

Marshfield Education Association

BYLAWS

MISSION STATEMENT

Our goal as an Association of caring professionals is to create and sustain a safe and vibrant learning community so that we may help members and our students reach their full potential.

ARTICLE I: Name

The name of this Association shall be the Marshfield Education Association.

ARTICLE II: Objectives

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

Section 2 - To uphold high professional standards.

Section 3 - To advance the socio-economic well being of the members of the Association.

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

Section 5 - To serve the community.

ARTICLE III: Affiliations

The Association shall be affiliated with the National Education Association (NEA), Massachusetts Teachers Association (MTA), and the Plymouth County Education Association (PCEA).

ARTICLE IV: Membership

Section 1 - Active Members

- a. Active membership of the Association shall be open to all full and part-time teachers, nurses, educational support professionals, vice principals, clerical support professionals **AND TUTORS** employed in the schools of Marshfield, Massachusetts.
- b. In order to maintain membership in good standing and retain the right to vote at Association meetings, a person shall pay local, county, state, and national dues.
- c. Active members of the Association shall also be members of the National Education Association, the Massachusetts Teachers Association, and the Plymouth County Education Association.

BYLAWS REVISION PROPOSALS

Section 2 - **Associate Members**

Persons employed in the schools of Marshfield, who are not eligible to become active members, may upon payment of such annual dues as the Executive Board may determine, enroll as associate members. Such members shall have no voting privileges, cannot hold office, and cannot represent the Association.

Section 3 - **Honorary Members**

Retired teachers, administrators, superintendents or non-teaching personnel may, by virtue of outstanding and long service within the Marshfield School System, be declared honorary members of the Association by vote of the Executive Board.

Section 4- - **Annual Dues**

Members may have their professional dues withheld from their paychecks with payments made directly to the Association treasurer by the Town Treasurer. Those members desiring to pay "lump sum" dues must meet this obligation in full on or before the first of December of that current fiscal year.

ARTICLE V: Officers and Delegates

Section 1 - The officers of the Association shall consist of **FIVE MEMBERS EITHER a president AND TWO vice presidents OR TWO PRESIDENTS, AND A vice president, a secretary, and a treasurer.**

Section 2 - The president(S) may nominate a parliamentarian and delegates to professional organizations/meetings. These nominees will be presented to the Executive Board for approval.

ARTICLE VI: Power of Officers

Section 1 – **President(S)** The president(S) shall set the agenda and preside over meetings of the Executive Board. S/he shall entertain any agenda item(s) submitted, in writing, by Executive Board members at least one week prior to the Executive Board meeting or any business presented at an Executive Board meeting by a voting member. The President(s) shall appoint the chairpersons of standing committees, appoint special committees, be ex-officio member of all standing committees and shall be the executive officer of the Association. The president(s) shall represent the Association before the public and shall perform all other functions usually attributed to this office. The president(s) shall also be charged with the preparation and distribution of an agenda for all general membership meetings at least one day prior to the general meeting.

Section 2 - **Vice President (s)** The Vice President (s) shall assist the President(S). The President(s) in consultation with the other officers of the Association shall determine the duties of the Vice President(s).

Section 3 - **Secretary** The secretary shall keep the minutes of all meetings and shall prepare and distribute the précis of the previous meeting. Other duties shall be determined by the President(s) in consultation with the other officers of the Association.

BYLAWS REVISION PROPOSALS

- Section 4 - **Treasurer** The treasurer shall have custody of all funds belonging to the Association and deposit them in the name of the Marshfield Education Association in any appropriate financial institution legally authorized to do banking and/or investment business in Massachusetts. The funds of the Association may be expended only in matters consistent with the objectives of the Association. The treasurer shall hold funds of the Association and disburse them upon authorization of the Executive Board. S/he shall collect the membership dues and transmit amounts due to the Massachusetts Teachers Association, the Plymouth County Education Association, and the National Education Association. S/he shall keep accurate accounts of receipts and disbursements. S/he shall maintain a roll of the members. S/he shall prepare financial statements for publication to the members of the Association. S/he shall keep the president(s) and the Executive Board informed of the financial condition of the Association. S/he shall be bonded by the Massachusetts Teachers Association/National Education Association. S/he will choose an auditor to audit accounts yearly. Upon election, s/he shall attend the Massachusetts Teachers Association summer training program for Treasurers and any other workshops/training provided by the Massachusetts Teachers Association or other agency deemed necessary by the Executive Board to ensure the proper maintenance of the Association's funds.
- Section 5 - **Emergency Expenditures** The President (s) and Treasurer of the Association are authorized to approve payment of emergency expenditures between business meetings of the Executive Board. The Treasurer shall inform the board at the next business meeting of such payment.
- Section 6 - **Terms and Succession** All officers shall serve for two years and may be re-elected.

ARTICLE VII: Executive Board

- Section 1 - Voting Members of the Executive Board shall consist of the officers of the Association, *the Chairman of each of the Standing Committees*, building and bargaining unit representatives (hereafter called Executive Board Representatives), and others as deemed necessary by the President(s), subject to the approval of the Executive Board. Some school buildings or units will have non-voting representatives who will attend Executive Board Meetings.
- Section 2 – Executive Board Representatives shall consist of:
- a. **VOTING BUILDING REPRESENTATIVES**-Members from all units within the Building are eligible to vote and/or run for these positions. There will be:
 - Three (3)** representatives from the Marshfield High School
 - Two (2)** representatives from the Furnace Brook Middle School
 - One (1)** representative from each of the elementary schools
 - b. **VOTING BARGAINING UNIT REPRESENTATIVES**- Members of the designated bargaining units and/or a unique group within a bargaining unit are eligible to vote and/or run for these **system wide** positions. There will be:
 - One (1) Nurse Representative
 - Two (2)** Educational Support Professional representatives
 - One (1)** Clerical Support Professional representative
 - One (1)** Assistant Principal

BYLAWS REVISION PROPOSALS

One (1) Tutor representative

- c. **NON-VOTING BUILDING REPRESENTATIVES-** Members from all units within the designated Building are eligible to vote and/or run for these positions. There will be:

One (1) representative from Central Office

~~**One (1) representative from the Alternative High School**~~

The Board shall be the executive authority of the Association.

Section 3 - Whenever a vacancy occurs or two-thirds of the total membership of the Executive Board shall agree that a Board member has been grossly negligent of the duties defined in the bylaws or is incapacitated, the Board shall declare the office vacant. The Board shall then call for immediate election by the total Association to fill the unexpired term of an officer or call for an election within the affected building or unit.

ARTICLE VIII: Power of the Executive Board

The Executive Board shall be responsible for the general management of the Association. Compensation for elected and/or appointed positions within the Association shall be voted by the Executive Board. The Board shall review annually said compensation. A motion to change the amount of compensation and/or additions/deletions to positions being compensated may be made by a Board member and voted by the Board as needed. Furthermore, the Executive Board shall determine what expenses incurred on behalf of the Association shall be reimbursed.

ARTICLE IX: Association Representatives

Section 1 - The Executive Board Representative and/or the elected alternate (*the Professional Rights and Responsibilities Representative*) shall call building or unit meetings of the Association members to discuss Association business, shall appoint such building or unit committees as the Executive Board may require, and shall organize and oversee the subsequent elections of Association representatives and the enrollment of members, and shall maintain two-way communication between the building or unit and the Association. They and/or their elected alternate shall attend Executive Board Meetings.

Section 2 - The Professional Rights and Responsibilities Representative shall serve as the initial Association contact for members who have questions or concerns regarding adherence to the contract or interpersonal professional issues. They shall be responsible for keeping a written record of Members' concerns and any action taken on a member's behalf. They shall keep the Professional Rights and Responsibilities Chairperson and/or the President(s) informed about issues affecting Members of their building or unit. They shall assist the Executive Board Representative in calling building or unit meetings, appointing such building or unit committees as the Executive Board may require, and organizing and overseeing the subsequent elections of Association representatives and the enrollment of members, and maintaining two-way communication between the building or unit and the Association. They are the elected alternate for the Executive Board Representative and shall attend and vote at Executive Board Meetings when the Executive Board Representative cannot attend.

Commented [MSOffice1]: Was Faculty Representative

Commented [MSOffice2]: Was Faculty Meetings, Membership expanded

BYLAWS REVISION PROPOSALS

ARTICLE X: Standing Committees

Section 1 - As needed, standing committees shall be appointed by the president(s) with the approval of the Executive Board. The duties of these committees shall be determined by the President(s).

Section 2 - There shall be a Negotiating Committee for each bargaining unit with the president(s) of the Association serving ex-officio with voting privileges. With the approval of the Executive Board, the president of the Association shall appoint the chairperson, and together, the president(s) and chairperson shall appoint the negotiating team. All members of the teacher unit (teachers/nurses) should have professional status. All members of the ESP and clerical support professionals units should have at least three years of seniority. A simple majority of the membership of the Negotiating Team shall constitute a quorum at the meetings for the transaction of business. The negotiating team shall keep the Executive Board informed throughout the negotiating process.

Section 3 - There shall be a Professional Rights and Responsibilities Committee with the president(s) of the Association serving ex-officio with voting privileges. With the approval of the Executive Board, the president(s) of the Association shall appoint the chairperson, and together, the president(s) and chairperson shall appoint the PR & R team. The team will consist of **at least** one member for each bargaining unit. All members of the teacher unit should have professional status teachers/nurses. All members of the ESP and Clerical Support Professionals units should have at least three years of seniority. A simple majority of the membership of the PR & R Team shall constitute a quorum at the meetings for the transaction of business. They shall serve as a source of information and support for the PR&R Chairperson, PR&R Representatives and the President(s). The PR&R team shall keep the Executive Board informed regarding any issues or grievances. They shall **advise** the Executive Board whether a grievance should proceed to arbitration. The Executive Board must authorize expending the funds to proceed to arbitration.

Section 4 - Membership in the Association shall be a prerequisite for membership on committees.

Section 5 - **Structure** Standing committees shall carry out the specific functions as listed below.

- a. **Meetings** Each standing committee shall meet at the call of the chairperson.
- b. **Reports** Chairpersons shall report as necessary to the Executive Board.

Section 6 - **Titles and Duties**

- a. **The Professional Rights and Responsibilities Chairperson** shall explore and prepare action programs for securing satisfactory personnel policies and procedures for redress of grievances. S/he shall advise the Executive Board on procedures for the implementation of the Code of Ethics. S/he shall advise the Executive Board in situations of censure, suspension, or expulsion of members as deemed appropriate. S/he shall have professional status or have been employed by the Marshfield Public Schools for at least three years, whichever is applicable.
- b. **The Negotiation Chairperson for each unit** shall head the committee that serves as the Association's representatives for the purpose of collective bargaining for that unit. S/he shall have professional status or have been employed by the Marshfield

Commented [MSOffice3]: Was Grievance Chair

Commented [MSOffice4]: Was tenured

BYLAWS REVISION PROPOSALS

Public Schools for at least three years, whichever is applicable.

ARTICLE XI: Meetings

Section 1 - **Executive Board** The Executive Board shall meet at the call of the president(s) or at the request of three members of the board. If a majority of the five officers of the Association deem that an emergency situation exists, the voting members of the Executive Board may be polled by telephone or e-mail.

Section 2 - **Special Meetings** Special Meetings of the Executive Board may be held at the call of the president(s) or upon request from ten Association members. Business to come before special meetings must be stated in the request which shall be in writing.

Section 3 - **General Membership Meetings** The Executive Board shall call meetings of the members as needed.

Section 4 - **Quorum**

- a. A majority of their members shall be a quorum for the Executive Board and Committees.
- b. The number of members present at a general meeting will constitute a quorum.

Section 5 - **Contract Ratification Meeting** All members of the appropriate bargaining unit shall have a copy of the proposed contract changes at least one day prior to voting on the contract.

ARTICLE XII: Elections

Section 1 - **Nominations**

- a. During the month of April, the active members of the Association must submit their nominations of candidates to the chairman of the Nominating Committee no later than 3:00 p.m. on the last school day in April **unless the Board votes to modify this schedule.**
- b. All members of the Association in good standing are eligible to run for office. Officers must remain members of the Association throughout their term of office
- c. The Nominating Committee shall report in writing all nominations to the membership within 5 school days of the closing of the nominations.

Section 2 - **Voting**

- a. The Nominating Committee will provide the official election ballot, as approved by the Executive Board, which will contain the names of all nominees and space for write in candidates. Printed stickers for write in candidates are allowed, but shall not be distributed within the polling area. Locked ballot boxes will be provided by the Nominating Committee for each voting location. The committee will provide the official voting procedures.
- b. Officers of the Association shall be elected by a majority of votes cast. The voting for officers will be conducted at each school site at the close of the school day. Location of voting sites will be determined by each school's most senior Association

BYLAWS REVISION PROPOSALS

Representative. Said representative or a designee of the Nominating Committee will be responsible for bringing the ballot boxes to a location determined by the Nominating Committee for the purpose of counting said ballots. The candidate receiving the largest number of votes shall be elected. In the event of a tie vote, the winner will be determined by a run-off election, between or among the tied candidates, at a time designated by the Nominating Committee. The newly elected officers shall assume their duties immediately upon being elected.

Commented [MSOffice5]: Deleted If no candidate receives a majority of votes cast

- c. In the case of a disputed election, the Executive Board shall determine if a new election will take place. If the Executive Board decides a new election is needed, they will determine the procedures and timing of said election.
- d. In each designated public school building of Marshfield, all members who are members in good standing of this Association shall elect for a term of two years each, voting and non-voting Executive Board Representatives and Professional Rights and Responsibilities Representatives. Bargaining Unit members who are members in good standing of this Association shall elect for a term of two years each Executive Board Representatives and Professional Rights and Responsibilities Representatives for their bargaining units at their respective buildings and/or a central site designated by their unit Representative. All efforts will be made to have the terms of board members expire at different times. Elections shall be held as needed and members shall assume responsibilities as stated in Article IX.
- e. Results of all elections shall be sent for posting to all Executive Board Representatives by the close of the next school day.

Commented [MSOffice6]: Was faculty members

ARTICLE XIII: Ratification

These bylaws shall supersede all previous constitutions and bylaws and become the bylaws of the Association when approved by a two-thirds majority vote at a general meeting called for that purpose.

ARTICLE XIV: Amendment

These bylaws may be amended by two-thirds vote of those present at any general meeting of the Association membership provided that proposed amendments have been sent to the members of the Association at least three days in advance of the meeting.

ARTICLE XV: - Provision

No provision of this Bylaw Revision will be deemed to supersede State or Federal law.

As voted by the General Membership on May 9th, 2017.