

# The Constitution and Bylaws

## Of the Eden Teachers' Association

### CONSTITUTION

#### **ARTICLE I      Name**

The name of this association shall be the Eden Teachers' Association (ETA), Local No. 2627.

#### **ARTICLE II      Affiliation**

The Eden Teachers' Association, Local No. 2627 shall be associated with the New York State United Teachers and its National affiliates. (NYSUT, NEA, AFT, AFL-CIO).

#### **ARTICLE III      Code of Ethics**

The Eden Teachers' Association recognizes the impact we as educators have on our students. We shall strive at all times to maintain the highest level of instruction, including assessment, evaluation and instructional planning. As educators, we will maintain an instructional environment that is conducive to learning. We will strive to improve professional awareness, knowledge, and competence. We shall provide a safe and comfortable area for our classes, and work to provide an empowering and supportive environment for students. We will diligently strive to maintain the integrity of all testing media and grading. We shall provide professional educational services in a nondiscriminatory manner, respectful of the dignity of each individual regardless of gender, race, religion, or national sign.

As a unionized association, we recognize our impact on students and coworkers as role models. The Eden Teachers' Association shall conduct business in an ethical manner regardless of whether we are dealing with, members, administration, the school board, or the public. We shall strive at all times to maintain the highest level of ethical integrity in our union procedures and activities. The officers will make every effort to remain abreast of changes in education and educational law and assist our members whenever and wherever needed.

Each member is entitled to full freedom of speech and the right to participate in the democratic decisions of the Union. Subject to rules and regulations set forth in this Constitution & Bylaws, each member shall have the right to run for office, to nominate and to vote in free, fair and honest elections. Membership meetings shall be held regularly, with proper notice of time and place and shall be conducted in an atmosphere of fairness. All Union rules and laws must be fairly and uniformly applied. All members are invited to have a voice in the association and will be treated in an ethical manner.

#### **ARTICLE IV      Purposes**

*Section 1* – to work for the welfare of the school children, the advancement of education, and the improvement of instructional opportunities for all.

*Section 2* – to develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation as mark a profession.

*Section 3* – to develop and promote a continuing program to improve instruction, salaries, fringe benefits, retirement, tenure, professional rights, and leaves, as well as working conditions through formal negotiations with the Eden Central Board of Education as exclusive representative of the teachers of the Eden Central School District and in compliance with the laws of New York State.

*Section 4* – to enable members to speak with a common voice on matters pertaining to the teaching profession and to represent their individual and common interests to the administration, the Board of Education, the taxpayers of the district, and other legal authorities.

*Section 5* – to stimulate closer relationships with professional teaching organizations.

*Section 6* – to hold property and funds and to employ a staff for the attainment of these purposes.

## **ARTICLE V      Membership**

### *Section 1* – Active Membership

- A. Active membership in the association shall be open to all professional certified teaching personnel employed in the Eden Central School System.
- B. Active membership shall be continuous until the member leaves the school system, resigns from the association in writing, has membership revoked under Article V, Section 2, or fails to pay membership dues or sign up for a payroll deduction by October 31.
- C. Additions and deletions to permanent membership roll shall be submitted to the Treasurer by October 31.
- D. Active members of the Association shall also be members of the Eden Teachers' Association's designated affiliates.
- E. Associative membership: Persons retired from the Eden Central School District or who are on the District's preferred eligibility list and who are not eligible to become active members, may enroll as associate members with all rights and responsibilities of active members, except to vote or hold office.
- F. Only active and associate members may attend Association meetings. Only active members may vote.

### *Section 2* – Revocation of Membership

According to procedures adopted by Representative Assembly, the Executive Board may suspend from membership or expel any member who has been found in violation of the ethics of the education profession.

## **ARTICLE VI      Officers**

*Section 1* – The officers of the Association shall consist of a President, a Vice-President, a Secretary, and a Treasurer. The Vice-President, Secretary and Treasurer will be considered "at-large members" of the Representative Assembly during their terms.

*Section 2 – President*

The President shall:

- A. Attend the meetings of the Erie County Council of Union Presidents;
- B. Be the Chief Executive Officer of the ETA;
- C. To regularly meet with the Superintendent of schools to discuss the operation of schools;
- D. Administer all affairs and execute all policies of the organization;
- E. Preside at all meetings of the Executive Board Representative Council and general association;
- F. Represent or delegate representation of the ETA with all external groups;
- G. Establish unpaid committees and appoint the paid committee chairs with the approval of the Representative Council (parliamentarian, historian, etc.);
- H. Call regular and special meetings of the Executive Board, Representative Council, or general membership;
- I. Stay aware of Board of Education actions;
- J. Chair budget committee;
- K. Serve as first delegate to all affiliates;
- L. Stay abreast of changes in educational laws and Board of Regents;
- M. Act as an exofficio member of all committees;
- N. Appoint a parliamentarian who shall interpret Roberts Rules of Order for the Association on all questions not covered in the Constitution and Bylaws;
- O. Fulfill any and all such other duties as the office requires and as are consistent with the Constitution and Bylaws;
- P. Make appointments should any vacancies occur in the Executive Board to fulfill the duration of the term subject to the approval of the Representative Assembly;
- Q. In odd years during the month of May and with the consent of the executive committee, appoint and elections committee chair to maintain candidates for office;
- R. Attend the Representative Assembly and pre-RA Presidents' Meeting

*Section 3 – Vice President*

The Vice President shall:

- A. Assume powers and duties of the President in his/her absence;
- B. Attend all Board of Education meetings and update the membership;
- C. Help the President supervise and coordinate the activities of the committees and be responsible for the committee reports to the Representative Assembly if the chairperson is unable to attend;
- D. Serve as the President's alternate to all affairs;
- E. Perform such other duties as the President may designate;
- F. Fulfill any and all other duties as the office requires and as are consistent with the Constitution and Bylaws;
- G. Chair the Vote/Cope drive and/or his/her appointee;
- H. Chair the scholarship award committee and/or his/her appointee;
- I. Be the ETA alternate representative/delegate to all the NYSUT/AFT conferences and conventions in the absence of the President;

*Section 4 – Secretary*

The Secretary shall:

- A. Keep accurate minutes of the meetings of the Officers, Executive Board, Representative Assembly, and general membership;
- B. Maintain the official accurate current Constitution and Bylaws;
- C. Act as keeper of records for the ETA (attendance / newsletter articles)
- D. Employ staff if necessary with the approval of the Representative Assembly to assist with these responsibilities;
- E. Distribute to members timely summaries of all Representative Assembly and general membership meetings through minutes;
- F. Perform such other duties as the President may designate;
- G. Fulfill any and all such other duties as the office requires and as are consistent with the Constitution and Bylaws;
- H. Be the ETA alternate representative/delegate to all NYSUT/AFT conferences and conventions in the absence of the Vice President;

*Section 5 – Treasurer*

The Treasurer shall:

- A. Hold the funds of the ETA and disburse them upon authorization of the Executive Board, Representative Assembly, and Association;
- B. Keep accurate accounts of the receipts and disbursements;
- C. Report the status of those accounts at least quarterly during the Executive Board and Representative Assembly;
- D. Prepare and present an annual financial statement for publication to members as directed by the Executive Board;
- E. Be a member of the budget committee;
- F. Notify the members and collect from them the appropriate yearly dues;
- G. Forward affiliate dues in a timely fashion;
- H. Advise the Executive Board on possible feasible interest earning activities;
- I. Chair and conduct a yearly membership drive including the contracting of new teachers;
- J. Perform such other duties as the President may designate;
- K. Fulfill any and all such other duties as the office requires and as are consistent with the Constitution and Bylaws;
- L. Be bonded, maintain a petty cash fund of no more than \$50;
- M. Make sure all checks are co-signed by two association officers preferably Treasurer and President;
- N. Maintain a current roll of members;
- O. Supply the records for a yearly internal audit of the ETA financial records done by a committee of 3;
- P. File appropriate legal forms with the government agencies.

### *Section 6 – Grievance Chairperson & Chief Negotiator*

The Grievance Chair shall:

- A. Have a working knowledge of the present contract;
- B. Stay up-to-date with the changes in the contract language after negotiations;
- C. Act as an advocate for teachers during Superintendent stage and Board stage of the grievance procedure;
- D. Keep an accurate file of present and past grievances;
- E. Hold necessary committee meetings;
- F. Be aware of changes in administrative procedures that could have an adverse effect on members and violate contract language;

The Chief Negotiator shall:

- A. Form a Negotiations Committee that represents the membership;
- B. Survey the membership for concerns/needs etc.;
- C. Hold meetings and keep accurate records of proposals;
- D. Communicate with membership on a timely basis including attending ETA meetings;
- E. Establish sub-committees to aid in the negotiation process (i.e. health).

### *Section 7 – Terms of Office*

The officers shall serve for two-year terms and may be re-elected without an intervening term. Each officer shall remain in office until his/her successor assumes the office.

### *Section 8 - Salaries for the ETA Union Officers*

President	\$4,500
Vice President	\$1,500
Secretary	\$1,500
Treasurer	\$1,500

The union dues will be paid for all ETA officers listed above in addition to their salaries.

### *Section 9 – Salaries of Other Union Positions*

Chief Negotiator      \$1,200 - for first year of negotiations.

(Should negotiations continue beyond one year salary shall be prorated. The union dues will be paid during active negotiations in addition to their salaries)

Grievance Chair      Union dues will be paid as a retainer

Each incident requiring action will be \$50. Each grievance \$100 for first level. Each grievance \$200 for level 2 and beyond. Maximum payment: \$1,200.

The Grievance Chair is responsible for submitting to the treasurer an accurate record of any grievances requiring action to receive payment.

Newsletter Editor	\$500
Webmaster	\$500
Political Action Coordinator	\$400
Teacher Center Rep	*
Sick Bank	*
Social Committee (2)	*
Retirement Delegate	*
NYS Healthy Schools	*
Public Relations	*

\*Payment for these positions are as specified: A condition of position payment will include attendance at monthly union meetings (\$20 per each meeting up to \$100) and also submitting articles for the ETA newsletter (\$50 per article up to \$100).

Political Action Committee Members will receive \$25 per event attended.

Elected building representatives will receive a \$25 stipend per meeting attended. (Members must be present for at least  $\frac{3}{4}$  of meeting in order to get paid). Building reps are expected to keep updated on union issues, attend the ETA monthly meeting, and communicate with their constituents. Therefore, any building rep not meeting these obligations may also be removed by the Executive Board.

Head building representatives will receive a \$50 stipend per meeting attended. Head building reps will serve as their building new member coordinator and will serve on the grievance committee. Head building reps will be appointed by the officers.

Negotiation team members will consist of 2 members from each building. Negotiation team members will receive \$10 per meeting up to a total of \$1,500 per negotiation year. (If all members equally attend meetings, this would equal \$250 per person). [Officers and Chief Negotiator will receive no additional monies for attending negotiation meetings].

Salary Schedule Builder	\$500 One-time payment per new contract
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## **ARTICLE VII    The Executive Board**

*Section 1* – The Executive Board shall consist of the elected officers. It shall be the executive authority of the Association. The Executive Committee shall consist of the elected officers and Head Building Reps.

*Section 2* – Within the policies established by the Representative Assembly, the Executive Board shall be responsible for the management of the Association. It shall carry out policies of the Association, and appoint the committee on nominations and elections. It shall report its transactions to the members, and suggest policies for the consideration of the Representative Assembly.

*Section 3* – Whenever 20 percent of the membership of each building, or a majority of the Representative Assembly agree that an officer has been grossly negligent in duties as defined in the Bylaws, or is incapacitated, the Executive Board shall recommend to the general membership that the office be declared vacant. If the membership so votes, in a polling by two-thirds majority of those voting, the general membership shall immediately elect a replacement for the unexpired term for the vacancy created.

#### **ARTICLE VIII    The Representative Assembly**

*Section 1* – The Representative Assembly shall approve the budget (all non-budget items over \$750 must be approved by the general membership), establish dues for each year with the approval of the general membership, act on reports of committees, and approve resolutions and other policy statements. It may adopt such rules governing the conduct of the Association, and the conduct of meetings as are consistent with the Constitution and Bylaws. It shall be the final judge of the qualifications of officers and faculty representatives. It shall confirm unpaid committee chairperson appointments. Powers not delegated to the Executive Board, the officers or the general membership shall be vested in the Representative Assembly.

*Section 2* – The legislative and policy forming body shall be the Representative Assembly.

*Section 3* – The Representative Assembly shall consist of two or more representatives from each building.

*Section 4* – If the President held an assembly seat upon election to office, elections shall be held to fill that assembly seat.

*Section 5* – Any member of the Association who is not a member of the Representative Assembly, may attend its meeting, shall sit a part from the voting body, but may receive permission to speak.

*Section 6* – The Representative Assembly may authorize compensation for Eden Teachers' Association officials subject to annual approval by the general membership.

#### **ARTICLE IX    Amendments**

The constitution may be amended by a two-thirds majority of the votes cast in a vote taken as in procedure for the election of officers after due presentation to the membership at the previous meeting.

#### **ARTICLE X    Contract Ratification and Voting Procedures**

*Section 1* – Ratification of all contracts between Eden Teachers' Association and the Eden Central Board of Education shall be by secret ballot. \*See absentee ballot

*Section 2* – The proposed contract will be presented along with a written synopsis. Ratification will take place within three (3) school days. It will take a majority of the total membership of the Eden Teachers' Association to ratify the contract.

*Section 3* – All Association elections shall be by secret ballot. Absentee ballots will be accepted up to and including one (1) day prior to the vote.

Section 4 – Other voting shall be by secret ballot for any vote in which 20 percent of those present request it.

*Section 5* – Matters involving costs and/or expenses exceeding \$750 per person and affecting a majority of the Eden Teachers' Association shall be presented at a meeting called by Executive Board. Voting of the membership shall take place for the following day with a two-thirds of the total membership necessary for approval. This vote will be taken by secret ballot. (Exclusions to this proposal are annual membership dues and contract ratification).

#### **ARTICLE XI      Fiscal Year**

For accounting purposes, the ETA fiscal year will be from September 1 – August 31.

#### **ARTICLE XII      Ratification**

The constitution replaces all previous Association constitutions as of the date of its ratification.

## **BYLAWS**

#### **ARTICLE I      Meetings**

*Section 1* – The Executive Board shall meet at the call of the President or at the request of two members of the Board.

*Section 2* – The Representative Assembly shall meet on a regular basis, the schedule of which will be established annually. The President shall prepare the agenda for each meeting and shall include items on the agenda as requested by the Executive Board or other members of the Association. The prepared agenda shall be circulated to all the members of the Representative Assembly at least three (3) school days prior to the meeting so that representatives shall have time to discuss it with the members in their buildings in advance of the Representative Assembly meeting. The Executive Board as necessary shall assign officers (Head Reps) to specific buildings to assist representatives in such discussions.

- A. Special meetings of the Representative Assembly may be held at the call of the President, the Executive Board, or upon written request to the Executive Board from three faculty representatives. Business to come before the meeting must be slated in the call, which shall be sent in writing to the representatives.

#### *Section 3* – General Membership Meetings

The members of the Eden Teachers' Association shall meet during the first and last week of the school year for discussion of professional issues.

- A. Special called general meetings may be called anytime by the President, Executive Board, or five (5) members who submit their request in writing to the Executive Board. An agenda shall be distributed five (5) school days in advance of the special called meeting. Only items on the agenda may be voted upon. All other items shall be referred to the Representative Assembly. If a majority of the association members attend a special called general meeting, there shall be an open agenda.



**ARTICLE II Quorum**

*Section 1* – The members present shall constitute a quorum for all membership meetings.

*Section 2* – At the Representative Assembly meetings, a quorum shall be one-half of the members with at least one member from each building.

*Section 3* – A majority of the members shall be a quorum at meetings of committee and Executive Board.

**ARTICLE III Faculty Representatives**

*Section 1* – In each school of the Eden Central School system, faculty members who are active members of the Association shall elect representatives for a term of two years. Each building shall have a ratio of one building representative for each ten (10) active building members or major fraction thereof at the time so the election with a minimum of two representatives per building. The terms shall be staggered. Elections shall be held in May, and the representatives shall take their seats at the June meeting of the Representative Assembly. One representative from each building shall be appointed building Head Rep.

*Section 2* – Responsibilities and Replacement

- A. Faculty representatives shall attend the regular meetings of the Representative Assembly.
- B. Upon a signed petition of 20 percent of the building faculty involved, a representative assembly member may be recalled by a two-thirds vote of the building faculty members.
- C. In case of vacancies in the Representative Assembly, the President shall notify the building nominations and elections committee, and they shall hold a special election.

*Section 3* – Faculty representatives shall have been members of the Eden Teachers' Association at least one (1) year prior to their election and shall maintain their membership in good standing during their tenure in office.

*Section 4* – The officers shall designate one of their building reps to be the building chairperson in each building. This person shall call and preside over building meetings at which minutes shall be kept and a copy page forwarded to the Association Secretary.

**ARTICLE IV Non-elected Association Officials**

*Section 1* – Parliamentarian

The Parliamentarian shall serve as advisor to the officers regarding rules of procedure. This person shall attend all meetings where rules of order, adherence to the constitution and bylaws, and related questions might arise. This position shall be appointed and a non-voting position.

*Section 2* – Association Historian

The Association Historian shall provide a safe, efficient storage procedure for whatever materials the Association determines suitable for reference. This position shall be an appointed, non-voting position on the Representative Assembly.

**ARTICLE V Standing Committees***Section 1 – Structure*

There shall be standing committees carrying out the specific functions outlined below. They shall be for a one-year term.

*Section 2 – Meetings*

Each standing committee shall meet regularly according to a calendar developed by the committee and submitted to the Executive Board and may hold meetings at the call of the chairperson.

*Section 3 – Reports*

Each committee shall keep a continuing record of activities. Chairpersons shall file regular reports with the Representative Assembly for approval and shall submit an annual written report summarizing objectives, action programs, gains, and unreached goals, which the Executive Board shall file to become part of the continuing committee record of the Association files.

*Section 4 – Titles and Duties*

- A. Educational Improvement Committee shall promote a sounder educational environment and a broader and deeper scholarship among teachers by fostering discussion, bringing lecturers, and cooperating actively with local, county, state, and national educational and legislative movements.
- B. Professional Practices, Rights, and Responsibilities committee shall educate the membership about rights and responsibilities. It shall protect and strengthen service to all members. It shall assure high professional standards by interpreting and implementing a code of ethics accepted by the Eden Teachers' Association. It shall provide consultation service to all members. It shall assume the responsibilities allotted to it under the negotiated contract.
- C. Grievance committee shall be composed of the Head Reps from each of the three (3) buildings whose duty it shall be to assist members or the Association itself in the grievances. The Grievance committee shall consist of the chairperson of the Grievance Committee, the President of the Association, and the building Head Reps which form the grievance committee.
- D. Public Relations committee shall promote a more positive communication between the Eden Teachers' Association and the community.
- E. Social Committee shall plan at least one Association activity each year.
- F. Negotiations Committee: the chairperson of the negotiations committee shall be a non-voting member of the representative assembly. The negotiation committee shall be composed of the chairperson and at least one (1) member from each building whose purpose it shall be to negotiate with the Eden Board of Education.
- G. Membership Committee shall solicit membership in the Eden Teachers' Association, and designated affiliates. A list of members in good standing shall be made available no later than November 1.
- H. Political Action committee shall work in a nonpartisan manner to elect local, state, and federal legislators whose records are in favor of quality education.
- I. Legislative committee shall disseminate knowledge or possible action to be taken regarding support for education legislation (such as letters and personal contact with local legislators).

**ARTICLE VI Special Committees**

Each year the President shall appoint an audit committee, a budget committee, a nominations and election committee, sabbatical screening page committee (whose function shall be to establish a priority list of candidates), and other such committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Assembly. No officer of the Association shall serve on the nominations and elections committee or the audit committee.

**ARTICLE VII Elections***Section 1 – Building Elections*

- A. In September, the building Head reps will call a building meeting and elect a member to serve on the Nominations and Elections Committee. Once a committee member has been appointed for each building, the committee members will select one member to serve as Nominations and Elections Chairperson.
- B. No member of the committee shall run for or hold office while serving on the committee.
- C. Among the duties of the committee shall be overseeing of the nomination and election of members for the association.
- D. Nomination and election procedures for each building shall:
  - a. Give written notification to all active members of the offices open.
  - b. Give written notification to all active members of the date of the nomination meeting (at least fifteen (15) day notice).
  - c. Committee shall conduct the nomination meeting at which time, prior nominations will be listed, further nominations will be received and nominations will be closed.
  - d. The committee shall on the next school day give written notification to all active members of the names of the candidates for each office and the date of the election.
  - e. The committee shall oversee the election which shall take place not less than two (2) nor more than five (5) school days after the nomination meeting. The election shall be held during the course of the school day. Secret ballots shall be cast in a specifically designated area. A person shall hold the blank ballots, one of which shall be passed out to each active member whose name will be checked off a master list previously provided by the Secretary of the Association. At the close of the school, the committee shall count the ballots, announce the results and notify in writing the President and the Secretary of the Association and the building chairperson of the results of the election. The ballots shall be sent to the Secretary of the Association who shall keep them safe for one year.
  - f. In the event that a candidate is unopposed, the Secretary will cast a single ballot electing said candidate.
- E. The faculty representatives shall be elected in each building during the month of May. When casting a ballot, candidates may be selected by individual preference without stipulating on your number of choices (for example: if three positions are open, you may abstain, vote for one, two or three candidates).

\*Requirements for election: Faculty seats require a majority to win. If there is NO majority, a run-off election will be held within five (5) school days and will require a plurality to win.

*Section 2 – Association Elections*

- A. The nominations and elections committee chairperson of the Association shall be appointed by the Executive Board. The committee shall be composed of the general chairperson and the chairpersons of the nominations and elections committee of each building.
- B. Among the duties of the committee shall be the overseeing of the nomination and election of Association officers and delegates to designated affiliates.
- C. Nomination and election procedures for the Association elections shall be the same as for building elections.
- D. The election of officers shall take place at a special called general meeting in May.
- E. If one receives a majority of the votes for an officer, there shall be a run-off election between the two candidates receiving the most votes.
- F. The nominations and election building chairpersons shall be responsible for bringing the ballots to a central location designated by the general nominations and elections chairperson and there assist the chairperson in the counting of the ballots. The general chairperson shall announce the results and notify in writing the Association President and Secretary.

*Section 3 – The Length of Term of Delegates*

- A. Designated affiliate delegates shall serve for a term of two years.
- B. The election of specific delegates shall take place no later than the first week in February unless agreed upon by the Representative Assembly.

*Section 4 – There shall be a special election to fill unexpired terms.*

*Section 5 – The elected affiliate delegates should attend local meetings and other meetings authorized by the Association which relate to their responsibilities and shall report to the Representative Assembly.*

*Section 6 – Officers and faculty representatives shall assume office at the general membership meeting during the last week of the school year.*

*Section 7 – All officers-elect shall attend all Executive Board and Representative Assembly meetings as observers until they assume office.*

*Section 8 – The election procedures shall follow the requirements of the Landrum-Griffin Act.*

**ARTICLE VIII Authority**

Robert's Rules of Order Newly Revised shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Representative Assembly may adopt.

**ARTICLE IX Amendments**

The Bylaws may be amended by a two-thirds majority of the votes cast in a vote taken using the same procedure as used for the election of officers after due presentation to the membership at the previous meeting.