

Penfield Education Association Constitution

revised 2007
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Article I - Name

The name of the organization shall be the Penfield Education Association (PEA).

Article II - Purpose

The purpose of this Association shall be to:

- A. act as the bargaining agent and uphold the contract for its members.
- B. promote the interest of public education and its students,
- C. advance the standards of the teaching profession,
- D. promote the welfare of the members,
- E. promote the programs of NYSUT, NEA and AFT and its affiliates.

Article III - Membership

Section 1 - Active

All dues-paying professional staff of Penfield Central School for whom the PEA negotiates.

Section 2 –Associate

Members who have retired from Penfield Central School will be eligible for associate membership. Associate members will have full membership privileges with the exceptions of a vote on the successor contract, voting for officers, or holding office in PEA.

Section 3 – The Association will show no discrimination towards individuals on the basis of sex, creed, color, race, national origin, political activities, and beliefs, or sexual orientation.

Article IV - Governance

Section 1 - Officers

There shall be a president, vice-president, secretary and treasurer elected by the active members and with duties as outlined in the by-laws.

Section 2 - Executive Committee

There shall be an Executive Committee consisting of the officers, the building representatives, the Chairperson of the Professional Advancement and Research Committee (PARC), the Broadside editor, and a past president of the PEA who remains an Active member. This committee will function as the governing body of the Association. Part time members may not serve on the Executive Committee.

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Article V - General Membership Meetings

There shall be a minimum of one general meeting each school year. Special meetings may be called at any time by a majority vote of the Executive Committee.

Article VI - Constitutional Amendments

Any portion of the Constitution may be amended, suspended or repealed at any general meeting by a majority vote of those members attending. A copy of any proposed Constitutional change must be communicated to the membership one week prior to the vote.

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BY-LAWS

Article I - Rules of Order

Robert's Rules of Order, as revised, shall govern all procedural questions arising at meetings of the Executive Committee and in the General Meeting, except where superseded by the Constitution and Bylaws of PEA.

Article II – Officers' Responsibilities

Section 1 - The president shall:

- a. preside at all meetings of the Association and the Executive Committee,
- b. In consultation with the Executive Committee, the president will plan any priorities or initiatives to be undertaken by PEA each year.
- c. have the power to create standing committees as the need arises,
- d. act as spokesperson for the Association,
- e. appoint building representatives and alternates to the Executive Committee if they have not been elected by their respective school's PEA members by September 15, have the authority to modify the stipulated duties of any officers as the situation warrants. This action must have the majority consent of the Executive Committee.
- g. notify committee members of their appointments.

Section 2 - The vice-president shall:

- a. serve in the temporary absence of the president,
- b. serve as the chairperson on all grievances,
- c. serve as a member of the Professional Advancement and Research Committee,
- d. aid the president in carrying out any duties the president feels necessary with the approval of the Executive Committee,
- e. coordinate local political action, including the annual VOTE/COPE drive.

Section 3 - The secretary shall:

- a. notify membership of general meeting,
- b. notify Executive Committee of all meetings,
- c. develop and maintain PEA files,
- d. carry on PEA correspondence as designated by president, vice-president, treasurer, and Executive Committee,
- e. keep minutes of all general and Executive Committee meetings,
- f. transfer all records of the Association to the newly installed secretary by July 1,
- g. notify NYSUT of new officers,
- h. serve in the temporary absence of the treasurer.

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Section 4 - The treasurer shall:

- a. oversee the fiscal year which will run from July 1 to June 30,
- b. be responsible for collection of all funds associated with PEA activities (i.e., membership dues, scholarship activities, etc.), except for Vote-Cope,
- c. pay all bills incurred by the Association,
 1. amounts over \$100 shall require the approval of the Executive Committee
 2. Officers stipends shall be paid on a quarterly basis; other stipends will be paid on half year basis at the direction of the president
- d. keep all financial records of the Association,
- e. give financial reports at each general and Executive Committee meeting unless the report is waived by the president,
- f. maintain membership records with NYSUT,
- g. prepare and present to the Executive Committee for their review and approval a budget proposal for the following fiscal year,
- h. present the Executive Committee approved budget to the general membership for approval at the general meeting,
- i. prepare a financial summary for the membership (and the IRS, if requested) at the close of the fiscal year,
- j. prepare and organize financial records for an annual audit by a CPA as required,
- k. transfer all financial records of the Association to the newly elected treasurer upon completion of the term of office (usually June 30),
- l. coordinate membership recruitment and membership services.

Article II - Executive Committee

Section 1

Each elementary school will have two representatives, the middle school will have three representatives, and the senior high will have four representatives. If the Executive Committee should vote a change in representation, changes shall be reflected in the budget and shall commence at the beginning of the new school year.

Section 2

The PEA representatives shall be elected by the PEA membership in each building by September 15. If this is not accomplished by this date, the president shall appoint said representative(s) by October 1. The term shall be for two years, with half to be elected each year. PEA members who work in more than one building may vote for PEA representatives and officers only from their home school. Home school is defined by the district. Nurses may vote only for the nurse representative.

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Section 3 - Duties of PEA Representation

PEA Representatives shall:

- a. be responsible for recruitment of members in their buildings and to forward accurate membership listings to the treasurer,
- b. serve on the Executive Committee,
- c. assess and act as advocates on the Executive Committee for the needs of their buildings,
- d. serve as primary sources of contractual information and interpretation for the members in their buildings,
- e. supervise elections as outlined in the by-laws.

Section 4 -- Duties of the Executive Committee

The Executive Committee, as defined in Article 2 Section 1, shall have full authority to conduct necessary business from the end of the school year in June until the beginning of the school year in September.

Article III - Standing Committees

Section 1 - Committees

- a. There shall be the following standing committees:
Scholarship
Nominations
- b. These committees will meet as appropriate to conduct the business for which they are responsible.
- c. The chairperson of these committees will report monthly to the Executive Committee unless the president deems it unnecessary.

Section 2 - Professional Advancement and Research Committee

The Professional Advancement and Research Committee (PARC) shall work for and seek the professional improvement of the members of the bargaining unit.

a. Membership

The committee shall consist of at least one tenured PEA member from each building. The nurses shall have one at large member. Non-tenured members may serve if approved by the president of PEA. Part-time members may not serve on PARC. Membership shall be for a two-year period with each school's PEA membership selecting representation every other year by September 15. The vice-president of the PEA shall also be a member of the committee. The chairperson shall be elected by the membership of the committee.

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b. Duties

1. Evaluation and preparation of the PEA Contract. In a non-negotiating year, specific areas for the committee to study may be assigned by the Executive Committee.
2. The negotiating team will consist of:
 - the president of PEA,
 - the chairperson of PARC,
 - past-president of PEA who remains an Active member,
 - the vice-president of PEA,
 - up to three representative from PARC,
 - up to two appointees of the president.

c. Duties of the chairperson:

1. Plan the timeline for preparation and development of the platform for negotiations,
2. call the first meeting by October 15. The past chairperson will call the first meeting in the year he/she is to retire by October 15.
3. Serve on the negotiations team,
4. Assign up to three (3) member of PARC for the negotiation team,
5. Report to the Executive Committee each month.

Section 4 - Scholarship Committee

a. Membership

One member from each building shall be elected by the members of the negotiating unit by September 15. Failure to do so will cause the president to appoint a member to this committee.

- b. Members of this committee shall serve a one year term. The members of this committee shall elect their chairperson at their first meeting after September 15, but prior to November 1.

c. Duties

1. Produce and promote at least one fund-raising campaign each school year for said purpose of supporting the PEA Scholarship Fund.
2. Screen and select possible recipients for PEA scholarships. Present these names to the Executive Committee with recommendations. After approval of the Executive Committee, the chairperson will inform candidates and the public of their choices.

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Section 5 - Nominations Committee

a. Membership

The committee shall consist of one member from each building elected by that building's members by September 15 for a term of two years.

b. The chairperson of this committee will be appointed by the president at their first meeting.

c. Duties

1. This committee shall handle all PEA elections for officers, obtain and distribute petitions, and verify all candidates,
2. All candidates for office must submit a petition to the chairperson of this committee. The petition must contain the signatures of 15 PEA members to be valid. This committee is responsible to see that all ballots are properly made and distributed.
3. The committee chairperson shall report to the Executive Committee as appropriate.
4. This committee shall distribute all information on candidates to each PEA member.
5. This committee shall handle the Representative Assembly election for a term of 3 years with the help of the officers.
6. This committee shall handle the AFT election for a term of 2 years with the help of the officers.
7. This committee shall facilitate New York State Teachers' Retirement System election for a term of 2 years with the District Office.

Where the constitution provides for election of committee members, the election procedure shall be:

In each school, the building representatives and/or nominations persons shall conduct nominations and elections. The elections shall be by secret ballot. The building representative is responsible to appoint tellers and helpers for this function. All standing committee persons must be elected by September 15 for each year. One nominee for each position is satisfactory.

Article V - Nominations and Elections

The president, vice-president, treasurer, and the secretary shall be elected by secret ballot from the slate prepared by the nominating committee for a term of two years.

a. Notice of election and sample ballots containing names of the nominees for offices shall be printed and distributed to the buildings one week prior to the election.

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The election shall be conducted in each building during the month of May on a day specified by the Nominations Committee.

- b. Officers shall assume office on July 1 and leave office on June 30.
- c. Delegates to the Representative Assembly will be elected by the by the procedures outlined above for officers of PEA.
- d. The nomination committee of PEA may facilitate the elections to the New York State Teachers' Retirement System meeting with the help of the District Office.
- e. Delegates to the New York State Teachers' Retirement System meeting will be elected by the procedures as outlined by NYSTRS. The election for delegates to the New York State Teachers' Retirement System meeting shall be conducted on a separate and secret ballot.

Article VI - Vacancies

In the event the president resigns his/her position, it will automatically be filled by the vice-president. An election shall be held one month later to fill the vacancy of the vice-president. This election will be handled by the Executive Committee.

If both the president and the vice-president resign, an election will be held within one month. The remaining members of the Executive Committee will appoint an acting president until the election is completed.

- a. The above elections shall follow the procedures as outlined for any general election. The only exception shall be that the emergency elections shall be supervised by the Executive Committee.
- b. Any other officers who resign shall have positions filled by a president's appointee with the approval of a majority vote of the Executive Committee.
- c. If the resignation of any officer takes place between June 15 and September 15, the officers and committee chair people charged with vacation control of the organization shall appoint an interim officer. An election by the complete membership shall be held during the first month school is back in full operation to resolve the situation.

Article VII - Quorum

Ten percent of the active membership shall constitute a quorum. Quorum for the Executive Committee shall be eleven members.

Article VIII - Finances/Dues

Dues shall be set by the Executive Committee. Notice of the next year's dues shall be printed in the Broadside prior to the annual meeting and voted on at said meeting by the active membership.

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The general membership may be assessed any additional charges necessary for the solvency of the organization with the approval of the Executive Committee.

All officers shall receive a stipend for their services. The amount and schedule of payments will be decided by the Executive Committee.

Article IX - Approval of Contract

Approval of the contract negotiated with the Superintendent of Schools will require a simple majority vote of the full active membership present at the ratification meeting. This vote must be by secret ballot.

Article X - Amendments

A by-law may be amended, suspended, or repealed at any meeting of the full membership by a majority vote of the active members present.

Article XI - Emergency Powers

Any circumstances, situations, conditions, or decisions required but not specifically outlined herein shall be resolved by majority vote of the Executive Committee.