



# **Nauset Education Association**

## **By-Laws**

**As amended  
May 2009**

### **Article I - Title**

The name of the organization shall be the Nauset Education Association hereinafter referred to as the Association.

### **Article II - Aims and Objectives**

Section 1. The aims and objectives of the Association are:

- A. To promote the interests of its members and to form a close professional bond.
- B. To increase the efficiency of education as a public interest.
- C. To maintain and improve the quality of education for all.
- D. To arouse allegiance to a genuine spirit of professional ethics.

### **Article III - Affiliations**

Section 1. The Association shall be affiliated with:

- A. The Massachusetts Teachers Association hereinafter referred to as the State Association.
- B. The National Education Association hereinafter referred to as the National.

### **ARTICLE IV - MEMBERSHIP**

Section 1. Membership shall be available to all Teachers, Librarians, Counselors, Nurses, Secretaries, Educational Assistants, Permanent Substitutes, Therapists, Interpreters and extra-curricular positions (including athletic coaches during his/her season), as well as the Custodians and Cafeteria Workers of the Eastham Elementary School employed by the public schools of Brewster, Eastham, Orleans and Wellfleet, the Nauset Region and School Union #54, may become a member providing said person complies with the requirements of the Bylaws and Standing Rules of the State Association, Article III, Section V.

Section 2. Contracts for the secretaries and Educational Assistants shall be separate from the teachers' and nurses' contract.

Section 3. Membership in the Association shall be classified as Active, Associate, Retired or Honorary and shall be available to those who pay the prescribed dues:

- A. Active membership shall be available to all Teachers, Librarians, Counselors, Nurses, Secretaries, Educational Assistants, Permanent Substitutes, Therapists, Interpreters and extra-curricular positions (including athletic coaches during his/her season), as well as the Custodians and Cafeteria Workers of the Eastham Elementary School. The Association shall continue active membership to those members laid off due to a reduction in force with reduction in dues of fifty percent (50%) eligibility for active membership shall continue as long as such persons are eligible to be recalled or for (2) years, whichever is longer;
- B. The Association shall guarantee that no member may be censured, suspended or expelled without a due process which shall include an appropriate appellate procedure.

#### **Article IV (cont.)**

C. Associate members are those other persons interested in the advancement of the cause of education, who are not eligible for active membership.

Applications for said membership shall be made in writing;

D. Retired members are those former active members who upon retirement apply in writing for membership. (a 5/5/08)

E. Honorary membership may be conferred by a two-thirds vote of the elected officers or a general meeting of the membership. (v 5/5/08)

Section 4. Active membership shall be continuous until the member leaves, resigns from the Association, or fails to pay membership dues.

Section 5. Only active members as defined in Section 1 and 3 or complying with Article III Section 3 A. (2) of the State Association bylaws shall have the privilege of voting and holding office in the association with the exception that retired members may not vote on collective bargaining ratifications. (a 5/5/08)

Section 6. A. The membership year for the Nauset Education Association shall be from July 1 to June 30. Any member may elect to be a continuing member.

Membership shall then be continued from year to year until death, retirement or the member cancels the election with a 60 day notice in writing. Current membership lists will be up-dated by December 31st of each year;

B. The Association shall submit annually to the Massachusetts Teacher's Association prior to July 1, a list of it's officers and addresses, as well as a copy of the bylaws with any changes or amendments made in the preceding year.

#### **ARTICLE V. - OFFICERS AND DIRECTORS**

Section 1. The officers of this Association shall be as follows: A President, a Vice - President, a Secretary, a Treasurer, a Membership Chairperson and a Political Action Chairperson. (a 5/5/08)

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

A. The President:

1. Shall preside at all meetings of the Executive Board;
2. Shall supervise the affairs of the Association
3. Shall submit an annual report;
4. Shall be an ex-officio member of all committees, except the Nominations, Elections and Negotiations Committee.
5. Shall attend MTA sponsored workshops/ meetings as appropriate.
6. Shall be co-chair of all Negotiations Committees.

B. The Vice - President

1. Shall serve as co-chair of the Negotiations Committee;
2. Shall serve as chairman of the Grievance Committee;
2. Shall perform the duties of the President during the President's absence or at the President's request;
3. Shall handles duties as delegated by the president;
4. Shall attend MTA sponsored workshops/ meetings as appropriate;

## Article V (cont.)

### C. The Secretary:

1. Shall keep a record of all business of the Association, including, but not limited to, minutes of General Meetings and Executive Board meetings. (a 1/30/06)
2. Shall keep a list of all officers, building representatives, delegates, committees and members together with their addresses and maintain attendance lists for Executive Board Members. (a 1/30/06)
3. Shall conduct the correspondence of the Association and provide the Association with such information as it may require;
4. Shall distribute copies of the previous board meeting's minutes to the board representative to post in each school no later than three (3) days prior to the next called meeting.
5. Shall notify all members of the Executive Board of board meetings at the direction of the President.

### D. The Treasurer:

1. Shall keep a record of all financial business transacted by the Association and the board;
2. Shall be the custodian of the funds of the Association;
3. Shall keep an accurate record of all receipts and disbursements of the Association;
4. Maintain a roll of the members;
5. Shall transmit the annual dues and agency fees for the NEA and MTA . (a 1/30/06)
6. Shall update the financial situation of the Association at all Executive Board meetings.
7. Shall submit an annual report to MTA of the local's finances. (a 1/30/06)
8. Shall submit an annual report to the IRS. (a 1/30/06)
9. Shall supply all necessary financial records to the Association's accountant. (a 1/30/06)
10. Shall distribute and collect from members all necessary tax forms for the Association's accountant. (a 1/30/06)

### E. The Political Action Chairperson

1. Shall inform members of local, state and national issues and legislation which may affect the interest of schools, members and the association.
2. Shall monitor regional school committee and union/region cluster meetings for the association or shall arrange for suitable coverage and shall give an updated report at the next board meeting.

### F. Membership Chairperson:

1. Shall maintain updated membership lists
2. Shall receive MTA membership forms from building representatives, code new hires correctly with breakdown dues amounts for National, State and Local dues and forward to appropriate payroll agent.
3. Shall inform treasurer of specific dates of hire and terminations. (a 5/5/08)

## **ARTICLE VI - BUILDING REPRESENTATIVES**

Section 1. There will be two representatives elected from each Elementary School and three representatives each from the Middle School and High School.

Section 2. The duties of the representative shall be as follows:

A. Shall be familiar with the current contract and with the programs services and legislative/political related information of the Association and its affiliates so that this information can be distributed, posted or in some way be made available to members upon request;

B. Shall serve as a spokesperson communicating members' ideas directly to the officers and shall make the Executive Board aware of the needs of members;

C. Shall provide information from Executive Board meetings to their building members within 10 school days from each Executive Board meeting.

(a 1/30/06)

Section 3. Building representatives shall be responsible for the professional rights and grievances in that building level for all members of that building.

## **ARTICLE VII - EXECUTIVE BOARD**

Section 1. The executive Board shall consist of the following members:

A. The officers: President, Vice - President, Secretary, Treasurer, Membership Chairperson and Political Action Chairperson elected by the membership. (a 5/5/08)

B. The building representatives, elected by members of their buildings;

C. Two representatives of the Educational Assistants, one from the elementary level, and one from the Regional level, elected by the Educational Assistants;

D. A representative of the Secretaries, elected by the Secretaries;

E. A representative of the Nurses, elected by the Nurses.

Section 2. The rights and responsibilities of the Executive Board shall be as follows:

A. Shall be responsible for the management of the Association and shall carry out policies of the Association;

B. Shall report its transactions and suggested policies for consideration to the general membership;

C. May establish committees and create policies governing them.

## **ARTICLE VIII- NOMINATIONS AND ELECTIONS**

Section 1. Nominations and Elections Committee:

A. The nominations and elections committee shall consist of seven members, one from each school . (no officer of the Association may serve nor shall a member seeking office serve on this committee);

B. Members of this committee shall be appointed by the President with the consent of the Executive Board;

C. The nominating procedure for candidates seeking office shall be determined by the committee;

D. The committee shall present a prepared slate of nominees no later than the third week in May at a general meeting; at which time nominations from the floor may be accepted;

E. The committee shall be responsible for conducting annual elections within two weeks of the presentation of the slate of nominees.

## **ARTICLE VIII- NOMINATIONS AND ELECTIONS (cont.)**

### Section 2. Elections:

A. Anyone who is an active or retired member of the association may be a candidate for any office or standing committee. (a 5/5/08)

B. All elections shall be conducted by secret ballot at a time and place designated by the Nominations and Elections Committee;

C. The members of the Negotiation Team should be elected the year prior to the termination of existing contract and serve for the life of the negotiated contract.

D. The officers and the Board shall be elected for terms of one year beginning each July 1. (Unfinished business shall be handled by previous officers when necessary).

E. In the event of the resignation of a member of the executive board, building reps shall seek out nominations to fill that position, and forward them to the President. Within 30 days of the acceptance of the resignation, an election shall be held. If there are no nominations, the President shall appoint someone to serve out the remainder of the term.

## **ARTICLE IX - NOMINATIONS AND ELECTION OF DELEGATES**

### Section 1. The Massachusetts Teacher's Association Annual Meeting:

A. Any active member is eligible to be a candidate for office or delegate to the Annual Meeting;

B. Each candidate must be nominated and elected according to regulations set by the Massachusetts Teacher's Association;

C. Each local affiliated association shall be entitled to a representation of two delegates and one additional delegate for every fifty or major fraction thereof based on the official members established by the Executive Board as of March 1;

D. The association shall submit to the Massachusetts Teacher's Association a list of names and addresses of such delegates.

## **ARTICLE X - MEETINGS**

### Section 1. Executive Board:

A. Meetings shall be held monthly during the school year on a schedule to be determined by the Executive Board;

B. Meetings of the Board shall be called by the Secretary at the request of the President or any two (2) members.

### Section 2. General Membership:

A. An Annual Meeting of all members shall be held in the Spring of each year;

B. There shall be at least two (2) other regular meetings of the association during the year at such time and place to be determined by the Board;

C. The first meeting will be held no later than October;

D. Members shall be notified of meetings one week in advance by their representative on the Board.

## **ARTICLE X - MEETINGS (cont.)**

### 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 10% of the members. (c1/30/06)

## **ARTICLE XI - FINANCE**

### Section 1. Dues:

- A. The annual dues shall be those set by the National Education Association, the Massachusetts Teacher's Association and the Nauset Education Association;
- B. Agency fee shall be 80% of full membership dues ;
- C. The Association shall pay the annual dues assessed by the state and national associations on or before June 30th of each year;
- D. The financial status of the Association shall be reviewed as specified by the Board. The review shall take place not later than July of each year;
- E. Association costs incurred by any officer or member of the Association will be reimbursed by approval of the Executive Board upon receipt of an itemized bill and presence of proof of expense. The treasurer will disburse said monies approved.
- F. Unusual costs must be approved by the membership, a simple majority vote being required
- G. Dues will be reimbursed to the actual officers, and representatives, (Executive Board) and will not be less than those of a full time active member **of Unit A** (a.5/11/09), in June, with the stipulation of those members attending a minimum of 80% of the monthly meetings. Each member who does not fulfill the 80% attendance will have 10% of their dues payment per unattended meeting deducted from this reimbursement. Dues for the negotiation team, not to exceed eighteen (18) members, will be reimbursed the year(s) of negotiation, in June, with the stipulation of those members attending a minimum of 80% of the determined meetings. Each member who does not fulfill the 80% attendance will have a percentage of their reimbursement (Dues/ # of meetings) deducted per meeting missed from this reimbursement. In the event that their services (negotiation) are required in the following years of the contract members of the team will be granted a monetary amount no less than \$25.00 per meeting attended. Reimbursement will be given at the end of each year to each negotiating team member based on meetings attended. Any officers and / or building representative that serves as an elected member of the negotiation team will receive an additional stipend equivalent to the dues of a full time member.(c1/30/06)
- H. Beginning July 1, 2006 the annual dues of the association shall increase at the same percentage rate as the MTA votes upon at their annual meeting. The annual local dues for the fiscal year 2009-2010 will be frozen at the current rate stated for 2008-2009 and will not increase as per our previous by-law at the percentage increase to match the MTA increase. This freeze is for one year only.(a. 5/11/09 for one year only)The base for 2005 is (c1/30/06):
  - Teacher, Librarian, Nurse \$80.00
  - Secretary, Clerk Custodian \$40.00 (a10/06)
  - Ed. Assistants, Cafeteria Workers \$40.00
  - Retired Members None (a1/30/06)
- I. The officers of the association shall receive an honorarium as follows:
  - President \$3500.00
  - Vice President (c1/30/06) \$1000.00 (unless a negotiating year in which the pay will be an additional \$2000)
  - Treasurer \$ 2500.00
  - Membership Chairperson \$1,350.00 (a 5/11/09)
  - Secretary \$ 500.00
  - Political Action Chairperson \$ 400.00

## **ARTICLE XI - FINANCE (cont.)**

To be paid on a basis of a ten (10) month year, September-June, and not to exceed said amount in any one year. This is for inconveniences caused by performing the responsibilities of the office as charged by the association. This honorarium is not to supersede any other reimbursements that the officer(s) would normally be reimbursed.

### **J. Payment of Dues:**

As of September 1, 2002 all employees will be on payroll deduction as long as said person is an employee of the Nauset Regional School District/Superintendent's Union #54.

## **ARTICLE - XIII - NEGOTIATIONS**

Section 1. There shall be a standing committee named the Negotiating Committee.

A. The membership of this committee shall consist of five Teachers elected from the elementary level, two teachers elected by the Middle School and two teachers elected by the High School to represent the teachers bargaining unit.

B. Three representatives of the Educational Assistants elected by the Educational Assistants to represent the Educational Assistants bargaining unit.

C. Three representatives of the Secretaries elected by the Secretaries to represent the Secretaries bargaining unit.

D. A representative of the Nurses elected by the nurses to represent the interests of the nurses who are represented by the teachers bargaining unit.

E. One representative from the custodians and one representative from the cafeteria workers to represent the Eastham Elementary Custodians and Cafeteria Workers bargaining unit.

Section 2. The function of the negotiating committee shall be to draw up contractual proposals and to open and conduct negotiations with the School Committee concerning wages, hours, and conditions of employment.

Section 3. Copies of all tentative agreements requiring ratification by the membership shall be made available in every building at least 24 hours before the scheduled presentation of the final settlement. (a 2/28/05)

Section 4. Any final settlement of the negotiating committee shall be presented to the membership at a general meeting. The approval of the final settlement of the Negotiating Committee shall be ratified by the membership in each building by means of a secret ballot. Voting will be conducted three (3) business days after the presentation to the membership. The representatives will be responsible for counting the ballots and forwarding the tally to the president.

(a 2/28/05 r1/30/06)

Section 5. Any final settlement of a Memorandum of Understanding shall be presented to the Executive Committee at a regularly scheduled meeting. The approval of the Memorandum of Understanding shall be ratified by the membership in each building by means of a secret ballot. Voting will be conducted three (3) business days after the presentation to the membership. The building representatives will be responsible for counting the ballots and forwarding the tally to the president. (a 1/30/06)



#### **ARTICLE XIV - AMENDMENTS**

Section 1. The constitution may be amended at any general meeting by a two-thirds of those present, provided, however, that a written notice of the proposed change shall have been given to the members at least ten (10) days prior to the meeting.

#### **ARTICLE XV - RATIFICATIONS**

Section 1. Ratification of this constitution shall be subject to a simple majority vote of those members present and voting at any general meeting of the association.

#### **ARTICLE XVI - PARLIAMENTARY AUTHORITY**

Section 1. The parliamentary authority of Robert's Rules shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Association may adopt.

