

# NTA Bylaws and Standing Rules

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January 2020

NEWTON TEACHERS ASSOCIATION | 46 AUSTIN STREET, NEWTONVILLE, MA 02460



# NEWTON TEACHERS ASSOCIATION, INC.

## Bylaws and Standing Rules

### Table of Contents

<b>BYLAWS</b> .....	<b>1</b>
<b>ARTICLE 1 - NAME</b> .....	<b>1</b>
<b>ARTICLE 2 - PURPOSES</b> .....	<b>1</b>
<b>ARTICLE 3 - MEMBERS</b> .....	<b>1</b>
SECTION 1. QUALIFICATIONS .....	1
SECTION 2. MEMBERSHIP .....	1
SECTION 3. EXPULSION .....	2
<b>ARTICLE 4 - EXECUTIVE OFFICERS</b> .....	<b>2</b>
SECTION 1. EXECUTIVE OFFICERS.....	2
SECTION 2. QUALIFICATIONS .....	2
SECTION 3. TERMS OF OFFICE .....	3
SECTION 4. FILLING VACANCIES.....	3
SECTION 5. POWERS AND DUTIES.....	3
<b>ARTICLE 5 - ASSOCIATION REPRESENTATIVES</b> .....	<b>6</b>
SECTION 1. QUALIFICATIONS .....	6
SECTION 2. RULES OF APPORTIONMENT .....	6
SECTION 3. TERM OF OFFICE.....	6
SECTION 4. REMOVAL FROM OFFICE.....	6
SECTION 5. FILLING VACANCIES.....	6
SECTION 6. ALTERNATE REPRESENTATIVES .....	7
SECTION 7. POWERS AND DUTIES.....	7
<b>ARTICLE 6 - REPRESENTATIVE ASSEMBLY</b> .....	<b>7</b>
SECTION 1. MEMBERSHIP .....	7
SECTION 2. MEETINGS .....	7
SECTION 3. POWERS AND DUTIES.....	7
SECTION 4. RULES OF OPERATION .....	8
<b>ARTICLE 7 - EXECUTIVE COMMITTEE</b> .....	<b>9</b>
SECTION 1. MEMBERSHIP .....	9
SECTION 2. MEETINGS .....	9
SECTION 3. RULES OF OPERATION .....	10
<b>ARTICLE 8 - GRIEVANCE AND ETHICS [PROFESSIONAL RIGHTS AND RESPONSIBILITIES]</b> <b>COMMITTEE</b> .....	<b>10</b>
SECTION 1. MEMBERSHIP .....	10
SECTION 2. MEETINGS .....	10
SECTION 3. POWERS AND DUTIES.....	11
SECTION 4. RULES OF OPERATION .....	11
<b>ARTICLE 9 - OTHER COMMITTEES</b> .....	<b>11</b>
SECTION 1. CREATION, COMPOSITION AND TERM OF OFFICE.....	11

SECTION 2. MEETINGS .....	12
SECTION 3. REPORTS.....	12
SECTION 4. POWERS AND DUTIES.....	13
SECTION 5. MISCELLANEOUS .....	14
<b>ARTICLE 10 - ELECTIONS .....</b>	<b>14</b>
SECTION 1. DATE OF ELECTIONS.....	14
SECTION 2. NOTIFICATION .....	14
SECTION 3. BALLOTS .....	15
SECTION 4. PLURALITY RULES.....	15
SECTION 5. RESULTS.....	15
SECTION 6. NOMINATION PROCESS .....	15
SECTION 7. SINGLE BALLOT .....	15
SECTION 8. DELEGATES.....	15
<b>ARTICLE 11 - AFFILIATION .....</b>	<b>16</b>
SECTION 1. STATE .....	16
SECTION 2. NATIONAL .....	16
SECTION 3. OTHER.....	16
SECTION 4. DELEGATES.....	16
<b>ARTICLE 12 - MEMBER MEETINGS .....</b>	<b>16</b>
SECTION 1. ANNUAL MEETING .....	16
SECTION 2. GENERAL MEETINGS.....	16
SECTION 3. SPECIAL MEETINGS .....	16
SECTION 4. ATTENDANCE AT MEETINGS .....	17
SECTION 5. QUORUM .....	17
<b>ARTICLE 13 - EXPULSION/SUSPENSION .....</b>	<b>17</b>
<b>ARTICLE 14 - INTERPRETATION OF BYLAWS.....</b>	<b>17</b>
<b>ARTICLE 15 - PARLIAMENTARY AUTHORITY.....</b>	<b>17</b>
<b>ARTICLE 16 - AMENDMENTS .....</b>	<b>17</b>
SECTION 1. GENERAL MEETING PROCEDURE .....	17
SECTION 2. COMMITTEE REVIEW.....	17
<b>ARTICLE 17 - EFFECTIVE DATE.....</b>	<b>18</b>
<b>ARTICLE 18 - STANDING RULES.....</b>	<b>18</b>
<b>ARTICLE 19 - FISCAL YEAR .....</b>	<b>18</b>
<b>STANDING RULES.....</b>	<b>19</b>
STIPENDS AND DUES REBATES .....	19
NEGOTIATIONS.....	20

**NEWTON TEACHERS ASSOCIATION, INC.**  
**BYLAWS**

**ARTICLE 1 - NAME**

The name of this organization shall be the Newton Teachers Association, Inc., hereinafter referred to as the Association.

**ARTICLE 2 - PURPOSES**

The purposes of this Association are

- to unite the Newton Public Schools Teachers (Unit A); Assistant Principals, Coordinators, Supervisors, Department Heads, et al; (Unit B); Teacher Aides (Unit C); Instructional Support Staff (Unit D); and Administrative Support Staff (Unit E); into the Association for the benefit of its members and to promote the professional growth of its membership;
- to improve the civic, economic, and social status of teachers and school personnel;
- to promote equal rights and protection for all members regardless of age, race, ethnicity, creed, religion, national origin, gender, sexual identity, disability, or marital status;
- to build solidarity among members of the profession;
- to support local, state, national, and international movements for the improvement of education and the profession;
- to conduct collective bargaining with the Newton School Committee according to the General Laws of the Commonwealth of Massachusetts;
- to enable members to speak with a common voice on matters pertaining to the education profession and to present their individual and common interests before the Newton School Committee and other legal authorities.

Each of the units referenced herein is more fully described in the Recognition Clause of such Unit's Agreement between the School Committee of the City of Newton and the Newton Teachers Association, Inc., MTA/NEA as such Agreement currently is and as it may from time to time hereafter be amended.

**ARTICLE 3 - MEMBERS**

**SECTION 1. QUALIFICATIONS**

Only life or active members of the Massachusetts Teachers Association and the National Education Association, employed by the Newton Public Schools, may become members of this Association. Only an active member is entitled to vote, hold office and receive all services and benefits of the Association. Associate, Retired, and Honorary members may receive the publications of the Association and such other benefits as the Representative Assembly may determine.

**SECTION 2. MEMBERSHIP**

- a) Any member represented by the Association shall become an active member upon payment of the annual dues or upon signing a dues collection form.

- b) Active members of the Association shall automatically become members of the Massachusetts Teachers Association and the National Education Association.
- c) Active membership shall be continuous until the member leaves, resigns from the Association or fails to pay membership dues.
- d) Honorary membership may be conferred by a two-thirds vote of the Executive Committee. An Honorary member is a member of the Association for life without payment of dues.
- e) The Representative Assembly shall establish the annual membership dues of this Association when it adopts the annual budget. Dues may be paid either in equal installments through payroll deduction or by a cash payment. Cash payments must be made by December 1 of each year unless the Representative Assembly states otherwise when it sets the membership fees.
- f) Upon retirement a member may become a member in the retired category provided that he/she was a member of the Association on the date of retirement and pays the membership dues of a retired member.
- g) The Newton Teachers Association and its members must adhere to the Code of Ethics of the Education Profession, as adopted by, and, from time to time, amended by, the National Education Association and the Massachusetts Teachers Association.
- h) Any member who has been laid off shall be eligible for continuing and full membership during the period of layoff. Any member who has been laid off is entitled to receive all services and benefits of the Association for up to three years if said member continues to pay dues in a timely manner.
- i) Members shall give active support to the purposes and programs of the Association and shall conform to the Bylaws, Standing Rules and statements of policy of the Association.

### **SECTION 3. EXPULSION**

No member of the Association shall be expelled by a vote of less than a majority of all the members thereof, nor by vote of less than three quarters of the members present and voting upon such expulsion.

## **ARTICLE 4 - EXECUTIVE OFFICERS**

### **SECTION 1. EXECUTIVE OFFICERS**

- a) The officers of the Association shall be the following: President, First Vice President, Second Vice President, Recording Secretary, Treasurer, and Assistant Treasurer for Membership. In addition, there shall be a Second Release Officer for the Association, the appointment of whom, and duties, shall be specified below.
- b) The Executive Officers shall meet once a month or more frequently as necessary for the proper administration of the Association.

### **SECTION 2. QUALIFICATIONS**

Any officer must be an active member in good standing of the Association, the MTA and the NEA at the time of his/her election to the office and for the three years immediately prior to election.

### SECTION 3. TERMS OF OFFICE

The term of each officer shall be two (2) years and shall commence with the fiscal year beginning next after election. There shall be no limitation on the number of terms to which any person may be elected or serve.

### SECTION 4. FILLING VACANCIES

If the office of President becomes vacant, the powers and duties of such office shall devolve upon the First Vice President, who shall serve as President pro tem for the unexpired portion of the term; but if the office of the First Vice President is vacant, the duties of the President shall devolve upon the Second Vice President, who shall serve as President pro tem for the unexpired portion of the term. To fill any vacancies remaining, the Representative Assembly shall elect a First Vice President pro tem and, if necessary, a Second Vice President pro tem, who shall then serve the remainder of the unexpired term.

### SECTION 5. POWERS AND DUTIES

#### A. PRESIDENT

- 1) The President shall set the agenda for, and shall preside at, all meetings of the Association, the Executive Committee and the Representative Assembly. The President shall be the chief executive officer of the Association and shall direct the day-to-day affairs thereof.
- 2) With the approval of the Representative Assembly, the President shall appoint the members of the Grievance and Ethics [Professional Rights and Responsibilities] Committee. The President shall appoint the members of all other committees, except those of the Negotiations Committee, who shall be elected by the membership, as hereinafter provided. With the approval of the Representative Assembly, the President shall appoint the chairperson of the following committees:

Community Relations	Bylaws & Rules
Negotiations	Professional Development
Election	Health and Safety
Legislative	Technology

With the approval of the Representative Assembly, the President shall appoint a Webmaster and a Newsletter Editor. The President may appoint such other special committees and their chairpersons as he/she may deem necessary and appropriate and shall discharge them upon the completion of their duties. The chairperson of the Negotiations Committee shall be appointed from those elected to the Committee

- 3) The President shall be a member ex-officio of all committees except the Elections Committee.
- 4) If an elective position fails to be filled by an election, or becomes vacant, then, unless otherwise directed by these bylaws, the President may appoint, with the approval of the Representative Assembly, any qualified member to fill that position.
- 5) The President shall have the power to remove any Presidential Appointee or any person appointed by a Presidential Appointee. The President shall notify the Executive Committee and the Representative Assembly of such removal at their next meeting.

- 6) The President may recommend that a second member of the Newton Teachers Association be released up to full time from his or her duties as a Newton Educator in order to perform the duties of Chair of the Professional Rights and Responsibilities [Grievance and Ethics] Committee. The Executive Committee then nominates this candidate, who shall be approved by the Representative Assembly.
- 7) The President shall have the power to veto any resolution of the Representative Assembly provided that the President, in writing, notifies the members of the Representative Assembly within seven (7) calendar days after the Representative Assembly's adoption of the resolution, stating the reasons for the veto. The sending of such notification by fax, United States mail, e-mail or hand delivery to at least two (2) members of the Representative Assembly shall satisfy the giving of notice requirement.
- 8) The President shall sign all vouchers.
- 9) After the General Election, the newly elected President may make such Presidential appointments as he/she deems necessary for the orderly transition of the office. The newly elected Representative Assembly shall pass upon such appointments as are required to be approved by it and such appointments shall be effective at the commencement of the President-Elect's term of office as President.

#### B. SECOND RELEASE OFFICER

- 1) This officer shall be the Chairperson of the Professional Rights and Responsibilities [Grievance and Ethics] Committee, and as such shall lead the Committee in its timely attention to member concerns and any other duties the President and Executive Committee deem appropriate.
- 2) The Second Release Officer may hold another office of the Newton Teachers Association, and fulfill the duties of this office in addition to those of Chair of the Professional Rights and Committee.

#### C. VICE PRESIDENTS

- 1) The First and Second Vice Presidents shall, in addition to the duties specifically delegated to them by these bylaws, perform such other duties as are normally and customarily performed by and attributed to those offices.
- 2) The First Vice President shall meet regularly with the committee chairpersons for the purpose of reviewing, discussing, and planning committee functions.
- 3) The First Vice President shall act for the President when the President is unable to perform the duties of the Presidency.
- 4) The Second Vice President shall be chairperson of one other standing committee, to be jointly determined by the Second Vice President and the President.
- 5) The First and Second Vice Presidents shall attend Teacher Association Study Committee and other MTA/NEA meetings as requested by the President.
- 6) The First and Second Vice Presidents shall be members ex-officio of the Negotiations Committee.



#### D. RECORDING SECRETARY

- 1) The Recording Secretary shall keep a full and accurate account of all Association business transacted by the Executive Officers, the Executive Committee, the Representative Assembly, and the Negotiations Committee.
- 2) The Recording Secretary shall be responsible for the distribution of the minutes of the Executive Committee and Representative Assembly meetings.
- 3) The Recording Secretary shall be a member ex-officio of the Negotiations Committee.

#### E. TREASURER

- 1) The Treasurer shall hold the funds of the Association and disburse them in accordance with budget authorization.
- 2) The Treasurer shall bill the membership for all annual dues, oversee the collection of dues, and transmit amounts due the Massachusetts Teachers Association and the National Education Association.
- 3) The Treasurer shall maintain a roll of the members.
- 4) The Treasurer shall keep accurate accounts of receipts and disbursement and shall report such to each meeting of the Executive Committee and Representative Assembly.
- 5) The Treasurer shall prepare an annual financial statement for publication and distribution to members as directed by the Executive Committee.
- 6) The Treasurer shall keep the President, the Executive Committee, and the Representative Assembly informed of the financial condition of the Association.
- 7) The Treasurer shall insure that an audit of the Association's financial records and activities is performed annually by an independent certified public accountant (CPA) or CPA firm.
- 8) The Treasurer shall be bonded through the MTA.
- 9) The Treasurer shall be chairperson of the Budget Advisory Committee and, with the assistance of the committee, shall prepare a budget and, not later than May 30 in each year, shall submit the proposed budget first to the Executive Committee and then, with recommendation, to the Representative Assembly.
- 10) The Treasurer shall be a member ex-officio of the Negotiations Committee.

#### F. ASSISTANT TREASURER FOR MEMBERSHIP

- 1) The Assistant Treasurer shall be chairperson of the Membership Committee.
- 2) The Assistant Treasurer shall assist the Treasurer in the collection of dues.
- 3) The Assistant Treasurer shall assist the Treasurer with the membership list.

#### G. STIPENDS AND REBATES

The following officers of the Association shall receive stipends during their term of office:

President  
First Vice President  
Second Vice President  
Recording Secretary  
Treasurer

The Committee Chairs listed in these Bylaws, members of the Negotiating Committee, the Grievance and Ethics Committee, the Representative Assembly, and the Web and Newsletter Editor, shall receive a rebate of their local dues payment each year at the time of the June Representative Assembly. Negotiating Team members shall receive a rebate of local dues during any year in which the team is negotiating contracts. The amount of each stipend or rebate and the manner of payment is set forth in Standing Rules Nos. 1-4, as the same may, from time to time, be amended.

## **ARTICLE 5 - ASSOCIATION REPRESENTATIVES**

### **SECTION 1. QUALIFICATIONS**

Any member of the Association, except for an executive officer or a member of the Grievance and Ethics [Professional Rights and Responsibilities] Committee, shall be eligible to serve as an Association Representative or Alternate Representative.

### **SECTION 2. RULES OF APPORTIONMENT**

The pre-school and every elementary school shall be allowed to elect two Association Representatives. The Education Center shall be allowed to elect three Association Representatives (one from Central High, one from Springboard, and one at large). Every middle school shall be allowed to elect three Association Representatives. Every high school shall be allowed to elect five Association Representatives from Unit A, two Representatives from Unit C, and one Representative from Unit B. Units B and E shall each be allowed to elect two at large Association Representatives. Unit C shall be allowed to elect up to five (5) at large Association Representatives from middle school, elementary school, and/or the preschool. The medical unit shall be allowed to elect one Association Representative plus one alternate. Association Representative Positions may be shared, however shared positions will have one (1) vote in the Representative Assembly.

### **SECTION 3. TERM OF OFFICE**

The term of office of an Association Representative shall be two (2) years, and shall commence with the fiscal year of the Association beginning next after election.

### **SECTION 4. REMOVAL FROM OFFICE**

Association Representatives may be removed from office for violations of the Code of Ethics of the Education Profession, or for other good cause upon petition of not less than two-thirds (2/3) of the members of the building or house they represent. The petition shall be presented to the President, who shall report the removal at the next meeting of the Representative Assembly.

### **SECTION 5. FILLING VACANCIES**

In the event of a vacancy in the office of Association Representative, the powers and duties of such office shall, for the unexpired portion of the term, devolve upon the alternate from the building/house in which the vacancy occurs.

## **SECTION 6. ALTERNATE REPRESENTATIVES**

The Alternate Representatives shall have the same qualifications, terms of office, and method of removal as an Association Representative. The Alternate Representatives may attend all Representative Assembly meetings, but shall have the right to vote only when attending meetings in the absence of the Association Representative.

## **SECTION 7. POWERS AND DUTIES**

Association Representatives shall attempt to resolve grievances at the building level through collaborative problem solving with the building administrator and, if unable to resolve these issues at the building level, to assist in the formation of formal grievances, assist with the annual membership drive; participate in the business of the Representative Assembly; keep the members they represent informed of the actions pending and taken; represent the Association in the building they represent; conduct themselves according to the best interests of the Association; and carry out such other duties as the Representative Assembly or the Executive Committee may determine. Association Representatives are expected to attend all regular and special meetings of the Representative Assembly.

# **ARTICLE 6 - REPRESENTATIVE ASSEMBLY**

## **SECTION 1. MEMBERSHIP**

The Representative Assembly shall be composed of the Association Representatives and the Executive Committee of the Association. The Executive Committee shall have all the rights and privileges of elected Association Representatives and shall serve as the officers of the Representative Assembly.

## **SECTION 2. MEETINGS**

- a) Regular meetings of the Representative Assembly shall be held monthly during the school year.
- b) Unless otherwise directed by the President, the order of business for meetings of the Assembly shall be: Call to order; Quorum check; Approval of minutes; Report of finances; Reports; Old business; New business; Open discussion period; Adjournment.
- c) Special meetings of the Representative Assembly may be called by the President, the Executive Committee or by petition of twenty percent (20%) of the Association Representatives, in which case the President shall schedule the meeting to be held within ten (10) school days after receipt of the petition.

## **SECTION 3. POWERS AND DUTIES**

- a) As the legislative body of the Association, the Representative Assembly shall: hear and act upon reports from the Executive Committee, the Executive Officers, and committees of the Association; pass upon and approve an annual budget for the Association by not less than a majority of the entire membership of the Representative Assembly and set membership fees; employ a staff for the efficient management of the Association and adopt personnel policies governing them; formulate other policies as needed; project programs of activity; make appropriations; and establish special services to be offered by the Association.

- b) The Representative Assembly may, by not less than a two-thirds (2/3) vote of its entire membership, override a Presidential veto.
- c) The Representative Assembly may, by a vote of not less than two thirds of those present and voting adopt, amend or repeal Standing Rules.
- d) The Representative Assembly shall have all other powers and duties necessary for the achievement of the objectives of this Association unless the same are specifically otherwise delegated to other official bodies by these Bylaws.

#### **SECTION 4. RULES OF OPERATION**

- a) Meetings of the Representative Assembly shall be open to all members of the Association and invited guests, unless the Representative Assembly, by not less than a two-thirds (2/3) vote of those present and voting, declares the meeting to be closed to specified persons.
- b) A majority of the Representative Assembly shall constitute a quorum for the holding of a meeting, and the quorum shall be considered to be in effect until adjournment, unless challenged by a member of the Representative Assembly, at which time the existence of a quorum must be reaffirmed.
- c) Unless otherwise provided in these bylaws, all actions of the Representative Assembly shall be in the form of a motion, which shall be approved by a simple majority vote of the members voting.
- d) Voting shall be done by a voice or by hand count, as determined by the President at the time of voting. The Representative Assembly, at the request of any voting member of the Assembly, may require a roll call vote on any resolution upon the affirmative hand vote of a majority of the members in attendance. The results of the roll call shall be recorded in the minutes.
- e) A resolution shall be the official statement of the Representative Assembly, and shall be in the form of a motion, which shall be seconded, discussed and voted upon.
- f) Any member of the Association or any committee thereof shall have the right to propose resolutions for adoption by the Representative Assembly. Resolutions proposed for adoption by the Representative Assembly shall be delivered to the President who shall present such proposals to the Executive Committee. The Executive Committee shall decide by its own resolution the form and placement of such proposal on the agenda of the Representative Assembly. The Executive Committee may vote not to submit a proposed resolution to the Representative Assembly. If a proposed resolution is substantially changed or denied placement on the agenda of the Representative Assembly by the Executive Committee, the President shall, within four (4) school days after the Executive Committee's decision, notify the originator of the resolution of the Executive Committee's decision and the reasons therefore. At any meeting of the Representative Assembly, any Representative Assembly member may, under "Approval of Minutes" move that a proposed resolution be placed on the agenda of that meeting or a specified future meeting. Such motion shall not be debatable and shall be passed upon the affirmative vote of a majority of the members present. If the motion is passed, the resolution shall be placed on the specified agenda under "New Business."
- g) All continuing resolutions shall expire and be removed from the record five (5) years from the date of their adoption, unless reaffirmed by the Representative Assembly prior to the expiration date.

Each year, the President shall present the appropriate resolutions to the Representative Assembly during the first semester of the school year. All such expirations shall become effective in the following school year.

## **ARTICLE 7 - EXECUTIVE COMMITTEE**

### **SECTION 1. MEMBERSHIP**

- a) The Executive Committee shall be composed of the Executive Officers of the Association and the Chairpersons of the Standing and Ad Hoc Committees. If within the Executive Committee there is not at least one officer or chairperson who represents each of the five (5) units, the president shall recommend an association representative, to be approved by the Representative Assembly, for any unrepresented unit to serve on the Executive Committee. The officers of the Association shall be the officers of the Executive Committee.
- b) The term of office for each Committee Chair appointed by the President shall be co-terminus with the term of the President who made the appointment. Each term of office shall commence on appointment or consent of the Representative Assembly, if required.
- c) A Committee Chair appointed by the President may be removed by the President who made the appointment. Any such removal shall be reported to the Executive Committee and the Representative Assembly at their respective meeting next following such removal.
- d) Members of the Executive Committee are expected to: attend all regular and special meetings of the Executive Committee and all regular and special meetings of the Representative Assembly; participate in the business of the Executive Committee, to conduct themselves in the best interests of the Association, and to carry out the policies adopted by the Representative Assembly and/or the Executive Committee.

### **SECTION 2. MEETINGS**

- a) Regular meetings of the Executive Committee shall be held at least monthly during the school year.
- b) Unless otherwise directed by the President, the order of business for meetings of the Executive Committee shall be: Call to order; Quorum check; Approval of minutes; Report of finances; Reports; Old business; New business; Open discussion period; Adjournment.
- c) The Executive Committee shall, upon recommendation of the Budget Advisory Committee, disburse the surplus funds of the Association with the consent of the Representative Assembly unless otherwise directed by the membership. The Executive Committee shall, unless the membership directs otherwise, restrict disbursements of surplus funds to capital improvements, unforeseen financial obligations and budget overruns.
- d) The Executive Committee shall receive, from the Treasurer and the Budget Advisory Committee, the proposed budget for each fiscal year. It shall review the proposed budget, make recommendations thereto and transmit it to the Representative Assembly.

### **SECTION 3. RULES OF OPERATION**

- a) Meetings of the Executive Committee shall be open to all members of the Association and invited guests unless the Executive Committee, by a two-thirds (2/3) roll call vote of those present, declares the meeting to be closed to specified persons.
- b) A majority of the Executive Committee shall constitute a quorum to begin business, and the quorum shall be considered to be in effect until adjournment, unless challenged by a member of the Executive Committee, at which time the existence of the quorum must be reaffirmed.
- c) All actions of the Executive Committee, other than procedural motions, shall be in the form of a motion, which shall be approved by a simple majority vote of the members voting, unless otherwise provided in these Bylaws.

## **ARTICLE 8 - GRIEVANCE AND ETHICS [PROFESSIONAL RIGHTS AND RESPONSIBILITIES] COMMITTEE**

### **SECTION 1. MEMBERSHIP**

- a) The members of the Grievance and Ethics [Professional Rights and Responsibilities] Committee shall be composed of members appointed by the President, with the approval of the Representative Assembly. The First Vice President shall also be a member of the committee. The President and Chairperson of the Grievance and Ethics [Professional Rights and Responsibilities] Committee shall jointly determine how many members to appoint, but a minimum of 9 members must be appointed.
- b) A member of the Grievance and Ethics [Professional Rights and Responsibilities] Committee must be an active member of the Association and must have been an active member of the Association for the three (3) years next prior to appointment to the committee.
- c) The term of office for each member of the Grievance and Ethics [Professional Rights and Responsibilities] Committee shall be co-terminus with the term of the President who made the appointment. Each term of office shall commence on appointment or consent of the Representative Assembly, if required.
- d) A member of the Grievance and Ethics [Professional Rights and Responsibilities] Committee appointed by the President may be removed by the President who made the appointment. Any such removal shall be reported to the Executive Committee and the Representative Assembly at their respective meeting next following such removal.
- e) Members of the Grievance and Ethics [Professional Rights and Responsibilities] Committee are expected to attend all meetings of the committee, to participate in the business of the committee, and to conduct themselves according to the best interests of the Association.

### **SECTION 2. MEETINGS**

Regular meetings of the Grievance and Ethics [Professional Rights and Responsibilities] Committee shall be held at least monthly during the school year.

### **SECTION 3. POWERS AND DUTIES**

The Grievance and Ethics [Professional Rights and Responsibilities] Committee shall hear and process all grievances brought to the attention of the Association. It shall interpret the Code of Ethics of the Education Profession and shall promote ethical conduct on the part of members of the profession. The Committee shall make recommendations to the Executive Board in cases involving arbitration of grievance and censure or suspension of members.

### **SECTION 4. RULES OF OPERATION**

- a) Meetings of the Grievance and Ethics [Professional Rights and Responsibilities] Committee shall be closed to all persons except those permitted by the Committee.
- b) All actions of the Committee shall be decided by a majority vote of members.

## **ARTICLE 9 - OTHER COMMITTEES**

### **SECTION 1. CREATION, COMPOSITION AND TERM OF OFFICE**

The following other committees are hereby established:

Community Relations	Communications
Negotiations	Membership
Election	Social
Legislative	Bylaws and Rules
Professional Development	Budget Advisory
	Health & Safety

As hereinafter provided in these bylaws, the members of the Negotiations Committee shall be elected by the members at the biennial general election of the Association. A vacancy occurring on the Negotiations Committee shall be filled by Presidential appointment and any such appointee shall be from the appropriate unit. The President shall determine the number of members to serve on each of the other committees and shall appoint the same. Each appointed committee member shall serve for a term co-terminus with that of the appointing president. Committee chairpersons shall be:

Community Relations	Presidential appointment
Negotiations	Presidential appointment
Social	Presidential appointment
Bylaws and Rules	Presidential appointment
Professional Development	Presidential appointment
Health and Safety	Presidential appointment
Communications	Second Vice President
Membership	Assistant Treasurer
Legislative	Presidential appointment
Election	Presidential Appointment
Budget Advisory	Treasurer
Grievance and Ethics	Second Release Officer

All chairpersons appointed by the president shall be subject to the approval of the Representative Assembly and the term of all such appointees shall be co-terminus with the office of the appointing president. Except for the chairperson of the Grievance and Ethics Committees, a committee member or chairperson appointed by the President may be removed by the President who made the appointment. Any such removal shall be reported to the Executive Committee and to the Representative Assembly at their respective meeting next following such removal. All chairpersons serving ex-officio shall have voting and participation rights equal to all other committee members.

The **Negotiations Committee** shall consist of two groups:

Group one: the President, Chairperson, both Vice Presidents, Treasurer, and Recording Secretary.

Group two: the following members, elected by the membership during the biennial general election according to the following representation from the units of the Association:

Unit A: Two (2) from elementary; two (2) from middle schools; two (2) from senior high schools; one (1) special subject teacher (art, music, p.e., library/media, etc.); and one (1) from Pupil Services/Special Education (psychologists, social workers, learning center teachers, therapists, etc.).

Unit B: Two (2) any level.

Unit C: Four (4) any level.

Unit D: Two (2) any level.

Unit E: Two (2) any level.

Units shall be deemed to have the composition accorded to them in the Recognition Clause of the respective Agreements currently in effect and entered into on their behalf between the School Committee of the City of Newton and the Newton Teachers Association, Inc./Massachusetts Teachers Association/National Education Association. The terms of office for elected or appointed Negotiations Committee members shall be for the term of the contract(s) they negotiate, executive officers (ex-officio) for their terms of office. Notwithstanding the expiration of the term of office of members of the Negotiations Committee by virtue of the term of the contract, such members shall continue to serve until their successors have been duly elected or appointed.

## **SECTION 2. MEETINGS**

Each committee shall meet regularly according to the needs of that particular committee. No committee, except the Negotiations Committee, shall meet less than three (3) times per year. Attendance shall be taken.

## **SECTION 3. REPORTS**

Each committee shall choose a secretary who shall record the activities of that committee. The chairperson of each committee shall give a verbal report at each Representative Assembly meeting. A record of attendance shall be made part of the record of that committee.



## SECTION 4. POWERS AND DUTIES

- a) The **Community Relations Committee** shall coordinate the activities of the Association with the community, may cooperate with public agencies on worthwhile endeavors and shall assist Association members to become involved with various community activities.
- b) The **Communications Committee** shall handle all communications to the members of the Associations and to the public concerning the activities of the Association and the Education Profession; and shall continually communicate the needs of education and educators to the public and carry on a program of information for the benefit of education and the Association.
- c) The **Negotiations Committee** shall handle all matters concerning the negotiation of a master agreement between the Association and the Newton School Committee. It is the intent of the Association to have one Negotiations Committee, with representatives from all units of the Association.
  - 1) Group one of the Negotiations Committee shall have primary responsibility for face-to-face negotiations with the School Committee Negotiations Team.
  - 2) Group two shall have primary responsibility for apprising the Negotiations Committee of the needs and interests of the Association's members.
  - 3) At the conclusion of negotiations the Committee shall submit the agreement to the membership in accordance with the provisions of Standing Rules Nos. 5 & 6 appearing at the end of these bylaws, as the same may, from time to time, be amended.
- d) The **Election Committee** shall supervise any and all elections, referenda, ratification, and balloting of the membership. Subject to the approval of the Representative Assembly, it shall establish the date of the biennial general election and the date of balloting for any matter to be submitted to the general membership. Subject to the approval of the Representative Assembly, it shall determine the form and composition of the ballot for the biennial general election and of any other matter to be submitted to the general membership. Subject to the approval of the Representative Assembly, it shall establish election rules and shall be responsible for the publication and distribution of such rules. No candidate may serve on this committee.
- e) The **Membership Committee** shall organize and conduct a local membership drive among non-members. The Membership Committee shall inform members of the policies, programs, services, and accomplishments of the Association. It shall develop and conduct programs for the orientation of new members.
- f) The **Social Committee** shall organize such social activities as may serve the needs of the membership and promote good will within the Association and shall assist the Membership Committee in the orientation of new members.
- g) The **Legislative Committee** shall encourage members to exercise their civic and political rights and keep them informed about new legislation affecting the Education Profession.
- h) The **Bylaws and Rules Committee** shall receive and review proposals for amendment to the bylaws. At the April meeting of the Representative Assembly, or sooner if it deems appropriate, it shall make a report on bylaw amendment proposals that it has received, together with its

recommendations. On its own initiative, it may, as a committee, make recommendations to the Representative Assembly for amendments to the bylaws.

- i) The **Professional Development Committee** shall plan, initiate and administer activities of a professional nature for members of the Association in order to continually improve the quality of teaching in the Newton Public Schools. The Chair of the Professional Development Committee shall serve on the Joint Instructional Council of the Newton Public Schools.
- j) The **Budget Advisory Committee** shall assist the treasurer in developing the budget of the Association.
- k) The **Health and Safety Committee** shall develop the Association's positions on all matters pertaining to the health and safety of students and members of the bargaining units; shall hear, process and help members with any complaints regarding health and safety issues and shall make appropriate recommendations to the Grievance and Ethics [Professional Rights and Responsibilities] Committee; shall work to ensure that all construction and renovations of school buildings are planned and executed with the health and safety of occupants as a primary concern.

## **SECTION 5. MISCELLANEOUS**

- a) Each year the President may appoint such other special committees as he/she deems appropriate and shall discharge them upon completion of their duties.
- b) Any person serving on a committee, ex-officio, shall have the same rights and powers as all other committee members.

## **ARTICLE 10 - ELECTIONS**

### **SECTION 1. DATE OF ELECTIONS**

The general election of officers, Association Representatives, Election Committee Chair and elected members of the Negotiations Committee shall be held every two years on a school day between the fifteenth (15) day of March and the fifteenth (15) day of April as designated by the Election Committee and approved by the Representative Assembly. The first election held after the adoption of these Bylaws shall be held on a date established by the Executive Committee. The existing Ballot Committee shall supervise the election and shall act in accordance with the provisions of Article 9, Section 4(d) hereof.

### **SECTION 2. NOTIFICATION**

No later than thirty (30) days prior to the scheduled date of the elections, the Election Committee shall notify each Association Representative that nominations are being accepted and shall furnish each with a copy of the election rules and such other information as the Committee deems necessary and appropriate for the conduct of elections. The Election Committee shall cause a notice of the scheduled election to be posted in each school or administrative building.

### **SECTION 3. BALLOTS**

The Election Committee shall prepare printed ballots containing the names of candidates qualifying for each office. On a date and in a manner determined by the Election Committee, the ballots shall be distributed to each qualified Association member. All ballots shall be returned to a certain place or places at a certain time in order to be validly counted. Said time and place shall be determined by the Election Committee and approved by the Representative Assembly.

### **SECTION 4. PLURALITY RULES**

To be elected, a candidate must receive a plurality of the votes cast. A ballot which is blank with respect to any particular office shall not be deemed to be a vote cast for that office in determining whether a candidate has received a plurality of the votes cast. Any candidate may, within seventy-two (72) hours after the votes have been tallied, request a recount.

### **SECTION 5. RESULTS**

After all ballots have been tabulated, the Election Committee Chairperson shall report the results of the election to the Executive Committee. The Executive Committee shall review the ballot results and shall declare the winning candidates elected.

### **SECTION 6. NOMINATION PROCESS**

Candidates for elected positions of the Association shall be nominated by petition of fifteen (15) members of the Association in good standing. All qualified candidates so nominated, and giving their consent, shall have their names placed on the ballot. Nomination petitions shall be prepared by the Election Committee and shall be furnished to any Association member requesting them. The person nominated shall indicate their consent to the nomination by signing the consent form which is a part of the petition. In accordance with Massachusetts General Laws, chapter 180, section 17, nominations may also be made at the annual meeting of the Association which next precedes an election.

### **SECTION 7. SINGLE BALLOT**

In any election where the number of candidates for a particular position is equal to or less than the number to be elected to that position, the Recording Secretary, or if that office is vacant, the President shall cast one ballot for the election of all such candidates. This provision shall not apply to the election of delegates to the National Education Association Representative Assembly.

### **SECTION 8. DELEGATES**

Delegates to the various organizations with which the Association is affiliated shall be nominated and elected, and may be recalled or removed from office in a manner consistent with the procedures required by the organization. If the procedure required by the organization is not consistent with the provisions of these bylaws, the Election, Committee, shall prescribe the method of electing such delegate(s).

## **ARTICLE 11 - AFFILIATION**

### **SECTION 1. STATE**

This Association shall be affiliated with the Massachusetts Teachers Association.

### **SECTION 2. NATIONAL**

This Association shall be affiliated with the National Education Association of the United States.

### **SECTION 3. OTHER**

With the approval of the Representative Assembly, this Association may affiliate with any other local, regional, state or national organization, provided that the organization is not in conflict with the purposes and functions of this Association, The Massachusetts Teachers Association or the National Education Association.

### **SECTION 4. DELEGATES**

The President and, in the even numbered years, the First Vice President, shall be delegates to the Representative Assembly of the National Education Association. Each of these delegates may appoint a replacement. Any additional delegates to which the association may be entitled shall be elected according to the rules and procedures of the National Education Association.

Either the President or a member appointed by the President shall be a delegate to the annual meeting of the Massachusetts Teachers Association. Delegates to which the Association may be entitled shall be elected according to the rules and procedures of the Massachusetts Teachers Association. If the number of delegates elected is less than the number of delegates to which the Association is entitled, the additional delegates may be appointed by the President.

## **ARTICLE 12 - MEMBER MEETINGS**

### **SECTION 1. ANNUAL MEETING**

There shall be at least one (1) Annual Meeting of the general membership of the Association and it shall be held in May or June at a time and place designated by the President. If by April 15 the President has failed to issue a call for the Annual Meeting, the Executive Committee or Representative Assembly may do so. The call for the meeting shall include a tentative agenda.

### **SECTION 2. GENERAL MEETINGS**

The President, Executive Committee or Representative Assembly may call such General Meetings as he/she/it deems appropriate.

### **SECTION 3. SPECIAL MEETINGS**

Special meetings of the general membership of the Association shall be called by the Representative Assembly upon petition of one hundred (100) active members of the Association and within one month of such petition. The petition requesting the call of the special meeting shall state with clarity the purpose of the call and the business of the meeting shall be limited to the purpose of the request.

## **SECTION 4. ATTENDANCE AT MEETINGS**

The Annual Meeting, General Meetings and Special Meetings of the Association shall be open only to members of the Association in good standing, and staff and resource persons of the Association.

## **SECTION 5. QUORUM**

Forty (40) members in good standing present at all Annual Meetings, Special Meetings and General Meetings of the Association shall constitute a quorum. Once a quorum has been established at a meeting, the meeting can continue to conclusion and validly transact all business which appropriately comes before it notwithstanding the fact that a quorum may no longer exist.

## **ARTICLE 13 - EXPULSION/SUSPENSION**

If the Representative Assembly shall, by vote of not less than two thirds (2/3) of its entire membership, vote to recommend the expulsion of any member whom it has determined has violated the Code of Ethics of the Education Profession, or for other good cause, it shall call a special meeting of the membership for the purpose of voting on such recommendation. No member of the Association shall be expelled by vote of less than a majority of the members, nor by vote of less than three quarters (3/4) of the membership present and voting upon such expulsion. The Representative Assembly may, by a vote of not less than two thirds (2/3) of its entire membership vote to suspend a member for a period of time not to exceed 180 days.

## **ARTICLE 14 - INTERPRETATION OF BYLAWS**

In the event of a dispute regarding the interpretation or application of any provision of these Bylaws, the interpretation or ruling by a majority of the members of the Representative Assembly voting on such issue shall govern.

## **ARTICLE 15 - PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, Newly Revised, shall govern the proceedings of the Association.

## **ARTICLE 16 - AMENDMENTS**

### **SECTION 1. GENERAL MEETING PROCEDURE**

These bylaws may be amended at a meeting of the membership by a vote of two thirds (2/3) of those present and voting. No bylaws shall be repealed or amended, or an additional bylaw adopted, unless notice of such proposed action shall have been given beforehand.

### **SECTION 2. COMMITTEE REVIEW**

Proposed amendments to the Bylaws submitted to the Bylaws and Rules Committee by individual members shall be reviewed and, if necessary, combined and/or edited, without substantive change by the Committee, and then submitted to the Representative Assembly for further action.

## **ARTICLE 17 - EFFECTIVE DATE**

In accordance with the provisions of Massachusetts General Laws, Chapter 180, Section 17, these bylaws shall, when adopted by the membership by a vote of not less than two thirds (2/3) of those voting thereon and when approved by the Secretary of State as conformable to law, take effect and be the governing instrument of this Association.

## **ARTICLE 18 - STANDING RULES**

Standing Rules for the operation of the Association shall be presented by resolution to the Representative Assembly. No Standing Rule shall be adopted, repealed or modified unless it receives the affirmative vote of two-thirds (2/3) of its entire membership. Unless otherwise stated in the resolution, the Standing Rule shall take effect the day following its adoption.

Standing Rules Nos. 1-6, appearing at the end of these bylaws shall be deemed adopted and in full force and effect when these bylaws are effective. They are not part of the bylaws and may be repealed or amended by the Representative Assembly upon recommendation of the Negotiations Committee as hereinbefore provided.

## **ARTICLE 19 - FISCAL YEAR**

The fiscal year of the Association shall be July 1 through June 30 of the following year.

**NEWTON TEACHERS ASSOCIATION, INC.**  
**STANDING RULES**

**STIPENDS AND DUES REBATES**

**Rule 1. PRESIDENT’S STIPEND**

- a) Base Salary: The Base Salary of the President shall be the salary he/she earns from the Newton Public Schools.
- b) Premium: If the President’s Base Salary is less than the salary of an employee on the Master’s Level Step Four of the Unit A Salary Schedule, the Association will pay the President a Premium which shall be the difference between the President’s Base Salary and the Master’s Level Step One of the Unit A Salary Schedule.
- c) Stipend: In addition to the Base Salary plus Premium, if any, the President shall also be paid a Stipend equal to the following percentage of his/her Base Salary plus any Premium.

<u>Year as President</u>	<u>Stipend</u>
1st	10% of Base+Premium
2nd	15% of Base+Premium
3rd	20% of Base+Premium
4th and beyond	25% of Base+Premium

The President’s stipend plus the Premium, if any, shall be distributed to the President in the same manner as the stipends of the other officers. (See Standing Rule 3 below.)

**Rule 2. OTHER STIPENDS**

- a) Officers: Officers of the Association, other than the President, shall receive a stipend equal to the following ratios of the current Master’s Level Step Four of the Unit A Salary Schedule:

First Vice President	.06;
Second Vice President	.06;
Recording Secretary	.03;
Treasurer	.10;
Assistant Treasurer	.03;
Chair of Grievance & Ethics	.10;
- b) Committee Chairs: Chairpersons of Committees delineated in the Bylaws shall receive a stipend equal to a ratio of .02 of the Master’s Level Step Four of the Unit A Salary Schedule. The Chairperson of the Negotiations Committee shall receive a stipend equal to a ration of .08 of the Masters Level Step One of the Unit A Salary Schedule during an academic year when there are ongoing negotiations, and a stipend equal to a ratio of a .04 of the Masters Level Step Four of the Unit A Salary Schedule during an academic year when there are not ongoing negotiations.
- c) Negotiating Team: Members of the Negotiating Team and its subcommittees, other than the chair of the Negotiating team, shall receive stipends as follows:
  - Regular members = \$500
  - Core members = \$1,500
  - This stipend shall be in addition to regular stipends for Officers and Committee Chairs who

are also on the negotiating team, with the exception of the chair of the negotiating team.

- d) Members of the Professional Rights & Responsibilities [Grievance & Ethics] Committee other than the chair shall receive a stipend of \$1,000 per year.
- e) Members of the Representative Assembly, including Officers and Committee Chairs, shall receive a stipend of \$400 per year. In the event the position of building representative in an elementary school or at the preschool is shared by two or more people, they will share a stipend of \$600, subject, however, to Executive Committee approval.

**Rule 3. PAYMENT OF STIPENDS**

Each stipend shall be paid in four equal installments, one each in September, December, March, and June. In the event that any officer shall fail to serve his or her entire term of office, the stipend shall be reduced pro-rata. Any person elected to, appointed to, or succeeding to a vacant office shall receive, pro-rata, the stipend of that office.

**Rule 4. DUES REBATES [Deleted. Replaced with Standing Rule 2(e).]**

## **NEGOTIATIONS**

**Rule 5. PRESENTATION OF AN AGREEMENT (GENERAL MEETING)**

- a) When any Agreement is to be voted upon by those covered by said Agreement, it must first be presented at a General Meeting of the Association open to all persons covered by the Recognition Clause of said Agreement, and time shall be allowed for these individuals to ask questions regarding the Agreement.
- b) Copies of the Tentative Agreement shall be made available to the membership at least three (3) calendar days prior to the General Meeting at which it is to be presented.

**Rule 6. VOTING ON AN AGREEMENT**

- a) Voting on an Agreement shall be by secret ballot following presentation of the Tentative Agreement.
- b) Voting shall begin at the General Meeting when no member wishes to speak, or when the members present, by a two-thirds (2/3) vote, close debate, or two (2) hours after the beginning of debate, whichever comes first.
- c) A majority of those members voting shall be necessary for acceptance, and the ballot shall be in the following form:

The Tentative Agreement between the Newton School Committee and the Newton Teachers Association, as presented, is hereby:

Accepted

Rejected



