

# MOHAWK DISTRICT EDUCATION ASSOCIATION, INC

## Bylaws

### Article I: Name

The name of this organization shall be the Mohawk District Education Association, Inc., hereinafter "the Association."

### Article II: Purposes

Section 1: To promote quality education for all students of the Mohawk Trail Regional School District.

Section 2: To uphold high professional standards and to advance the socio-economic well-being of all members in professional negotiations with the School Committee.

- a. To negotiate contracts for salaries, benefits and other conditions of employment.
- b. To present grievances under said contract.
- c. To express a collective voice in educational policy and all matters pertinent thereto.

### Article III: Membership

Section 1: Active membership shall be open to all professional educators covered by the Agreements negotiated between the Association and the Mohawk Trail Regional School District who have paid the annual dues as set by the Association. Said dues shall be payable in full by or before December 1 of each school year, or by authorization of payroll deduction for the full year.

If a member fails to pay full dues in cash by December 1, the Association may refuse to authorize cash membership and require authorization of payroll deduction instead. In no event shall an individual who is eligible for active membership be considered a member of the Association unless he/she has paid the full annual dues or authorized regular payroll deduction in the amount established by the Association.

Section 2: Associate membership shall be available to persons interested in the advancement of education who are not eligible for Active Membership. Application for Associate Membership must be in writing and must be approved by majority vote of the Executive Board.

Section 3: Individuals who have been Active Members for at least five (5) consecutive years prior to retirement shall be eligible for retired membership upon application. First year's dues to be paid by the association.

Section 4: Other individuals may become honorary members with the approval of a majority vote of the Executive Board.

Section 5: Only Active Members, as defined in Section 1, shall have the right to vote, to hold office, or to represent the Association.

## Article IV: Officers

Section 1: The officers of the Association shall consist of a President, three Vice Presidents, a Secretary and a Treasurer. One Vice President shall be elected from the Teachers unit and will chair the Teachers' negotiations committee, one Vice President shall be elected from the ESP unit and will chair the ESP negotiations committee, the third Vice President shall be elected at large and will chair the PR&R committee.

Section 2: The duties of officers shall be as follows:

A. PRESIDENT – The President shall:

1. Preside over all meetings of the general membership, and the Executive Board.
2. Be an ex-officio member of all other Committees. (Ex-officio means that the individual votes only to make or break a tie vote.)
3. Represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office.

B. VICE PRESIDENT – Three Vice Presidents shall share and divide the duties:

1. Be prepared to assume the duties of the President whenever necessary and become President if the office becomes vacant before the expiration of the term.
2. One (1) shall serve as chairperson of the Professional Rights and Responsibilities Committee (PR&R).
3. One (1) elected from the Teachers' unit shall serve as chairperson of the Teachers' Negotiation Committee.
4. One (1) elected from the ESP unit shall serve as chairperson of the ESP Negotiation Committee.
5. Act as advisor and assistant to the President and work closely with one (1) or more Standing Committees as the President may direct.
6. Be responsible for communicating and/or coordinating the activities of the association representatives.
7. The Vice President of PR&R will appoint an active member to audit the Treasurer's books annually after April 15, and to report at the spring general meeting.

C. SECRETARY – The Secretary shall:

1. Keep and distribute accurate minutes of all meetings of the general membership and the Executive Board.

2. Preserve the records of the Association, maintain official files and procure annual reports from the Chairmen of all Standing Committees.
3. Prepare and send out to all Association members timely notice of all general membership meetings.
4. Receive and channel to the Executive Board or appropriate Committee all incoming correspondence. Prepare all outgoing correspondence of the Association.
5. Transmit names of new officers to the MTA and NEA immediately after their election; also provide the state and national organizations with such information as they may request.

D. TREASURER – The Treasurer shall:

1. Have custody of all the funds belonging to the Association, and deposit them in the name of the Mohawk District Teachers Association, Inc., in any appropriate financial institution legally authorized to do banking and/or investment business in Massachusetts.
2. The funds of the Association may be expended only in matters consistent with the objectives of the Association.
3. Collect all dues of the Association through the building representatives and transmit promptly to the MTA amounts due for state and national memberships.
4. Supervise the signing of promissory notes and bill members for unpaid balances of dues.
5. Keep an accurate account of receipts and disbursements and submit the books annually for auditing.
6. Prepare a financial report for the spring general meeting and at other times as requested by the Executive Board.
7. Maintain an accurate list of all members of the Association.
8. Appoint Assistant Treasurers as needed for each building from among the Association representatives.

Section 3: Terms of Succession

- A. The President and Vice Presidents shall serve a two (2) year term, and may run for re–election. Election of the Vice Presidents in charge of negotiations will be in the same year as other officers, the Vice President in charge of PR&R will be elected in alternate years.
- B. The Secretary and Treasurer shall serve a two (2) year term, and may run for re–election.

- C. Association officers will be elected at the time of the annual spring elections by an association vote taken in each building.
- D. New officers will be installed on or before July 1.
- E. The Senior Vice President who is in his/her second year of his/her term will be first in line to replace the President should it become necessary. Senior is defined by the number of years in the Vice President's position.

#### Section 4: Emergency Decisions

- A. The president may caucus with other officers to make a decision necessary within twenty-four (24) hours.

### Article V: Executive Board

Section 1: The Executive Board shall consist of the officers of the Association, the immediate past president, for the first year after leaving office, if that individual is not otherwise entitled to serve on the board, and duly elected Building Representatives.

Section 2: Each school will be entitled to one (1) building representative for every 20 members in its school to the executive board. Membership to be counted as of May 1st of each year.

Section 3: Building representatives will be selected at the time of the annual spring elections by the Association members in each building.

Section 4: Within policies established by the general membership, the Executive Board shall be responsible for the management of the Association.

The Board shall report its transactions to the general membership and suggest policies for consideration by them.

The Board shall recommend local dues for adoption by the general membership.

The Board shall adopt an annual budget for the operation of the Association.

The Board shall establish committees (other than the standing committees), create policies governing them, and appoint the Nominating Committee.

Section 5: Whenever a majority of the Executive Board shall agree that an officer is incapacitated or has been grossly negligent in his/her duties, as defined in these bylaws, it shall recommend immediately to the general membership that the office be declared vacant. If the general membership votes by a two-thirds (2/3) majority of those voting to uphold the recommendation of the Executive Board, it shall immediately elect a replacement to fill the unexpired term.

Section 6: In the event that a vacancy exists in any Association office, including that of Building representative, the Executive Board shall appoint a replacement for the remainder of the school year.

## Article VI: Standing Committees

Section 1: The Executive Board shall appoint all committees except the Negotiating Team and the Professional Rights and Responsibilities Committee. The Executive Board shall also appoint replacements for vacancies in any committee where such vacancies occur during the school year.

Section 2: The Committee for Nominations shall consist of at least one (1) member from each building; to be appointed by the Executive Board. The Committee for Nominations shall encourage individuals to run for Association office and shall supervise the conduct of Association election of officers.

Section 3: The Teacher Negotiating Team shall consist of the President and one (1) Vice President of the Association, and each school will be entitled to one representative per 15 Teacher members to the Negotiations team.

Also one (1) retired Association member and one (1) ESP member will be part of the committee. These members of the Negotiation Team will be non-voting participants, members to be appointed by the President annually.

Candidates will be elected at large for three year terms. One (1) of the Vice Presidents shall serve as the chairperson of the Committee.

The Teacher Negotiating Team will represent the Association in all areas of teacher welfare with particular responsibility for collective bargaining with the School Committee or its representatives and for ratification of any agreements reached with the Committee.

Section 4: The ESP Negotiating Team shall consist of the President and one (1) Vice President of the Association, and each school will be entitled to one representative per 10 ESP members to the Negotiations team.

Also one (1) retired Association member and one (1) Teacher member will be part of the committee. These members of the Negotiation Team will be non-voting participants, members to be appointed by the President annually.

Candidates will be elected at large for three year terms. One (1) of the Vice Presidents shall serve as the chairperson of the Committee.

The ESP Negotiating Team will represent the Association in all areas of ESP welfare with particular responsibility for collective bargaining with the School Committee or its representatives and for ratification of any agreements reached with the Committee.

Section 5: The Professional Rights and Responsibilities Committee shall be established in the same manner as the Building Representatives. One (1) of the Vice Presidents shall serve as chairperson. The Professional Rights and Responsibilities Committee shall explore and prepare action programs for securing satisfactory personnel policies and

procedures for redress of grievances. It shall advise the Executive Board on procedures for the implementation of a Code of Ethics.

Section 6: The Political Education Committee shall consist of at least one (1) member from each municipality within the Mohawk Trail Regional School District, if possible. The Committee shall be responsible for informing the members as to the status of local and state political activities which affect the socio-economic well-being of the members, and for transmitting the views of the members to local and state-elected officials.

Section 7: In the event that a vacancy exists in any Committee, the Executive Board shall appoint a replacement for the remainder of the school year.

### Article VII: Meetings

Section 1:

- A. The Executive Board shall meet at least monthly during the school year on a schedule to be determined by the Executive Board. Three (3) members of the Executive Board may request additional meetings.
- B. Meetings of the Officers may be called as needed.

Section 2: General Membership Meetings

There shall be at least one (1) general membership meeting annually, which will be held in the spring. Additional meetings may be called by the President of the Association, or at the written request of five percent (5%) of the active members. Business to come before a special meeting must be stated with the call for the meeting.

Section 3: Quorum

- A. The majority of the members shall be a quorum for the Executive Board.
- B. A quorum for general membership meetings shall be 15% of the members, except as otherwise specified.

Section 4: Except as specified by these bylaws, Robert's Rules of Order, as most recently revised, shall be the final authority for the conduct of Association business.

### Article VIII: Affiliation

Section 1: This Association shall be affiliated with the Massachusetts Teachers Association and the National Education Association under the terms of their bylaws as most recently amended.

Section 2: Delegates to meetings of the Massachusetts Teachers Association and the National Education Association shall be elected as stipulated by their respective bylaws.

Section 3: Members of the Mohawk District Teachers Association shall also be members of the Massachusetts Teachers Association and the National Education Association.

## Article IX: Finance

Section 1: Membership dues shall be recommended annually by the Executive Board and approved by the Association at a regular general membership meeting. Teachers joining the Association for the first time shall be members in good standing at the first membership meeting of the year in which they join.

Section 2: The Association shall pay the annual dues assessed by the state organization as required by MTA bylaws.

Section 3: The fiscal year for the Association shall be September 1 to August 31.

## Article X: Stipends

Section 1: The local, state, and national dues of the Association President, will be paid in full by the Association. The Association Vice Presidents, Secretary, Treasurer will each receive a fifty (50%) reduction in their local, state and national dues. No person shall receive more than 1 stipend in any one year.

Section 2: The Association will pay reasonable expenses for delegates authorized to attend state and national conventions and conferences.

Section 3: Members representing the Association will be reimbursed for reasonable and ordinary expenses in the conduct of Association business.

## Article XI: Bylaw Amendments

Section 1: These bylaws may be amended at a general meeting of the membership scheduled for that purpose.

Section 2: Proposed amendments to these bylaws shall be circulated to all Association members at least ten (10) working days in advance of the meeting.

Section 3: No amendment shall be effective unless it receives the affirmative vote of the majority of the members present.

## Article XII: Collective Bargaining Agreements and Amendments

Section 1: A contract will be accepted by the membership of the affected unit with a majority vote at the conclusion of the negotiations with the school committee.

Section 2: When the Superintendent/School Committee request a vote of the Association to change contract language, the following procedure will be followed:

- A. Exact language for change in writing will be requested from the Superintendent/School Committee.
- B. Language will be sent to the Negotiations Team for a recommendation.
- C. Upon return of the recommendation from the Negotiations Team, the Executive Board will vote to put the question before the membership.

- D. If the question is deemed to be in the best interest of the membership, notice will go out to all members in writing.
- E. A meeting will be set for the full membership to discuss the issue at hand at least one week before the vote. The date and time of the meeting to be set by the Executive Board.
- F. A vote of the membership will be done on paper ballot in the individual schools. A two-thirds (2/3) majority of the votes would rule.

Section 3: Responsible for counting the votes shall be the Secretary of the organization and at least 1 building representative from at least 2 different buildings