

**BRAINTREE
EDUCATION
ASSOCIATION**

BYLAWS

February 28, 2008

ARTICLE I: [NAME] BRAINTREE EDUCATION ASSOCIATION INCORPORATED

ARTICLE II: AFFILIATIONS

- A. Norfolk County Teachers Association
- B. Massachusetts Teachers Association
- C. National Education Association

ARTICLE III: AIMS AND OBJECTIVES

- A. To promote within the teaching group the highest type of professional practices.
- B. To encourage active participation of all members in the solution of school problems.
- C. To arouse allegiance to a genuine spirit of professional ethics.
- D. To encourage higher qualifications for entrance into the teaching profession.
- E. To promote teachers' participation in school management.
- F. To aid in securing and maintaining adequate salaries, hours, working conditions, and other benefits.
- G. To cooperate with other local organizations in seeking common goals.
- H. To cooperate with parent-teacher organizations and other civic bodies having educational objectives.
- I. To aid in interpreting to the public the problems, functions, and the progress of the public schools.
- J. To encourage teachers to exercise their rights and privileges as citizens by accepting willingly leadership in civic affairs.

ARTICLE IV: MEMBERSHIP

- A. Provided that he/she is not the negotiating agent for the School Committee, upon payment of dues and adherence to the current National Education Association Code of Ethics, any of the following may become a member of this Association:
 - 1. Any administrator except superintendents and principals.
 - 2. Any teacher.
 - 3. Any nurse.
 - 4. Any secretary.
 - 5. Any paraeducator, instructional, or special needs aide.
 - 6. Any Chapter I teacher.
 - 7. Physical Therapists & Occupational Therapists
 - 8. Physical Therapist Assistants and Occupational Therapists
- B. The Board of Directors of the Braintree Education Association, upon the recommendation of the Professional Rights and Responsibilities Committee, shall have the power to censure, suspend, or expel any member for a violation of the Code of Ethics. The Professional Rights and Responsibilities Committee shall provide evidence of notice and fair hearing, such hearing to be conducted at its request by the Ethics Committee of the Massachusetts Teachers Association. The Board of Directors shall have the power to reinstate any expelled or suspended member.
- C. Membership in the Braintree Education Association requires membership in the Norfolk County Teachers Association, Massachusetts Teachers Association, and the National Education Association.
- D. Retired members may become honorary nonvoting members of the Association.

- E. Annual dues shall be as follows:
 - 1. Braintree Education Association: seventy-five dollars (\$75) or as set by the Braintree Education Association.
 - 2. Norfolk County Teachers Association: eight dollars (\$8) or as set by the Norfolk County Teachers Association.
 - 3. Massachusetts Teachers Association: current dues structure.
 - 4. National Education Association: current dues structure.
- F. Any employee eligible for membership and not electing payroll deductions for dues payment shall pay the current year's dues on or before October 1 or give the Vice President for Membership a written pledge to pay said dues by November 1 to maintain the rights and privileges of membership.
- G. Membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.

ARTICLE V: OFFICERS

- A. Executive Committee shall consist of the following officers with a two (2) year term of office from July 1, to June 30:
 - 1. Composition - Six (6) Members
 - a. President.
 - b. Vice President.
 - c. Vice President for Membership.
 - d. Vice President for Public Relations.
 - e. Treasurer.
 - f. Past President.
 - 2. Powers and Duties
 - a. Meet at least monthly, and when called together by the President.
 - b. Vote to forward or not forward Association grievances.
 - c. Set up and discuss agenda for Board of Directors' Meeting.
 - d. Appoint an Auditor in June who will examine the Treasurer's records and report to the Executive Committee prior to the first meeting of the school year. The Executive Committee will then report to the Board of Directors.
 - 3. All officers and the BEAM Editor shall be given a remuneration to be determined by the Board of Directors when approving the annual budget. Said remuneration to be paid during the school year of his/her office.
- B. President - Powers and Duties
 - 1. Preside at all meetings of the Association, Board of Directors, and Executive Committee.
 - 2. Appoint, subject to the approval of the Board of Directors, ail committees with the exception of the Professional Rights and Responsibilities Committee, and be a nonvoting member of all committees except the Nominating and Elections Committee.
 - 3. Call special meetings of the Association.
 - 4. Call an annual meeting in the spring and prepare an annual report for the Association.
 - 5. Appoint delegates to represent the Association at meetings of the Massachusetts Teachers Association, the National Education Association, and any other meetings of duly constituted associations except delegations to the Annual Meeting of the MTA and the Convention of the NEA.
 - 6. File grievances on behalf of the Association and enforce its contract with the School Committee.

7. Prepare an annual budget in conjunction with the Executive Committee.
 8. Supervise all affairs of the Association.
 9. Manage the Association office.
 10. Serve as official spokesperson for the Association.
- C. Vice President - Powers and Duties
1. Assume the duties of the President upon his/her death, incapacity, resignation or absence.
 2. Serve as a member of the Negotiating Committee.
 3. Serve as a nonvoting, ex officio member of all committees except the Nominating and Elections Committee.
 4. Monitor or assign monitors to the meetings of the Braintree School Committee.
 5. Perform such duties as the President may delegate.
- D. Vice President for Public Relations - Powers and Duties
1. Publish, or cause to be published, a regular newsletter for the benefit of BEA members.
 2. Prepare press releases with the approval of the President.
 3. Keep an ongoing file on press and community relations materials.
 4. Plan and coordinate an ongoing Community Relations program.
- E. Vice President for Membership - Powers and Duties
1. Meet with and assist building directors and alternate directors in a continuous membership development program.
 2. Be responsible for distribution to and collection from directors the membership forms.
 3. Prepare a membership list for the Board of Directors.
 4. Maintain accurate membership records.
 5. Transmit all dues to the Treasurer as received.
 6. Supervise the admittance of members to General Meetings.
- F. Treasurer - Powers and Duties
1. Keep an accurate record of all receipts and disbursements.
 2. Pay by check all bills within the approved budget and other bills upon approval of the board of Directors.
 3. Retain properly filed vouchers for auditing.
 4. Collect dues.
 5. Deposit all funds of the Association to its credit in the name of the Association with such banking corporations as the Board of Directors shall approve, to be drawn only on checks signed in the name of the Association by the Treasurer and the President.
 6. Make dues payments to affiliates.
 7. Present, at the Annual Meeting, a general report of the financial condition of the Association during the current fiscal year.
 8. Provide a written financial statement for each director at the monthly Board meeting.
 9. The Treasurer shall be bonded.
- G. Past President - Powers and Duties
1. Perform such duties as the President may delegate.

ARTICLE VI: DIRECTORS AND ALTERNATES

- A. Term of office is one (1) year.
- B. Directors-Responsibilities
 1. Conduct, prior to the first Board Meeting of the school year, an election to select directors who will take office at the first Board meeting of the year.
 2. Attend each Board of Directors meeting and any special meetings called by the President.

3. Hold meetings in their own buildings to acquaint their members with the actions taken in the monthly Board meetings and of special meetings.
 4. Represent the members who elect them at meetings of the Board of Directors and in other Association matters.
 5. Solicit and collect Association dues and/or payroll deduction pledges for dues.
- C. Alternate Directors - Responsibilities
1. For each director, one alternate may be elected for a one year period.
 2. Alternates will have full voting powers in the absence of the Director.
 3. Assume the position of the director when the current director can no longer fulfill his/her obligations.
 4. Share with the director the responsibility for soliciting and collecting dues or payroll deduction pledges for dues.

ARTICLE VII: BOARD OF DIRECTORS

A. Composition

1. Unit A, Elementary Teachers - one director for each twenty teachers or fraction thereof in each school building (elected by and from those teachers). Unit A, Middle School and High School Teachers - one director for each twelve teachers or fraction thereof in each school building (elected by and from those teachers).
2. Unit B, Administrators - one director for each twenty administrators or fraction thereof (elected by and from the administrators).
3. Unit C, Nurses - one director for each twenty nurses or fraction thereof (elected by and from member nurses).
4. Unit D, Secretaries - one director for each twenty secretaries or fraction thereof (elected by and from member secretaries).
5. Unit E, Paraeducators, - one director for each twenty paraprofessionals or fraction thereof (elected by and from the paraeducator unit).
6. Unit F, Chapter I teachers - one director for each twenty Chapter I teachers or fraction thereof (elected by and from the Chapter I teachers).
7. Units G & H-one director to represent both units (elected by and from the Physical Therapists and Physical Therapists Assistants and the Occupational Therapists and Occupational Therapists Assistants).
8. President, Vice President, Vice President for Public Relations, Vice President for Membership, Treasurer, Past President and Chairperson of P. R. &R.

B. Powers and Duties

1. Upon the Board of Directors shall rest the duties, responsibilities, and final authority for the conduct of the Association in all matters except as stated otherwise in these Bylaws.
2. The Board at any time may refer any matter to the entire membership for general consideration with the Board recommending the manner of voting therein.
3. Direct the expenditure of such funds as may be required to carry on the work of the Association.
4. Meet monthly September through June or at any special meeting called by the President for the purpose of conducting the business of the Association.
5. Act upon matters which are to be presented at the scheduled General Meetings of the Association or any special meeting called by the President.
6. Fill vacancies in offices which may arise between the annual meetings with the exception of President, Vice President or Director.

7. Recommend or not recommend ratification of negotiated agreement.
8. Teacher Directors shall be responsible for the dissemination of all notices to all members in their buildings.
9. Board of Directors by two-thirds (2/3) vote may provide for a special assessment of the membership.

ARTICLE VIII: SECRETARY

- A. Term of employment is one (1) year.
- B. Secretary shall be appointed by the Board of Directors and this shall be the only official position held by said individual, who shall serve under the direction of the President
- C. Powers, duties, and remuneration will be at the discretion of the Board of Directors.
- D. The position, with its duties and remuneration, will be posted in each school when a vacancy occurs.

ARTICLE IX: COMMITTEES

- A. Committee Membership
 1. Selection - Article V,B,2, President - Powers and Duties
 2. Membership in the Association is required in order to serve on any committee of the association.
 3. All committees except the Public Relations Committee shall elect its own Chairperson.
 4. Each committee chairperson shall keep the Secretary and the President informed of that committee's proceedings.
- B. Negotiating Committee
 1. Committee members must have been an Association member for at least two (2) consecutive years prior to beginning service on the Negotiating Committee.
 2. Composition-thirteen (13) members
 - a. The Vice President - he/she will diminish by one (1) his/her Unit representation on the Negotiating Committee.
 - b. From Unit A: seven (7) members. The President shall invite all Unit A members to indicate their interest in serving and strive to appoint at least one member from each of the three instructional levels, (Elementary, Middle, High School).
 - c. One member each elected by and from Units B, C, D, E, F, G and H (combined).
 3. Term of Office - The term of office shall be from the time of appointment or election until the ratification of the contract.
 4. Powers and Duties
 - a. Be the official negotiating agent for all Units of the Association.
 - b. Be directly responsible to the Board of Directors.
 - c. After soliciting suggestions and recommendations from the entire Unit A membership, the six Negotiating Committee members representing Unit A will develop the asking package for Unit A.
 - d. Units B, C, D, E, F, G & H shall develop their initial asking packages and present them to the entire Negotiating Committee no later than October 1 of the final year of the contract.
 - e. After the total initial asking package is developed, the Negotiating Committee will present it to the Board of Directors for discussion, possible alteration, and approval.
 - f. During negotiations, the Negotiating Committee shall notify the Board of Directors if it

feels an impasse exists between the BEA and the School Committee, or its agent. If this occurs, said impasse will be turned over to the State Labor Relations Board to initiate mediation

5. Chairperson, Negotiation Committee

- a. Selection - The Chairperson shall be elected by and from the members of the negotiating Committee.
- b. The duties of the Chairperson shall continue until the formation of the next Negotiating Committee and the election of that Committee's Chairperson.
- c. Powers and Duties:
 - (1) Chair the Negotiating Committee and assume responsibility for the function of that committee.
 - (2) Attend the Board of Directors meetings to effect exchanges of information.
 - (3) Communicate to the BEA membership throughout negotiations as authorized by the Negotiating Committee.
 - (4) Arrange for the taking and preserving of official notes of all meetings and negotiating sessions.
 - (5) Serve on any and all Impact Bargaining Teams formed during the term of the contract.
- d. The Chairperson of the Negotiating Committee shall be given a remuneration to be determined by the Board of Directors when approving the Annual Budget. Said remuneration to be paid during the school year(s) of his/her term of service.

C. Professional Rights and Responsibilities Committee

1. Composition twelve (12) members
 - a. Two Unit A members each from (one elected each year for a two year overlapping term): High School, Middle Schools (one from each school whenever possible), Elementary Schools (elected by the combined elementary schools).
 - b. One member elected by and from Unit C Nurses, Unit D Secretaries, Unit E Paraprofessionals, Unit F Chapter I teachers and one member from Units G and H(Physical Therapists and Occupational Therapists and Physical Therapists Assistants and Occupational Therapists Assistants) combined
 - c. One member and alternate from Unit B - Administration. (Alternate to function if Unit B representative has a conflict of interest)
2. Powers and Duties
 - a. Discuss and recommend action on subjects of concern to the educational system.
 - b. Handle all problems of a professional or ethical nature or problems relating to working conditions in the performance of duty subject to the contract.
 - c. Copies of all grievances will be sent to committee members in a timely fashion by the Chair or Secretary of P R & R.
 - d. Committee will hold meetings in September, January/February, and May.
 - e. Committee meetings will also be called as needed to discuss pending grievances and/or arbitrations.
 - f. Call a special meeting upon the request of any member of the Committee or the President.
 - g. Process all grievances in accordance with the current collective bargaining contract.

D. Increment Committee

1. Composition, Three (3) - One member each from elementary level, secondary level, Association

at large.

2. Term of office shall be three (3) years on a rotating basis.

3. Powers and Duties

- a. Meet with the Superintendent and a representative of the School Committee.
- b. Follow the rules and regulations as promulgated by the School Committee.
- c. Advise and counsel members in all matters related to Increment approval.
- d. Monitor all actions of the Increment Committee and report to the Board of Directors on a regular basis.

E. Nominating and Elections Committee

1. Composition, ten (10) members

- a. Two Unit A elementary teachers.
- b. Two Unit A secondary teachers.
- c. One each from Unit B, C, D, E, F, G and H (combined).

2. Term of office is one (1) year.

3. Powers and Duties

- a. Prepare a list of officers for the coming year to be acted upon at the Annual Meeting.
- b. This will not prohibit members at the Annual Meeting from nominating candidates other than those advanced by the Nominating and Elections Committee for election to any or all offices.
- c. Prepare, distribute, collect, and tabulate ballots of interested candidates for the NEA/ MTA delegations.

F. Political Action Committee

1. Composition shall be three (3) members.

2. Term of office shall be three (3) years on a rotating basis.

3. Powers and Duties

- a. Maintain a liaison with the MTA and NEA Legislative Committee.
- b. Maintain an up-to-date file on all current legislation affecting educators.
- c. Distribute all pertinent legislative information as received from the BEA and its affiliates to Association members.
- d. Meet as often as the workload necessitates.
- e. Consider legislative requests from Association members.

G. Scholarship Committee

1. Composition shall be three (3) members from the secondary level.

2. Term of office shall be three (3) years on a rotating basis.

3. Powers and Duties

- a. Raise funds for Scholarships.
- b. Award the Braintree Education Association's scholarships in accordance with the policy of the Board of Directors.

H. Public Relations Committee

1. Committee shall include at least one (1) member from each level: elementary, junior high, and senior high, to any number the President deems necessary. The Vice President of Public Relations shall be chairperson.

2. Term of office shall be one (1) year.

3. Powers and Duties

- a. Promote better public relations for the BEA.
- b. Provide educational enrichment opportunities.

I. Sick Bank Committee

1. Committee shall include two (2) members.

2. Powers and Duties; Meet with two members appointed from the School Committee to consider and make recommendations to the Superintendent on requests for Sick Bank withdrawals according to Contract Article XXXI (Sick Leave Bank).

ARTICLE X: RECALL PROCEDURE

- A. A petition signed by twenty-five (25) per cent of the membership will order the Nominating and Elections Committee to poll the membership by secret ballot allowing for a yes or no vote on recalling an elected official of the BEA. Recall is effective if two-thirds (2/3) of the total vote is affirmative. Established procedures for filling vacant offices will then take effect.

ARTICLE XI: MEETINGS

- A. An Annual Meeting of all members shall be held in the spring of each school year.
- B. Special General Meetings shall be held at the discretion of the following:
 1. The President.
 2. The Board of Directors.
 3. The signed request of ten (10) per cent of the membership.
- C. Meetings of the Board of Directors shall be held as stated under Article VII.
- D. Meeting Agenda (unless changed by a majority of those present)
 1. Opening remarks by the President and communications.
 2. Report of the Secretary.
 3. Report of the Treasurer.
 4. Committee reports.
 5. Unfinished business.
 6. New business.
- E. Rules of Order: Roberts' Rules of Order as amended shall be the authority on all questions of procedure not specifically stated in these Bylaws when not inconsistent with these Bylaws.

ARTICLE XII: QUORUMS

- A. Annual and General Meetings - Fifteen (15) percent of the total membership.
- B. Board of Directors Meetings - a majority of the Board.
- C. Committee Meetings - a majority of the members of the Committee.

ARTICLE XIII: AMENDMENTS

- A. Amendments to these Bylaws may be introduced by any member at any scheduled meeting of the Board of Directors.
- B. The Board of Directors shall act upon the proposed amendment no later than two Board of Directors' Meetings after the amendment is initially proposed.
- C. A copy of the proposed amendment with the Board's recommendations shall be sent to each Association member at least five (5) days prior to the next General Meeting.
- D. At such meeting the amendment shall be submitted to a vote requiring a two-thirds (2/3) vote of those members present to adopt the proposed amendment.