

# ***Constitution and Bylaws***

***Including Special Rules of Order, Standing Rules, and  
Procedures for Censuring, Suspending, and Expelling  
Members for Cause and for Reinstating Members.***

***Rochester Teachers Association***

***Local 616 -- NYSUT/AFT***

*August, 2005*

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**ROCHESTER TEACHERS ASSOCIATION**  
**Local 616 -- NYSUT/AFT**  
**30 N. Union Street, Suite 301**  
**Rochester, N.Y. 14607**

## **CONSTITUTION**

### **ARTICLE I - NAME**

The name of this Association shall be Rochester Teachers Association.

### **ARTICLE II - PURPOSES**

- Section 1** To work for the welfare of school children, the advancement of education, and the improvement of instructional opportunities for all.
- Section 2** To develop and promote professional autonomy through the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.
- Section 3** To unify and strengthen the teaching profession by developing and promoting a continuing program to improve instruction, working conditions, salaries, and fringe benefits through formal negotiations with the Board of Education as the exclusive representative of teachers of the Rochester City School District and in compliance with the statutes of the State of New York.
- Section 4** To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the Board of Education, other legal authorities, and other concerned groups.
- Section 5** To hold property and funds and to employ a staff for the attainment of these purposes.

### **ARTICLE III - MEMBERSHIP**

There shall be the following membership categories: active, special, retired, honorary.

**Section 1** **Active Members**

Active membership in the Association shall be open to persons who are included in the Teacher Unit, Rochester School Instructors Association, the Per Diem Substitute Unit, Rochester Home/Hospital Teachers Association, Charter School Units, the Rochester Preschool Parent Program Unit, Rochester Retired Teachers Association and any other unit for which the Rochester Teachers Association is the bargaining agent.

**Section 2 Special Members**

Special membership in the Association shall be open to persons who:

- a. Are eligible for active membership, but whose salary is less than the basic teacher's salary,
- b. Are employed by the City School District but are ineligible for active membership,
- c. Are on unpaid leave,
- d. Are laid-off members who were previously employed by the District, but are not currently working and are on a preferred recall list.

**Section 3 Retired**

Members who retire from their positions shall be retired members. There shall be two categories of retired membership:

- a. Dues paying members
- b. Non dues paying members

**Section 4 Honorary**

Honorary membership may be conferred by the Representative Assembly upon persons who have rendered conspicuous public service to education in Rochester. Honorary membership shall be subject to conditions as the Representative Assembly may deem proper.

**Section 5 Conditions of Membership**

- a. Active and special membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- b. Active, special, and retired members of the Association shall also be members of the New York State United Teachers and its national affiliates.
- c. Retired Members
  1. Dues paying members shall have all the privileges of this Association.
  2. Non dues paying members shall have all the privileges of this Association except the right to hold office, to vote, or to represent the Association.

**Section 6 Revocation of Membership**

According to procedures and for causes established by the Representative Assembly, after due process, the Executive Council may recommend to the Representative Assembly that it suspend from membership or expel or censure any member and may reinstate a member who has previously been suspended or expelled from the Association.

## **ARTICLE IV - DUES**

### **Section 1 Active Members**

- A. The dues for RTA active members with a salary of \$28,000 or more shall be \$273 plus current NYSUT and national affiliate dues.
- B. The dues for RTA active members making less than \$28,000, but more than \$21,000, shall be \$204.75 plus current NYSUT and national affiliate dues.
- C. The dues for RTA active members making less than \$21,000, but more than \$14,000, shall be \$136.50 plus current NYSUT and national affiliate dues.
- D. The dues for RTA active members making less than \$14,000, but more than \$7,000, shall be \$68.25 plus current NYSUT and national affiliate dues.
- E. The dues for RTA active members making less than \$7000 shall be \$35.13 plus current NYSUT and national affiliate dues.
- F. The dues for active Per diem substitute teachers shall be \$40.25 plus current NYSUT and national affiliate dues.

### **Section 2 Special Members**

- a. The dues for laid-off members shall be the current NYSUT and national affiliate dues for laid-off members. Laid-off members shall be exempt from payment of RTA dues.
- b. The dues for members on leaves of absence shall be the current NYSUT and national affiliate dues for members on leaves of absence. Members on leaves of absence without pay shall be exempt from payment of RTA dues.
- c. The dues for other members making less than the basic minimum teacher salary but more than \$12,000 shall be \$66.50 plus current NYSUT and national affiliate dues. The dues for members making less than \$12,000 shall be \$33.25 plus current NYSUT and national affiliate dues.

### **Section 3 Retired Members**

- a. The local dues for dues paying retired members shall be 10% of the dues for active members.
- b. There shall be no local dues for non dues paying members.
- c. Retired members shall pay no dues to NYSUT and the national affiliate.

## **ARTICLE V - OFFICERS**

The officers of the Association shall consist of a President, a First Vice-President, a Second Vice-President, a Secretary, and a Treasurer. The President, the First Vice-President, the Second Vice-President, the Secretary, and the Treasurer shall be elected by the membership at large.

## **ARTICLE VI - EXECUTIVE COUNCIL**

**Section 1** The Executive Council shall consist of the Association officers and the Chairperson from each Department. It shall be the executive authority of the Association. The Executive Director shall be an ex-officio non-voting member of the Executive Council.

**Section 2** The Executive Council shall have the power to employ a staff for efficient management of the Association and adopt personnel policies for this staff.

**Section 3** When the President has been grossly negligent of duties as defined in the Bylaws or is incapacitated, a majority of the Executive Council or 25% of the members by petition shall recommend to the Representative Assembly that the office be declared vacant. The President shall be informed of all charges and will be allowed to answer the charges before the Assembly prior to its vote. A 2/3 vote of the Representative Assembly shall declare the office vacant. The First Vice-President shall replace the President as stated in Article III, Section 2b in the Bylaws.

**Section 4** When any officer, except the President, has been grossly negligent of duties as defined in the Bylaws, a majority of the Executive Council or 25% of the members by petition shall recommend to the Representative Assembly that the office be declared vacant. The officer shall be informed of all charges and will be allowed to answer the charges before the Assembly prior to its vote. A 2/3 vote of the Representative Assembly shall declare the office vacant. The Representative Assembly shall immediately elect a replacement to fill the unexpired term of the Second Vice-President, Secretary, or Treasurer. The Second Vice-President shall replace the First Vice-President as stated in Article III, Section 3b in the Bylaws.

## **ARTICLE VII - DEPARTMENTS AND SECTIONS**

### **Section 1 Departments**

- a. The following shall be recognized as Departments: Primary (PreK-3), Intermediate (4-6), Junior High Department, Senior High, Special Education, Special Services, the Rochester School Instructors Association, the Per Diem Substitute Unit, Home/Hospital Teachers Association, Charter School Units, The Rochester Preschool Parent Program, Rochester Retired Teachers Association and any other collective bargaining unit for which the Rochester Teachers Association is the bargaining agent.
- b. Each Department may organize itself under procedures and rules established in the Bylaws and may represent its members within the Association on all matters.
- c. The membership of each Department shall elect from that Department a Chairperson to serve on the Executive Council and one Representative to serve in the Representative Assembly. A member may vote from only one Department for these Representatives.

### **Section 2 Sections**

With the approval of the Department under rules adopted by that body, members may organize sections to consider specific professional interests that are not an appropriate concern for the total membership of the Department.

### **Section 3 Prerequisite**

Membership in the Association shall be a prerequisite for membership in Departments and Sections.

## **ARTICLE VIII - REPRESENTATIVE ASSEMBLY**

- Section 1** The legislative and policy-forming body of the Association shall be the Representative Assembly.
- Section 2** The Representative Assembly shall consist of one or more Representatives from each recognized Faculty Unit, one Representative from each Department, and the Chairpersons of the Standing Committees.
- Section 3** Members of the Executive Council shall be members of the Representative Assembly without vote.
- Section 4** Any member of the Association who is not a member of the Representative Assembly may attend its meetings, shall sit apart from the voting body, but may receive permission to speak.

## **ARTICLE IX - AFFILIATION**

The Association shall affiliate with New York State United Teachers and its national affiliates.

## **ARTICLE X - AMENDMENTS**

- Section 1** The Association shall distribute to all members any proposal for amendment to this Constitution offered at a regular meeting by a majority of the Representative Assembly. Such proposal for amendment shall be voted upon at the next regular meeting of the Representative Assembly. Adoption shall require a 2/3 majority of the Representative Assembly.
- Section 2** The Association shall distribute to all members any proposal for amendment to Article IX presented in petition to the Representative Assembly by 30% of the members. Such proposal for amendment shall be voted upon within 30 days of the presentation. Adoption shall require a 3/4 majority of the membership.

**Rochester Teachers Association  
Local 616--NYSUT/AFT  
30 N. Union Street, Suite 301  
Rochester, New York 14607**

## BYLAWS

### ARTICLE I - MEETINGS

- Section 1 Executive Council** - The Executive Council shall meet at least once each school month, at the call of the President, or at the request of three members of the Council.
- Section 2 Representative Assembly** - The Representative Assembly shall meet at least once each school month. According to the Standing Rules of the Representative Assembly, the Executive Council and the Representative Assembly shall prepare a tentative agenda for each meeting and shall circulate it to all members of the Assembly so that the Representatives have time to discuss it with their members. The Executive Council, as necessary, shall assist Representatives in such discussion.
- Section 3 Special Meetings** - Special meetings of the Representative Assembly may be held at the call of the President or upon written request to the Executive Council from 8 Representatives. Business to come before special meetings must be stated in the call, which shall be sent in writing to each Representative. Business shall be confined to those items.
- Section 4 General Membership Meetings** - The Executive Council or Representative Assembly may arrange meetings of the members each year for discussion of professional issues.

### ARTICLE II - QUORUM

A majority of their members shall be a quorum for the Representative Assembly, Executive Council, and Committees.

### ARTICLE III - POWERS AND DUTIES OF OFFICERS

- Section 1 President** - The President shall:
- a. Preside over all meetings of the general membership, the Representative Assembly, and the Executive Council.
  - b. Appoint the Chairpersons and members of Standing Committees, except the Negotiating Committee and Grievance Committee.
  - c. Appoint, with the consent of the Representative Assembly, the Chairperson and members of the Negotiating Committee for the Teacher Unit, and the Chairperson and members of the Grievance Committee for the Teacher Unit.
  - d. Appoint, with the consent of the Representative Assembly, the Chairpersons and members of the Special Committees, except the Nominating and Election Committee.

- e. Serve as a non-voting, ex-officio member of all committees except the Nominating and Election Committee.
- f. Notify the members of the Representative Assembly of the names of committee appointees which require Assembly consent at least 10 days in advance of the confirmation action by the Representative Assembly.
- g. Represent the Association before the public, either personally or through delegation of authority.
- h. Be responsible for representing the Association at all Board of Education meetings and City Council meetings.
- i. Be responsible for and supervise the preparation of the agenda for meetings of the Executive Council.
- j. Appoint a Parliamentarian with the consent of the Representative Assembly.
- k. Provide orientation and transition procedures for the successor to this office.
- l. Present to the membership a written report on the "State of the Association" at the completion of each membership year.
- m. Be the Executive Officer of the Association.
- n. Perform all other duties usually attributed to this office, those duties prescribed by these Bylaws, and those duties prescribed by the parliamentary authority of the Association.

**Section 2 First Vice-President** - The First Vice-President shall:

- a. Perform the duties of the President in the President's absence.
- b. Assume the office of the President when that office becomes vacant for any reason and serve until the expiration of the term for which the President was elected.
- c. Perform such other duties as may be assigned by the President and the Executive Council.
- d. Provide orientation and transition procedures for the successor to this office.
- e. Perform all other duties usually attributed to this office, those duties prescribed by these Bylaws, and those duties prescribed by the parliamentary authority of the Association.

**Section 3 Second Vice-President** - The Second Vice-President shall:

- a. Perform the duties of the President in the absence of the President and First Vice-President.
- b. Assume the office of the First Vice-President when that office becomes vacant for any reason and serve until the expiration of the term for which the First Vice-President was elected.
- c. Perform other duties as may be assigned by the President and the Executive Council.
- d. Provide orientation and transition procedures for the successor to this office.
- e. Perform all other duties usually attributed to this office, those duties prescribed by these Bylaws, and those duties prescribed by the parliamentary authority of the Association.

**Section 4 Secretary** - The Secretary shall:

- a. Keep accurate minutes of all meetings of the Executive Council, the Representative Assembly, and the general membership.
- b. Maintain official files.
- c. Be responsible for maintaining a current roster of membership of all Departments of the Association.
- d. Present to the Representative Assembly for annual review general statements of continuing policy of the Association.
- e. Establish the number of Representatives from each Faculty Unit.
- f. Be responsible for keeping accurate attendance records of the Representative Assembly according to procedures established by that body.
- g. Be responsible for keeping accurate attendance records of the Executive Council according to procedures established by that body.
- h. Establish the number needed for a quorum of all meetings of the Representative Assembly and the Executive Council.
- i. Turn over to the Secretary's successor all records for which the Secretary is responsible.
- j. Provide orientation and transition procedures for the successor to this office.
- k. Perform all other duties usually attributed to this office, those duties prescribed by these Bylaws, and those duties prescribed by the parliamentary authority of the Association.

**Section 5 Treasurer** - The Treasurer shall:

- a. Hold the funds of the Association and disburse them upon authorization by the Executive Council.
- b. Collect the annual dues with assistance of the Membership Committee.
- c. Assist the Executive Council in the drafting of the annual budget.
- d. Supervise the keeping of accurate accounts of receipts and disbursements.
- e. Present a Treasurer's report at each regular meeting of the Representative Assembly.
- f. Prepare an annual financial statement for publication to members.
- g. Be responsible for submitting the Association accounts for audit upon completing term of office.
- h. Be bonded by the Association for a sum sufficient to protect the Association from loss.
- i. Provide orientation and transition procedures for the successor to this office.
- j. Perform all other duties usually attributed to this office, those duties prescribed by these Bylaws, and those duties prescribed by the parliamentary authority of the Association.

## **Section 6 Qualifications, Terms, Succession, and Vacancies**

- a. **Qualifications:** A candidate for the Executive Council shall have been a member of the Rochester Teachers Association for the one year (all or any major portion of a school year) previous to the election. An individual may be a candidate for, or serve in, only one Executive Council position at one time.
- b. **Terms and Succession:** Executive Council members shall hold office for a term of two years or until their successors are elected. There shall be no limitation to the number of consecutive terms someone shall be eligible to serve in the same office. All Executive Council members shall take office July 1 following their elections.

A candidate for Department Chairperson must be a member of the Department at the time of his/her nomination for that position. If after election to the position of Chairperson, a member's teaching assignment is changed so that he/she is no longer of that Department as defined in the Bylaws, Article VI, Section 1a, that person shall be allowed to remain that Department's Chairperson until the following June 30; in the event that the following June 30 is not also the date of the normal end of his/her term as defined above, an election to fill the position for the remainder of the term shall take place in the preceding May.

- c. **Vacancies:** In the event of a vacancy in the Office of Second Vice-President, Secretary, or Treasurer, the Representative Assembly shall, by secret ballot, fill that vacancy provided that the Representative Assembly shall have a choice between at least 2 qualified candidates for that office. The candidate chosen shall serve for the remainder of the term.

Whenever the office of President, First Vice-President, and Second Vice-President shall all become vacant between elections, except as provided in Article VI, Sections 3 and 4 of the Constitution, the remaining members of the Executive Council shall choose one of their number to serve as President pro tempore until the Representative Assembly can fill the vacancies.

In the event of a vacancy in the position of a Department Chairperson on the Executive Council, the Department shall elect a replacement within 30 days; if they fail to do so, the President shall appoint a qualified member of the Department to serve the remainder of the term.

## **ARTICLE IV - POWERS AND DUTIES OF THE EXECUTIVE COUNCIL**

### **Section 1 The Executive Council, within policies established by the Representative Assembly, shall:**

- a. Be responsible for the management of the Association.
- b. Approve all expenditures.
- c. Carry out policies of the Association.

- d. Report its transactions and those of the Representative Assembly to the membership.
- e. Consult the Standing and Special Committees of the Association for development of policy statements, position papers, and action to advance the purposes of the Association.
- f. Propose and recommend policies, position papers, and action to the Representative Assembly.
- g. Recruit leadership from the membership to serve the profession.
- h. Assist the President in appointing committee members.
- i. Develop a set of rules of procedure to insure efficient and business-like meetings.
- j. Employ and establish duties and responsibilities of the Executive Director and staff, subject to the approval of the Representative Assembly.
- k. Enforce the contract negotiated with the Board of Education and report these actions to the Representative Assembly. This includes briefing and charging appointees to joint Rochester Teachers Association-City School District committees established in the contract, and requiring reports to both the Executive Council and the Representative Assembly from these committee members.
- l. Develop effective communications between the leadership and the Faculty Representatives to unify the membership.
- m. Conduct appropriate workshops for the Faculty Representatives and Alternates.

**Section 2 The members of the Executive Council shall:**

- a. Attend all meetings of the Executive Council.
- b. Attend all meetings of the Representative Assembly.
- c. Meet at least once each school month.

**ARTICLE V - THE REPRESENTATIVE ASSEMBLY**

**Section 1 Powers and duties of the Representative Assembly - The Representative Assembly shall:**

- a. Establish the policies of the Association.
- b. Adopt and annually review general statements of continuing policy of the Association.
- c. Receive and act upon reports of the Executive Council, of Association committees, and of delegations of the Association.
- d. Approve an annual budget, receive monthly reports of receipts and expenditures, and authorize the Executive Council's requests to exceed any budgeted account beyond 5% of its total.
- e. Set the dues for the Association in accordance with the Constitution, Article X, Section 1.
- f. Adopt procedures to be followed in censuring, suspending and expelling members for cause, and in reinstating members. Such procedures shall include provisions for notification of a member of the charges and a forum to respond to the charges.
- g. Adopt such rules governing the conduct of the Association as are consistent with this Constitution and Bylaws.

- h. Adopt annually its own Standing Rules and establish procedures for their enforcement.
- i. Be final judge of the qualifications and election of members of the Executive Council and of the Representative Assembly.
- j. Elect the Chairperson and no less than 6 other members of the Nominating and Elections Committee.
- k. Fill vacancies in offices of the Association, except as provided in Article VI, Sections 3 and 4 of the Constitution and Article III, Section 2b and Section 3b of the Bylaws.
- l. Adopt official Association positions on appropriate questions to give direction to delegates to NYSUT and its national affiliates.
- m. Direct the Nominating and Elections Committee to conduct a membership referendum on any petition presented to the Assembly pursuant to the Constitution, Article IX.
- n. Powers not delegated to the Executive Council, the officers, or other groups in the Association shall be vested in the Representative Assembly.

## **Section 2 Membership**

- a. Membership in the Representative Assembly shall consist of at least one Faculty Representative from each recognized Faculty Unit. For purposes of representation in the Representative Assembly, a Faculty Unit shall consist of:
  - 1. Any school (any work location, functional division, or group in which members are assigned) in the City of Rochester with 10 or more permanently assigned Association members on its staff.
  - 2. Any group of 10 Association members who individually do not fit into category 1 above may organize themselves for recognition as a Faculty Unit for the purpose of representation in the Representative Assembly. This recognition is renewable annually.
  - 3. Any school which does not meet the minimum requirements for recognition as a Faculty Unit may request the Representative Assembly to recognize it as a Faculty Unit for the purpose of representation in the Representative Assembly. The recognition is renewable annually.
  - 4. All members of the Rochester School Instructors Association, the Per Diem Substitute Unit, Rochester Home/Hospital Teachers Association, Charter School Units, the Rochester Preschool Parent Program Unit, Rochester Retired Teachers Association, and any other unit for which the Rochester Teachers Association is the bargaining agent based upon the NYSUT formula currently in effect.
- b. For purposes of representation in the Representative Assembly, a member may belong to and vote in only one Faculty Unit. Representatives of one unit shall be excluded from voting on any matters related to or dealing with another unit's contract negotiations or grievances.
- c. The number of Faculty Representatives from each Faculty Unit will be one for every 20 members or major fraction thereof, as illustrated in the following table. If any Faculty Unit has increased its membership to the point that it is entitled to additional representation in the Representative Assembly according to the table in the Bylaws, Article V, Section 2c, that unit may apply to the Representative Assembly for approval of such additional representation. Under no circumstances shall a unit lose

representation because of a decline in membership which occurs after the April report by the Secretary.

10-25	1	91-110	5	171-190	9
26-50	2	111-130	6	191-210	10
51-70	3	131-150	7	211-230	11
71-90	4	151-170	8	231-250	12

- d. Where more than one such Representative is elected from a Faculty Unit, the Representative of that unit shall designate a Chairperson, and their terms shall be staggered. One Alternate Faculty Representative shall be elected for each Faculty Representative.
- e. The membership of each Department shall elect one Representative from that Department to serve in the Representative Assembly. An Alternate Representative may also be elected.
- f. Elections shall be held in May or June, and the terms of Representatives shall commence the July 1 following the election. Candidates for Faculty Representatives and Alternates must have been members of the Rochester Teachers Association for at least one year prior to their election and shall maintain their membership in good standing during their terms of service.
- g. The term of office for a Department or Faculty Representative shall be two years. However, a Representative may be elected to a one year term to fulfill the requirement of Article V, Section 2d, of these Bylaws.
- h. Upon appointment, Chairpersons of the Standing Committees shall serve as members of the Representative Assembly for the duration of their terms and shall attend the regular meetings of the Representative Assembly.
- i. Members of the Executive Council shall be members of the Representative Assembly without vote.
- j. No member of the Representative Assembly shall have more than one vote.
- k. Vacancies of Representatives shall be filled for the unexpired terms, as they occur, by the Alternate of the affected Faculty Unit. If a Faculty Unit fails to choose its Representative by the September meeting of the Representative Assembly, or fails within a two month period to fill a vacancy of an unexpired term of the only Representative to which that Faculty Unit is entitled, the President shall have the authority to appoint one Representative from the membership of that Faculty Unit.
- l. Faculty Representatives and Department Representatives or their Alternates shall attend the regular meetings of the Representative Assembly. After two absences per school year of a Representative or Alternate, the Secretary shall provide written notice reporting these absences to the Representative. This notification shall contain the time and place for a hearing before the Assembly Rules and Bylaws Committee. The purpose of the hearing shall be to determine if the absences were justifiable. The hearings shall take place and a decision rendered prior to the next scheduled meeting of the Representative Assembly. Upon recommendation of the Assembly Rules and Bylaws Committee, the President shall declare the seat unfilled and direct the Nominating and Elections Committee to call for a Faculty Unit or Department election to fill the term. The result of this election shall be reported to the Secretary of the Association.

**Section 3 Duties of Faculty Representatives** - The Faculty Representatives and Alternates within a Faculty Unit shall:

- a. Pursue those activities necessary to ensure the enforcement of the contractual agreement between the Association and the Board of Education.
- b. Hold a meeting with the Association members in their unit each month to review action taken by the Representative Assembly, discuss the proposed agenda for that body, propose items for Assembly action, and consider other matters of interest.
- c. Orient new faculty members to the purposes and functions of the Association.
- d. Solicit and enroll membership among the faculty and report to the Association Secretary the current roster of membership within the unit, including Department designations.
- e. Meet regularly with the Principal and appropriate administrator to consider matters of Association interest.
- f. Be responsible for two-way Association communication within the Faculty Unit.
- g. Assist the Nominating and Elections Committee in conducting elections within the Faculty Unit.
- h. Complete any other appropriate duty which may be assigned by the Representative Assembly.
- i. Provide for representation at Association workshops for Faculty Representatives and Alternates.

**ARTICLE VI - DEPARTMENTS AND SECTIONS**

**Section 1 Definitions**

- a. **Departments**
  1. **Primary** - The Department of Primary Teachers shall consist of all members of the Association whose primary duties are fulfilled in instruction at the Primary Level.
  2. **Intermediate** - The Department of Intermediate Teachers shall consist of all members of the Association whose primary duties are fulfilled in instruction at the Intermediate Level.
  3. **Junior High** - The Department of Junior High Teachers shall consist of all members of the Association whose primary duties are fulfilled in instruction in a at the Junior High level.
  4. **Senior High** - The Department of Senior High Teachers shall consist of all members of the Association whose primary duties are fulfilled in instruction at the Senior High Level.
  5. **Special Education** - The Department of Special Education shall consist of all members of the Association whose primary duties are fulfilled in instruction in a Special Education classroom.
  6. **Special Services** - The Department of Special Services Teachers shall consist of all members of the Association whose primary duties are fulfilled in specialized pupil services, defined by such titles as, but not limited to, Counselor, Psychologist, Pupil Personnel Worker, Social Worker, Librarian, Attendance Teachers, Speech and Hearing Teachers, English as a Second Language Teachers.

7. **School Instructors** - The Department of School Instructors shall consist of all members of the Association who are members of the Rochester School Instructors Association.
  8. **Per Diem Substitutes** - The Department of Per Diem Substitute Teachers shall consist of all members of the Association who are members of the Per Diem Substitute Unit.
  9. **Home/Hospital Teachers** - The Department of Home/Hospital Teachers shall consist of all members of the Association who are members of the Rochester Home/Hospital Teachers Association.
  10. **Charter School Units** – The Department of Charter Schools shall consist of all members whose primary duties are fulfilled in Charter Schools.
  11. **Rochester Preschool Parent Program** – The Department of Rochester Preschool Parent Program shall consist of all members who are employed by the Rochester City School District in the Rochester Preschool Parent Program.
  12. **Rochester Retired Teachers Association** - The Department of Rochester Retired Teachers shall consist of all members of the Association who are retired.
- b. **Sections** - Sections shall consist of those members of a Department who organize according to the rules of the Department to consider specific professional interests.

## **Section 2 Department Membership and Affiliation**

- a. Membership in the Association shall be a prerequisite for membership in a Department and its Sections.
- b. No member of the Association shall be a member of more than one Department.
- c. Membership in a Department shall be required, but membership in a Section shall require the initiative of each member.
- d. A Department and its Sections may affiliate with corresponding Departments and Sections of NYSUT and its national affiliates.
- e. The Secretary of the Association shall keep a list of the membership of each Department.

## **Section 3 Department Organization**

- a. A Department shall be organized in a manner acceptable to the Representative Assembly, which shall express its acceptance by approval of the Department's Rules of Procedure.
- b. The Rules of Procedure of a Department shall not contradict the Constitution and Bylaws of the Association.
- c. Each Department shall elect from its members a Chairperson who will serve as that Department's representative on the Executive Council.
- d. Each Department shall elect from its members a Representative and may elect an Alternate to the Representative Assembly.
- e. A Department shall submit any revisions of its Rules of Procedure for the approval of the Association's Representative Assembly.

#### **Section 4 Department Responsibilities and Powers**

- a. A Department shall design its policies, goals, program, and their implementation to increase the strength and unity of the Association.
- b. A Department shall represent its members within the Association on matters appropriate to it through its Department Chairperson on the Executive Council and through its Department Representative in the Representative Assembly.
- c. A Department may concern itself with all aspects of professional duty and interest directly related to its members' responsibilities.
- d. The Chairperson of each Department shall provide research, supporting evidence, materials, and documents for the Negotiating Committee, and shall supply expert testimony and advice to the Negotiating Committee upon its request.
- e. A Department shall provide ways by which its members may express approval or disapproval of the policies, goals, and program of the Department.
- f. All negotiations with the Board of Education shall be handled for the Departments by the appropriate Negotiating Committee of the Association under the procedures established in these Bylaws.

#### **Section 5 Department Officers and Terms of Office**

- a. Each Department shall elect a Chairperson and Representative to the Representative Assembly and may elect a Vice-Chairperson, Secretary, and Alternate Representative to the Representative Assembly according to each Department's Rules of Procedure.
- b. The officers of each Department shall be elected directly by that Department's members.
- c. The officers of each Department shall serve for a term of two years or until their successors are elected.
- d. There shall be no limitation to the number of consecutive terms a Department Chairperson shall be eligible to serve.
- e. Procedures for the filling of vacancies in the offices of Department Vice-Chairperson, Secretary, Representative, and Alternate Representative shall be included in each Department's Rules of Procedure.

### **ARTICLE VII - RECALL**

**Section 1** Officers may be recalled according to the procedure outlined in the Constitution, Article VI, Sections 3 and 4. The Representative Assembly shall report the recall and replacement of any officer to the membership within 10 days after such action.

**Section 2** Faculty Representatives to the Representative Assembly may be removed for cause under the procedures outlined under Bylaws, Article V, Section 2I.

**Section 3** When 25 percent of the members qualified to vote for the office agree by petition that: a Faculty Representative to the Representative Assembly, a Department Representative to the Representative Assembly, or a Department Chairperson to the Executive Council has been grossly negligent of duties as defined in the Bylaws or is incapacitated, the Executive Council shall recommend to the Representative Assembly that the office be declared vacant. If the Assembly so votes by a 2/3 majority, it shall direct the appropriate membership unit to elect a replacement to fill the unexpired term.  
Such petition for recall shall specify the charges. The representative charged in the recall petition shall be informed of the charges and will be allowed to answer the charges before the Assembly prior to its vote.

## **ARTICLE VIII - STANDING COMMITTEES**

**Section 1 Structure** - There shall be the following standing committees carrying out the specific functions outlined below. The members selected shall be representative of the membership and appointed for overlapping terms of two years. Each committee may, with the approval of the Executive Council, organize sub-committees and task forces for specific activities from the membership of the Association. Each committee is responsible for recruiting replacements to fill vacancies on the committee and making those recommendations to the President.

**Section 2 Meetings** - Each standing committee shall meet as often as necessary to fulfill its responsibilities. Each committee may adopt its own rules and procedures.

**Section 3 Reports** - Each committee shall keep a continuing record of activities. Chairpersons shall report items of action to the Representative Assembly and Executive Council and shall prepare an annual written report summarizing committee activities which shall become a part of the continuing committee record in the Association files.

**Section 4 Relation to State and National Association** - The standing committees shall seek to understand and relate to the objectives and programs of corresponding units of state and national associations and shall counsel with them.

### **Section 5 Titles and Duties**

#### **a. Negotiating Committees**

**Responsibilities** - The Teacher Negotiating Committee shall negotiate with the Board of Education on the instructional program, salaries, terms, conditions of work, and matters related thereto, for all personnel in the Teacher Negotiating Unit. With the aid of appropriate Standing Committees, it shall prepare negotiation proposals to be approved by the Representative Assembly prior to being placed before the Board of Education. Each bargaining unit shall prepare its own proposals. The negotiating committees of all units shall meet with the Executive Council to decide upon common objectives. Upon reaching tentative agreement with the Board of Education on all matters in negotiations,

all negotiating committees shall prepare and submit their reports and recommendations to the members of the Association in their respective units. The procedure for membership ratification of the negotiations agreements shall be developed by the Executive Council.

2. **Membership** - The Teacher Negotiating Committee shall consist of one member from each Teacher Unit Department, at least two additional members, and the Chairperson. Each other bargaining unit's committee shall be determined by that unit.

b. **Grievance Committee**

1. **Responsibilities** - Process all grievances filed according to the contractual agreement and develop Association positions on all matters pertaining to rights of Association members such as: academic freedom, leave, administrative discipline and dismissal, and grievance procedures, and shall compile data for support of such positions in negotiations.
2. **Membership** - The Teacher Unit committee shall consist of the Chairperson and at least four other members representing all Teacher Unit Departments. Each other bargaining unit's committee shall be determined by that unit.

c. **Membership Services Committee**

1. **Responsibilities** - Investigate, report, and monitor those benefits to which members are entitled as a direct result of membership, including but not limited to, group purchasing plans.
2. **Membership** - The committee shall consist of the Chairperson and other members appointed by the President.

d. **Committee on Professional Development and Instructional Services**

1. **Responsibilities** - Develop Association positions on all matters affecting instruction: professional autonomy, teacher recruitment and selection, continuing education, pre-service and in-service education and student teacher programs, staffing practices, evaluation, instructional facilities, equipment and materials, organization and methods for instruction, curriculum process and content. They shall initiate study and action, and compile data for support of such positions in negotiations.
2. **Membership** - The committee shall consist of the Chairperson and one member from each Department.

e. **Committee on Human Relations**

1. **Responsibilities** - Work to plan, develop, and promote activities as appropriate to further the civil and human rights of students and educators; to establish effective, cooperative relationships among teachers; between teachers, students, parents, and community organizations; to broaden and extend all areas of rights toward better human relations through the local association.

2. **Membership** - The committee shall consist of the Chairperson and members appointed by the President.

f. **Committee on Public Relations**

1. **Responsibilities** - Develop internal and external communications, report and clarify to the membership the policies and actions of the Representative Assembly and the Executive Council, develop cohesiveness among the members by insuring two-way communications, inform the public of educational issues which are of mutual concern, maintain liaison with community leadership in all major institutions to promote objectives of mutual interests, and maintain liaison with the Negotiations Committees and promote its aims and strategies.
2. **Membership** - The committee shall consist of a Chairperson and at least six other members.

g. **Membership Committee**

1. **Responsibilities** - Organize and conduct membership enrollment, assist the Secretary in maintaining complete and current membership lists, assist the Nominating and Elections Committee by providing accurate lists of eligible voting members, develop and conduct programs for the orientation of new teachers, and organize such social activities as may serve the needs of members.
2. **Membership** - The committee shall consist of the Chairperson and at least five other members, together representing the various Departments.

h. **Legislative Committee**

1. **Responsibilities** - Have broad concern for local, state, and national legislation affecting the interests of schools and teachers and the Association. It shall encourage members to exercise their civic and political rights and keep them informed about new legislation.
2. **Membership** - The committee shall consist of the Chairperson and other members appointed by the President.

i. **Budgetary Review Committee**

1. **Responsibilities** - Study and review the current budget of the City School District along with other comparable budgets, keep records and statistics pertinent to the membership's best interests, compile data for support of contract negotiations.
2. **Membership** - The committee shall consist of the Chairperson and a member from each Department.

**j. Student Discipline Committee**

1. **Responsibilities** - Study and report on matters of student discipline; select from among its members the RTA representatives to the Joint RTA/RCSD Student Discipline Committee membership.
2. **Membership** - The committee shall consist of the Chairperson and at least one member from each department.

**k. Crime Victims Assistance Committee**

1. **Responsibilities** - Investigate incidents in which teachers and are assaulted or otherwise made victims of crime during or as a result of the performance of their professional duties; develop a program for the Association to help members so victimized to file grievances when appropriate; work with all committees, officers and agents of the Association to promote safety in schools.
2. **Membership** - The committee shall consist of the Chairperson and other members appointed by the President.

## **ARTICLE IX - SPECIAL COMMITTEES**

Each year, the President shall appoint, with the consent of the Representative Assembly, such special committees as may be necessary, and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Assembly. No member of the Executive Council of the Association shall serve on the Nominating and Elections Committee.

## **ARTICLE X - THE ROCHESTER TEACHERS ASSOCIATION SERVICE FUND**

**Section 1 Purpose** - The purpose of the Rochester Teachers Association Service Fund shall be to extend financial assistance to active and retired Association members who are in need.

**Section 2 Organization** - The Service Fund shall be divided into a Permanent Account and a General Account. The Permanent Account shall not be used for financial grants, but shall be invested or deposited, and the income therefrom shall be added annually to the General Account. The General Account shall be used only for grants of assistance.

**Section 3 Administration**

- a. The Service Fund shall be administered by a committee of five trustees appointed for staggered terms of five years and eligible for reappointment. The Association President shall appoint one trustee annually to succeed the trustee whose term is expiring and also make appointments to fill vacancies. All appointments shall be subject to approval by the Representative Assembly.

- b. Following the appointment of trustees, they shall adopt rules of procedure and organization subject to the approval of the Executive Council. Such rules of procedure and organization shall not conflict with any provision of the Constitution and these Bylaws.

## **ARTICLE XI - ELECTIONS**

### **Section 1 The Nominating and Elections Committee**

- a. The Committee shall consist of a Chairperson and no less than 6 other members elected by the Representative Assembly.
- b. Each member shall be elected for a two-year term.
- c. One-half of the members shall be elected each year.

### **Section 2 Duties of the Nominating and Elections Committee**

- a. **Procedures for Nominations and Elections**  
The Committee shall present to the Representative Assembly no later than December the criteria and procedures for the selection of nominees and the election procedures for offices, for Department Chairpersons and Representatives for Faculty Unit Representatives, and for delegates to NYSUT and its national affiliates. These procedures shall include provisions which limit the participation of Committee members in any election in which the member is a candidate.
- b. **Nominations for Association office** - The Committee shall:
  1. Receive nominations from Faculty Unit Representatives in writing prior to February 15 of each election year; accept no written nominations on or after that date.
  2. Include in its nominations for office the name of any qualified member who submits a petition signed by 50 members.
  3. Eliminate the nominations of those who fail to qualify for the office sought.
  4. Report all nominees to the Representative Assembly at the regular March meeting.
  5. Receive nominations from the floor of the Representative Assembly at the March meeting.
- c. **Elections for Association offices** - The Committee shall:
  1. Schedule the election to be conducted during the month of May in all Faculty Units.
  1. Publish and distribute to all Faculty Units, at least 10 school days prior to the date of the election, biographical material and platform summaries, limited to 100 words, submitted by the individual candidates.

3. Supervise the preparation, distribution and collection of ballots.
  4. Meet and tabulate all election results within 5 days following the election date.
  5. Certify and cause the election results to be published in all Faculty Units within 15 school days following each election.
  6. Announce the results of each election to the Representative Assembly at its May meeting.
  7. Declare the election of the candidates who receive a majority of the votes cast.
  8. In the event that no candidate for an office receives a majority, provide for a run-off election between the two candidates who receive the largest number of the votes cast for that office.
  9. Maintain the records, ballots, and tally sheets of all Association elections for a period of one year following the election.
- d. **Nominations and Elections for Department Chairperson and Department Representative** - The Committee shall assist and supervise the Department to:
1. Receive nominations from Department members in writing prior to February 15 of each year.
  2. Receive nominations from the floor of the Representative Assembly at the March meeting.
  3. Eliminate the nominations of those who fail to qualify for the office sought.
  4. Hold a general Department membership meeting at which nominations will be made from the floor if that Department's Standing Rules call for such a procedure.
  5. Schedule the election to be conducted during the month of May.
  6. Conduct the election.
  7. Meet and tabulate all election results within 5 days following the election date.
  8. Certify and cause the election results to be published in all Faculty Units within 15 school days following each election.
  9. Announce the results of each election to the Representative Assembly at its May meeting.
  10. Declare the election of the candidates who receive a majority of the votes cast or who fulfill the election requirements as provided in the Standing Rules of the Department.
  11. Maintain the records, ballots, and tally sheets of all Department elections for a period of one year following the election.
- e. **Nominations and Elections of Delegates and Alternates to NYSUT and its National Affiliates** - The Committee shall:  
Conduct the nominations and elections of Delegates according to the rules of NYSUT and the appropriate national affiliates, and in accordance with appropriate state and federal law.
1. Provide to members reasonable and timely notification of all nomination and election procedures.

3. Accept nominations from the floor of the Representative Assembly at an appropriate meeting so designated.
4. Inform all candidates of their nominations.
5. Meet and tabulate the election results within 5 days following the election date.
6. Certify and cause the election results to be published in all Faculty Units within 15 school days following the election.
7. Announce the results of the election to the Representative Assembly.
8. Maintain the records, ballots, and tally sheets of all delegate elections for a period of one year following the election.

f. **Supervision of Faculty Unit Elections**

1. Supervise the election of Faculty Unit Representatives and Alternates.
2. Notify any Faculty Unit when a vacancy occurs in its unit's representation.
3. Instruct the Faculty Unit Representatives on Association election procedures.

g. **Election Complaints**

The Committee shall investigate complaints by members of improper elections and report such investigation to the Representative Assembly.

## **ARTICLE XII - PARLIAMENTARY AUTHORITY**

The rules contained in the current edition of Roberts' Rules of Order Newly Revised shall be the parliamentary authority for the Association in all questions not covered by the Constitution, Bylaws, and any special rules of order the Association may adopt.

## **ARTICLE XIII - AMENDMENTS**

These Bylaws may be amended by a two-thirds vote at any regular meeting of the Representative Assembly provided that the proposed amendment has been introduced at the previous regular meeting.

**ROCHESTER TEACHERS ASSOCIATION  
Local 616 -- NYSUT/AFT**

**Special Rules of Order**

**1. Recognition by Chair**

- A. A member of the Assembly shall secure recognition by the Chair before speaking. Upon recognition by the Chair, a Representative desiring to make a motion or address the Assembly shall give his or her name and the name of his or her Unit of Representation.
- B. A member of the Association who is not a member of the Assembly shall receive permission to speak by a 2/3 vote of the Assembly. (Constitution Art. VIII, Section 4 allows a member to attend and speak only with permission).
- C. Only members of the Assembly seated in the voting section will be recognized by the Chair.

**2. Debate, Motions and Amendments**

- A. No representative shall speak in debate more than twice during debate on the same question, nor longer than five (5) minutes at one time. The Parliamentarian shall be the official time-keeper of the organization.
- B. No representative except the sponsor of the motion shall speak a second time on the same question until all persons have had an opportunity to speak at least once. (NOTE: Motion to limit or extend limits of debate can change this.)
- C. The maker of a motion shall have the first opportunity to speak to it.
- D. No representative shall speak to a motion and then move to close debate or call the previous question.
- E. A motion to close debate shall not be permitted to include more than the motion immediately pending.
- F. Should the Chair so request, motions shall be in writing with the names of the maker and seconder.
- G. Questions for the Parliamentarian shall be directed through the presiding officer only.

**3. Voting**

- A. Voting shall be by voice vote, show of hand, standing (counting) or secret ballot.
- B. A roll call vote may be requested by 25% of the voting members present.

**4. Order of Business**

Shall be conducted in accordance with the Bylaws, Standing Rules, Special Rules of Order and Roberts Rules of Order.

**5. Assembly Committees**

**A. Rules and Bylaws Committee**

The Representative Assembly shall elect a Committee on Rules and Bylaws which shall (1) assist members on questions of procedure and operation of Representative Assembly; (2) recommend adoption or amendment of Bylaws and Rules; (3) review and, if necessary, edit amendments to Bylaws and Rules proposed by members; (4) assist in preparation of tentative agenda for each meeting of Representative Assembly.

**B. Sergeants-At-Arms**

The Representative Assembly shall elect sergeants-at-arms, who, in consultation with the Rules and Bylaws Committee, will assist in keeping order, take charge of the door before and during meetings, and enforce the rules on seating.

**ROCHESTER TEACHERS ASSOCIATION**  
**Local 616 -- NYSUT/AFT**

**Standing Rules**

**1. Registering Attendance**

- a. The Secretary shall devise an efficient and accurate method for Representatives to register their attendance as they enter each meeting. Such method shall be subject to the approval of the Committee on Rules and Bylaws.
- b. The Representative Assembly shall name the personnel necessary for supervising this registration and reporting attendance figures upon call of the President.
- c. The Secretary shall include in the minutes of each meeting an accurate attendance report.
- d. Members of the Association, who are not members of the Assembly, and guests must register and identify their purpose.

**2. Seating**

Sergeants-at-Arms will reserve adequate number of seats to accommodate non-voting members, members of the Association who are not members of the Assembly, and guests on the left side in the rear of the room.

**3. Agenda**

- a. The meeting time for the Representative Assembly will be 4:00 to 6:00pm.
- b. Minutes of the Representative Assembly and the Treasurer's Report shall be sent out as soon as possible. Committee reports shall be sent out with the call to the meeting. (Verbal updating of the above can be made with the consent of the Assembly.)
- c. Reports of the President shall be made in person or in writing at the President's discretion.
- d. Members of the Assembly have the right to suspend the rules and take up a specific item on the agenda. This requires a two-thirds vote.
- e. Members of the Committee on Rules and Bylaws with the Executive Council shall prepare the tentative agenda for each meeting of the Assembly with recommended time slots for committee reports and various other items on the agenda to enable the President to complete the agenda in the two hour period.
- f. The first item of business shall be Assembly approval of an agenda.
- g. Committees shall submit written intent to the Rules and Bylaws Committee to be included on the agenda.
- h. Application to place on the agenda any report which includes testimony by a non-member of the Assembly shall include the name and purpose of the testimony of the non-member.

**ROCHESTER TEACHERS ASSOCIATION  
Local 616 -- NYSUT/AFT**

**Procedures for Censuring, Suspending and Expelling Members  
for Cause and for Reinstating Members**

(In compliance with RTA Bylaws, Article V, Section 1f)

1. Any member shall have the right to file charges against any member of the Association for having engaged in conduct or a course of activity hostile or contrary to the best interests of the Rochester Teachers Association or contrary to its Constitution.
2. All charges shall be in writing, specifying the particular act or acts charged, shall be signed by the charging party and shall be filed with any member of the Executive Council.
3. Upon receipt of the charges properly filed, the member of the Council receiving the charges shall present them to the Executive Council at its next meeting and the Executive Council shall determine by majority vote whether or not the charges merit a hearing. The charging party may appeal the Council's decision to the Assembly Rules and Bylaws Committee which may hold a hearing and shall report the charges and/or its recommendations to the Representative Assembly.
4. The Executive Council may recommend to the Representative Assembly the censure, suspension or expulsion of any member found guilty of the charges by a two-thirds vote, following a hearing of which all members including the accused shall have been notified and furnished with a copy of the charges not less than 30 days in advance of the hearing. Both the accused and the charging party shall be accorded equal opportunity to be heard, to call witnesses, and to present pertinent evidence. The hearing shall be open to all members who may request to present evidence. A transcript of the hearing shall be made and kept in the RTA office for members to examine or copy at their own expense.
5. The Executive Council shall report to the Representative Assembly at its next regular meeting following the hearing any recommendation to suspend or expel.
6. A recommendation to expel or suspend shall be placed on the agenda following the approval of the minutes. The defendant and the Executive Council, through its selected spokesperson, in that order, shall be allowed ten minutes each to present statements of the case, following which the Assembly shall debate the question and vote. A 2/3 vote of the assembly shall be required for a censure, suspension or expulsion.
7. The Executive Council may recommend to the Representative Assembly the reinstatement of an expelled member. A 2/3 vote of the Assembly shall be required for reinstatement.

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