be cast.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members May 2007

#### **SIXTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

Article III, Section I (as previously amended by the Fourth Amendment to the Bylaws of Kensington Nursery School) shall be deleted and the following shall be inserted in its place:

The Governing Board shall consist of the following elected positions: President, Vice-President, Treasurer, Secretary and the Chairperson(s) of the following standing committees:

Communications, Community Outreach, Education, Fundraising, Maintenance, Membership, and Participation. The Chairperson of the Building Committee shall also be a member of the Governing Board during and for the school year immediately following any major construction or renovation to the physical building and/or property.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members 2008

**SEVENTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

Article III, Section I (as previously amended by the Sixth Amendment to the Bylaws of Kensington Nursery School) shall be deleted and the following shall be inserted in its place:

The Governing Board shall consist of the following elected positions: President, Vice-President, Treasurer, Secretary, the Chairperson of the Communications Committee, the Chairpersons (no more than 2) of the Fundraising Committee, the Chairperson of the Maintenance Committee, the Chairperson of the Membership Committee, and the Chairperson of the Participation Committee.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members March 2009

**EIGHTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. Article I, Section 2, Paragraphs a. and b. shall be deleted:
  - a. Visit the school if it is in session
  - b. Make written application accompanied by registration fee.

In its place, the following shall be inserted:

- a. Make written application accompanied by registration fee.
- b. (Optional) Visit the school if it is in session.

2. The last sentence in Article I, Section 4, shall be deleted:  
Any parent who wishes to withdraw should notify the Vice-President.

In its place, the following sentence shall be inserted:  
Any parent who wishes to withdraw should notify the Membership Chair.

3. Article I, Section 5, Paragraph c. shall be deleted:  
c. To be responsible for the transportation of the children.

In its place, Paragraphs d., e., f., and g. will be re-lettered to c., d., e., and f. Respectively.

4. Article I, Section 5, Paragraph d. shall be deleted:  
d. Each member of the school must accept some administrative responsibility.

In its place, the following sentence shall be inserted:  
c. Each member of the school must assume one job which contributes to the administration, maintenance, or enhancement of the school.

5. Article I, Section 5, Paragraph g. shall be deleted:  
g. Contribute to the maintenance of the school: Members shall be required to fulfill a number of work hours determined by the Governing Board and to help with the maintenance of the building, equipment and grounds.

In its place, the following shall be inserted:  
f. Contribute to the physical and financial well-being of the school:  
i) Members shall be required to fulfill a number of maintenance and fundraising hours determined by the Governing Board.

6. Article I, Section 6, Paragraph a. shall be deleted:  
a. A member may be given temporary non-cooperative status, that is, to be excused from transportation and assistance at school duties, at the discretion of the Governing Board.

In its place, the following sentence shall be inserted:  
a. A member may be given temporary non-cooperative status, that is, to be excused from school duties, at the discretion of the Governing Board.

7. Article I, Section 6, Paragraph c., the words "nursery child's" shall be deleted.  
In its place, the word "student's" shall be inserted.

8. Article I, Section 7, Paragraph a., the word "mandatory" shall be inserted before "business meeting."

9. The first sentence in Article II, Section 6, shall be deleted:  
A member who withdraws before the end of the school year is responsible for giving 30 days prior written and verbal notification to the Vice-President of the intention to withdraw.

In its place, the following sentence shall be inserted:

A member who withdraws before the end of the school year is responsible for giving 30 days prior written and verbal notification to the Membership Chair of the intention to withdraw.

10. Article III, Section 2, Paragraph a., delete the phrase “(via school newsletter, bulletin board or lunch box flyer).”

11. The last sentence in Article III, Section 2, Paragraph a. shall be deleted:

The outgoing and incoming officers shall attend the May Governing Board meeting, at which time the incoming officers shall assume full duties.

In its place, the following sentence shall be inserted:

The outgoing and incoming officers shall attend the end-of-the-year Governing Board meeting, at which time the incoming officers shall assume full duties.

12. The last sentence in Article III, Section 2, Paragraph b. shall be deleted:

Vacancies among officers, however occurring, shall be filled by a vote of the Governing Board until the next meeting of the membership, when election shall take place.

In its place, the following sentence shall be inserted:

Vacancies among officers, however occurring, shall be filled by a vote of the Governing Board until election takes place by the membership.

13. Article III, Section 4, Paragraph a. At the end of the paragraph, the following sentence shall be inserted:

The President shall be responsible for receiving and dealing with any complaints by members or teachers which fall outside the province of committee chairpersons.

14. Article III, Section 4, Paragraph b. shall be deleted:

b. Vice-President: The Vice-President shall assist the President and preside at meetings when the President is absent. The Vice-President shall be responsible for receiving the dealing with any complaints by members or teachers which fall outside the province of committee chairmen. The Vice-President shall be in charge of long-range planning and the ombudsman.

In its place, the following shall be inserted:

b. Vice-President: The Vice-President shall assist the President and preside at meetings when the President is absent. The Vice-President shall be in charge of long-range planning.

15. The second sentence in Article III, Section 4, Paragraph c. shall be deleted:

c. The Treasurer shall collect all dues and manage the disbursement of funds and shall keep books of account and such other books as the Governing Board shall direct.

In its place, the following shall be inserted:

c. The Treasurer shall collect all dues and manage the disbursement of funds and shall oversee books of account and such other books as the Governing Board shall direct.

16. The final two sentences in Article III, Section 4, Paragraph c. shall be deleted:  
The President shall act as the alternate. The Treasurer shall oversee the extended day program and its designated coordinators.

17. Article III, Section 4, Paragraph d. shall be deleted:

d. Secretary: The Secretary shall keep and post at the school the minutes of the Governing Board and membership meetings, shall conduct all correspondence for the organization, shall compile reports as requested, and shall keep the records of the school.

In its place, the following shall be inserted:

d. Secretary: The Secretary shall keep and post the minutes of the Governing Board and membership meetings

18. Article III, Section 5, Paragraph e. shall be deleted:

e. The Governing Board shall evaluate teacher contracts for renewal each Spring and shall offer the contracts to the teachers for approval. Teacher contracts will be available for general membership review.

In its place, the following shall be inserted:

e. The President and Treasurer shall evaluate teacher contracts for renewal each Spring and shall offer the contracts to the teachers for approval. Teacher contracts are available for general membership review.

19. The second sentence in Article IV shall be deleted:

The auditor shall make an examination of the books of the organization and shall make a report of his findings in the form of a review or audit to the Governing Board.

In its place, the following shall be inserted:

The auditor shall make an examination of the books of the organization and shall make available a report of his findings in the form of a review or audit to the Governing Board.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

Approved by Members  
May 12, 2011

**NINTH AMENDMENT TO THE BYLAWS OF KENSINGTON NURSERY SCHOOL, INC.**

The members of Kensington Nursery School, Inc., a Maryland corporation, do hereby amend the Bylaws of the school as follows:

1. The following clause in Article I Section 1.1 shall be deleted:

Membership, faculty, and administration shall not be restricted by consideration of race, sex, religion, and/or national origin. Membership in the organization shall consist of the parents and guardians of the children enrolled in the school.

In its place the following sentence shall be inserted:

Kensington Nursery School Inc admits 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 and ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other school-administered programs.

Except as amended hereby, the Bylaws shall remain in full force and effect. All previous actions taken by the Governing Board are hereby ratified and approved by the members.

February 18, 2021