

**CONSTITUTION
OF THE
MOUNT VERNON FEDERATION OF TEACHERS
NYSUT LOCAL 16-060
LOCAL 865**

Article I – Name

Sec. 1: OFFICIAL ORGANIZATION – This Federation shall be known as the Mount Vernon Federation of Teachers, Local 865, and shall act under a legal charter granted by the American Federation of Teachers. The local shall be affiliated with the New York State United Teachers (NYSUT) and its national affiliates.

Article II – Objectives

Sec. 1: To insure, by effort and determination, a quality school system for the children of Mount Vernon.

Sec. 2: To promote a code of professional ethics, good fellowship, and cooperation among members.

Sec. 3: To promote the welfare of the children of Mount Vernon by providing maximum educational opportunities for all.

Sec. 4: To secure equitable salaries and to raise the standards of the teaching profession by securing conditions essential to the best professional service and thus to insure the attraction of the highest quality personnel to the Mount Vernon School System.

Sec. 5: To employ any and all legal and moral means to correct inequitable conditions and to remove discrimination which may be directed against any of the professional staff.

Sec. 6: To provide the best possible responsible representation for the teachers and MVFT represented school related personnel of the City of Mount Vernon.

Article III – General Provisions

Sec. 1: Superior Rules – These rules shall, at all times, be consistent with the provisions of the New York State United Teachers of the State of New York, and where inconsistent therewith, the higher authority of the state organization shall be applicable.

Sec. 2: Jurisdiction – The jurisdiction of the Mount Vernon Federation of Teachers shall encompass the professional and para-professional staff in the public school system of Mount Vernon, New York.

Article IV – Structure of the Governing Body

Sec. 1: The officers of the Mount Vernon Federation of Teachers shall be the President, Vice- President, Secretary and Treasurer.

Sec. 2: The Executive Board shall be composed of the duly elected Officers plus nine additional area vice-presidents/chapter leaders. Each vice-president/chapter leader shall be elected by their constituents.

Sec. 3: The immediate Past President shall serve as a non-voting Executive Board member if they continue to be an active member in good standing.

Sec. 4: The Delegate Assembly of the Federation shall be composed of the Executive Board and the Building Representatives or their alternates duly elected from each individual school of the Mount Vernon Public Schools plus the 3 Non-Voting At-Large Representatives.

Sec. 5: The Delegate Assembly shall constitute the governing body of the Federation.

Article V - Officers

Sec. 1: The officers of the Mount Vernon Federation of Teachers shall consist of a President, Vice-President, Secretary and Treasurer.

Sec. 2: Duties of the President: The President shall:

Be chief executive officer of the Mount Vernon Federation of Teachers.

Administer all affairs and execute all policies of the organization.

Preside at all meetings of the Executive Board, Delegate Assembly and general membership.

Represent the organization with all external groups.

Appoint and establish the function of all committees, as well as the dissolution of committees, with the approval of a majority of the Executive Board and Delegate Assembly. Notwithstanding the foregoing, the President may establish a committee, and such committee shall have all the powers and duties thereof, until the next meetings of the Executive Board and Delegate Assembly.

Appoint and/or remove the chairperson of each committee with the approval of a majority of the Executive Board and Delegate Assembly. Notwithstanding the foregoing, the President may appoint a person chair of a committee, and such person shall have all the powers and duties thereof, until the next meetings of the Executive Board and Delegate Assembly.

Call regular and special meetings of the Executive Board, Delegate Assembly and general membership.

Fulfill such other duties as the office requires and as are consistent with this constitution.

Sit, ex officio, as a trustee of the Mount Vernon Welfare Fund.

Sec. 3: Duties of the Vice President: In the President's absence, the Vice President shall assume the duties and responsibilities of the President and shall perform such other duties as the President may designate. Additionally, the Vice President may co-sign checks in the absence of the President, shall sit, ex officio, as a trustee of the Mount Vernon Welfare Fund, and advise the President of issues and actions affecting members of the Mount Vernon Federation of Teachers.

Sec. 4: Duties of the Secretary: The Secretary shall perform those duties usual to those offices and such other duties as may be required by the President or Executive Board. The Secretary shall keep all records, minutes of meetings, election reports and ballots and committee and officer reports. The Secretary shall collaborate with the Treasurer on the maintenance of membership records.

Sec. 5: Duties of the Treasurer: The Treasurer shall perform those duties usual to those offices and such other duties as may be required by the President or Executive Board. The Treasurer shall assume the duties of the President if the President and Vice-President cannot perform their duties. Additionally, the Treasurer shall:

Receive, record and deposit monies and other income in the name of the organization;

Reimburse local officials as mandated by the Expense Reimbursement Policy;

Maintain accurate membership records;

Be one of the responsible financial officers of the organization and be authorized to co-sign financial instruments and make regular and usual disbursements of funds;

Maintain all financial records of the organization;

Present periodic financial reports to the Officers and annual report to the general membership;
Collaborate with the officers in the preparation of the annual budget;

Arrange for an independent audit/internal financial review of the finances of the organization annually, usually no later than June 1 and make sure same is available to the Executive Board and membership;

Transmit per-capita payments on a regular basis to the Membership Reporting Department of the New York State United Teachers; and,

Perform duties of the office and reports as required by the Labor Management Reporting and Disclosure Act, the Internal Revenue Service and the guidelines developed by NYSUT, AFT and NEA.

Sec. 6: Terms of Office. Duly elected officers shall serve a 2-year term commencing July 1 in even numbered years. Each officer shall remain office until his/her successor assumes the office.

Article VI –Executive Board

Sec. 1: The Executive Board shall be composed of the duly elected Officers plus nine additional area vice-presidents/chapter leaders. Each vice-president/chapter leader shall be elected by their constituents.

Sec. 2: Duties: The Executive Board shall:

Approve an annual budget.

Act upon expenditures as may be required.

Interpret the by-laws.

Act on policy matters for the organization between the meetings of the general membership.

Make policy recommendations to the membership for their consideration.

Approve formation and function of committees.

Approve committee chair appointments

Serve to hear appeals from members regarding decisions by the Grievance Sub-Committee.

Meet no less than eight (8) times per school year.

Sec. 3: The duties of the area vice-presidents and chapter leaders shall be as follows:

To represent their constituency at all Executive Board meetings.

To act as liaison between the Officers and their constituency chapter.

Sec. 4: Terms of Office. Duly elected Executive Board members shall serve a 2-year term commencing July 1 in even numbered years. Each officer shall remain office until his/her successor assumes the office.

Section VII - Delegate Assembly

Sec. 1: The Delegate Assembly shall be composed of the members of the Executive Board plus the Building Representatives or their Alternates, elected biennially from each individual school of the Mount Vernon Public Schools. The Delegate Assembly shall meet at least eight (8) times during the school year.

Sec. 2: Each school shall be entitled to one Representative for each 50 members, but there shall be at least one Representative and Alternate from each school. In addition, there will be 3 Non-Voting At-Large Representatives, one (1) of which shall be elected by security constituents and (2) of which shall be elected by teaching assistant constituents. As a member of the Delegate Assembly, each Delegate, or in his/her absence, his/her elected Alternate, shall be empowered to cast the number of votes equal to the number of Federation members in good standing in his/her school. These votes may be cast as a unit or divided as instructed by the school members. Each Executive Board member shall cast one (1) vote.

Sec. 3: The duties of the Delegate Assembly shall be as follows:

To be the governing body of the Federation.

To approve and the Budget and expenditures.

To approve the formation and function of all committees.

To approve committee chair appointments.

Sec. 4: The duties of the Delegate and Alternate shall be as follows:

To act as liaison between the Executive Board and the school represented.

To handle all Federation affairs within the school.

To represent the school at the Delegate Assembly.

To disseminate Federation authorized literature within the school.

The Building Representative shall post the minutes of the previous Delegate Assembly meeting within a reasonable time of receipt of same.

The Building Representative shall keep a file of all business and minutes pertaining to the Federation.

Preside over monthly building meetings.

To carry out such other duties as assigned by the President.

Sec. 5: The duties of the Non-Voting At-Large Representative shall be as follows:

To act as liaison between the Executive Board and the constituency chapter.

To assist the Chapter Leader in their duties and responsibilities.

Sec. 6: Terms of Office. Duly elected Building Representatives shall serve a 2-year term commencing July 1 in odd numbered years. Duly elected non-voting at-large Representatives shall serve a 2-year term commencing July 1 in even numbered years. Each officer shall remain office until his/her successor assumes the office.

Article VIII – Amendments

- Sec. 1: All proposed amendments to this Constitution shall be presented to the President in writing, in the form of a petition signed by at least ten percent of the active membership representing at least three (3) schools. The President shall notify all members of a general membership meeting to discuss the proposed amendment. Such meeting is to take place within thirty (30) days of receipt of said petition. A copy of the proposed amendment shall be posted in a conspicuous place in each work site and distributed in writing to each member along with the notice of the general membership meeting. The notice is to be sent not less than five (5) days before said meeting. The Constitution may be amended by a two-thirds vote of those ballots cast.
- Sec. 2: From time to time, it may become necessary to review the Constitution to meet changing conditions. The President may, with the consent of the Executive Board, appoint a committee to study revisions and make recommendations. These proposed revisions are to be presented to the Executive Board. If they meet with the approval of the Executive Board, a meeting of the general membership is to be called for the purpose of discussing the proposed revisions. Notice of the meeting and copies of the proposed revisions are to be posted in a conspicuous place in each work site and distributed in writing to each member at least 5 days before the ratification vote. Ratification of the Constitution revision will be by a two-thirds (2/3) vote of those ballots cast.

Article IX – Elections

- Sec. 1: Executive Board and At-Large Building Representative Elections. By the first week of April of the biennial election year, elections for the following offices shall be held: President, Vice-President, Secretary, Treasurer, Executive Board and At-Large Building Representatives. Executive Board and At-Large Building Representative Elections are to be held in even numbered years.
- Sec. 2: Election Committee – An Election Committee, consisting of five (5) members, who are not at the time officers of the Federation, nor prospective candidates, shall be appointed by the President, with the approval of the Executive Board. By the third week of April, the Election Committee shall notify the general membership that this committee has been appointed, who the members are, the dates of the opening and closing of nomination, the offices to be filled, and the scheduled date of general election to be held by the 1st Tuesday in June.
- The function of the Election Committee shall be: distribute nomination petitions, receive nominations for the various offices to be filled; screen the nominations in order to ascertain if a candidate is a MVFT member in good standing, report the candidates' names to the Executive Board by the May Executive Board meeting, tally ballots, make results known to the membership, and maintain election materials for a one year period.
- Sec. 3: Nominations – Nominations for all offices may be made by submitting nomination petitions which are to be made available by the Election Committee on each building's union bulletin board or directly from the Election Committee. All petitions are to be submitted to the Election Committee c/o MVFT office, signed by ten (10) active members in good standing by the date set by the Election Committee. Nominations shall be open for at least one (1) week. At least 15 days prior to the scheduled election, the President shall notify the general membership of all verified candidates for the various offices to be filled and provide the ballot. Candidates may run for one office only.
- Sec. 4: A secret mail ballot shall be conducted for the election of the Officers, members of the Executive Board and At-Large Building Representatives. Ballots shall be delivered to each member individually within sufficient time to insure the return of all ballots by the first Tuesday in June. All ballots shall be returned to a designated Mount Vernon Federation of Teachers Post Office Box, where they will be picked up and counted at the end of the voting period by an impartial group comprised of the Election Committee and an outside impartial and disinterested observer, (e.g., clergyman). The results are to be made public as soon as the tally is certified. In the event of an uncontested election, the Secretary shall be instructed by the Election Committee to cast one (1) ballot for each candidate, in lieu of the above procedure. Executive Board members shall begin their term of office on July 1 of their elected year.

- Sec. 5: Building Representative Elections. By the first week of June of the biennial election year, elections for Building Representatives shall be held. Building Representative Elections are to be held in odd numbered years.
- Sec. 6: By the first week of May of the biennial Building Representative election year, the Election Committee will post nomination petitions, nominating deadlines, and election date notification on each building's union bulletin board for those members interested in running for Building Representative and/or alternate. The President shall appoint a member other than the current Building Representative to run the secret ballot election for the new building rep by the first Tuesday of June. If uncontested, the sole candidate begins a new 2 year term on July 1 of their elected year. Biennial Building Representative elections are to be held in odd numbered years.
- Sec. 7: Transfer of Records – Immediately after retiring from Office, Committee Chairpersons, Building Reps, and Executive Board members shall deliver to their successors all records, books and other properties relevant to the Federation.
- Sec. 8: Vacancies – All elected offices must be filled within 60 days. In the event of a vacancy, the President shall recommend to the Executive Board an active member to fill the vacancy. The President and the Executive Board shall make this recommendation to the Delegate Assembly for approval.
- Sec. 9: Special Election – In the event a vacancy shall occur in the office of the President, the Vice-President shall assume the duties of the President until a Special Election is called to fill the vacancy for the balance of the term, provided that the length of the unexpired term is greater than one year to the next election. In cases where the period of time is less than one year, a Special Election need not be scheduled. A Special Election is to be held within thirty (30) days of the vacancy occurring. The same procedures shall be followed as in regular officer elections except that appropriate polling places may be designated for this purpose. Adequate notice of procedures shall be given to the general membership. Voting shall be by secret ballot and shall continue for a reasonable length of time. Ballot boxes will be sealed and brought to a central neutral place, such as the Union Office, and counted by an Election Committee.
- Sec. 10: In the event the Delegate Assembly shall determine that the Federation is in a critical or vulnerable position as regarding the protection of its existing contract or the negotiations for a subsequent contract or any other exigency as may threaten the existence or effectiveness of the Federation, then the Delegate Assembly may extend the terms of office of the members of the Executive Board for a period of up to three (3) months and shall postpone nomination procedures accordingly.
- Sec. 11: Succession – In the event the President or the Vice-President shall be incapable of filling the office of President, the Treasurer shall act as President.

Article X – Delegates to NYSUT and other Affiliates

The President of the Federation shall be a Delegate to the NYSUT Representative Assembly, and other affiliates. Other Delegates to the NYSUT Representative Assembly, and other affiliates, shall be elected by secret ballot in a manner consistent with the Constitution and By-laws of the appropriate state and national organizations and with the Landrum Griffin Act.

Article XI – Protection of Rights of Members

- Sec. 1: Every active member in good standing of this organization shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to attend membership meetings, and to participate in deliberations and voting upon the business of the organization.

- Sec. 2: No member may be fined, suspended, expelled, or otherwise disciplined (except for nonpayment of dues) by this organization unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing.
- Sec. 3: No officer of the organization may be removed from office unless such officer has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing before the Executive Board. Following the hearing, the Executive Board may recommend to the membership of the organization that the officer be removed from office by a two-thirds (2/3) vote of the Executive Board. Subsequently, the officer may be removed from office by a two-thirds (2/3) vote of the membership at a general membership meeting called for that purpose and pursuant to the organization's by-laws.
- Sec. 4: This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, sexual orientation, creed, color, race, national origin, sexual orientation, gender identity or political activities and beliefs.

Article XII – Standing Committees

Chairpersons and members of standing committees and ad hoc committees shall be appointed and/or removed by the President with the approval of the Executive Board and Delegate Assembly. The Mount Vernon Federation of Teachers shall have the following standing committees.

- Sec. 1: Negotiations
- Sec. 2: Community Relations
- Sec. 3: Professional Issues
- Sec. 4: Political Action
- Sec. 5: Grievance/Personnel
- Sec. 6: Member Services

BY-LAWS – MOUNT VERNON FEDERATION OF TEACHERS

By-Law I - Membership

- Sec. 1: Active membership in the MVFT shall be open to the staff as defined in the statement of recognition clauses of the current contracts between the MVFT and the Mount Vernon Board of Education. The right to vote and hold office shall reside only in the active membership.
- Sec. 2: Principals, supervisors, superintendents, and all other non-teaching administrative personnel whose duties include the evaluation of the professional staff may not be admitted to active membership.
- Sec. 3: Honorary membership shall be open to any teacher retired from active school work in Mount Vernon who has held active consecutive membership until retirement. Honorary membership may also be offered by the Executive Board, with approval from the Delegate Assembly, to any active member of the Federation who has been promoted to a supervisory or administrative position. Honorary members shall not be entitled to vote.
- Sec. 4: Membership shall be open to any other group whom the MVFT agrees to represent.
- Sec. 5: Application for membership in the Federation may not be denied because of sex, creed, color race, national origin, or political activities and beliefs.
- Sec. 6: Membership in the Federation shall be on an annual basis starting in September. Any eligible person wishing to join after the school year has started, may join for the balance of the school year, paying dues on a pro-rated basis.

By-Law II - Governing Body

- Sec. 1: Executive Board officers shall be elected by the active membership at the biennial elections. Their term of office shall be for two (2) years commencing on July 1, or until their successors are elected, as described in Constitution IV.
- Sec. 2: All candidates to the Executive Board and/or Delegate Assembly shall have been active members in good standing for at least one (1) year.
- Sec. 3: No person shall hold more than one elected position with the Delegate Assembly.
- Sec. 4: The Executive Board shall be responsible for the running of the general business of the Federation between meetings of the membership and meetings of the Delegate Assembly. They shall be responsible for the carrying out of decisions and policies set by the membership and the Delegate Assembly. The Executive Board shall be empowered to set policy for the Federation under conditions in which it would be impractical or impossible to present such matters to either the membership or the Delegate Assembly, provided that a majority of the Executive Board concur that such action is necessary. Such policy decisions are subject to the approval of the Delegate Assembly. The Executive Board shall meet at least eight (8) times during the school year.

By-Law III - Contract Ratification

- Sec. 1: Procedures for contract ratification shall be as follows: All members will receive a written copy of the offered terms within two (2) working days after acceptance by the Executive Board. A general membership meeting will be held for purposes of clarification and explanation. After the general membership meeting, a secret ballot ratification vote will be held. Teaching Assistants shall only be entitled to vote on ratification of a teaching assistant contract and security personnel members shall only be entitled to vote on ratification of a security personnel contract.

By-Law IV - Convention Delegates

- Sec. 1: The President of the Federation shall be a Delegate to the NYSUT Representative Assembly, and other affiliates. Other Delegates to the AFT and NYSUT conventions will be elected by secret ballot in a manner to be prescribed by the Election Committee. Other than the President, Delegates will be elected to state and national conventions for a period of one (1) year.
- Sec. 2: Delegates to all conventions other than NYSUT and/or AFT conventions such as AFL-CIO, Human Relations or other educational or political groups, shall be designated by the President with the approval of the Executive Board.
- Sec. 3: Delegates other than the President who are to be elected to NYSUT and AFT conventions must be nominated by at least ten (10) active members. Such nominees must have been members in good standing for the two years prior to the date of nomination. Nominations may be submitted in writing to the Election Committee by a date determined by the Election Committee. Elections will take place at least 60 days prior to the opening day of the convention.
- Sec. 4: The representatives shall act as liaisons between the state organization and the Mount Vernon Federation of Teachers. They shall report on the convention to the membership.

By-Law V - Meetings

- Sec. 1: General Membership – There shall be at least two (2) general membership meetings each year. The agenda for these meetings shall be prepared by the Executive Board.
- Sec. 2: Special Meetings – Special meetings of the membership may be called upon petition of 10 percent of the members drawn from at least three (3) different schools. When such a petition is filed with the Secretary, the Secretary will immediately present it to the President. The President shall direct the

Secretary to announce such a meeting and its purpose as soon as practical, but not later than two (2) weeks following the receipt of such a petition. Special meetings of the Executive Board may be called at the request of any 4 members of the Executive Board and must be held within 72 hours. Special meetings of the Delegate Assembly may be called by any number of members of the Delegate Assembly representing 25% of the total membership of the Federation.

Sec. 3: Quorum – A quorum at a general membership meeting shall consist of (20%) of the active membership. A quorum at a Delegate Assembly meeting shall consist of Building Reps, representing at least (50%) of the active membership. A quorum at an Executive Board meeting shall consist of a majority of all Executive Board members.

By-Law VI - Finances

Sec. 1: Annual dues for the MVFT shall be established by the Federation Delegate Assembly upon recommendation of the President and Treasurer.

Sec. 2: Whenever the dues of a required affiliate increases, the dues of the local shall automatically and simultaneously increase by the same amount. Any increase in the annual local dues must be approved at a general membership meeting by a 2/3 vote of the active membership attending such a meeting. The fact that a motion to raise the dues is being considered must be included in the notice of the meeting.

Sec. 3: Annual dues shall be paid by payroll deductions. If payroll deduction is unavailable, a payment schedule shall be determined by the governing body.

Sec. 4: Out-of-pocket disbursements made by officers and/or members charged with specific responsibilities may be repaid by the Treasurer upon presentation of proper voucher and approval of the President.

Sec. 5: The Treasurer may not make the Union insolvent.

Sec. 6: The President will annually prepare a proposed budget for the upcoming fiscal year to be approved by the Delegate Assembly.

By-Law VII - Recall

Sec. 1: Recall of the Executive Board members may be accomplished in the following manner:

Upon presentation of a petition bearing the signatures of 25% of their constituency to the Delegate Assembly, recall procedures may be initiated toward any officer or member of the Executive Board.

The Delegate Assembly shall then discuss such a recall vote with members at individual schools and poll such members in preparation for a weighted vote to be taken at the next Delegate Assembly meeting.

At the following meeting, the Delegate Assembly, by a two-thirds majority weighted vote, may call for a general membership recall vote to be taken within thirty (30) days.

The procedures to be followed in such a vote should be the same as those followed in the officer election.

Should an officer or member of the Executive Board be recalled as stipulated, the vacant office shall be filled in accordance with the procedure set forth in Constitution, Article IV, Sections 6 and 7.

Sec. 2: Recall of a building representative may be accomplished in the following manner:

Recall procedure can be initiated upon presentation to the Delegate Assembly of a petition bearing the signatures of 25% of the Federation membership in that representative's school.

The recall committee shall be formed of the President, Vice-President, Secretary and Treasurer, and 2 building representatives chosen by the Delegate Assembly. The role of this committee shall be to discuss the recall issue with the petitioning school's members at a building-wide meeting.

The committee shall then report its findings at the following Delegate Assembly meeting. The Delegate Assembly shall then determine if a recall vote is to be conducted in the petitioning school.

The school vote shall be conducted by the recall committee using a secret ballot.

Should the building representative be recalled, new elections shall be arranged by the committee.

Sec. 3: Recall of a non-voting at-large representative may be accomplished in the following manner:

Recall procedure can be initiated upon presentation to the Delegate Assembly of a petition bearing the signatures of 25% of their constituency.

The recall committee shall be formed of the President, Vice-President, Secretary and Treasurer, and 2 building representatives chosen by the Delegate Assembly. The role of this committee shall be to discuss the recall issue with the petitioning constituent members.

The committee shall then report its findings at the following Delegate Assembly meeting. The Delegate Assembly shall then determine if a recall vote is to be conducted by the constituency.

The constituency vote shall be conducted by the recall committee using a secret ballot.

Should the non-voting at-large representative be recalled, new elections shall be arranged by the committee.

By-Law VIII – Miscellaneous

Sec. 1: Parliamentary procedure shall be followed at all meetings, and any question of parliamentary procedure not covered in the Constitution, the By-Laws, or in the rules of order that may be adopted from time to time, shall be determined by Robert's Rules of Order Revised.

Sec. 2: The President may appoint a parliamentarian for all meetings of the Federation.

Sec. 3: If, at any time, a member of the Delegate Assembly or the Negotiating Team applies or allows his/her name to be considered for appointment to an administrative position during his/her term of office, the member shall notify the president and that office shall be considered vacant immediately. This is not intended to inhibit any Federation member from seeking an administrative appointment except while holding a Federation office.