

# **The 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. This constitution and bylaws of the NTA supersedes and replaces all previous constitutions and bylaws and/or amendments heretofore adopted.

### **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 the 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) and its national affiliates. The NTA shall be bound by the provisions of the Constitutions of NYSUT and AFT.

## Article IV – Membership

There shall be the following membership categories: Active, On-Leave, Retiree, Suspended, and Non-Member.

1. Active: Active membership in the organization shall mean unified membership in the Newburgh Teachers' Association (NTA), the New York State United Teachers (NYSUT) and its national affiliates and shall be open to any person currently employed by the Newburgh Enlarged City School District (NECSD) in a teacher, teaching assistant, or per diem substitute bargaining unit position, who has enrolled in membership and whose dues are current and paid in full.
2. On-Leave: NTA Active Members who are on unpaid leaves of absence shall retain their full rights to membership in the Newburgh Teachers' Association. Dues are waived for teachers on leave without pay.
3. Retiree: Retiree membership shall be open to any person who is or was an Active member of the NTA at the time of their retirement. The retired members shall comprise the retired educators' chapter of the NTA and be called the Newburgh Teachers' Association Retired Teachers' Chapter (NTARTC).
4. Suspended: A suspended member is one who has completed all enrollment forms whose dues are not currently up to date and/or paid in full. A suspended member has not indicated an intention to withdraw membership.
5. Non-Member: A Non-Member is a person employed or newly hired into a teacher, teaching assistant or per diem substitute bargaining unit position and to whom one of the following applies:
  - a. The person has not yet completed enrollment in the NTA.
  - b. The person enrolled into the NTA and has taken action to withdraw membership from the NTA.
  - c. The person refuses to bring dues arrears up to date.
6. Membership shall be maintained through the payment of all required dues. Dues for Active members shall be paid by payroll deduction. Dues for members of the NTARTC shall be collected by the NTARTC. Names and contact information for new retirees shall be provided by the NTA to the NTARTC by July 1<sup>st</sup> of each year. Starting with the school year commencing on July 1, 2025, the NTARTC shall provide the monies collected for dues and an up to date membership list to the NTA Treasurer and Secretary, respectively, no later than August 20<sup>th</sup> of each school year. Additional new member information and monies collected for dues after August 20<sup>th</sup> of each school year shall be submitted by the NTARTC to the NTA Secretary and Treasurer, respectively, upon receipt and upon request.
7. A requirement for membership in the NTA shall be membership in NYSUT and AFT.
8. The membership year of the NTA shall begin on September 1<sup>st</sup> and extend through the following August 31<sup>st</sup>. Active membership shall be automatically renewed until such time as a member leaves employment in the Newburgh Enlarged City School District.

9. All Active and On-Leave members shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to ratify contracts, and to attend membership meetings.
10. Retiree members shall have only the voting rights described below and as more fully set forth in Articles VII(3)(g), VII(6)(i), X(4), X(5), XIV(4), XVI(4), and XVI(5):
  - a. To vote for the NTARTC's Delegates and Alternates to the NTA Delegate Assembly;
  - b. To vote to ratify a collective bargaining agreement or memorandum of agreement attached to a collective bargaining agreement, except that a Retiree member who was a substitute teacher or teaching assistant at the time of his or her retirement shall not have the right to vote on such ratification;
  - c. To vote for the Executive Committee of the NTARTC;
  - d. To vote on NTA constitutional amendments that the Board of Directors determine directly implicate the NTARTC or any rights granted to Retiree members by this constitution;
  - e. To vote on special referenda to consider the removal of an individual holding an elected position; and
  - f. To vote on such other NTARTC matters as the NTARTC's bylaws or policies, not inconsistent with this constitution, allow them to vote.
11. Non-Members and Suspended Members shall have no right or privilege to participate in any election, nor shall they be entitled to receive any NYSUT services as defined by NYSUT policies pertaining to non-membership of April 16, 2018, and September 14, 2018. Non-Members and Suspended Members shall be ineligible to participate in any union activity reserved for Active, On-Leave, or Retiree members. Furthermore, Non-Members are ineligible to participate in any social, collegial, professional, or other such events conducted by the NTA.
12. Former Non-Members, who have recently become Active Members shall be considered full members and shall be eligible to hold a position in the NTA upon 2 years of continuous membership and repayment of 100% of local dues assessed during the period of non-membership.
13. To cease membership and halt any dues deductions, members must submit their withdrawal, in writing, between August 1-August 31. For any withdrawals submitted outside of this window, dues shall continue to be deducted in the same manner until the following August.

#### **Article V – Protection of Rights of Members**

1. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, religion, color, race, age, marital status, sexual orientation, gender identity, or national or ethnic origin. It shall also show no discrimination toward any individual or group of individuals on the basis of political activities and belief, except if such activity is in support of a competing labor organization or otherwise acting in a way to dissolve the NTA or substantially impair the operations of the NTA.

2. Any member, prior to being moved into “Suspended” status shall be given an opportunity to provide a written response to rebut the claim that their dues are not up to date/paid in full.

## **Article VI – Officers**

1. The officers of the NTA shall be president, a vice president, a secretary, and a treasurer.
2. Eligibility: All Active members are eligible to nominate individuals to serve as an NTA Officer, to vote in such elections, and, if elected, to hold such office. 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 Nominations and Elections Committee and approved by the Board of Directors and the Delegate Assembly.
  - b. Candidates for the offices of president and vice president shall be nominated and elected on a single slate.
4. Elections:
  - a. Officers shall be elected according to the procedures established by the Nominations and Elections Committee, not inconsistent with this paragraph, and approved by the Delegate Assembly and the Board of Directors using electronic voting through an independent agency approved by the Board of Directors.
  - b. Every Active and On-Leave union member shall be afforded the opportunity to vote electronically through an independent agency, as approved by the Board of Directors, from 6:00 AM to 5:30 PM.
  - c. The Nominations and Elections Committee shall present the results to the NTA Board of Directors for certification.
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. act as an ex officio member of all boards and committees including but not limited to the Executive Boards of all NTA Chapters;
  - c. preside at all meetings of the General Membership, the Delegate Assembly and the Board of Directors;
  - d. act as sole spokesperson for the NTA except where the President designates this authority;

- e. certify to the Secretary-Treasurer of the American Federation of Teachers that the annual internal financial review was presented to the Board of Directors and the entire membership annually;
  - f. appoint and establish the functions and duties of all committees with the approval of the Board of Directors;
  - g. call regular and special meetings of the Board of Directors;
  - h. call regular and special meetings of the Delegate Assembly;
  - i. 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
  - j. fulfill such other duties as his/her office requires and are consistent with this constitution.
7. Duties of the Vice President:
- a. The duties of the Vice President shall be to assume the duties and responsibilities of the President in his/her absence and to perform such other duties as the President may designate.
8. Duties of the Secretary:
- a. The duties of the Secretary shall be those usual to that office and to perform such other duties as the President may designate.
  - b. The Secretary shall keep the 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 of 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.
9. Duties of the Treasurer:
- a. The duties of the Treasurer shall be those usual to that office and to perform such other duties as the President may designate.
  - b. The treasurer shall keep an accurate account of all receipts and expenditures of the NTA and its chapters.
  - c. Subject to Article XI below, he/she shall disburse funds only by check and upon proper authorization from the NTA President or NTA Vice President, which shall require reasonable and appropriate documentation for the expenditure. Subject to the reasonableness standard set forth in Article XI(9) below, the NTA President or NTA Vice President shall have the final say within the NTA and its Chapters on what constitutes reasonable and appropriate documentation for an authorized expenditure and what is an appropriate expenditure.
  - d. At each regular meeting of the Board of Directors and the Delegate Assembly, he/she shall make reports on the financial status of the NTA.
  - e. At the end of his/her term, he/she shall deliver to the new treasurer all records and other materials of the NTA.

## Article VII – Delegate Assembly (DA)

1. **Procedures:** The assembly shall meet at least once a month during the school year at a time and place determined by the Board of Directors and at such other times as prescribed in the Constitution.
2. **Eligibility:** All members in good standing shall be eligible to be nominated to be a Delegate or Alternate position to the NTA Delegate Assembly, provided that such individual works at the school or is a member of the chapter that the Delegate or Alternate will represent.
3. **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 (15) Active members of the teacher bargaining unit or a major fraction thereof based on the previous year's membership in each building. Active members of the teacher bargaining unit assigned to more than one building shall be considered members of the building in which they start their workday. If a Delegate is transferred to a different school or building during their term, he/she can no longer serve as the school or building's delegate. Each school or building shall have at least one (1) Delegate. For a new school or building, representation shall be based on the number of NTA members assigned to the new school or building fifteen (15) calendar days after it opens. The new representatives shall be elected within thirty (30) calendar days of the creation of the new school or building, and they shall serve until the next scheduled election.
  - e. NTA members in small programs, such as, but not limited to, Pre-K, shall be counted in the total faculty in the school buildings where they teach, and the number of representatives shall be adjusted accordingly.
  - f. Delegates elected on the basis of one (1) for each one hundred (100) members or major fraction thereof based on the previous year's membership for the Teaching Assistant's Chapter (NTATAC) and the Per Diem Substitute Chapter (NTASTC). Each chapter shall have at least one (1) Delegate.
  - g. Delegates elected on the basis of one (1) for each one hundred (100) members or major fraction thereof based on the chapter membership as of August 20<sup>th</sup> preceding the annual election pursuant to Article VII(4) for the Retiree Chapter (NTARTC). The NTARTC shall have at least one (1) Delegate.
4. **Election of Delegates and Alternates:**
  - a. All NTA Delegates and Alternates shall be elected under the supervision of the NTA Nominations and Elections Committee on a single date between September 1<sup>st</sup> and the day prior to the October Delegate Assembly meeting each year using electronic voting through an independent agency approved by the Board of Directors.
  - b. All Nominations for Delegate elections shall be conducted under the supervision of the NTA Nominations and Elections Committee with procedures not

inconsistent with this paragraph established by the NTA Nominations and Elections Committee, subject to approval by the NTA Board of Directors. Active members in the teacher bargaining unit shall receive notice of the nomination deadline via interoffice mail. Active members in the Newburgh Teachers' Association Teaching Assistant Chapter (NTATAC) and Newburgh Teachers' Association Substitute Teacher Chapter (NTASTC) and Retiree members in the Newburgh Teachers' Association Retired Teachers Chapter (NTARTC) shall receive notice of the nomination deadline, postmarked no later than four (4) weeks prior to that deadline. Submission of nominations and supporting materials may be done by any of the following methods: in-person delivery to the NTA offices; overnight mail; traditional mail; or interoffice mail. Nomination materials submitted by traditional mail shall be deemed timely if post-marked by the nominations deadline date.

- c. At least seven (7) calendar days' advance notice of the date of elections for delegate and alternate positions shall be given to persons entitled to vote. If elections are not contested, no vote shall be required, and all members who would otherwise be entitled to vote for the nominated candidates shall be informed that no vote is required.
- d. All Alternates shall be elected on the same basis as Delegates. An Alternate may act in the absence of any Delegate from his/her school or chapter.

5. Term of Office:

- a. All Delegates to the Delegate Assembly shall be elected for a term of one year.
- b. Delegates shall take office on the day of the October Delegate Assembly.
- c. When an Alternate acts in the absence of any Delegate from his/her school or chapter, it shall be duly noted on the records.

6. Powers and Duties:

- a. except for matters decided by referendum and/or policies adopted by the members at a General Membership, final authority in the NTA shall rest in the Delegate Assembly which shall:
- b. act on the seating of contested representatives,
- c. require and receive reports,
- d. adopt a legislative program,
- e. act on amendments of 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 for the NTA and set dues for the NTA, the Teaching Assistant's Chapter (NTATAC), and the Per Diem Substitute Chapter (NTASTC),
- 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 removal of any individual holding an elected position for cause. Cause for this purpose means a gross dereliction of duty or conduct, including violations of the NTA Constitution and Bylaws, continued after repeated warnings, which is disruptive so as to impair

the ability to conduct proper business. The individual holding an elected position 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 individual holding an elected position from office by secret ballot requiring a two-thirds vote of the ballots cast. If two-thirds of the General Membership voting concur, then said individual holding an elected position is removed from office. The general membership vote of this provision shall occur by special referendum vote, which includes all Active, On-Leave, and Retiree members.

7. Delegates shall represent their respective schools/chapters, and shall have the responsibility to meet with their respective members regarding any actions that shall be taken at the Delegate Assembly meeting prior to the meeting so that they can vote in consideration of input given by the members in their schools/chapters, and shall also report back to their respective members promptly on all actions taken at the Delegate Assembly meetings.
8. In case of absence, a Delegate shall be responsible for having an Alternate present on his/her behalf.
9. Individual problems of a member shall be reported by the Delegate to either the Grievance Committee or, in case of emergency, directly to the Delegate Assembly for consideration and appropriate action.
10. A parliamentarian who is not a member of the Delegate Assembly, appointed by the President, shall be in attendance at all sessions of the Delegate Assembly if determined by the Delegate Assembly.
11. Except as otherwise provided 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.
12. A quorum for meetings of the Delegate Assembly shall consist of one-third of the Assembly.
13. Head Delegates shall:
  - a. be elected by a majority of delegates from that building;
  - b. be responsible for filing head delegate election results with the NTA secretary no later than two days after the election;
  - c. be responsible for informing his/her members of action(s) taken by the NTA;
  - d. be responsible for writing the agendas and emailing the minutes of the monthly principal/delegates meetings held in the school to the President and members in his/her school;
  - e. 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;
  - f. attend the meetings of the Delegate Assembly; and
  - g. perform such other duties as may be required by the Delegate Assembly.

## Article VIII – Board of Directors (BOD)

1. Procedures: The Board of Directors shall meet once a month during the school year 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; and
  - 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: NYSUT and AFT Directors shall be elected every three years after the NYSUT and AFT Delegate Elections and prior to the first Delegate Assembly meeting at a special meeting called by the President. The NFA, middle level, and elementary level Directors shall be elected under the supervision of the NTA Nominations and Elections Committee prior to the November Board of Directors meeting using electronic voting through an independent agency approved by the Board of Directors.
4. Terms of Office: The term of office of the NFA, Middle Level, and Elementary Level Directors shall be one year. The term of office of the NYSUT and AFT Directors shall coincide with the three-year term to which they are elected. They shall take office on the day prior to the November Board of Directors meeting in the year they are elected.
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 the place of the monthly meeting of the Delegate Assembly;
  - c. recommend a legislative program for the Delegate Assembly;
  - d. implement policies established by the Delegate Assembly;
  - e. hear appeals from members regarding decisions made about grievances;
  - f. recommend a budget for the NTA and dues for the NTA, the Teaching Assistant's Chapter (NTATAC), and the Per Diem Substitute Chapter (NTASTC) for the approval of the Delegate Assembly;
  - g. act upon expenditures which may require modification of the budget;
  - h. 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;
  - i. interpret the Constitution and Bylaws;
  - j. act upon other matters expressly delegated to it by the Delegate Assembly or the General Membership;
  - k. certify Nominations & Elections Committee determinations that no election is needed in the case of uncontested elections; and
  - l. determine procedures for referendum and special referendum vote, not inconsistent with this Constitution.

6. A quorum for meetings of the Board of Directors shall consist of a majority of the members of the Board of Directors.

#### **Article IX – NYSUT/AFT Delegates**

1. A number of Delegates and Alternates, to be determined by NYSUT and AFT, shall be elected to represent the NTA at the NYSUT Representative Assembly and AFT annual Convention, respectively.
2. The election for NYSUT and AFT Delegates and Alternates shall be held the April following the NTA Officer elections.
3. Elected NYSUT Delegates and Alternates shall take office on July 1 following the election and shall serve a three (3) year term.
4. Elected AFT Delegates and Alternates shall take office on September 1 following the election and shall serve a three (3) year term.
5. All Active members are eligible to nominate individuals to serve as a NYSUT and/or AFT delegate, to vote in such elections, and, if elected, to hold such office.
6. Elections of NYSUT and AFT Delegates and Alternates shall be conducted under the supervision of the NTA Nominations and Elections Committee using electronic voting through an independent agency approved by the Board of Directors.
7. The NTA President shall automatically be a NYSUT Delegate, AFT Delegate, and the NEA Delegate.
8. The NTA Vice President shall automatically be a NYSUT Delegate, AFT Delegate, and the NEA Successor.
9. The other candidates for NYSUT and AFT Delegate and Alternate positions shall be chosen on the number of votes received.
10. Any member or chapter of the NTA may be able to submit for the consideration by the Board of Directors policy proposals for submission to the NYSUT and AFT annual meetings. For consideration, all submissions must be submitted no later than two weeks prior to the last Board of Directors meeting that precedes NYSUT and/or AFT's set deadline for submissions.

#### **Article X – General Membership**

1. The highest level of governance in the NTA shall be referendum by the entire membership. A quorum for a General Membership meeting shall consist of ten percent (10%) of the Active and On-Leave members. 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 the majority of the Delegate Assembly;
  - b. an order of the majority of the Board of Directors; or
  - c. a petition of at least ten percent (10%) of the Active members.

3. Matters not subject to referendum are:
  - a. dues of the NTA;
  - b. interpretations of the Constitution and Bylaws;
  - c. programs requiring budgetary expenditure of funds;
  - d. employment assignment, promotion, discharge or compensation of NTA staff; and
  - e. powers specifically assigned to other bodies by this Constitution.
4. A referendum vote to ratify a collective bargaining agreement or memorandum of agreement attached to a collective bargaining agreement may be voted on by any Active, On-Leave, or any Retiree member, except that a Retiree member who was a substitute teacher or teaching assistant at the time of his or her retirement shall not have the right to vote on such ratification.
5. A special referendum vote may be called by a two-thirds vote of the Delegate Assembly pursuant to Article VII(6)(i) of this Constitution to consider removal of an individual holding an elected position for cause as defined in Article VII. All Active, On-Leave, and Retiree members may vote in special referendum votes called pursuant to Article VII(6)(i).
6. Procedures for a referendum or special referendum vote shall be determined by the Board of Directors; provided, however, that all members eligible to vote shall receive at least seven (7) calendar days' notice of any referendum or special referendum vote and shall be permitted to vote using electronic voting through an independent agency approved by the Board of Directors.

#### **Article XI – Fiscal Year**

1. The fiscal year of the NTA, and all of its Chapters, shall begin July 1<sup>st</sup> and end June 30<sup>th</sup>.
2. Any monies not expended by any Chapter of the NTA by the end of the fiscal year, June 30<sup>th</sup>, shall be transferred to the NTA general fund and shall no longer be available for the NTA Chapter for future expenses. The NTA shall provide financial reports to the Chapters upon request, reflecting dues collected and expenses paid for the Chapter to date.
3. The NTA shall maintain all records and reports required by other affiliated organizations.
4. There shall be annual audit of the books and the financial status of the NTA and all of its Chapters.
5. The NTA and all NTA Chapter budgets, approved by their respective Executive Committees and memberships, shall be adopted no later than April 1<sup>st</sup> of each year, and shall be submitted to the NTA Treasurer no later than May 1<sup>st</sup> of each year. Any budget updates shall also be submitted to the NTA Treasurer within one (1) month of approval.
6. All expenses described in the annual budgets of the NTA and all NTA Chapters shall be eligible for reimbursement through submission of a voucher for payment to the NTA Treasurer. All vouchers shall require reasonable and appropriate documentation and are subject to approval by the NTA President or Vice President.

7. Any expenses in excess of the budgeted amount or not included in the NTA budget, except those expenses with entities or individuals named in the NTA's authorized Vendor List, shall require authorization via motion to the Board of Directors before such expense can be reimbursed through a voucher. The minutes of such meeting where authorization was granted must be submitted to the NTA Treasurer along with the voucher before the expense can be reimbursed.
8. All amounts collected for dues of NTA Chapter members shall be held by the NTA for that NTA fiscal year and shall be released for appropriate Chapter expenses or activities after submission by the Chapter of a voucher for payment, accompanied by all reasonable and appropriate documentation. Any expenses in excess of the budgeted amount or not included in the NTA Chapter budgets shall require authorization via motion to the Chapter's Executive Committee before such expense can be reimbursed through a voucher. The minutes of such meeting where authorization was granted must be submitted to the NTA Treasurer along with the voucher before the expense can be reimbursed.
9. Approval and payment of vouchers under this Article shall not be unreasonably denied.

#### **Article XII – Active Teaching Assistant Members' Chapter**

1. A Newburgh Teachers' Association Teaching Assistant Chapter (NTATAC) is established by this NTA Constitution for the purpose of:
  - a. aligning the teaching assistants with the NTA, which has influence and power to effect benefits for both teachers and teaching assistants through legislation and other action;
  - b. to work actively with the NTA educators in promoting the interests of children and employees;
  - c. to engage in collective bargaining with the NECSD; and
  - d. to promote the interests of teaching assistants.
2. Membership shall be open to all teaching assistants currently employed by the Newburgh Enlarged City School District (NECSD) in a teaching assistant bargaining unit position, who have enrolled in membership and whose dues are current and paid in full.
3. Annual dues for the members of the NTATAC shall cover membership in the NTA and its state and national affiliate. The NTA dues for members of the NTATAC shall be ½ (one-half) of the teachers' dues. NYSUT and AFT dues shall be in accordance with the rates set for teaching assistants by these organizations.
4. The NTATAC members shall elect an Executive Committee on the second Tuesday in February on which school is in session, for a term of three years. The election will occur in the same year as elections for NTA Officers pursuant to Article VI. The NTATAC members elected shall assume office on the first day of July of the same year in which they are elected according to procedures established by the NTA Nominations and Elections Committee and approved by the Board of Directors. All NTATAC members in good standing shall be eligible for nomination to the Executive Committee. All NTATAC

members shall receive notice of the nomination deadline, postmarked no later than four (4) weeks prior to that deadline. Submission of nominations and supporting materials may be done by any of the following methods: in-person delivery to the NTA offices; overnight mail; traditional mail; or interoffice mail. Nomination materials submitted by traditional mail shall be deemed timely if post-marked by the nominations deadline date. All members eligible to vote shall do so using electronic voting through an independent agency approved by the Board of Directors. The Executive Committee shall consist of a Chairperson who shall serve in a dual role as a NTATAC Delegate to the NTA's Delegate Assembly, a Corresponding Secretary who shall serve in a dual role as a NTATAC Delegate to the NTA's Delegate Assembly, and two members elected at large who shall serve in dual roles as NTATAC Alternates to the NTA's Delegate Assembly. Additional representatives to the NTA's Delegate Assembly shall be elected pursuant to Article VII.

5. General Membership Meetings for the NTATAC shall be held at least three (3) times a year, convened by the Chairperson. Ten members of the Chapter shall constitute a quorum for the transaction of business.
6. A calendar of anticipated NTATAC Executive Committee, Building Representatives, and General Membership Meetings for the following school year shall be provided to the NTA Secretary by May 1<sup>st</sup> of each year. Any changes to that meeting schedule shall require a fourteen (14) day notice in writing to the NTA Secretary.
7. The records of NTATAC Building Representative and General Membership Meetings' minutes shall be maintained at the office of the NTA and must be sent to the NTA Secretary within one month of each meeting occurring.
8. Vacancies shall be filled by the Chairperson by appointment, subject to the approval of the entire Executive Board. In the event that a vacancy occurs in the position of Chairperson, the Corresponding Secretary shall automatically become Chairperson.
9. The following are the standing committees of the NTATAC:
  - a. Nominations and Elections. This committee shall consist of one member appointed annually by the NTATAC Chairperson and approved by the NTATAC Executive Committee to be the NTATAC's liaison to the NTA Nominations and Elections Committee, which shall conduct the elections for NTATAC representatives for the NTA Delegate Assembly and the NTATAC Executive Committee in accordance with the procedures approved by the Board of Directors and in accordance with this Constitution.
  - b. Vote/Cope. This committee shall consist of one member appointed annually by the NTATAC Chairperson and approved by the NTATAC Executive Committee to be the NTATAC's liaison to the NTA's Vote/Cope Committee, which shall conduct a Vote/Cope Drive every school year for the NTATAC.
  - c. The Executive Committee may form additional committees if it so chooses.
10. The Chapter may establish Bylaws and policies regarding internal operations of this Chapter, provided that such Bylaws and polices are consistent, and not in conflict, with the NTA's Constitution and Bylaws.

### **Article XIII – Active Substitute Teacher Members’ Chapter**

1. A Newburgh Teachers’ Association Substitute Teacher Chapter (NTASTC) is established by this NTA Constitution for the purpose of:
  - a. aligning the substitute teachers with the NTA, which has influence and power to effect benefits for substitute teachers through legislation and other action;
  - b. to work actively with the NTA educators in promoting the interests of children and employees;
  - c. to engage in collective bargaining with the NECSD; and
  - d. to promote the interests of substitute teachers.
2. Membership shall be open to all substitute teachers currently employed by the Newburgh Enlarged City School District (NECSD) in a per diem substitute bargaining unit position, who have enrolled in membership and whose dues are current and paid in full.
3. Annual dues for the members of the NTASTC shall cover membership in the NTA and its state and national affiliate. The NTA dues for members of the NTASTC shall be established annually by the Delegate Assembly based on a recommendation from the Board of Directors. NYSUT and AFT dues shall be in accordance with the rates set for substitute teachers by these organizations.
4. The NTASTC members shall elect an Executive Committee on the second Tuesday in February on which school is in session, for a term of three years. The election will occur in the same year as elections for NTA Officers pursuant to Article VI. The NTASTC members elected shall assume office on the first day of July of the same year in which they are elected according to procedures established by the NTA Nominations and Elections Committee and approved by the Board of Directors. All NTASTC members in good standing shall be eligible for nomination to the Executive Committee. All NTASTC members shall receive notice of the nomination deadline, postmarked no later than four (4) weeks prior to that deadline. Submission of nominations and supporting materials may be done by any of the following methods: in-person delivery to the NTA offices; overnight mail; traditional mail; or interoffice mail. Nomination materials submitted by traditional mail shall be deemed timely if post-marked by the nominations deadline date. All members eligible to vote shall do so using electronic voting through an independent agency approved by the Board of Directors. The Executive Committee shall consist of a Chairperson who shall serve in a dual role as the NTASTC Delegate to the NTA’s Delegate Assembly, a Corresponding Secretary who shall serve in a dual role as the NTASTC Alternate to the NTA’s Delegate Assembly, and two members elected at large. Additional representatives to the NTA’s Delegate Assembly shall be elected pursuant to Article VII.
5. Vacancies shall be filled by the Chairperson by appointment, subject to the approval of the entire Executive Board. In the event that a vacancy occurs in the position of Chairperson, the Corresponding Secretary shall automatically become Chairperson.
6. General Membership Meetings for the NTASTC shall be held at least three (3) times a year, convened by the Chairperson. Five members of the Chapter shall constitute a quorum for the transaction of business.

7. A calendar of anticipated NTASTC Executive Committee and General Membership Meetings for the following school year shall be provided to the NTA Secretary by May 1<sup>st</sup> of each year. Any changes to that meeting schedule shall require a fourteen (14) day notice in writing to the NTA Secretary.
8. The records of NTASTC General Membership Meetings' minutes shall be maintained at the office of the NTA and must be sent to the NTA Secretary within one month of each meeting occurring.
9. The following are the standing committees of the NTASTC:
  - a. Nominations and Elections. This committee shall consist of one member appointed annually by the NTASTC Chairperson and approved by the NTASTC Executive Committee to be the NTASTC's liaison to the NTA Nominations and Elections Committee, which shall conduct the elections for NTASTC representatives for the NTA Delegate Assembly and the NTASTC Executive Committee in accordance with the procedures approved by the Board of Directors and in accordance with this Constitution.
  - b. The Executive Committee may form additional committees if it so chooses.
10. The Chapter may establish Bylaws and policies regarding internal operations of this Chapter, provided that such Bylaws and polices are consistent, and not in conflict, with the NTA's Constitution and Bylaws.

#### **Article XIV – Retired Teachers' Chapter**

1. The Newburgh Teachers' Association Retired Teachers' Chapter (NTARTC) is established by this NTA Constitution for the purposes of:
  - a. maintaining the ties of professional unity between Active and Retiree NTA Members;
  - b. promoting the aims and objectives of the NTA, and its state and national affiliates in matters that pertain to both Active and Retirees; and
  - c. providing opportunities for its members to socialize and a forum for the exchange of information of interest and benefit to Retiree members and for the expression of their views.
2. Membership shall be open to any person who is or was an Active member of the NTA at the time of their retirement. Retirees are required to pay chapter dues in order to become Members of the NTARTC, and thereby be Retiree members of the NTA having the voting rights and other rights granted to Retiree members by the Constitution and Bylaws of the NTA.
3. Annual dues for the members of the NTARTC shall cover membership in the NTA, NYSUT and AFT. Retiree membership in the NEA is optional and at the expense of the Retiree member. NTA dues for membership of the NTARTC shall be payable to the Newburgh Teachers Association but shall be collected by the NTARTC as provided in Article IV, paragraph 6 above and then forwarded to the NTA. The NTA dues for members of the NTARTC shall be set annually by the NTARTC Executive Committee,

- which shall notify the NTA President of the dues set by May 1<sup>st</sup> of each year. NYSUT and AFT dues shall be in accordance with the rates set for retirees by these organizations.
4. The NTARTC members shall elect an Executive Committee on the second Tuesday in February on which school is in session, for a term of three years. The election will occur in the same year as elections for NTA Officers pursuant to Article VI. The NTARTC members elected shall assume office on the first day of July of the same year in which they are elected according to procedures established by the NTA Nominations and Elections Committee and approved by the Board of Directors. All NTARTC members in good standing shall be eligible for nomination to the Executive Committee. All NTARTC members shall receive notice of the nomination deadline, postmarked no later than four (4) weeks prior to that deadline. Submission of nominations and supporting materials may be done by any of the following methods: in-person delivery to the NTA offices; overnight mail; traditional mail; or interoffice mail. Nomination materials submitted by traditional mail shall be deemed timely if post-marked by the nominations deadline date. All members eligible to vote shall do so using electronic voting through an independent agency approved by the Board of Directors. The Executive Committee shall consist of a Chairperson, a Vice Chairperson and five members elected at large. The Chairperson and Vice Chairperson shall serve as NTARTC Delegates to the NTA's Delegate Assembly. Any additional representatives to the NTA's Delegate Assembly shall be elected pursuant to Article VII.
  5. Vacancies shall be filled by the Chairperson by appointment, subject to the approval of the entire Executive Committee. In the event that a vacancy occurs in the position of Chairperson, the Vice Chairperson shall automatically become Chairperson.
  6. General Membership Meetings for the NTARTC shall be held at least three (3) times a year, convened by the Chairperson. Twenty (20) members of the Chapter shall constitute a quorum for the transaction of business.
  7. A calendar of anticipated NTARTC Executive Committee and General Membership Meetings for the following school year shall be provided to the NTA Secretary by May 1<sup>st</sup> of each year. Any changes to that meeting schedule shall require a fourteen (14) day notice in writing to the NTA Secretary.
  8. The records of NTARTC General Membership Meetings' minutes shall be maintained at the office of the NTA and must be sent to the NTA Secretary within one month of each meeting occurring.
  9. Membership lists and contact information of NTA members and NTARTC members shall be made available to one another by both the NTARTC Executive Committee and the NTA Secretary upon request.
  10. The following are the standing committees of the NTARTC:
    - a. Membership: This committee shall consist of one member appointed annually by the NTARTC Chairperson and approved by the NTARTC Executive Committee to run the annual membership drive for the NTARTC, keep track of the dues money collected and send an up to date membership list and collected dues money to the NTA Secretary and NTA Treasurer no later than August 20<sup>th</sup> of each

school year, and send additional new member information and collected dues monies to the NTA Secretary upon receipt and upon request.

- b. Nominations and Elections. This committee shall consist of one member appointed annually by the NTARTC Chairperson and approved by the NTARTC Executive Committee to be the NTARTC's liaison to the NTA Nominations and Elections Committee, which shall conduct the elections for NTARTC representatives for the NTA Delegate Assembly and the NTARTC Executive Committee in accordance with the procedures approved by the Board of Directors and in accordance with this Constitution.
  - c. Vote/Cope. This committee shall consist of one member appointed annually by the NTARTC Chairperson and approved by the NTARTC Executive Committee to be the NTARTC's liaison to the NTA's Vote/Cope Committee, which shall conduct a Vote/Cope drive every school year for the NTARTC.
  - d. The Executive Committee may form additional committees if it so chooses.
11. The Chapter may adopt Bylaws and policies regarding internal operations of this Chapter, provided that such Bylaws and polices are consistent, and not in conflict, with the NTA's Constitution and Bylaws.

#### **Article XV - Committees**

1. Committees of the NTA may be formed at the discretion of the President per Article VI(6)(f).
2. Chairpersons and members of standing committees and ad hoc committees shall be appointed by the President annually.
3. The President shall present the spending proposal for the committees every year at the June Board of Directors meeting for approval. Committees may also be established and appointed as may be determined throughout the year.
4. Committees shall report to the Delegate Assembly in a timely manner.
5. The standing Committees of the NTA shall be:
  - a. Educational Issues Advocacy
  - b. Grievance
  - c. Health and Safety
  - d. Negotiations
  - e. Nominations and Elections
  - f. Sick Bank
  - g. Vote/Cope

#### **Article XVI – 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. Active and On-Leave NTA members are eligible to vote on all Constitutional Amendments.
4. Members of the NTARTC are eligible to vote if the constitutional amendment directly implicates the NTARTC or any rights granted to Retiree members by this Constitution. Voting eligibility under this provision is contingent upon an approval by a majority of the NTA Board of Directors that the proposed amendment does directly implicate the NTARTC or constitutionally granted Retiree member rights. The Board of Directors shall vote on voting eligibility under this paragraph at the same time it votes on the corresponding proposed Constitutional amendment. If the Board of Directors does not conduct a vote on Retiree member eligibility to vote on the proposed amendment, the Delegate Assembly may not consider and vote upon the proposed amendment . The Executive Committee of the NTARTC may appeal the Board of Directors' decision to the members of the NTA Delegate Assembly in writing within five (5) days of receiving notice of the proposed constitutional amendment. If so appealed, the Delegate Assembly shall vote upon whether the proposed amendment directly implicates the NTARTC or constitutionally granted Retiree member rights at the next Delegate Assembly meeting. If so appealed, the Delegate Assembly must vote on the appeal prior to voting on the proposed amendment. The NTA Delegate Assembly may overturn the Board of Directors' decision with a majority vote of those present and voting. Nothing herein shall preclude judicial review of any determination made by the Board of Directors or Delegate Assembly, unless the internal appeal process described above is not utilized in which case all right to judicial review is waived.
5. This Constitution may be amended by a two-thirds vote of the Delegate Assembly present and voting after at least ten (10) calendar days' notice of the proposed amendment, followed by a two-thirds referendum vote of all eligible members voting. Such notice to the Delegate Assembly shall include whether Retiree members are eligible to vote on the proposed amendment.
6. All members eligible to vote on a proposed referendum shall receive notice of the same after approval of the proposed amendment by the Delegate Assembly and at least seven (7) calendar days prior to the scheduled vote.
7. Procedures for a referendum vote on a constitutional amendment shall be determined by the NTA Nominations and Elections Committee with the approval of the Board of Directors, but shall comply with the foregoing notice requirement of Article XVI(6) and shall require that all members eligible to vote shall do so using electronic voting through an independent agency approved by the Board of Directors.

#### **Article XVII – 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 of the Delegate Assembly present and voting.
4. A vote to consider a Bylaw amendment shall take place after at least five (5) calendar days' notice of the proposed amendment at the first Delegate Assembly meeting immediately following the meeting of the Board of Directors at which the amendment was considered and the required five (5) calendar days' notice thereafter.
5. Any Bylaw amendment must be consistent with the terms of this Constitution and cannot amend or modify any provision of this Constitution.

# Bylaws

## 1. Procedures

Meetings of all duly constituted bodies of the NTA shall be governed by Roberts 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  
                    June 9, 2003  
                    November 19, 2014  
                    October 20, 2021  
                    April 27, 2022  
                    February 11, 2025