

# **DULUTH PUBLIC SCHOOLS ENDOWMENT FUND**

## **BYLAWS**

**Approved: November 15, 1994**

**and as Amended on April 23, 2002**

**and as Amended on April 27, 2004**

**and as Restated on January 26, 2015**

**and as Amended and Restated on \_\_\_\_\_**

## **Mission Statement**

The Endowment Fund for the Duluth Public Schools represents a community-based effort to provide supplemental funding to enrich the academic, cultural, athletic, and overall experience of students and staff, and to encourage and reward creativity and innovation in the pursuit of excellence in education in the Duluth Public Schools.

### **Chapter I** **Recognition**

A. **AUTHORITY:** The Board of Trustees (Trustees) for the Duluth Public Schools Endowment Fund (Fund) is formed under the authority of the Duluth School Board (Board). The Trustees are authorized to conduct activities for the Fund which shall include, but not be limited to the following: (1) recommend such rules, regulations, and procedures as are necessary for the operation of the Fund to the Board for final approval, (2) schedule and conduct meetings, (3) appoint committees, (4) disseminate information, (5) elect their own officers, (6) raise funds, and (7) make recommendations to the Board relative to the distribution of Endowment Funds.

B. **RELATIONSHIP TO BOARD:** The President of the Board shall annually appoint a member of said Board to serve as a Trustee as the Board's representative. This appointment shall be made in accordance with School Board policy. It shall be the responsibility of said representative to maintain open communications between the Board and the Trustees.

The Board, while having the responsibility for the total operations of the schools, shall not have authority to authorize the distribution of Endowment Funds except upon recommendation of the Trustees. Should there be a divergence of opinion and/or need for clarification between the Board and the Trustees, an ad hoc committee shall be appointed for the purpose of developing a resolution or clarification. This committee shall be composed of five members; two appointed by the Board President, two appointed by the Trustees, and one member agreed to by the other four.

C. **RELATIONSHIP TO SUPERINTENDENT:** The Superintendent or his/her designee shall be invited to attend all regular and special meetings of the Trustees and shall act as the chief advisor to the Trustees and the Board. All recommendations from the Trustees to the Board shall be through the Superintendent or his/her designee.

D. **AUTHORITY AND RESPONSIBILITY:** The authority of the Trustees as delineated in Section A of this chapter shall not be construed as finite but rather as a general statement of direction.

The responsibilities of the Trustees shall include but not be limited to (1) the establishment of the Endowment fund-raising goal and procedures, (2) setting of application procedures, (3) acceptance of applications for funding, (4) the review of applications, (5)

recommendation of select applications for funding, (6) setting the amount of funds to be distributed per application, (7) setting such time limits as necessary for the processing of applications, (8) determining methods to evaluate the results of Endowment funded activities, and (9) issuing of reports relative to the results of funded activities.

- E. **MEETINGS:** The trustees shall establish a regular time, date, and location for the meetings. Such meetings will normally be held at least quarterly. The Trustees may conduct such special meetings as they deem necessary for the conduct of Endowment Fund business.

The annual meeting of the Trustees shall be held in June of each year.

Special meetings of the Trustees may be called by the President of the Board of Trustees or by the request of three or more members of the Board of Trustees. All members of the Board of Trustees shall be notified by mail or electronic medium at least 48 hours before the special meeting.

- F. **QUORUM AND VOTING:** A majority of the membership of the Trustees shall constitute a quorum at all regular and special meetings.

Each individual Trustee shall be entitled to one vote on any matter presented to the Trustees for a vote. No voting by proxy or absentee ballot shall be permitted on any matter presented to the Trustees for a vote. The affirmative vote of at least a majority of those members who are present and voting at a duly held meeting at which a quorum is present shall be the act of the Trustees.

- G. **ELECTRONIC COMMUNICATION:** The Board of Trustees may meet by conference telephone or similar means of communications whereby all persons participating in the meeting can simultaneously hear each other, and participating in a meeting in this manner is personal presence at the meeting.

## Chapter II

### **Selection of Board of Trustees**

- A. **MEMBERSHIP:** The Board of Trustees shall have not less than ~~fifteen (15)~~ nine (9) members and not more than ~~nineteen (19)~~ fifteen (15). At least ~~ten (10)~~ six (6) the Trustees shall be residents of the Duluth Public School District. The Superintendent of the Duluth Public Schools shall be an ex-officio member of the Board of Trustees.

- B. **BOARD OF TRUSTEES: STANDING MEMBERS:** Two (2) standing members of the Board of Trustees shall be designated as annual appointments according to the following:

1. One (1) Board member appointed by the Duluth School Board.
2. One (1) Board member appointed by the Duluth Federation of Teachers.

C. **BOARD OF TRUSTEES: APPROVED MEMBERS:** The remaining Trustees shall be appointed by the Trustees subject to approval by the Duluth Public School Board. Charter Trustees terms shall be considered to have begun as if they had been appointed on July 1, 1994.

D. **TERM OF OFFICE AND OFFICERS:** The Trustees term of office shall be three (3) years, beginning July 1 and ending June 30. Nomination of Trustees, to replace those whose term will expire on June 30, shall be made by the Trustees at a regular or special meeting during the month of May. Nominations shall be submitted to the Board for Approval. Trustees whose first term has expired may be appointed and approved for two (2) additional consecutive terms.

Except for the two (2) standing appointments, vacancies during a term of a Trustee shall be filled, for the remainder of the term by appointment of the Trustees and approval by the Board.

In order to establish a rotation of Trustees, initially one-third of the Trustees shall be appointed for two (2) years, one-third for three (3) years and one-third for four (4) years. Thereafter, Trustees shall serve three (3) year terms.

The Trustees shall elect a Chair, Vice-Chair/Secretary and Treasurer as officers. Such officers will work in cooperation with the Duluth-Superior Area Community Foundation and the Duluth School District staff.

E. **DUTIES OF THE OFFICERS:**

1. Chair. The Chair shall be the chief volunteer officer of the Fund and shall preside at all meetings of the Trustees. The Chair shall have general supervision and direction of the affairs of the Fund.

The Chair shall execute on behalf of the Fund all contracts, deeds, conveyances and other instruments in writing which may be required or authorized by the Trustees for the proper and necessary transaction of the business of the Fund. The Chair shall be an ex-officio member of each committee. The Chair shall present at each annual meeting of the Trustees a full report on the transactions and affairs of the Fund for the preceding year.

2. Vice Chair/Secretary. The Vice Chair/Secretary shall perform the duties of the Chair only in the case of the latter's absence or disability. In such case the Vice Chair/Secretary's execution of any instruments shall have the same force and effect as if it were executed on behalf of the Fund by the Chair. The Vice Chair/Secretary shall cause to be kept a record of all proceedings of the meetings of the Trustees. The Vice Chair/Secretary shall give or cause to be given all notices of meetings of the Trustees and all other notices required by law or these Bylaws, and in the case of absence, any such notices may be given by the Chair. The Vice Chair/Secretary shall be the custodian of all, current and past books, correspondence and papers relating to the

business of the Fund, except those of the Treasurer. The Vice Chair/Secretary shall cause to be prepared and represented to the Trustees such reports as it may desire and request at such times as it may designate.

3. Treasurer. The Treasurer, in conjunction with the Duluth-Superior Area Community Foundation shall be responsible for maintaining accurate financial records of the Fund, and shall present a report of the Fund's financial transactions and status to the Trustees at its annual June meeting, and such other reports to the Trustees as they may require.

F. NOMINATIONS:

1. The Chair shall, in the month of April, annually appoint a nominating committee of three persons who shall in the month of June present a single slate of nominations for officers and trustee positions which will expire at the annual meeting of that year.
2. Trustees will appoint or reappoint Trustees in the month of June of those positions expiring subject to approval by the Board.
3. The Trustees shall annually elect a Chair, Vice Chair/Secretary and Treasurer in the month of June.

Chapter III  
Donations

- A. **ACCEPTANCE:** All donations will be received and receipted by the Duluth-Superior Area Community Foundation in the name of the Duluth Public School Endowment Fund. Contributions are deductible for Federal Income, Estate and Gift Tax purposes. Specific priorities may be established upon the recommendation of the Trustees. All non-specified donations will be deposited in a general, non-prioritized category within the Fund.

Chapter IV  
Disbursements

- A. **INCOME FROM PRINCIPAL:** Only income derived from the principal will be made available for disbursement. All income shall be computed as a December 31 of each year for possible distribution in the following year. However, there shall be no obligation that the Trustees recommend disbursement of income in any given year. Designated income funds will be distributed according to the priority of received donations.
- B. **APPLICATION PROCESS:** A standard application form, approved by the Trustees, shall be utilized for all grant requests.

Applications will be accepted from employees, students and/or residents of the Duluth Public School District (District) working in cooperation with a District employee.

Applications shall be submitted to the Trustees and considered within the time limits as established by the Trustees. The Trustees may, at their discretion, review all applications or establish one or more screening committee(s) for the purpose of assisting in the review process.

The Trustees shall give final approval to those applications chosen for funding. Distribution within the budgetary limits of each category shall be reported through the Superintendent and/or designee to the Board.

#### Chapter V **Amendments**

Amendments to these Bylaws may be made by the Trustees at a regular or special meeting provided that a notice, including the substance of the proposed amendment shall have been mailed to each Trustee not less than five (5) days prior to the meeting. Amendments will be subject to approval by the Board.

**The End**