

DC BOCES Faculty Association
Constitution & By-Laws

DC BOCES Faculty Association (DC BFA) Constitution & By-Laws

Constitution.....Page 3

A body of fundamental principles or established precedents according to which a state or other organization is acknowledged to be governed.

By-Laws.....Page 5

A rule made by a company or society to control the actions of its members.

Appendices:

A. (Policies & Procedures)Page 16

B. (Stipends).....Page 17

C. (Zones).....Page 18

D. (Finance Committee Guidelines).....Page 19

Dutchess County BOCES BFA Constitution

Article I. ASSOCIATION NAME

Section 1.01 NAME

- (a) The name of the association shall be known as the Dutchess County Board of Cooperative Educational Services Faculty Association.

Article II. PURPOSE OF ASSOCIATION

Section 2.01 PURPOSE

- (a) To work for the welfare of schoolchildren, the advancement of education, and the improvement of instructional opportunities for all.
- (b) To develop and promote the adoption of such ethical practices, safety standards, personnel policies and standards of preparation and participation as mark a profession.
- (c) To unify and strengthen the BOCES employees and to secure and maintain the salaries, retirement, tenure, sick leave, professional rights, and other working conditions necessary to support teaching as a profession through collective bargaining.
- (d) To enable members to speak with a common voice, and to present their individual and common interests before the Board of Education and other legal authorities.
- (e) To hold property and funds and to employ staff for the attainment of these purposes.

Article III. ASSOCIATION MEMBERSHIP

Section 3.01 MEMBERSHIP

- (a) Membership shall be open to all Dutchess County BOCES staff members, as defined in the DC BFA contract and excluding all administrators, supervisors, others with supervisory duties and per-diem personnel.
- (b) Retired bargaining members may have membership in the BOCES Faculty Association upon payment of membership dues.
 - (i) Dues for retired members will be reduced to a nominal amount to be set by the treasurer yearly in order to encourage retiree participation. Dues cannot be less than the minimum amount required to cover the state and national retiree

membership dues requirements.

- (c) Membership in the Dutchess County BOCES Faculty Association includes membership in the New York State United Teachers, the American Federation of Teachers, and the National Education Association.
- (d) Membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- (e) Membership shall commence at the close of the first general meeting of the school year and extend through the close of the first general meeting of the succeeding school year.

Section 3.02 REVOCATION OF MEMBERSHIP

- (a) Any member of this Association forfeits their rights as a member and shall be removed from the membership list if they fail to pay assessments levied by the executive committee. The person may be reinstated as a member in good standing upon payment of assessments. The privilege of membership in successive years shall be denied if any assessment is not paid in full.

Section 3.03 RIGHTS AND PRIVILEGES OF MEMBERS

- (a) All bona fide members of the Unified Associations shall have the rights and privileges of attending and participating in all meetings of the general membership. They shall have the right to vote and be eligible to hold office and serve on committees. To hold executive office, a member must have served a minimum of two (2) years on the executive committee within five (5) years of the date of election.

Article IV. OFFICERS OF THE ASSOCIATION

Section 4.01 OFFICERS

- (a) The officers of the Association shall consist of a President, Vice-President, Recording Secretary, Corresponding Secretary, Communication Liaison, and a Treasurer. All officers shall be members of the Dutchess County Board of Cooperative Educational Services Faculty Association and current employees of Dutchess County BOCES.
- (b) Retirees (who are paid members) may act in an officer position in the event that no active member is interested in the position available.

Section 4.02 EXECUTIVE COMMITTEE

- (a) The executive committee shall consist of all of the officers and the zone representatives.

Dutchess County BOCES BFA By-Laws

Article I. MEETINGS OF THE ASSOCIATION

Section 1.01 Meetings

- (a) The Association shall meet at least two (2) times a year. The meetings shall occur at the beginning and close of the school year. The first meeting will be in September or October. There will be a meeting in May or June, which will be referred to as the annual meeting. The president or the executive committee may schedule additional meetings.
- (b) The executive committee shall meet prior to all Association meetings and as frequently as the president or any three (3) members of the executive committee feel necessary. These meetings shall be closed meetings unless otherwise specified. In the event that the duly elected representative is unable to attend, he or she may delegate for that meeting a representative from his or her area who will attend the meeting, participate in discussion, but not vote.
- (c) All meetings involving negotiating matters shall not be attended by the administrative staff or others who are not represented by the Association's negotiating team.
- (d) The membership shall be notified in writing or electronically of Association meetings at least two weeks (14 days) in advance of the meetings unless it is otherwise specified by these by-laws.
- (e) The schedule of BOCES staff located in component schools shall be considered in setting the time for Association meetings.

Article II. ARTICLE II— MEETING QUORUMS

Section 2.01 QUORUM

- (a) A majority of the executive committee shall constitute a quorum of that committee.
- (b) Ten (10) percent of the paid general membership shall constitute a quorum of the Association.

Article III. ARTICLE III - DUTIES OF OFFICERS

Section 3.01 DUTIES OF THE PRESIDENT

- (a) The president shall preside over the meetings of the executive committee and the Association, shall appoint chairpersons of all standing and special committees, except as otherwise provided for in these by-laws, and shall be an ex-officio member of all committees except the nominating committee.

- (b) The president shall be the executive officer of the Association.
- (c) The president shall be a member of the negotiations committee and the negotiations team.
- (d) The president shall be responsible for establishing zoning areas of representation of the BOCES Faculty Association.
- (e) The president shall appoint a parliamentarian. Together with the parliamentarian, the president is responsible for a working knowledge of the by-laws so that they will be upheld.

Section 3.02 DUTIES OF THE VICE-PRESIDENT

- (a) The vice-president of the Association shall assume the duties of the presidency in cases of absence, resignation, or death of the president and perform all functions usually attributed to the office.
- (b) The vice-president shall serve as program chairperson, membership chairperson, and be a member of the negotiations committee.

Section 3.03 DUTIES OF THE RECORDING SECRETARY

- (a) The recording secretary shall keep accurate minutes of all Association meetings and executive committee meetings, and shall distribute copies of such minutes to the executive committee within two weeks of the date of such meeting.

Section 3.04 DUTIES OF THE CORRESPONDING SECRETARY

- (a) The corresponding secretary shall assist the president with Association correspondence and distribute copies of all minutes of the Association.
- (b) The corresponding secretary shall serve as the communications chairperson.
- (c) The corresponding secretary shall inform the district superintendent's office of the names of the new Association officers.
- (d) The corresponding secretary shall post any monthly and annual minutes with assistance from the communication liaison on the BFA website.
- (e) The corresponding secretary shall post executive committee minutes for any meeting where executive officers are named.

Section 3.05 DUTIES OF THE TREASURER

- (a) The treasurer shall hold funds for the Association and disburse them upon authorization by the executive committee.
- (b) The treasurer shall bill members for their annual dues and collect them through the

Dutchess County BOCES BFA By-Laws

membership committee member in each building.

- (c) The treasurer shall be responsible for forwarding dues to the collecting agencies of NYSUT and the National Education Association.
- (d) The treasurer shall be the chairperson of the financial committee.
- (e) The treasurer shall keep accurate accounts of receipts and disbursements.
- (f) The treasurer shall report to the executive committee and the Association.
- (g) The treasurer shall keep the president and the executive committee informed of the financial condition of the Association with a monthly treasurer report.
- (h) The treasurer shall be responsible for the drafting of an annual budget and levying dues in accordance with the projected budget.
- (i) An annual treasurer's report will be provided to the membership at the fall membership meeting.

Section 3.06 Duties of the Communication Liaison

- (a) The communication liaison shall take care of all aspects of the Associations website.
- (b) The communication liaison shall work with the corresponding secretary in keeping the website up to date.
- (c) The communication liaison shall work with the recording secretary in keeping the website up to date.
- (d) The communication liaison shall be a member of the communication committee.
- (e) Due to the technical knowledge requirements of this position, this position shall be appointed by the president.

Section 3.07 Stipends for Officers

- (a) Stipends shall be distributed once annually at the end of May.
- (b) Stipends will be re-evaluated by the treasurer, finance committee and executive committee every three (3) years in conjunction with the general election and can be changed by a majority vote of the executive committee.
- (c) Stipends may be re-evaluated at other times should the financial stability of the Association come into question where a reduction in stipend amounts may be necessary.

Section 3.08 Terms and Succession

- (a) All Officers shall serve a three-year term, with a consecutive three-term limit.
- (b) A vacancy; in an office, shall be filled by appointment by the president with the approval of the executive committee, unless provided for in these by-laws.
- (c) Any officer or agent elected or appointed by the membership or executive committee may be removed, either with or without cause, by the executive board with a 2/3 majority vote whenever in its judgement the best interests of the DC BFA will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

Article IV. **ARTICLE IV— POWER OF THE EXECUTIVE COMMITTEE**

Section 4.01 PURPOSE

- (a) The executive committee shall be responsible for the management of the Association, carry out policies established by the Association, and suggest policies for the consideration of the Association.

Section 4.02 RESPONSIBILITIES

- (a) The Executive Committee shall approve all expenditures prior to commitment of any funds belonging to the Association.
- (b) Funds which have been approved in the annual budget for routine expenses may be expended as needed by the treasurer.
- (c) Any expenditure outside the approved budget over the amount of \$500 must be voted on and passed by a majority vote of the executive committee.
- (d) The treasurer shall present the projected budget and levying of dues for the approval of the executive committee.
- (e) The executive committee shall present the projected budget and levying of dues for the approval of the membership at the first general meeting of the school year.
- (f) The executive committee shall levy any necessary assessments.
- (g) The executive committee shall be informed at each step of all grievances in process by an aggrieved individual or group of individuals.
- (h) The executive committee may, on behalf of the Association, submit grievances for binding arbitration.

Article V. **ARTICLE V— BUILDING REPRESENTATIVES**

Section 5.01 NUMBER AND SELECTION

Dutchess County BOCES BFA By-Laws

- (a) There shall be one (1) zone representative for every ten (10) bargaining unit persons in any BOCES location. There shall be one additional representative for seven or more zone unit persons over the basic ratio in those locations. Any special or shared bargaining unit persons who work more than half of their time in any location will be included in the total number for that area. Individual bargaining unit persons in outlying school districts (itinerant or in-district) shall also be represented by a zone unit representative using the same ratio.
- (b) The zone representatives will also be the official members of the communications and the membership committees.
- (c) The zone representative must be a member of the BOCES Faculty Association.
- (d) The president will notify the zone representatives from the previous year (or another member of the Association in each area) to call a meeting of all members, or otherwise provide for an election by all members in that area, for the purpose of electing a representative by the end of September.

Article VI. ARTICLE VI— COMMITTEES

Section 6.01 STANDING COMMITTEES

- (a) The standing committees shall be as follows: negotiations, program, communications, nominations & elections, membership, auditing, grievance, finance, and contractual joint.

Section 6.02 NEGOTIATIONS COMMITTEE

- (a) The negotiations committee will be responsible for the preparation of the negotiations package.
- (b) The negotiating committee shall include up to four representatives from each zone to be elected by the zone members, plus the President & Vice-President of the Association.
- (c) The committee must meet within two (2) weeks following the first general meeting of the school year in the year that the contract ends.
- (d) The representative whose name appears earliest in the alphabet will be the acting chairperson of the negotiating committee and will call the meeting until an elected chair is voted in by a majority vote of the negotiating committee.
- (e) The negotiations committee meetings will be closed meetings unless otherwise specified.
- (f) The negotiations committee will specify as to who may be present during

negotiations sessions.

- (g) The chairperson will conduct all meetings of the committee and will be a member of the negotiating team.
- (h) The negotiating team shall consist of the president of the DC BFA, the chair of the negotiating team plus five (5) other negotiating team members - one (1) from Technical Education (CTI), one (1) from Special Education (SPC), one (1) from Educational Support Personnel (SRP's), one (1) from Related Services and one (1) from the Alternative High School (Beta). These team members will be elected by the negotiations committee. In the event that one representative from each area above cannot be elected, the remaining vacancies shall be elected from within the committee.
- (i) A secretary shall be elected from within the committee and will accompany the negotiating team to negotiations meetings for the purpose of recording minutes.
 - (i) The secretary shall NOT be a member of the negotiating team and will NOT have voting privileges.
 - (ii) Minutes must be prepared and distributed before the next meeting of the negotiating team.
- (j) The negotiations team will present the package to the Board. When it is accepted, the membership will be notified. Within five days, the negotiating team will set a meeting date and time for the general membership to act upon it. At that time, the negotiating team will present the package informally. Approval of the package will be by a majority of the paid membership present.
- (k) New sections of the contract shall be distributed electronically or by hard copy when asked for or required, to the entire membership at least three (3) weeks prior to the date of a meeting called for formal ratification.
- (l) The chairperson of the negotiations committee will be a non-voting ex-officio member of the executive committee if not already a member of the executive committee during the duration of the negotiation period.

Section 6.03 PROGRAM COMMITTEE

- (a) The program committee will arrange programs for meetings unless they are otherwise designated. It will also act as a social events committee.

Section 6.04 COMMUNICATIONS COMMITTEE

- (a) The communications committee will distribute all communications to the membership including a newsletter from the communications chairperson (corresponding secretary).

Dutchess County BOCES BFA By-Laws

Section 6.05 NOMINATIONS & ELECTIONS COMMITTEE

- (a) The nominations committee will prepare a slate of officers for presentation at the annual meeting. The chairperson of the nominations committee will conduct the elections.
- (b) The elections committee is made up of all of the zone representatives.
- (c) The elections committee shall be responsible for running all Association elections.

Section 6.06 MEMBERSHIP COMMITTEE

- (a) The membership committee will solicit membership and turn over applications and fees to the chairperson of the committee.
- (b) The membership committee shall be responsible for the orientation of new faculty members to the general information concerning BOCES, the BOCES Faculty Association, and other professional organizations.

Section 6.07 AUDITING COMMITTEE

- (a) The auditing committee shall audit the Association's (treasurer's) books on a yearly basis and must follow the AFT guidelines.

Section 6.08 GRIEVANCE COMMITTEE

- (a) The grievance committee will operate under the provisions of the Article concerning grievance procedures in the current contract.
- (b) The president of the BOCES Faculty Association shall appoint a chairperson of the grievance committee with the approval of the executive committee.
- (c) The grievance chairperson(s) must be a member of the executive committee as a building representative.
- (d) The grievance committee will consist of one grievance chair per zone.

Section 6.09 FINANCE COMMITTEE

- (a) The finance committee shall be responsible for working with the treasurer to oversee and establish guidelines for all financial matters. These guidelines shall follow the AFT guidelines.

Section 6.10 CONTRACTUAL JOINT COMMITTEES with DC BOCES

- (a) Members of the contractual joint committees shall be appointed by the president

with the approval of the executive committee.

- (b) It will be the responsibility of the BOCES Faculty Association joint committee members to report to the executive committee at the next meeting following a meeting of the joint committee and present any deliberations made by that committee.

Article VII. ARTICLE VII- DUES

Section 7.01 DUES

- (a) The executive committee shall establish Dutchess County BOCES Faculty Association dues based on the projected budget at the first general meeting of the school year, or upon approval of the projected budget.
 - (i) These dues shall be based on the recommendation of the financial committee.

Article VIII. ARTICLE VIII - NOMINATIONS AND ELECTIONS

Section 8.01 NOMINATIONS & ELECTIONS

- (a) Nominations
 - (i) The nominations & election committee shall consist of the zone representatives.
 - (ii) Candidates interested in running for office shall submit a petition to the nominations & election committee by the last Thursday in April.
 - (iii) In the petition, candidates must specify which office they are running for. The petition must also be signed by twenty (20) other BFA members.
 - (iv) Candidates for office must have served on the executive board for at least two (2) calendar years prior to running, and within the last five (5) years.
 - (v) The nominations & election committee shall present nominations for office at the annual meeting (which will be held in May or June) to facilitate election information.
 - (vi) Whenever possible, officers shall not be immediate family members or life partners.
- (b) ELECTIONS
 - (i) All association members are eligible to vote.
 - (ii) The chairperson of the nominations & election committee will present the

Dutchess County BOCES BFA By-Laws

candidates at the annual meeting.

- (iii) The date for the vote will be set at the annual meeting.
- (iv) Ballots will be cast at three physical sites; the Special Education building (SPC), the Tech Center (CTI) building, and the Alternative High School/BETA site. Members will also be offered the option of casting an absentee ballot.
- (v) Voting will take place for two (2) hours after the end of the school day for that building.
- (vi) Volunteers from the nominations & election committee will monitor ballot boxes and confirm the membership of each voter from current membership lists.
- (vii) If they have not chosen the absentee ballot option, each member who works at the Salt Point Center, Tech Center (CTI), or Alternative High School will cast ballots in their respective buildings.
- (viii) If they have not chosen the Absentee Ballot option, members who work at other sites may choose a voting site prior to the election.
- (ix) Absentee Ballots
 - 1) *Absentee ballots are applied for and cast ahead of the day of election.*
 - 2) *All members interested in an absentee ballot must fill out an absentee ballot application and return it to the chairperson of the election committee.*
 - 3) *Completed absentee ballots must be postmarked to the chairperson of the election committee no later than one week before the vote is to take place.*
 - 4) *Completed absentee ballots must be sent to the chairperson of the election committee through the United States Postal Service.*
 - 5) *Those who apply for, and are approved for an absentee ballot must vote using the absentee ballot. They cannot vote using a standard ballot at an approved voting site.*
 - 6) *Absentee ballots can only be used in the election of officers of the BOCES Faculty Association and in the election of delegates and alternates to NYSUT, NEA, and AFT.*
- (x) Ballot boxes will be taken to a central location and combined with the absentee

ballots. Ballots will be counted by the nominations & election committee.

- (xi) If a candidate is running unopposed, they will automatically be elected.
- (xii) All newly elected officers shall assume office July 1st following the election.

Section 8.02 ELECTION OF DELEGATES AND ALTERNATES TO NYSUT

- (a) Delegates and alternates shall be elected for a term of two (2) years to commence July 1st
- (b) Any member in good standing shall have the right to nominate candidates for the positions of delegates and alternates and to run for such offices.
- (c) Each member shall be notified in writing at least thirty (30) days prior to the election of the number of positions to be filled, the time and place for submission of nominations, and the time and place of the election.
- (d) Nominations will be closed fifteen (15) days after membership notification and elections will be held within fifteen (15) days after the close of nominations.
- (e) Elections shall be held by secret ballot for each vacant position.
- (f) Each member shall have the opportunity to cast one (1) vote for each delegate and one (1) vote for each alternate position to be filled.
- (g) In the event that the number of members running for positions is equal to the number of positions available, it will not be necessary to hold an election and the executive committee would vote to duly elect these members to such positions.

Section 8.03 ELECTION OF DELEGATES AND ALTERNATES TO NEA and AFT

- (a) Delegates and alternates shall be elected for a term of two (2) years to commence July 1st.
- (b) Any member in good standing shall have the right to nominate candidates for the positions of delegates and alternates and to run for such offices.
- (c) Each member shall be notified in writing at least thirty (30) days prior to the election of the number of positions to be filled, the time and place for submission of nominations, and the time and place of the election.
- (d) Nominations will be closed fifteen (15) days after membership notification and elections will be held within fifteen (15) days after the close of nominations.
- (e) Elections shall be held by secret ballot for each vacant position.
- (f) Each member shall have the opportunity to cast one (1) vote for each delegate and one (1) vote for each alternate position to be filled.

Dutchess County BOCES BFA By-Laws

- (g) In the event the number of members running for positions is equal to the number of positions available, it will not be necessary to hold an election and the executive committee would vote to duly elect these members to such positions.

Article IX. ARTICLE IX - AUTHORITY

Section 9.01 PARLIAMENTARY AUTHORITY

- (a) Robert's 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 executive committee may adopt.

Article X. ARTICLE X - AMENDMENTS

Section 10.01 AMENDMENTS TO CONSTITUTION OR BY-LAWS

- (a) Amendments to the constitution or the by-laws may be introduced by any active member of the Association at a regular or special meeting.
- (b) A written copy of the proposed amendment shall be distributed to the membership within two (2) weeks after the introduction.
- (c) An amendment may not be presented and voted upon at the same meeting.
- (d) Voting on the amendment shall take place not later than the next regular meeting following introduction.
- (e) Amendments shall become part of the constitution and by-Laws when approved by a majority vote of the members present and voting.

Appendices can be changed at any time with a majority vote of the Executive Board.

Appendix A

Policies & Procedures:

1. Negotiations:
 - a. The president of the union and the negotiating team chair shall not be from the same zone unless there are no other options available from within the team in order to maintain equity OR unless the chairperson acts as the representative from their zone, thereby reducing the number of people on the negotiating team by one.
2. General Policies & Procedures:
 - a. There must be a minimum of two union representatives at all meetings with administration.
 - b. Contractual Joint Committee(s)
 - i. APPR
 - ii. Sick Bank
 - iii. Professional Development

Dutchess County BOCES BFA By-Laws

Appendix B

Stipends:

As per the DC BOCES BFA By-Laws: *Art. III:H Stipends for Officers*

#1. Stipends shall be distributed once annually at the end of May.

#2 Stipends will be re-evaluated by the treasurer and executive committee every three (3) years in conjunction with the general election and can be changed by a majority vote of the executive committee.

#3 Stipends may be re-evaluated at other times should the financial stability of the Association become into question where a reduction in stipend amounts may be necessary.

President	\$4500
Vice President	\$1500
Communication Liaison	\$1500
Treasurer	\$1500
Corresponding Secretary	\$1500
Recording Secretary	\$1500
Grievance Chair(s)	\$1500
Building Representatives	\$200
Chairperson of a Committee	\$50

Unless the Chair is already an executive officer, then no additional stipend is to be received.

Stipend for the negotiating team:

1. In the budget there is a \$2000 per year line item for negotiations. This amount is to build up between contract negotiations. i.e. 3-year contract, \$6000.
2. This pool of money is to be used for any negotiation expenses: i.e., mediations, meetings on Saturday's that happen in public spaces, Fed Ex costs, etc.
3. Once the negotiations are completed, whatever funds are left over are to be divided up amongst the team members and this is their stipend. It is to the team's benefit to settle quickly so there is more of a financial gain.
4. In any case, the stipend shall not be less than \$750 per member.

Appendix C

Zones:

As per the DC BOCES BFA By-Laws: Article III:A, #5 - The president shall be responsible for establishing zoning areas of representation of the BOCES Faculty Association.

Zone 1 – All Beta Personnel

Zone 2 – All CTI Personnel

Zone 3 – All SPC Personnel

Zone 4 – All District Personnel (includes all in district staff and itinerant personnel)

Definitions:

School Related Professionals (SRP)

Interpreters

Registered Nurses (RN)

Teacher Aides

Teaching Assistants

Teaching Assistants for Crisis Intervention

Related Services Professionals (RSP):

Counselors

Occupational Therapists (OT)

Physical Therapists (PT)

Social Workers

Speech Therapists

Teacher of the Visually Impaired (TVI)

Teacher of the Deaf (ToD)

Dutchess County BOCES BFA By-Laws

Appendix D

Financial Committee Guidelines:

1. There must be two signatures on all DC BOCES BFA checks AND the treasurer must be informed, in writing (or electronically) of all checks to be written within 24 hours of said check being signed.
 - a. Signatories are to be the Treasurer, President, &/or Vice-President.
2. Monies designated yearly for grievances and arbitrations shall be carried over and saved for this purpose up to \$15,000 when any additional monies may be moved over into the general fund.
3. AFT guidelines should be followed.