

**CONSTITUTION AND BY-LAWS OF
THE WEST ISLIP
TEACHERS' ASSOCIATION
TEACHERS' CHAPTER**

Approved by a vote of the membership

June 2021

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**Article I
Name and Affiliations**

Section 1:

The name of this organization shall be the West Islip Teachers' Association (W.I.T.A.) - Teachers' Chapter.

Section 2:

This organization shall be affiliated with the New York State United Teachers (NYSUT) and its national affiliates.

**Article II
Purpose**

The purpose of the Teachers' Chapter of W.I.T.A. shall be:

Section 1:

To support and foster the goals and purposes of the West Islip Teachers' Association.

Section 2:

To provide direction and leadership to all chapters of W.I.T.A.

Section 3:

To create an educational atmosphere which meets the highest standards of student performance and supports the on-going development of the staff.

Section 4:

To advance the standards of the teaching profession.

Section 5:

To promote the welfare of its members and to ensure their legal and contractual rights.

Section 6:

To promote the aims and objectives of the New York State United Teachers and its national affiliates.

**Article III
Membership**

Section 1:

1. Membership in the Teachers' Chapter of W.I.T.A shall be open to any employee who is a designated member of the teachers' bargaining unit, and who engages in the practice of

teaching or who performs educational duties and/or services in the West Islip School District and further, who is a member in good standing of W.I.T.A and its state and national affiliated organizations.

2. A member who wishes to drop his/her dues authorization must do so within the annual drop period beginning on August 1st and ending on August 31st. A member who drops his/her membership at any other time during the year shall nonetheless be obligated to continue payroll dues deduction until the beginning of the next drop period. Notice of intention to drop one's membership must be made in writing by certified mail to the President of the West Islip Teachers' Association (W.I.T.A).
3. Membership in the West Islip Teachers' Association shall mean unified membership in New York State United Teachers and its national affiliates and shall be open to all teachers employed in the West Islip UFSD and upon payment of dues deducted from the employee's payroll.
4. Member-in-good standing: A member-in-good standing is any person currently employed or newly hired into a bargaining unit position, who has enrolled in membership and whose dues are current and paid in full.
5. A bargaining unit member on authorized leave of absence from the District shall continue to be a member-in-good standing.
6. Non-member: A non-member is a person employed or newly hired into a bargaining unit position and, to whom one of the following applies:
 - a) The person has not completed enrollment into the union.
 - b) The person enrolled into the union and has taken action to withdraw membership from the union.
 - c) The person's dues are not current and paid in full.
7. Membership shall be maintained through the payment of all required dues.
8. Only members in good standing shall have equal rights and privileges to nominate candidates to hold office, to vote in elections or referendum, to serve in any elected or appointed position, to attend membership meetings and to participate in deliberations and voting upon the business of the organization.

Section 2:

Protection of Rights of Members

1. Subject to the limitations set forth within, every active member in good standing of this organization shall have equal rights and privileges, including, but not limited to the right to nominate candidates to hold office, to be a candidate for elective office, to vote in elections or referendums, to attend membership meetings, to be eligible to be considered for appointment by the union to district committees, and to participate in deliberations

and voting upon the business of the organization. Only members in good standing shall be eligible to enjoy the rights and privileges in this section.

2. No member may be fined, suspended, expelled, or otherwise disciplined (except for non-payment of dues) by this organization unless such member has been served with written specific charges and given a reasonable time to prepare a defense and afforded a full and fair hearing. The Executive Board, or a sub-committee thereof, shall conduct all discipline hearings.
3. No officer of the organization may be removed from office unless such officer has been served with written specific charges and given reasonable time to prepare a defense and afforded a full and fair hearing before the Executive Board. Following the hearing, the Executive Board may, by two-thirds (2/3) vote, recommend to the membership of the organization that the officer be removed from office. Thereupon the officer may be removed from office by a two-thirds (2/3) vote of the membership at a general membership meeting called for that purpose and pursuant to the organization's by-laws.
4. This organization shall show no discrimination toward any individual or group of individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

Section 3:

Protection of Rights of Non-Members

1. Any member of the bargaining unit(s) represented by the West Islip Teachers' Association that is not a union member in good standing as defined within, shall not be eligible to receive from the West Islip Teachers' Association or its state and national affiliates any service or benefit not expressly provided for in or conferred by the prevailing collective bargaining agreement with the employer. Services and benefits withheld from non-members shall include, but not be limited to (a) the right to be represented by the union at disciplinary hearings (e.g., §3020-a, §75, Part 83 hearings), meetings or interviews with administrators, supervisors, or their agents that may lead to disciplinary action, §913 examinations, workers' compensation proceedings, EEOC or NYSDHR proceedings, APPR appeals, and the like; (b) the right to have access to NYSUT, AFT, or NEA Member Benefit Programs, including any benefit plans purchased by the West Islip Teachers' Association; and (c) the right to have access to NYSUT ELT programs.
2. Non-members shall be ineligible to participate in any union activity reserved for members in good standing including, but not limited to, the rights defined within. Furthermore, non-members are ineligible to participate in any social, collegial, professional, or other such events conducted by the West Islip Teachers' Association.

Section 4:

The Teachers' Representative Council may initiate proceedings for disciplinary action regarding a member.

Section 5:

Procedures for Disciplinary Action Involving a Member

1. A written request, including substantiating information and specific charges, to initiate the process shall be given to the Teachers' Representative Council by:
 - a) The President or
 - b) Five (5) members of the Teachers' Representative Council
 A copy of such request shall be forwarded to the member(s) named.
2. Within thirty (30) school days, the Teachers' Representative Council shall consider the matter and determine the merits of the supporting information at a regularly scheduled meeting of the Teachers' Representative Council. Representatives of the member(s) shall have the right to be present at this meeting.
3. A written notice, including the information and/or charges and the motion acted upon by the Teachers' Representative Council shall be forwarded to the member(s) within five (5) school days of the meeting.
4. If further action is required, the Teachers' Representative Council shall call a special meeting of the Council within thirty (30) school days for the specific purpose of continued proceedings in the matter. Such meeting shall be held at a reasonable time and place.
5. A written notice of the meeting date shall be forwarded to the member(s). The member(s) shall have the right to attend and address the Council or to submit a written brief or to be represented by an advocate.
6. The Teachers' Representative Council shall determine any appropriate disciplinary action. Such action shall require a two-thirds ($2/3$) vote of the established voting quota of the Teachers' Representative Council.
7. Disciplinary action could involve the suspension of membership for a specified amount of time for infractions such as:
 - a) Nonpayment of dues
 - b) Failure to adhere to established policies of W.I.T.A. and the Teachers' Chapter.
8. A written report, indicating the decision of the Teachers' Representative Council shall be sent to the member(s) by return receipt mail within five (5) school days of the meeting.
9. The member(s) shall have the right to appeal any decision of the Teachers' Representative Council to the General Membership of the Teachers' Chapter.

Section 6:

Restoration of Membership

1. After the specified amount of time has elapsed, the member(s) may request restoration of membership.

2. A written request for reinstatement of membership shall be made to the Teachers' Representative Council.
3. By the next meeting of the Council and/or within thirty (30) school days, the Teachers' Representative Council shall consider the application for reinstatement of membership. Representatives of the member(s) may be present at this meeting.
4. If the request is warranted and within thirty (30) school days, the Teachers' Representative Council shall establish a meeting date to consider the application.
5. Restoration of membership in W.I.T.A. shall be determined by a two-thirds (2/3) vote of the established voting quota of the Teachers' Representative Council.
6. Written notification of the action taken by Teachers' Representative Council shall be sent to the affected member(s) by registered/return receipt requested mail.
7. The member(s) shall have the right to appeal any decision of the Teachers' Representative Council to the General Membership of the Teachers' Chapter.

Section 7:

The Appeal Process

1. Any appeal must be made, in writing, to the General Membership of the Teachers' Chapter within thirty (30) school days of the receipt of the decision by the Teachers' Representative Council. A copy must be forwarded to the President.
2. Within thirty (30) school days the President shall call a meeting of the General Membership of the Teachers' Chapter.
3. The aggrieved parties must be afforded the opportunity to address the membership.
4. The decision of the Teachers' Representative Council shall only be overturned by a majority vote of the total membership of the Teachers' Chapter of W.I.T.A..

Section 8:

There shall be at least one meeting of the General Membership of the Teachers' Chapter of W.I.T.A..

Section 9:

Special meetings of the General Membership may be called by the President, the Teachers' Representative Council or upon written request of ten percent (10%) of the membership representing at least half of the school buildings.

Section 10:

Meetings must be held at a reasonable time and place and reasonable notice (generally 5 school days) must be given.

Article IV
Dues

Section 1:

Dues shall be determined according to provisions of the constitution of the West Islip Teachers' Association.

Section 2:

Membership and Dues

1. Members of the Association shall have the following obligations:
 - a) To subscribe and support the stated purposes of the Association as contained in the Constitution and By-Laws.
 - b) To pay dues through payroll deduction.

2. Bargaining unit members who opt out of membership in the union may re-join the union at any given point in time during the school year. However, the re-instated member shall not be eligible to receive services (such as legal representation) or (such as reimbursements from a benefit trust) for problems that occurred when the individual was not a member in good standing of the West Islip Teachers' Association.

Section 3:

Dues and Finances

1. Dues shall include a combined total of member's local dues for the West Islip Teachers' Association (the "local"), New York State United Teachers (NYSUT), and its national affiliates.

2. Payment of dues shall be through payroll deduction.

3. The local dues of the Association shall be an amount voted on by the membership by a simple majority vote of the general membership.

4. The Fiscal Year shall be from September 1st through August 31st.

5. Upon recommendation of the Executive Board and subject to the approval of a simple majority vote of the general membership, assessment shall be made for special contingencies.

Article V
Teachers' Representative Council

Section 1:

The Teachers' Representative Council shall consist of:

- a) The Officers of this Chapter
- b) Delegates to the state and national affiliated organizations who are members of the Teachers' Chapter Delegates to the New York State Teachers' Retirement System who are members of the Teachers' Chapter

- c) Building Representatives
- d) Immediate Past President, if individual is a member in good standing, for a maximum of four (4) years, but not to exceed the number of years served as President.

Section 2:

Each person shall have one (1) vote except that if a member of the Teachers' Representative Council holds a second voting seat the Representative Council may delegate that vote to a duly elected alternate to that position. Such alternate shall be chosen in rank order according to the number of votes received. At the beginning of each year, the number of voting delegates will be determined. Votes allocated to the duly elected alternate(s) will be determined and the maximum total number of votes will be established. Unless altered by a resignation or recall, this official roll call shall be effective for all subsequent meetings of the Teachers' Representative Council.

Section 3:

Meetings of the Teachers' Representative Council shall be held twice a year and at any other times at the call of:

1. The President
2. Twenty-five percent (25%) of the Teachers' Representative Council, OR
3. Twenty percent (20%) of the Teachers' Representative Council if they represent at least five (5) different buildings.

Section 4:

The Teachers' Representative Council shall:

1. Be responsible for the general management of the Teachers' Chapter of W.I.T.A..
2. Establish policies to be implemented and followed by the Officers and members of the Chapter.
3. Interpret this constitution.
4. Adopt nominating, election and voting procedures for election of the Officers and the building representatives of the Teachers' Chapter of W.I.T.A..
5. Approve or disapprove the membership of all committees recommended by the President.
6. Make a charge to all committees and oversee the work of such committees.
7. Make recommendations for an annual budget to the Budget Advisory Committee of W.I.T.A..
8. Provide members with information regarding the budget at least five (5) school days prior to the annual General Membership meeting of W.I.T.A. at which time a vote will be conducted of the budget by a majority vote of those present.

Section 5:

All meetings must be at a reasonable time and place and reasonable notice must be given.

Article VI
Officers

Section 1:

The Teachers' Chapter shall have the following Officers:

1. President/Chief NYSUT Delegate
2. One (1) First Vice-President
3. One (1) Vice-President who must originate from the configuration of the elementary school buildings at that time.
4. One (1) Vice-President who must originate from the configuration of the middle school and/or high school buildings at that time.
5. Treasurer
6. Recording Secretary

Section 2:

An individual must be a current member of the Teachers' Chapter of W.I.T.A. and must have been a member in good standing for a least one (1) year in order to hold office in the Chapter.

Section 3:

The President shall carry out the policies established by the Teachers' Representative Council. Unless this constitution or the Teachers' Representative Council otherwise provides, the President shall:

1. Serve as President of the West Islip Teachers' Association (W.I.T.A.).
2. Preside at all meetings of the General Membership and the Teachers' Representative Council.
3. Issue the call for all regular and special meetings of the Chapter, and the Teachers' Representative Council. The President may also call and/or attend any building meetings.
4. Provide the Teachers' Representative Council with a list of all volunteers, if requested, for Chapter committees and make a recommendation to the Teachers' Representative Council regarding committee appointments.
5. Be an ex-officio member of all committees.
6. Serve as a member of the Budget Advisory Committee of W.I.T.A..
7. Present recommendations for the annual budget to the Teachers' Representative Council and the Budget Advisory Committee of W.I.T.A..

8. Direct and approve expenditures of the Chapter subject to the budget or the approval of the Board of Directors of W.I.T.A..
9. Submit a report of the work of the Chapter for the past year at the annual meeting of the General Membership of W.I.T.A.
10. Act as the spokesperson for the policies established by the Teachers' Representative Council.
11. Maintain communication with the officers of the affiliated chapters of W.I.T.A..
12. Maintain on-going communications with other Officers to ensure continuity of leadership in the event that the President cannot perform the responsibilities of his/her office.

Section 4:

The First Vice-President shall:

1. Serve as First Vice-President of the West Islip Teachers Association (W.I.T.A.).
2. Assume all the duties of the President in case of absence, resignation, or recall.
3. Work in conjunction with the President.
4. Perform such other duties as may be required by the President or the Teachers' Representative Council.

Section 5:

The Vice-Presidents shall:

1. Serve as Vice-Presidents of the West Islip Teachers Association (W.I.T.A.) respectively.
2. Serve as liaison officers responsible for reporting to the President on activities of committees, delegates, programs, etc., at their respective levels.
3. Perform such other duties as may be required by the President or the Teachers' Representative Council.

Section 6:

The Treasurer shall:

1. Serve as Treasurer of the West Islip Teachers' Association (W.I.T.A.).
2. Keep an accurate account of all receipts and expenditures of the Chapter and forward them to W.I.T.A. for payment.
3. Maintain all financial records in the W.I.T.A. office.
4. Forward dues collected to W.I.T.A. in a timely manner.

5. Make reports on the financial matters at the annual General Membership meeting of W.I.T.A., at meetings of the Teachers' Representative Council and at such other times as the Teachers' Representative Council may request.
6. Request recommendations for annual budget from the Teachers' Representative Council and forward these recommendations to the Budget Advisory Committee of W.I.T.A..
7. Serve as chairperson of the Budget Advisory Committee of W.I.T.A..
8. Provide all pertinent and available records to the Audit Committee of W.I.T.A. as requested.
9. Maintain a membership roll with names and addresses, register new members and forward the necessary materials to W.I.T.A. and our affiliate organizations.
10. Perform such other duties as may be required by the President or the Teachers' Representative Council.
11. Provide all financial records to the new treasurer.
12. Assist other chapter's officers with financial matters.

Section 7:

The Recording Secretary shall:

1. Serve as Recording Secretary of the West Islip Teachers Association (W.I.T.A.).
2. Keep records of all meetings of the General Membership and the Teachers' Representative Council.
3. Maintain accurate attendance records for General Membership and the Teachers' Representative Council meetings.
4. Prepare and keep on file a correct list of names and addresses of the Officers and the members of the Teachers' Representative Council.
5. Maintain a record of all policies and by-laws established and adopted by the Teachers' Representative Council.
6. Provide the Teachers' Representative Council with the current policies and by-laws annually.
7. Perform such other duties as required by the President or the Teachers' Representative Council.

Section 8:

The Teachers' Chapter Executive Board shall consist of the Officers of the Chapter. It shall advise the President on matters of the Chapter.

Article VII**Members of the Teachers' Representative Council****Section 1:**

Delegates to the State and National Affiliates and the New York State Teachers Retirement System:

Delegates to the State and National Affiliates and the New York State Teachers Retirement System who are members of the teachers' bargaining unit will serve on the Teachers' Representative Council and shall:

1. Make reports to the Teachers' Representative Council regarding the activities and the policies established by the respective organizations.
2. Attend all meetings of the Teachers' Representative Council.

Section 2:

Building Delegates/Representatives:

1. Each public school in the district shall be entitled to one delegate/representative for each twenty-five (25) members or major portion thereof, except that each building shall have at least one (1) delegate.
2. For the purpose of such representation, members who are assigned to more than one building shall be counted as one-half (1/2) in each such building.
3. Members of the Chapter employed by the district who are assigned exclusively to private schools or to the district office shall constitute one "building" and shall be entitled to representation in accordance with the provisions in item #1 above.

Section 3:

The Building Delegates/Representatives shall:

1. Serve as Delegates/Representatives to the Board of Directors of the West Islip Teachers Association (W.I.T.A.).
2. Attend all meetings of the Teachers' Representative Council.
3. Keep the building membership informed of the activities and policies of the Teachers' Representative Council.
4. Bring proposals to the Teachers' Representative Council for action.
5. Call building meetings at least once each month.

6. Meet with the building principal in accordance with the terms of the negotiated agreement.
7. Represent building members in complaints and/or grievances at Level I.
8. Transmit a monthly written report of building matters to the President.
9. Maintain communications with the alternates to ensure continuity of representation in the event that the delegate(s) cannot perform the responsibilities of the office.

Section 4:

Alternates:

1. Alternates to the New York State Teachers' Retirement System and to the state and national affiliates who are members of the Teachers' Chapter shall serve as alternates on the Representative Council.
2. Each building shall have half as many alternates as delegates except that each building shall have at least one alternate. In the event that the number of delegates is an odd number, the number of alternates shall be rounded down.
3. The alternate(s) shall:
 - a) Fill a vacancy occurring by resignation or recall in his/her area of representation.
 - b) Substitute for delegate(s) at the Teachers' Representative Council meeting as needed.
 - c) Be available to attend meetings of the Teachers' Representative Council and to meet with the building delegate(s), Officers, and building administrators in order to keep current with issues affecting his/her constituency.

Article VIII
Terms of Office

Section 1:

Officers and building delegates/representatives shall be elected in accordance with procedures established by the Teachers' Representative Council following the guidelines formulated by the W.I.T.A. Board of Directors. All such elections shall be by secret ballot within each building.

Section 2:

Duly elected officials of the Association shall serve for a term of office as follows:

1. Officers and building delegates/representatives for a two (2) year term commencing at the end of the annual General Membership meeting of W.I.T.A..
2. Delegates to state and national affiliates for a two (2) year term commencing September 1st.

3. Retirement System Delegates for a two (2) year term as per State Retirement System regulations.

Section 3:

The immediate Past President shall serve for a maximum of four (4) years, but not to exceed the number of years served as President.

Article IX
Recall and Filling of Vacancies

Section 1:

Recall of an Officer can be proposed by:

1. A petition giving specific reasons and signed by thirty percent (30%) of the General Membership of the Chapter, or
2. A two-thirds (2/3) vote of the established voting quota of the Teachers' Representative Council.

Section 2:

The recall will become effective upon a majority vote of the total membership of the Teachers' Chapter of W.I.T.A.. Such vote shall be held at a General Membership meeting called for that purpose preceded by at least five (5) school days notice. In the event that the President is unable to chair this meeting, the Teachers' Representative Council will designate a person to call the meeting and serve as its chairperson.

Section 3:

Except as otherwise provided, the Teachers' Representative Council shall fill vacancies for the offices of President, First Vice-President, Elementary and Secondary Vice-Presidents, Treasurer and Secretary. If such term is less than one (1) year, the Teachers' Representative Council may appoint a replacement on the recommendation of the President; otherwise, an election shall be held.

Section 4:

Recall of a Building Delegate or Alternate can be proposed by:

1. A petition giving specific reasons for recall and signed by sixty percent (60%) of the Chapter members in his/her building, or
2. A two-thirds (2/3) vote of the established voting quota of the Teachers' Representative Council on a motion for recall giving specific reasons.

Section 5:

The recall will become effective upon a two-thirds (2/3) vote of the established voting quota of the Teachers' Representative Council at a meeting that will be held at a reasonable time and place and with at least five (5) school days notice given. The President shall call meetings for recall of a building delegate or alternate and the President or his/her designee shall chair the meeting.

Section 6:

Vacancies for building delegate/representative or alternates shall be filled by the members in that building.

Article X
Committees

Section 1:

The Teachers' Representative Council shall establish committees as needed and appropriate. Membership of all committees should reflect the needs of the Chapter and its members.

Section 2:

All committees of the Chapter shall be responsible to the Teachers' Representative Council and shall report to the Council at such times as the Council directs and/or at the conclusion of their work.

Article XI
Negotiated Agreement

Section 1:

The West Islip Teachers' Association shall be the official designated bargaining agent for negotiations with the West Islip School District.

Section 2:

1. The Teachers' Representative Council must ratify the negotiated agreement prior to submission to the General Membership for approval.
2. There will be a general membership meeting held to present the proposed agreement. A copy of the agreement will be shared with the membership at the meeting.
3. The negotiated agreement must be ratified by a majority vote of the total membership of the Teachers' Chapter of W.I.T.A. to be held within three school days of the General Membership meeting by secret ballot within the respective buildings.

Article XII
Quorums

Section 1:

For meetings of the General Membership, except as otherwise provided, ten percent (10%) of the total membership of the Chapter shall constitute a quorum.

Section 2:

For meetings of the Teachers' Representative Council, except as otherwise provided, sixty-six and two-thirds percent (66 2/3%) of the established voting quota shall constitute a quorum.

Article XIII
Amendments

Section 1:

Amendments to this constitution can be proposed by:

1. A 2/3 vote of the established voting quota of the Teachers' Representative Council, and/or
2. A petition signed by 20% of the total membership of the Chapter from at least 5 different buildings.

Section 2:

The constitution will become amended upon a majority vote of the total membership of Teachers' Chapter of W.I.T.A. Such vote shall be held by secret ballot in each building. Written notice of the proposed amendment must be given at least fifteen (15) school days prior to the vote.

Section 3:

If there is a vote by the Teachers' Representative Council or a petition established on a proposed amendment to any article of this Constitution, then six (6) months must expire before there can be another proposed amendment to that article.

Article XIV
Conducting Meetings

The most recent edition of Robert's Rules of Order shall be the authority on all questions of procedure not specifically stated in this constitution.

Article XV
Landrum-Griffin

Any actions and activities undertaken by the governing bodies of the Teachers' Chapter shall be consistent with Landrum-Griffin.