



# By-Laws

## Temple Ner Tamid

### V11 (2014)

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Amended	<b>V9.0</b>	<b>January 2010</b> – Article VIII Section 1.a & Section 7 [2 Treasurers]
Amended	<b>V10.0</b>	<b>May 2012</b> – Article VII Sec 1 [Board size reduced from 21 to 12], Article XIX, XX [Cantor/Educator]
Amended	<b>V11.0</b>	<b>May 2014</b> – Article III Sec 1,2,7 [Non Jewish Temple members]

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**ARTICLE I - NAME**

**Sec. 1** The name of the congregation shall be Temple Ner Tamid.

**ARTICLE II - OBJECT**

**Sec. 1** The object of this congregation shall be to establish and maintain a synagogue and such educational, religious, social and recreational activities as will help further the cause and objectives of the synagogue and Conservative Judaism.

**ARTICLE III - MEMBERSHIP**

**Sec. 1** Any person of the Jewish faith, or married to someone of the Jewish faith, of good moral character shall be eligible for membership under Sec. 2. [*Amended v11*]

**Sec. 2** There shall be two types of voting membership:

- a. Family Membership: Such membership shall be extended to married couples, and shall entitle both adults to all membership privileges. [*Amended v11*]
- b. Individual Membership: Such membership shall be extended to unmarried men and women.

**Sec. 3 Honorary Membership:**

- a. Honorary membership shall be non-voting.
- b. The Rabbi, full-time Cantor and the Educational Director of the congregation shall have honorary family membership during their tenure.
- c. Other deserving persons, regardless of faith, may be elected to honorary membership.
  1. Such membership may be proposed at any duly notified meeting of the Temple Board of Trustees. 3/4 affirmative votes of those members present and voting required to pass.
  2. Upon passage by the Board of Trustees, proposal shall be brought to the next regular congregational meeting for approval by 3/4 of those members present and voting.

**Sec. 4** Applications for membership shall be made in writing to the Membership Committee.

**Sec. 5** A member may be suspended or expelled by a vote of the Board of Trustees at any duly notified meeting by a 3/4 vote of those members present and voting for:

- a. Conduct which brings discredit upon Judaism.
  1. Any member so concerned shall be duly notified of any and all meetings at which his name shall be so brought forth and shall be given the opportunity to be heard at each such meeting.

**Sec. 6** Any member not in good standing for a period of two years shall automatically be dropped from membership unless designated a hardship case. Such designation shall be made by the President and a minimum of two appointees who shall be chosen by him from the Board.

**Sec. 7 Non-Jewish Temple Members** - Members of the Temple who are married to Jews but who are not themselves Jewish shall be: [*Amended v11*]

- a. Welcome at all Temple social, educational and communal functions and to sit with the Congregation at times of worship,
- b. May serve as a voting member on Temple committees,
- c. May serve as an officer, Trustee, or committee chair of the congregation, with the exception of Temple President and Chair of the Ritual Committee,
- d. May not receive certain ritual honors, as will be specified by the Rabbi in consultation with the Ritual Committee,
- e. May attend and vote at General Membership meetings

## ARTICLE IV - DUES

**Sec. 1** All members shall pay such dues as shall be determined by the Board of Trustees.

## ARTICLE V - PRIVILEGES OF MEMBERSHIP

**Sec. 1** Members in good standing shall enjoy the following privileges:

- a. To attend all meeting of the congregation.
- b. To have a voice and a vote at all meetings of the congregation.
- c. To enroll their children in the schools of the congregation, subject to rules and regulations which may be established by the Board of Trustees.
- d. To participate in divine worship at all religious services in the synagogue, subject to rules and regulations which may be established by the Board of Trustees in accord with the practices of Conservative Judaism.
- e. To hold office in the congregation.
- f. To participate in all other activities sponsored by the congregation and its affiliates, subject to the rules and regulations which may be established by the Board of Trustees.

**Sec. 2** Definition: Member in Good standing

- a. All Temple financial obligations past and current must be met by September 1 of each year except as stipulated in b. and c. below.
- b. Those members wishing to budget current dues, religious school tuition, and/or building fund obligations, may do so.
- c. A minimum of 1/2 of the current dues must be paid by September 1 and the remainder shall be paid in specific installments to be completed by March 1 of the following year.

## ARTICLE VI - MEETINGS

**Sec. 1** Two meetings of this congregation shall be held yearly--one during the month of May, the other in such month as the President may designate. Notice of the meetings, together with a copy of the proposed agenda, shall be given by the corresponding secretary of the congregation, in writing, by mail, to all members of the congregation, directed to their addressees as they appear on the books of the congregation, and sent not less than fourteen days prior to such meeting.

- Sec. 2** Special meetings of the congregation may be called by the President whenever in his direction, he deems it necessary, and must be called by him at the written request of thirty members of the congregation in good standing, or by 5 members of the Board of Trustees. Said request shall state the reason for and the purpose of the meeting. The President shall set a date for the special meeting within 5 days after being requested to do so, and notify the corresponding secretary in writing of such date. The date set shall be within 60 days after receipt of the request. Notice of any special meeting shall be given by the corresponding secretary of the congregation, by mail, to all members of the congregation, directed to their addresses as they appear on the books of the congregation, directed to their addresses as they appear on the books of the congregation, sent not less than ten nor more than 40 days prior to such meeting. Such notice must contain the proposed agenda for the special meeting, and a copy of any request for the meeting received by the President.
- Sec. 3** At all meetings of the congregation, regular and special, a quorum for the transaction of business shall consist of ten percent of the voting members of the congregation, including officers present, but a lesser number may adjourn the meeting to some future time, not less than six nor more than twenty days from the date thereof, and the corresponding secretary shall thereupon give at least three days notice, by mail, of such adjourned meeting to all members.

## ARTICLE VII - BOARD OF TRUSTEES

- Sec. 1** The management and administration of this congregation shall be vested in a Board of Trustees consisting of the current officers (Article VIII, Sec. 1), the Men's Club and Sisterhood presidents, the immediate past-president, past presidents subject to the conditions listed below and twelve (12) trustees-at-large [*amended v10*].

The trustees at-large shall be elected for terms of three years, or until their successors are elected for overlapping terms in such manner that each year the terms of office of four members shall expire [*Amended v10*]. A trustee-at-large, specifically elected to such position may serve a maximum of two consecutive three year terms.

- Starting with 30 trustees-at-large members in fiscal year 1994-95 the number of elected members whose terms have expired will be reduced each year from ten (10) to seven (7) in three (3) consecutive years (i.e., 27 elected in 1995-1996, 24 elected in 1996-1997 and 21 elected in 1997-1998). Thereafter seven (7) members, whose terms have expired, will be elected each fiscal year to maintain 21 elected trustees-at-large. [*Amended v2*]
- Starting with 21 trustees-at-large members in fiscal year 2011-2012 the number of elected members whose terms have expired will be reduced each year from seven (7) to four (4) in three (3) consecutive years (i.e., 18 elected in 2012-2013, 15 elected in 2013-2014 and 12 elected in 2014-2015). Thereafter four (4) members, whose terms have expired, will be elected each fiscal year to maintain 12 elected trustees-at-large. [*Amended v10*]

All past presidents, in honor of their service, shall be given a lifetime Board position with all rights and powers of an elected member providing that they agree to sign a letter specifying their willingness to serve and subject to all rules and regulations governing all Board members presented at the beginning of each year. They should be treated as a separate category so not to alter the total number of elected members as called for in the by-laws.

**Sec. 2** The Board of Trustees shall be charged with and assume routine control of all the property of the congregation: real, personal and mixed. However, any leasing for continuous occupancy or use, sale, purchase, donation or expansions of real property requires approval of a simple majority of the general membership present and voting at a regular or special meeting.

a. Options of Temple Funds and Investment Committee (*amended v3*)

1. For all funds designated as funds required for Current Operations, the Board of Trustees shall designate the depository institutions wherein the checking, banking, savings or other accounts may be maintained. Current Operations funds are those funds which are budgeted each year to operate the Temple. Only depository institutions whose deposits are insured by the Federal Deposit Insurance Corporation (FDIC) shall be used as depositories, and only to the extent of the FDIC insurance.
2. The **Investment Committee** will invest to the best interest of Temple Ner Tamid, all those funds designated as funds not required for Current Operations.
3. Funds not required for Current Operations shall include an **Endowment Fund** ("the Fund") whose purpose shall be to enhance the Temple's financial security and provide a source of funding for programs not covered by the Temple's operating budget. (v8.0 new)
  - i. The Investment Committee shall set investment policy for the Fund, select an investment advisor for the Fund, and provide oversight of the Fund.
  - ii. The Board of Trustees shall accept guidance from the Executive Board as to disbursements from the Fund prior to approving such disbursements. Such guidance shall include a recommendation as to the percentage of the fund's total return to be disbursed from the Fund, as well as recommendations regarding specific grant applications from the Budget and Finance Committee and other Temple Committees.
  - iii. In the event an emergency arises that threatens the existence of the Temple, a 2/3 vote of the Board of Trustees will be required to recommend to the general membership approval of emergency disbursements from the Fund. A vote of the general membership at the next regular or special General Congregational Meeting will be required to be called by the Chair of the Board of Trustees, to give final approval, by a 2/3 vote, to emergency disbursements from the Fund.

b. The Board of Trustees shall be responsible for all expenditures and disposal of congregational funds and property.

c. The Board of Trustees shall have the right to invest surplus funds of the congregation in United States Government Bonds.

d. The Board of Trustees shall not set aside any money or property in any manner, which avoids the necessity of treasury vouchers.

**Sec. 3** The Board of Trustees may make such rules and regulations as they deem advisable for the proper conduct of their meetings.

a. Such rules and regulations shall supersede Robert's Rules, but shall in no way conflict with the Temple By-Laws.

- b. No change, modification or addition to the rules and regulations shall affect any prior unsolved questions for the term of one year from the initial debate on said question.
- Sec. 4** The Board of Trustees shall elect the Nominating Committee.
- a. The committee shall consist of five members of the Board of Trustees and four from the general membership.
- Sec. 5** The Board of Trustees shall meet on the second Tuesday of each month, except during the months of July and August, or on such other day as the Board of Trustees by resolution, may designate, and a quorum thereat shall be 1/3 of the Board membership. No matter may be decided upon by the Board of Trustees except by a simple majority of the members voting, except as otherwise stated in this constitution.
- Sec. 6** Special meetings of the Board of Trustees may be called by the chairman at his discretion, and must be called by him at written request of 5 members of the Board of Trustees. Said request shall state the reason for and the purpose of the meeting. The chairman must set a date for a special meeting within 5 days after being requested to do so.
- Sec. 7**
- a. In the event of the resignation, incapacity, election to a Constitutional office, or death of a member of the Board of Trustees, the nominating committee shall meet to nominate a successor to be presented to the Board by the next Board meeting following the declaration by the President that such a vacancy exists.
- b. Nominations may also be made in writing by not less than 3 Board members, submitted to the chairman of nominations, provided written consent of the person nominated is received, not later than 1 week prior to the Board meeting at which nominations must be submitted.
- c. In the event of resignation, the resignee shall be requested to serve until a successor is elected.
- d. A majority vote of those present and voting is necessary to elect a member of the Board of Trustees.
- e. If a member of the Board of Trustees shall be absent from 3 consecutive regular Board meetings without a proper and sufficient reason of which the President has been apprised, the President shall then declare the office vacant, provided that personal notice be given to said Board member by the President after the second absence informing him of the above rule.

## ARTICLE VIII - OFFICERS

**Sec. 1** Congregation's Officers.

- a. The Officers of this Congregation shall consist of the President, Vice Presidents, Treasurers, and Recording, Corresponding, and Financial Secretaries (*amended v9*).
- b. The specific duties of the Officers of this Congregation shall be described in this article. In addition, each Officer to the best of their expertise shall provide advice and guidance to Executive Board, Board of Trustees, committees of the Congregation and the Congregation at large.
- c. Each Officer must be a Member in good standing at the time of their election.

**Sec. 2** Executive Board.

- a. The Officers, the Men's Club and Sisterhood Presidents, and Immediate Past Temple President shall be members of the Congregation's Executive Board. The chair of the

Executive Board may invite others to attend Executive Board meetings whose presence may be necessary or helpful in forwarding the specific business for which such meeting is called, and;

- b. The Executive Board shall
  1. Provide guidance to the President and the Board of Trustees,
  2. Help in the preparation for Board meetings,
  3. Coordinate the administration of the Temple,
  4. Make decisions as delegated by the board,
  5. Approve all non-cash gifts to the Temple. Donations that affect either real property or the character of the Temple must also be approved by the Board of Trustees and
  6. Determine vacancies of an office in accordance with these by-laws.

**Sec. 3 President** - The President's duties are to:

- a. Call all meetings of the Congregation, Executive Board and Board of Trustees,
- b. Preside as the chair at all Congregational, Executive Board and Board of Trustees meetings,
- c. Appoint a parliamentarian,
- d. Appoint and or remove all standing committee chairperson(s), unless otherwise indicated within these By-Laws,
- e. Delegate the President's responsibilities to a Vice President when the President is temporarily unable to discharge the responsibilities of the Presidency,
- f. Remove from office any Executive Board Member and Board Members as authorized in these By-laws in Article VII, section 7 paragraph e,
- g. Assist the Treasurer as required with the discharge of financial obligations consistent with Article VIII, section 7 paragraph e, below,
- h. Participate with the Financial Secretary(s), consistent with Article III, Sec. 6 of these Bylaws, and the Treasurer in the determination of Temple Members in good standing,
- i. As authorized by legislation and decisions of the Board of Trustees and/or Congregation, sign and maintain within the Temple office all agreements and contracts pertaining to personnel or real property,
- j. Be a voting member of all congregational committees, unless otherwise indicated in these Bylaws,
- k. Be ex-officio member of the boards of all the Auxiliary Organizations of the Temple,
- l. Disburse presidential expenses, up to the limit approved in the Budget by the Board of Trustees, and
- m. Be responsible for the administration of the Temple office. This includes staffing and disbursements within the limits of the budget. These duties may be delegated to an executive officer.

**Sec. 4 Vice-Presidents** - There shall be at least three Vice Presidents and no more than four Vice Presidents (*amended v7*). Their duties are to:

- a. Discharge the duties assigned by the President;
- b. Provide advice and guidance to the Committees of the Congregation;
- c. Serve as an acting President and discharge the duties of the President if the President is unable to discharge said duties due to death, resignation or other causes:



1. If the President does not request a specific Vice-President, the Vice-Presidents shall choose from amongst themselves an individual who will be an acting President.
2. In the event the cause will likely extend beyond 30 days, the acting President must immediately convene an Executive Board meeting to determine if the position should be deemed vacant.
3. If the position is deemed vacant, the acting President shall notify the nominating committee, and schedule within 30 days a Board of Trustees meeting to elect a new President to serve out the existing term. A majority vote of the members of the Board of Trustees present and voting is required to elect a successor.

**Sec. 5 Recording Secretary** - The Recording Secretary's duties are to:

- a. Prepare minutes of the meetings of the Executive Board, Board of Trustees and the Congregation,
- b. Maintain within the Temple a permanent electronic record of all meetings of the
  1. Board of Trustees, and
  2. Congregation
- c. Maintain within the Temple a permanent electronic record of
  1. These By-Laws, and
  2. Executive Board decisions made under Article VIII, section 2, and
  3. Approved Board of Trustees legislation, and
  4. Approved Congregational legislation;
- d. Communicate in the bulletin to the Congregation in a timely manner, all legislation approved by the Board of Trustees.

**Sec. 6 Corresponding Secretary** - The Corresponding Secretary's duties are to be responsible for the correspondence of the congregation, and the Board of Trustees; this includes the Temple Bulletin.

**Sec. 7 Treasurer** - There shall be no more than two Treasurers (*amended v9*). The Treasurer(s) duties are to:

- a. Be responsible for an accurate record of the receipts and expenditures of the congregation and of the accounts between the congregation, its members, and others. The records shall be maintained in the Temple office and be current on a weekly basis;
- b. Make the Temple books, records, and vouchers available to the auditing committee at their request;
- c. Safeguard the monetary assets of the Congregation, and render a full financial report at each regularly scheduled Congregational meeting;
- d. Prepare actual and budgetary financial statements as requested by the President or the Board of Trustees;
- e. Discharge after approval by proper authority, financial obligations of the Congregation that are consistent with the Temple budget or were otherwise approved by the Board of Trustees;
- f. Advise the Financial Secretary(s) and aid in the determination of Temple Members in good standing;
- g. Ensure that adequate insurance is in force at all times.

- Sec. 8 Financial Secretary(s)** - There shall be no more than two Financial Secretaries. The Financial Secretary(s) duties are to:
- a. Determine, with the advice of the President and Treasurer, Temple Members in good standing. No member shall be removed from the Temple rolls without the consent of the President or in accordance with Article III, Sec. 6 of these Bylaws.
  - b. Be responsible for
    1. Maintenance of the membership records of the congregation,
    2. Collection of all funds due from Members of the Congregation, and
    3. Issuance of timely account balances and statements to the congregants.
- Sec. 9 Terms of Office.**
- a. Each Officer shall be elected for a term of one year.
  - b. Other than Vice-Presidents, each officer may serve a maximum of four consecutive terms.
  - c. Vice-Presidents may serve a maximum of six consecutive terms
- Sec. 10 Officer Succession Other Than President** - If the duties of an Officer other than President cannot be carried out due to death, resignation, or other causes that will likely extend beyond 30 days:
- a. The President must immediately convene an Executive Board meeting to determine if the position should be deemed vacant and to determine how the duties should be carried out during the absence,
  - b. If the position is deemed vacant, the President shall notify the Nominating Committee, and schedule within 30 days a Board of Trustees meeting to elect a successor to serve out the existing term. A majority vote of the members of the Board of Trustees present and voting is required to elect a successor.

## ARTICLE IX - THE RABBI

- Sec. 1** The pulpit shall be occupied by a Conservative Rabbi.
- Sec. 2** Election or Reelection of a Rabbi:
- a. A special committee for the purpose of electing or reelecting a Rabbi shall be formed. This committee shall consist of the following: (1) Temple President; (2) chairmen or their designees from within the Ritual, Religious School, Youth, Adult Education, and Finance Committees; (3) three members at large chosen by the Temple President. This committee shall be formed no later than 7 months prior to the expiration of any contractual agreement with the Rabbi. The President of the congregation shall serve as Chairman of the committee with voting rights.
  - b. In the case of reelection, the recommendation of the committee must be brought before the Board for Board action.
    1. Upon receipt of a 2/3 vote of the Board of Trustees present and voting, the Rabbi shall be considered to be reelected. Failure to achieve the 2/3 vote shall result in non- reelection of the Rabbi by the Board. No further action is required.
  - c. In the case of election of a new Rabbi, a candidate receiving a 2/3 vote of the special committee present and voting must be brought before the Board for their action.

1. Any candidate so presented, receiving a 2/3 affirmative note of the Board members present and voting, shall be presented to the congregation.
2. Any candidate presented by the Board to the congregation at any regular or special meeting called for that purpose, receiving a 2/3 affirmative vote of the members present and voting shall be elected to the pulpit of Temple Ner Tamid.

**Sec. 3** The Rabbi shall have the overall responsibility of implementing the aims and objectives of the congregation and the most effective way of discharging his duties.

**Sec. 4** **Tenure:** If the Rabbi requests tenure, such request shall be brought to the Board of Trustees. If the request for tenure receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

**Sec. 5** **Sabbaticals:** If the Rabbi requests a sabbatical, such request shall be brought to the Board of Trustees. If the request for a sabbatical receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

## ARTICLE X - THE CANTOR

**Sec. 1** Election of Reelection of a Cantor

- a. The Ritual Committee and the Rabbi, serving in an advisory capacity, shall meet for the purpose of electing or reelecting a Cantor no later than 7 months prior to the expiration of any contractual agreement with the Cantor.
- b. In the case of reelection, the recommendation of the committee must be brought before the Board for Board action.
  1. Upon receipt of a 2/3 vote of the Board of Trustees, present and voting, the Cantor shall be considered to be reelected. Failure to achieve the 2/3 vote shall result in non- reelection of the Cantor by the Board. No further action is required.
- c. In the case of election of a new Cantor, a candidate receiving a 2/3 vote of the Ritual Committee must be brought before the Board for their action.
  1. Any candidate so presented, receiving a 2/3 affirmative vote of the Board members, present and voting, shall be presented to the congregation.
  2. Any candidate presented by the Board to the congregation at any regular or special meeting called for that purpose, receiving a 2/3 affirmative vote of the members, present and voting, shall be elected to the position of Cantor of Temple Ner Tamid.

**Sec. 2** The Cantor shall be responsible for the musical program and activities of the congregation and shall be guided in the performance of his duties by the Rabbi and any appropriate committees which may be appointed for this purpose.

**Sec. 3 Tenure:** If the Cantor requests tenure, such request shall be brought to the Board of Trustees. If the request for tenure receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

**Sec. 4 Sabbaticals:** If the Cantor requests a sabbatical, such request shall be brought to the Board of Trustees. If the request for a sabbatical receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

## ARTICLE XI - EDUCATION DIRECTOR

**Sec. 1** Election or Reelection of an Educational Director

- a. The Religious School Committee and the Rabbi, serving in an advisory capacity, shall meet for the purpose of electing or reelecting an Educational Director no later than 7 months prior to the expiration of any contractual agreement with the Educational Director.
- b. In the case of reelection, the recommendation of the committee must be brought before the Board for Board action.
  1. Upon receipt of a 2/3 vote of the Board of Trustees, present and voting, the Educational Director shall be considered to be reelected. Failure to achieve the 2/3 vote shall result in non-reelection of the Educational Director by the Board. No further action is required.
- c. In the case of election of a new Educational Director, a candidate receiving a 2/3 affirmative vote of the Religious School Committee must be brought before the Board for their action.
  1. Any candidate so presented, receiving a 2/3 affirmative vote of the Board members, present and voting, shall be presented to the congregation.
  2. Any candidate presented by the Board to the congregation at any regular or special meeting called for that purpose, receiving a 2/3 affirmative vote of the members, present and voting, shall be elected to the position of Educational Director of Temple Ner Tamid.

**Sec. 2 Tenure:** If the Educational Director requests tenure, such request shall be brought to the Board of Trustees. If the request for tenure receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

**Sec. 3 Sabbaticals:** If the Educational Director requests a sabbatical, such request shall be brought to the Board of Trustees. If the request for a sabbatical receives a 2/3 affirmative

vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

## ARTICLE XII - AUXILIARY ORGANIZATIONS

- Sec. 1** The congregation shall have such auxiliary organizations as shall from time to time be authorized by the Board of Trustees.
- Sec. 2** The activities of all auxiliary organizations of this congregation shall be always conducted in such manner as will advance the best interests of the congregation.
- Sec. 3** The by-laws and other regulations of all auxiliary organizations shall be consistent with the by-laws and policy of the congregation.

## ARTICLE XIII - STANDING COMMITTEES

- Sec. 1** The President shall appoint the chairperson(s) of the standing committees within one month of the May congregational meeting. At the discretion of the President, existing committee chairpersons will remain in their positions until the end of June. If the chairperson(s) is unable to serve or is removed from office by the President, the President shall assign a Vice-President to be acting chairperson until a new chairperson(s) is appointed.
- a. Committees are responsible within their respective functions for financial administration, recommending policy changes to the Board of Trustees, making rules to implement approved policy, and other responsibilities as listed.
  - b. All motions approved by a Temple committee that exceed a budgeted line item, are an unbudgeted expense, change the Real Property, or represent a change in existing policy must be approved by the Board of Trustees before implementation. The Board of Trustees must approve any program requiring the outlay of funds beyond budget in advance of revenues, before proceeding
  - c. Membership and Voting Rights in Standing Committees
    1. Nominating and Investment committees are restricted as indicated elsewhere in these by- laws.
    2. All Temple members may serve on the remaining standing committees unless the member is asked by the chairperson(s) to leave a meeting for disruptive behavior. With the president's concurrence the chairperson(s) may elect not to invite a disruptive member to subsequent meetings.
    3. New committee members have the right to vote at the first regular meeting of the year, or at any other meeting of the year after attendance at the prior meeting (i.e., attend two meetings in a row, at the second of which the person can vote).
    4. If a standing committee member is absent from 2 consecutive meetings without a proper and sufficient reason of which the chairperson(s) has been apprised, the person may not vote until said member fulfills one of the conditions of paragraph c3 above.

- Sec. 2** The **Standing Committees** of this congregation and their duties shall be as follows:
- a. **Membership Committee**: The committee is responsible to contact Jewish families in the community that are not affiliated with any congregation, particularly new families and non-affiliated nursery school families with the intent of inviting them to become members. This committee will also be responsible for integrating new members into Temple life, membership retention, and follow-up on resignations.
  - b. **Ritual Committee**: This committee shall have the following responsibilities:
    1. To formulate rules and regulations for all religious services, functions and kashrut of the Congregation including weddings, b'nai mitzvah and funerals. It shall present any major changes to such rules and regulations to the Board of Trustees for approval.
    2. To offer to the Rabbi advice and counsel regarding the character and mode of the various services. However, the Rabbi shall enjoy freedom of the pulpit and shall be the final authority on all matters of Jewish law and practice.
    3. To appoint gabbaim and ushers as well to give out congregational honors and aliyot. However on the high holidays, honors will be the responsibility of the President.
    4. Maintenance and purchase of prayer books, Torahs, and other religious accouterments. The Board of Trustees and the General Membership must approve a change in prayer books.
  - c. **Religious School**: This committee shall formulate rules and regulations for the religious school(s) through confirmation and provide support to their operations. It shall present any major changes to such rules and regulations to the Board of Trustees for approval. It shall offer advice and counsel to the Education Director regarding the administration of the school. The committee is responsible for ensuring that faculty, curriculum, facilities, safe conditions, books and materials are in place.
  - d. **Nursery School**: This committee shall formulate rules and regulations for the nursery school(s) and its related activities and provide support to their operations. It shall present any major changes to such rules and regulations to the Board of Trustees for approval. It shall offer advice and counsel to the Nursery School Director regarding the administration of the school and its related activities. The committee is responsible for ensuring that faculty, curriculum, facilities, safe conditions, books and materials are in place
  - e. **Adult Education Committee**: This committee in coordination with the rabbi shall be responsible for developing and administering an adult education program. Programs outside the scope of Jewish education shall be subject to the approval of the Board of Trustees.
  - f. **Youth Committee**: This committee shall administer the United Synagogue Youth program for the congregation. It shall present any major changes to its rules and regulations to the Board of Trustees for approval. It shall offer advice and counsel to the Youth Director regarding the administration of the program(s) and provide support as needed in carrying out the activities. It is responsible for ensuring that a director, advisors, programs, facilities, and safe conditions are in place.
  - g. **Social Committee**: This committee shall be responsible for developing and implementing a program of social activities aimed at furthering fellowship and sociability among members of the congregation.

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- h. **House Committee**: This committee shall be charged with the following responsibilities:
1. To maintain all physical properties of the congregation.
  2. To provide and supervise necessary maintenance personnel.
  3. To schedule and arrange for the use and rental of congregational facilities and items and set such rules and regulations as may be necessary to govern such use. The rate structure for rentals shall be included in the budgeting process.
  4. To schedule and arrange for the use and rental of non-congregational facilities and items by the congregation.
  5. To arrange for a proper insurance policy to cover the Temple for physical damage, theft, fraud, and liability.
- i. **Budget and Finance Committee**: The committee shall establish a Temple budget for the upcoming fiscal year and submit this budget for approval to the Board of Trustees no later than its May meeting. The committee shall request proposed budgets from the individual committees in preparing the Temple budget
- j. **Nominating Committee**: This committee shall have the responsibility of nominating all executive officers and members of the Board of Trustees.
1. The committee shall be elected at the September Board meeting, and shall serve for one year.
  2. The nominating committee shall be elected by the Board of Trustees, and shall consist of 5 Board members and 4 members of the general membership.
  3. In accordance with Article XIV the nominating committee shall report to the Board of Trustees and then the General Membership the candidates for the various offices and trusteeships and place nominations at the May General Meeting.
  4. The President will appoint a temporary chairperson. As its first order of business, the committee shall elect a permanent chairperson.
  5. No member shall serve more than two consecutive years.
- k. **Investment Committee (v8.0 revised)**: This committee is responsible for investment of funds not required for current operations. It shall be comprised of **eight (8)** members. Four members will come from the congregation at large (which may include members who are trustees or executive officers), after nomination from the nominating committee and election by the Board of Trustees. The remaining **four** members shall be the President, the Treasurer, the Chairperson of the Budget and Finance Committee, **and the Chairperson of the Planned Giving Committee**. The term of office for the four elected members shall be for two years with overlapping terms; the term of office of the other **four** members shall be in accordance with their respective positions. The Chairperson of the Budget and Finance Committee shall be the acting Chairperson of the Investment Committee until the election of a chairperson by the members of the Investment Committee.

The Investment Committee shall establish a set of operating procedures and an investment policy which must be approved by the Board of Trustees. The investment policy shall be approved (or ratified) by the Board of Trustees no less than every two years and will remain in force until a new investment policy has been approved by the Board. The Board of Trustees may require the Investment Committee to modify an existing **investment** policy with a 2/3 majority of a quorum present at a meeting of the Board of Trustees. The Investment Committee will report the status of these

investments to the membership of Temple Ner Tamid at the Congregational General Meetings.

- l. **Fundraising Committee**: This committee is responsible for developing and implementing programs that provide revenue to the Temple.
- m. **Social Action Committee**: This committee is responsible for developing and implementing programs that provide material, financial, moral and political support to the needy of the community and to World Jewry.
- n. **Planned Giving Committee (v8.0 new)**: This committee is responsible for raising funds for the Endowment Fund by marketing planned giving techniques to potential donors to the Fund, and advising the Executive Board and the Board of Trustees on planned gifts to the Temple before such gifts are accepted by the Temple. This committee shall not be a substitute for a donor's legal counsel, shall not provide any legal or tax advice to potential donors, and shall be clear about this in all discussions, written communications and marketing materials. The Chair of the Planned Giving Committee shall sit on the Investment Committee to advise on Endowment Fund investments.

**Sec. 3** The President may create any other **ad hoc committees** as deemed necessary including but not limited to:

- a. **Audit Committee**: This committee should meet at least every other year to ensure that financial statements are accurate and that internal control processes are in effect to protect against fraud, oversights, or human error. Members of the executive board cannot serve on the Audit committee.
- b. **Family Education**: This committee shall be responsible for developing and implementing a program of Jewish education aimed at furthering Jewish knowledge and family participation.
- c. **By-Laws Committee**: This committee shall be responsible for maintaining in an accurate and useable condition the by-laws of the congregation. It shall provide aid to others seeking to amend these by-laws.
- d. **Bingo Committee**: This committee shall be responsible for operation of Bingo and any other games that are subject to the rules and regulations of the Commonwealth of Massachusetts lottery commission.
- e. **Strategic Planning**: This committee considers the long range needs of the Temple and reports its findings and recommendations to the Executive board, Board of Trustees and General Membership.

**Sec. 4** The President shall make **other appointments** as described including but not limited to:

- a. **United Synagogue Liaison(s)**
- b. **Publicity Liaison(s)** – Disseminate information provided by the Committees, Clergy or Officers of the Temple to the general public in the form of newspaper notices and other such means of publicity.
- c. **Webmaster(s)** – Responsible for the maintenance of the Temple Website.

## ARTICLE XIV - ELECTIONS

**Sec. 1** Election of officers and trustees shall take place at the May meeting of the congregation.



- Sec. 2** The committee on nominations shall submit its slate first to the Board of Trustees and then in writing to the general membership immediately upon completion and at least 30 days before election. An abstract of this section of the By-Laws shall be included with the slate.
- Sec. 3** Nominations may also be made in writing by not less than 10 members in good standing, submitted to the chairman of nominations, provided written consent of the person nominated is received, not later than 15 days after notice of the report of the committee on nominations.
- Sec. 4** The complete slate shall be sent in writing to the entire membership at least 7 days before election.
- Sec. 5** In the absence of additional nominations, the report of this committee on nominations shall become the electoral ballot. In the event of more than one candidate for any office, voting shall be by closed ballot.
- Sec. 6** Newly elected officers and trustees shall assume office not later than the last day in June.

## ARTICLE XV - NATIONAL AND REGIONAL CONVENTION DELEGATES

- Sec. 1** National Convention Delegates
- Any member in good standing may be a candidate for said position.
  - Candidates shall be elected by the Board of Trustees by a majority vote of those members present and voting.
  - The Temple shall subsidize up to 50% of the actual convention costs of each elected delegate.
  - Notice of election of delegates must precede such Board meeting.
- Sec. 2** Regional Convention Delegates
- Any member in good standing may be a candidate for said position.
  - Candidates shall be elected by the Board of Trustees by a majority vote of those members present and voting.
  - The Temple shall assume 100% of registration costs for each elected delegate.
  - Notice of election of delegates must precede such Board meeting.

## ARTICLE XVI - PARLIAMENTARY PROCEDURE

- Sec. 1** Robert's Rules of Order (revised) shall be the standard for parliamentary procedure in this congregation, except as otherwise provided in these By-Laws.
- Sec. 2** Limiting Debate: Debate may be limited at congregational and Board meetings in the following manner:
- Any duly constituted member of the body concerned may at any time move the previous question.
  - Upon receiving a second, the presiding officer must call for an immediate vote without discussion as to moving the question.
  - A 2/3 affirmative vote of those present and voting is necessary to carry.
  - Upon gaining such a vote, discussion is closed and the previous question must be voted.

- e. Failure to achieve such a vote reopens the floor for continued discussion on the previous question.
- f. The motion to call may not be made again until all those who wish to speak at that time have been registered and heard.
- g. Motions to call the question may not be limited.
- h. Committee debate may not be limited.

## ARTICLE XVII - AMENDMENTS

- Sec. 1** This constitution or any portion thereof may be amended in the following manner:
- a. The proposal to amend or suspend one or more articles of this constitution, or to introduce new articles to it, shall be submitted in writing to the Board of Trustees, signed by any member of the congregation.
  - b. The Board of Trustees shall consider such proposal at its next regular meeting.
  - c. All proposed amendments receiving a 3/4 affirmative vote of the members present and voting shall be presented to the congregation.
  - d. Unless otherwise indicated in the proposed By-Law Amendment Motion, any Board approved By-Law Amendment will be presented to the congregation to be considered and voted upon at the next regularly scheduled meeting of the congregation or at a special meeting of the congregation to be scheduled by the President no sooner than twenty (20) days nor later than forty-five (45) days following Board approval. The notice of such meeting shall include a copy of the proposal. *(amended v3)*
  - e. At such meeting, a report shall be submitted on the recommendation of the Board of Trustees as to action to be taken.
  - f. All proposed amendments receiving a 3/4 affirmative vote of the membership present and voting shall be declared adopted.
- Sec. 2** A proposal for amendment or suspension which has been rejected by the congregation may not be resubmitted unless 6 months have elapsed since the time of rejection.

## ARTICLE XVIII - FISCAL YEAR

The fiscal year shall be from September 1 to August 31.

## ARTICLE XIX - THE CANTOR/EDUCATOR

- Sec. 1** Election or Reelection of a Cantor/Educator *(amended v10)*
- a. The Cantor/Educator Committee, which is comprised of members of the Ritual and Religious School Committees and co-chaired by a member of the Ritual Committee and the Religious School Committee, and the Rabbi, serving in an advisory capacity, shall meet for the purpose of electing or reelecting a Cantor/Educator no later than 7 months prior to the expiration of any contractual agreement with the Cantor/Educator.
  - b. In the case of reelection, the recommendation of the committee must be brought before the Board for Board action.

1. Upon receipt of a 2/3 vote of the Board of Trustees, present and voting, the Cantor/Educator shall be considered to be reelected. Failure to achieve the 2/3 vote shall result in non- reelection of the Cantor/Educator by the Board. No further action is required.
  - c. In the case of election of a new Cantor/Educator, a candidate receiving a 2/3 vote of the Cantor/Educator Committee must be brought before the Board for their action.
    1. Any candidate so presented, receiving a 2/3 affirmative vote of the Board members, present and voting, shall be presented to the congregation.
    2. Any candidate presented by the Board to the congregation at any regular or special meeting called for that purpose, receiving a 2/3 affirmative vote of the members, present and voting, shall be elected to the position of Cantor/Educator of Temple Ner Tamid.
- Sec. 2** The Cantor/Educator shall be responsible for the musical program and activities of the congregation and shall be guided in the performance of these duties by the Rabbi and any appropriate committees, which may be appointed for this purpose. In addition, the Cantor/Educator shall be responsible for the Operations and Management of the Religious School and shall be guided in the performance of these duties by the Rabbi and any appropriate committees, which may be appointed for this purpose.
- Sec. 3** **Tenure:** If the Cantor/Educator requests tenure, such request shall be brought to the Board of Trustees. If the request for tenure receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.
- Sec. 4** **Sabbaticals:** If the Cantor/Educator requests a sabbatical, such request shall be brought to the Board of Trustees. If the request for a sabbatical receives a 2/3 affirmative vote from the Board of Trustees, the request shall be presented to the congregation at the next general meeting. Failure to achieve the 2/3 affirmative vote from the Board of Trustees shall result in the denial of the request. If the request is approved by 2/3 of the members present and voting at the general meeting, the request shall be granted. Failure to achieve the 2/3 affirmative vote shall result in the denial of the request.

## ARTICLE XX - CANTOR/ EDUCATOR, CANTOR, EDUCATION DIRECTOR STAFFING PREFERENCE

- Sec. 1** **Staffing Preference:** Temple Ner Tamid may prefer to hire one person to fill the Cantor/Educator position rather than fill the Education Director and/or Cantor positions. However, in any given year, Temple Ner Tamid may leave any of these three positions vacant and choose to fill just one or two of them. The only restriction on the Staffing Preference is that the decision shall not violate any signed contracts not yet completed, even if an individual has been elected or reelected according to Article X: Sec. 1, Article XI: Sec 1, or Article XIX: Sec. 1. (*amended v10*)