

# **MELROSE EDUCATION ASSOCIATION, INCORPORATED.**

## **BYLAWS as of May 24, 2022**

### **Article I. Name of Association**

The name of the association shall be the Melrose Education Association, Incorporated, hereinafter referred to as “the Association.”

### **Article II. Objective**

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

- A. To maintain and improve the quality of education for all,
- B. To uphold high professional standards,
- C. To advance the socioeconomic well-being of all educators and school personnel, D. To promote equal rights and protection for all members regardless of age, race, ethnicity, creed, religion, national origin, gender, sexual identity, disability, or marital status, E. To promote equity and opportunity for all students and educators while dismantling systemic classism, racism, and oppression in our schools,
- F. To support all activities of the Executive Board, and
- G. To engage in other related activities as are consistent with the law.

### **Article III. Membership**

#### **Section 1. Active Membership**

Active members of the following units shall be eligible for unified membership in the Association upon payment of dues.

- A. Unit A: Includes all classroom teachers, special education teachers, librarians, guidance counselors, school psychologists, adjustment counselors, social workers, special subject teachers, academic facilitators, instructional coaches, digital literacy coaches, speech-language pathologists, physical therapists, and occupational therapists.
- B. Unit B: Includes all persons engaged in secretarial, clerical, business, or other forms of educational office work
- C. Unit C: Includes all Education Support Professionals (ESPs aka paraprofessionals)

**Section 2.** Membership commences for any school year upon signing of the membership card and is ongoing for members on payroll deductions and cash members who pay annual dues within thirty days of each new school year.

**Section 3.** Active members of the Association must also be members of the Massachusetts Teachers Association and the National Education Association.

**Section 4.** Active membership shall be continuous until the member leaves the school system, resigns from the Association pursuant to the required sixty days notice, or fails to pay membership dues.

**Section 5.** Associate members are those other persons interested in the advancement of the cause of education, who are not eligible for active membership. Associate members will pay dues as established by the Massachusetts Teachers Association, the National Education Association, and will pay full local dues to the Association.

**Section 6.** Retired members are those former active or associate members who, upon retirement, apply to the Executive Secretary-Treasurer of the Massachusetts Teachers Association and are so accepted. Retired members will pay state and national dues directly to the Massachusetts Teachers Association. Those retired members who maintain State and National membership may maintain honorary membership at the local level.

**Section 7.** Adherence to the Code of Ethics of the Education Profession shall be a condition of continuing membership. According to procedure adopted by the membership, the Executive Board may suspend from membership or expel any member who has been found in violation of the Code of Ethics of the Education profession.

**Section 8.** Only active members in good standing, as defined in sections 1 through 4 of this Article III, shall have the privilege of voting for or holding the position of any office in the Association. If the MEA President is elected as an active member and then retires, the MEA President may serve out the term and may be re-elected. Membership dues must be maintained.

**Section 9.** The membership year shall be from July 1 to June 30. Membership shall then be continued from year to year until death, retirement, or the member cancels the election with a 60-day notice in writing, or such date as required by the Massachusetts Teachers Association.

#### **Article IV. Affiliation Only**

**Section 1.** No person shall be admitted to or be continued as an active member in the Association who is not also a member of the Massachusetts Teachers association and the National Education Association.

**Section 2.** The Association shall submit annually to the Massachusetts Teachers Association:

- A. A list of its officers and their addresses.
- B. The names and addresses of all members on an official enrollment form furnished by the Massachusetts Teachers Association.
- C. A statement setting forth all amendments or changes in its Bylaws during the

preceding year.

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## **Article V. Officers**

**Section 1.** The officers of the Association shall be the President, Vice president, Secretary, and Treasurer.

### **Section 2. Powers and Duties of Officers**

#### **A. President**

1. The President shall preside over meetings of the Executive Board and the general membership.
2. The President shall appoint the chairperson and members of the standing committees and special committees, pursuant to the advice and consent of the Executive Board and according to the requirements of the Bylaws. The President shall be an ex-officio member of all standing committees and specifically listed as a voting member.
3. The President shall be the Executive Officer of the Association.
4. The President shall serve on the Professional Rights and Responsibilities Committee.
5. The President shall perform all other functions usually attributed to this office.

#### **B. Vice President**

1. The Vice President shall take the place of the President when requested or in the case of illness, incapacity, death or resignation from the office of the President. This succession shall be limited to no more than three months, or until such time as a special election for President is held, whichever is less.
2. The Vice President will also head the Grievance Committee.
3. The Vice President shall perform such customary duties as required by the President.

#### **C. Secretary**

1. The Secretary shall keep accurate minutes of all meetings of the Executive Board and of general membership meetings, including attendance. The minutes shall be made available to the President within seven days after said meeting.
2. The Secretary shall maintain official files and shall assist the President with the Association correspondence.
3. The secretary shall provide Association Representatives a notice in writing of all Executive Board and general membership meetings.
4. The Secretary shall conduct the annual membership drive.
5. The Secretary shall maintain an up-to-date roster of the members.
6. The Secretary, in conjunction with the Nominations and Elections Committee, shall run all voting and elections for Executive Board members including officers and representatives.

#### **D. Treasurer**

1. The Treasurer shall hold sole responsibility for all financial aspects of membership.
2. The Treasurer shall hold the funds of the Association and shall disburse them in

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- accordance with authorization of the Bylaws and the Executive Board.
3. The Treasurer shall keep accurate account receipts and disbursements, and shall report to each meeting of the Executive Board.
  - a. Payments to the Massachusetts Teachers Association shall be made in accordance with an agreed upon schedule and shall be completed not later than sixty days in arrears of the final date in said plan.
4. The Treasurer shall keep the President and the Executive Board informed of the financial condition of the Association.
5. The Treasurer shall prepare an annual financial statement for publication to members as directed by the Executive Board.
6. The Treasurer shall provide for an annual audit of accounts.
7. The Treasurer and the President, as designated by the Treasurer, shall have the authority to sign checks.
8. The Treasurer shall bill the membership for all annual dues or agency fees, collect dues or fees in each building, and transmit amounts dues the Massachusetts Teachers Association and the National Education Association.
9. The Treasurer shall be bonded.

#### **Section 3. Terms and Succession**

- A. The President, Vice President, Secretary, and Treasurer shall serve two years and may run for re-election.
- B. Nominations will be open to all active members in good standing as discussed in Article III, Section 8 and Article VI, Section 3H. Members may only nominate themselves. They must submit their name to the chairperson of the Nominations and Elections Committee / Secretary no later than April 15<sup>th</sup>. Their nomination must state the position for which they are running. Members are limited to running for one position in any officer election.
- C. The election of officers shall be held before the annual general membership meeting each spring of an even year. Officers will hold their office for a two-year term.
- D. If the number of candidates is equal to the number of seats to be filled, the election shall be waived and the candidate(s) declared elected.
- E. The new officers shall assume office on July 1 of the fiscal year following their election. F. If the position of President is vacated, the Vice President shall succeed to that position as directed in Article V, Section 2, Part B.
- G. If the position of Vice President, Treasurer or Secretary is vacated, the Executive Board shall elect from its members an individual to fill the position on an interim basis, the length of this interim term shall be limited to no more than three months, or until such time as a special election for the vacated position is held, whichever is less.
- H. The Executive Board shall have the authority to arrange for all special elections held in

order to fill any vacancy that will exceed three months in length. Special elections must be open to all active members in good standing.

## **Article VI. Executive Board**

**Section 1.** The Executive Board shall consist of the officers and twenty-four member representatives. It shall be the executive authority of the Association.

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### **Section 2. Powers and Duties of the Executive Board**

- A. Within policies established by the general membership, the Executive Board shall be responsible for the management of the Association and shall carry out policies of the Association.
- B. It shall report its transactions to the general membership and suggest policies for their consideration.
- C. It shall be responsible for the financial operation of the Association.
- D. It shall establish committees and create policies governing them.
- E. Whenever a majority of the Executive Board shall agree that an officer is incapacitated, or if at a special meeting a 2/3 majority of the general membership shall determine that an officer has been grossly negligent in his duties, or if an officer shall have resigned, the Executive Board shall arrange a replacement for this position as set down in Article V, Section 3, Parts F and G.
- F. Whenever a majority of the Executive Board shall determine that a non-officer board member is incapacitated, or if any such individual shall have resigned, the Executive Board shall arrange a replacement for this position using the same process as discussed in this Article V, Section 3, Part F and G.

### **Section 3. Faculty Representatives**

- A. The non-officer membership of the Executive Board shall be established at twenty-four.
  - B. The twenty-four positions shall be apportioned as follows:
    - Unit A:
      - Building positions:
        - 1. The High School—6
        - 2. The Middle School—4
        - 3. Elementary (two from Lincoln and Roosevelt; one from Hoover, Horace Mann, Winthrop)—7
        - 4. ECC - 1
      - At-Large Positions:
        - 5. Specialist (i.e. Art, Music, Physical Education, Health, etc.) Teachers—1
        - 6. Parent-Pupil Services—1
    - Unit B:
      - 7. Secretaries—1
    - Unit C:
      - 8. ESPs - 3
- Total: 24

- C. Specialist teachers are those individuals who teach on an ongoing basis in more than one building during the course of a week. In addition to the one designated at-large position for Specialist Teachers, these individuals are eligible to run for either an elementary building position or a secondary building position, based upon the area where the greatest percentage of their time is assigned. In any case where the individual spends a minimum of 50% of his/her assigned time in each area, that individual may select the category for which he/she wishes to be a candidate.
- D. PPS members are those individuals, including teachers and support personnel, so designated by the Melrose Public Schools as members of this department. While such members provide services in a variety of buildings, they will maintain Executive Board

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- representation only through the PPS at-large category.
- E. In the event that the Melrose Public Schools shall redistrict and thereby eliminate or add any school, the apportioned positions listed in Part B shall be changed by adding or subtracting from the appropriate at-large category.
- F. In order to receive their stipends, representatives to the Executive Board shall attend a minimum of nine of the eleven scheduled Executive Board meetings, which includes the annual general membership meeting held the fourth Tuesday in May, attend any additional necessary meetings of the general membership, and attend building representative training in the fall. Additionally to receive their stipends, representatives to the Executive Board will be a member of at least one MEA committee and/or participate in at least one MEA sponsored activity such as the Melrose Victorian Fair and the MEA Educator/Parent Forum.
- G. Executive Board members shall be responsible for distributing Association communications to the members of their building or unit, for keeping their members informed, for soliciting and voicing the views of their members at the Executive Board, for assisting the Secretary in the annual membership drive, and shall further act as liaison from the members of their building or unit to the Executive Board.
- H. Election of the Faculty Representatives:
  - 1. Members of the building or unit that they represent shall elect Faculty Representatives to the Executive Board for a two-year term. This election shall be held before the annual general meeting each spring of an odd year. Elected members shall begin their term on July 1<sup>st</sup> of the year in which the election was held.
  - 2. Nominations will be opened to all members of the building or unit who are in good standing. Members may only nominate themselves and must submit their name to the chairperson of the Nominations and Elections Committee / Secretary no later than April 15<sup>th</sup>. Their nomination must state the position for which they are running.
  - 3. Faculty Representatives who are reassigned by the administration to a different building or unit after the spring election will maintain their position for the term elected.
- I. No one other than the duly elected representatives may vote on Executive Board matters. J. If the number of candidates is equal to the number of seats to be filled, the election shall be

waived and the candidate(s) declared elected.

K. If the position of a Faculty Representative becomes vacant, or if any position is not filled at the beginning of any school year, the Executive Board shall request members of the appropriate building or unit to submit their names in nomination. The Executive Board shall elect from these names an individual to serve until the next election. If no individual from the appropriate building or unit shall submit a name in nomination prior to the next successive Executive Board meeting following such a request, the position shall remain vacant until the beginning of the following school year or the next election, whichever occurs first. In such cases, all nominations will be forwarded to the President of the Association.

## **Article VII. Meetings**

### **Section 1. Executive Board**

The Executive Board shall meet at least monthly during the school year on a schedule to be determined by the Executive Board. The President or three members of the Executive board may call additional meetings.

### **Section 2. General Membership Meeting**

There shall be at least one general membership meeting each year that shall be held on the fourth Tuesday in May. The President shall prepare a tentative agenda for the annual general membership meeting and any additional general membership meetings. The agenda shall be distributed to the membership no later than five days prior to any general membership meeting.

### **Section 3. Special Meeting of the General Membership**

Special meetings of the general membership may be held at the call of the President or upon the written request of five percent (5%) of the membership. Business to come before special meetings must be stated in this call, which shall be sent in writing by those making the call to each member. This must occur no later than five days prior to the special meeting. Business shall be confined to those items listed in the call.

### **Section 4. Ballots of the General Membership**

A. A ballot of the membership may be conducted in place of a special meeting of the general membership. A two-thirds majority may conduct a ballot upon request of the President or motion of a member of the Executive Board and the approval of the Executive Board. B. Use of a ballot may not replace the annual meeting of the general membership.

### **Section 5. Quorum**

A. A quorum for the Executive Board shall consist of seven eligible Executive Board members.  
B. A quorum for general membership meetings shall be ten percent (10%) of the members.

## **Article VIII. Committees**

**Section 1.** There shall be the following standing committees, listed under Section 4, having the specific functions outlined below:

- A. Each committee shall have at least three members, selected to represent different groups within the Executive Board.
- B. Each committee, with the approval of the Executive Board, may organize from the membership of the Association special subcommittees and task forces for special activities.

### **Section 2. Meetings**

Each standing committee shall meet regularly and as appropriate to the fulfillment of its responsibility.

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### **Section 3. Reports**

The chairperson of each active standing committee, and of any special committees, shall prepare an annual report that the Executive Board shall file as a part of the minutes of the Association. Annual reports must be presented to the Executive Board by the last meeting of the school year.

### **Section 4. Titles and Duties**

#### **A. Negotiating Team**

1. Shall negotiate with the School Committee on hours, wages, and working conditions including instructional programs for all the personnel in the bargaining unit.
2. Upon reaching tentative agreement on all matters under negotiation, the team shall prepare and submit its report and recommendations to the members at least five days prior to a ratification meeting. Ratification shall be conducted at a general membership meeting. The contract shall be ratified upon the approval of a majority of the members present.

#### **B. Committee on Public Relations**

1. Shall develop public understanding for the purposes and programs of the Association, the value of public education, and in cooperation with the administration, the educational philosophy, and programs of the schools. It shall develop procedures by which the Association can work cooperatively with parents in public, fraternal and social organizations through all valuable channels of communication.
2. Shall be authorized to publish and maintain a website for the Association and will receive a stipend.
3. This committee is authorized to run with less than three people.



### **C. Nominations and Elections Committee**

1. The Nominations and Elections Committee shall determine the nominations procedure for candidates seeking elective office, with the approval of the Executive Board, but in all cases such guidelines must meet the requirements set down in these bylaws.
2. By the March Executive Board meeting of each election year, the committee shall present, for the Executive Board's approval, its schedule for conducting the elections and counting ballots.
3. Nominations for the Association's office shall be open to all active members in good standing. The candidates must submit all nominations no later than April 15<sup>th</sup> of the election year.
4. All members who submit their names for an Executive Board position will be placed on both the appropriate building and unit ballot and the appropriate at-large ballot.
5. The Nominations and Elections Committee shall be responsible for conducting elections and for meeting the requirements of special elections. The order of candidate names on ballots of contested elections shall be determined by lottery. Sample ballots will be made available to voting members no later than one week prior to the election.<sup>8</sup>
6. All elections shall be conducted by secret ballot in each building and at one central location for each unit. The Committee, with the assistance of the Secretary, shall prepare a list of voting members to be made available to each building or unit by April 30<sup>th</sup>. Voting shall take place the morning of the May Executive Board meeting.
7. Elections for officers will be held in years opposite of the elections for representatives.
8. Each eligible member shall be entitled to only one ballot in any election.
9. To be elected as an officer or as a building or unit representative, a candidate must receive the greatest number of votes of all candidates to the same position.
10. In counting ballots for Executive Board positions, the Nominations and Elections Committee shall first determine the winning candidates for building positions. Those individuals who receive the greatest number of votes of all votes cast for their building position shall be determined as elected to that position.
11. At-large positions to the Executive Board will be tabulated according to the number of votes each individual received. On an at-large election list, individuals will be rank-ordered according to their designated category.
12. Any member knowing that he or she will not be able to vote on the day of the election and who desires an absentee ballot must secure said ballot no later than two school days prior to the election.
13. The Nominations and Elections Committee shall prepare a method for counting ballots that is acceptable to the Executive Board. In all cases, this method must include the procedures established in part 10 of this Section C of Article VIII.
14. The results of all elections will be presented at the annual general membership meeting in May, which may not occur prior to the fourth Tuesday of that month. A list of all elected officers and representatives for the following school year must

be distributed to the membership before the end of the current school year. The percentage of votes that each candidate receives in contested elections shall be kept on file by the Association and shall be made available to any interested member.

15. The Nominations and Elections Committee shall organize contested elections for any MTA or NEA convention in a manner acceptable to the Executive Board.

#### **D. Social Affairs Committee**

Shall organize such social activities as may serve the needs of members and promote fellowship with the Association.

#### **E. Legislative Committee**

1. Shall have broad concern for local, state, and national legislation affecting the interests of schools, teachers, and the Association.
2. Shall encourage members to exercise their civic and political rights and keep them informed about new legislation.

#### **F. Committee on Professional Rights and Responsibilities, or Ethics (also known as the Grievance Committee)**

1. Shall develop Association positions on all matters pertaining to rights of

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Association members, especially academic freedom, professional and personal leaves, administrative discipline and dismissal, and grievance procedures; and shall compile data for the support of such positions in negotiations.

2. Shall support and maintain a Code of Ethics as established by the Massachusetts Teachers Association or the National Education Association.
3. Shall advise the general membership on implementation procedures for the Code of Ethics.
4. Shall make recommendations to the Executive Board in cases of censure, suspension, or expulsion of members.
5. This committee shall consist of no less than five members. The Vice President of the Association may serve as chairperson of this committee, as discussed in Article V, Section 2, Part B (2).
6. This committee shall have the sole authority, upon request of the President, to initiate Association (also known as class action) grievances.

#### **G. Special Committee**

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

### **Article IX. Rules and Procedures**

**Section 1.** The parliamentary authority of the Association shall be the latest edition of *Robert's*

*Rules of Order, Newly Revised.* All business of the Association shall be conducted in accordance with these Bylaws, Association Rules and the Parliamentary Authority. All decisions shall be by a majority of those present and voting unless otherwise specified.

**Section 2.** The membership year shall be July 1 to June 30 each year.

## **Article X. Finances**

**Section 1.** The business year shall be July 1 to June 30.

**Section 2.** The Executive Board shall determine annual dues.

**Section 3.** Dues may be paid either by payroll deduction or in lump sum payment within thirty days of the beginning of each new school year.

**Section 4.** Employees elected by the Melrose School Committee from January 31<sup>st</sup> through such date as established by the Massachusetts Teachers Association and the National Education Association shall be assessed dues as required by those agencies, however members in this category shall be assessed one half of local dues.

**Section 5.** The Executive Board shall have the authority to determine procedures for dispersal of these funds and the general fund may not be dispersed without approval of the Executive Board.

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**Section 6.** The Executive Board shall determine the consulting fees for officers.

**Section 7.** The funds of the Association may be expended only in matters consistent with the objectives of the Association.

**Section 8.** Funds are available for attendance in the MTA Summer Conference. Any member of the Association who would like to attend may do so, with the following financial provisions: A. Any MEA officer or building representative registration will be funded 100% as long as that individual is participating in workshops that benefit the local association. The funding will be capped at \$3000.

B. Any non-officer/building representative MEA member who would like to register and participate in workshops that benefit the local association will be funded 75% by local association funds, as long as the sum of the funds spent in items 1 and 2 do not exceed \$3000 and with the expectation that knowledge gained will be shared at the September meeting of the Association.

C. Any non-officer/building representative MEA member who would like to register and participate in workshops that do not benefit the local association will be funded 50% by local association funds, as long as the sum of funds spent in items 1, 2, and 3 do not exceed \$3000.

## **Article XI. Association Grievance Procedure**

Any member dissatisfied with actions of the Association, in cases where that member claims breach of duty or fair representation has occurred, may:

1. File a complaint with the executive Board, via the President of the Association, within ten days of the alleged breach of duty or fair representation. Such letter must state the grievance held by the individual, the date and nature of the incident, and an explanation as to why this grievance is claimed.
2. Appear before the Executive Board, at the next meeting following the issuance of such letter, to argue his or her case and to suggest remedies to the alleged breach of duty or fair representation.

In all cases, the Executive Board will decide such resolution to the complaint as it determines most appropriate. Written response to the individual will be provided within ten days following the second Executive Board meeting succeeding the receipt of the original complaint.

## **Article XII. The Amendment Process**

**Section 1.** These bylaws may be amended by a two-thirds vote at any general membership meeting, special meeting called for that purpose, or a two-thirds vote of the membership upon ballot provided that such amendment shall be presented in writing and its consideration agreed upon at a previous meeting of the Executive Board, and that written notice is provided in the call for the meeting to act thereon. Protocol described in Article VII, Section 4, Part A will be followed.

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**Section 2.** There shall be a review of the bylaws when recommended by the Executive Board. The Bylaws Committee shall fall under the guidelines of a special committee in Article VIII, Section 4, Part G.

## **Article XIII. Effective Date**

These bylaws shall be effective as of May 24, 2022.

