

CMCU
CONSTITUTION, BYLAWS,
and
POLICIES

Bylaws Committee:

Co-Chairs:

Members:



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CONSTITUTION AND BYLAWS

Article I - NAME

The name of this alliance shall be the Central Massachusetts Collaborative Union, hereinafter referred to as CMCU.

Article II - PURPOSES

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

- A. To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all.
- B. To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.
- C. To unify and strengthen the professions of teachers and support personnel and to secure and maintain their salaries, retirement, personal and sick leave, and other working conditions.
- D. To enable members to speak with a common voice on matters pertaining to the professions of teachers and support personnel and to present their individual and common interests before the School Board and other legal authorities.
- E. To accomplish any other goals consistent with the purposes and general laws of the Commonwealth.

Article III - Membership

Individual membership in the CMCU shall be classified as Active, Associate, and Retired and shall be available to those who pay the prescribed dues.

Section 1- Active Members

- A. Active membership in CMCU shall be open to all professional and support personnel employed in the Central Massachusetts Collaborative as defined in the Professional and Non-Professional Units, who agreed to abide by the Code of Ethics of the Education Profession.
- B. Active members of CMCU shall also be members of the Massachusetts Teachers Association and the National Education Association.



- C. Only active members shall have the privilege of voting or holding office in the Association.
- D. The membership year shall be from September 1 to August 31.
- E. The Central Massachusetts Collaborative Union shall continue active membership to those members laid off due to a reduction in force with reduction in dues of fifty (50) percent. Such eligibility for active membership shall continue as long as such persons are eligible to be recalled or for three (3) years, whichever is longer.

Section 2 - Associate Members

- A. Associate members are those other persons interested in the advancement of education who are not eligible for active membership. Applications for said membership must be made in writing. Membership shall be granted by a majority of the Executive Board.

Section 3 - Retired Members

- A. Retired members are those former active or associate members who upon retirement apply for membership with the CMCU Executive Board and are in good standing as MTA Retired members.
- B. Retired members will not serve or vote on the Executive Board or general membership meetings, but may attend meetings and help serve on committees.

Section 4 - Membership Due Process

- A. The Association shall deny membership to an individual who is a member of a negotiating team representing a school board or representing a board of trustees of a higher education institution if such denial is requested by a governing body of an MTA/NEA affiliate in the school district or higher education institution in question.
- B. The Association shall guarantee that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure.

Article IV - Officers and Executive Board

Section 1

- A. The officers of CMCU shall consist of a President, a Secretary, a Treasurer, a Membership Chairperson, a Communication Chair, and a Social Chair.
- B. The Board may create officer positions as it deems necessary to best serve the interests of the members. All positions so created shall be filled in accordance



with the election procedures in these bylaws. Nothing shall prevent two or more people from sharing any of the officer positions, provided the Executive Board approves of the arrangement.

Section 2

- A. There shall be an Executive Board, hereinafter referred to as the Board, which shall consist of the officers, all building representatives, and unit Chairpersons of support personnel.

Section 3

- A. There shall be at least one representative from each school program on the Board. Each program will have at least one program representative.

Section 4

- A. All Board members are eligible to vote.

Article V - Affiliation

- A. CMCU shall affiliate with the National Education Association under its rules and the Massachusetts Teachers Association under its rules.

Article VI - Amendments

- A. CMCU may adopt amendments to the Constitution and Bylaws by adhering to the following process: two-thirds majority of those voting at any meeting of the general membership provided that amendments have been introduced at a prior meeting of the Executive Board and that copies of the proposed amendments have been distributed to members of CMCU for discussion. These amendments must be distributed 10 school days prior to the General Meeting.

Article VII - Indemnification

- A. CMCU shall indemnify its officers and Executive Board for any and all acts or omissions taken by virtue of their position or association with CMCU.

Article VIII - Meetings

Section 1 - Rules and Procedures



- A. Robert's Rules of Order, when not inconsistent with these Bylaws, shall govern the proceedings of CMCU.

Section 2 - Executive Board

- A. The Executive Board shall meet regularly, and no less than once a month (that school is in session) at a time designated by the Board, at the call of the President, or at a majority request of the Board submitted to the President.

Section 3 - General Membership

- A. A General Membership meeting shall be held annually. The Executive Board shall arrange additional meetings of the members if a need arises. The membership will be notified of meeting dates, times, and places at least one month prior to the meeting date, whenever possible.

Section 4 - Special

- A. A special meeting of the membership may be called at the call of the President, a member of the Executive Board, or by the written request of 10% of the active members to the President with agenda item(s) that include(s) a rationale. A date for a special meeting will be determined by the Executive Board in a timely manner. The membership will be notified of meeting dates, times, and places at least one month prior to the meeting date, whenever possible.

Section 5 - Ratification

- A. Each bargaining unit will ratify their own contract.

Article IX - Quorum

Section 1

- A. A majority of the members shall be a quorum for the Executive Board and Committees.

Section 2

- A. A quorum for a membership meeting shall be 10% of the membership.

Section 3

- A. A quorum for a ratification meeting shall be 10% of each unit's membership.



Article X - Duties of the Officers, Chairpersons, and Program Representatives

- A. In the interest of best serving the membership, the Executive Board may add to this list of officers. Nothing shall prevent more than one person from sharing these positions, provided they are duly elected in keeping with these bylaws.
- B. The CMCU Executive Board shall consist of at least one representative from each represented bargaining unit. Where none are elected as listed officers, there shall be a special position of "Executive Board Representative" created to satisfy this requirement. The person serving in this position shall make sure the interests of their respective bargaining unit are heard and considered by the Executive Board. They may also be assigned other duties in the interest of the CMCU, as they and the Executive Board may determine.

Section 1 - President

- A. Shall preside at meetings of the Executive Board and General Membership meetings.
- B. Shall appoint the members of standing committees, special committees, and the negotiation committee.
- C. Shall recommended the chair of all standing committees and the negotiation committee for appointment by the Executive Board.
- D. Shall be ex-officio member of all committees.
- E. Shall be executive officer of CMCU.
- F. Shall recommend candidates to the Executive Board for appointment to fill vacancies.
- G. Shall represent CMCU before the public either personally or through a designee(s) and shall perform all other functions usually attributed to the office.
- H. Shall regularly and transparently provide updates to the membership through the board approved CMCU communication device.
- I. Shall advise and support Unit Chairpersons and all other CMCU Officers in fulfilling their duties and responsibilities.
- J. In the event the president vacates their position, and there is no co-president, then the Executive Board shall designate a member of the Executive Board to take over and fulfill those presidential duties until either a special interim election or a regular election may take place.
- K. Other duties as may be designated by the Executive Board in the interest of the CMCU membership.

Section 2 - Secretary

- A. Shall keep accurate minutes of all meetings of the Executive Board and the Association.



- B. Shall maintain official files and shall assist the President and other officers with Association correspondence.
- C. Shall keep a roster of duly elected Executive Board members.
- D. Other duties as may be designated by the Executive Board in the interest of the CMCU membership.

Section 3 - Treasurer

- A. Shall hold the funds of CMCU and disperse them upon authorization by the Executive Board.
- B. Shall bill the members for their annual dues and transmit amounts due to the Massachusetts Teachers Association and the National Education Association.
- C. Shall keep accurate accounts of receipts and disbursements.
- D. Shall report to each meeting of CMCU and shall prepare an annual financial statement for publication to members as directed by the Executive Board.
- E. Shall keep the President and Executive Board informed of the financial condition of CMCU.
- F. Shall assist in the initial drafting of the budget.
- G. Shall record and document the audit process every three years.
- H. Other duties as may be designated by the Executive Board in the interest of the CMCU membership.

Section 4 - Membership Chair

- A. Shall maintain up to date and accurate records of the membership for CMCU.
- B. Shall process new member applications as well as requests to discontinue membership.
- C. Shall provide membership record updates to MTA annually for the new school year and as needed throughout the year in accordance with MTA deadlines.
- D. Shall provide a list of members to program representatives and the Nominations and Elections chair for the purpose of voting.
- E. Shall reconcile membership records with Central MA Collaborative's Payroll department for accurate and timely payroll deduction of dues.
- F. Shall coordinate with the Treasurer regarding the current number of members.
- G. Shall keep member lists confidential unless for the express purpose of union business.
- H. Other duties as may be designated by the Executive Board in the interest of the CMCU membership.

Section 5 - Duties of the Program Representatives



- A. Shall communicate to the members of their respective programs. The program representative shall be responsible for distributing CMCU communication to the members of all units in their buildings. Program representatives shall keep members informed by holding monthly meetings.
- B. Program representatives shall act as a liaison in their programs to the Executive Board.
- C. Program representatives shall attend at least 80% of the Executive Board meetings and notify members of general meetings. An Executive Board member missing any three (3) regularly scheduled consecutive meetings or any five (5) meetings shall be notified in writing, and may be removed for poor attendance.
- D. Shall ensure members have proper representation and shall assist in the formulation and processing of grievances at Level 1, and at further Levels as directed by the Grievance Committee.
- E. Shall communicate with program administration on issues important to the membership.
- F. Each program will have at least one program representative.
- G. As stewards of CMCU, Program Representatives have a fiduciary responsibility to maintain its health and operation. Conduct to the contrary shall be subject to censure, and/or potential removal from the Board.

Section 6 - Stewardship

- A. As stewards of CMCU, Board Members have a fiduciary responsibility to maintain its health and operation. Conduct to the contrary shall be subject to censure, and/or potential removal from the Board.

Article XI - Duties of the Executive Board

Section 1

- A. The Executive Board shall be responsible for the management of CMCU and shall carry out its policies.

Section 2

- A. Shall deliberate on the recommendation of the President.

Section 3

- A. Shall arrange for the audit of CMCU's financial records every three years by an MTA recommended auditor.



Section 4

- A. Shall set the annual dues of CMCU, subject to a majority vote approving any changes.

Article XII - Stipends

Section 1

- A. Stipends may be paid to all officers of CMCU as determined by the Executive Board and voted as part of the budget by the membership at the annual meeting.

Section 2

- A. Half of the officers' stipend shall be paid at the December Board meeting. Half shall be paid at the June Board meeting.

Section 3

- A. Building Representatives shall be paid an amount determined by the Executive Board contingent upon attendance at 80% of the scheduled Board meetings. Less than 80% attendance may result in a diminishment or elimination of this stipend as determined by the Board. The stipend is to be paid at the June Board meeting.

Section 4

- A. Stipends for members of standing committees shall be determined by a majority of the Executive Board at a Board meeting and subject to a majority vote of the membership.

Section 5

- A. Stipends for the Chairperson of Standing Committees and Ad Hoc Committees shall be determined by a majority of the Executive Board at a Board meeting.

Article XIII - Nominations and Elections

Section 1

- A. Any active member of CMCU as defined in Article III Section 1 is eligible to be a candidate for officer of CMCU or Program Representative.

Section 2 - Nominations and Elections of Officers



- A. The Nominations and Elections committee shall be responsible for securing candidates for each of the Bylaw offices on the Executive Board. The committee shall be responsible for conducting an election of officers and Program Representatives according to the Campaign and Election policy.
- B. The Committee shall recommend changes to the Campaign and Election Policy no later than the Executive meeting on a date that shall be set by the Executive Board and publicized 60 days in advance.
- C. A slate of candidates shall be presented to the membership prior to the election according to the guidelines of the Campaign and Election Policy.
- D. Election of officers shall take place in May by paper ballot in each school. The Board may consider electronic voting should there be unforeseen and extenuating circumstances.
- E. New officers shall take office at the conclusion of the June Board meeting.
- F. All materials, member lists and passwords for CMCU accounts will transfer from outgoing officers to incoming officers at the end of the June Board meeting.
- G. Treasurer shall serve until July 1st. The incoming treasurer will train with the previous treasurer in the time between the June Board meeting and the transfer of power on July 1st.
- H. All elected officers shall serve a two (2) year term, or until their successor is elected and may run for re-election.

Section 3 - Election Procedures

- A. The candidates seeking the office of President, Secretary, Treasurer, Membership Chair, and Chairpersons will take out nomination papers secured from the Nominations and Election Committee. These papers with twenty (20) signatures of active members will be turned into the Committee according to the guidelines of the Campaign and Election Policy.
- B. If no one seeks nomination papers, the Committee shall be responsible for securing candidates for each of the elected offices.
- C. Candidates may submit voluntary information for the dissemination to CMCU members by May 1. The information must be provided according to the guidelines of the Campaign and Election Policy. The Nomination and Election Committee must communicate the slate of candidates and their voluntary information in writing to the membership according to the guidelines of the Campaign and Election Policy.
- D. Elections of the officers shall be held annually between May 21st and May 31st.
- E. Voting shall be by secret ballot according to the guidelines of the Campaign and Election Policy.



- F. Those interested in serving as Program Representatives shall submit their names to the Chairperson of the Nominations and Elections Committee two weeks preceding the annual election.

Section 4 - Annual Meeting Delegates

- A. Delegates shall be selected in accordance with MTA bylaws.

Section 5 - NEA Delegates

- A. Delegates to the NEA Representative Assembly shall be selected in accordance with NEA Bylaws.

Article XIV - Negotiation

Section 1

- A. Prior to negotiations with the School Board and prior to the agreed upon time for submissions of negotiable matters for a new contract, a survey will be conducted and a general meeting shall be held by the Negotiation Committee for the purpose of expressing concerns and priorities of the membership. The survey and meeting shall guide the Negotiation Committee during negotiations.

Section 2

- A. The Negotiating Committee shall distribute the Tentative Agreement to the membership for review, at least one week prior to the contract ratification vote except in emergency situations such as the end of the fiscal year or job action. .

Section 3

- A. Prior to the ratification vote, an informational meeting of the units will be held to explain the new contract.

Section 4

- A. Ratification will be in accordance with 402 CMR 17.03.

Article XV - Standing Committees

Section 1 - Negotiation Committee

- A. The Executive Board shall appoint the negotiating committee.
- B. Shall consist of a cross section of the bargaining unit members whenever possible.



- C. Shall prepare a series of proposals with input from the membership to present to the School Board
- D. Shall negotiate with the School Board on wages, hours, and working conditions for the bargaining unit.
- E. Shall, upon reaching an agreement with the School Board, prepare and present its report to the general membership in accordance with Article XV of the Bylaws.
- F. If the need arises for negotiations while a Contract is in force, the President shall appoint members to the impact bargaining team.

Section 2 - Grievance Committee

- A. Shall consist of the Grievance Chair(s), or Representative(s). Another person or persons may be appointed by the President as chair should it be deemed necessary.
- B. Shall investigate and advise members on all potential Contract violations brought to its attention.
- C. Shall file grievances on behalf of all bargaining unit members in accordance with their contracts.
- D. Shall represent members at all grievance hearings.

Section 3 - Nominations and Elections Committee

- A. The President will appoint by December 1st, one (1) representative from the elementary level, one (1) representative from the middle school level, and one (1) representative from the high school level to serve as the Nominations and Elections Committee and recommend to the Executive Board a Chair.
- B. An officer who is up for reelection within CMCU is not eligible to be a member of the committee.
- C. Officers may consult with the Nominations and Elections Committee.
- D. Shall carry out the Campaign and Election Policy.

Section 4 - Sick Bank Committee

- A. Shall consist of members identified in the contract
- B. Shall communicate with the Executive Board
- C. Shall assist members in preparation for meeting with the Sick Bank

Section 5 - Ad Hoc Committees

The following standing committees shall be formed by the President with approval of the

Section 6 - Other Committees

- A. The Executive Board may form other committees as may deemed necessary to serve the interests of the CMCU membership.



Section 7 - Stipends

- A. Stipends for Committee Chairs and members shall be determined by the Executive Board

Article XVI - Dues

Section 1

- A. Local dues of CMCU shall be set by a majority of the Executive Board at a Board meeting and subject to a majority vote of the membership.

Section 2

The annual dues shall be based on the following formula:

- A. Full time active members shall pay the full amount of dues contingent on their unit membership.
- B. The annual dues of an active member who starts after February 1st of the school year shall be one half ($\frac{1}{2}$) of the regular rate.
- C. The annual dues of an active member, who present evidence of part time employment which is no MORE than one half ($\frac{1}{2}$) of a full time position shall be one half ($\frac{1}{2}$) the rate of active members who are employed full time.
- D. The annual dues of an active member who presents evidence of termination of employment up through January 31st of a school year shall be one half ($\frac{1}{2}$) of the regular rate.
- E. Associate members shall pay one half of the annual dues paid by active members
- F. Retired members shall pay \$10.00 per year.

Section 3

- A. The funds of CMCU may be disbursed for any purpose consistent with Article II of these Bylaws.



Campaign and Election Policies

Introduction

The CMCU bylaws set forth the basic requirements for candidates who seek election. It is the responsibility of each candidate to ensure that all campaign workers are aware of and abide by the campaign regulations. If a candidate becomes aware of any unauthorized prohibited campaign activity that is being conducted on his/her behalf, the candidate shall notify the Chairperson of the Nominations and Elections Committee, in writing, within forty-eight hours of knowledge of the prohibited activity.

Part II - Election Requirements

I. Membership Requirements

- A. Active members of CMCU shall be eligible to run for office. Candidates for office must be members of CMCU for no less than 3 months at the time of the election.

II. Method of Election

- A. Voting shall be by secret ballot.

Part III - Conduct of Elections

I. Notice of Elections

- A. The Chairperson of the Nominations and Elections Committee must give written notice of the opportunity to nominate candidates to all members eligible to vote. The notice must specify the office(s) to be filled and the time, date, and place of the election.

II. Open Nominations

- A. Nominations shall be open to all active members of CMCU.
- B. The nomination period shall commence on April 1st and shall end on May 1st.
- C. All nominations must be forwarded in writing to the Chairperson.
- D. The Chairperson will send the nomination form(s) to each candidate so nominated.
- E. The nominations and elections committee will certify the names of all the candidates for office(s).
- F. The committee will send a written notice of the slate of candidates 14 days prior to the elections (This shall be calendar days).
- G. No person shall run for more than one office.
- H. The names of all the nominees shall appear on the ballot using alphabetical order to determine placement on the ballot.



- I. Each candidate may submit campaign literature limited to one side of an 8x10 page by May 1, which will be distributed to all members at least one week prior to the election day. This shall be the responsibility of the Nominations and Elections Committee. All costs for this will be borne by CMCU.

III. Plurality Vote

- A. A plurality vote of the valid ballots shall be necessary to elect a CMCU officer. A valid ballot shall be cast for no more than the maximum number of positions to be filled. A blank ballot shall not be counted.

IV. Secret Ballot

- A. A secret ballot shall mean a voting procedure which cannot disclose the identity of the voter to those tallying the votes. A challenged ballot must be held aside for deliberation by the committee.

V. Eligibility to Vote

- A. Active members of CMCU shall be eligible to vote.
- B. The Membership Chairperson of CMCU shall provide an updated membership list to the committee by March 1st and May 1st. The Membership Chair will notify the Nominations and Elections committee of any changes to membership lists before any general election. The lists will be included in the election packet for each building.

VI. Balloting

- A. The Nominations and Elections Committee will determine if a paper or electronic voting system should take place based on the determination of the Executive Board according to Article XIII, Section 2D.
- B. The balloting shall commence 15 minutes prior to the start of the school day and shall end 30 minutes after the end of the school day.
- C. Write-Ins will only be allowed when no candidate has been certified by the Nominations and Elections committee for the particular office. All ballots and voting lists will be hand delivered to the committee by 5:00 P.M.
- D. In the event of a paper voting platform:
 1. All ballots will be numbered and included with the membership list for each program. People who are assigned to more than one program will vote according to payroll distribution.
 2. It is the responsibility of the program rep(s) to verify and check off the name of each voter who receives a ballot at the predetermined polling site.
- E. In the event of an electronic voting platform
 1. An MTA vetted system will be used
 2. All ballots will be secret

VII. Absentee Ballots



- A. Any member who knows in advance that he/she will be absent may request in writing, an absentee ballot. All requests to the Chairperson must be received 5 days (calendar) in advance of the election date. It is the responsibility of the voter to ensure that the ballot is delivered to the Chairperson by 5:00 PM on the day of the election.
- B. Proxy voting is not allowed.

VIII. Candidates Observers

- A. Each candidate must be permitted to have an observer present at the tallying of the ballots

IX. Tallying

- A. The committee shall be responsible for counting the ballots, and shall verify the voting lists to determine if a majority of the valid ballots has been achieved by the candidate(s).
- B. The Chairperson shall call each candidate to notify him/her of the results. This shall be done in a timely manner.
- C. The Chairperson shall certify the results and send a written notice of the same to each program rep for posting in each program.

X. Challenges or Run-offs

- A. If a member has a concern with the conduct of the election process, he/she is to file it in writing with the Chairperson of the committee within 5 days (calendar) of the election.
- B. It is the responsibility of the Chairperson to inform the Board of a challenge and to conduct a hearing with all parties concerned within 5 days of receipt of the letter or on a mutually agreed upon date.
- C. The decision of the committee is final and not subject to further review.
- D. If a run-off election must be held, the same process shall be followed with the exception of the election date, which shall be set on the second Thursday in June. Only those members eligible to vote in the regular nomination may vote in a run-off. The nomination process does not apply in a run-off as the candidate having the fewest votes is dropped from the ballot. If there are two candidates and neither received a majority, both names will appear on the ballot.
- E. If an election is challenged and is determined to be flawed, then a new nomination and election process will be conducted. The nomination period will begin September 1 and end September 30.