

# BY-LAWS OF THE MONTGOMERY CATHOLIC PREPARATORY SCHOOL ADVISORY COUNCIL

## ARTICLE I

### ADVISORY COUNCIL

1. PURPOSE. The purpose of the Montgomery Catholic Preparatory School Advisory Council (Advisory Council) is to support Montgomery Catholic Preparatory School (MCPS) in its ministry of offering education and Catholic formation to young people by advising the Archbishop of Mobile and those designated by him.
2. VACANCY OF ADVISORY COMMITTEE MEMEBERS FROM PARISHES. Prior to the expiration of the term of a sitting Advisory Council member, the President of MCPS shall notify the pastor of that parish. Thereafter, the pastor of the parish for which the vacancy exists shall certify to the President of MCPS the name and information for the appointed Council member not later than May 1 of the year in which the term of an Advisory Council member, other than the expiration thereof, the Chair of the Advisory Council shall promptly notify the pastor of the appointing parish to seek the appointment of a replacement member.
3. ELECTION OF ADVISORY COUNCIL MEMBERS FROM CAMPUSES. Any individual wishing to seek election to one of the positions on the Advisory Council from each campus shall submit an application verifying compliance with all requirements and expectations set forth in the Constitution of the Advisory Council. The applications shall be filed and an election for such positions shall be held at such times as the Advisory Council shall establish by resolution to be passed not later than February 1 of each academic year. In each election, each parent of a MCPS student may vote for one candidate for each of the Council member positions from all of the respective campuses. The person who receives the most votes for each position shall be declared to be elected to such Council position. In the event of a tie for any campus Council position, the winner shall be determined by a coin toss. Any candidate who wishes to contest any election must notify the President of MCPS not later than forty-eight (48) hours from the time that the President of MCPS certifies the winners. All ballots shall be maintained by the Controller of MCPS until any election contest is concluded or until the contest period has expired, whichever is later.
4. INTIAL TERMS OF ELECTED ADVISORY COUNCIL MEMBERS. In the event that an elected Advisory Council positions for the various campuses shall be for two (2) year terms. No elected member can serve more than two (2) consecutive terms.
5. VACANCY OF ELECTED ADVISORY COUNCIL MEMBERS. In the event that an elected Advisory Council member vacates such office prior to the expiration of his or her term, the candidate for such office receiving the next number of votes in the prior election shall assume the office for the balance of the term. If the candidate receiving the next higher number of votes at the last election in order of votes received chooses not to serve, each candidate shall be offered the position on the Advisory Council in the order of highest votes received. In the event that none of the prior candidates choose to accept the position, the Advisory Council shall by resolution select the method of selection of a Council member.

ARTICLE II  
MEETINGS

1. REGULAR MEETINGS. Regular meetings of the Advisory Council shall be held without formal notice other than these by-laws on the third Wednesday of each month from August through May of the following year.
2. ORGANIZATIONAL MEETINGS. In conjunction with Advisory Council training in June of each year, the Advisory Council shall hold an organizational meeting on the second Saturday of June, at which time the Advisory Council shall elect officers for the upcoming academic year and may establish committee chairs and committee assignments.
3. PLACE OF MEETING. The Advisory Council shall meet at the MCPS High School or such other location as the Advisory Council may designate from time to time as the place of meeting for any regular or special meeting of the Council. Members of the Advisory Council may participate in a meeting of such Advisory Council by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time and participation by such means shall constitute presence in person at a meeting.
4. NOTICE. Notice of any special meeting, unless waived, shall be given at least five (5) days prior thereto by written notice delivered personally, mailed to each Advisory Council member at his or her address on record at MCPS, or by form of electronic communications, such as electronic mail transmission. The attendance of an Advisory Council member at a meeting shall constitute a waiver of notice of such meeting, except where a member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.
5. MANNER OF ACTING. The act of the majority of the members present at a meeting at which a quorum was present at the commencement of the meeting shall be the act of the Advisory Council.
6. PUBLIC NOTIFICATION OF MEETINGS. Notices of meetings of the Advisory Council shall be posted electronically either on the MCPS web site or other electronic mail or postings regularly utilized by the school. The agenda of each meetings shall be similarly posted. However, the Advisory Council by resolution may choose to conduct meetings not open to the public.

ARTICLE III  
COMPENSATIONS OF MEMBERS AND OFFICERS

1. COMPENSATION. Members of the Advisory Council shall serve without compensation.
2. REIMBURSEMENT OF EXPENSES. By resolution, the Advisory Council may request of MCPS that a member or officer be reimbursed for his or her expenses actually incurred in the course of any business on behalf of the Advisory Council.

ARTICLE IV  
OFFICERS

1. COMPOSITION. The elected officers of the Advisory Council shall be a Chair, Vice Chair, and Secretary, all of whom shall be elected by the Advisory Council. Such other officers and assistant officers may be elected or appointed by the Advisory Council as it may deem appropriate. No person shall hold more than one office as described herein.
2. ELECTION AND TERM OF OFFICE. The nominations for officers of the Advisory Council shall be made at the organizational meeting provided for herein, at which time such officers will be elected and will assume office at that time.

ARTICLE V  
COMMITTEES

1. STANDING COMMITTEE. In addition to the standing committees established in the Constitution, there shall be two (2) standing committees of the Advisory Council in addition to those established in Constitution, with the following functions:
  - a. There shall be a Capital Development Committee which shall make capital development recommendations to the Advisory Council; and,
  - b. There shall be a Marketing and Public Relations Committee which shall recommend a marketing/PR plan to the Advisory Council and shall monitor this plan and make recommendations for its annual improvement.
2. COMMITTEE MEMBERS. Members of the standing committees identified in Section 1 above shall be appointed by the Chair. With the approval of the Advisory Council Chair, a committee chair may invite non-Advisory Council members to serve as members on the committee.
3. AD HOC COMMITTEES. In addition to these standing committees, the Advisory Council may establish such special or AD Hoc committees as the Advisory Council shall determine to be necessary and convenient.

ARTICLE VI  
ADVISORY COMMITTEE EVALUATION OF THE PRESIDENT OF MCPS

1. An annual evaluation of the President of MCPS shall be conducted by the Advisory Council not later than the regular May meeting of each academic year, after which time the Chair shall meet with and discuss the evaluation with the President of MCPS.
2. The President of MCPS shall be evaluated based on the criteria established by the Office for Catholic Schools of the Archdiocese of Mobile or based upon the job description for the position of President of MCPS.

ARTICLE VII  
ESTABLISHMENT OF PROCEDURES

1. The Advisory Council may from time to time establish such operating policies and/or procedures for the carrying out of the Functions set forth herein.

ARTICLE VIII  
WAIVER OF NOTICE

1. Whenever any notice is required to be given to members of the Advisory Council under the provisions of these by-laws or the provisions of the Constitution, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the same stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE IX  
AMENDMENTS

1. These by-laws may be altered, amended, or repealed and new by-laws may be adopted by the Advisory Council at any regular or special meeting; provided, however, that the Advisory Council may not alter, amend or repeal any by-law established what constitutes a quorum at the meeting of the Advisory Council. Changes to these by-laws do not become effective until ratified by the Archbishop of Mobile who may also freely change by-laws at his discretion.

Given this Tenth Day of June, 2013  
And as Amended this Ninth Day of December, 2019

*+ Thomas J. Rodi*

Most Reverend Thomas J. Rodi  
Archbishop of Mobile