

Nesbrough
Teachers'
Association
Constitution & Bylaws

Newburgh Teachers' Association Constitution and Bylaws

Article I - Name

The name of this organization shall be the Newburgh Teachers' Association, hereinafter referred to as the NTA.

Article II - Objectives

This constitution is adopted for the following purposes:

1. to promote the interests of quality public education;
2. to advance the standards of the teaching profession;
3. to secure the conditions necessary for the greatest efficiency of teachers and schools;
4. to promote the general welfare of the membership;
5. to represent its membership in county, state, national and other professional organizations in which the majority group interests are concerned;
6. to promote the best interests of the public schools in our community;
7. to promote the aims and objectives of New York State United Teachers (NYSUT) and the American Federation of Teachers (AFT);
8. to expose and fight all forms of racism and discrimination; and
9. to support the principles of the American labor movement.

Article III - Affiliations

This organization shall be affiliated with the New York State United Teachers (NYSUT), the American Federation of Teachers (AFT), and those organizations mandated by the Delegate Assembly.

Article IV - Local (NTA)

1. The NTA shall consist of those unit members who hold collective bargaining rights in the Newburgh Enlarged City School District.

2. The NTA shall be bound by the provisions of the Constitutions of NYSUT and AFT as amended.

Article V - Membership

1. The NTA will show no discrimination toward individuals on the basis of gender, sexual orientation, age, creed, color, race, national origin, or political activities and beliefs.
2. Membership shall be obtained only through the per capita dues payment for any category of membership.
3. There shall be the following membership categories: in-service, special, associate, student and honorary. Individuals will be required to maintain unified membership with NYSUT and AFT and with those organizations mandated by the Constitution and Bylaws, and by the constitutions and bylaws of NYSUT and the AFT.
4. Only in-service members shall be eligible for elected office.
5. Only in-service and special members shall pay dues and vote.

Article VI - Officers

1. The officers of the NTA shall be a president, a vice-president, a secretary, and a treasurer.
2. Eligibility: No member shall be eligible to hold office who has not been a member in good standing for at least two (2) years immediately preceding the final date for nominations.
3. Nominations:
 - a. Candidates for officer positions shall be nominated according to procedures established by the Committee on Nominations and Election Procedures and approved by the Board of Directors and the Delegate Assembly. (see Bylaw 1).
 - b. Candidates for the offices of president and vice president shall be nominated and elected on a single slate.
4. Elections: Officers shall be elected according to the procedures established by the Committee on Nominations and Election Procedures, and approved by the Delegate Assembly and the Board of Directors (see Bylaw 1).
5. Terms of Office: Officers shall be elected on the second Tuesday in February on which school is in session, for a term of three years and shall assume office on the first day of July of the same year in which they are elected.
6. Duties of the President: The president shall:
 - a. be the chief executive officer of the NTA. It shall be his/her duty to administer to all of the affairs of the NTA and to execute policies of the organization as determined by the General Membership, the Delegate Assembly and the Board of Directors;
 - b. preside at all meetings of the General Membership, Delegate Assembly and the Board of Directors;

- c. act as sole spokesperson for the NTA except where the president designates this authority;
 - d. appoint and establish the functions and duties of all committees with the approval of the Board of Directors;
 - e. call regular and special meetings of the Board of Directors;
 - f. call regular and special meetings of the Delegate Assembly;
 - g. call special meetings of the Delegate Assembly upon written authorization of the majority of the members of the Delegate Assembly or the Board of Directors; and
 - h. fulfill such other duties as his/her office requires and are consistent with this Constitution.
7. Duties of the Vice-President: The duties of the vice-president shall be to assume the duties and responsibilities of the president in his absence and to perform such other duties as the president may designate.
 8. Duties of the Secretary: The duties of the secretary shall be those usual to that office and to perform such other duties as may be required by the president and by the bylaws.
 9. Duties of the Treasurer: The duties of the treasurer shall be those usual to that office and to perform such other duties as may be required by the president and by the bylaws.

Article VII - Delegate Assembly

1. Procedures:

The Assembly shall meet at least once a month at a time and place determined by the Board of Directors and at such other times as prescribed in this Constitution.

2. Composition: The Assembly shall be composed of:

- a. the officers,
- b. the delegates to NYSUT,
- c. the delegates to AFT, and
- d. delegates elected on the basis of one for each fifteen members of the NTA or a major fraction thereof based on the previous year's membership in each building. Each school or building will have at least one delegate.

3. Term of Office:

- a. Delegates to the Delegate Assembly shall be elected for a term of one year.
- b. Delegate elections shall take place on the first Tuesday in October on which school is in session and they shall take office the following Monday.

c. Alternates shall be elected on the same basis as the delegates. An alternate may act in the absence of any delegate from his/her school.

4. Powers and Duties:

- a. Except for matters decided by referendum and/or policies adopted by the members at a General Membership meeting, final authority in the NTA shall rest in the Delegate Assembly which shall:
- b. act on seating of contested representatives,
- c. require and receive reports,
- d. adopt a legislative program,
- e. act on amendments to the Constitution and Bylaws of the NTA,
- f. establish general policies through resolution and act on other business as necessary,
- g. adopt the annual budget and dues,
- h. act upon matters expressly delegated to it by the General Membership, and
- i. meet upon call of the president following the filing of a written petition of one-third of the total number of the Delegate Assembly to consider the removal of an elected officer for cause. The officer shall have the right to be heard or represented on his/her behalf following a ten day notice prior to said meeting. Delegates may recommend removal of an officer from office by secret ballot requiring two-thirds of the ballots cast. If two thirds of the General Membership concur, the said officer is then removed from office.

5. Head Delegates:

- a. He/she shall be elected by a majority of other delegates from that building.
- b. The duties of the head delegate shall be those usual to that office and to perform such other duties as may be required by the Delegate Assembly and the bylaws.

Article VIII - Board of Directors

1. Procedures:

The Board of Directors will meet once a month and at least one week prior to the regular monthly meeting of the Delegate Assembly whenever possible.

2. Composition:

- a. the officers

- b. 1 NYSUT Director elected by all NYSUT delegates
 - c. 1 AFT Director elected by all AFT delegates
 - d. 1 Director from NFA elected by all NFA delegates
 - e. 1 Director elected by all middle level school delegates
 - f. 3 Directors elected by all elementary school delegates. Not more than one (1) director shall be from the same elementary school.
3. Election of Directors: Directors shall be elected within two (2) weeks after the first Delegate Assembly meeting at a special meeting called by the President.
4. Terms of Office: The term of office of a Director shall be one year.
5. Powers and Duties: The Board of Directors shall:
- a. adopt an agenda for each meeting of the Delegate Assembly;
 - b. determine the time and place of the monthly meeting of the Delegate Assembly;
 - c. recommend a legislative program to the Delegate Assembly;
 - d. implement policies established by the Delegate Assembly;
 - e. recommend a budget and dues for approval to the Delegate Assembly;
 - f. act upon expenditures which may require modification of the budget; and
 - g. fill all officer and director vacancies which may occur, except in the office of the president which shall be filled by the incumbent vice-president;
 - h. interpret the constitution and bylaws;
 - i. act upon other matters expressly delegated to it by the Delegate Assembly or the General Membership;
 - j. authorize the secretary to cast a single ballot in the case of uncontested elections; and
 - k. be authorized to retain the services of an Executive Counsel or Executive Secretary at any time to act on behalf of and advise the NTA.
 - l. procedures for a referendum shall be determined by the Board of Directors.

Article IX General Membership

1. The highest level of governance in the NTA shall be a referendum by the entire membership. Positions or policies established

by referendum shall not be subject to reversal or modification by an association governing body for a period of at least two (2) years.

2. A referendum shall be held by:
 - a. an order of a majority of the Delegate Assembly or
 - b. an order of a majority of the Board of Directors or
 - c. a petition of at least ten percent (10%) of the in-service members.
3. Matters not subject to referendum are:
 - a. dues of the NTA;
 - b. interpretations of the constitution and bylaws;
 - c. programs requiring a budgetary expenditure of funds;
 - d. employment assignment, promotion, discharge or compensation of staff; and
 - e. powers specifically assigned to other bodies by this Constitution.
4. Procedures for a referendum shall be determined by the Board of Directors.

Article X - Constitutional Amendments

1. An amendment to the constitution may be proposed by any member of the NTA.
2. In order to be considered for adoption, a proposed amendment shall be submitted in writing to the Board of Directors.
3. A proposed amendment shall be published in an official publication of the NTA at least 10 days prior to the Delegate Assembly at which it is to be considered.
4. This constitution may be amended by a two-thirds vote of the members of the Delegate Assembly present and voting followed by a two-thirds referendum vote of the General Membership.

Article XI - Bylaw Amendments

1. An amendment to the bylaws may be proposed by any member of the NTA.
2. In order to be considered for adoption, a proposed bylaw amendment shall be submitted in writing to the Board of Directors.
3. Following consideration by the Board of Directors, the bylaws may be amended by a majority vote of the Delegate Assembly present and voting.

4. A vote to consider a bylaw amendment shall take place at the first Delegate Assembly meeting immediately following the meeting of the Board of Directors at which the amendment was considered.

BYLAWS

1. Nominations and Elections

- a. The Nominations and Election Committee will be appointed pursuant to Article VI, 6, d for officer elections.
- b. Schools will be provided with an official NTA ballot box. The ballot box will be delivered locked and will remain locked during the election. It will be opened only in the presence of a Committee member. The key or combination will be secured at all times by the Committee.
- c. Election material will be delivered by the Committee to the school head delegate or his/her designee.
- d. Delegates will inspect the materials making sure it contains the NTA membership list for his/her school and a sufficient number of ballots for the membership.
- e. School delegates are responsible for opening the polls at a time convenient to their school. It is to be by secret ballot, and only members are permitted participation.
- f. School delegates shall establish a primary and secondary system of poll supervision. The secondary system will operate in the event that the primary supervisors cannot fulfill their obligations. Poll attendants must be NTA members. At least two attendants must be on duty while the polls are open.
- g. Proxy and absentee ballots will not be permitted. All voters must personally sign the school membership list prior to voting. All voters must vote in their home base school.
- h. All polls will close no later than one hour after the teachers' legal departure time.
- i. A school delegate will deliver the ballot box to the officially designated election headquarters. Deliveries will be made no later than two hours after the teachers' legal departure time.
- j. Ballot boxes will be unlocked at the election headquarters. The school delegate and a Committee member will tabulate the ballots. Ballots will be cross-referenced to the voter's signature that appears on the membership list.

2. Membership

- a. In-service membership in the NTA shall be open to all persons, except school supervisors, assistant principals, principals, and school administrators, engaged in a professional or para-professional phase of public school work in the Newburgh Enlarged City School District.
- b. Special Membership:
 1. Special membership in the NTA shall be available to retired teachers, employees on unpaid leave, and/or laid off employees previously employed in the District not currently working and who are on a preferred eligibility list.
 2. Special membership in the NTA shall be available to substitutes or part time employees.
 3. Student membership shall be awarded to those students interested in public education upon written request to the President and with the approval of the Board of Directors.
 4. Honorary membership in the NTA will be awarded to those not eligible for active membership by a majority of the Board of Directors.

3. Duties of the President

See NTA Constitution - Article VI, 6.

4. Duties of the Vice- President

See NTA Constitution - Article VI, 7.

5. Duties of the Secretary

The secretary shall keep a record of all meetings of the Association, regular and special meetings of the Delegate Assembly, Board of Directors, and General Membership meetings. He/she shall keep a list of the membership and a record of the attendance at meetings. He/she shall, at the end of the term of office, turn over to the new secretary the minutes, correspondence, and records of the NTA, and shall file with the NYSUT headquarters the names of the new officers.

6. Duties of the Treasurer

The treasurer shall keep an accurate account of all receipts and expenditures of the Association. He/she shall disburse funds only by check and upon proper authorization. At each regular meeting of the Board of Directors and the Delegate Assembly, he/she shall make reports on the financial status of the Association. At the end of his/her term, he/she shall deliver to the new treasurer all records and other materials of the NTA.

7. Delegate Assembly

- a. A parliamentarian who is not a member of the Delegate Assembly, appointed by the President, shall be in attendance at all sessions of the Assembly if determined by the Delegate Assembly.
- b. A record of the proceedings (minutes) shall be made and shall be maintained at the office of the NTA.
- c. Except as otherwise provided for in this constitution, roll-call votes on any matter before the Assembly shall require a one-third vote of the Delegates present supporting such roll-call votes.
- d. A quorum for meetings of the Delegate Assembly shall consist of one third of the Assembly.
- e. Terms of Office:
 1. Written notification of the election results, including the name of the delegate and his/her alternate sent by the incumbent head delegate, will be in the hands of the secretary no later than Friday of the election week.
 2. When an alternate acts in the absence of any delegate from his/her school, it shall be duly noted on the records.
- f. Powers and Duties:
 1. Delegates will represent their respective schools, and shall have the responsibility to report back to the building members as promptly as possible on all actions taken at the Delegate Assembly meetings, and shall vote in accordance with the instructions given by members in the individual schools.
 2. In case of absence, a Delegate shall be responsible for having an alternate present in his/her behalf.
 3. Individual problems of a member will be reported by the delegate to either the Grievance Committee or, in case of an emergency, directly to the Delegate Assembly for consideration and appropriate action.
- g. Head Delegates:
 1. shall be responsible for delegate and alternate voting and elections in his/her school;
 2. shall be responsible for filing delegate and alternate election results with the NTA secretary no later than two days after the election;
 3. shall be responsible for informing his/her members of action(s) taken by the NTA;
 4. shall be responsible for filing monthly written reports with the president of meetings held in the school with members, delegates, and principal;
 5. shall report to the president any violations of contracts and/or unprofessional conduct of the principal towards members, and other matters that directly concern the NTA and its policies and activities; and
 6. shall attend the meetings of the Delegate Assembly. If two consecutive meetings of the Delegate Assembly are missed,

he/she will be subject to dismissal in accordance with rules established by the Delegate Assembly unless he/she is represented by a duly elected alternate.

8. Board of Directors

- a. A quorum for meetings of the Board of Directors shall consist of a majority of the members of the Board of Directors.
- b. A record of the proceedings (minutes) shall be made and shall be maintained at the office of the NTA.

9. General Membership

A quorum for meetings of the General Membership shall consist of ten percent (10%) of the membership.

10. Fiscal Year

- a. The fiscal year of the NTA shall begin September 1 and end August 31.
- b. The NTA shall maintain all records and reports required by other affiliated organizations.
- c. There shall be an annual audit of the books and the financial status of the Association.
- d. The NTA budget shall be adopted no later than April of each year.

11. Annual Meeting

There shall be an annual (special) meeting of the Board of Directors in June of each year for the purpose of acting upon the president's committee proposals under Article VI, 6, d. The president shall be required to submit a spending proposal for the committees which are appointed and authorized, pursuant to Article VI, 6, d, at the same annual meeting. Committees may also be established and appointed as may be determined throughout the year.

12. Procedures

Meetings of all duly constituted bodies of the NTA shall be governed by Robert's Rules of Order, Newly Revised, except as otherwise provided in this constitution and bylaws.

Revised: November 1, 1972
April 15, 2002

Amended: June 13, 1973
June 15, 1976
June 6, 1978
June 12, 2002

CONSTITUTIONAL AMENDMENT:

The following amendment to the NTA Constitution and Bylaws was adopted by the NTA at a General Membership Meeting on June 9, 2003. The amendment was adopted pursuant to Article X of the Constitution.

Article VII Delegate Assembly

2. Composition. The Assembly shall be composed of:

e. (NEW) *delegates elected on the basis of one (1) for each 100 members or major fraction thereof based on the previous year's membership for the Retired Teachers' Chapter, the Substitute Teachers' Chapter and the Teaching Assistants' Chapter. Each chapter will have at least one (1) delegate.*