

# Home Educators of Southwest Mississippi Bylaws

## Amended Dec 5, 2019

### **Article 1 – Name, Purpose, Beliefs, Location**

**Section 1 - Name:** The name of this organization shall be Home Educators of Southwest Mississippi, also known as Home Educators of Southwest Mississippi (hereinafter referred to as HESWM).

**Section 2 - Purpose:** Home Educators of Southwest Mississippi is organized primarily for social purposes. We exist to encourage, support, and enhance home education in Southwest Mississippi, including being mindful and proactive in monitoring legislation which supports the parents' rights in education, and encouraging Christian home schooling families in their efforts to provide spiritual, academic and physical education based on faith in Jesus Christ, thereby enabling students to become the Christian leaders of tomorrow. Home Educators of Southwest Mississippi is a Christian homeschool organization providing social and educational opportunities to home-educated children of all ages and their families, in the greater Southwest Mississippi (Lincoln, Lawrence, Walthall, Pike, Franklin, Amite, Copiah counties) area.

**Section 3 - Beliefs as parents:** We believe that our children do not belong to the state. It is the responsibility of parents to properly meet the needs of their children spiritually, academically, emotionally, socially, and physically. We further believe that home education offers an excellent method for learning through one-to-one tutoring.

**Section 4 - Location:** The principal office location of Home Educators of Southwest Mississippi, Inc shall be located in the greater McComb area in the State of Mississippi. The organization may have any number of offices at such places as the Board of Directors (hereinafter referred to as the Board) may determine.

### **Article 2 - Membership**

**Section 1 – Eligibility for Membership:** Application for Membership shall be open to any homeschooling family in the Southwest, Mississippi region that supports the purpose, beliefs and mission statements found in Article 1, Section 2 & 3. Membership is granted after all of the following requirements have been met:

1. Membership application completed via the HESWM website
2. Current residence in Southwest Mississippi area.
3. Registration completed and signed
4. "Rules of Conduct" signed
5. Payment in full of membership fees
6. By-laws accepted and signed
7. Acceptance of invitation to HESWM'S online group

#### **Section 2 - Membership Approval**

1. Any family who agrees with the Purpose and Beliefs as stated above and who is home educating a pre-k age child can become a member by paying annual dues and by completing the information form on the HESWM.com website.
2. Members are encouraged to attend the annual membership meetings, support the organization's activities, and notify a board member if they are willing to serve on a committee, plan or lead any activity, or have ideas that might benefit other members.
3. Reasons for denial and/or termination of HESWM Membership, at the sole discretion of the board, will include, but not be limited to potentially violent or threatening behavior, refusal to adhere to the rules set forth in the Rules of Conduct or any other official agreement signed,

sowing seeds of discord, deliberate intent to cast in doubt a person's integrity and good standing in HESWM, and/or passing on information with no factual truth, refusal to work within HESWM, vandalism or any action deliberately done to destroy and/or damage the property or belongings of the facilities in which HESWM meets or any other host organization, individuals known to have committed crimes against children or other acts of moral baseness. If deemed necessary by "The Board", a background check may be done.

4. Members must agree to child safe policies, background checks, and security policies.

**Section 3 – Member Definition:** Each homeschooled child, that child's siblings, and all of that child's parents and guardians who have met the eligibility requirements listed in Section 1 shall be granted a single Membership of HESWM and may participate in HESWM activities.

**Section 4 – Dues:** The amount required for dues shall remain fixed per year, unless changed by a simple majority vote of "The Board". Each Membership shall pay the same dues amount, regardless of family size. Continued Membership is contingent upon being up-to-date on membership dues. Dues will not be refunded. Membership dues shall be paid once per year before the 30<sup>th</sup> of August, except as revised by "The Board". The amount to be paid by dues each year is determined by "The Board". Membership fees paid after September 1<sup>st</sup> will incur an additional \$10.00 admin fee. Payment of dues may be postponed due to financial hardship if, such a request is approved by "The board".

**Section 5 - Learning session Fees:** Learning session fees are non-refundable to the parents and due prior to the start of the semester. Learning session fees are paid directly to the session facilitator.

**Section 6 – Continuing Membership:** Members must continue to meet eligibility requirements at all times to retain Membership status. The Membership in HESWM runs August 1st- July 31st.

**Section 7 – Rights of Members:** Each Family Membership shall be entitled to a single vote in any matter to be voted on by the entire HESWM. The following actions shall require the approval of the Membership:

1. Amendment of the By-Laws of HESWM
2. Election of Officers from nominated candidates to succeed those whose terms are next to expire, or to fill any seat during a current term for which no Officer has yet been elected by the Membership.
3. The dissolution of HESWM.

**Section 8 - Responsibility of Membership:**

1. Behavior: Every Member is to promote unity within the group through words and conduct. If it is deemed by "The Board" that a Member's behavior is detrimental to HESWM in person or on HESWM's forum (Facebook page), the Member will be given a verbal or written warning. If the detrimental behavior continues, the Member may be placed on Probation. If the Member continues to behave poorly, "The Board" may take action up to and including Termination of Membership.
2. Members are expected to keep the member's list and content on the web forum confidential.

**Section 9 - Probation:** Members may be put on Probation by a Board vote if they are not fulfilling their Responsibilities of Membership as defined in Article 2, Section 8. The length of Probation and the regaining of good standing will be determined by a Board vote. The Member will be formally notified at the time Probation is delivered to the Member. A Member on Probation.

1. Will have access to website forums and Facebook group restricted.
2. Will have their voting rights suspended.
3. May not serve on a Committee.
4. Must immediately pay any fees that are due to HESWM.

**Section 10 – Resignation and Termination:** Any Member may resign by filing a written resignation which will be filed with the Secretary. Resignation shall not relieve a Member of unpaid dues, or other charges previously accrued. Termination by the Board from HESWM may occur if a family does not abide by the HESWM Rules of Conduct and By-Laws. Termination should be formalized by a two-thirds majority vote of the Board and the Membership notified immediately after Terminating Members.

## Article 3 – Meetings

**Section 1 - Membership Meetings:** Quarterly meetings of the Board shall be deemed Membership Meetings and be open to all members. These meetings shall be held once per quarter. The quarters are Aug-Oct/Nov-Jan/Feb-April/May-Jul. Notification of these meetings will be distributed to the HESWM Membership through the online forum or Facebook two (2) weeks before the meeting. Disciplinary matters of Termination and/or Probation will not be discussed at these open meetings.

**Section 2 - Quorum for Meetings:** Three/sixths(3/6) of the Offices of “The Board” currently serving must be present in order to constitute a quorum. If a quorum is not present, no voting may take place.

**Section 3 - Addressing the Meeting:** Any member wishing to address the Board at a Membership meeting shall contact any Officer one (1) week prior to the meeting to have the matter placed on the agenda.

**Section 4 - Agenda:** Agenda shall be released one (1) week prior to meeting by the Secretary for all members to politely discuss on the forum.

**Section 5 - Cancellation of Membership Meetings:** A Membership Meeting may be canceled by “The Board” due to emergency or other unforeseen problems. The President shall instruct the Secretary to notify the Membership of the cancellation and of the rescheduled meeting time and place.

**Section 6 - Business Meetings:** “The Board” may call meetings to transact business in between quarterly Membership Meetings. Written or verbal notice of any special meeting of “The Board” must be given to each Board Member with at least a seven (7) days’ notice unless unanimously agreed upon by the Board Members to suspend the wait period; however notification to the Membership shall not be required. A quorum must be present for any official business to take place. Business Meetings may be held in person, via email, teleconference, or any other means or combination that allows Board Members effectively to interact. Minutes from Business Meetings will be approved at the next Membership Meeting.

## Article 4 – Board of Directors

**Section 1 – Officers:** The business of the organization shall be managed by a Board of Directors comprised of the six (6) elected Offices (outlined in Article 5). The Board is responsible and accountable for maintaining the overall policy, operations and direction of the organization. The Board shall delegate responsibility of day-to-day operations to appropriate committees and volunteers. Board members shall receive no monetary compensation for their service on the Board. No one Member may hold more than one Board office at any given time. An office may be occupied by more than one member as approved by the board and elected by the Membership

**Section 2 – Terms:** All Board members shall not serve for more than four (4) consecutive years in the same position. After 4 consecutive years of service, board members must sit one (1) year out before running for any board position again.

**Section 3 - Resignation of Officers:** Any officer may resign at any time effective upon giving written notice to either HESWM’s President or Secretary. All HESWM official records and materials pertaining to the office shall be surrendered to the President or Secretary upon resignation. Resignation from “The Board” in no way affects Membership standing in HESWM.

**Section 4 - Removal of Officers:** Any Officer may be removed from office, with cause as outlined in Article 2 Section 8, by a unanimous vote of the Board Officers, excluding the officer being voted upon. All HESWM official records and materials pertaining to the office shall be surrendered to the President or Secretary upon removal. Board removal does not necessarily preclude continuing participation in HESWM except as it pertains to the Rules of Conduct. Removed Board Members are expected to maintain the privacy of the Board that they were entrusted with during their tenure. Violation of the Board’s privacy by a removed Board Member is grounds for Termination of Membership.

**Section 5 - Probation:** An Officer can be put on probation for failure to perform their duties as an Officer of “The Board”, openly attacking a Member on any of HESWM forums or in person, either physically or verbally, and failure to perform their responsibilities as Members, in their Officer position or as an Officer of the Board.

1. An Officer of “The Board” may be placed on probation by a majority vote of “The Board” for

- duration to be determined at the time.
2. A Probationary Board Member's vote is suspended during the period of their probation, and access to the board forum as well as attendance to Board Meetings may be restricted during said period.
  3. The vote of a Probationary Board Member shall be relinquished to the President of "The Board" (allowing the President two votes during the probationary period). If the President is placed on probation, their tie-breaking vote is transferred to the Vice-President (giving the Vice-President two votes during the probationary period).

**Section 6: Conflict of Interest:** A Board Member's voting rights may be suspended on individual issues if the issue being voted upon directly involves the Member of "The Board" or is a blatant conflict of interest.

**Section 7: Abstaining:** Any Board member who is uncertain whether a conflict of interest may exist in any matter may request to abstain from voting on the matter from "The Board".

**Section 8: Votes:** Each board position has one vote. If the position is filled by a couple they must share the one vote for that board position.

## Article 5 – Duties of Officers

**Section 1 – Offices:** The elected officers of the organization, which shall comprise the Board of Directors, shall be President, Vice President, Event Coordinator, Secretary, Treasurer, and Field trip coordinator. These positions shall be voted on by the Membership to serve their appointed terms as Officers and Members of the Board.

**Section 2 – Creation of New Officers:** The Board may create new officer positions as it deems necessary to fulfill the needs of the HESWM operations, though these positions may not be declared Members of the Board unless voted upon by the Membership.

**Section 3 – President:** The President shall have an overarching viewpoint at keeping HESWM running smoothly and shall freely consult with the Board and membership concerning the activities of HESWM.

1. The term of the President is a two (2) year term which can be re-elected. The office of President is up for election in the spring semester of odd numbered year.
2. The President shall be responsible for facilitating Membership meeting sites, and shall instruct the Secretary to notify the Membership of date, site, and time of scheduled meetings. The President shall be responsible for setting the agenda and chairing the meeting.
3. The President shall provide a yearly "State of the Organization" report to be distributed to the HESWM Membership following the first Membership Meeting of the fiscal year.
4. The President shall perform such other duties as shall from time to time be assigned by the Board.
5. The President can delegate these responsibilities as necessary.
6. The President represents both the interests of the Membership as a whole and the operational and legal interests of HESWM to the Board of Directors. The President is expected always to act in the best interest of HESWM as a whole.

**Section 4– Vice President:** Shall be responsible for administering the disciplinary policies and procedures for HESWM. The Vice President will respond to all requests for disciplinary action in a timely manner. The Vice President will also act as mediator between Members when conflict arises.

1. In the absence, resignation, death or disability of the President, the Vice President shall perform all the duties of the President and shall be vested with all the powers of the President until such time as the president's vacancy can be filled
2. The term of the Vice President is a two (2) year term, which can be re-elected. The office of Vice President is up for election in the spring semester of every even numbered year.
3. Stays abreast of political happenings concerning home education and parenting and keeps both the board and members at large informed by verbal or written means.
4. Maintains and updates social media and the HESWM website by facilitating discussion and/or group notices.

### **Section 5 – Events Coordinator:**

1. Plan, organize and oversee HESWM events.
2. Coordinates parties for the group. (Kick-Off, holiday parties, End of Year Celebration, etc.) The Event Coordinator may assign committees to help with HESWM events. The Event Coordinator will be responsible for coordinating with these members to avoid conflicts on the calendar.
3. The term of the Event Coordinator is a two (2) year term, which can be re-elected. The office of Event Coordinator is up for election in the spring semester of every even numbered year.

### **Section 6 – Field trip Coordinator:**

1. Plan, organize and oversee field trips.
2. Communicates plans and details to the board in time for inclusion on the calendar of events.
3. The term of the Field Trip Coordinator is a two (2) year term, which can be re-elected. The office of Field Trip Coordinator is up for election in the spring semester of every odd numbered year.

**Section 7 – Secretary:** The Secretary shall be responsible for keeping records of Board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each Board member, and assuring that corporate records are maintained.

1. The term of the Secretary is a two (2) year term, which can be re-elected. The office of Secretary is up for election in the spring semester of every odd numbered year.
2. The Secretary shall prepare letters, notices, etc. and perform such other duties as from time to time as requested by the Board.
3. Ensures all HESWM documents are current and provided for upload on to HESWM website.
4. Files paper work with the Secretary of State annually
5. Will receive and maintain committee files.

**Section 8 – Treasurer:** Shall make a report at each Membership and Business Meeting. The treasurer shall be responsible for all the monies of HESWM, shall receive and disburse all monies in accordance with the instructions of the Board, shall receive Membership application fees and dues, maintain a record of current paid members, assist in the preparation of the budget, help develop fundraising plans, and make financial information available to Board members and the public.

1. The term of the Treasurer is a three (3) year term, which can not be re-elected.
2. Maintains a bank account to receive and disburse all organization funds and keeps complete and accurate records of all transactions in books belonging to the organization.
3. Provides a financial statement at each board meeting in writing of funds received and disbursed since the last meeting.
4. Maintains and services the group Paypal account.
5. Maintains and services the groups website accounting program to insure all accounts are paid in full.
6. Coordinate the filing of taxes annually
7. Checks insurance quotes annually

## **Article 6 - Election of Officers**

**Section 1- Qualifications:** All candidates for Officer:

1. Are expected to be familiar with these By-Laws and see that they are followed, enforced and/or amended.
2. Must be Members in good standing for at least one (1) continuous year just prior to election, unless approved by "The Board".
3. All Board positions, except the Treasurer, have a limit of four (4) consecutive years which a member may sit in that position. Treasurer who only serves three (3) consecutive years. The Board officer may run again for the same office as long as election to that office will not result in them serving in that office for more than four (4) consecutive years or three (3) consecutive

years for Treasurer.

**Section 2: Nominations:** Membership of HESWM shall nominate candidates for office to Members of the Current Board.

1. Members may recommend themselves or someone else.
2. The current Board shall review the candidates' qualifications. The Board shall obtain the candidates' agreement to serve, as well as signed statements affirming they will uphold the responsibilities of the offices for which they are running and will maintain their personal qualifications for becoming an Officer.
3. A Member currently on Probation or a Member who has been asked by the Board not to return the following semester is not qualified for nomination.
4. If no one offers nominations, the current Board will seek qualified candidates. Candidates to be recommended by the current Board will be published on the forum/ private Facebook page prior to the final business meeting of the operational year if possible.
5. "The Board" will submit the list of all qualified candidates to the Membership for vote during the final Membership Meeting of the operational year.
6. A Member may not run for more than one Office simultaneously.

**Section 3: Voting:** Voting for Officers shall take place at the final meeting of the year. The Membership will elect Officers through a simple majority vote via a paper secret ballot of those in attendance at the meeting unless otherwise approved beforehand by "The Board", which will be collected by the Secretary. Election preparations shall be the responsibility of the current Secretary; two other Members, assigned by the Board, shall be responsible for the counting of the ballots.

**Section 4: Term and Transition:** The normal term for Officers of HESWM begins after the last day of HESWM in May. The period between the election of Officers and the beginning of the new term is a transitional time during which the current Board is to train and inform the new Board.

**Section 5 – Vacancies:** In the event of a vacancy on the Board (including situations where the number of Board members has been deemed necessary to increase), New Board Members will be chosen in one of two ways.

1. The Board will seek nominations from the Membership of qualified candidates to fill the position and a replacement will be elected as soon as possible. This replacement shall hold office for the balance of the unexpired term he or she has been appointed to fill.
2. If an officer position is vacated mid-term, the Board will make all attempts to hold elections as soon as possible. If the remainder of the vacated position's term is less than six (6) months or under extenuating circumstances, with a two-thirds (2/3) vote of the Board, the Board can appoint a Member to fill the vacant position for the remainder of the position's term. An officer so appointed shall hold office for the balance of the unexpired term he or she has been appointed to fill.
3. President or Acting-President may ask other board members or HESWM members to be responsible for specific duties of the vacant position until it can be filled.

## **Article 7– Committees**

**Section 1 – Committee Creation:** The Board may create committees as needed. The Board shall appoint all Committee Chairs and assign their mandate. All Committee Chairs are responsible for reporting directly to the Secretary, unless otherwise stated.

**Section 2 – Committee Limitations:** No committee shall have any power to: fill vacancies on the Board, adopt, amend or repeal the by-laws, amend or repeal any resolution of the Board, or act on matters committed by the by-laws or resolution of the Board to another committee of the Board.

**Section 3 – Committee Members:** Committee chairs have the right to determine the members of their committees.

## Article 8 - Non-Profit Provisions

**Section 1:** Upon the dissolution of Home Educators of Southwest Mississippi, assets shall be distributed for one or more exempt purposes within the meaning a qualified public charity according to the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for public purpose and providing that the qualified public charity does not conflict with the purposes, beliefs, or mission as set forth in Article 1, section 2 and 3..

**Section 2:** Home Educators of Southwest Mississippi is organized exclusively non-profit purposes under the Internal Revenue Code. No part of home Educators of Southwest Mississippi's net earnings shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

**Section 3:** No substantial part of the activities of Home Educators of Southwest Mississippi shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office.

**Section 4:** Notwithstanding any other provision of this document, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under the Internal Revenue Code, or corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or corresponding section of any future federal tax code.

## Article 9 – Amendments

**Section 1** – These By-laws may be amended when deemed necessary by a 75% majority vote of the Membership present at a meeting to vote on such amendments, unless a proxy vote is approved beforehand by “The Board”. Proposed amendments must be submitted to the President or Vice President and sent along with regular board meeting notices.

**Section 2**- HESWM Members can amend the bylaws ONE TIME each year, during the Open Board Meeting at the end of the academic year (April)

*Home Educators of Southwest Mississippi*