

**AQUIA HARBOUR PRESCHOOL, INCORPORATED**  
**BY-LAWS**

ADOPTED May 4, 1978  
AMENDED May 9, 1984  
AMENDED February 10, 1987  
AMENDED February 22, 1989  
AMENDED August 22, 1990  
AMENDED January 17, 2001  
AMENDED May 17, 2001  
AMENDED May 15, 2003  
AMENDED January 26, 2005  
AMENDED February 1, 2008  
AMENDED August 12, 2008  
AMENDED May 11, 2009  
AMENDED November 19, 2009  
AMENDED February 16, 2017  
AMENDED September 2021  
AMENDED August 23, 2022  
AMENDED February 16, 2023  
AMENDED January 25, 2024  
AMENDED August 21, 2024  
AMENDED September 13, 2025

**AQUIA HARBOUR PRESCHOOL, INC.**  
**BY-LAWS**

**ARTICLE 1. NAME**

The name of this corporation will be the AQUIA HARBOUR PRESCHOOL INCORPORATED.

**ARTICLE 2. SECTION 1. PURPOSE**

The purpose of this Corporation is to provide preschool aged children an opportunity for interaction in a formal program to meet their growth needs in a physical, social, emotional and intellectual area.

**SECTION 2. COOPERATIVE PRESCHOOL**

The definition of this program will be a cooperative preschool; it is a school organized and administered by parents and staffed by qualified professional teachers. A cooperative preschool is a school organized and administered by parents and staffed by qualified professional teachers. While the teaching is provided by trained professionals, parents play an active role in the school through volunteering and assisting with daily operations, activities, and events. This partnership allows parents to support their child's first steps toward independence while strengthening the preschool community.

**ARTICLE 3. SECTION 1. MEMBERSHIP**

Any resident of Aquia Harbour and any outside resident, whose child or children are enrolled in the preschool are members of the Corporation. Enrolled students include all those whose registration fee, supply fee, co-op fee, Proof of Birth Certificate and immunization records have been accepted by the Corporation, either for the current school term or the coming school year and whose parents participate in the required activities as defined in the Principles and Guidelines. Children are eligible for enrollment provided the child is toilet trained and, in the opinion of the teaching staff, can adjust to a school environment. There are two class levels: the three-year-old class and the four-year-old class. A child must be the age of the level by the date concurrent with the Stafford County Schools Kindergarten cut-off-date, which is September 30th. If a class is full, a student can be placed on a "Wait List". We maintain a wait list for all classes. If an opening should occur, we call the parents of students on the waitlist in the order that they were placed on the waitlist.

Those students who are not yet 3 years old by September 30<sup>th</sup>, can also be placed on an "Age Waiver Wait List". Once a child turns 3, and if space is available, we will call those students on this wait list. This list will be maintained by order of each child's birth date, *not* the order in which they were placed on the waitlist. No one will be accepted off the Age Waiver Wait List after December 31<sup>st</sup> of the current school year.

**SECTION 2. RESIGNATION**

Membership in this Corporation may be terminated by withdrawing any eligible child from the preschool. A thirty-day notice of the termination is required in writing to the vice president in charge of enrollment and the treasurer for consideration to obtain any co-op fee back. Members who resign before December 31 of the current school year are required to complete at least half of the board-assigned cooperative points and/or requirements in order to qualify for a partial refund of the co-op fee.

### **SECTION 3. FEES**

Dues in the Corporation are in the form of monthly tuition payments. Registration fees are non-refundable. A supply fee is applicable (Adopted January 2008). An annual co-op fee will be collected from each family prior to the start of school. This may be paid at the August Orientation or prior to the first day of school. Refunds will be issued to families who are not in arrears on late fees or tuition by the second week of June or within two weeks of the last day of school. Families who have met one semester of their co-op commitments will receive a 50% refund of the co-op fee at the end of the school year.

Amounts of fees are established by the membership of the Corporation called for that purpose. Registrants after January 1<sup>st</sup> are to pay half of those amounts other than the monthly tuition, registration and supply fees.

The Board of Directors can waive one month's tuition during a school year for a family in an emergency financial situation. The confidential request should be made to the Board from the family, teacher, or Board Member.

### **SECTION 4. DELINQUENTS**

Members who fail to pay their dues or fees and are 30 days or more in arrears on any portion are deemed delinquent. The treasurer will notify delinquents of their status in writing. If payment of past and present fees is not made within 10 days of that notification, the delinquent may be suspended from the membership rolls (the student will be asked to leave the school) and forfeit rights and privileges of that membership and the co-op fee will not be refunded. If at the end of the school year a member is in arrears and payments still have not been made, the treasurer then shall be permitted to deduct fees owed to the Corporation from that member's co-op fee. If this delinquency is still outstanding in May the student will not be able to participate in the graduation ceremony unless the delinquency is paid by the date of graduation. His/her memory book, plaque, and diploma will be held until any monies owed are paid in full.

### **SECTION 5. CO-OP COMMITMENT**

A co-op commitment will be made by each family in the Corporation as determined by the board of directors and general membership.

## **ARTICLE 4. SECTION 1. BOARD OF DIRECTORS GENERAL POWERS**

The day-to-day business and affairs of the Corporation shall be conducted by its Board of Directors.

### **SECTION 2. NUMBER AND METHOD OF ELECTION**

The Board of Directors of this Corporation shall be composed of five (Adopted August 29, 2000) elected directors and also an advisor who is a past board member. Usually, the past president serves this position and can vote in the event of a tied vote. In the event that the position of treasurer cannot be filled solely by one individual then the position can be equally shared by two individuals as the 1<sup>st</sup> treasurer and the 2<sup>nd</sup> treasurer with duties to be determined by the Board of Directors and general membership. This position will still maintain one active vote. (Adopted Sept. 13, 1989) The term of each director shall be one year starting and ending on June 1, with transition training to begin May 1.

### **SECTION 3. WAIVED TUITION FOR BOARD MEMBERS**

All Board members' tuition fees may be waived in full (Adopted May 17, 2001) when enrollment reaches 60 students, including the children of board members. If enrollment falls below 60, the Board will share the cost of the unfilled seats, calculated at the lower tuition rate,

with the total responsibility not to exceed 2 unfilled spots. If enrollment drops below 58 students, Board members' tuition fees will be reduced by 50%.

If a Board Member has more than one child enrolled in the preschool, the discount is applied to only 1 child with the highest monthly tuition. Any subsequent children's tuition will be discounted by 10%

#### **SECTION 4. MEETINGS**

The board and staff will meet quarterly. (Adopted November 2000) The board will meet monthly. The general membership will meet at least 3 times per year (Orientation in August, November and March) with the March general membership meeting holding elections and being the annual meeting.

Being a member of the board is voluntary, time-consuming, and demanding. The general membership expressly grants the board the discretion to provide a board appreciation at the President's discretion, not to exceed a total of \$100 for the entire board for the year.

#### **SECTION 5. SPECIAL MEETINGS**

Special meetings of the board can be called by the Board President or by any of the five active members of the board.

#### **SECTION 6. QUORUM**

Three members of the board shall constitute a quorum at any meeting. Any less than that the meeting will have to be postponed.

#### **SECTION 7. TELEPHONE/ ELECTRONIC VOTE**

Whenever the president sees fit, a vote of the board may be cast by telephone or electronic media providing that this vote is confirmed by the board at its next meeting and recorded in the minutes.

#### **SECTION 8. VACANCIES**

A vacancy on the board shall be filled by the election of a new director by proxy on an electronic form prepared and distributed by the board. Vacancies are to be filled within 45 days of their occurrence.

#### **SECTION 9. RESIGNATION**

Any director may voluntarily resign if they are no longer able to meet the needed duties and requirements of their position. A written notification needs to be emailed to the board documenting their intent to resign. The vacating director has 48 hours to return all property belonging to the preschool from the date the notification was sent. If the property is not returned within that time frame, legal authorities will be contacted.

#### **SECTION 10: TERMINATION AND REMOVAL**

A majority vote is needed to terminate and remove any director. When such a situation arises, the director in question will be notified. An agenda item for this reason will then be added to the following board meeting agenda. A special meeting may be called if necessary.

If the majority does vote to remove the director in question, the director has 48 hours to return all property belonging to the preschool. If the property is not returned within that time frame, legal authorities will be contacted.

#### **SECTION 11: MANAGEMENT OF EMPLOYEES**

The board shall evaluate all at-will Employees periodically. The board shall have the responsibility to administer evaluations of the Employees' performance and conduct yearly evaluations. The hiring and termination of Employees are subject to a majority vote of the board, followed by a vote of the General Membership.

#### **SECTION 12. EMPLOYEE HANDBOOK**

The board is responsible for periodic updates and revisions of the Employee Handbook. No general membership vote is necessary to make changes, though the general membership can overrule any changes by a majority vote.

### **ARTICLE 5. SECTION 1. OFFICERS**

The officers of this Corporation shall consist of a President, Vice President, Treasurer, Secretary, and Fundraising Director. The Board will oversee the committees, which will be assigned among the officers.

#### **SECTION 2. TERM OF OFFICE**

Each officer shall assume office on June 1, with transition training beginning May 1 to ensure newly elected officers properly learn the duties and requirements of their role. Officers shall serve a term of one year but may be re-elected to the same position for additional consecutive terms, provided they have a child enrolled in the school, have fulfilled their role and financial obligations, and the general membership wishes to retain them in the position.

#### **SECTION 3. PRESIDENT**

The president creates a yearly calendar for the membership; prepares and updates staff contracts; Updates Virginia Department of Education licensing requirements and ensures the preschool is run accordingly by their standards; obtains substitutes and informs the treasurer; maintains preschools files; schedules Fire, Health, Licensing Inspections; prepares monthly newsletters for the membership; presides over board and staff, general membership and board of director meetings; serves as a liaison between the Aquia Harbour Property Owners' Association and the preschool; prepares school surveys every two years; prepares end of year evaluations for staff.

#### **SECTION 4. VICE-PRESIDENT**

The vice-president handles all registration responsibilities; responds to registration inquiries including tours of the preschool; organizes and maintains student files throughout the year; prepares and updates student rosters; communicates to membership the status of any outstanding paperwork; attends all preschool meetings; replaces president if necessary.

#### **SECTION 5. TREASURER**

The treasurer attends all preschool meetings and gives Treasurer's Report at the general membership meetings; collects tuition and assesses late fees, non-sufficient fund (NSF) fees, etc.; prepares all bank deposits for tuition, registration, co-op, field trips, fundraisers, etc.; maintains records of purchases; completes a monthly bank reconciliation of all banking accounts using bank data and QuickBooks; maintains accurate records of accounts payable/receivable for checking account, savings account and escrow savings account for co-op fees; sends late payment reminder/bills; picks up mail and pays preschool bills; reimburses Staff/Membership for funds spent on budgeted/approved items; maintains record of all reimbursements/receipts/deposits, prints an income statement for the school year using QuickBooks; prepares the budget for the upcoming school year based on previous figures and anticipated enrollment; arranges for the yearly 990 Federal Income Tax Form to be completed by a CPA or similar entity before the IRS stated deadline; insures all new assets or disposition

of assets are reported for tax purposes; insures Stafford County Personal Property Return is completed before the stated deadline, every five years insures retail sales and use tax certificate of exemption is updated.

The treasurer also oversees all activity being conducted by our payroll service. The Treasurer pays at-will employees twice monthly; prints and distributes W-2 forms for at-will employees at the end of the calendar year; keeps record of payroll and employee attendance; and sends any tax notices to the payroll service. At the Board's discretion, an audit by a CPA, an internal audit by members of the Board, or a financial review by members of the Board will be performed after all bookkeeping is completed in June. All employees are at-will employees.

#### **SECTION 6. SECRETARY**

The secretary shall be responsible for the preservation and upkeep of all records, books and documents of the Corporation. Such records shall include complete minutes from each Board of Directors Meeting, General Membership Meeting and Board and Staff Meetings. The secretary maintains the Aquia Harbour Preschool Website, creates and submits monthly preschool articles to the local AHPOA news publications, submits any other newspaper articles, updates phone message at the preschool and oversees a committee if there is no committee director for that school year. (Edited November 2009)

#### **SECTION 7. FUNDRAISING DIRECTOR**

The fundraising director shall be responsible for presenting an overview of Fundraising Opportunities/Co-op Requirements at Orientation, attending all preschool meetings, facilitating Spirit Wear Orders, organizing Monthly Spirit Nights (September-May, 9 minimum), organizing at least 4 Sales-Based Fundraisers, 2 per semester (fall/spring) and at least 2 Event- Based Fundraisers, 1per semester (fall/spring), and presenting enough volunteer opportunities for families to earn co-op points.

#### **SECTION 8. ADVISOR**

The advisor shall help the board with past history and to aid in continuity of the cooperative program and serve as parliamentarian.

### **ARTICLE 6. SECTION 1. MEETINGS - GENERAL MEMBERSHIP**

The general membership will meet at least three times per year (Orientation in August, November, and March), with the March meeting serving as the annual meeting and holding elections. (Adopted November 2009) Additionally, the general membership may be called by the President to review and vote on Board of Directors' recommendations regarding the creation of new staff positions, the termination of staff to determine whether reconsideration is warranted, and the expenditure of Corporation funds for extraordinary items exceeding \$300.00. These matters shall not be considered routine day-to-day operations, and the general membership retains the right to be actively involved in these decisions.

#### **SECTION 2. QUORUM**

A Quorum of a general membership meeting shall consist of members in good standing that are present at the meeting after due notice (seven days) has been provided. At the discretion of the Board of Directors, emergency general membership meetings may be called as needed.

### **ARTICLE 7. SECTION 1. ANNUAL ELECTION**

Officers shall be elected by the majority votes cast at the March general membership meeting. Casting votes by proxy on an electronic form prepared and distributed by the board is permitted for election of officers at the annual meeting in March.

## **SECTION 2. ELIGIBLE VOTERS**

All current members of the Corporation, as well as parents of students for the upcoming school year, shall be invited to participate in elections.

## **ARTICLE 8. STANDING COMMITTEES**

Committees are established by the Board of Directors to aid them in their duties of the administration of daily business of the Corporation as described in the PRINCIPLES AND GUIDELINES.

## **ARTICLE 9. ORDER OF BUSINESS**

The Roberts Rules of Order shall govern the order of business for all meetings of the Corporation, its Board, and its Committees.

## **ARTICLE 10. AMENDMENTS**

The By-Laws or any part thereof may be altered or replaced by a two-thirds majority of a vote cast by electronic media for that purpose. A notification will be sent out to the General Membership of the results.

## **ARTICLE 11. DISSOLUTION**

If the preschool no longer is serving the community it shall be dissolved. The cash assets and equipment shall be donated to Aquia Harbour organizations as voted on by the majority of the membership.

AMENDMENT 1. The Aquia Harbour Preschool, Inc. maintains a non-discriminatory policy regarding students and faculty. (Adopted Sept. 20, 1978)

AMENDMENT 2. The Aquia Harbour Preschool, Inc. has a non-discriminatory policy as to students and therefore does not discriminate against applicants and students on the basis of race, color, and national or ethnic background. (Adopted July 17, 1979)

AMENDMENT 3. The Aquia Harbour Preschool, Inc. will have an annual program and equipment evaluation.