

Constitution
of
The BOCES United Professionals

Article I –Name

The name of the organization shall be the BOCES United Professionals (BUP,) which is affiliated with New York State United Teachers (NYSUT) and its national affiliates.

Article II – Objectives

The purpose of this organization shall be to:

- A) Promote the best interests of children and education in Board of Cooperative Education Services #1, Monroe County;
- B) Advance the standards of the teaching profession and supportive personnel;
- C) Secure the conditions necessary to the greatest efficiency of teachers, supportive personnel, and education programs;
- D) Promote the welfare of its members;
- E) Promote mutual assistance and cooperation with other local organizations with which it is associated;
- F) Promote the aims and objectives of the New York State United Teachers, and the American Federation of Teachers;
- G) Expose and fight all forms of sexism, racism, and discrimination;
- H) Promote the unity and strength of the organization.

Article III – Membership

Section 1 – Included

Included: Regularly employed full time and part time professional staff members who are required to be licensed or certified, and whose job title appears on the BUP Staff Job Title list updated annually by the Human Resources Office. The updated list shall be appended to this contract annually.

Note: Throughout this document “Unit Members” shall refer to all job titles in the list above.

Section 2 – Excluded

Excluded: District Superintendent of School, Assistant/Associate Superintendents, Directors/Coordinators, Principals/Supervisors, All other Employees requiring Certification as an Administrator, Adult and Continuing Education Teacher, Interpreters, Substitutes - other than Long Term Substitutes, Casual and Temporary Employees, Summer School Staff that are Not Regularly Employed by BOCES during the School Year.

Section 3 – Categories of Membership

- A. **Active** – All full time and part time professional employees of Monroe BOCES # 1 identified in Section 1.
- B. **Associate**- Associate membership shall be open to retired professional employees and professional employees on leave.

Section 4

No discrimination shall ever be shown toward individual members or applicants for membership because of sex, race, national origin, religious faith, or political belief. BOCES United Professionals shall not discriminate based on race, creed, gender, religion, or orientation.

Section 5

A member may be expelled for acts detrimental to the organization upon presentation of written charges signed by at least one quarter (1/4) of the total membership and approved by three quarters (3/4) of the executive committee. The member shall have the right to appeal the decision to the membership at the next membership meeting and shall be reinstated with full rights if a majority of the members present vote to reinstate.

Section 6

Any active member who fails to pay dues for three months shall be dropped from the rolls.

Section 7

All active members shall have the right to vote on ratification of the Collective Bargaining Agreement.

Section 8

All active members shall be provided with a copy of the Collective Bargaining Agreement.

Section 9

All active members shall be provided with a copy of this Constitution upon written request to any Officer or Representative Delegate.

Article IV – Officers

Section 1

The officers of the organization shall be Co-Presidents (2), Vice President, Secretary, and Treasurer.

Section 2

Officers of the Association shall be in attendance at regularly scheduled Executive Committee meetings no less than seventy five percent (75%) of the time in order to receive their stipend.

Section 3

Officers shall serve a two-year term commencing July 1 and are elected per Election Policies and Guidelines.

Article V – Duties of Officers

Section 1

The Co-Presidents shall:

- A) Be the chief executive officers of the BUP;
- B) Administer all affairs and execute all policies of the BUP;
- C) Preside at all meetings of the Executive Committee, Representative Delegate Assembly, and General Membership;
- D) Be ex-officio members of all committees except the election and audit committee;
- E) Serve as first Representative Delegate to the conventions of all affiliate bodies;
- F) Fill any vacancies arising on the Executive Committee with the approval of the Representative Delegate Assembly;
- G) Fulfill such other duties as the office requires and as are consistent with the Constitution;
- H) Appoint all committee chairpersons with the approval of the Representative Delegate Assembly;
- I) Report to membership periodically on the status of the BUP;
- J) Establish ad-hoc committees as warranted.

Section 2

The Vice President shall:

- A) Assume the duties of the Co-Presidency in the absence of one of the Presidents;
- B) Become a Co-President of the BUP should the office become vacant;
- C) Carry out those duties and responsibilities as delegated by the President;
- D) Serve as first alternate to the conventions of all affiliate bodies;
- E) Serve as the Grievance Chairperson.

Section 3

The Treasurer shall:

- A) Keep an up-to-date membership list and membership records;
- B) Collect dues and keep accurate records of dues received;
- C) Be responsible for the proper receipt and disbursement of union funds;
- D) Disburse funds with the authorization of a second executive officer;
- E) Create an annual budget for submission to the executive committee;
- F) Adhere to all financial controls advised by NYSUT, and its national affiliates;
- G) Follow per capita convention requirements;
- H) Make a periodic reporting of all financial records of the BUP to the Delegate's Assembly and Executive Committee.

Section 4

The Secretary Shall:

- A) Record the minutes of General Membership, Delegate's Assembly, and Executive Committee Meetings;
- B) Maintain the Constitution and all other official documents of the BUP;
- C) Assure timely notification of all scheduled meetings;
- D) Handle all BUP correspondences, under the direction of the Executive Committee;
- E) Preserve all election ballots, election records, and referendum records for a period of one year;
- F) Keep all non-financial records of the BUP;
- G) Provide NYSUT with an annual list of officers.

Article VI – Executive Committee

Section 1

The Executive Committee shall be composed of the Co-Presidents, Vice President, Treasurer, and Secretary.

Section 2

The Executive Committee shall:

- A) Administer the policies of the BUP;
- B) Act on policy matters in place of the Representative Delegates under emergency situations;
- C) Make contracts and incur liabilities appropriate to the accomplishment of BUP purposes;
- D) Provide an annual report to the Representative Delegate assembly and membership;
- E) Act on expenditures as required by the budget and establish annual dues;
- F) Make policy recommendations to the Representative Delegate Assembly;
- G) Present the budget to the membership;

Article VII – Representative Delegates

Section 1

Each department shall be entitled to one representative for each thirty (30) members or major fraction thereof based within the department. The Departments shall be determined by the Executive Committee.

Section 2

The Representative Delegates shall:

- A) Serve only the department in which they were elected;
- B) Attend all Representative Delegate Assembly meetings;
- C) Act as a liaison between the Representative Delegate Assembly and members of the Department;
- D) Call Department meetings when necessary for the purpose of conducting BUP business;
- E) Distribute all appropriate information received from local, state, and national organizations;
- F) Present the concerns and requests of members to the Representative Delegate Assembly, Executive Committee, and Department Administration;
- G) Keep an up to date contact list of all members in the Department.

Section 3

Representative delegates shall serve a two year term commencing July 1, and are elected per Elections Policies and Guidelines.

Article VIII - Representative Delegate Assembly

Section 1

The Representative Delegate Assembly shall be composed of the Officers, Chairpersons of Standing Committees, Retirement Representative Delegates, and Representative Delegates from each department. Meetings of the Representative Assembly shall be open to all members.

Section 2

The Representative Delegate Assembly shall:

- A) Approve an annual budget;
- B) Act upon extraordinary expenditures which may require modification of the budget;
- C) Make policy recommendations of the Executive Committee;
- D) Implement policies established by the membership;
- E) Powers not specifically delegated to the Executive committee, officers or other groups shall be vested in the Representative Delegate's Assembly;
- F) Follow the Representative Delegate Assembly Policies and Guidelines.

Article IX – Meetings

- A) The Executive Committee shall meet regularly during the school year. Special meetings may be called by the Co-Presidents, or by a majority of the Executive Committee.
- B) The Representative Delegate Assembly shall meet a minimum of eight (8) times a year. Representative Delegate Assembly meetings shall be schedule by the Co-Presidents
- C) Meetings of the general membership may be called by the Co-Presidents, by a majority of the Representative Delegate Assembly, or by petition of ten percent (10%) of the General Membership.
- D) A quorum at a general membership meeting shall consist of fifteen percent (15%) of the total membership on record at that time.

Article X – Standing Committees

Standing Committees shall consist of the following:

- A) Grievance Committee – This committee shall be responsible for the processing of all grievances that may arise.
- B) Negotiations Committee – This committee shall formulate proposals to improve the terms and conditions of employment/ the proposals shall be approved by the executive committee.
- C) Elections Committee – This committee shall be responsible for conducting fair and equitable nominations, election, and recall procedures for the organization.
- D) Audit Committee – This committee shall perform an annual financial audit of the organization and present a written report to the Representative Delegate Assembly.

Article XI – Fiscal Year

The fiscal year shall be July 1 to June 31.

Article XII – Amendments

- A) An amendment to this Constitution may be proposed by:
 - 1. A majority of the Representative Delegate Assembly;
 - 2. No fewer than 10% of the current membership on record.
- B) An amendment shall be ratified by fifty –five (55%) of the vote after two meetings held before the General Membership. This vote will be held by secret ballot.
- C) A proposed amendment must be disseminated in writing or electronically to all members at least ten (10) school days before the ratification vote.

Article XIII – Parliamentary Authority

Roberts Rules of Order, Revised shall be the parliamentary authority for the organizations on all questions not covered by this Constitution and such standing rules as the organization may adopt.

Article XIV – Ratification Procedures

- A) Once a tentative agreement has been reached; a General Membership meeting will be called by the Co-Presidents to present the Proposed Collective Bargaining Agreement to the Membership.
- B) Ballots from the membership must be returned within 2 school days.

Attachments: (pg. 1)

ELECTIONS

Policies and Guidelines

Elections are held every two years in May of the odd-numbered year for all Officers and all Delegates.

The Election Chair shall be appointed by the Executive Committee by January 1, of the election year. The members are appointed by the Chair with the advice and counsel of the Executive Committee. The Election Committee will consist of five members in good standing.

Anyone wishing to run for an office shall declare their intentions in writing to the Chair of the Election Committee by April 1 of the election year.

Officers' and Delegates' terms begin on July 1 following the election.

Eligibility to Run for Officer:

- Candidates must be tenured.
- Candidates must be currently serving as an Officer or Delegate.
- Candidates must have served as a Delegate for a complete term.
- Candidates must be nominated by two members in good standing of BUP.

Eligibility to Run for Delegate:

- Candidates must be tenured.
- Candidates must be nominated by two members in good standing of BUP.

Election Procedures for Officers:

- Nomination forms will be available from the Election Committee the first Monday in May.
- Nomination forms are due the second Monday in May to the Election Chair.
- An essay by each nominee may be included with the ballot, not to exceed 200 words, and will include the full name of the nominee as it appears on the ballot.
- Ballots, essays and a picture of the candidate are mailed out to the membership on the third Monday in May.
- Ballots are due back to the election committee by the last Friday in May.
- One vote per person per office. You may not vote for the same person twice.
- Election Committee will oversee the essays, ballots, and mailings.

Attachments: (pg. 2)

Election Procedures for Officers continued:

- Ballots will be counted by the Election Committee under the observation of the BOCES Director of Human Resources.
- Ballots will be kept for one year, locked in the BUP office.

Election Procedures for Delegates:

- Delegates shall be elected by secret ballot in each department in May or June of the election year.
- A ballot election will be conducted by an officer or election committee member NOT from that department.

Campaign Procedures:

- BUP pays for no mailings, except that of the ballots which include the candidate essays.
- BUP will make a membership list (names only) available to any candidate upon written request.
- BOCES e-mail and interoffice mail cannot by law be used for election purposes.
- There are no phone banks available for campaigning.

Special Elections:

- May be held during the interim (even-numbered) year between the regular elections for the following reasons and with the recommendation of the Executive Committee and a two-thirds vote of the delegate assembly:
 - To fill an Officers position which may have become vacant during the first year of the elected officer's term?
 - To fill Delegate positions being held by persons volunteering their service in the first year of a term.
- All special elections shall follow the procedures outlined above for Officers and Delegates.

Approved by Executive Committee November 19, 2010

Approved by the Delegate Assembly December 7, 2010

Effective beginning December 8, 2010

Policies are extensions of the constitution and future revisions may be recommended by the Executive Committee with approval of a two-thirds (2/3) vote by the Delegate Assembly.

Attachments: (pg. 3)

Representative Delegate Assembly Policies and Guidelines

Elected Delegates:

- Each department/program is entitled to one delegate for every thirty members.
- Shall be paid \$50.00 per Delegate Assembly Meeting attended.
- Stipends shall be paid twice a year, December and June.

Delegates who are transferred to another program/department:

- Service as a delegate to your previous program/department is terminated.
- If there is a need in the new program/department, the delegate may serve as a volunteer delegate if they are recommended in writing by two members in the new program/department.

Delegates who volunteer their service between elections:

- Shall be eligible to be elected a Delegate in the next election/special election.
- Shall not have voting rights.
- Shall not receive a stipend during the term of their voluntary service.

Approved by the Executive Committee on November 8, 2010

Approved by the Delegate Assembly December 7, 2010

Effective beginning January 1, 2011

Policies are extensions of the constitution and future revisions may be recommended by the Executive Committee with approval of a two-thirds (2/3) vote by the Delegate Assembly.

End.