

Constitution

and

By-Laws

National Education Association  
North Kingstown

Revised 2008

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# **CONSTITUTION**

## **ARTICLE I NAME**

The name of this association shall be the National Education Association North Kingstown, hereinafter referred to as the Association.

## **ARTICLE II PURPOSES**

The purposes of this Association are:

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 the adoption of such ethical practice, personnel policies, and standards of preparation and participation as mark a profession.

Section 3. To unify and strengthen the teaching profession and to secure and maintain the salaries, retirement, tenure, professional and sick leave, and other working conditions necessary to support teaching as a profession.

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 North Kingstown School Committee and other legal authorities.

Section 5. To hold property and funds and to employ staff for the attainment of these purposes.

## **ARTICLE III MEMBERSHIP**

Section 1. Active Members

a. Active membership in the Association shall be open to all certified teaching personnel employed in the schools of North Kingstown except those excluded from representation by the Michaelson Act or its Amendments.

b. Active membership shall be continuous until the member resigns from the school system or fails to pay membership dues.

c. Active members of the Association shall also be members of the National Education Association Rhode Island (NEARI) and the National Education Association (NEA).

## **ARTICLE IV DUES**

Section 1. The budget for the next fiscal year shall be submitted by the President to the Executive Board at the April Executive Board Meeting for consideration and to the May General Membership Meeting for approval.

Section 2. The amount of the NEANK dues shall be determined by a majority of the members present at the May General Membership Meeting preceeding the next fiscal year. If no action is taken at this time, dues shall remain the same.

Section 3. Members have the option of paying dues by payroll deduction or by cash (check). All members who wish to pay dues in cash must pay in full by October 15 by forwarding a check or money order made payable to NEANK to the Treasurer. Payroll deduction will start with the first paycheck in November and continue for fifteen (15) consecutive pay periods.

## **ARTICLE V OFFICERS**

Section 1. The officers shall be active members of the Association.

Section 2. The officers of the Association shall consist of a President, two Vice-Presidents, a Secretary, and a Treasurer.

Section 3. The officers of the Association shall hold no more than one elected office at one time.

## **ARTICLE VI EXECUTIVE BOARD**

Section 1. The Executive Board shall be the advisory and planning body of the Association.

Section 2. The Executive Board shall consist of the officers, the elected Building Representatives, the Chairperson of the PR&R Committee, the NEANK Representative to the NEARI Executive Board, and the immediate past President of the Association.

Section 3. The Executive Board shall oversee the budget of the Association.

Section 4. Any member of the Association who is not a member of the Executive Board may attend its meetings, but shall sit apart from the voting body, and may not vote.

## **ARTICLE VII AFFILIATION**

The Association shall affiliate with NEA under its rules and NEARI under its rules.

## **ARTICLE VIII REMOVAL FROM OFFICE**

An officer who has been grossly negligent of the duties defined in the By-Laws or is incapacitated for any reason will be removed from his/her duties if the Association votes to declare the office vacant by a two-thirds majority. The Association will be asked to vote on such a removal under the following conditions:

- a. A majority of the Executive Board shall agree that an officer is grossly negligent or is incapacitated, or
- b. A petition is received by the Executive Board from 25% of the membership stating that any officer has been grossly negligent or is incapacitated.

## **ARTICLE IX AMENDMENTS**

The Association may adopt amendments to this constitution by a two-thirds majority of those present and voting at any General Membership Meeting provided the proposed amendments have been previously studied by the Executive Board and that copies have been distributed to members of the Association two weeks prior to voting. Amendments may be proposed by the Constitution and By-Laws Committee, or by any active member of the Association.

## **BY-LAWS**

### **ARTICLE I MEETINGS**

#### Section 1. Executive Board Meetings

a. The President shall establish the date for the first meeting and notify members in writing or by email. At this meeting, the Board shall set the date for its regular meetings by a majority vote. A regular meeting date may be changed by a two-thirds vote of the present board members. An agenda shall be circulated to the Building Representatives at least one week prior to the meetings to allow time for discussion with their faculty members in advance of the meeting.

b. These meetings shall be conducted in accordance with Robert's Rules of Order.

#### Section 2. Special Meetings

a. Special meetings of the Executive Board may be held at the call of the President or upon request to the President from three Building Representatives. Business to come before a special meeting must be stated in the call, which shall be sent in writing to all board members at least two days prior to such meeting, if possible.

b. Special meetings of the General Membership may be held at the call of the President or the Executive Board or upon a request signed by thirty (30) NEANK members to the Executive Board. Business to come before special meetings must be stated in the call, which shall be sent in writing or email to all NEANK members at least two days prior to such meeting, when feasible.

### Section 3. General Membership Meetings

a. The Association shall hold two General Membership Meetings a year, the first on the day preceding the opening of the North Kingstown Schools and the other in May, at the pleasure of the Executive Board.

b. The May General Membership Meeting shall be the Annual Meeting.

c. At the discretion of the Executive Board, additional general membership and building meetings may be called.

## **ARTICLE II QUORUM**

A majority of its members shall be a quorum for the Executive Board, PR&R Committee, and Negotiations Committee. The Quorum for a General Membership Meeting shall consist of 10% of NEANK members.

## **ARTICLE III RESPONSIBILITIES OF OFFICERS**

### Section 1. President

The President shall preside over meetings of the Executive Board. The President shall appoint the chairpersons and members of standing committees, appoint special committees, and be a voting member of all standing committees except the Elections Committee. The President shall be the Executive Officer of the Association before the public, either personally or through delegates, and shall perform all other functions usually attributed to this office. The President shall be a member of the NEARI Executive Board.

### Section 2. Vice-Presidents

a. There shall be two Vice-Presidents, one from the elementary schools (PreK-5) and one from the secondary schools (6-12).

b. One of the Vice-Presidents, after an election by the Executive Board, shall become President when the presidency becomes vacant between elections.

c. One of the Vice-Presidents, as assigned by the President, shall be the Parliamentarian of the Association.

d. The Vice-Presidents shall work closely with the President and shall share appropriate duties and responsibilities of their office as assigned by the President.

### Section 3. Secretary

a. The Secretary shall keep accurate Minutes of all meetings of the Executive Board and General Membership Meetings, shall maintain official files, and shall assist the President with Association correspondence.

b. The Secretary shall disseminate Meeting Minutes to Executive Board members, which shall include Treasurer's Reports, committee reports, and subcommittee reports. Furthermore, the Secretary shall post the Minutes of all Executive Board and General Membership Meetings on the NEANK website.

c. The Secretary shall keep a roster of the duly-elected Building Representatives and their alternates and take a roll call at each Executive Board Meeting.

d. The Secretary shall keep a current copy of the Association Constitution and By-Laws, which shall include any amendments with the dates of ratification noted.

### Section 4. Treasurer

a. The Treasurer shall hold the funds of the Association and disburse them upon authorization by the Executive Board, shall collect dues by payroll deduction or cash, and transmit appropriate dues to NEARI for payment of both NEARI and NEA dues.

b. The Treasurer shall keep accurate accounts of receipts and disbursements and shall report at each Executive Board Meeting and at each General Membership Meeting of the Association. All Association records shall be maintained using QuickBooks Pro or an equivalent accounting system as approved by the Executive Board.

c. The Treasurer shall prepare monthly and quarterly reports to be presented at Executive Board Meetings, as well as an annual financial statement for publication to members as directed by the Executive Board.

d. The Treasurer shall keep the President and Executive Board informed of the financial condition of the Association. He/she shall issue IRS forms to salaried officers and file all required reports with the IRS.

e. The Treasurer shall maintain records required for reporting to NEARI and will work jointly with the Membership Coordinator to maintain accurate membership records.

f. The Treasurer shall turn over all aforementioned records at the end of his/her term(s) in office. Failure to do so may result in legal action.

g. At no time is the Treasurer or any other approved officer to write and sign a check to him/herself. Two signatures are always REQUIRED.

## Section 5. Terms and Succession

- a. Officers shall serve for two years and may be re-elected without an intervening term.
- b. Whenever the offices of the President or either of the Vice-Presidents shall become vacant between elections, the remaining members of the Executive Board shall choose one of their members to serve as President *Pro Tem* until the Association can fill the vacancies.
- c. Whenever the office of Secretary or Treasurer shall become vacant between elections, the remaining members of the Executive Board shall choose one of their members to serve until the Association can fill the vacancies.
- d. In the case of Treasurer, an outside audit will be conducted as soon as a vacancy becomes official. Additional outside audits shall be conducted during each election year, marking the end of each two-year term of Treasurer.
- e. The term of all officers shall begin on July 1, or if a contract is pending, upon the date said contract is ratified. Any salary adjustments would be considered for prorating at such time.

## **ARTICLE IV RESPONSIBILITIES OF THE EXECUTIVE BOARD**

Section 1. The responsibility to transact business between the meetings of the General Membership shall be vested in the Executive Board.

Section 2. The Executive Board shall be responsible to oversee financial reports presented at all Executive Board and General Membership Meetings before voting to approve.

Section 3. The Executive Board shall recommend approval of the budget to the General Membership. It is the Executive Board's responsibility to oversee that budget once approved.

Section 4. The Executive Board shall act on reports of committees, shall recommend the dues for the Association, shall suggest policies for consideration by the Association, shall adopt procedures for implementing the Code of Ethics of the Education Profession and as well as those to be followed in the censuring, suspending, and expelling members for cause, or for reinstating members.

Section 5. The Executive Board shall approve any expenses in excess of the total amount allocated in the budget.

## **ARTICLE V RESPONSIBILITIES OF THE ASSOCIATION**

The Association shall set the dues, approve the budget, and approve resolutions and other policy statements. It may adopt such rules governing the employment of staff, the conduct of the Association, and the conduct of meetings consistent with this Constitution and By-Laws. It

shall be the final judge of the qualifications and election of officers and Building Representatives. Powers not delegated to the Executive Board, the officers, or other groups in the Association shall be vested in the Association.

## **ARTICLE VI RESPONSIBILITIES OF MEMBERS**

All members shall be encouraged to become active in the Association by attending membership meetings, serving on committees or in elected positions.

## **ARTICLE VII BUILDING REPRESENTATIVES**

Section 1. In each public school in North Kingstown, members of this Association shall elect for a term of one year, one Building Representative and *one* alternate to the Executive Board for the first one to twenty (1 to 20) full-time equivalent NEANK members and one Building Representative and alternate for each additional 20 full-time equivalents or a major fraction thereof. Each school shall elect at least one Building Representative. Where more than one such Representative is elected, one shall be designated the Senior Building Representative. Elections shall be held and reported to the Secretary on the first day of the school year and Representatives shall take their seats at the next meeting of the Executive Board.

Section 2. Building Representatives shall attend the regular meetings of the Executive Board. It is his/her responsibility to see that the duly-elected alternate attends in his/her stead when he/she is unable to attend.

Section 3. The Building Representatives shall, within five working days, communicate with Association members in respective buildings, the actions and business of the regular Executive Board Meeting. They shall organize and oversee the subsequent elections of Building Representatives, the enrollment of members, and two-way Association communication within the building. The Senior Representative shall act as chairperson.

Section 4. Building Representatives shall be responsible for enlisting a representative to attend Labor Management and School Committee meetings.

Section 5. During an election year Building Representatives and/or alternates will be responsible for the balloting, tabulating, and reporting of building election results to the Election Committee.

Section 6. Building Representatives shall be members of NEANK and shall maintain their membership in good standing during their term of service.

Section 7. On the opening day of school an election shall be held to select an itinerant teacher (a teacher assigned to two or more buildings) to serve on the Executive Board.

Section 8. Building Representatives shall be responsible to maintain records to include

Minutes of the Executive Board Meetings, Treasurer Reports, NEARI Reports, the current budget, any written committee reports presented to the Executive Board, a copy of the Executive Board responsibilities as outlined in this Constitution and By-Laws, the current Contract, and copies of all official NEANK forms. These records shall be kept in a binder to be available at all Executive Board Meetings.

## **ARTICLE VIII STANDING COMMITTEES**

### Section 1. Meetings

Each committee shall meet according to a calendar developed by its chairperson.

### Section 2. Reports

Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report as necessary to the Executive Board at the request of the Executive Board.

### Section 3. Professional Rights and Responsibilities Committee (PR&R)

a. The Chairperson shall be appointed by the Executive Board upon recommendation of the President and shall serve as the Grievance Chairperson. He/she shall not be an elected officer.

b. Grievance Advocate(s) chosen from the PR&R Committee and representing each of the following levels: PreK-5, 6-8, 9-12, shall be appointed by the Executive Board upon recommendation of the President. They shall address grievances as directed by the Grievance Chairperson.

c. The PR&R members shall be elected using the same criteria as contained in Article X, Section 1 of these By-Laws. This committee shall explore and prepare programs for securing satisfactory personnel policies and procedures for the redress of grievances. Each member of the PR&R Committee shall be responsible for proper handling of grievances within his/her building at Level 1. PR&R responsibilities may include serving on the Negotiations Team during contract years.

### Section 4. Titles and Duties of Other Committees

a. As necessary, the Negotiations Committee shall explore and prepare action programs in all areas of teacher welfare, and shall create subcommittees with particular responsibilities for salaries, leave, fringe benefits, insurance, credit and investment facilities, and general working conditions. The Negotiations Committee or its designated sub-committee shall be the only body to represent the Association in these matters. The Chairperson shall be an elected member of the PR&R Committee and shall be appointed by the Executive Board upon recommendation of the President to serve as Negotiation Chairperson. The Negotiations Committee shall consist of no more than 11 (eleven) members including the PR&R Committee Chairperson, President, both Vice-Presidents, and Treasurer of the Association. The remaining members of this

committee shall be elected from the PR&R Committee members by members of that committee. All instructional levels shall be represented. The complete committee, including the above-elected officials, shall show the balance among elementary, middle, and high school levels as reflected in the general membership.

b. The Public Relations Committee shall seek to develop understanding of the purposes and programs of the Association by our members and by the public. They shall develop procedures by which the Association can work cooperatively with parents and the public in civic, fraternal, and social organizations, and through all available channels of communication.

c. The Constitution and By-Laws Committee shall meet at least once in every even-numbered year to review the Constitution and By-Laws and make recommendations for change to the Executive Board.

d. The Elections Committee shall operate as specified in Article X of these By-Laws.

e. The Audit Committee shall meet once a year with the Treasurer to examine the financial records of the Association. They shall prepare and present a written report for the May Membership Meeting. No officer of the Association shall serve on this committee.

f. The Budget Committee shall meet with the Treasurer and the President to prepare the next year's budget. They shall present the budget to the Executive Board no later than two weeks prior to the May Membership Meeting for adoption.

g. The Scholarship Fund Committee shall publicize available scholarships, solicit donations, review applications, and determine scholarship recipients. The list of scholarship awards will be provided to the Treasurer for the purpose of disbursing funds. A member of this committee shall present the scholarships at the appropriate high school awards assembly.

## **ARTICLE IX SPECIAL COMMITTEES**

Each year the President shall appoint other special committees, such as a Political Action Committee, as may be necessary, and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Executive Board.

## **ARTICLE X ELECTIONS**

### **Section 1. Nominations**

a. In each October the President shall appoint an Elections Committee excluding officers of the Association. This committee shall conduct any Association election in accordance with these policies.

b. The active members of the Association in each building during the month of February may nominate candidates for President, Vice-President, Secretary, Treasurer, local

representative to the NEARI Executive Board, delegates to the NEARI Delegate Assembly, and representatives to the NEA Representative Assembly. All nominations shall be submitted in writing to the Elections Committee.

c. The Elections Committee shall determine if those nominated wish to serve.

d. The Elections Committee shall report all nominations to the Executive Board at the March meeting. Members of the Executive Board may nominate other candidates at this meeting.

e. The Elections Committee shall publish for the membership, brief bios on each candidate.

f. A lottery shall be held to determine the order of the candidates on the ballot. A copy of the ballot shall be posted in each building two weeks prior to elections. If no corrections are made within one week it shall become the official ballot.

## Section 2. Balloting

On the first Tuesday in April, active members shall vote for officers by secret ballot in their assigned building. The Elections Committee shall prepare ballots, ensure that only eligible members ballot, tabulate the results, and report the results to the President, Executive Board, and General Membership. The Committee shall prepare a standardized method in all buildings for the balloting as well as a system of collecting ballots, tabulating and reporting of results in a timely fashion. The Committee shall notify the Executive Board of the election rules at the Executive Board Meeting prior to the election, and shall post the election rules in each building.

## **ARTICLE XI VOTING**

### Section 1. General Membership Voting

On all issues affecting the majority of the membership of 4 NEANK, excluding the Election of Officers, a General Membership Meeting shall be called with the type of balloting to be determined by a two-thirds majority of those present and voting at any such meeting.

**ARTICLE XII  
REMUNERATION**

All paid positions shall be increased at the same percentage rate as salaries in the teachers' contract.

**Salaried Positions for SY 2008-2009**

- (1) President: ..... \$ 5348.00
- (2) Vice-President (PreK-5): .....\$ 1687.00  
Vice-President (6-12): .....\$ 1687.00
- (3) Treasurer: .....\$ 2406.00
- (4) Secretary: .....\$ 1337.00
- (5) The (Grievance) Chairperson  
of the Professional Rights &  
Responsibilities Committee...\$ 2998.00
- (6) Grievance Advocate (PreK-5) \$ 1211.00  
Grievance Advocate (6-8) .....\$ 1211.00  
Grievance Advocate (9-12) ....\$ 1211.00
- (7) Union Webmaster..... \$ 424.00
- (8) The Negotiations Committee will be remunerated as follows:  
  
A fund of \$3000 will be distributed to the committee with 25% disbursed to the Negotiations Chairperson and 75% disbursed equally among the remaining committee members.\*\*
- (9) The Membership Coordinator will be paid a stipend of \$400 per school year.  
The Membership Coordinator shall maintain Association membership records, changes of status, and contributor lists (e.g., PAC, scholarship, and other non-fiduciary items) and shall work jointly with the Treasurer. The Membership Coordinator shall be appointed annually  
by  
the Executive Board.

\*\* These positions are only paid during a negotiations year.

**ARTICLE XIII  
STATE AND NATIONAL REPRESENTATIVES**

Section 1. NEARI Delegates

a. NEARI Delegates usually shall attend the NEARI Delegate Assembly three times a year, as well as any specially scheduled assemblies.

b. The President shall appoint one of the NEARI delegates to the NEARI Assembly who shall determine one week before the Assembly whether elected delegates are able to attend. It shall be the responsibility of this appointee to notify elected alternates.

c. Delegates shall be elected from all instructional levels if possible.

#### Section 2. NEARI Executive Board

a. NEARI Executive Board Members usually shall attend the monthly NEARI Executive Board Meetings and report back to the NEANK Executive Board.

b. The President of NEANK shall be a representative to the NEARI Executive Board.

#### Section 3. Representative to the NEA Representative Assembly

Representatives to the NEA Representative Assembly shall attend the Representative Assembly. They shall receive funding from NEARI and NEANK not to exceed the total funding for state delegates to NEARI.

#### Section 4. Terms and Succession

a. The NEARI Delegates shall serve for two years and may be re-elected without an intervening term.

b. The NEARI Executive Board and the Representative to the NEA Representative Assembly shall serve for two years and may be re-elected without an intervening term.

c. In the event that any elected State Delegate is for any reason unable to fulfill his/her responsibilities, an alternate shall be recommended by the President and approved by the Executive Board.

d. In the event that any elected National Representative is for any reason unable to fulfill his/her responsibilities, the Executive Board shall vote whether or not to hold an election to replace that representative.

### **ARTICLE XIV ORDER OF BUSINESS**

At Executive Board and Regular General Membership Meetings of the Association, the following order of business shall be observed:

- A. Call to Order
- B. Reading of the Record of the Previous Meeting
- C. Financial Statement of the Treasurer

- D. Reports of Standing and Special Committees
- E. Unfinished Business
- F. New Business
- G. Announcements
- H. Adjournment

#### **ARTICLE XV AUTHORITY**

Robert's Rules of Order shall be the Parliamentary authority for the Association on all questions not covered by the Constitution and By-Laws (*see addendum*).

#### **ARTICLE XVI AMENDMENTS**

These By-Laws may be amended by a two-thirds majority vote of those present and voting at any General Membership Meeting of the Association, provided that proposed amendments have been previously studied by the Executive Board and that copies have been sent to each Association member two weeks before the meeting. Amendments may be proposed by the Constitution and By-Laws Committee or by any active member of the Association.

#### **ADDENDUM Robert's Rules of Order *briefly summarized***

- Point of privilege: Pertains to noise, personal comfort, etc. – may interrupt only if necessary!
- Parliamentary inquiry: Inquire as to the correct motion – to accomplish a desired result or raise a point of order.
- Point of information: Generally applies to information desired from the speaker: “I should like to ask the (speaker) a question.”
- Orders of the day (Agenda): A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules).
- Point of order: Infraction of the rules or improper decorum in speaking. Must be raised immediately after the error is made.
- Main motion: Brings new business (the next item on the agenda) before the assembly.
- Divide the question: Divides a motion into two or more separate motions (must be able to stand on their own).
- Consider by paragraph: Adoption of paper is held until all paragraphs are debated and amended and the entire paper is satisfactory. After all paragraphs are considered, the

entire paper is then open to amendment and paragraphs may be further amended. Any Preamble cannot be considered until debate on the body of the paper has ceased.

- Amend: Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions.
- Withdraw/Modify motion: Applies only after the question is stated; mover can accept and amendment without obtaining the floor.
- Commit/Refer/Recommit to committee: State the committee to receive the question or resolution; if no committee exists include size of committee desired and method of selecting the members (election or appointment).
- Extend debate: Applies only to the immediately pending question; extends until a certain time or for a certain period of time.
- Postpone to a certain time: State the time the motion or agenda item will be resumed.
- Object to consideration: Objection must be stated before discussion or another motion is stated.
- Lay on the table: Temporarily suspends further consideration/action of pending question; may be made after motion to close debate has carried or is pending.
- Take from the table: Resumes consideration of item previously "laid on the table." State the motion to be taken from the table.
- Reconsider: Can be made only by one on the prevailing side who has changed position or view.
- Postpone indefinitely: Kills the question/resolution for this session. Exception: The motion to consider can be made this session.
- Previous question: Closes debate if successful; may be moved to "Close Debate" if preferred.
- Informal consideration: Move that the assembly go into "Committee of the Whole": informal debate as if in committee. This committee may limit the number or length of speeches or close debate by other means with a two-thirds majority approval. All votes taken are formal.
- Appeal decision of the chair: Appeal for the assembly to decide. The appeal must be made before other business is resumed. It is NOT debatable if the motion relates to decorum, violation of rules, or order of business.
- Suspend the rules: Allows a violation of the Assembly's own rules (except Constitution); the object of the suspension must be specified.

A copy of the full text of Robert's Rules of Order is available in the NEANK Office, North Kingstown High School.