

**CONSTITUTION AND BYLAWS  
OF THE  
FALL RIVER EDUCATORS' ASSOCIATION  
2018-2019**

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# **FREA CONSTITUTION**

## **ARTICLE 1 - NAME**

The name of this Association shall be the Fall River Educators' Association (hereinafter referred to as the Association).

## **ARTICLE II – PURPOSE**

We, the members of the Fall River Educators' Association, in recognition of our responsibility to the profession, students and the community shall:

Section 1- Work for the advancement of public education and the improvement of instructional opportunities for all. (2018)

Section 2- Develop and promote the adoption of such ethical practices, personnel policies, standards of preparation and participation as mark a profession

Section 3- Unify and organize our members in order to secure and maintain salaries, retirement, and other benefits and working conditions.

Section 4- Act as official representative of our members within the Fall River School System, to act as spokesman and bargaining agent before the Fall River School Committee, and to speak on matters of education to the community as a whole. (2018)

Section 5- Hold property funds and to employ a staff for the attainment of these purposes when necessary.

## **ARTICLE III – MEMBERSHIP**

### **Section 1- ACTIVE MEMBERSHIP**

- A. Active membership in the Association shall be open to all professional employees and specialists in the Fall River Public Schools who hold an earned bachelor's or higher degree, or hold a regular vocational or technical certificate; licensed nurses, LPNs, Therapy Assistants and School Administrative Managers (SAMs). (2018)
- B. Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay the membership fees.
- C. Active members of the Association shall also be members of affiliated professional organizations

## Section 2 – RETIRED MEMBERSHIP

- A. All retired members formerly employed in the schools of Fall River who are members of MTA/NEA Retired are members of FREA Retired. (2018)
- B. In recognition that retired members are a valuable resource, the President may appoint a retired member to the board.-(2018)
- C. Retired members may attend FREA meetings but may not vote or hold office. (2011)

## **ARTICLE IV – OFFICERS**

The officers of the Association shall consist of a President, First Vice-President, Second Vice-President, and Vice-President for Teachers, Treasurer, and Secretary.

## **ARTICLE V – EXECUTIVE BOARD**

Section 1- There will be a Board of Directors consisting of the officers of the Association and duly elected delegates from each designated group. The Board of Directors shall be known as the Executive Board.

Section 2- The delegates to the Executive Board shall be apportioned according to paid up membership in the Fall River Educators' Association

Section 3- The number of District Representatives shall be elected or appointed according to these guidelines:

- A. High school level may have up to 5 representatives
- B. Middle school level may have up to 2 representatives per building
- C. Elementary school level may have up to 2 representatives per building
- D. These numbers may be adjusted with the approval of the Executive Board

Section 4- Candidates for the Executive Board shall be paid up members of the Association.

Section 5- An Executive Board member missing any three (3) regularly scheduled consecutive meetings or any five (5) meetings shall forfeit his/her membership on the Board. (1986)

Section 6- A delegate seat for the immediate Past President shall be added to the Executive Board. This seat shall be retained by the individual for a maximum of two (2) years. (1982)  
This seat shall be a voting one and shall be occupied by the outgoing President of the Association. (1984)

Section 7- Commencing with the Executive Board meeting, July of 1985, a delegate seat for the MTA Director, if said Director is a member of the FREA, shall be added to the FREA

Executive Board. This seat will be non-voting on the Board and will serve in an advisory capacity concerning issues relating to the MTA and the FREA. (1985)

Section 8-

There shall be one (1) Retired Member appointed by the President.

## **ARTICLE VI – FACULTY REPRESENTATIVES**

Section 1- There shall be at least one (1) faculty representative per building.

Section 2- The Third Vice-President shall be the chairperson of the Faculty Representatives. (2011)

Section 3- Members at each school can elect faculty representatives during the first three (3) weeks of school. If no one is elected, The President or The Third Vice President can appoint a member to the position.

Section 4- The Faculty Representatives shall meet at least twice during the school year on a date determined by the President. Special meetings of the Faculty Representatives shall be called by any officer or at the request of five Faculty Representatives.

Section 5- Faculty Representatives must be active members of the Association. See Article III, Section 1A and 1C. (2001)

## **ARTICLE VII – AFFILIATION**

This Association shall be affiliated with the Massachusetts Teachers Association and the National Education Association

# **BYLAWS**

## **ARTICLE I - MEETINGS**

### **Section 1 - EXECUTIVE BOARD MEETINGS**

The Executive Board shall meet on the third Tuesday of each month at a time to be set by the Executive Board (2011) and the last Tuesday, when necessary, to complete Association business. (2006)

### **Section 2 - SPECIAL MEETINGS**

Special meetings of the Executive Board shall be called by the Secretary at the request of the President or five (5) members of the Executive Board.

### **Section 3 - THE ANNUAL MEETING**

The Annual Meeting of the Association shall take place on the fourth Wednesday of May at a time set by the Executive Board (2011). The election of Officers and members of the Board of Directors and any other required Association business shall take place at this time. (2006)

**Section 4** - Only members of the Association may vote at Association meetings.

### **Section 5 - SPECIAL EMERGENCY MEETINGS**

Special emergency meetings of the Association shall be called by the Secretary at the request of the President or fifty (50) members of the Association.

## **ARTICLE II - QUORUM**

### **Section 1**

Quorum for any meeting of the Executive board shall consist of ~~fifteen (15) members~~ 60% of appointed or elected Executive Board members

### **Section 2**

Quorum for any meeting of the Association shall consist of 6% (no less than 50 members) (2011) of the membership rounded to (2011) the next ten. (Example: total members 800, quorum will be 50) (2011)

## **ARTICLE III – AUTHORITY OF OFFICERS**

### **Section 1- PRESIDENT**

The President shall preside at all meetings of the Association and the Board of Directors and shall be a member ex-officio of all committees. The President shall, with the approval of the Board of Directors, appoint chairpersons for all following standing committees: grievance, legislative, social, and negotiations. Any such appointment, except for negotiations, shall be annual. Provided, however, the chairperson of the Negotiations Committee will serve until that round of negotiations is concluded. (2011)

The President shall represent the Association before the public and shall perform all other functions as may be necessary or appropriate to carry out the business of the Association.

The president of the Association will appoint a parliamentarian whose duty shall be to advise the chair regarding parliamentary procedures.

### **Section 2- FIRST VICE-PRESIDENT**

- A. The first Vice-President shall be first in the order of succession for the President in the event of a vacancy in that office between elections and shall hold that office until the next regularly scheduled election.
- B. The first Vice-President shall supervise all committees dealing with internal relations and will chair the Grievance Committee. (2006)
- C. The First Vice-President shall perform other duties assigned by the President and/or the Board of Directors.

### **Section 3- SECOND VICE-PRESIDENT**

- A. The second Vice-President shall be first in the order of succession to the First Vice-President in the event of vacancy in that office between elections and shall hold that office until the next regularly scheduled election.
- B. The second Vice-President shall supervise all committees dealing with external relations.
- C. The second Vice-President shall be the Public Relations Chairperson and Editor of the newsletter and electronic communication.
- D. The second Vice-President shall perform other duties assigned by the President and/or the Board of Directors.

### **Section 4- THIRD VICE-PRESIDENT**

The Third Vice-President shall preside at all meetings of the Faculty Representatives and shall chair the Sick Leave Bank Committee. (2006) The Third Vice-President shall perform such other duties as may be assigned by the President and/or the Board of Directors. (2018)

#### Section 5- SECRETARY

The Secretary shall keep a full record of all Executive Board and general membership meetings and business transacted by the Association and by the Board of Directors. The Secretary shall keep a list of officers, Directors, and Delegates. (2018)

#### Section 6- TREASURER

Subject to the discretion of the Board of Directors, the Treasurer shall be custodian of funds of the Association and membership chair. The Treasurer shall present to the Board of Directors written statements of the financial condition of the Association monthly and annually and at such other time or times as the Board of Directors may require.

The Treasurer shall prepare and present the annual financial statement of the Association to for active members at the Annual Meeting of the Association. On or before the first of April (2011), the Treasurer shall prepare and submit to the Board of Directors a written budget for the coming fiscal year. The Treasurer shall be bonded in accordance with MTA/NEA policy (2011). The Treasurer shall perform such other duties as may be assigned by the Board of Directors. (2018)

The accounts of the Treasurer shall be audited by an auditor hired (2011) by the President with the approval of the Board of Directors. The auditor's report shall be submitted to the Board of Directors in writing.

The Treasurer shall file with the Commonwealth of Massachusetts, or any agency thereof, any financial reports required by law.

#### Section 7- TERMS OF OFFICE

- A. The Officers of the Association shall be elected yearly. There shall be no restrictions as to the number of terms an incumbent may serve in any office.
- B. Delegates to the Executive Board of the Association are to be elected annually according to Article V of the Bylaws.
- C. Vacancies arising during the year shall be filled by the President with the approval of the Executive Board. Such vacancies must be filled with an individual from the district in which the vacancy arises.

#### Section 8- REMOVAL FROM OFFICE

Any Officer or Director may be removed from office upon a vote of two-thirds of the members of the Board of Directors present and voting at the meeting providing that at least three-fourths of the voting members are present at such meeting and provided further that the Board shall have received prior to the meeting a petition signed by at least ten percent (10%) of the members entitled to vote on the election of such Officers calling for such removal.



## **ARTICLE IV – STANDING COMMITTEES**

Section 1- It shall be mandatory upon the President to appoint by the second regular meeting of the Executive Board, the members to the following standing committees, subject to the approval of the Executive Board: Grievance, Legislative, Social, Negotiations, Elections and Nominations, Public Relations, and other as needed. (2018)

### Section 2- TITLES AND DUTIES

#### A. Election Committee

1. The Election committee shall be composed of up to seven (7) members of the Association from various levels. (2018)
2. The members of this committee shall not be candidates in the forthcoming election for any office of the Association including that of Delegate.
3. The purpose of the Election Committee shall be:

(a) Organize and supervise the election of officers, directors, and MTA and NEA delegates.

(b) Make available and distribute the necessary papers for nominations together with a list of various officers by February 1<sup>st</sup> of each year. These nomination papers must be returned to the FREA office by 5:00 p.m. on or prior to March 31<sup>st</sup>.

(c) To check and certify the list of nominees which must be read at the April Executive Board meeting, and published thereafter.

(d) To supervise the election of officers and delegates.

(e) To collect and count the ballots immediately and to report the results to the President who shall cause them to be published.

#### B. Nominating Committee

The president shall appoint a Nominating Committee to present names of Association members for any office for which nomination papers have not been filed.

#### C. Legislative Action Committee

The President shall appoint a Legislative Committee to study pending legislation and to promote activities leading to the passage of desirable legislation for schools.

D. Negotiations Committee

The Negotiations Committee for Unit A will consist of the President of the Association and seven additional voting members:

- One representative from the senior high school
- One representative from the middle school
- One representative from the elementary schools
- One representative from the special needs program
- One representative from the itinerant teachers ~~and~~ or special programs. (2011)
- One At-Large representative
- One Nurse Educator

The Negotiations Committee for Unit B, Therapy Assistants, shall be comprised of up to 4 members.

The Negotiations Committee for Unit C, SAMs, shall be comprised of up to 4 members.

If such members lose their right to vote (by means but not limited to resignation or dismissal from the schools in Fall River), or if the member(s) resign from the committee, then the President may make appointments within the same group. (2018)

E. Grievance Committee

This committee shall consist of seven (7) members who shall be appointed by the President with the approval of the Executive Board. The first vice president shall be chairperson of this committee. The composition if this committee shall be as follows:

- One representative from the senior high school
- One representative from the middle school
- One representative from the elementary schools
- One representative from the special needs program
- One representative from the itinerant teachers ~~and~~ or special programs (2011)
- One Nurse Educator (2018)

E. Public Relations Committee

The second vice president shall serve as the chairperson of this committee. The President may appoint members as needed.

## **ARTICLE V-ELECTIONS**

### **Section 1-NOMINATIONS**

- A. Candidates for the following offices of the Association must file with the Election Committee nomination papers bearing the signatures of twenty-five (25) bonafide members of this Association prior to April 1<sup>st</sup>:

President  
First Vice-President  
Second Vice-President  
Vice-President for Teachers  
Treasurer  
Secretary

- B. Prior to April 1<sup>st</sup>, candidates for election as Delegates to the Executive Board of this Association must file with the Election Committee nomination papers bearing signatures of five (5) bonafide members of the Association from the district or group they are to represent.

### **Section 2 - BALLOTING**

- A. The election committee is to follow the following procedure in all elections:
1. Elections shall take place at the Annual Meeting.
  2. Those members unable to attend the Annual Meeting may cast their ballot one (1) day prior to said meeting between 3:00-5:00 p.m. at the FREA office and in the presence of an Election Committee official. (2018)  
All ballots must be placed in a sealed envelope. Absentee voting members shall not be entitled to a second ballot should they attend the Annual Meeting. (1996)
  3. Ballots shall be distributed and collected by the Election Committee or their designee.
  4. The judgement Election Committee shall be final in all matters pertaining to the election.
  5. In the event the number of candidates is equal to or less than the number of positions available, the Association Secretary will cast on vote and all candidates will be automatically elected. (2008)

## **ARTICLE VI CONVENTION DELEGATES**

Delegates to represent the Association at meetings of the State and National Association shall be elected by members of the Association. Should an insufficient number of candidates come forth, the balance of the delegation shall be appointed by the President with the approval of the Executive Board. Members of the delegation shall report the results of such meetings to the Executive Board. The names and addresses of these

delegates shall be forwarded to the MTA office in accordance with Article VII, Section 1 of the MTA Constitution. (1984)

## **ARTICLE VII FINANCE**

### **Section 1:**

At the March Executive Board meeting, the Treasurer shall present to the Board a preliminary budget for perusal with a recommendation for annual dues for the following year. At the April Board meeting, the Board will move the budget to be presented at the Annual Meeting in May with its own recommendation for acceptance or rejection. (2011)

At the Annual Meeting in May, the Association shall vote upon the recommendation of the Treasurer. If the recommendation is rejected, the dues shall remain at the level of the previous year.

### **Section 2:**

Delegates to the State and National Association meetings shall be entitled to expenses as voted and approved by the Executive Board. (1989)

## **ARTICLE VIII AMENDING AND APPROVAL PROCEDURES**

### **Section 1:**

This constitution and Bylaws may be amended at any meeting of the Association by a two-thirds vote of the members present and voting. Written notice of such proposed meeting shall be given by the Secretary to the members at least ten (10) days before the vote on such change.

### **Section 2:**

In approving the contract with the School Committee, the Secretary shall, at the direction of the President, call an informational meeting of the Association for the purpose of presenting and discussing the proposed contract. No vote on any new contract will be taken within 5 working days of said informational meeting at which time a ratification vote will be scheduled and posted. The time and place of all meetings shall be at the choice of the President. (1994)

In order for a contract to be accepted, it must receive approval of a majority of those voting. The method of voting shall be secret ballot. Should a paper ballot be used, the Election Committee shall be in charge of this process and shall report the results to the President as soon as all ballots are counted.

### **Section 3:**

All "side-letters-of-agreement" or Memoranda of agreement, that impact the entire membership and are not derived from an arbitration must be voted and approved by the

membership at a meeting called by the President. For all other “side-letters-of-agreement” or Memoranda of agreement, only those members directly impacted shall vote. (2018)

### **ARTICLE IX AUTHORITY**

Roberts Rules of Order, Revised, when not inconsistent with this Constitution, shall govern the proceedings of the Association, the general management of which shall be left to the Executive Board.