

CONSTITUTION FOR EVERETT TEACHERS ASSOCIATION, INC.

ARTICLE I: Name

The name of this Association shall be the Everett Teachers Association, Inc.

ARTICLE II: Purposes

Section 1: To work for the welfare of the school children, the advancement of education, and the improvement of instructional opportunities for all.

Section 2: To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Section 3: Strengthen the education profession and to secure and maintain the salaries, retirement, tenure, professional and sick leave, and other working conditions necessary to support teaching as a profession.

Section 4: To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the School Committee and other legal authorities.

Section 5: To hold property and funds and to employ a staff for the attainment of these purposes, provided no funds shall inure to the benefit of any member but shall be used only for the purposes of the corporation as set forth in the Constitution, By-Laws, and Articles of the Organization.

ARTICLE III: Membership

Section 1: Active Members:

(a) Active Membership in the Association shall be open to all education personnel employed in the public schools of Everett. Teachers, Administrative Assistants/Clerks, Paraprofessionals and Administrators who agree to abide by the Code of Ethics of the Educational no Profession.

(b) Active Membership shall be continuous until the member leaves the school system, resigns from the Association.

(c) Active members of the Association shall also be members of the Massachusetts Teachers Association and the National Educational Association.

Section 2: Associate Members

Active members who retire on pension from the service of the Everett Public Schools, shall automatically become an Associate Member for life. Associate Members shall not pay dues and shall have no voice in the Association but shall be entitled to all other privileges of Active Members.

Section 3: Revocation of Membership

According to procedures adopted by the Representative Council, the Executive Board may suspend from membership or expel any member who shall have violated the ethics of the educational profession; may cancel the membership of any member convicted in a court learned in the law of a crime involving moral turpitude; and may reinstate a member who has previously been suspended or expelled from the Association.

ARTICLE IV: Officers

The Officers of the Association shall consist of a President, two Vice-President(s), the Immediate Past President, a Secretary, and a Treasurer. The Immediate Past President is the person who last held the office of President in good standing. Add: Secretary of Communication position .

ARTICLE V: Executive Board

Section 1: The Executive Board, the managing body of the Association, shall consist of the Officers and 3 Members of the ETA. The Representative Council will elect the 3 members from the floor of the Representative Council.

All other education personnel considered education members of the Everett School Department and are not covered by any other bargaining agreement with the Everett School Department.

Section 2: Under the personnel policies adopted by the Representative Council and within the annual budget, the Executive Board shall have the power to employ a staff for the efficient management of the Association.

ARTICLE VI: Representative Council

Section 1: The legislative and policy - forming body of the Association shall be the representative Council.

Section 2: The Representative Council shall consist of the Executive Board, the Chairperson of each of the 6 (six) Standing Committees, and one or more representatives from each faculty group described in Article V. Section 1 of this Constitution.

Section 3: Any member of the Association who is not a member of the Representative Council, may attend its meetings, shall sit apart from the voting body but may receive permission to speak.

ARTICLE VII: Affiliation

The Association shall affiliate with the National Education Association under its rules, and the Massachusetts Teachers Association under its rules.

ARTICLES VIII : Amendments

The Representative Council may adopt amendments to this Constitution by a two-thirds majority of those voting at any regular meeting provided the amendments have been introduced at the preceding regular meeting of the Representative Council and the copies of the proposed amendments have been immediately distributed to members of the Council for faculty discussion.

BYLAWS FOR EVERETT TEACHERS ASSOCIATION, INC.

ARTICLE I: Meetings

Section 1: Executive Board

The Executive Board shall meet on the Second Tuesday of each school month at 3:00 p.m. at the call of the President, or at the request of three members of the Board.

Section 2: Representative Council

The Representative Council shall meet on the Fourth Tuesday of each school month at 3:00 p.m. The

Executive Board shall prepare the agenda for each meeting and shall circulate it to all members of the Council so that Representatives have time to discuss it with their faculty members in advance of the Council meeting.

Section 3: Special Meetings

Special meetings of the Representative Council may be held at the call of the President or upon written request to the Executive Board from 5 (five) Faculty Representatives. Business to come before special meetings must be stated in the call, which shall be sent in writing to each Representative.

Section 4: General Membership Meetings

The Executive Board shall arrange at least 1 (one) meeting of the members each year for discussion of professional issues. Special meetings of the general membership may be called by the written request of the President or 15 (fifteen) members. Notification of this special meeting shall be made through the Faculty Representatives.

ARTICLE II: Quorum

A majority of their members shall be a quorum for the Representative Council, Executive Board, and Committees. A majority of those present when the meeting is called to order shall constitute a Quorum for the general membership meetings.

ARTICLE III: Powers of Officers

Section 1: President

The President shall preside over meetings of the Executive Board, appoint the Chairperson and members of Standing Committees, appoint Special Committees, be an ex-officio member of all Standing Committees, and shall be the Executive Officer of the Association. The President shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office. The President shall represent the Association at the National Education Association Convention as one of the delegates each year.

Section 2: Vice-President of High School and Elementary

The Vice-President shall perform the functions usually attributed to this office. The Vice-Presidents shall be a member of the Committee on Negotiations and the Committee on Professional Rights and Responsibilities; and shall become President when that office becomes vacant between elections.

Section 3: Immediate Past President

The Immediate Past President shall advise the Executive Board for a term of 3 years with one year of voting rights and assist the President at all the latter's requests. The Immediate Past President should be a member of the Professional Rights and Responsibilities Committee.

Section 4: Secretary

The Secretary shall keep accurate minutes of all meetings of the Executive Board and Representative Council, shall maintain official files, and shall assist the President with Association correspondence. The Secretary shall be a member of the Committee on Professional Rights and Responsibilities and act as its Corresponding Secretary.

Section 5: Treasurer

The Treasurer shall hold the funds of the Association and disburse them upon authorization of the Executive Board. The Treasurer shall also collect annual dues from the membership and transmit amounts due to the Massachusetts Teachers Association; maintain a roll of members; keep accurate account of receipts and disbursements; prepare an annual financial statement for publication to members and an annual budget for the Executive Board. The Treasurer shall also be Chairperson of the Membership Committee.

Section 6: Communication Secretary

The Communication Secretary will correspond with all members through emails, newsletter, surveys etc.. as well as update and manage the ETA Website.

Section 7: Terms and Succession

- (a) The Officers shall serve for 3 (three) years and may be re-elected without an intervening term.
- (b) The Executive Board members shall serve for 3 (three) years and may be re-elected without an intervening term. Their election shall coincide with the election of the Officers.
- (c) Whenever the offices of both the President and Vice-President shall become vacant between elections, the remaining members of the Executive Board shall choose one of their members to serve as President Pro Tempore until the Representative Council can

fill the vacancies.

- (d) The amount of presidential, vice-presidential secretarial, and treasurer's expenses shall be set by the Representative Council at the January meeting of an election year. The rate would be effective in September of the election year.
- (e) The Vice-Presidents, Secretary, Communication Secretary and Treasurer shall be reimbursed National, State, and Local dues for the duration of their term.
- (f) Representative Council members, Executive Board members, and the Chairs of Professional Rights and Responsibilities, Negotiations, Sick Bank, Public Relations, and Professional Development Committees shall be reimbursed local dues for the duration of their terms.
- (g) If the above positions, (d) and (e), become vacant before the end of the term, the reimbursements shall be pro-rated.
- (h) Whenever an Executive Board position of the Association becomes vacant due to death, resignation, change of representation due to change in unit position, or removal by the Executive Board for gross negligence; it shall be acted upon in one of the following manners:
 - 1. If the vacancy occurs when 3/4ths (three-fourths) or less of the term has expired, there will be an election by the membership within 30 (thirty) calendar days upon notice of the vacancy.
 - 2. If the vacancy occurs when more than 3/4ths (three-fourths) of the term has expired, the President will appoint and the Executive Board and the Representative Council will approve; at their next meetings respectively, an individual to finish the unexpired term.

ARTICLE IV: Powers of the Executive Board

Section 1:

The Executive Board shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the Representative Council, report its transactions and those of the Council to the members, and suggest policies for consideration by the Council.

Section 2:

The Executive Board shall approve Presidential appointments to the Committee on Negotiations.

Section 3:

Whenever a majority of the Executive Board shall agree that an Officer has been grossly negligent of the duties defined in the By-Laws, they shall recommend to the Representative Council that the office

may be declared vacant. If the Council so votes by a 2/3rds (two-thirds) majority, it shall immediately elect a replacement to fill the unexpired term.

Section 4:

Whenever a majority of the Executive Board shall agree that an Officer is incapacitated or resigns, they shall recommend to the Representative Council that the office be filled on a temporary basis. If the Council so votes by a 2/3rds (two-thirds) majority, it shall immediately elect a replacement for the length of the time of absence.

ARTICLE V: Powers of the Representative Council

The Representative Council shall approve the budget, set the dues for the Association, act on reports of Committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Code of Ethics of the Education Profession and those followed in censuring, suspending, and expelling members for cause, or the reinstating of members. It may adopt such rules governing the employment of staff, the conduct of the Association, and the conduct of meetings as are consistent with this Constitution and By-Laws. It shall be the final judge of the qualifications and election of Officers and Building Representatives. Powers not delegated to the Executive Board, the Officers, or other groups in the Association shall be vested in the Representative Council.

ARTICLE VI: Faculty Representative

Section 1:

In each public school in Everett, faculty members who are members in good standing of this Association shall elect for a term of 1 (one) year the number of Faculty Representatives assigned to it. Representation shall be based on a ratio of 1:15 (one to fifteen) members in a building, with each school having at least 1 (one) representative. All professional personnel who serve more than 2 (two) buildings shall be represented by Special Faculty Representatives.

Section 2:

Elections shall be held in September, and Representatives shall take their seats at the September Meeting of the Representative Council

Representatives shall attend meetings of the Representative Council unless they receive prior excuse from the President. After 2 (two) unexcused absences of a Representative, the President may declare the seat unfilled and call for a faculty election to fill out the term. The President may designate a member in good standing to organize this special election.

Section 4:

The Representatives shall call faculty meetings of the Association members to discuss Association business, shall appoint such committees as the Association may require, and shall organize and oversee the subsequent elections of Faculty Representatives, the enrollment of members in Local, State, and National Associations, and two-way Association communication within the building.

Section 5:

Representatives shall have been members of the Everett Teachers Association for at least 1 (one) year prior to their election and shall maintain their membership in good standing during their term of service.

ARTICLE VII: Standing Committees

Section 1 : Structure

There shall be 6 (six) Standing Committees carrying out the special functions outlined below. They shall have 5 (five) members, selected to represent different groups in the Association and appointed for terms of 1 (one) year. Each Committee may, with the approval of the Executive Board, organize special sub-committees and task forces for specific activities from the membership of the Association.

Section 2: Meetings

Each Standing Committee shall meet regularly according to a calendar developed by the said Committee and may hold special meetings at the call of the Chairperson.

Section 3: Reports

Each Committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Representative Council and shall prepare an annual written report summarizing objectives, actions, program gains, and unreach goals; which the Executive Board shall distribute to the members and which shall become a part of the continuing Committee record in the Association files.

Section 4: Titles and Duties

- (a) Committee on Professional Rights and Responsibilities shall explore and prepare action programs for securing satisfactory policies and procedures for the redress of grievances. It shall advise the Representative Council on procedures for the implementation of the Code of Ethics. The Committee shall advise the Executive Board in situations of censure, suspension, or expulsion of members. It shall develop a program of orientation to the Code of Ethics for all members of the Association.

- (b) Committee on Public Relations shall seek to develop public understanding of the purposes and programs of the Association, the values and importance of education, and in co-operation with the Administration, the educational philosophy and programs of the schools. It shall develop procedures by which the Association can work co-operatively with parents and public in civic, fraternal,

and social organizations and through all available channels of communication.

(c) Committee on Member Education and Professional Development shall explore and develop action programs to raise and maintain standards for certification, employment and assignment; to improve opportunities for pre-service, continuing and in-service professional education; and to create and maintain rapport between the Association and neighboring or closely related institutions of higher education. It shall develop and foster student groups interested in the teaching profession and exercise professional concern in programs involving students.

(d) Committee on Professional Relations shall organize and oversee the following sub-committees:

1. Orientation/Membership - to develop and conduct programs for the orientation of new educators to the community, the school system, and the Association. It shall also be responsible for the Association's Annual Membership Drive.
2. Social Affairs - to organize such social activities as may serve the needs of members and promote fellowship within the Association, and to conduct all fundraising activities.

(e) Committee on Civic Responsibility and Legislation shall have broad concern for Local, State, and National Legislation; the interests of the Association and for exercise of civic responsibilities by members. The Committee shall be diligent to inform members about newly enacted legislation. It shall organize and oversee the work of the following sub-committees:

1. State Legislation - to study pending legislation and to promote activities leading to the passage of desirable state legislation for schools.
2. Federal Legislation - to study legislation before the Congress and to develop activities leading to the passage of desirable federal legislation for schools.
3. Citizenship - to educate members and the public on the civic responsibilities of educators and to develop programs that will encourage wide exercise of them.

(f) Committee on Sick Leave Bank shall consist of 4 (four) members of the Association appointed by the Association President and a fifth member from Central Administration with the consent of the Executive Board; and shall administer the Bank as outlined by the bargaining agreement, ARTICLE 13 - ALLOWANCE FOR ABSENCE.

Section 5: Relation to Executive Board

The Executive Board shall assist the President to appoint members of the Standing Committees at the regular meeting in June, and to fill all unexpired terms as vacancies occur, and shall plan for an organizational committee conference each year. It shall require and assist committees to define their immediate and long-range objectives. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

Section 6: Relation to State and National Associations

The Standing Committees shall seek to understand and relate to the objectives and programs of corresponding units of State and National Associations and shall counsel with them.

ARTICLE VIII: Special Committees

Section 1:

Each year the President shall appoint an Election Committee, an Audit Committee, a Budget Committee, and such other Special Committees as may be necessary and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Council. No Officer of the Association shall serve on either the Election Committee or the Audit Committee.

Section 2:

The Committee on Negotiations shall explore and prepare action programs as necessary in all areas of teacher welfare; with particular responsibility for salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions. It shall negotiate personnel policies with the governing and appropriating bodies of the school system. Within the policies established by the Representative Council, it may make decisions binding the Association in these matters, subject to ratification by the membership.

ARTICLE IX: Elections

Section 1:

Nominations

- (a) At the September meeting of the Representative Council, the President shall name an Election Committee which shall be subject to the approval of the Representative Council.
- (b) The Election Committee shall publish and distribute to each member, 1 (one) week in advance of election day all pertinent information concerning each candidate and the office to be filled.
- (c) The Election Committee shall oversee the election of delegates to the MTA and NEA Conventions, and any other elections of the association that might occur.

Section 2:

Balloting Procedure

- (a) A blank copy of the ballot marked 'SAMPLE BALLOT' shall be displayed on teacher's room bulletin board(s) 24 (twenty-four) hours before elections are to be held.
- (b) Elections will take place in each school building on the approved designated date. Voting hours will be established by the Building Reps. Said voting hours will be posted with the 'SAMPLE BALLOT' President has right choose 1 location if all buildings do not have coverage
- (c) Ballots, ballot box and voting list will be picked up at the 'ETA Office' the day before the election by the Building Rep or designee and kept secure until elections are held.
- (d) Each Building Rep will conduct the balloting by a procedure that best suits their building's needs. Building Reps will be responsible to ensure that the ballots, ballot box and voting list are never left unattended.
- (e) When balloting in each building is completed, the ballot box containing the marked ballots, the unused ballots and the voting list are to be returned immediately at the completion of the school day to the 'ETA Office'.
- (f) Any person requesting an 'ABSENTEE BALLOT' shall make that request in writing 5 (five) school days before the election, to the Chair of the Election Committee. Said person will vote 2 (two) days prior to the election, between 2:30 pm and 3:00 pm at the 'ETA Office', witnessed by 2 (two) members of the Election Committee.

Ballots will be placed in a sealed 'ABSENTEE BALLOT BOX' and kept secure by the Chair of the Election Committee. Said ballots not to be counted until the designated election day.

Section 3:

Election of Officers and Executive Board for the ensuing year shall be by Australian Ballot by the membership during the month of September in accordance with procedures adopted by the Election Committee and approved by the Representative Council. The Election Committee shall publish to the members of the Association the results of the election. New Officers shall be installed at the September Meeting of the Representative Council under New Business.

Section 4:

Delegates to the NEA Convention and the MTA Convention will be elected by regulations set

forth by the NEA and the MTA. These elections shall take place during the month of March.

ARTICLE X: Amendment

Roberts Rules of Order shall be the Parliamentary Authority for the Association on all questions not covered by the Constitution and By-Laws and such standing rules as the Representative Council may adopt.

ARTICLE XI: Amendment

These By-Laws may be amended by a majority vote at any regular meeting of the Representative Council provided that proposed amendment(s) have been previously studied by the Executive Board and that copies were provided to the Representatives at a previous meeting. Notice of any By-Law Amendment(s) must be announced at the meeting prior to the voting on the amendment(s).

ARTICLE XII: ETA Awarded Scholarships

The student who has been awarded an 'ETA SCHOLARSHIP' shall have 2 (two) years in which to collect the scholarship. After the fifth year, if the scholarship has not been collected, that money shall be returned to the ETA SCHOLARSHIP FUND.

ARTICLE XIII: RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT

Proposal(s) shall be distributed in writing and reviewed by the Membership at least 48(forty-eight) hours prior to the Ratification Meeting, while school is in session.

ARTICLE XIV: REIMBURSEMENT FOR LEADERSHIP CONFERENCE

Those members who attend the MTA LEADERSHIP CONFERENCE will pay their own fees. In the spring, the Executive Board will decide if each of said members has actively contributed to the Association during the year; if a contribution has been made then the member will receive some reimbursement, if no contribution was made then no reimbursement will be given. The available funds will be divided equally among eligible participants.