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# Frederick County Teachers Association Bylaws

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## Table of Contents

<b>Section</b>		<b>Page</b>
<b>Article I</b>	<b>Name</b>	<b>4</b>
<b>Article II</b>	<b>Affiliation</b>	
<b>Article III</b>	<b>Purposes</b>	
<b>Article IV</b>	<b>Membership</b>	<b>5</b>
	Section 1	Classes
	Section 2	Eligibility Requirements
	Section 3	Rights, Conditions and Limitations
<b>Article V</b>	<b>Dues</b>	<b>6</b>
	Section 1	Setting of Dues
	Section 2	Pro-Rating of Dues
<b>Article VI</b>	<b>Finances</b>	<b>7</b>
	Section 1	Budget
	Section 2	Category Transfers
<b>Article VII</b>	<b>General Membership Meetings</b>	<b>7</b>
<b>Article VIII</b>	<b>Representative Assembly</b>	<b>7</b>
	Section 1	Powers
	Section 2	Allocation of Delegates
	Section 3	Voting
	Section 4	Meetings

---

# Frederick County Teachers Association Bylaws

---

	Section 5	Quorum	
<b>Article IX</b>	<b>Officers</b>		<b>9</b>
	Section 1	Officers	
	Section 2	Qualifications	
	Section 3	Terms of Office	
	Section 4	Duties	
<b>Article X</b>	<b>Board of Directors</b>		<b>11</b>
	Section 1	Powers	
	Section 2	Composition	
	Section 3	Terms of Office	
	Section 4	Meetings	
	Section 5	Quorum	
	Section 6	Duties	
<b>Article XI</b>	<b>Nominations and Elections</b>		<b>13</b>
	Section 1	Election of Officers and Board of Directors	
	Section 2	Election of Building Representatives	
	Section 3	Election of Delegates to NEA and MSEA	
<b>Article XII</b>	<b>Committees</b>		<b>15</b>
	Section 1	Standing Committees	
<b>Article XIII</b>	<b>Recall</b>		<b>16</b>

# Frederick County Teachers Association Bylaws

---

<b>Article XIV</b>	<b>Rules of Order</b>	16
<b>Article XV</b>	<b>Amendments</b>	16
	Section 1	Initiation
	Section 2	Preparation
	Section 3	Action
<b>Article XVI</b>	<b>Endorsement for Candidates of Political Office</b>	17

# Frederick County Teachers Association Bylaws

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## **ARTICLE I - NAME**

The name of this association shall be the Frederick County Teachers Association and shall hereafter be referred to as FCTA or the Association.

## **ARTICLE II - AFFILIATION**

The Association shall be affiliated with the Maryland State Education Association (MSEA) and the National Education Association (NEA).

## **ARTICLE III - PURPOSES**

The purposes of the FCTA shall be:

- Section 1. To promote professional practices and status of the highest quality in the teaching community.
- Section 2. To enable members to speak with a common voice in matters pertaining to the teaching profession and to present their individual and common interests before the Board of Education and other legal authorities.
- Section 3. To provide employee representation as required by law and in accordance with policies established by the Board of Directors.
- Section 4. To develop, promote and adopt ethical practices, personnel policies, and standards of preparation and participation which exemplify a profession.
- Section 5. To encourage teachers to exercise their rights and responsibilities as citizens and as members of professional organizations.
- Section 6. To work for the welfare of school children, the advancement of education and the improvement of instructional opportunities for all.
- Section 7. To hold property and funds and to employ a staff for the attainment of these purposes.

# Frederick County Teachers Association Bylaws

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## ARTICLE IV - MEMBERSHIP

### Section 1. Classes:

Membership shall be designated in the Association as active and retired.

### Section 2. Eligibility Requirements:

- a. **ACTIVE** membership shall be open to any certificated professional employed by the Board of Education who adheres to the Code of Ethics of the education profession, excluding the Superintendent of Schools and persons designated by the public-school employer to act in a negotiating capacity and those who are eligible for membership in the administrative and supervisory unit (Unit 2). Membership shall not be denied on the basis of race, creed or national origin.
- b. **RETIRED** membership shall be open to any former member of FCTA who has retired and is not currently working under contract to FCPS and has been a member of FCTA immediately prior to retirement.

### Section 3. Rights, Conditions, and Limitations:

- a. Members shall subscribe to the purposes of the Association and abide by its bylaws and policies.
- b. Members engaged in educational work shall adhere to the Code of Ethics of the education profession.
- c. A member of FCTA shall be a member of MSEA and NEA.
- d. The following rights of membership shall be extended only to active members:
  1. Holding an office on the Board of Directors.
  2. Acting as a Building Representative delegate to the Representative Assembly.
  3. Voting in all Association elections.
- e. The following rights of membership shall be extended to Retiree members:
  1. Serving on or chairing FCTA Committees upon the recommendation of the President and the approval of the Board of Directors.
  2. Having one member and one alternate of the Retired Committee serve as a voting delegate to the FCTA Representative Assembly. The Retired

## Frederick County Teachers Association Bylaws

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Committee shall choose the retired members serving in these positions.

3. Voting for Retiree Delegate(s) to the MSEA Representative Assembly.
- f. Members shall be entitled to benefits appropriate to their membership class upon payment of dues or upon contracting for the same.
- g. All other benefits of membership shall be determined by the Board of Directors.

### Section 4. Membership Year

The membership year shall be from September 1 through August 31.

## **ARTICLE V - DUES**

### Section 1. Setting of Dues

- a. The annual dues of active members of the Association shall be set by a two-thirds (2/3) vote of the Representative Assembly at the May meeting. Notification of a proposed increase in Association dues shall be given to members at least one month prior to the May meeting of the Representative Assembly.
- b. Dues for retired members shall be set annually by the Board of Directors.

### Section 2. Prorating of Dues

- a. The annual dues of active members employed half time or less shall be one half of active membership dues. Annual dues for persons eligible for active membership on approved leaves of absence shall be one half of active membership dues.
- b. The annual dues in the year of official retirement shall be prorated for the period between September 1 and the date of retirement, if the member retires prior to May 1.
- c. The annual dues of a member who goes on leave of absence without pay shall be prorated to the date of such absence. If that member returns to work within the same year, dues shall be prorated for the remainder of the year.

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# Frederick County Teachers Association Bylaws

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## **ARTICLE VI - FINANCES**

### Section 1. Budget

- a. The Board of Directors shall present the proposed annual budget to the Representative Assembly in April.
- b. The budget shall be voted upon by the Representative Assembly in May with final approval prior to July 1.

### Section 2. Category Transfers

The Board of Directors shall have the authority to authorize transfers between budget categories.

## **ARTICLE VII - GENERAL MEMBERSHIP MEETINGS**

General membership meetings may be called by the president or a majority of either the Board of Directors or Representative Assembly. Members shall receive official notice prior to the meeting.

## **ARTICLE VIII - REPRESENTATIVE ASSEMBLY**

### Section 1. Powers

The Representative Assembly shall be vested with the final legislative authority of the Association. It shall:

- a. Promote the general welfare of the Association.
- b. Formulate basic Association policies and positions.
- c. Report the actions taken by the Assembly to the general membership.
- d. Set the annual dues for active members.
- e. Approve the annual Association budget.
- f. Fill vacancies on the Board of Directors, according to Article XI, Section b.

# Frederick County Teachers Association Bylaws

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## Section 2. Allocation of Delegates

- a. The Representative Assembly shall be composed of:
  - 1. The Board of Directors of the Association.
  - 2. Elected representatives of the schools and central office.
    - (a) There shall be one elected representative for each twenty (20) members or fraction thereof.
    - (b) Each educational unit shall elect the same number of alternates as its quota of representatives.
    - (c) One designee and one alternate from the Retired Committee.
- b. A member of the Board of Directors shall not serve as a school or central office representative.

## Section 3. Voting

- a. Each member of the Representative Assembly shall have one vote.
- b. In the absence of a representative, a duly elected alternate shall have the same rights and privileges as the representative.

## Section 4. Meetings

- a. The Representative Assembly shall meet monthly during the school year.
- b. A special meeting may be called by:
  - 1. The president of the Association.
  - 2. A majority of the Board of Directors.
- c. A special meeting must be called when:
  - 1. A petition that is signed by 5% of the active members of the Association is delivered to the president.
  - 2. A petition that is signed by elected representatives from 25% of different membership units is delivered to the president.
- d. All meetings shall be open to all members, but only duly authorized representatives or alternates shall be entitled to voting privileges.



# Frederick County Teachers Association Bylaws

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Section 5. Quorum

A simple majority of the FCTA work sites and the FCTA Board of Directors shall constitute a quorum.

## **ARTICLE IX - OFFICERS**

Section 1. Officers

The officers of the Association shall be a full-time president, vice-president, treasurer and recording secretary.

Section 2. Qualifications

All officers shall have been active members of the Association for one year prior to assuming office and shall maintain active membership throughout their terms.

Section 3. Terms of Office

a. President

1. The president shall serve a four (4) year term beginning July 1, 2011
2. The president shall serve a three (3) year term beginning July 1, 2019
3. The president shall be allowed to serve three (3) consecutive three (3) year terms.

b. Vice-President

1. The vice-president shall serve a two (2) year term beginning July 1, 2017.
2. The vice-president shall serve a three (3) year term beginning July 1, 2019.
3. The vice-president shall become president upon the death, resignation or recall of the president. The vice-president's position would then be filled by a special election of the membership.

c. Secretary

1. The secretary shall serve a three (3) year term beginning July 1, 2019.

d. Treasurer

1. The treasurer shall serve a three (3) year term beginning July 1, 2017.

# Frederick County Teachers Association Bylaws

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## Section 4. Duties

### a. The President shall:

1. Preside at meetings of the Association, Board of Directors, and Representative Assembly.
2. Prepare the agenda for meetings of the Board of Directors and the Representative Assembly.
3. Appoint, with the approval of the Board of Directors, chairpersons and members of standing committees and all special committees. A committee handbook detailing responsibilities of all standing committees shall be developed.
4. Serve as an ex-officio member of all standing and special committees, excluding the nominations and elections committee.
5. Give a charge of duties to each standing and special committee.
6. Serve as chief spokesperson reflecting the views of the Association.
7. Appoint a parliamentarian, as necessary, who will be a non-voting member of the Board of Directors.
8. Recommend to the Board of Directors the appointment of staff members.
9. Supervise and evaluate the office staff.
10. Represent the Association before the public and governmental bodies.
11. Represent the views of the Association to MSEA and NEA.
12. Serve as delegate and chairperson of the local delegation to MSEA and NEA conventions, the MSEA General Council and other Association meetings. If unable to attend the president shall appoint a designee.
13. Have the authority to co-sign checks for duly authorized vouchers.
14. Maintain a log of Association activities.
15. Select a majority of the members of the negotiating team from the current Board of Directors.
16. Be responsible for all records of the Association.
17. Make school visitations in order to respond to members' concerns.
18. Perform all other duties incidental to the office of president, including any duties requested by the Board of Directors or Representative Assembly.

### b. The Vice-President shall:

1. Perform the duties of president in the president's absence.
2. Assume the office of president when that office is vacant and serve until the expiration of the term for which the president was elected.
3. Have the authority to co-sign checks for duly authorized vouchers.
4. Serve as a member of the government relations, negotiations, and other committees as determined by the president.

## Frederick County Teachers Association Bylaws

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5. Serve as delegate and vice-chairperson of the local delegation to the MSEA and NEA conventions.
  6. Perform all other duties that may be assigned by the president or Board of Directors.
- c. The Treasurer shall:
1. Verify the receipt and disbursement of all funds of the Association as permitted by the budget, the Board of Directors, or Representative Assembly.
  2. Be responsible for the financial records and re-ports, including the preparation of a monthly financial report for approval by the Board of Directors and presentation to the Representative Assembly.
  3. Meet regularly with the office manager to insure payment of financial obligations in a timely fashion.
  4. Serve as an ex-officio member of the budget and audit committee.
  5. Have the authority to co-sign checks for duly authorized vouchers.
  6. Give the financial records to the incoming treasurer upon completion of a term of office.
- d. The Recording Secretary shall:
1. Keep a record of all meetings of the Association, the Board of Directors, and the Representative Assembly.
  2. Act as custodian of the records of the Association, except as the Board of Directors shall assign to others.
  3. Send minutes of the Board of Directors and Representative Assembly meetings to each building for posting.
  4. Give the records to the incoming recording secretary upon completion of a term of office.

### **ARTICLE X - BOARD OF DIRECTORS**

#### Section 1. Powers

The Board of Directors shall be responsible for the fiscal affairs and the general management of the Association. It shall:

- a. Propose legislative policies and policy changes for consideration by the Representative Assembly.
- b. Provide and implement policies of the Association.

# Frederick County Teachers Association Bylaws

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- c. Provide for interim direction between meetings of the Representative Assembly.
- d. Prepare the proposed annual budget which shall be presented to the Representative Assembly one month prior to adoption.
- e. Approve committee appointments made by the president.
- f. Appoint staff members upon recommendation of the president and determine their compensation.
- g. Review and approve the negotiations proposals prior to the first scheduled negotiations session.
- h. Have the authority to authorize transfers between budget categories.
- i. Perform all other activities of the Association not specifically assigned in the Bylaws.

## Section 2. Composition

The Board of Directors shall consist of the officers of the Association and (9) nine directors.

## Section 3. Terms of Office

- a. Members of the Board of Directors shall serve a two-year term beginning July 1 following their election and continue through June 30 of the year in which the successor is elected.
- b. At the end of the term, directors may run for unlimited, additional terms.

## Section 4. Meetings

- a. The Board of Directors shall meet monthly.
- b. Special meetings of the Board of Directors may be called by president.
- c. A special meeting of the Board of Directors must be called when a petition signed by a majority of the Board of Directors is delivered to the president.

# Frederick County Teachers Association Bylaws

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Section 5. Quorum

A simple majority of the Board of Directors shall constitute a quorum.

Section 6. Duties

- a. Attend meetings of the Board of Directors, Representative Assemblies and special meetings of the Association.
- b. Accept committee reports and act upon them as necessary.
- c. Be advocates for the Association at public forums.
- d. Serve as a delegate to MSEA Convention.
- e. Accept other duties as designated by the president and the Board of Directors.

## **ARTICLE XI - NOMINATIONS & ELECTIONS**

Section 1. Election of Officers and Board of Directors

a. Regular Elections

The Nominations and Elections Committee shall prepare guidelines for the nomination, election, and accreditation of the officers and directors. Such guidelines shall be presented to the Representative Assembly for review and adoption. These guidelines shall include, but not be limited to the following:

1. Open nominations by individual members.
2. Provision for the distribution and collection of nominating forms.
3. Provision for publication of the list of nominations in an official publication of the Association at least (2) two weeks prior to election.
4. Provision for secret ballot election by the membership.
5. Provision for distribution, collection and tally of the ballots.
6. Provision for the election of officers by a majority of the valid ballots cast.
7. Provision for meeting the appropriate requirements of the Constitution and Bylaws of the National Education Association.

# Frederick County Teachers Association Bylaws

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b. Special Elections

1. Officer vacancies will be filled by a special election of the membership. Following the guidelines in Article XI Section 1 a. Regular Elections
2. As vacancies occur on the Board of Directors, they shall be announced at the next regularly scheduled meeting of the Representative Assembly and filled at the following meeting of the Representative Assembly. Announcement of vacancies shall be made through appropriate communications. Candidates may submit their names in advance or be nominated from the floor. Each candidate will be given three minutes to give a campaign speech before the Assembly. The election shall be by secret ballot. Election will be by a majority of the valid ballots cast.

Section 2. Election of Building Representatives

- a. Election of building representatives shall be held annually by secret ballot at each individual worksite.
- b. Election of building representatives shall be conducted annually by end of school year. Elected representative will assume duties on July 1 of the same year.
- c. The number of representatives for each building will be determined according to Article VII, Section 2.a.2.

Section 3. Election of Delegates for NEA and MSEA

- a. Local delegates to the NEA and MSEA Representative Assemblies and the MSEA General Council shall be elected in accordance with procedures established by these organizations for elections.
- b. Election to the offices of president, vice-president, treasurer and secretary shall also be considered to be an election as delegate to the NEA Convention.
- c. Election to the Board of Directors shall also be considered to be an election as delegate to the MSEA Convention.
- d. Retirees may run to serve as an FCTA Delegate to the MSEA Convention. The number of Retiree Delegates to be prorated as no more than one delegate for every 100 retired members or fraction thereof, up to two (2) Retired Delegates. Retired delegates will be elected by the FCTA Retired Membership. Retirees will not be eligible to serve as FCTA Delegates to the NEA Representative Assembly.

# Frederick County Teachers Association Bylaws

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- e. Unfilled delegate positions to the MSEA Representative Assembly can be filled by a vote of the FCTA Representative Assembly at the September meeting.

## **ARTICLE XII - COMMITTEES**

### Section 1. Standing Committee

- a. The president shall appoint, with the advice and consent of the Board of Directors, members to the following standing committees:
  - 1. Membership and Social
  - 2. Negotiations
  - 3. Communications
  - 4. Public Relations
  - 5. Leadership Development
  - 6. Human and Civil Rights
  - 7. Nominations & Elections
  - 8. Budget & Audit
  - 9. Bylaw Review
  - 10. Government Relations
  - 11. Building
  - 12. FCTA Retired
  - 13. Others specified by the Negotiated Agreement  
These shall include, but not be limited to, Sick Leave Bank, Education Reform Council and Insurance Council.
- b. The president shall designate the chairperson of each committee, who shall be approved by the Board of Directors.
- c. The appointment of these committees shall take place within ninety (90) days after July 1.
- d. Any member appointed to any committee may be removed by the president with the approval of the Board of Directors.
- e. If issues under negotiations have not been concluded by the date of the installation of new officers, the current negotiations committee shall continue in office until the issues pending have been resolved.
- f. Each standing committee shall meet at least twice annually. It shall be the responsibility of the committee chairs to inform the members and office manager

# Frederick County Teachers Association Bylaws

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of meeting dates.

- g. Each committee shall keep a continuing record of activities. Chairpersons shall report to the Board of Directors and the Representative Assembly as required

## **ARTICLE XIII – RECALL**

Section 1. Any member of the Board of Directors or Officer shall be subject to recall for an alleged violation of the Code of Ethics of the Education Profession, or for alleged malfeasance, misfeasance, or nonfeasance in office.

Section 2. Recall provisions against any member of the Board of Directors or Officer may be initiated by a written petition specifying the charges and submitted to Board of Directors by at least fifteen (15) percent of the active members of the Association.

Section 3. Upon receipt of the petition the Board of Directors shall:

- a. Verify the signatures contained on the petition as active members of the Association.
- b. Set a hearing date to consider charges, at which time the accused shall be given the opportunity to refute the charges, including the right of confrontation of his/her accusers.
- c. After a hearing has been completed, if a majority of the Board of Directors finds the charges to be sustainable, it shall recommend to the Representative Assembly that the office be declared vacant. If the Representative Assembly by a 2/3 vote upholds the Board of Directors' recommendation, the office shall be declared vacant.

## **ARTICLE XIV - RULES OF ORDER**

Roberts Rules of Order, Latest Revision shall be the authority on all questions and procedures not specifically stated in these Bylaws.

## **ARTICLE XV - AMENDMENTS**

Section 1. Initiation

Amendments to these Bylaws may be introduced by:

- a. An officer of the Association.



# Frederick County Teachers Association Bylaws

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- b. Any Delegate to the Representative Assembly.
- c. A petition signed by ten (10) percent of the active membership.
- d. A majority vote of the Bylaws Committee.

## Section 2. Preparation

A copy of the proposed amendment must be sent to members of the Representative Assembly at least thirty (30) days prior to the meeting at which it is to be voted upon.

## Section 3. Action

- a. A two-thirds (2/3) vote of those present at a meeting of the Representative Assembly shall be required to adopt the proposed amendment.
- b. Amendments adopted shall go into effect immediately unless otherwise specified.

## **ARTICLE XVI – ENDORSEMENT FOR CANDIDATES FOR POLITICAL OFFICE**

Upon the recommendation of the FCTA Government Relations Committee and the FCTA Board of Directors, the endorsement of candidates for political office shall be done by secret ballot of the membership. Candidates must receive a fifty-eight percent (58%) majority vote of ballots cast in order to be endorsed. The FCTA Nominations and Elections Committee shall be responsible for counting the ballots.

Upon recommendation of the Government Relations Committee and the approval of the Board of Directors, additional endorsements of candidates can be made in races where previously recommended candidates did not advance to the general election. Only candidates who submitted a questionnaire and participated in the interview process shall be considered.