CONSTITUTION OF THE MEDINA TEACHERS’ ASSOCIATION

ARTICLE I

Name

This organization shall be known as the “Medina Teachers’ Association” (#2825), herein referred to as the “Association.”

ARTICLE II

Purpose

The purpose of this Association shall be:

1. To develop, through common understanding, a better education for the youth of this community.
2. To increase and maintain, through improved professional ethics and standards, the prestige of the profession in the community.
3. To improve, through unified effort, the welfare of the teachers.

ARTICLE III

Membership

Section 1 Active membership in the Medina Teachers’ Association as prescribed in the bylaws shall be open to any professional person who is employed by the Board of Education of the Medina Central School District and who is a member of the bargaining unit represented by the Association. Such persons shall become voting members upon joining the Association and whose dues are current and paid in full according to the payroll deduction schedule or other payment schedule as determined by the Association.

Section 2 There may be honorary and retired members of this Association as prescribed in the bylaws.

Section 3 Membership may be denied or withdrawn from any member who serves as a consultant for the Board of Education on negotiation matters.

Section 4 A list of names of all current members of the Association shall be posted in the teachers’ lounge of each school in the Medina Central School system by the first Tuesday in November.

ARTICLE IV

Quorum

Ten percent (10%) of the membership shall constitute a quorum at a regularly scheduled meeting or at a special meeting called by the president. No business shall be conducted without a quorum.

ARTICLE V

Officers

The elected officers of the Association shall consist of a president, a vice-president, a secretary, a treasurer, and one building representative per principal assigned to each building.. All elected officers must be tenured teachers. All officers of the Association must be members at the time of their election, and must maintain active membership throughout their term of office.

ARTICLE VI

The Executive Board

The governing body of this Association shall be called “The Executive Board.” It shall consist of the officers of the Association and other members as prescribed in the bylaws.

ARTICLE VII

Amendments

These articles may be amended by a majority of those members voting by secret ballot provided that a resolution to consider the proposed amendments(s) has been passed by a majority vote of the Executive Board. The proposed amendment(s) must be submitted in writing to all members at least five (5) school days before the vote is taken.

BYLAWS OF THE MEDINA TEACHERS’ ASSOCIATION

BYLAW I

Membership

Section 1 Definition of Memberships: Memberships shall be active, retired, or honorary.

1. Active Members

Active membership in the Association shall mean unified membership in the Medina Teachers’ Association, the New York State United Teachers, and the American Federation of Teachers. Membership shall be open to any professional personnel who is a member of the bargaining unit represented by the Association.

1. Retired Members

Retired membership shall be open to those persons who have retired from the teaching profession and who had been active members of the Medina Teachers’ Association.

1. Honorary Members

Honorary membership is granted to persons deemed worthy of this distinction by the membership upon recommendation of the Executive Board.

Section 2 Obligation of Membership

Members of this Association shall have the following obligations: To subscribe to and support the stated purpose(s) of the Association as contained in the Constitution and Bylaws.

Section 3 Membership Dues

The membership dues shall be paid annually. The membership year shall be from September 1st through August 31st. Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.

1. Dues for Active Members
2. Membership dues include dues for the New York State United Teachers and the American Federation of Teachers as fixed in their bylaws, and an amount set for the operation of the local Association.
3. The annual local dues for active members shall be determined by the Executive Board and approved by the general membership of the Association.
4. These dues may be paid by payroll deduction, by cash, or by check.
5. Payment of dues through payroll deduction shall constitute for all intents and purposes that the member’s dues are fully paid, effective on the date of receipt of the necessary forms by the treasurer. Authority for payroll deduction shall be continuous while the member is employed in the Medina Central School District or until withdrawn by written notice to the School Business Administrator and the Executive Board.
6. Special assessments may be levied if approved by two-thirds (2/3) of the active members voting by secret ballot provided that the Executive Board recommends such assessment(s). Notice of a special assessment must be given at least three (3) school days prior to the vote by secret ballot.
7. Dues for Other Members

Retired and Honorary members of this Association are exempt from the payment of local dues and fees. Dues to affiliated organizations must be paid.

1. Dues Refunds

Dues, or any part thereof, are not refundable except by action of the Executive Board.

1. Non-Members

A non-member is a person employed or newly hired into a bargaining unit position and to whom one of the following applies:

- The person has not enrolled in Association membership.

- The person enrolled in the Association and withdraws membership from the Association.

- A person who, after a reasonable period of time, has refused to bring dues arrears up-to-date.

Non-members shall have none of the rights and privileges of the Association membership. Non-members will not receive any NYSUT services as defined by NYSUT policies pertaining to non-membership. Association representation for non-members shall be limited to what is required under federal and state laws.

1. Laid Off Teachers and Teachers on Leave

Teachers who are laid off or on leave from their teaching positions in the Medina Central School District are eligible for active membership in the Association by payment of a $20 annual fee to the MTA and the payment of appropriate fees to NYSUT and AFT.

Section 4 Membership Rights and Privileges

1. Service for All Members

This organization shall not discriminate against 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, except if such political activity is in support of a competing labor organization or otherwise acting in a way to dissolve the organization.

Every member shall have the right to receive all printed materials of the Association, to attend meetings, and to make use of any service(s) which the Association may provide for all members.

1. Rights of Active Members

Every active member of the Association shall have the right to attend and vote at all general meetings; shall be eligible to serve as an officer or as a member of any committee or council of the Association as provided elsewhere in these bylaws.

Section 5 Termination and Reinstatement of Membership

1. Termination

Any member of this Association shall forfeit all rights and privileges as a member and shall be dropped from the membership list of this Association by a 2/3 vote by secret ballot of the Executive Board.

1. Reinstatement

The Executive Board shall have the power to reinstate a person whose membership has been terminated under Bylaw 1, Section 5a, by a 2/3 vote, by secret ballot, of the Executive Board.

1. Association Membership Withdrawal and Re-entry

An Association member who wishes to withdraw from the Association must complete the Association/NYSUT membership withdrawal form by the timeline established by NYSUT and return it to the Association Treasurer.

A member who drops Association membership and wishes to rejoin the Association at a later date may only do so per the following process:

- In order to resume dues deduction by the employer, the employee must submit a new membership application, authorizing employer dues deduction, to the Association Treasurer.

- Association membership and payroll deduction of all required dues shall not resume until the next school year (September) following the submission of the new membership application/dues deduction authorization form to the Association Treasurer.

BYLAW II

Officers

Section 1 Elected Officers

The Elected officers of this Association shall be president, a vice-president, a secretary, a treasurer, and one building representative per principal assigned to each building.

1. Qualifications of Elected Officers

Each officer of this Association shall hold a tenure appointment in the Medina Central School District and be a member in good standing of the Association.

1. Election, Term, and Assumption of Office
2. Officers shall be elected as provided in Bylaw 6 for a term of one year and shall assume office on June 1st of that year.
3. Officers may be re-elected to succeed themselves in office.
4. Duties of President

The President shall:

1. Preside at all general meetings of the Association and at all meetings of the Executive Board.
2. Appoint, with the approval of the Executive Board, all committees and committee chairmen except as otherwise provided in these bylaws.
3. Be an ex-officio member of all committees.
4. Recommend to the Executive Board a person for appointment as parliamentarian.
5. Recommend an Association budget to the Executive Board, subject to the approval of the Executive Board.
6. Appoint an auditing committee of three people to audit the records of the treasurer. Said audit must be completed no later than the first week in May of each year. Association members may be members of this auditing committee. If questions arise, a second audit will be done by auditors outside of the Association.
7. Appoint, with the approval of the Executive Board, member(s) to represent this Association on appropriate committees or councils within the school or civic community as may be necessary to carry out the purposes of this Association.
8. Call meetings of this Association and its Executive Board as provided in these bylaws.
9. Duties of the Vice-President

The vice-president shall:

1. Assume the duties and responsibilities of the president in case of absence or disability.
2. Perform such other duties as the president may request.
3. Duties of Secretary

The secretary shall:

1. Record the minutes of the Association and of the Executive Board meetings and make available to the membership the General Association minutes not later than five (5) school days after such meetings have been held.
2. Maintain official files of the Association. Association files are to be held for a period of at least ten (10) years.
3. Have available a copy of the Constitution and Bylaws of this Association at all meetings.
4. Keep a record of attendance of all meetings of the Executive Board.
5. Provide members with current copies of the Constitution and Bylaws. New copies will be distributed when revisions have been made and approved.
6. Provide a newly-elected secretary with appropriate Association files.
7. Duties of Treasurer
8. Assume responsibility for the funds of the Association, deposit them in a bank in the name of the Association, and disburse them upon authorization by the Executive Board.
9. Maintain complete records and accounts of monies received and disbursed. Records shall be kept and maintained for a period of at least ten (10) years.
10. Prepare the annual budget of the Association for presentation at the May meeting of the Executive Board. The Association’s fiscal year begins on July 1st and extends through June 30th of the next calendar year.
11. Assist a newly-elected treasurer in preparing the Association budget.
12. Keep the president and the Executive Board informed of the financial status of this Association.
13. Perform such other duties as may be required by the president or the Executive Board.
14. Duties of Building Representatives

The building representative shall:

1. Assume leadership duties in their respective buildings.
2. Represent their respective buildings at the Executive Board meetings.
3. Perform such other duties as may be required by the president or Executive Board.

Section 2 Appointed Officers

The appointed officer of this Association shall be the parliamentarian.

1. Duties of Parliamentarian

The parliamentarian shall enforce and interpret the rules and procedures governing this Association at all general meetings and the Executive Board meetings.

Section 3 Removal of Officers

Any five (5) members may, at any general meeting of this Association, move that a vote of confidence be given to a particular officer. Should the majority of those present on such an occasion express a lack of confidence in the officer in question, a special vote of the entire membership shall be taken by secret ballot within five (5) school days. The exact date shall be fixed by a majority of the Executive Board. Should the officer in question fail to receive a majority of the votes cast, said officer shall be removed from office immediately.

Section 4 Vacancies

1. President

Should the office of president become vacant for any reason, it shall be filled immediately by the vice-president.

1. Vice-President

Should the office of vice-president become vacant for any reason, it shall be filled by a special election. Nominations and election shall be made at a general Association meeting which must take place within twenty-five (25) school days of the vacancy.

1. Building Representatives

Should the office of building representative become vacant for any reason, in any building, a special election will be held in the affected building within five (5) school days of the vacancy.

1. Other Elected Officers

Should the office of secretary or treasurer become vacant for any reason, the president will appoint a replacement within fifteen (15) school days, with the approval of at least two-thirds (2/3) of the Executive Board.

BYLAW III

Executive Board

Section 1 Composition of the Executive Board

The Executive Board shall be composed of the elected officers, the immediate past president of the Association, the parliamentarian, and the committee chairmen. The immediate past president shall advise the Executive Board and assist the current president, if requested to do so.

Section 2 Voting Privileges of Members of the Board

Those members named in Section 1 above shall have voting privileges on the Executive Board.

Section 3 Duties

The Executive Board shall:

1. Conduct the routine business of the Association.
2. Vote on all appointments made by the president, with a two-thirds (2/3) vote required for approval of such appointments.
3. Review proposals submitted by the members and committee chairmen and make recommendations regarding their disposition.
4. Make recommendations relating to Association policy and program.
5. Prepare the agenda for all regular meetings of the general membership.

BYLAW IV

Meetings and Quorum

Section 1 Executive Board

1. The Executive Board shall determine the time and place of their meetings at their first regular meeting called by the president.
2. Special meetings of the Executive Board may be called by the president or by any three (3) members of the Executive Board.

Section 2 Special Association Meetings

Special meetings of the Association may be held at the call of the president or upon written request to the Executive Board from five (5) Association members. Business to come before special meetings must be stated in the call, which shall be sent in writing to each Executive Board member.

Section 3 Quorum

A quorum for the Executive Board and committees shall be a majority of their members. A quorum for regular and special Association meetings shall be ten percent (10%) of the active membership.

Section 4 Procedure

1. There shall be in attendance at every general and Executive Board meeting a secretary, whose duty shall be to keep minutes which contain a record of attendance and a complete account of transacted business. A copy of these minutes shall be given to each member of the executive Board and shall be made available to any Association member who so requests.
2. At least five (5) school days advance notice must be given of all general and building meetings, unless an emergency arises requiring immediate action by the membership.
3. Written notice of business to come before general meetings must be distributed to members and posted in each school building at least five (5) school days in advance of the meeting.
4. Membership present at general meetings shall receive individual copies of the agenda as they enter the meeting room.

BYLAW V

Committees and Councils

Section 1 Authorization

There shall be operation committees, professional committees, advisory councils, and such special committees as the membership or Executive Board may deem necessary to carry out the purposes of this Association. These committees shall include:

1. Negotiations Committee
2. Grievance Committee
3. Legislative Committee
4. Membership Committee
5. Social Committee
6. Public Relations Committee
7. Nominating Committee
8. Gifts and Flowers Committee

Section 2 Titles and Duties

1. The Negotiations Committee shall explore and prepare action programs as necessary in all areas of teacher welfare; and may create subcommittees with particular responsibilities for salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions.
2. The Grievance Committee shall receive a member’s grievance and seek to gain a solution through the stages of the grievance procedure. It shall advise the Executive Board of each grievance and its recommendation for Association action.
3. The Legislative Committee shall have the broad concern for local, state, and national legislation affecting the interests of the Association and the exercise of civic responsibilities by the members. The committee shall be diligent in informing members about newly enacted legislation. It may organize and oversee the following subcommittees:
4. State Legislation – to study pending legislation and to promote activities leading to the passage of desirable state legislation.
5. Federal Legislation – to study legislation before the Congress and to develop activities leading to the passage of desirable federal legislation for schools.
6. Citizenship – to educate members and the public on the civic responsibilities of teachers and to develop programs that will encourage wide exercise of these responsibilities.
7. The Membership Committee shall organize and conduct local, state, and national membership enrollment among non-members and inform members of the policies, programs, and accomplishments of all associations; develop and conduct programs for the orientation of new teachers to the community, the school system, and the association.
8. The Social Committee shall organize social activities that may serve the needs of members and promote fellowship within the association.
9. The Committee on Public Relations shall seek to develop public understanding of the purposes and programs of the Association, the values and importance of education, and, in cooperation with the administration, the educational philosophy and programs of the schools. It shall develop procedures by which the Association can work cooperatively with parents and the public in civic, fraternal, and social organizations, through available channels of communication.
10. The Nominating Committee shall prepare and distribute, at least one week prior to the election, a list of candidates for each office. Whenever possible, such lists should contain the names of at least two candidates for each office. The Nominating Committee shall also be responsible for providing ready-made ballots the day of the election.
11. The Gifts and Flowers Committee shall be composed of the building representatives and a chairman appointed by the president of the Association. The building representatives should send an appropriate item from the list below to the proper recipient and then notify the chairman of the committee and the treasurer of the Association.
12. Death to a member of the immediate family (spouse, parent(s), stepparent(s), children, stepchildren, siblings): flowers or appropriate memorial donation not to exceed $40. Appropriate memorials include a donation to the church or charity of the faculty member’s choice, library donations, or other requested remembrances.
13. A sympathy card will be sent at other appropriate times.
14. Illness of a faculty member: card for an illness of one week or more; flowers or gift (not to exceed $20) for an illness of two weeks or more.
15. Birth or adoption: check for $15 in the parents’ name.
16. Retirement: gift check of $100.
17. The Social Committee chairman will distribute sympathy and general occasion cards to the building representatives.
18. Teachers who are not members of the Association shall not receive the benefits provided by this committee.

Section 3 Appointment

1. Except as otherwise provided in these bylaws, all committee members and committee chairmen shall be appointed by the Association president and approved by the Executive Board.
2. Members of committees shall serve one year from the date of their appointment or until their successors are appointed.

Section 4 Duties of Committees and Councils

1. Each standing committee shall meet regularly and may hold special meetings at the request of the chairman.
2. Each standing committee shall be responsible to the Executive Board and shall be prepared to make reports and recommendations to the Executive Board or to the membership via the Executive Board.
3. Each committee shall keep a continuing record of its activities and shall file an annual report with the secretary of the Association.

Section 5 Special Committees

Each year the president shall appoint an audit committee and such other special committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Executive Board. No officer of the Association shall serve on the Audit Committee.

BYLAW VI

Nominations, Elections, and Voting Procedures

Section 1 Nomination and Election of Officers

1. The active members of this Association may nominate, by written petition signed by at least ten members, a candidate for president, vice-president, secretary, and treasurer during the month of April. Such petitions must be delivered to the Nominating Committee by April 30th.
2. The Nominating Committee shall publish to the membership on or before May 15th brief information on each candidate and present these candidates at a meeting to be held on or before May 20th. At this meeting, members may submit further nominations from the floor.
3. Members shall vote for officers, except building representatives, by secret ballot in their respective buildings the next day.
4. Members shall vote for building representatives in their respective buildings on the school day following the election of the Association officers.
5. Newly elected officers shall assume their offices on June 1st.

Section 2 Voting Procedures

1. A majority of votes cast shall be necessary for election. Should no candidate receive a majority vote, a special election shall be held between the two candidates receiving the greatest number of votes. Such election is to take place immediately following the first ballot, if possible, or at such place and time as the Executive Board deems suitable.
2. Voting for the purpose of accepting or rejecting the contractual proposals between the MTA and the Superintendent of the Medina Central School District shall take place no sooner than three business days after they are first presented to the membership of the MTA by the MTA negotiating team. The time and place of this vote will be announced to all MTA members at least one business day before the vote.

Section 3 Balloting on Issues Other Than Elections

The Executive Board, by two-thirds (2/3) vote, may request that any issue be voted on by all members by secret ballot in each building. Said vote shall take place within ten (10) school days after notice of the issue is posted in each school and sent to each member.

Section 4 Filing of Ballots

Ballots from all elections shall be filed with the Association secretary and shall remain on file for one year following the date of the election.

Section 5 Landrum-Griffin Act

All elections shall be held in accordance with the provisions of the Landrum-Griffin Act.

BYLAW VII

Representatives and Alternate Representatives

Section 1 Election

Representatives to the NYSUT Representative Assembly and the AFT Convention will be elected in accordance with the procedures established by these parent organizations for a term of three years.

Section 2 Duties

1. It shall be the duty of the duly elected representatives to attend the convention(s) authorized by the Executive Board to represent the Association.
2. Alternate representatives will have the responsibility to replace the elected representative should that person be unable to attend said convention(s).
3. A written or oral report will be presented to the general membership, detailing pertinent information obtained at the convention(s).
4. Expenses for the attendance of the representative(s) or the alternate(s) will be the responsibility of the Association.

BYLAW VIII

Parliamentary Authority

Simplified Parliamentary Procedure based on Robert’s Rules of Order shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Executive Board may adopt.

BYLAW IX

Fiscal Year, Records, and Reports

Section 1 Fiscal Year for Administration

The fiscal year for administration of this Association shall begin June 1st and end May 31st. This shall commonly be known as the “administrative year.”

Section2 Fiscal Year for Membership

The fiscal year for membership in this Association shall begin September 1st and end August 31st. This shall commonly be known as the “membership year.”

Section 3 Financial Records

All money received by or belonging to the Association shall be accounted for by the treasurer. These records shall be audited as prescribed elsewhere in these bylaws.

Section 4 Other Records

Records of all meetings and of all communications shall be kept by all officers, chairmen of committees and councils, and by all those appointed to represent the Association. These records shall be up-to-date and available at all times to be passed on to the successors in office.

Section 5 Published Reports

1. The minutes of each meeting of the general membership shall be published and made available to the membership not later than five (5) school days after such meetings have been held.
2. An annual audit report of the treasurer shall be distributed at the last general Association meeting of the school year.
3. Names of officers, names of chairmen and members of all Association committees and councils, and names of other appointed representatives shall be printed and distributed to the membership not later than two months following the first organizational meeting of the new Executive Board.
4. Annual reports of all standing and special committees, and/or councils shall be available to the membership at the conclusion of the “administrative year” or when a special committee completes its work.

BYLAW X

Constitutional Questions

Should a dispute arise concerning an interpretation of this Constitution, it shall be placed before the Executive Board. Should they fail to reach (unanimous) agreement, the issue will be submitted in writing to the general membership. Voting procedures will be the same as those required for amending the articles of the Constitution.

BYLAW XI

Dues Assessment

Section 1 Assessment for Negotiations

1. A sum of money, as specified in Bylaw XI, Section 3, will be taken annually from the normal local association dues of each member to be used exclusively for the payment of the MTA negotiating team. This sum is to be divided as follows: the Chief Negotiator will receive sixty percent (60%) and the remainder of the team will divide the remaining forty percent (40%) equally.
2. In the event that a non-member negotiator is used by the MTA, without cost to the organization, the total amount will be divided equally among the members of the negotiating team.
3. A note taker shall be compensated for taking notes during times of negotiations at a rate of $10.00 per hour to a maximum of $40.00 per day. There shall be a minimum rate of $20.00 per session.

Section 2 Assessment for Officers

1. A sum of money, as specified in Bylaw XI, Section 3, will be taken annually from the normal local association dues of each member to be used exclusively for the payment of the president of the MTA. The method to be used in allocating said money to the president will be the responsibility of the Executive Board.
2. A sum of money, as specified in Bylaw XI, Section 3, will be taken annually from the normal local association dues of each member to be used exclusively for the payment of the treasurer of the MTA. The method to be used in allocating said money to the treasurer will be the responsibility of the Executive Board.
3. Other officers will be compensated as specified in Bylaw XI, Section 3.

Section 3 Compensation

Current (1998-1999) compensation rates (per Association member) are as follows: Negotiation team – six dollars ($6.00), president – six dollars ($6.00), vice-president – two dollars and fifty cents ($2.50), treasurer – three dollars ($3.00), secretary – two dollars ($2.00), and building representatives – one dollar ($1.00). Each of these shall increase by thirty cents ($.30) every second year, with the 1999-2000 school year being the first year the increase shall be in effect.

Section 4 Local Dues Assessment

Current (2011-2012) local Association dues are ninety-nine dollars ($99.00). Unless otherwise determined by the Executive Board and approved by a majority of the general membership, the local Association dues shall increase by a sum of three dollars ($3.00) each school year. The 2012-2013 school year shall be the first year this increase shall be in effect.

BYLAW XII

Amendments

These bylaws may be amended at any general Association meeting by a majority vote of the members present and voting.