REVISED MAY 2021

CONSTITUTION

BOARD OF COOPERATIVE EDUCATIONAL SERVICES TEACHERS ASSOCIATION SOUTHERN DISTRICT WESTCHESTER COUNTY, NEW YORK

Article I - Name

The name of this organization shall be the Board of Cooperative Educational Services Teachers Association, Southern District, Westchester County, and New York, popularly known as the BOCES Teachers Association/WE II. The Association shall consist of all members of the Teachers Bargaining Unit, The Teacher Aide Bargaining Unit, and the Adult Learning Center Chapter Bargaining Unit.

Article II - Purpose

The purposes of this organization shall be:

1. To promote the welfare of its members;

2. To promote the best interests of students and education in the BOCES, Westchester County;

3. To contribute to the development of policy pertaining to all facets of public education;

4. To secure teaching and working conditions necessary to achieve the highest level of efficiency of staff;

5. To promote mutual assistance and cooperation with other organizations with which it is associated;

6. To promote the aims and objectives of the New York State United Teachers and its national affiliates;

7. To promote the unity and strength of the teaching profession by enabling members to speak through a common voice on matters pertaining to the: teaching profession and to present their individual and common interests before the Board of Education, appropriate legal authorities, and/or the community.

Article III - Meetings

A minimum of two general membership meetings shall be held each year, including an end-of-year business meeting. A quorum at a general membership meeting will be needed to conduct Association business. A quorum at a general membership meeting shall consist of the number of members present at said meeting.

Special general membership meetings or area meetings may be called by the President or, in his absence, by the Executive Vice President. Special area meetings may be called by the Area Representative as the need arises.

Article IV - Affiliation

This Association shall affiliate and unify with the New York State United Teachers (NYSUT) and its national affiliates.

Article V - Membership

A. Active Members

There shall be the following membership categories: Active, Bargaining Unit members on Authorized Leave, and Suspended.

1. Active: An Active member is any person currently employed or newly hired into a bargaining unit position, who has enrolled in membership and whose dues are current and paid in full.

2. Bargaining Unit Member on authorized Leave of Absence: Contractual, statutory and other leave approved by BOCES, not including layoff.

3. Suspended: A Suspended member is one who completed all enrollment materials whose dues are not currently up to date and/or paid-in-full. A suspended member has not indicated an intention to withdraw membership. This does not apply to bargaining unit members who are suspended pursuant to Section 75 charges.

4. Non-Member: A Non-Member is a person employed or newly hired into a bargaining unit position and, to whom one of the following applies:

   a. The person has not completed enrollment into the union.

   b. The person enrolled into the union and has taken action to withdraw membership from the union.

   c. A person who was in Suspended status whom, after a reasonable period of time has refused to bring dues arrears up-to-date.

5. Membership shall be maintained through the payment of all required dues.

6. All Active members shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to attend membership meetings, and to participate in deliberations and voting upon the business of the organization, except as specified by the Executive Board in Art. V, Section B. of the By-Laws.

7. Non-Members (and Suspended) shall have no right or privilege to participate in any election, nor will they be entitled to receive any NYSUT services as defined by NYSUT policies pertaining to non-membership as of April 16, 2018 and September 14, 2018. Neither a Suspended Member nor a Non-Member is considered to be “in good standing.”

8. Formerly Suspended and Non-Members, who have recently become Active members shall have

their member's rights curtailed only as set forth herein:

Suspended members: Those members, if required, may be reinstated once dues are currently up to date and/or paid-in-full.

Non-Members: Employees who have taken action to withdraw or previously withdrawn their membership from the union shall be permitted to re enroll, however the union will not provide services for any events that occur while the employee is not an active member.

B. Retirees

Special membership will be open to retired members who will not be required to pay dues but will maintain rights as dues paying members.

1. Retired membership shall be open to all Southern Westchester Boces School District retired personnel who have held active membership in the BOCES Teachers Association/WE II for at least one year prior to retirement.

2. A retiree chapter shall be established within the BOCES Teachers Association/WE II for the purposes of:

a) maintaining the ties of professional unity between in-service members and retirees;

b) representing and promoting the interests of retired members; and

c) Providing a forum for exchanging information of interest and benefit to retired members and for the expression of their views.

3. All members of the Retiree Chapter shall hold simultaneous membership in the state and national affiliate as a retiree.

4. The Retiree Chapter shall establish a constitution that delineates membership, officers committees, and their responsibilities.

5. The Chair or a designee shall serve as a member of the Representative Council of the BOCES Teachers Association/WE II and shall not have voting privileges on any matters.

Article VI - Protection of Rights of Members

1. Every active member of this organization shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendums, to attend membership meetings, to participate in deliberations, and to vote upon the business of the organization.

2. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, creed, color, race, national origin, or political activities or beliefs.

Article VII - Officers

The elected officers of the BOCES Teachers Association shall be the President, Executive Vice President, First Vice President, Second Vice President, Corresponding Secretary, Recording Secretary, Treasurer, and Grievance Chairperson. The First Vice President (Aides) and the Second Vice President (ALC) shall be elected by the entire voting BOCES Teachers' Association membership.

ARTICLE VIII - Executive Board

The Executive Board shall be composed of the duly elected officers and, for a period of one year, the immediate past President.

Article IX- Representative Council

The Representative Council shall consist of the Executive Board and the Area Representatives, Membership Chair and BTAR President or Co-Presidents.

Article X - Procedures and Duties of Officers

Procedures of the Association and duties of the officers will be stated in the By-Laws of the Association.

Article XI - Amendments to the Constitution

1. An amendment to this Constitution and/or By-Laws may be proposed:

a. by a majority of the Representative Council.

b. by petition by no fewer than ten (10) percent of the membership.

The Corresponding Secretary shall inform the general membership, in writing, of any proposed amendments at least two weeks before the next general membership meeting.

3. The amendment shall be voted upon at the next scheduled general membership meeting.

4. A two-thirds vote of the membership present shall be required for passage.

5. The amendment shall become effective immediately upon adoption.

Article XII - Ratification

Approval or disapproval of any Collective Bargaining Agreement with the employer shall be determined by a majority vote of the active Association members from the unit to which the Collective Bargaining Agreement applies at a membership meeting called specifically for that purpose.

Article XIII - Impeachment of Officers

No officer may be suspended, removed, or otherwise disciplined by this organization unless such officer has been served with written specific charges and given a reasonable time to prepare his/her defense and afforded a full and fair hearing.

An elected officer may be impeached according to procedures outlined in the By-Laws.

BY-LAWS BOCES TEACHERS ASSOCIATION

Article I - Meetings

Section A. Area Meetings

1. Any Association member may request that the Area Representative(s) call a meeting concerning any Association business of importance to the Area's membership. The President shall be given prior notice of any such meeting.

2. The request of any Association member on an issue of general importance to the membership shall be brought by the Area Representative(s) to the Representative Council for consideration.

Section B. Representative Council Meetings

1. Representative Council shall meet once a month.

2. Representative Council members shall be notified, in writing, at least one week prior to any meeting unless the need for an emergency meeting arises.

3. Representative Council members shall notify the President and Recording Secretary prior to missing a meeting. Non notification shall result in a missed meeting fee of $50, deducted from the annual stipend.

Section C. Executive Board Meetings

1. The Executive Board shall meet once a month.

2. All Executive Board members shall be notified, in writing at least one week prior to any meeting unless the need for an emergency arises.

3. Executive Board members shall notify the President and/or Recording Secretary prior to missing a meeting. Non notification shall result in a missed meeting fee of $50, deducted from the annual stipend.

4. BTAR and other special interest groups, exclusive of non members, may request to meet with the Executive Board, especially with regards to contractual matters that may affect their respective group.

Section D. Conduct of Meetings

1. Association meetings shall be conducted in accordance with Roberts Rules of Order (Revised).

Article II - Voting

Section A. General Procedures

1. All members of the Association shall be afforded the opportunity of voting on any issue that is substantive in nature except membership dues to N.Y.S.U.T. and its National Affiliates.

2. Voting for officers and representatives shall be by secret ballot and shall be conducted prior to the spring general membership meeting. Members will have the opportunity to vote on 1 of 2 dates, established and published by the election committee.

3. Voting on other substantive issues may be by voice vote or show of hands.

4. A vote on any substantive issue shall not be taken until at least three full working days have elapsed subsequent to the issue being declared substantive.

5. An issue will be treated as substantive in nature if a majority of the executive board so decide.

6. Members shall have the (information) notification in writing at least 3 school days prior to the general meeting.

7. Contract ratification is always a substantive issue.

Section B. - Election of Officers

1. Nominations

a. The election committee will inform and provide to all members a nominating ballot and the dates of the upcoming elections by mail. This notice will be mailed 6 weeks prior to the elections itself.

2. The election of all officers shall take place by secret ballot, in person; said balloting to be conducted by the Executive Vice President or his/her Designee and/or the Election Committee prior to the last general membership meeting.

3. Terms of all officers shall be 3 years and staggered in three cycles to ensure continuity of office.

4. The term of retirement delegates shall be 2 years as in accordance with New York State Teacher Retirement System (NYSTRS) policies and timelines.

a. Cycle I

President

Teacher Reps

Corresponding Secretary

Teacher Assistant Reps

Representative Assembly Delegates

Retirement Delegates-during year ending in an odd number

b. Cycle II

Executive Vice President

First VP

Second VP

Teacher Aide Reps

Representative Assembly Delegates

Retirement Delegates-during year ending in an odd number

c. Cycle III

Grievance Chair

Recording Secretary

Treasurer

ALC Representatives

Representative Assembly Delegates

Retirement Delegates-during year ending in an odd number

Any member who does not receive a nomination ballot may contact the Executive Vice President.

4. The Recording Secretary shall keep all ballots for a minimum of three (3) years

5. The majority of votes tabulated, shall determine the election.

    a. If no candidate receives the required majority, the two candidates receiving the highest vote count shall participate in a runoff election.

6. Procedures for voting shall be so designed as to ensure each member a reasonable opportunity to exercise his/her right to vote.

7. Terms of office shall begin July 1 following the election cycle.

Section C. - Election of Area Representatives

1. Area Representatives shall be elected from each of the

following areas:

a. Career Services

b. Special Services

c. Teachers Aides

d. Teaching Assistants

e. Adult Learning Center Chapter

2. The coordination of the election for Area Representatives shall be handled by the current Executive Vice President and/or the Election Committee.

3. Procedures for voting shall be so designed as to ensure each member a reasonable opportunity to exercise his/her right to vote.

4. Each Area shall be represented with one (1) representative per Fifty (50) members of their respective areas. Ballot will contain both contested and uncontested positions.

5. An independent party will receive the ballots and they will be tabulated as determined by the election committee.

6. If so deemed necessary, and with the intent to ensure adequate representation, the Executive Board shall notify the appropriate unit(s) of an opening. The Executive Board shall then have the right to appoint an additional area representative(s) who may serve for the term as outlined in Art. II, Section B of the By-Laws.

Section D.-Voting Procedures

1. Nominations

a. Nominating ballots will be mailed 6 weeks prior to the General Elections.

b. Nominating ballot responses must be returned to the Executive Vice President within 2 weeks of receipt. Responses may be via phone, email or mail.

c. Executive VP/designee will confirm acceptance of nominations with all nominees.

d. Election Committee will distribute and post an election notice including a list of all offices, candidates, voting locations and dates for the election four (4) weeks prior to the general election.

e. The election rules shall be put forth by the election committee and posted on the BOCES Teachers' Association website. Any changes proposed must be approved by the election committee.

f. Any candidate running for office shall recuse themselves from serving on the election committee. In the event that the Executive Vice president is running for office, he or she shall provide the designee with directions in order to carry out any and all responsibilities.

g. The length of a term as determined by the cycle schedule shall not be changed even if an election is delayed. Therefore, a candidate in a delayed election may have a term that is less than three years or less than two years for a retirement delegate.

2. General Elections

The Executive VP and Election Committee are responsible for:

a. providing 2 separate dates and at least three (3) locations for the election.

b. providing and safeguarding all ballots.

c. providing an accurate voter/member eligibility list for use at the polls.

d. requiring voters to identify themselves and sign in prior to receiving a ballot.

e. providing a locked ballot box.

f. Executive VP/designee and/or the Election Committee is to monitor/observe polling locations.

g. Election Committee shall plan for and tally the ballots.

h. Election results shall be announced at the General Membership meeting in May and posted thereafter.

Article III - Duties of Officers

Section A. - Rules

Officers shall perform their duties as described in Roberts Rules of Order (Revised), except where it appears herein to the contrary.

Section B. - Duties of the President

1. The President shall be Chairperson of the Executive Board and Representative Council.

2. The President shall see to it that a printed agenda is available for distribution at all general membership meetings.

3. The President shall preside at all general membership meetings

4. The President shall, with the approval of the Executive Board, appoint Chairpersons of all committees except the Grievance Committee.

5. The President shall serve as a non-voting member of each committee except the Representative Council, Executive Board, and the Negotiations Committees.

6. The President or deputy appointed by the executive board shall represent the organization in executive decisions of this Association.

7. The President shall not issue a prepared statement of

Association policy without prior approval of the Executive Board.

8. The President, or the President's appointed designee, shall have the power to call an emergency Representative Council meeting.

9. In the event of an Executive Board vacancy, a special election will occur as outlined in Article VII of the By-laws.

10. The President or an appointed designee shall attend all monthly Board of Education meetings and report on said meetings to the Representative Council

11. The President shall prepare and present an annual report based on the year's records of the Association to the Executive Board at least two (2) months in advance of the Spring Meeting. Upon approval by the Executive Board the annual report shall be presented to the membership at the Spring General Membership meeting. The President shall be responsible for these records.

12. The President shall serve on the Negotiations Committee(s) and Negotiation Team for each unit.

13. The President shall continue to serve on the Negotiations Committee and Negotiation Team after the expiration of his or her term of office if contract negotiations are still in progress. Such service shall

extend until completion of said negotiations. In case of a newly elected President, said President may become a member of the Negotiations Committee.

14. The President shall at the end of his/her term of office, turn over all records to the next duly elected President.

15. The President or his designee shall be the Delegate to the NYSUT and AFT Representative Assemblies.

Section C. - Duties of the Vice Presidents

1. The Vice Presidents shall serve as members of the Executive Board and Representative Council

2. The Executive Vice President shall assume all of the duties of the President in the case of the

absence of the President. In the absence of the President and the Executive Vice President the Grievance Chair shall assume all the duties of the President.

3. The Vice Presidents shall perform such other activities as may be assigned by the President and the Executive Board.

4. The Executive Vice President or designee shall act as Parliamentarian at all Association general meetings.

5. The Executive Vice President or designee shall completely handle all elections.

6. The Vice Presidents shall, at the end of their terms of office, turn over all records to the next duly elected Vice Presidents.

7. The First and Second Vice Presidents or their Designee shall preside over their respective bargaining units.

Section D. - Duties of the Recording Secretary

1.The Recording Secretary shall serve on the Executive Board and the-Representative Council.

2. The Recording Secretary shall keep minutes for the Executive Board and the Representative Council for permanent records and shall read those Board minutes at the next Executive Board and Representative Council meetings.

3. The Recording Secretary shall keep minutes of Association general meetings for permanent records and if requested shall read those minutes at the next general meeting.

4. The Recording Secretary shall record every motion as part of the minutes and shall name the person who makes the motion as well as the person who seconds the motion.

5. The Recording Secretary shall keep records of attendance at meetings.

6. The Recording Secretary shall be responsible for the completion of all reports submitted by Chairpersons of all standing committees.

7. The Recording Secretary shall, at the end of his/her term of office, turn over all records to the next duly elected Recording Secretary.

8. The Recording secretary shall submit an appropriate and streamlined version of minutes from each Representative Council meeting to be posted on the website. Said version shall be approved by the president.

Section E. - Duties of the Corresponding Secretary

1. The Corresponding Secretary shall serve on the Executive Board and the Representative Council.

2. The Corresponding Secretary shall handle communications for the Association, including general correspondence, and shall coordinate the distribution of the Association newsletter and releases to news media and websites with the approval of the Executive Board.

   a. The Corresponding Secretary is not responsible for overseeing and maintaining the BOCES Teachers' Association website. The position of webmaster shall be appointed with the approval of the Executive Board. However, if the Corresponding Secretary chooses to perform these duties, they shall receive the webmaster stipend.

3. The Corresponding Secretary shall compile Association articles appearing in the news and periodical media.

4. The Corresponding Secretary shall keep a permanent record of all correspondence dealing with the Association.

5. The Corresponding Secretary shall be responsible for notification of all general membership meetings.

6. The Corresponding Secretary shall be responsible for proper notification of all Executive Board and Representative Council meetings.

7. The Corresponding Secretary shall, Corresponding at the end of his/her term of office turn over records to the next duly elected Corresponding Secretary.

8. The Corresponding Secretary or his/her designee shall carry out the functions of the Sunshine activity as per the guidelines of the Sunshine Fund as posted on the BOCES Teachers' Association website.

Section F. - Duties of the Treasurer

1. The Treasurer shall serve on the Executive Board and the Representative Council.

2. The Treasurer shall receive all monies due the Association and shall deposit such monies in banks designated by the Executive Board.

3. The Treasurer shall pay all bills incurred by the Association and authorized by the Executive Board prior to payment. Exceptions shall be N.Y.S.U.T. membership dues and contingency payments not to exceed$1,000 each. In these cases, a report shall be made at the next Representative Council session.

4. The Treasurer shall maintain a savings and checking account, which shall require the signatures of two of the following three officers for the withdrawal of monies: the Treasurer, the President, and/or the Executive Vice President.

5. Payment of Officers and Committee members

   a. Payment to officers and committee members shall be determined by the executive board subject to the approval of the Representative Council

   b. Reimbursement of expenses incurred while conducting association business shall be paid in full according to the following:

      1. actual receipt of all expenses with an explanation of each including the purpose and names of those present;

      2. detailed bill for items of necessary expense including phone bills, toll receipts, etc.

      3. BOCES travel reimbursement forms for all trips.

      4. All documents/receipts, etc., to be submitted to the treasurer within 60 days of the date of incurment.

5. The Treasurer shall give a financial report at each meeting. An itemized list of disbursements and receipts shall be available for inspection by the membership.

6. The Treasurer shall submit an annual financial report to the general membership at the last general membership meeting.

7. The Treasurer shall make available all financial records for auditing purposes.

8. The Treasurer shall prepare all required state and federal forms.

9. The Treasurer shall, at the end of his/her term of office, turn over all records to the next duly elected Treasurer.

Section G. -Duties of the Grievance Chairperson-

1. The Grievance Chairperson shall serve on the Executive Board and the Representative Council.

2. The Grievance Chairperson shall act as liaison between the Grievance Committee and the Executive Board.

3. The Grievance Chairperson shall inform the Executive Board on the progress of current grievances.

4. The Grievance Chairperson shall advise the Executive Board on grievance procedure.

5. The Grievance Chairperson shall upon presentation, carry out the terms and provisions of the grievance procedure as stated in the negotiated agreement.

6. The Grievance Chairperson shall be responsible for the receiving, filing, and security of grievance documents.

7. The Grievance Chairperson, with the approval of the Executive Board, may appoint at least 2 active members to serve on the Grievance Committee.

8. The Grievance Chairperson or his/her designee shall be present at all stages of the grievance.

9. The Grievance Chairperson shall, at the end of his/her term of office, turn over all records to the next duly elected Grievance Chairperson.

Section H. - Duties of Area Representatives

1. The Area Representatives shall serve on the Representative Council.

2. The Area Representatives shall keep their members informed of Association activities and developments.

3. The Area Representatives shall call and conduct meetings in their respective areas when necessary.

4. The Area Representatives shall notify the Sunshine Committee designee about any member who is in the hospital or has suffered death in his/her immediate family or is planning retirement, so that the appropriate acknowledgements may be made.

5. The Area Representatives shall assist with initial preparation of grievances and submit such to the Grievance Committee.

6. The Area Representatives shall, at the end of their terms of office, turn over all records to the next duly elected Area Representatives in their respective areas.

7. Area Representatives shall post the Association Newsletter and other approved notices at their respective locations.

Section I. - Payment of Officers and Committee Members

Payment of officers and committee members shall be determined by the Representative Council, subject to approval by the general membership.

Article IV - N.Y.S.U.T. Delegates and Alternates

1. The N.Y.S.U.T. delegates and alternates shall be elected by the general membership according to the rules as established by N.Y.S.U.T.

2. The N.Y.S.U.T. delegates shall represent the Association at the annual N.Y.S.U.T. Representative Assembly, and will vote in accordance with the general guidelines pursuant to the Landrum-Griffin Act.

3. The N.Y.S.U.T. delegates shall attend other meetings as deemed appropriate

4. The N.Y.S.U.T. alternates shall assume all duties of the delegate in the delegate's absence.

5. The N.Y.S.U.T. delegate or alternate shall present a formal, written report of the N.Y.S.U.T. Representative Assembly meeting to the general membership.

6. Based on the per capita report of the previous year, N.Y.S.U.T will determine, on a yearly basis, the number of Delegates to attend the NYSUT Representative Assembly.

Article V- Committees

Section A. - Procedures

1. All committees derive their power from, and are responsible to the Executive Board as agents of the Association.

2. All committee meetings shall have a quorum to conduct business. A quorum shall consist of a majority of all committee members.

3. Committee Chairpersons and committee members shall be appointed by the President with the approval of the Representative Council. The exceptions shall be the Chairpersons or committee members of the following, which shall be subject to the approval of the Executive Board: Annual Professional Performance Review (APPR) Committee, Before and After School Intervention (BASIS) Steering Committee, Constitution Committee, Grievance Committee, Labor/Management Committee(s), Mentor Steering Committee, Membership Committee, and the Negotiations Committee.

If an opening shall arise in the above mentioned committees, an announcement shall be made via text, email or posting to all eligible unit members for consideration.

4. Committees shall be required to submit written minutes of their meetings to the Recording Secretary for compilation.

5. All Standing Committee proposals shall be identified in Section C of these By-Laws and be brought to the Representative Council for action.

Section B. - Executive Board

1. Membership

a. The Executive Board shall consist of the President, Executive Vice President, First Vice President, Second Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Grievance Chair, First and Second Vice Presidents, and for a period of one year, the immediate past President.

b. Each member of the Executive Board shall have one vote.

2. Duties of the Board

The Duties of the Executive Board are to:

a. uphold and carry out the Constitution and By-Laws of the Association;

b. seek out and encourage leadership potential within the Association;

c. assist the President in preparing an agenda for the executive committee and general membership meetings;

d. release to the general membership, through the Area Representatives, pertinent information which affects the general membership;

e. evaluate the progress of the Association during the year for the purpose of establishing long range goals;

f. prepare and present an estimated Association budget for approval by the Representative Council.

g. consider all committee proposals and make recommendations;

h. commence, by a majority vote, impeachment proceedings following charges against any officer of the Association, such proceedings to be carried out as outlined in Article VI of these By-Laws;

i. establish a temporary committee for any worthwhile purpose that is not covered by any committee in the By-Laws, such committee to stay in existence until its business completed; if any temporary committee, because of its nature, is deemed worthy of permanent status, it should become a Standing Committee and, as such. be added by amendment of the By-Laws of this Association;

j. authorize the expenditure of Association monies;

k. select the negotiating arm to become the chief spokesperson (N.Y.S.U.T. or attorney);

l. expedite any other appropriate business of the Association;

m. review the Constitution and By-Laws annually and make recommendations to the Representative Council when necessary.

Section C. Representative Council

1. Membership

a. The Representative Council shall consist of all members of the Executive Board and the Area Representatives as determined in

Article C (2),

b. Each member of the Representative Council shall have one vote.

2. Duties of the Representative Council

a. uphold and carry out the Constitution and By-Laws of the Association;

b. seek out and encourage leadership potential within the

Association;

c. release to the General Membership, through the Area Representatives, information which affects the

general membership;

d. approve a budget presented by the Executive Board and present the Association budget for approval by the membership at the first general membership meeting of the school year;

e. consider all committee proposals and make recommendations;

f. at the recommendation of the executive board will commence, by a majority vote, impeachment proceedings following charges against any officer of the Association, such proceedings to be carried out as outlined in Article VI of these By-Laws;

g. authorize the expenditure of Association monies over $5,000.

h. expedite any other appropriate business of the Association.

Section D. - Standing Committees

1. Negotiations Committee

a. General Procedures

(1) All decisions or proposals arrived at by the Negotiations Committee must be approved by a majority vote of said Committee.

(2) Actual negotiations procedures shall be determined by the Negotiations Team.

(3) Members of the Negotiations Committee shall serve until a contract has been ratified by the Association membership.

b. Membership

The Negotiations Team shall include a Chief Negotiator appointed by the President of the BOCES Teachers Association with the approval of the Executive Board and members as outlined below. The BTA President shall select the negotiating team with the approval of the Executive Board. In the event that the President and the Executive Vice President are not members of the Teachers Bargaining Unit Negotiating Team then the highest ranking officer that is from said unit will be deemed the Chief Negotiator of the Teachers Bargaining Team. Each of the three different bargaining units within the Association shall have as team members at least:

(1) The President of the BTA/or designee

(2) The respective Vice President

(3) One (1) active member from the respective bargaining unit.

c. Duties of the Chief Negotiator

The Chief Negotiator shall:

(1) attend Representative Council meetings at the request of the Representative Council;

(2) Chair all meetings of the Negotiations Committee and assign members specific duties;

(3) be responsible for the assembling of contract proposals;

(4) form, at his/her discretion, an ad hoc committee for private exploration of specific critical issues with members of the negotiating unit of the Board of Education;

(5) if requested by the Executive Board, report the progress of negotiations at regularly scheduled meetings of the Executive Board;

(6) attend meetings with other districts and/or appropriate workshops for information gathering purposes; this shall be done at Association expense; the Chief Negotiator/Chairperson's designee-may attend instead.

d. Duties of the Negotiations Committee(s)

(1) The sole responsibility for negotiating a contract between the Board of Education and the BOCES Teachers Association/the BOCES Teacher Aide Association/Adult Learning Center under the conditions provided for in the Taylor Law (Public Relations Act) shall reside with the Negotiations Committee for the duration of the period of the negotiations.

(2) The Committee shall survey, sample, invite suggestions from, and meet with various teacher groups, and may also acquire teacher information relative to contract demands from the District Office or elsewhere.

(3) The Committee shall meet to introduce, discuss, amend, and form contract proposals.

(4) The Committee, together with the Executive Board, shall ascertain the priority of the items to be negotiated and shall determine the agenda for proposing such contract proposals.

(5) Expenses incurred by the members of the Negotiations Committee shall be funded by the BOCES Teachers Association, subject to the review and approval of the Executive Board.

2. Membership Committee

a. Duties of the Chairperson

The Chairperson of the Membership Committee shall:

(1) inform the membership of current dues; if NYSUT or its National Affiliates dues increase then the local dues will also increase based upon the higher percentage of the affiliates.

(2) provide necessary membership application forms to new members and see that the forms are forwarded to the BOCES Payroll Department;

(3) complete necessary N.Y.S.U.T. membership application forms and see that they are forwarded to N.Y.S.U.T.;

(4)Review and reconcile quarterly census. Maintain and update NYSUT membership records.

(5) inform the Treasurer, President, and Benefits Trust Chairperson of all new members and any membership changes.

(6) if requested, attend the general meetings.

b. Duties of the Committee

The Membership Committee shall

(1) assist the Chairperson;

(2) solicit members.

(3) Welcome new members to our Association;

(4) coordinate with Area Representatives to see that new members receive and understand their Contract, benefits, and information about local membership and NYSUT Associations;

(5) keep members apprised of current benefits;

(6) help bring a basic understanding of our system and

community to new members.

3. Grievance Committee

The Grievance Committee shall consist of at least 3 members of the Association including the Grievance Chair with the approval of the Executive Board. The Grievance Committee shall meet at least three times a year to review issues, policies, and procedures. The Grievance Committee shall assist the grievant through all stages of the grievance procedure as outlined in their respective Contracts. The Grievance Committee will have responsibility for all formal grievances processed by the association.

Article VI - Impeachment of Officers

1. An officer may be removed for any of the following reasons:

a. Not fulfilling the duties of his office as outlined in these By-Laws

b. Misappropriation of Funds

c. Misrepresentation of Association purposes and policies

2. The Executive Board, by a majority vote, may commence impeachment proceedings against an officer by serving the officer with specific written charges.

3. The officer charged shall be suspended for the period of the investigation. The Executive Board shall appoint a person pro tem to perform the duties of the suspended officer.

4. If the recommendation of the Executive Board is for the removal of the officer, the matter will be brought before the Representative Council for impeachment proceedings. Said Proceedings may be canceled by the Executive Board in the event of the resignation of the involved officer.

5. If the Representative Council recommends impeachment, the charges will be presented at a general membership meeting where A two-thirds vote of members present is required for removal from office.

6. If the decision is for the removal of the officer, the Executive Board shall appoint the replacement in accordance with Article VII Special Election.

Article VII- Special Election

A ***Special Election*** occurs when a vacancy develops on the Executive Board between elections.

The procedure for the elections(s) follows the current protocols of the General Elections.

Elections will be held at the three (3) **largest** sites, currently the Rye Lake Campus, the Center for Career Services and the Tappan Hill School. Elections will be held as close to **3:00** as possible.

Upon the immediate vacancy of positions, the following protocols will occur:
The responsibility of the vacant position will be assumed by another Executive Board member exclusive of the Treasurer position. The board member who will be assuming these responsibilities will be selected and voted on by the current Executive Board. The **Treasurer is a very specific skill; it is an appointment by the Executive Board that is also voted on by the current Executive Board. It may but not necessarily be a Board member. A past or retired BTA Treasurer may be considered for this position.**

Each of these assumptions will be compensated with an additional stipend prorated at ½ of the stipend for the respective position until the vacancy is filled through an election.
If the vacancy occurs due to a retirement, the retired member is entitled to stay on in the respective board position until an election is held.

Throughout the vacancy, the board member who is covering is entitled to only 1 vote on the board. If the position is assumed by an appointment or a retired BTA member, it does not entitle that person(s) to a vote.
The timeliness of a ***Special Election*** is determined upon the timing of the vacancy. The person who is elected during the ***Special Election*** maintains the position until the completion of the original term. **A Special Election follows all of the rules of a general election.**

1. If the vacancy occurs between February 1st and six weeks prior to the general election, the vacant position will be included during the General Elections.
2. Any vacancy that occurs **between** the General Elections and January 31st will require a separate election known as a ***Special Election***. This election must be held within 2 continuous school calendar months of the vacancy.

When the elections are held, if the person who has assumed the responsibilities of the vacancy decides to run for the position, that person will not be entitled to run as an incumbent.