

**BABYLON TEACHERS' ASSOCIATION**  
**CONSTITUTION**  
**-and-**  
**BY-LAWS**

**I. NAME**

This organization shall be known as the Babylon Teachers' Association ("BTA")

**II. PURPOSES**

The purpose of this organization shall be:

1. to advance the standards of its members' professions;
2. to promote and improve the welfare and education of all pupils in the Babylon Schools;
3. to secure the conditions necessary to provide the greatest rewards for its members in their work environment;
4. to promote the participation of its members in the operational decisions affecting their employment;
5. to promote the welfare and well-being of its members;
6. to promote mutual assistance and cooperation with other organizations with which it is associated;
7. to promote the aims and objectives of the New York State United Teachers and its national affiliates;
8. to expose and fight all forms of racism and discrimination;
9. to promote the unity and strength of its members.

**III. AFFILIATIONS**

This organization shall be affiliated with the New York State United Teachers (NYSUT) and its national affiliates.

#### **IV. MEMBERSHIP**

There shall be the following membership categories: Active and Retiree

1. Active membership in this organization shall be open to any person, whose title is delineated in the collective bargaining agreement with the employer.
2. Retired BTA members shall become honorary members of the organization. Honorary members are prohibited from holding office, voting on union matters, or voting on contract ratifications.
3. Active membership/member in good standing shall be maintained through the payment of all required dues.

#### **V. OFFICERS**

1. The officers of the BTA shall be President, Executive Vice President, Secretary, Treasurer, Historian, and Building Vice Presidents.
  - a. The Officers shall be elected through an election of the entire membership.
  - b. The President and Executive Vice President shall run as a single ticket during the elections and be the first and second, respectively, delegates to all conventions.
  - c. Duly elected officers shall serve a three (3) year term commencing on July 1 of the election year. Each officer shall remain in office until his/her successor assumes office.
  - d. An out-going officer shall turn over to the succeeding officer all official respective officer's records.
  - e. Notwithstanding section "a" above, each building, with the exception of the building in which the Executive Vice President is assigned to work the majority of his/her time, shall be entitled to one (1) Building Vice President through an election within their respective buildings.
2. Duties of the President - The President shall:
  - a. be Chief Executive Officer of the BTA;
  - b. administer all affairs and execute all policies of the BTA;
  - c. be one of the responsible financial officers of the organization and shall be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
  - d. certify to the Secretary Treasurer of the American Federation of Teachers that the annual audit/internal financial review was presented to the Executive Board, as the BTA's governing body, and to the entire membership annually;
  - e. preside at all meetings of the Executive Board and general membership;

- f. represent the organization with all external groups, and be the first delegate to the NYSUT Representative Assembly and the conventions of its national affiliates;
  - g. appoint and establish the function of all committees with the approval of a majority of the executive board;
  - h. call regular and special meetings of the Executive Board and general membership;
  - i. fulfill such other duties as the office requires and as are consistent with this constitution.
3. Duties of the Executive Vice President - The Executive Vice President Shall:
- a. in the President's absence, assume the duties and responsibilities of the President and perform such other duties as the President may designate;
  - b. be head of Building Representative(s) in his/her respective building;
  - c. address BTA concerns in his/her respective building;
  - d. represent respective building at meetings with District Administration at the request of the President;
  - e. act as liaison between respective building administration and the President when appropriate;
  - f. co-sign financial instruments in the absence of the President or Treasurer;
  - g. be Grievance Committee Chairperson;
  - h. jointly assist the President in the course of committee functions as needed or otherwise directed;
  - i. represent the organization with all external groups, and be the second delegate to the NYSUT Representative Assembly and the conventions of its national affiliates;
  - j. perform all duties necessary to the Office as directed by the President.
4. Duties of the Building Vice Presidents - The Building Vice Presidents shall:
- a. be head of Building Representative(s) in his/her respective building;
  - b. address BTA concerns in his/her respective building;
  - c. represent respective building at meetings with District Administration at the request of the President;
  - d. act as liaison between respective building administration and the President when appropriate;

- e. jointly assist the President in the course of committee functions as needed or otherwise directed;
  - f. shall act as an alternate to all state and national conventions;
  - g. perform all duties necessary to the Office as directed by the President.
5. Duties of the Secretary - The Secretary shall:
- a. attend to all correspondence as appropriate and/or as directed by the President;
  - b. keep a record of the minutes of all official meetings of the BTA and make official minutes available to BTA members within five (5) work days of approval;
  - c. obtain any necessary permits and/or equipment;
  - d. keep on file a record of all members, all standing committees, and all executive board members;
  - e. work in conjunction with the Historian to archive and maintain all required BTA correspondence, documents, election reports, ballots, committee and officer reports, and records;
  - f. maintain and inventory BTA stationery and office supplies;
  - g. act as an alternate to all state and national conventions;
  - h. perform all duties necessary to the Office as directed by the President.
6. Duties of the Treasurer - The Treasurer shall:
- a. receive, record and deposit all dues monies and other income in the name of the BTA;
  - b. make all reimbursements as mandated by the Expense Reimbursement Policy;
  - c. maintain accurate membership records;
  - d. where appropriate, issue membership cards and send notices of delinquent dues;
  - e. be one of the responsible financial officers of the BTA and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;
  - f. maintain all financial records of the BTA;
  - g. present periodic financial reports to the Executive Board and an annual report to the general membership;
  - h. collaborate with the Executive Board in the preparation of the annual budget;

- i. arrange for an independent audit/internal financial review of the finances of the organization annually in accordance with NYSUT's Constitution and make same available to the Executive Board and membership;
  - j. transmit per-capita payments on a regular basis to the Membership Reporting Department of the NYSUT;
  - k. perform duties of the office and reports as required by the Labor Management Reporting and Disclosure Act, the Internal Revenue Service, and the guidelines developed by NYSUT and its national affiliates;
  - l. act as an alternate to all state and national conventions;
  - m. perform all duties necessary to the Office as directed by the President.
7. Duties of the Historian - The Historian shall:
- a. archive and keep all official records and historical data pertinent to the BTA;
  - b. archive documents as requested by the Secretary;
  - c. maintain a running record of all BTA resolutions from meetings and pertinent District Board of Education resolutions;
  - d. maintain a running record of all BTA adopted policies;
  - e. coordinate all BTA current social events or events as directed by the President;
  - f. assist in running BTA elections with the Election Committee Chairperson;
  - g. act as an alternate to all state and national conventions;
  - h. perform all duties necessary to the Office as directed by the President.

## **VI. EXECUTIVE BOARD**

1. The Executive Board shall be composed of the duly elected Officers and Building Representatives.
  - a. Each building shall be entitled to the following Building Representatives elected through their respective buildings: Elementary School one (1); Grade School two (2); Junior/Senior High School three (3).
  - b. Duly elected Building Representatives shall serve a three (3) year term commencing on July 1 of the election year. Each Building Representative shall remain in office until his/her successor assumes office. Notwithstanding the aforementioned, Building Representatives elected during the 2017 election shall serve a term of one (1) year only.

**2. The Executive Board shall:**

- a.** attend all general membership and executive board meetings;
- b.** establish the salary, benefits, and expense guidelines of any member who is employed by the BTA;
- c.** meet no fewer than six (6) times per fiscal year. Special meetings may be called by the President or by petition of a majority of the Executive Board;
- d.** be empowered to make contracts and incur liabilities including the purchase of services, equipment, and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership;
- e.** ensure that an audit/review by an independent accounting firm or an internal financial review conducted by a committee of three (3) – five (5) members who do not sit on the Executive Board is presented to the membership annually;
- f.** ensure that an annual budget is adopted no later than June 30<sup>th</sup>;
- g.** implement an investment policy determining acceptable types of investments, maturity timeframes, and number of commercial banking relationships with assessments of these relationships based on periodic ratings by an independent ratings service;
- h.** establish a fiscal year for the local which shall commence July 1<sup>st</sup> and end June 30<sup>th</sup>;
- i.** adopt an expense reimbursement policy and update as necessary;
- j.** interpret the constitution and by-laws;
- k.** act on policy matters for the BTA between the meetings of the general membership;
- l.** make policy recommendations to the membership for their consideration;
- m.** approve committee appointments;
- n.** serve to hear appeals from members regarding decisions by the Grievance Committee;
- o.** perform all duties necessary to the Office as directed by the President.

**3. Duties of the Building Representatives - The Building Representatives shall:**

- a.** schedule no less than four (4) building level meetings during the school year, the first of which shall occur within thirty (30) calendar days of the start of the new school year;
- b.** obtain building use permits and take notes and minutes of the meetings which shall be made available to respective building membership;

- c. work in conjunction with the respective Vice President in the role of liaison between building administration and the BTA;
- d. work to promote BTA membership;
- e. support and promote BTA sponsored events;
- f. assist the Political Action Chairperson/Public Relations Chairperson in the distribution of pertinent materials and promotion of events;
- g. perform all duties necessary to the Office as directed by the President.

## **VII. ELECTIONS, NOMINATIONS & VACANCIES:**

1. Each member in good standing shall be given reasonable opportunity to nominate candidates for office and to run for office. A member in good standing has maintained membership through the payment of all required dues. BTA members on an unpaid leave of absence shall be considered to be in good standing by maintaining their active membership status with the BTA by a direct payment of the BTA's local dues for the duration of the leave. The member may elect to pre-pay the outstanding dues balance as one lump sum or continue to adhere to the current payment schedule for the duration of the leave.
2. Notice of the offices to be filled, the right to make nominations, and the time, place, and proper form for submission of nominations will be announced in a letter and/or email from the Election Committee Chairperson and be prominently posted in each work site.
3. Nomination procedures shall be determined by the Election Committee and shall be in compliance with the requirements of the Landrum-Griffin Act.
4. The Executive Board shall appoint an ad hoc Elections Committee to conduct and monitor each election held by the BTA.
5. Written notice announcing the time and place of elections shall be mailed to each member in good standing to the member's last known home address at least fifteen (15) days prior to the election, not including the date of mailing.
6. Election shall be by secret ballot. The principle of one-person, one-vote shall apply to all BTA elections. Absentee ballot procedures shall be outlined in the by-laws. Proxy/Write-In votes are precluded.
7. No union funds or employer funds shall be utilized in any local election. A local or council may expend funds provided such expenditure is consistent with the standards applicable to a union election which is subject to and governed by Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA) ("Landrum-Griffin").
8. The results of the election shall be announced in a letter and/or email from the Historian or Executive Board.
9. The Historian and/or Secretary shall preserve all election records, including ballots, for a period of time equal to the term of office or the election cycle. Further, if the election is

contested, the records shall be preserved for a period of one year after a final determination is made in the contested election.

10. If the office of the President becomes vacant, the Executive Vice President shall assume the office of President.
11. If any other elected position becomes vacant, it shall be filled, for the remainder of the term, through an appointment by the Executive Board until the next election is held.

#### **VIII. STANDING COMMITTEES:**

Chairpersons and members of standing committees and ad hoc committees shall be appointed by the President with the approval of the Executive Board.

1. Negotiations
2. Grievance
3. Public Relations
4. Legislation/Political Action
5. Elections
6. Membership
7. Scholastic Awards
8. Sick Bank
9. Other committees as approved by the Executive Board

#### **IX. DELEGATES TO NYSUT AND OTHER AFFILIATES**

Delegates to the NYSUT Representative Assembly, and other affiliates shall be elected by secret ballot in a manner consistent with the Constitution and By-laws of the appropriate state and national organizations and with the Landrum-Griffin Act.

#### **X. PROTECTION OF RIGHTS OF MEMBERS**

1. Every active member in good standing of this organization shall have equal rights and privileges to nominate candidates for office, to hold office, to vote in elections or referendum, to attend membership meetings, and to participate in deliberations and voting upon the business of the organization.
2. No member may be fined, suspended, expelled, or otherwise disciplined (except for nonpayment of dues) by this organization.



3. No Executive Board member of the BTA may be removed from office unless the member has been served with charges and afforded reasonable time to request and prepare a defense to be presented to the general membership or building membership, as appropriate, at a special meeting for this reason. The Executive Board member will be removed from office by a two-thirds (2/3) vote of the general membership or building membership as appropriate and pursuant to the BTA's by-laws.
4. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

## **XI. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENTS**

1. The President shall serve as the Chief Negotiator and shall carry on all negotiations and contracts with the Board of Education.
2. The Executive Vice President will serve as chairperson for the negotiations committee.
3. The President will canvas the membership for committee participants. Other members may indicate an interest by informing the President of such. An attempt will be made to have representation from all three buildings.
4. The Executive Board shall approve the negotiations committee upon the recommendation of the President. The members of the committee shall be announced in a letter and/or email from the Secretary or Executive Board.
5. The negotiations committee shall be responsible for the development of a professional negotiations agreement or contract with the Board of Education which will reflect the interest and thoughts of the members of the BTA and provide for the fullest possible participation of the teaching staff.
6. The negotiations committee will present any proposed new agreement with the School District to the Executive Board for endorsement. It will then call a special membership meeting at which time a full explanation and written documentation will be made available to all in attendance. Notwithstanding the quorum requirements for a general membership meeting under the by-laws, a quorum for this ratification meeting shall consist of fifty (50) percent of the members in good standing. Failure to meet this quorum shall require the rescheduling of this ratification meeting until the time a quorum is met. A secret ballot vote will be held no less than two (2) and no more than five (5) school days after the meeting in all buildings on whether to accept or reject the proposed agreement. Absentee ballots must be requested in writing from the Negotiations Committee. The Negotiations Committee must receive the absentee ballot no later than the date of said ratification vote via United States Postal Service. Simple majority of those voting shall prevail. The final endorsement of the approved collective bargaining agreement will be signed by the President, Negotiations Chair, and at least one other member of the team.
7. This committee's tenure will remain in force until negotiations are completed or until a new BTA President and Executive Vice President have been elected.

## **XII. AMENDMENTS**

1. An amendment to this constitution may be proposed by:
  - a. A majority of the Executive Board; or
  - b. No fewer than ten (10) percent of the membership.
2. A proposed amendment must be received five (5) school days prior to a scheduled general membership meeting for which the proposed amendment will be discussed. The proposed amendment will be announced in a letter and/or email from the Secretary once verified.
3. A ratification vote will be held by secret ballot in each building within five (5) school days of the meeting the amendment was discussed. An amendment to the constitution may be ratified by a two-thirds (2/3) vote of those voting. However, the number of votes must qualify a quorum requirement of a general membership meeting.

## **XIII. PARLIAMENTARY AUTHORITY**

Meetings of all duly constituted bodies of this organization shall be governed by Roberts' Rules of Order, Newly Revised, except as otherwise provided in this constitution.

## **BY-LAWS**

### **I. GENERAL MEMBERSHIP MEETINGS**

1. Meetings of the general membership may be called by the President, by a majority of the Executive Board or by petition of ten (10) percent of the membership. Membership meetings shall be held no less than two (2) times per year. The first meeting shall be held within the first marking quarter and the second meeting shall be held within the start of the third marking quarter and the first Thursday of May.
2. Members shall receive written notification of a general membership meeting ten (10) days prior to the date of the meeting. General membership meetings may be called with fewer than ten (10) days notice, but the notification must be written and must state the purpose for the general membership meeting.
3. A quorum at a general membership meeting shall consist of twenty percent (20%) of the members in good standing.

### **II. BUDGET/DUES**

1. The BTA local budget/dues shall be established by the Treasurer and approved by the Executive Board. The NYSUT dues shall be established through the NYSUT Representative Assembly.
2. After approval by the Executive Board, the Treasurer shall present the budget to the membership at a general membership meeting for approval.
3. Approval of the annual budget shall be by a simple majority vote of those voting at the general membership meeting for such purpose.
4. The BTA will be responsible for collecting agency fee dues and shall adopt procedures consistent with local, state and federal law.

### **III. ELECTION PROCEDURES**

1. The Historian shall oversee the creation of an election committee for presentation and approval by the Executive Board no later than the March meeting of the Executive Board. An attempt will be made to have representation from all three buildings. Members seeking election may not serve on this committee.
2. An election committee shall select a Chairperson of the committee.
3. An election for President, Executive Vice President, Secretary, Treasurer, and Historian shall be held on the second (2<sup>nd</sup>) Wednesday of May.

4. An election for Vice Presidents and Building Representatives shall be held on the first (1<sup>st</sup>) Wednesday of June.
5. Election Committee shall notify all members of election calendar and other required documents as per the Landrum Griffin Act no later than April 15<sup>th</sup>.
6. The candidates running for office shall be announced in a letter and/or email from the Elections Committee.
7. In the event of an uncontested election, the BTA Secretary shall cast a single vote for the sole candidate of said position.
8. Absentee ballots must be requested in writing from the Election Committee. The Election Committee must receive the absentee ballot no later than the date of said election via United States Postal Service.
9. All candidates shall have the opportunity to have observers at each polling place and at the counting of the ballots.
10. The results of the election shall be announced in a letter and/or email from the Election Committee.

#### **IV. ATTENDANCE AT MEETINGS**

1. All Executive Board members are expected to attend all meetings of the Executive Board and general membership.
2. Absence and reason for absence from aforementioned meetings must be communicated to the President in advance of said meetings.
3. The Executive Board shall make a determination if the absence is to be deemed excused/unexcused. In the event the absence has been deemed unexcused, the member may appeal the decision to the Executive Board by providing written documentation.
4. An Executive Board member shall receive a stipend reduction of 20% for two (2) unexcused absences in one fiscal year, a stipend reduction of an additional 20% of the full stipend for three (3) unexcused absences in one fiscal year. In the event of a fourth (4<sup>th</sup>) unexcused absence in one fiscal year, the member shall be subject to removal from office.

#### **V. REMOVAL FROM OFFICE**

##### Removal of President, Executive Vice President, Secretary, Treasurer, and Historian

1. The removal process shall be initiated by a motion of the majority of the Executive Board or by written petition of forty (40) percent of the members in good standing.
2. The charged Executive Board member shall be afforded no more than three (3) school days after receipt of notification of said charges to request a special meeting of the general

membership.

3. The special meeting shall occur within seven (7) school days of the request.
4. A secret ballot vote shall be held in each building within five (5) school days after the defense presentation (if held).
5. The Executive Board shall form a special committee to oversee the voting process. The special committee shall follow pertinent election procedures.
6. Removal from office shall require a two-thirds (2/3) majority of the membership in good standing.

#### Removal of Vice Presidents and Building Representatives

1. The removal process shall be initiated by a motion of the majority of the Executive Board or by written petition of forty (40) percent of the members in good standing of the respective building.
2. The charged Executive Board member shall be afforded no more than three (3) school days after receipt of notification of said charges to request a special meeting of the building membership.
3. The special meeting shall occur within seven (7) school days of the request.
4. A secret ballot vote shall be held in each building within five (5) school days after the defense presentation (if held).
5. The Executive Board shall form a special committee to oversee the voting process. The special committee shall follow pertinent election procedures.
6. Removal from office shall require a two-thirds (2/3) majority of the respective building membership in good standing.

## **VI. AMENDMENTS**

1. An amendment to the By-laws may be proposed by:
  - a. a majority of the Executive Board;
  - b. no fewer than ten (10) percent of the membership.
2. A proposed amendment must be received five (5) school days prior to a scheduled general membership meeting for which the proposed amendment will be discussed. The proposed amendment will be announced in a letter and/or email from the Secretary once verified.
3. A ratification vote will be held by secret ballot in each building within five (5) school days of the meeting the amendment was discussed. An amendment to the By-laws may be ratified by a simple majority of those voting. However, the number of votes must qualify a quorum requirement of a general membership meeting.

## **CHECKLIST FOR ELECTIONS UNDER LANDRUM-GRIFFIN**

1. Are elections held within the three-year limit prescribed by the Landrum-Griffin Act?
2. Do members receive reasonable opportunity for nominating, including notice of the:  
\_\_\_ offices to be filled;  
\_\_\_ time for submitting nominations;  
\_\_\_ place for submitting nominations; and  
\_\_\_ proper form for submitting nominations?
3. Do members have reasonable time to choose and nominate candidates?
4. Do all members in good standing have an opportunity to be nominated, subject only to reasonable qualifications uniformly imposed?
5. Are rules governing eligibility for nomination fair, reasonable, and uniformly imposed?
6. Do all candidates have equal opportunity to use membership lists, distribute literature, and campaign for office?
7. Are candidates for office prohibited from using union funds to promote their candidacy?
8. Are all officers and all delegates to conventions at which they vote for officers elected by secret ballot?
9. Do all members in good standing have an opportunity to vote, limited only by reasonable rules uniformly imposed?
10. Are election notices mailed to members at their last known home address at least fifteen days prior to an election?
11. Are candidates given the opportunity to have observers at each polling place at the counting of the ballots?
12. Do members freely support candidates of their choice, without fear of reprisal?
13. Do election procedures conform to the constitution and bylaws, and are they consistent with the provisions of the Act?
14. Are the ballots of each local counted and a report showing the vote published?
15. Are ballots and other election records preserved for at least one year?