

## **BYLAWS Marlborough Educators Association, Inc.**

**2012**

ARTICLE I The name of this organization shall be the Marlborough Educators Association, Inc.

ARTICLE II The objectives of this Association are to promote the interests of educators, to form a closer professional bond among them, and to increase the efficiency of education as a public service.

### **ARTICLE III Massachusetts Teachers Association National Education Association**

This Association shall be affiliated with the Massachusetts Teachers Association (MTA), hereinafter called the State Association, and shall be affiliated with the National Education Association (NEA.), hereinafter called the National Association.

### **ARTICLE IV Membership**

Section 1. Any personnel in the Marlborough Public School System certified by the State Department of Education is eligible for membership with a teacher's contract. (Revised 11/17/08) Members of the Marlborough Educators Association, Inc. are automatically members of the Massachusetts Teachers Association and the National Education Association and must pay dues for all three.

Section 3. Retired educators shall be honorary nonvoting members of the Marlborough Educators Association, Inc. only.

Section 4. Membership shall be continuous unless a written resignation is received by the MEA Treasurer prior to October 15 of the school year. Prior to October 15, those intending to become members shall so signify by signing the appropriate form provided by their Faculty Representative. (Revised 2/12/08)

## **ARTICLE V Officers and Executive Board**

Section 1. Officers The officers of the Association shall be as follows: president, vice president, recording secretary, corresponding secretary, and treasurer.

- a. No member shall hold more than one office simultaneously.
- b. Term of office shall be one year.
- c. Officers will be paid a fee.

Section 2. Executive Board

- a. The Executive Board of the Association shall consist of the officers, immediate past president, faculty representatives from the high school, faculty representatives from the Whitcomb Middle School (Revised 9/4/11 and 11/17/08), faculty representatives from Kane, Richer, Jaworek, the Early Childhood Center, the Phoenix Program (Revised 11/17/08) and the parliamentarian as a voting member. (Revised 3/27/01, 4/2/02 and 2/12/08)
- b. When the membership in any building goes above forty members per representative, the building shall elect and pay an additional representative for as long as this proportion exists.
- c. Should a school go on double sessions, a faculty representative shall be elected for each session from the membership of that session for as long as the school remains in double sessions.
- d. Term of office shall be one year. (Effective July 1, 1999)
- e. Faculty Representatives and parliamentarian shall be paid a fee. (Revised 3/27/01)
- f. . There will be a Public Relations Person, who reports to the President and Executive Board. The Public Relations Person shall be tasked with, but not limited to, writing articles for the local media. The Public Relations Person shall not be a voting position of the Executive Board and shall receive a stipend of \$550/ year. (Added 2/9/2012)

## ARTICLE VI Standing Committees

### Section 1. Negotiating Committee

- a. Members of this committee shall be the only representatives before the school committee during negotiations.
  
- b. This committee shall be composed of a maximum of nine members including the President of the Association (who serves as an exofficio member). The other eight positions shall be held by two members from the high school level, two members from the Whitcomb Middle School (Revised 9/4/11 and 11/17/08), one member from Kane, one member from Jaworek, one member from Richer, and one member from the Early Childhood Center. Distribution of membership must be maintained as stipulated. Members shall serve overlapping three year terms. (Revised, 4/2/02)
  
- c. The Chairperson and Committee Secretary shall be elected by the committee from among its' membership at its first meeting. The Chairperson shall be sole spokesperson for the committee on matters of negotiations.
  
- d. If a position on the negotiations committee becomes vacant, the Executive Board will make an interim appointment to fill the vacancy until the next General Meeting of the Association. This vacancy for the unexpired term will then be filled by an election within the level. The replacement shall be a member at least one full year and must not change the distribution of membership as previously stipulated. (Revised 3/27/01)
  
- e. This committee shall survey the union members to obtain direction for contract negotiations.
  
- f. The results of this survey will then be discussed at a general meeting for the purpose of giving direction to the negotiating team.
  
- g. This committee shall submit to each union member a written proposal of contract no less than five days prior to the contract ratification. (Revised, 4/2/02 and 2/12/08)
  
- h. This committee shall prepare a written ballot for contract ratification.
  
- i. Contract ratification must occur by secret ballot.
  
- j. A general meeting for the purpose of reviewing the contract will be held five days prior to the ratification vote. (Added, 4/2/02)



## Section 2. Public Relations Committee

a. This committee shall consist of the vice president, the corresponding secretary, the recording secretary of the Association, and one member from each building to be elected within their building for a term of one year. The vice president shall be chairperson of this committee.

b. The President of the Association, or this committee as a whole, shall be considered the sole spokesperson of the Association to all nonmembers (including the news media) regarding meetings or other business of the Association. The only exception to this shall be reservation of sole representative status to the Negotiating Committee Chairperson as provided for in Article VI, Section 1.

c. If a position on the committee becomes vacant, the vacancy for the unexpired term shall be filled by an election within that building. The replacement must have been a member for at least one full year.

## Section 3. Grievance Committee

a. This committee shall consist of one member from each building serving overlapping three year terms. Should a school go on double sessions, a committee member shall be elected for each session from the membership of that session for as long as the school remains on double sessions.

b. Each building shall elect its own committee member who shall be installed at the annual meeting.

c. If a position on this committee becomes vacant, the membership of the building involved shall elect a replacement for the unexpired term at a building meeting. The replacement must have been a member for at least one full year.

d. The Grievance Committee will hold its first meeting by October 1 each year and elect a Chairperson.

e. Names of grievants must be used only when directly related to the grievance procedure.

f. The chairperson will notify the membership quarterly regarding ongoing grievances for clarification of contract issues.

g. The Chairperson will be paid a fee.



#### Section 4. By Laws Committee

a. This committee shall consist of the Parliamentarian and a minimum of 3 members and a maximum of 6 members elected at large at the annual meeting serving overlapping three year terms. The Parliamentarian shall be chairperson of this committee. (Revised 2/12/08)

b. A secretary of this committee shall be elected by the committee from among its members at their first meeting to be held by October 1 of each school year.

c. If a position on this committee becomes vacant, it should be filled for the unexpired term at the next General Meeting. The replacement must have been a member for at least one full year.

#### Section 5. Social Committee

a. This committee shall be composed of one member from each building for a term of one year. Each building shall elect its own committee member who shall be installed at the Annual Meeting. Should the school go on double sessions, a committee member shall be elected for each session from the membership of that session for as long as the school remains in double sessions.

b. The Chairperson and secretary of the committee shall be elected from among its members at its first meeting to be held by October 1 of each year.

c. If a position becomes vacant on this committee, the membership of the building involved shall elect a replacement for the unexpired term at a building meeting.

#### Section 6. Budget Committee

a. The Association's budget covers the fiscal year from July first to June thirtieth.

b. The committee shall be composed of four members (including the Treasurer), and three members appointed by the President after the annual election. If the outgoing treasurer does not stand for reelection, he/she must be one of the appointments.

c. By May thirtieth, the committee shall contact the Executive Board and all standing committees for their expected or proposed expenses for the coming year. From this information, they shall draw up a proposed budget to be presented by June thirtieth to the Executive Board for adjustment and approval. The Executive Board will authorize all necessary expenditures until the first General Meeting of the new school year when the budget will be formally approved by the General Assembly.

d. The committee shall recommend each year that the percentage of local dues to go into a contingency fund shall be only with the approval of the Executive Board or a vote of the General Assembly.



## Section 7. Nominating Committee

- a. This committee is to be composed of one person elected from each building to meet as of March 1, and serve a one year term. (Revised 3/27/01) Each building shall elect its own committee member who shall be installed at the Annual Meeting.
- b. If a school goes on double sessions, a committee member for each session shall be elected from the membership of that session for as long as the school remains on double sessions.
- c. The Chairperson shall be elected from among committee members at their first meeting.
- d. Potential candidates for MEA office shall contact their building committee member by April 1st. By May 1st, the committee shall post a preliminary ballot in each building. (Revised 2/12/08)
- e. The committee shall bring a list of candidates for all offices and all standing committees on a written ballot to the annual meeting in April. This ballot shall include the expiration dates for revolving terms on all offices and standing committees that have such revolving terms. The expiration date for all elections to fill vacancies for unexpected terms shall be the date when the term expires.
- f. Should an office become vacant, this committee shall present a list of candidates for the vacancy to the next General Meeting for election. The Executive Board shall make an interim appointment to fill the vacancy until the next General Meeting.
- g. Should a position on this committee become vacant, the position shall be filled by electing a replacement for the unexpired term at a building meeting.



Section 8. Sick Leave Bank Committee

- a. This committee is to be composed of a four member Board of Directors consisting of two members appointed by the School Committee and two members appointed by the Marlborough Educators Association, as provided for in the Contract between the School Committee and the Association.
  
- b. The two MEA members will be selected by the membership at the annual election held during the last school week in April.
  
- c. The two MEA Sick Bank board members will be elected at large for an overlapping two year term (beginning with the April 1989 annual election.)
  
- d. If an MEA position on this committee becomes vacant, it should be filled for the unexpired term at the next general meeting. The replacement must have been a MEA member for at least one full year.
  
- e. The contract provides that the Superintendent of Schools will administer the Sick Leave Bank.

Section 9. Health and Safety Committee

- a. Two representatives from the Association will be appointed by the president to serve on the Health and Safety Committee. They will serve with two representatives appointed by the School Committee. They will be responsible for assisting the School Committee in establishing and maintaining a healthy and safe environment.
  
- b. Individual concerns regarding matters of health and safety shall, where applicable, be brought to the immediate attention of the building principal.
  
- c. The committee shall meet as deemed necessary with any health and safety concerns (Revised 11/17/08) with all building principals and MEA building representatives to hear concerns regarding health and safety and, where appropriate, to investigate such matters. In the event that the committee determines that the investigation requires specialized services, which can only be provided by an outside agency, the committee shall request that the School Committee approve the cost of such services. Reports of the committee shall be presented to the School Committee, which shall take such requests under consideration and take such action, as the School Committee deems necessary. The committee will be informed as to the disposition of the matter within sixty days of referral to the School Committee.
  
- d. In addition, the committee will be encouraged to create health and safety information programs.



Section 10. Labor Management Committee

a. The MEA president and the MTA representative will meet with the Superintendent and Assistant Superintendent every 6 weeks unless the president designates a member to be the liasson. (Revised 11/17/08)

b. The Association representatives will be appointed by the president, consisting of fair representation from every level as well as one member of the Negotiating Committee.

Section 11. Professional Development Committee

a. A Professional Development Committee will be formed by the MEA. The committee will consist of one representative from each building. Each building shall elect its own committee member, who shall be installed at the Annual Meeting.

b. The committee will seek input from teachers regarding professional development workshops to be given during professional development day. This input will be shared with the Curriculum Directors.

c. The Chairperson shall be elected from among committee members at their first meeting. (Revised, 4/2/02)

## **ARTICLE VII Elections**

### Section 1.

All officers, members of standing committees and the parliamentarian shall be elected at the annual meeting in the spring. This is to be done according to the procedures prescribed in Article VI, Section 7. To assure a smooth transition, officers, parliamentarian, and committee members elect shall assume their responsibilities as of July first following their election.

### Section 2.

Should a vacancy occur in the presidency between elections, the vice president shall fill the unexpired term. All other vacancies which might occur in other offices shall be filled for the unexpired term by election at the next General Meeting.

### Section 3.

Faculty Representatives shall be elected by the Association members from their own building at some time in the spring prior to the Annual Meeting. Their names shall be presented to the general membership at the Annual Meeting. The term of office shall be one year. (Revised 1998) Vacancies to this position shall be filled for the unexpired term at a building meeting. The replacement must have been a MEA member for at least one year.

#### Section 4.

At the Annual Meeting, members of the Negotiating Committee shall be elected by Association members, whose school level (High School, Whitcomb Middle School (Revised 9/4/11 and 11/17/08), Elementary schools) they will represent.

#### Section 5.

Up to eight delegates to the annual MTA (To negotiate in contract from 8 members to 9) (Revised 11/17/08) convention are elected by the Executive Board from among its elected members. The general membership should be aware that in choosing Executive Board members at the annual election, they are simultaneously electing candidates to serve as delegates to the convention.

#### Section 6. **Voting**

##### Ballots

- a. All voting will be done by ballot.
- b. Voting will take place at the end of the school day in an area designated by the building representatives.
- c. Representatives will oversee the voting and will count votes except in elections in which they are running for office. In elections, volunteer faculty members may oversee the voting and counting of votes.
- d. The voting tallies shall be given to the President, who will disseminate the results to the membership. Tallies in elections shall be done by volunteers and the results disseminated to the membership. (Added 2/9/12)

#### Section 6. **Absentee Ballots**

Absentee ballots will be allowed when the following conditions prevent a member from voting in person, and only when the following preconditions exist:

- a. The member has demonstrated to his/ her faculty representative that contractual obligations, preapproved school absence, family emergency, or illness precludes him from exercising his or her voting rights because of the time at which the vote is to be held. (Revised, 4/2/02)
- b. The member has requested his/ her faculty representative an official absentee ballot at least two days prior to the day of the vote. (Revised, 4/2/02) (Revised 2/9/2012)

## **ARTICLE VIII Meetings**

### Section 1.

The annual Meeting for the election of officers, parliamentarian, and members of standing committees shall be held in the spring at such time and place as may be determined by the Executive Board.

### Section 2.

There shall be at least two regular meetings of the Association during the school year to be held at various times and places as determined by the Executive Board. Written notification of each meeting shall be presented to each member by the faculty representative five working days prior to the meeting with a reminder the day before the meeting. Meetings of an emergency nature may be called by the President without the five day notice. (Revised 2/12/08)

### Section 3.

Special meetings of the Association shall be called by the corresponding secretary at the request of the president or of the Executive Board. A petition for a special meeting signed by twentyfive percent of the membership may be presented to the Executive Board. The decision to hold such a meeting rests with the Executive Board. Only faculty representative may circulate such a petition among the members.

## ARTICLE IX Finance

### Section 1.

The annual dues must include those of the local, state, and national associations as set for the current year by these associations.

### Section 2.

Dues must be paid in one payment prior to October 15, or by payroll deductions. Forms signed and submitted to the Faculty Representative prior to October 15 provide the eligibility for payroll deductions.

a. After October 15, only paid up members or people on payroll deductions may attend meetings and vote. (Revised 2/12/08)

b. Any members joining the Association after October 15 must make arrangements with the association treasurer for payment of dues before getting voting privileges.

Section 3. The Association shall pay the annual assessment of the State and National associations at the conclusion of payroll deductions.

Section 4. All officers including Negotiations and Grievance Chairpersons are the only authorized members to charge bills at local businesses.

a. All authorized expenses for the MTA Convention, TASC meetings, and annual Leadership Conference are delineated in the latest copy of the MEA Policy Manual.

- b. Section 5. Agency Fee members of the Bargaining Unit must submit fees as provided for in the contract between the Association and the School Committee. The deadline date for notification of payroll deductions of agency fees is the same as that for dues deduction by a member. That date is October 15.

## **ARTICLE X Duties of Officers and Executive Board**

### Section 1.

The President shall preside at all meetings of the Association and the Executive Board, shall supervise the affairs of the Association, shall submit an annual report to the membership at the Annual Meeting in April, and shall serve as association representative to the Marlborough School Committee.

He/she shall be a voting member of all committees except the Nominating Committee. The President or his/her designee will be the sole spokesperson for the Association except as otherwise provided for these ByLaws.

The President or his/her designee will notify the membership upon request of any job postings that may occur when school is not in session.

The President shall have responsibility for the Association's cellular phone.

Section 2.

The Vice President shall perform the duties of the President during his/her absence or his/her request.

He/she shall be Chairperson of the Public Relations Committee.

The Vice President will attend all Executive Board meetings, and will fill the unexpired term of the President if necessary.

Section 3.

The Recording Secretary shall keep full and accurate minutes of all business transactions by the Association and by the Executive Board.

He/she shall be a member of the Public Relations Committee.

In his/her absence, the President shall appoint a recording secretary protem to record the minutes of the meeting and read the minutes of the previous meeting provided by the Recording Secretary.

- a. Section 4. The Corresponding Secretary shall conduct the correspondence of the Association, preserve its documents, and provide the Recording Secretary of the Association with such information as he/she may require. He/she shall be a member of the Public Relations Committee.
- b. It will be the duty of the Corresponding Secretary to oversee the preparation of the Seniority List each year. It will be his/her duty to see that the list is up to date and accurate. The list will be presented to the President and Executive Board for review no later than December 1st of each year, and will be distributed to the membership by the end of February. (Revised 2/12/08)

Section 5. The Treasurer shall be custodian of the funds of the Association and shall be a member of the Budget Committee.

a. He/she shall keep an accurate record of all receipts and disbursements; the vouchers properly filed, and shall collect dues.

b. The Membership Chairperson will update membership records and notify the State Association and Superintendent's Office. (Revised 2/12/08)

c. The Treasurer shall be responsible for the payment of all duly authorized bills. The payment of such bills shall be authorized by the signatures of the President or the Chairperson of the committee from which they originate.

d. He/she shall submit a written report of receipts and expenditures for the year. At each General Meeting or at other times as requested, he/she shall submit a written report of receipts and expenditures since the previous meeting and an account of the cash on hand for the local association.

e. The Treasurer of the Association shall be bonded.

Section 6. It shall be the duty of the Parliamentarian to interpret parliamentary rules at meetings of the Association and Executive Board, by consulting Robert's Rules of Order when inconsistent with the By Laws of the Association. The final ruling rests with the President.

a. He/she shall be chairperson of the By Laws Committee.

b. At the request of the President, he/she shall give an interpretation of a specific By Law.

Section 7.

Association Faculty Representatives shall represent their building membership at meetings of the Executive Board. After such meetings, they shall report back in writing to the membership any action taken.

a. They alone shall circulate petitions among their building members, and shall administrate absentee ballots as provided in Article VII, Section 6 and Article VIII, Section 3.

b. They shall conduct building business as directed by the President and Executive Board.

c. They shall distribute membership forms and collect dues in the building. By October 15, they shall submit dues and payroll deduction forms to the Treasurer and a membership list to the Recording Secretary.

d. The Faculty Representative will also be responsible for distributing Agency Fee forms to his/her building members who do not wish to become members of the Association. They shall submit fees and payroll deduction forms to the Treasurer by October 15, a list of agency fee bargaining unit employees to the Recording Secretary by the same date, and a list of those who have not taken either membership or agency fee forms to the Treasurer by the same date.

Section 8. The Executive Board shall report all its transactions at Board meetings to the general membership, and shall keep the membership informed of Association activities.

a. It shall guide the Association in establishing new policies or projects, which must be reported to the general membership for ratification and approval. It shall keep a list of approved policies.

b. Within the Bylaws and policies established by the general membership, it shall be responsible for the management of the Association between General Meetings and shall carry out the policies of the Association. It must abide by the action of the General Assembly.

c. The Executive Board shall have the books of the Treasurer audited annually at the end of June.

#### Section 9.

Further duties of the Officers and Executive Board are listed as policies and delineated in the most recent printing of the MEA office, and distributed to all officers, Executive Board members, and Chairpersons of all standing committees. They are available to members upon request through their Faculty Representative.

## ARTICLE XI Quorums

### Section 1.

a. For any meeting at which the contract is a part of the agenda the quorum shall be the majority of the MEA membership in attendance (Revised 11/17/08)

b. The quorum shall be the majority of the MEA membership in attendance (Revised 11/17/08) of the Association membership for any business on the agenda excluding items on the contract.

c. The quorum shall be the majority of the MEA membership in attendance (Revised 11/17/08) of the Association membership for any business not on the agenda.

d. The quorum requirement may be waived by a unanimous vote of members present.

### Section 2.

Nine members of the Executive Board shall constitute a quorum for the transaction of business of the board.

### Section 3.

A quorum for committee meetings shall be a majority of the members of the committee.

## **ARTICLE XII Amendments**

This constitution may be amended at any meeting of the Association by a two-thirds vote of a quorum consisting of one-fourth of the membership provided, however, that notice of the nature of the proposed change shall have been given at least ten days prior to a vote on the said amendment.

## **ARTICLE XIII Marlborough Educators Association, Inc. Scholarship Program**

Section 1. The scholarship given in memory of Charles J. Jaworek (first granted in 1947) will continue to be granted by the Association yearly. This scholarship will be titled: "Marlborough Educators Association, Inc. Scholarship. Given in Memory of Charles J. Jaworek."

Section 2. Additional scholarships will be granted by the Association when funds are available to do so. These scholarships will be titled: "Marlborough Educators Association, Inc. Scholarship."

Section 3. Marlborough Educators Association, Inc. scholarships are awarded by the Association to graduating high school seniors whose parent is a dues paying MEA member. (Revised 2/12/08)

Section 4. A Scholarship, not to exceed \$500 will be granted to graduating High Seniors in a public High School whose parent is an active MEA Member of at least five years. (Revised 2/12/08)

Section 5.

a. Applicants must have applied for enrollment in a four or more year accredited degree granting college or university, and must have said application already accepted. (Revised 2/12/08)

b. Applicants must have applied for enrollment in four or more year accredited degree granting college or university, and must have said application already accepted.

c. Upon notification of registration for the second semester, a check for the amount determined by the MEA Executive Board will be sent to the scholarship recipient (Revised 10/26/99)

Section 6.

All Association scholarships shall be determined on the number of applicants with amounts distributed equally among the recipients based on MEA Scholarship budget. (Revised 2/12/08)

The MEA Scholarship Committee shall be notified by April first of the dollar value of scholarships to be granted by the Association. (Revised 10/26/99 and 2/12/08)

Section 7.

Applicants will apply for scholarship consideration on the approval form developed by the Association and made available through the Marlborough High School Guidance Department and the MEA Faculty Representatives.