



BY - LAWS
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ARTICLE I - ASSOCIATION NAMES

The name of the Association shall be the Fitchburg Education Association, hereinafter referred to as “The Association” or the FEA, which shall be composed of three units:

- A. Unit A shall be designated the Fitchburg Teachers (per contract language -Article 1, Section 1).
- B. Unit B shall be designated the Fitchburg Educational Support Professionals/Para-Educators (per contract language Article 2, Section 5).
- C. Unit C shall be designated the Fitchburg Educational Support Professionals/Custodians.

ARTICLE II - OBJECTIVES

We, the members of the Association, in order to fulfill our responsibilities to our profession and to our community, do hereby adopt the following:

- A. To maintain and improve the quality of education for all.
- B. To uphold high professional standards and to advance the socio-economic well-being of the membership.
- C. To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all.
- D. To develop and promote the adoption of such ethical practices, personnel policies, and standards of participation as a mark of a professional.
- E. To unify and strengthen the Association and to secure and maintain the salaries, professional status, bereavement, sabbatical, military, delegates, maternity, sick leave, and other working conditions necessary to support teachers, education support professionals (ESP) throughout the district.
- F. To enable Association members to speak with a common voice on matters pertaining to the teaching profession, and those matters pertaining to the education support professionals (ESP) and to present their individual and common interests before the School Committee and other legal authorities.
- G. To hold property and funds to employ help for the attainment of these purposes.
- H. To represent the membership and agency fee payers of the Fitchburg Education Association in negotiations with the Fitchburg School Committee as provided under Chapter 150E of the Massachusetts General Laws.

ARTICLE III - MEMBERSHIP

Section 1 Eligibility

Membership in the Association shall be open to all professional educators, Para-educators, education support professionals, and custodial/maintenance workers employed by the schools of Fitchburg excluding members of the administration.

Section 2 Active Membership

- A. An active member is entitled to vote, to hold office, and to receive all services and benefits of the F.E.A.
- B. Active membership shall become effective upon full payment of dues or by enrollment by authorization of payroll deduction of dues to FEA, MTA, and NEA.
- C. Active membership shall be continuous until the member leaves the school system, resigns from the Association or fails to make arrangements or pay dues by November 1, of each school year.
- D. For the purposes of interpretation or application of these by-laws, members assigned to multiple buildings shall be construed as being assigned to the building where they spend the majority of time.
- E. In order to receive any services, consultations, or legal representation, members on leave must maintain membership in FEA, MTA, and NEA and pay appropriate dues.

Section 3 Affiliations

- A. Active members of the Association shall also be members of the Massachusetts Teachers Association (MTA) and the National Education Association (NEA).
- B. No person shall be admitted to or be continued as an active member in the Association who is not a member of the MTA and the NEA.
- C. The Association shall affiliate with the NEA under its rules and the MTA under its rules.

Section 4 Retired Members

Any member upon retirement shall become an honorary FEA life member. Honorary life members are not required to pay local dues.

Section 5 Ethics

Adherence to the Code of Ethics of the Education Profession and MTA Procedures for Compliance shall be a condition of continuing membership.

Section 6 Revocation of Membership

According to procedures adopted by the membership (MTA), the Executive Council may suspend or expel any member who has been found in violation of the Code of Ethics of the Education Profession.

Section 7 Sustaining Membership for Members on Unpaid Leave of Absence

Any member on an unpaid leave of absence may continue to sustain membership in the

Association by paying 15% of the Local Association Dues, 15% of the MTA Dues and 50% of the NEA dues.

ARTICLE IV - RULES, DEFINITIONS AND PROCEDURES

Section 1 Parliamentary Procedure

Robert's Rule of Order Newly Revised shall be the authority of the Association on all matters not covered in the Constitution and By-Laws.

Section 2 Majority

A. For the purpose of elections, majority/plurality means 51% of votes. B. For the purposes of contract voting and amendments to these by-laws, majority means 2/3 of votes.

Section 3 Quorum

A quorum is the number of members of a body that when duly assembled is legally competent to transact business. Quorum at contract voting Article VIII Section 3 shall be 51%.

Section 4 Year

A. The membership year shall be from September 1 – August 31.
B. The business year shall be from July 1 – June 30.

ARTICLE V - OFFICERS

Section 1 Officer Positions

The officers of the Association shall be:

A. President

1. The President may work as a half-time release President-with 50% of the time in his/her appointed position and spending 50% of the time on Association business.
2. In the event that the position is a half-time release president, one half of the member's contracted salary will be paid by the District and one half of the salary will be paid by the Association.

B. Vice-Presidents

1. There will be two Vice-Presidents if the president is a half-time release president; three Vice- Presidents if the president is not half-time release.

C. Secretary

D. Treasurer

E. Para Chair

F. Custodial Chair

Section 2 Powers and Duties of Officers

A. The President shall:

1. Preside over meetings of the Executive Council of his/her bargaining unit, and the General Membership.
2. Appoint the chairpersons of the standing committees and the special committees, and be an ex- officio member of all standing committees.
3. Be the Executive Officer of the Association.
4. Represent the Association before the public either personally or through delegates.
5. Serve as the Chairperson of the Negotiating Team of his/her unit, or otherwise appoint an Executive Officer.
6. Represent the F.E.A. as a voting member of the Steering Committee that oversees the implementation of the pilot school(s).
7. Perform all other functions attributed to that office.

B. The Vice- Presidents shall:

1. Serve as the Grievance Committee.
2. Train Building Representatives to be the first source of contact for FEA members in their respective building.
3. Serve as Co-Chairs or Chairpersons of Standing Committees as assigned by the Executive Council.
4. Assume all duties of the President in his/her absence.
5. Perform all duties that the President may deem to be in the best interest of the Association.

C. The Secretary shall:

1. Keep accurate minutes of all meetings of the Executive Board, and of the General Membership meetings.
2. Be responsible for creating all notes, reminders, and agendas for all meetings.
3. Maintain official files.
4. Maintain copies of minutes and other Association records submitted by all Units.
5. Maintain address and email lists of all members in Association.
6. Serve as the contact person for all Sunshine Fund information, responsible for sending cards, etc.
7. Notify all active members of the Association of official business conducted by the Executive Council within five (5) school days of each meeting during the year.
8. Pass on information to and from the MTA (as needed).
9. Send out notes, reminders, agendas for all meetings (Executive Council, General meetings, etc.)
10. Copy all notices, maintain copier, and purchase paper supply.
11. Be responsible for all thank you note correspondence.

12. Assist the President with all other Association correspondence.

D. The Treasurer shall:

1. Hold the funds of the Association and disperse them in accordance with budget authorization of the Finance Committee.
2. Bill the membership for the annual dues, collect dues with the assistance of the Finance Committee through the Representatives in each building, and transmit amounts due to the MTA and the NEA.
3. Keep accurate accounts of receipts and disbursements, and report these at each meeting of the Council.
4. Submit an annual financial statement for publication to members as directed by the Executive Council.
5. Keep the President, the Executive Council, and the Finance Committee informed of the financial condition of the Association.
6. Serve as Chairperson of the Finance Committee.
7. Be bonded by the Association.
8. Prepare and present, with input from the Finance Committee, Executive Councils, a proposed budget for the FEA.
9. Have financial records reviewed annually.
10. Go to small claims court as needed to recover unpaid dues and agency fees.
11. Apply for local support from MTA by compiling spreadsheets of appropriate spending and submitting them to MTA.
12. File all necessary tax forms (including 1099 forms for stipend positions).
13. Set the dues for members.

E. The Para Chairperson shall:

1. Represent all ESP's at meetings of the Executive Council, of his/her bargaining unit and the General Membership and report updates on behalf of all ESP's.
2. Represent all ESP's before the public, the administration, the school committee, and the MTA and keep record of all correspondence with said parties.
3. Serve as the Chairperson of the ESP Negotiating Team, or delegate to another member.
4. Work closely with Vice-President/Grievance chair on all ESP grievances.
5. Perform all other functions attributed to that office.

F. The Custodial Chairperson shall:

1. Represent all custodians at meetings of the Executive Council, of his/her bargaining unit and the General Membership and report updates on behalf of all custodians.
2. Represent all custodians before the public, the administration, the school committee, and the MTA and keep record of all correspondence with said parties.

3. Serve as the Chairperson of the Custodian Negotiating Team, or delegate to another member.
4. Work closely with Vice-President/Grievance chair on all custodial grievances.
5. Perform all other functions attributed to that office.

Section 3 Terms and Succession

- A. The officers shall serve for two years and may be re-elected without an intervening term.
- B. In the event that any office becomes vacant due to resignation, death, or removal from office, there will be an open election to fill the vacancy.

Section 4 Installation

New officers shall be installed at the beginning of the regularly scheduled June Council Meeting.

Section 5 Removal of Officers

Whenever a majority of the Executive Council agrees that an officer is incapacitated or has been grossly negligent in his/her duties as defined in these By-Laws, the Executive Council shall recommend immediately that the office be declared vacant. If the Council so votes by a 2/3 majority to uphold the recommendation, it shall immediately elect a replacement to fill the unexpired term;

Section 6 President's Expense Account

The expense account for the President shall be fixed at \$750 for Association operations.

ARTICLE VI - EXECUTIVE COUNCIL

Section 1 Members

The Executive Council shall consist of:

- A. The FEA officers
 - B. Building Representatives
1. Any teacher, para, or custodian in good standing may serve as a Building Representative.
 2. In each building, the number of Building Representatives shall be: a minimum of 2 and a maximum of 1 per 15 FEA members in that building.

Section 2 Powers and Duties of the Executive Council

- A. Be the legislative and policy-forming body of the Association.
- B. Be the Executive Authority of the Association and carry out policies of the Association;
- C. Advise and assist the President in the execution of his/her duties;
- D. Report its transactions to the general membership, and suggest policies for consideration by them;
- E. Represent the Association in negotiating personnel policies with the School Committee. The Executive Council may make decisions binding the Association in these matters, and may delegate its power to negotiate to another committee or representative;
- F. Recommend an annual budget for the operation of the Association. It shall have the accounts of the Association audited annually;
- G. Establish committees and create policies governing them.
- H. Assist the President to appoint members of the standing committees and to fill unexpired terms as vacancies occur. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees. It shall confirm the appointment of standing committees.
- I. Oversee the enrollment of members, be responsible for distributing Association communications to the members in their building, and keep their members informed of Association business. They shall further act as liaison between the members in their building and the Executive Council.
- J. Conduct and share building meetings when necessary, and shall be the official spokesperson for members of his/her Unit in Association matters.
- K. Keep their members informed of Association business through Ten Minute building meetings.
- L. Approve the budget as recommended by Finance Committee.
- M. Approve all expenditures over \$250
- N. Act on reports of standing committees.
- O. Adopt procedures for implementing the Code of Ethics.
- P. Approve and set all policy necessary to carry out Association business.

Section 3 Terms and Succession

- A. The Building Representatives shall serve for one year and may be re-elected without an intervening term.
- B. In the event that any position becomes vacant due to resignation, death, or removal from office, there will be a building election to fill the vacancy.

Section 4 Installation

New Building Representatives shall be installed at the beginning of the regularly scheduled

September Executive Council Meeting.

Section 5 Attendance

Members of the Executive Council who miss three consecutive meetings without being excused may be required to resign from the position.

Section 6 Immediate Past-President

The Immediate Past-President of the Association may choose to serve as a non-voting member of the Executive Board, provided that s/he is still a member of the Association. The length of the term shall be one year.

Section 7 Member Participation

Any member of the Association may attend the Executive Council meetings, shall sit apart from the voting body, and shall receive permission to speak from the chair.

ARTICLE VII - MEETINGS

Section 1 Executive Council

- A. The Executive Council shall meet at least once each month of the school year.
- B. The President or two members of the Executive Board may request additional meetings with a 24-hour notice given to the Members of such meetings.

Section 2 Emergency Meetings

The President may call an emergency meeting.

Section 3 Annual Meeting

- A. Annual Meeting will take place during the May Executive Council Meeting.
- B. At this meeting:
 - 1. The President shall present an annual report of the state of the Association;
 - 2. The Treasurer shall make public account of the account of the Association finances;
 - 3. The Chairpersons of each Unit shall present an annual report of the state of his/her respective Unit.
 - 4. The Chairpersons of the standing committees shall make reports;
 - 5. Other appointed committee chairpersons shall also submit reports.
- C. Other matters of importance may be brought before the membership.

- D. Candidates for FEA officer positions may make a speech or presentation after all business is completed.

Section 4 General Membership Meetings

- A. The Executive Council may arrange such general membership meetings as it deems necessary.
- B. Five (5) days notice shall be given prior to the meeting.

ARTICLE VIII - ELECTIONS AND VOTING

Section 1 Election of Officers

- A. The nomination committee shall present to the Executive Council by the first of May a list of nominees for the offices of the Association.
- B. Any member of the Association, upon presenting a petition signed by five (5) fellow members, shall have his/her name included in this list for the office he/she is seeking.
- C. The Executive Council shall provide a copy of this list to each member of the Association at least one week prior to the election.
- D. No further nominees shall be considered after this list is published.
- E. Election will be the next school day following the Annual Meeting. Election will be building based. Voting will take place for 20 minutes before and after school.
- F. Elections of Officers and Chair Person(s) are by majority vote.
- G. Custodians vote for Custodial Chair(s)
- H. Paras vote for Para Chair(s)
- I. Results of the election will be published electronically (email/website) on the day of the vote.

Section 2 Election of Building Representatives

- A. Within the first 10 school days, each building will hold a building meeting for the purpose of electing Building Representatives.

Section 3 Contract Voting

- A. All votes to accept or reject new or amended contracts shall be by secret ballot.
- B. Five (5) days' notice, exclusive of weekends, shall be given for notice.
- C. The voting will take place at a General Membership Meeting.
- D. A 2/3 majority vote of those present is required.
- E. Results shall be known to the membership by the end of the following school day.

Section 4 Memorandum of Agreement Voting

- A. All votes to accept or reject amended contracts through an MOA shall be by secret ballot.
- B. Five (5) days notice, exclusive of weekends, shall be given for notice.
- C. The voting will take place before and after school at the location the MOA directly effects. All F.E.A. members are allowed to vote. If the MOA effects the whole membership equally voting will take place at a general membership meeting. Site will be determined by availability.

ARTICLE IX - COMMITTEES/CHAIRS

Section 1 Webmaster of the FEA Website

The Webmaster may attend Executive Board as non-voting member if appointee is not an existing member of the Executive Board.

Section 2 Membership Chair

Be responsible for collecting all membership forms and keep accurate records of membership.

Section 3 Parliamentarian

Shall attend all Executive Council and General Membership Meetings as requested by the President. All rulings made by the Parliamentarian shall be final unless such rulings are appealed in accordance with the provisions set forth in Robert's Rules of Order Newly Revised or unless such rulings are in conflict with these By-Laws or with the Constitution of the Association.

Section 4 Negotiating Committee

This committee shall negotiate with the School Committee on hours, wages, and working conditions including the instructional programs for all personnel in each bargaining unit. With the aid of appropriate committees, it shall prepare contract proposals approved by the Council prior to being placed before the School Committee. Upon reaching tentative agreement on all matters under negotiation, the committee shall prepare and submit its report to the Association members at a ratification meeting.

A. Unit Negotiating Teams

1. The Fitchburg Education Association shall appoint three teams (Units A, B, and C) for the purpose of negotiating contracts with the School Committee.
2. Copies of each contract (Units A, B and C), after being signed separately by the President and/or Chairperson of the respective Units (A, B and C), will be on file with the Fitchburg Education Association. Each contract each unit shall be ratified separately at

General Membership meetings of the respective Units.

3. The Unit chairpersons shall submit copies of all official written communications to the President of the Fitchburg Education Association.

Section 5 Nomination and Election Committee

- A. This committee shall consist of at least one representative from the elementary schools, one from the middle schools, and one from the high school.
- B. Members of this committee will be appointed by the President with the advice and consent of the Executive Council.
- C. The nomination procedure for candidates seeking offices shall be determined by the Nomination and Election Committee. These rules shall be posted in all schools.
- D. The committee shall be responsible for securing candidates for each elected office. The names of the candidates shall be published and posted in all schools one week preceding the date of the election.
- E. The Nomination and Election Committee shall be responsible for conducting annual elections, and for meeting requirements of special elections.
- F. This committee shall determine the site for voting, and the method for absentee balloting.

Section 6 Scholarship Fund Chair

The person in charge of the scholarship fund shall conduct fundraisers for the express purpose of the FEA scholarship fund.

Section 7 Sunshine Fund Chair

The person in charge of the sunshine fund shall send sympathy and get well cards to members of the Association.

Section 8 Sick Leave Bank Committee

The sick leave bank committee is made up of two teachers (appointed and confirmed by the FEA Executive Council) and two appointed School Committee Members. A three-fourths (3/4) vote of this committee is required for access to the Sick Leave Bank.

Section 9 The Committee on Professional Relations and Social Affairs

This committee shall organize and conduct membership drives. It shall inform members of policies, programs, services, and accomplishments of the Association. It shall further develop and conduct programs for the orientation of new teachers to the community, the school system, and the Association. It shall organize social activities as may serve the needs of the members, and it shall promote fellowship within the Association.

Section 10 Finance Committee

This committee shall prepare and present a May budget for the following school year. It shall assist the Treasurer in the collection of monies. It shall purchase all property of the Association with Council approval, and shall be the signature in the purchase of any property, the committee will be consulted. The Association Treasurer shall serve as the Chairperson.

Section 11 Special Committees

Each year the President may appoint such special committees as may be necessary and shall discharge them upon completion of their duties.

ARTICLE X - COMPENSATION

Compensation for officers, Executive Council, committee Chairs will be determined by the Finance Committee with approval by the Executive council.

ARTICLE XI - DELEGATES

Section 1 Delegates to the MTA Annual Meeting

Delegates to the Massachusetts Teachers Association Annual Meeting shall be elected/appointed by the Executive Council according the apportionment established by the Massachusetts Teachers Association.

Section 2 Delegates to other MTA or NEA Sponsored Functions: Representative Assembly, Leadership Conference, TASC Meetings, etc.

Delegates to other Massachusetts Teachers Association or National Education Association sponsored functions shall be appointed by the Executive Council according to the apportionment established by the sponsoring affiliation.

ARTICLE XII - ADMITTANCE OF A BARGAINING UNIT TO THE ASSOCIATION

- A. Any collective bargaining group that currently negotiates a contract with the Fitchburg Public Schools is encouraged to become a part of the Association.
- B. The bargaining group shall send a letter of intent to join the Association to the President and the Executive Council.
- C. The Executive Council shall vote by 2/3 majority for approval.
- D. Upon the final approval by the Executive Council of acceptance of said bargaining

unit, the President will appoint a committee to oversee the transition.

ARTICLE XIII - LEGAL FUND

A. Each year, \$3.00 of each member's fees will be set aside to be used as a legal fund to protect members' rights.

B. This account will have a minimum balance of \$10,000 when fully funded.

ARTICLE XIV - AMENDMENTS

Section 1 Adoption

The Executive Council may adopt amendments to these By-Laws by 2/3 majority of those present and voting at any Council meeting. Amendments shall be introduced, in printed form, no less than two weeks preceding the vote.

Section 2 Duration

Amendments to these By-Laws shall be in full force immediately upon meeting the requirements as set forth in Sections 1 of this Article.