

# CONSTITUTION



Revised 2010

**ARTICLE I**  
**Name**

The name of this organization shall be the Canandaigua Teachers' Association (CTA).

**ARTICLE II**  
**Affiliations**

The Canandaigua Teachers' Association (CTA) shall affiliate with the New York State United Teachers (NYSUT) and its national affiliates.

**ARTICLE III**  
**Purpose of Organization**

The purpose of this Association will be to promote and protect the welfare of unit members and students, to ensure necessary conditions for work environments, to promote better understanding of educational issues among teachers, administrators, school-related personnel, students, and the community, and to promote the aims and objectives of NYSUT and its national affiliates.

**ARTICLE IV**  
**Membership**

**Section I: Membership Eligibility**

This organization will show no discrimination toward individuals on the basis of sex, religion, color, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

**Section 2: Membership Obligations**

Members shall work to develop their professional skills, support the stated purposes of the Association, abide by the Constitution of the Association and the negotiated contracts, support and participate in Association goals and activities, and pay dues covering their period of employment.

**Section 3: Membership Rights**

- A. Members have the right to attend all general meetings and open meetings of Executive Council.
- B. Members have the right to serve as an elected officer, representative to the Executive Council, delegate or alternate to the NYSUT Representative Assembly, delegate or alternate to the New York State Teachers Retirement System, or as a member of any committee of the Association.

- C. Members have the right to vote in the building in which they are members.
- D. Any individual who fails to complete the necessary membership information required for active members shall be deemed an *agency fee payer*. Agency Fee payers are afforded the benefits and protection of the contract. They shall receive all forms of legal representation enjoyed by active members, however, they shall not have the right to vote in any CTA election, run for or hold any elected office or appointed position or vote in any contract ratification.

**Section 4: Membership Dues**

The Executive Council will review the dues structure each year as part of the budget preparation process. Each member shall pay dues as determined by NYSUT and the local Association. Any change in local Association dues will require a majority vote of full membership.

**Section 5: Canandaigua City School District Clerical and Paraprofessional Association (CPA)**

- A. Members of the Canandaigua City School District Clerical and Paraprofessional Association shall pay dues in accordance with the categories of membership dues adopted by NYSUT & CTA.
- B. CPA members shall enjoy all rights and be subject to all obligations of CTA membership, except for the qualifications specified in this section.
- C. CPA members shall be responsible for establishing a governing body and selecting officers to be responsible for conducting the affairs of the unit.
- D. Under the advisement of the CTA President, a committee shall be established to represent CPA members in contract negotiations as prescribed by the laws of NY State and the contract in effect. CPA members shall understand that NY State law requires a separate contract and that they can not bargain using the teachers' contract. CPA members shall establish procedures for contract adoption and revision.
- E. CPA members shall appoint a designee as a representative on the Executive Council.
- F. CPA representatives shall be elected through a general election of some other practice acknowledged by a majority of CPA membership.
- G. CPA representatives shall assume duties of Head Building Representatives for CPA members in their respective buildings. In buildings without a CPA representative, one member shall be designated by the CPA Chief Officer as the contact person to assume these responsibilities within the building.
- H. CPA members shall be entitled to serve on all standing and special committees, with the exception of the Teachers' Negotiations Committee.
- I. CPA members shall be entitled to vote in all general membership elections, except for the positions of CTA Building Representatives (teacher/teacher assistant) to Executive Council and NYSTRS Retirement Delegates.

## **ARTICLE V Representation**

### **Section 1: Officers**

The Officers of the Association will be as follows: President, two Vice Presidents, Secretary, and Treasurer.

### **Section 2: Representatives**

- A. Representatives of the Association will include Head Building Representatives, Building Representatives, Delegate(s) and Alternate(s) to NYSUT Representative Assembly and its national affiliates, NYS Retirement Board Delegate(s) and Alternate(s).
- B. Each building shall be entitled to a number of elected Building Representatives equal to the number of grade levels within that building.

### **Section 3: Executive Council**

Executive Council consists of the CTA officers, head building representatives, building representatives, one retiree representative, and one designated CPA representative. The Chief Negotiator, Membership Secretary, and Past President shall be ex-officio, non-voting members of the Executive Council. This group shall be the legislative and policymaking body of the Association.

### **Section 4: Head Building Representative selection**

Elected representatives from each building shall determine a head Building Representative for that building by unanimous agreement. In the event one is not selected, the President shall make an appointment.

### **Section 5: Retiree Representative selection**

One voting retiree member shall represent retirees on Executive Council. The President will appoint the representative.

### **Section 6: Delegates to the NYSUT RA and NYS TRS**

- A. NYSUT Representative Assembly Delegates and Alternates
  1. Delegates and alternates to the NYSUT Representative Assembly and national governance bodies shall be elected by ballot. The Executive Council may budget to send full representation to the AFT Representative Assembly as provided under AFT rules governing representation.
  2. When voted into office, the President and Vice-Presidents shall become delegates to the NYSUT Representative Assembly. The ballots shall clearly state that an

- individual is running dually as a NYSUT Representative Assembly delegate and CTA President or Vice-President.
3. Should further representation to the NYSUT Representative Assembly be required, a vote of full membership shall be held.
  4. Should an elected delegate be unable to attend the NYSUT Representative Assembly, alternate delegates will fill the vacant slots.
- B. NYS Teacher Retirement Delegates and Alternates
1. Delegates and alternates to the NYS Teacher Retirement Annual Delegates meeting shall be elected by ballot. The Executive Council may budget to send full representation to the annual Delegates meeting.

### **Section 7: Duties and Responsibilities**

- A. The President will
1. Set, plan, and preside over monthly Executive Council meetings, special meetings, membership meetings, and executive sessions.
  2. Monitor and coordinate all NYSUT and national affiliate affairs (paperwork, meetings, phone calls, etc.)
  3. Serve as Delegate to the NYSUT Representative Assembly. (Elected as Delegate at time of general elections.)
  4. Act as chief spokesperson to and for Association membership.
  5. Act as liaison between the Association and all other parties.
  6. Serve as non-voting, ex-officio member of all committees.
  7. Be a contract authority.
  8. Appoint, with the advice and consent of the Executive Council, chairpersons of all standing committees and special committees, members of the Negotiations and Grievance committees, Membership Secretary, and fill all vacancies.
  9. Participate in the interview process for administrative personnel.
  10. Meet regularly with the active committee chairpersons.
  11. Delegate responsibilities as needed.
- B. Each Vice President shall:
1. Assume responsibilities as delegated from the President.
  2. Serve as Delegate to the NYSUT Representative Assembly. (Elected as Delegate at time of general elections.)
  3. The Senior VP will assume duties of President in the President's absence.
  4. Train new Vice-President.
  5. Attend all monthly and special Executive Council meetings.
  6. One Vice President shall assume the responsibilities associated with elections; the other Vice President shall assume the responsibilities of the Grievance Chairperson.
- C. The Past President shall:
1. Orient and prepare the new President.
  2. Serve as a non-voting, ex-officio member of the Executive Council.

D. The Treasurer shall:

1. Maintain accurate financial records including checking, savings, receipts of deposit, and bills and statements as verification for writing checks.
2. Pay NYSUT dues monthly.
3. Provide a monthly financial report to the Executive Council, starting in July of each new fiscal year.
4. Attend monthly Executive Council meetings and special meetings to present the monthly financial reports and to answer questions concerning financial matters related to the Association's budget and financial situation.
5. Have audit completed and taxes prepared annually.
6. Prepare the annual budget by April.
7. Assume duties as per request of the President and/or the Executive Council.
8. Train newly elected Treasurer.

E. The Secretary shall:

1. Record, process and distribute minutes of the Executive Council to members.
2. Attend to all correspondence of the Association.
3. Maintain records of Executive Council terms.
4. Train newly elected Secretary.
5. Assume duties as per request of the President and/or the Executive Council.
6. Attend all monthly and special meetings of the Executive Council.

F. The Building Representatives shall:

1. Maintain a current Association bulletin board that displays all Association news and information.
2. Carry out duties delegated by the Head Rep.
3. Listen to member views and concerns, record and forward complaints, suggestions, etc., to the Head Rep for review.
4. Encourage member participation and assist in recruitment.
5. Disperse and collect Membership and Scholarship Drive materials and donations as directed by the Head Rep.
6. Achieve working knowledge of the Contract and Constitution and find answers to member concerns.
7. Represent membership's interests at Executive Council.
8. Represent membership's interests to administration as needed.
9. Assist in election procedures as directed by the Head Rep.
10. Chair or serve on a standing committee.
11. Attend all monthly and special meetings of the Executive Council.

H. The Head Representatives shall:

1. Accept the responsibilities of a Representative.
2. Delegate and coordinate duties of Building Representatives.
3. Supervise the distribution and collection of Association information.
4. Coordinate the building Membership Drive and Scholarship Drive as designated by those Committees.
5. Set, plan, and preside over building membership meetings.

- I. The Membership Secretary shall:
  - 1. Maintain an accurate and current master list of all members, including members on leave. The Membership Secretary will check the entire membership lists for name, address, phone, social security number, building code, and job description.
  - 2. Update membership list from NYSUT and forward NYSUT changes to the Treasurer.
  - 3. Maintain Scholarship donations.
  
- J. The Retiree representative shall:
  - 1. Provide regular updates regarding retiree matters.
  - 2. Serve as a liaison between CTA and the Canandaigua Retired Educators.

**Section 8: Removal of Officer or Representative**

- A. Any elected or appointed officer, representative, or delegate may be removed from office if he/she conducts himself/herself in a manner harmful and/or detrimental to the welfare of the Association.
  
- B. Removal Procedure:
  - 1. The individual will be named by a two-thirds vote of the Executive Council or by a petition signed by a majority of the membership presented to the Executive Council.
  - 2. The Executive Council is responsible for notifying the individual named in the petition the reason(s) for removal.
  - 3. The individual will be given the options of resigning from the position or answering the specified charges before a hearing by a Peer Review Panel.
  - 4. The panel shall consist of the President, both Vice Presidents, Treasurer, Chief Officer of CPA and shall exclude any panel member who is the subject of the hearing. The individual named in the petition may also select a building representative and a member-at-large to serve on the Peer Review Panel.
  - 5. The Peer Review Panel shall be chaired by the highest ranking officer not under scrutiny.
  - 6. The panel shall have the authority to advise and/or counsel members when their conduct may prove harmful or detrimental to the welfare of the Association. The chairperson of the Peer Review Panel shall meet with the member and one other panel member of the member's choice to share the Peer Review Panel's recommendation.
  - 7. Removal from office shall be determined by a two-thirds ballot vote of the Peer Review Panel. The decision of the panel is final.
  - 8. The only penalty to be imposed by this process is the removal of the member from the position in question.

## **ARTICLE VI**

### **Committees**

#### **Section 1: Executive Committee**

The CTA Officers may meet as an Executive Committee in the event that immediate action is needed on a matter, which cannot be postponed until the next scheduled Executive Council meeting. It is understood that the President will report all actions taken by this committee at the following Executive Council meeting. This committee should not replace the President's option to call a special meeting of the Executive Council.

#### **Section 2: Standing Committees**

The standing committees shall be Negotiations Committee, Grievance Committee, Planning and Review Committee, Political Action Committee, and Social and Public Relations Committee.

- A. Negotiations Committee - Each building shall be represented on the Negotiations Committee by Presidential appointment.
  1. The Chief Negotiator shall:
    - a. Serve as a non-voting, ex-officio member of Executive Council.
    - b. Attend monthly and special meetings of the Executive Council to present negotiations reports and to answer questions concerning negotiating matters.
    - c. Gather information, assess Association needs and problems on local, regional, state, and national levels.
    - d. Coordinate the preparation of the negotiation package by establishing priorities, rationales, and strategies.
    - e. Present the total package to the Executive Council before the first building meeting.
    - f. Set, plan, and preside over all formal and informal Negotiations Committee meetings and sessions.
    - g. Provide the membership updates on the Negotiations Committee's progress and activities.
    - h. Oversee post settlement refinement of Contract.
    - i. Maintain Association negotiations file.
    - j. Attend NYSUT negotiating training as needed.
    - k. Be Contract authority and make interpretations as needed.
    - l. Present members with a complete list of proposed changes and revisions to the current Contract for consideration at a general membership meeting one full school day prior to a vote on the proposed Contract.



2. The Building Negotiator shall:
    - a. Attend Negotiations Committee meetings and sessions.
    - b. Assist in the preparation of the negotiation package by survey of membership, research, and establishment of priorities and strategies.
    - c. Communicate with building membership, providing negotiations updates, contract advice, interpretation, etc.
    - d. Attend NYSUT training as needed.
    - e. Maintain building negotiations file.
- B. Grievance Committee - Each building shall be represented on the Grievance Committee by Presidential appointment.
1. The Grievance Chair shall:
    - a. Attend monthly and special meetings of the Executive Council to present reports.
    - b. Oversee all procedures and maintain contact with NYSUT during formal grievance.
    - c. Maintain Association grievance file.
    - d. Forward Contract items in need of change to the Chief Negotiator.
    - e. Set, plan, and preside over all meetings of the Grievance Committee.
  2. The Building Grievance Representative shall:
    - a. Receive potential grievance from member or Representative.
    - b. Determine validity of complaint.
    - c. Assist members in the preparation of the written grievance.
    - d. Secure needed information by written request to all parties concerned.
    - e. Represent members at each stage of the grievance procedure.
    - f. Assist NYSUT Representative at the formal stage.
    - g. Research grievances, examine witnesses, update files, and provide documentation for hearings.
    - h. Adhere to guidelines as outlined in the contract.
    - i. Notify Head Representatives of building grievances.
- C. Planning and Review Committee – The Planning and Review Committee will update Association documents every three to four years. This committee will assess needs of the Association and provide direction through the formation of goals.
- D. Political Action Committee – The Political Action Committee will monitor school board issues, interview School Board candidates, stimulate interest and participation in NYSUT, administer NYSUT VOTE/COPE activities, and recommend a representative to the NYSUT Committee of 100.
- E. Social and Public Relations Committee – The Social and Public Relations Committee will plan Association functions such as membership orientation and/or similar celebration and gatherings. The committee will promote coverage of association activities through articles, ads, etc. The committee will coordinate recognition of retirees, SRP's, BOE, etc.

**Section 3: Membership on Standing Committees**

Terms of membership on standing committees shall be one year. Consecutive terms may be unlimited.

**Section 4: Special Committees**

Special committees shall be established and membership maintained as needed to address concerns outside the responsibilities of the standing committees.

**Section 5: Committee Chairpersons**

Chairperson for the following year shall be appointed during the Executive Council meeting in June for standing committees and within one month of the formation of a special committee.

**Section 6: Building Representation on Committees**

Each building shall be entitled to representation on every committee.

**Section 7: Committee Reports**

Committees shall provide regular reports to the Executive Council as needed or requested.

**Section 8: Committee Expenditures**

Standing committee chairpersons should submit budget proposals for the following year to the treasurer by March 1.

**ARTICLE VII  
Meetings**

**Section 1: Regular meetings**

The President will call Executive Council meetings at least ten times per year. Minutes of the regularly scheduled meetings will be published.

**Section 2: Special meetings**

Special meetings of the Executive Council may be called by the President or by request of one-third of the Executive Council.

**Section 3: Quorum**

A quorum for all meetings of the Executive Council shall consist of a majority of the Executive Council voting membership.

- A. If a quorum is not achieved, a new meeting date must be set.
- B. The new meeting date must be scheduled within six to fourteen work days of the adjourned meeting.
- C. Members must receive at least three work days' notice of the new meeting.

**Section 4: General membership meetings**

General membership meetings shall be called by the President for issues of concern and/or professional interest.

**Section 5: Executive Session**

For discussion of confidential, personal, or sensitive matters, executive session may be called for by the President or any member of the Executive Council. Adjournment to executive session requires a majority vote of the Executive Council.

**ARTICLE VIII  
Elections and Voting**

**Section 1: Election Procedure**

- A. Elections for officers, building representatives and delegates will be held in May.
- B. Written notice of elections must be given to each member in good standing not less than 15 days prior to the election.
- C. All voting for elections, contracts, amendments, etc., shall be by secret ballot.
- D. The Head Building Representative and Clerical and Paraprofessional Association Representatives from each building shall be responsible for conducting the voting.
- E. Building representatives shall have lists of eligible voting members. Members shall sign the list to acknowledge receipt of a ballot.
- F. Members not present for the election must vote prior to the election through the Head Building Representative or forfeit their vote.
- G. Ballots must be counted and tallied. Election winners will be published. All ballots must be kept on file for one year.

**Section 2: Terms of Office**

All elected officers, representatives, delegates, and alternates will serve a term of two years and be installed at the point of new business at the regular Executive Council meeting in June. Consecutive terms shall be unlimited. Elected terms will be staggered so that there will be experienced officers and representatives at all time.

**Section 3: Vacancies in elected or appointed positions**

- A. If the office of the President becomes vacant, a Vice President shall assume the office of President. The term of the appointment will last until the next election. Should both Vice Presidents express an interest, a special general election will be held.
- B. Should a vacancy occur in an elected position, the President shall make an appointment subject to the approval of the Executive Council. The term of the appointment will last until the next election.

**Section 4: Contract adoption**

Any new contract must be adopted by a majority vote of the membership under that contract. The vote shall be by secret ballot. Signatures from the Superintendent of Schools and the CTA President shall signify contract adoption.

**Section 5: Contract revision**

At any other time, additions or changes to the contract or any other items of a contractual nature must be reviewed and adopted. Any proposal will be presented to the Executive Council by the CTA President and be voted upon (adoption majority vote of Executive Council.) However, if the proposal is considered to be of significant importance to the general membership, the following procedure should be followed:

- A. At least five days prior to a vote, the CTA President will notify members of the proposal.
- B. A building meeting to provide clarification and answer questions regarding the proposed changes shall be held prior to the vote.
- C. The proposal must be adopted by a majority vote of the Executive Council.
- D. Signatures from the Superintendent of Schools and the CTA President shall signify adoption of the proposal.

**ARTICLE XIV  
Amendments**

**Section 1: Initiation of Amendments**

An amendment to the Constitution may be proposed by either a majority of the Executive Council or a written petition calling for a referendum signed by one-third of membership.

**Section 2: Amendment Referendum**

Notice of the proposed amendment shall be provided to members at least seven days prior to the referendum, and building level meetings shall be held at least one day prior to the referendum. Amendments must be passed by a two-thirds majority vote.

**ARTICLE X  
Parliamentary Authority**

Except as otherwise noted, all business meetings of the Association shall be governed by Robert's Rules of Order.