



**CONSTITUTION AND BYLAWS  
DIOCESAN BOARD OF EDUCATION FOR CATHOLIC SCHOOLS  
DIOCESE OF CHARLOTTE, NORTH CAROLINA**

**ARTICLE I  
NAME, PURPOSE AND DUTIES**

**SECTION 1**

**NAME:** The name of this body, which was established on August 16, 1985, is and shall be known as the Diocese of Charlotte Board of Education for Catholic Schools, hereinafter referred to as “The Board”.

**SECTION 2**

**PURPOSE AND DUTIES :** The Board, subject to the approval of the Bishop of the Diocese of Charlotte, shall have the purpose and duty of formulating and recommending policies and advising on all matters pertaining to education in all Catholic Schools in the Diocese of Charlotte. All decisions of the Board, when approved by the Bishop or his designee, shall be binding upon the Superintendent of Schools, his/her staff, the Pastors, local and regional Education Commissions/School Boards, Principals and staffs of the Catholic Schools and all others affected by such decisions.

**ARTICLE II  
MEMBERSHIP OF THE BOARD**

**SECTION 1**

**NUMBER AND COMPOSITION :** The Board shall be representative of the Catholic community and shall include clergy, religious and laity. There will be nine (9) members of the Board, as follows

1. Voting Members
  - a. Eight (8) members of the laity selected according to Section 2 of this article.
  - b. One clergy representative
2. Non-voting Members
  - a. Regular Members
    1. One principal
    2. One teacher
  - b. Ex-officio members
    1. The Bishop of the Diocese
    2. The Vicar General
    2. The Superintendent of Schools

**SECTION 2**

**SELECTION:** Board members shall be selected by the Bishop to replace those members whose terms of office have expired. In the spring of each year, the Catholic community will be asked to submit names and resumes of nominees for Board membership. These nominations will be made to the Superintendent of Schools who will submit suitable candidates to the Bishop for his selection

**SECTION 3**

**TERMS OF OFFICE:** The term of office for the voting members shall be three years. Board members may serve two full or partial consecutive terms. They may be reappointed after serving two terms only after a lapse of one year, unless otherwise approved by the Superintendent and Bishop.

**SECTION 4**

**VOTING:** Each member of the Board shall have a vote except the representative principal, teacher and the ex-officio members.

**SECTION 5**

**VACANCIES:** Vacancies on the Board occurring from any cause shall be filled by selection of the Bishop from recommendations made by the Superintendent of Schools.

**SECTION 6**

**REMOVAL:** Any member of the Board, other than an ex-officio member, who is absent from two consecutive regular meetings, without communication with the President or the Superintendent of Schools, loses membership.

**ARTICLE III  
OFFICERS**

**SECTION 1**

**OFFICERS:** The officers of the Board shall consist of a President, a President-Elect, and a Secretary. The Superintendent of Schools shall serve as a member of the Executive Committee

**SECTION 2**

**ELECTION:** Officers shall be elected and installed annually. Election shall be made by secret ballot unless the Board waives this procedure.

**SECTION 3**

**TENURE OF OFFICE :** Officers shall remain in office until the next annual election or until their successors are duly elected and qualified. Officers shall not serve in the same office longer than three years in succession.

**SECTION 4**

**VACANCIES:** The Board, at any meeting, may fill vacancies in the unexpired term of any officer, other than that of the Superintendent of Schools.

**SECTION 5**

**NOMINATING COMMITTEE:** Each year a nominating committee of Board members may be appointed by the President to prepare a slate of officers to be presented at a designated meeting. Any member may also make nominations from the floor.

**SECTION 6**

**DUTIES OF THE PRESIDENT** : The President shall act as the chairperson of the Board and of the Executive Committee; shall be the executive head of the Board; shall execute on behalf of the Board all written instruments except as otherwise directed by the Board; shall appoint all committees; shall, along with the Superintendent, be responsible for the agenda to be used at meetings; and, in general, shall perform all duties incident to the office of President and such other duties as from time to time may be assigned to him/her by the Board.

**SECTION 7**

**DUTIES OF THE PRESIDENT-ELECT** : The President-Elect, in absence of or at the request of the President, shall perform the duties and exercise the functions of the President; and when so acting shall have the power of the President. He/she shall also perform such other duties as delegated by the President and/or the Board. The President-Elect will become the President for the year following service as President-elect.

**SECTION 8**

**DUTIES OF THE SECRETARY** : The Secretary shall keep the minutes of the meetings of the Board; shall receive and dispose of all correspondence as directed; preserve all reports committed to his/her care; perform all duties incident to the office of secretary; and such other duties as from time to time may be assigned by the President.

**SECTION 9**

**DUTIES OF THE SUPERINTENDENT OF SCHOOLS**: The Superintendent shall be responsible for reporting policy formulation of the Board to the Bishop for approval; shall see that the minutes of each meeting are disseminated to all appropriate and interested persons and groups along with the date and time for the next meeting; shall confer with the President to plan the agenda for each meeting; and in general, shall perform Board-related tasks necessary for the work of the Board.

**ARTICLE IV  
MEETINGS**

**SECTION 1**

**REGULAR MEETINGS**: The Board year is July 1 through June 30. The Board shall meet at least four times a year. The Board shall establish the dates for the regular meeting to be held throughout the coming year by September 30. All meetings of the Board shall be open meetings unless designated as being Executive. Decisions made in Executive session must be presented and voted on at an open meeting before becoming effective.

Evaluation of the Board and planning for the next year shall occur by the end of the current Board year.

- a. Any agenda item requiring Board vote must be submitted to the Board members at least 10 days prior to the regular Board meeting at which the vote will be taken. Amendments to the Constitution must be submitted at least 30 days in advance.
- b. All regular meetings shall be held at such times and places as determined by the Board. Written notice shall be given members at least ten days prior to the meeting.

**SECTION 2**

**SPECIAL MEETINGS**: Special meetings shall be held whenever and however called by the President or the majority of the Board. Electronic messaging, if appropriate, could be used for efficiency.

- a. Special meetings, designated as being of an emergency nature, may be called at the discretion of the President or at the written request of the majority of the Board. Except in the case of emergency, at least 10 days notice of special meetings and their purpose shall be give to each Board member. Whenever possible, meeting dates will be determined in consultation with Board members.
- b. No business shall be transacted at any special meeting that does not come within the purpose of purposes set forth in the call for the meeting, unless all members of the Board are present and agree unanimously to the consideration of the additional item.

### **SECTION 3**

**QUORUM**: A majority of the current voting members of the Board is necessary for the transaction of business at meetings; and a majority vote of those present shall be sufficient for any decision or election, except as provided in Article V, Section 1 and Article VII, Section 1.

### **SECTION 4**

**RULES OF PROCEDURE**: Robert's Rules of Order shall apply unless the Board establishes its own rules of procedure.

### **SECTION 5**

**ADOPTION OF POLICY**: Policies submitted to the Board will be read at two meetings before being voted on and adopted by majority vote. Waiver of this provision requires a two-thirds vote of Board members present.

## **ARTICLE V COMMITTEES**

### **SECTION 1**

**EXECUTIVE COMMITTEE**: There shall be an Executive Committee consisting of the three officers of the Board. In addition, the Superintendent of Schools shall be an ex-officio member without a vote. Between meetings of the Board, the Executive Committee shall possess and execute all the powers of the Board conferred in this Constitution. The Executive Committee shall meet at the call of the President and shall establish its own rules and/or procedures. A majority of the Executive Committee shall constitute a quorum

### **SECTION 2**

**STANDING COMMITTEES**: The Board may, by resolution, provide for standing committees. Each committee shall perform such duties as may be assigned to it by the Board.

### **SECTION 3**

**SPECIAL COMMITTEES**: The Board or the President may establish and discontinue special committees. These committees shall perform such duties as are assigned to them by the Board President.

### **SECTION 4**

**SEARCH COMMITTEE**: In the case of a vacancy occurring for the Office of the Superintendent of Schools, the Board shall assist the Bishop as requested in the search for a replacement.

**ARTICLE VI  
PRESENTATIONS BY THE PUBLIC**

**SECTION 1**

**WRITTEN PRESENTATION**: Written presentations shall be made to the Board by submission to the President.

**SECTION 2**

**ORAL PRESENTATION**: Oral statements, other than a brief expression of opinion by members of the public, shall be scheduled by the President in advance of the meeting when the presentation is to be made and shall appear on the agenda. The President may, after a majority vote from the Board, waive this requirement. Extensive testimony properly belongs before a committee.

**ARTICLE VII  
AMENDMENT OF CONSTITUTION**

**AMENDMENT**: This constitution may be amended, supplemented suspended or repealed in whole or in part, at any regular or special meeting by a two-thirds vote of all the current voting members of the Board, with the concurrence of the Bishop of the Diocese. The proposed amendment shall be circulated at least thirty days prior to the meeting at which the amendment is to be voted upon.

Amended and Approved by Monsignor Mauricio West  
Chancellor

April 17, 2009  
Date