

# **MANCHESTER EDUCATION ASSOCIATION**

## **CODE OF ETHICS**

## **ARTICLES OF AGREEMENT**

## **BY-LAWS**

**June 2006**  
**Revised May 2012**  
**Revised June 2015**  
**Revised May 2017**  
**Revised June 2020**  
**Revised June 2021**

## Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nature of democratic principles. Essential to these goals are the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents and of the members of the community provides an incentive conduct. The Code of Ethics indicates the aspiration of all educators and provides standards by which to judge conduct.

### PRINCIPLE I -- Commitment to the Student

The educator strives to help each student realize his or her potential as a productive and effective member of society. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation of the student, the educator--

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the students' progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:
  - Exclude any student from participation in any program;
  - Deny benefits to any students;
  - Grant any advantage to any student.
7. Shall not use the professional relationships with students, or their families, for private advantage.
8. Shall not disclose information about students obtained in the course of professional service, unless disclosure serves a compelling

professional purpose or is required by law.

## PRINCIPLE II -- Commitment to the Profession

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions which attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall make every effort to resolve issues with colleagues before attempting to have it resolved with administration, except in the case of unlawful behavior or breach of the Code of Conduct.
9. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or actions.

**THE STATE OF NEW HAMPSHIRE ARTICLES OF AGREEMENT  
OF  
MANCHESTER EDUCATION ASSOCIATION**

We, whose names are hereto subscribed, being persons of lawful age, do by these Articles of Agreement, associate according to the provisions of Chapter 292 of the Revised Statutes Annotated of the State of New Hampshire, and the acts in amendment thereof and addition thereto.

**ARTICLE I**

The name by which the corporation shall be known as MANCHESTER EDUCATION ASSOCIATION.

**ARTICLE II**

The objectives for which the corporation is established and the nature of the business to be transacted by it and powers with which it shall be endowed are as follows:

To work for the welfare of school children, the advancement of public education, and the improvement of instructional opportunities for all.

To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark the profession.

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. To engage in collective bargaining in matters of wages and hours of work, working conditions, and adjusting differences between the Board of Education and teachers.

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 Board of Education and other legal authorities.

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

To do all such acts as are necessary and convenient to attain the objectives and purposes herein set forth to the same extent and as fully as any natural person could, or might do so as long as the same is not forbidden by law, or by these Articles of Incorporation or by the By-Laws of this Corporation.

### ARTICLE III

No part of the net earnings of the corporation shall inure to the benefit of or be distributable to its members, directors, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article II hereof. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal Income Tax under Section 501 (c) (5) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

### ARTICLE IV

Upon the dissolution of the corporation, the Executive Board shall, after paying or making provision for the payment of all liabilities of the corporation, dispose of all of the assets of the corporation by donating them to a corporation which qualifies as a corporation exempt from Federal Income Tax under 501 (c) or 501 (c) (5) of the Internal Revenue code of 1954 (or the corresponding provisions of any future United States Revenue Code).

### ARTICLE V

The principal location of the corporation shall be Manchester, New Hampshire.

### ARTICLE VI

This corporation shall have no capital stock and shall not be conducted for profit.

## **BY-LAWS OF THE MANCHESTER EDUCATION ASSOCIATION**

### **ARTICLE I ARTICLE OF AGREEMENT**

The name of the Association, the objectives for which it is established and the nature of the affairs to be transacted by it, and the principal location of the Association shall be set forth in the Articles of Agreement, as from time to time amended, and these By-Laws. The powers of the Association and of its officers and Executive Board, and all matters concerning the conduct and regulation of the affairs of the Association, shall be subject to such provisions in regard thereto, if any, as are set forth in such Articles of Agreement are hereby made a part of these By-Laws.

### **ARTICLE II CORPORATE SEAL**

The seal of the Association, subject to alteration thereof by the Executive Board, shall consist of a flat-faced circular die with the word and figures "Manchester Education Association--New Hampshire—1969" cut or engraved thereon.

### **ARTICLE III MEMBERSHIP**

#### Section 1 - General Membership

Membership in the Association shall be open to all professional personnel included in the recognition clause of the Collective Bargaining Agreement (CBA) employed in the public schools of Manchester who meet the following qualifications:

1. Establish membership in the National Education Association and NEA-NH.
2. Agree to abide by the Code of Ethics of the Education Profession.
3. Membership shall be continuous until the member leaves the School District, resigns or is released from membership of the Association, takes a Leave of Absence (LOA), or is deceased.
4. Active membership shall be defined as a member who has committed to serve on a standing committee and/or Representative Assembly continuously for at least two (2) years with a minimum of 75% full attendance at such declared meeting,
5. Membership year shall be commensurate starting with the School Year as defined by the Manchester School District calendar, and ending after 12 months from that start date. Members who take a LOA, may maintain their membership status as a "Reserved" member. Upon return to full teaching status, such members shall notify the MEA Vice-President to activate their full membership status.
6. Any eligible educator who is employed for less than 100%, (part time) shall be eligible for membership; either under the active membership 50% or active membership 25%. Individual determinations for dues category shall be made by the Membership Chairperson in consultation with the President. Local dues will not be prorated.

## Section 2 - Rights of Members

All members shall have the right to nominate officers and all active members shall have the right to be nominated for offices of the Association. Members shall be guaranteed proportionate representation according to the one person, one vote principle and all elections shall be conducted by secret ballot, in accordance with the election guidelines stated in these By-Laws and carried out by the Elections Committee. No member may be suspended or expelled without the right to a due process hearing and recourse to appeal.

In the case of employees who are considered non-dues paying bargaining unit members, these employees have no nomination or voting rights in this Association.

## Section 3 - Retired Members

Retired members are all members of the Association who have retired and who maintain membership with NEA and NH-NEA as a retired member. Retired members may continue as Associate members of MEA and pay such annual dues as the Representative Assembly may determine, with all the rights and responsibilities of active members except the right to vote, hold office, or to represent the Association.

## Section 4 - Associate Members

Persons employed by the Manchester School District who are not eligible to become active members may, upon payment of such annual dues as the Representative Assembly may determine, enroll as associate members with all the rights and responsibilities of active members except the right to vote, hold office, or to represent the Association.

## Section 5 - Revocation of Membership

According to procedures adopted by the Representative Assembly, the Executive Board may suspend from membership or expel any member, after investigation, who shall have violated the ethics of the education profession: may cancel the membership of any member convicted in a court of law of a crime involving moral turpitude: and may reinstate a member who has previously been suspended or expelled from the Association, after consideration and as a result of just cause.

# ARTICLE IV OFFICERS

## Section 1 - General

The officers of the Association shall consist of a President and a Vice President and the officers of the Executive Board. The Executive Board shall be the executive authority of the Association. It shall consist of seven (7) elected members: two (2) high school, two (2) middle school, two (2) pre-school/elementary and one member-at-large.

## Section 2 - Qualifications

- A. Candidates for President and Vice President shall have been an active member of the Association for at least a period of three (3) years immediately before taking office for the first time. Such candidates shall have reached continuing contract status in accordance with the probationary period set forth in the State of New Hampshire RSA 189:14-a.
- B. A candidate for the Executive Board shall have been an active member of the Association for at least two (2) years immediately before taking office. (Article III, Section C defines active membership.)

### Section 3 - Duties of Officers

- A. President--The President shall preside over meetings of the Executive Board, the Representative Assembly, appoint with the approval of the Executive Board the chairpersons of standing committees whenever a vacancy occurs, appoint special committees, be ex-officio a member of all standing committees and shall be the chief executive officer of the Association. The President shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office. The President and Vice-President shall act as the signers for the Political Action Committee Fund (PAC). The President shall be a voting member of the Executive Board and of the Representative Assembly. The President shall be paid in equal monthly installments totaling the amount of .65 of the CBA base (BA level 1) September 1-August 31.
- B. Vice President-- The Vice President acts for the President when the President is unable to perform the duties of the office. The Vice President shall be a voting member of the Executive Board and Representative Assembly and assist the President in any and all matters at the President's request. He/she shall be an ex-officio member of all standing committees with the exception of serving as the Chairperson of the Teacher Rights Committee and the leadership advisor to the Communication and Action Committee. The Vice President shall act as the liaison to MERA. The Vice-President shall coordinate and activate all Association communications to members, the press and other external parties in collaboration with the President. The Vice-President shall oversee and coordinate all membership enrollment functions. He/she will coordinate with the Secretary/Treasurer to maintain accurate membership lists and billing requirements. He/she will work with the President in attending and participating in public meetings and hearings that benefit the Association and its members. The Vice President shall assist the President in maintaining office hours and operations. The Vice-President shall be paid in equal monthly installments totaling .45 of the CBA (BA level 1) September 1-August 31.
- C. Duties of the Executive Board
  - 1. The duties of the Executive Board involve carrying out the policies established by the Representative Assembly, be responsible for the



management of the Association, confirm the President's appointment of special and standing committee chairpersons, approve a yearly draft budget to go to the Representative Assembly after presentation of the Budget Committee, call for an annual financial review and report its findings and suggest policies for consideration by the Assembly. It shall also meet monthly, participate in the preparation of the agenda and request through the President to call meetings as determined by a majority of the officers. Members of the Executive Board shall attend the monthly Representative Assembly and will have voting rights as such. The Executive Board shall approve political candidates to the general membership after consideration of the Political Action Committee's (PAC) presentation of recommendations. Executive Board Members shall serve on at least one committee, as appointed by the President. These appointments shall be made on a yearly basis.

2. The Executive Board shall confirm the President's recommendations to appoint committees to represent personnel policies with the governing and appropriating bodies of the school system. Within the policies established by the Representative Assembly, the Executive Board may make decisions binding the Association in these matters.
3. The Executive Board shall assist in and maintain the mission, goals and objectives of the Association. They shall be responsible for ensuring that all functions of the Association are appropriate to the mission, goals and objectives. They shall
4. approve the mission, goals and objectives of the MEA to be published on the MEA website with updates as needed.
5. Each elected member of the Executive Board (2 for high school, 2 for middle school, 2 for elementary school and 1 at-large) shall have their local membership dues paid for by the MEA for each year that they serve in that position. However, if such elected official resigns or is removed from their position during their term, they will be obligated to repay the entirety of their annual local dues to the MEA within 30 days of vacating their office. In these occurrences, following the MEA by-laws for the replacement of that position, that new Executive Board member will be reimbursed their local dues for that year at a prorated amount.
6. The Executive Board has the authority to suspend the Bylaws by a simple majority, in the case of special circumstances.
7. All Executive Board members shall sign the Conflict of Interest and Whistleblower Policy forms.

#### Section Four– Terms, Succession and Vacancies of Officers

A. The President and Vice-President shall be electable for three (3) year terms with no term limits. In the event that there are no qualified candidates for an election, the standing President may continue in office for one term of no more than three (3) years.

B. The term of immediate past President shall be for one (1) term only, immediately

following his/her last term.

C. The term of the Executive Board members shall be for a period of two years on a staggered basis beginning at the first Representative Assembly of the school year and shall serve until their successors have been duly installed. Members shall serve two (2) year terms, and have no term limits.

D. If during the term the office of President were to become vacant, (death, resignation, medical/personal concerns or removal), the Vice President shall serve as President, for the remainder of the current term.

E. A vacancy in the office of Vice-President shall be filled by the most senior member of the Executive Board. If that member is unable, or unwilling to serve in the position, then the next most senior member shall be appointed, and so on. If there is more than one (1) eligible Executive Board member under the status of seniority interested in filling the position, a coin toss shall be held.

E.1. Whenever a majority of the Executive Board shall agree that an Executive Board member has been grossly negligent of the duties defined in the By-Laws or when any vacancy occurs by reason of death, resignation, or incapacity, the Executive Board shall recommend to the Representative Assembly that the office be declared vacant.

E. 2. If an election has already been held for officers, then the elected member to the vacant seat will immediately fill such seat at the next Executive Board meeting or Representative Assembly, whichever comes first.

E. 3. If there is no eligible elected member, then the President will nominate an active member and by a two-thirds majority vote of the Representative Assembly, the member elected shall immediately begin their service to fill the unexpired term.

## ARTICLE V STAFF

Under personnel policies adopted by the Representative Assembly and within the annual budget, the Executive Board shall provide necessary staff for the efficient management of the Association. Staff shall not serve on the Executive Board. Such staff includes:

A. Secretary/Treasurer— The Secretary-Treasurer is a staff position, not eligible to serve on the Executive Board but can be a building representative. This staff position is nominated by the President for approval by the Executive Board. This position is renewable yearly by recommendation by the President and approval by the Executive Board.

The Secretary/Treasurer shall keep accurate minutes of all meetings of the Executive Board and Representative Assembly. These minutes shall be distributed to the appropriate persons in a timely manner. The Secretary/Treasurer shall be the custodian of the Association records and any other material that may be a matter of permanent record, maintain current official files, including up-to-date membership data, assist the President with Association correspondence, assist the Vice-President with clerical functions of inputting membership data, send proper notices of all called meetings and other meetings as necessary, to book the appropriate requested

meeting spaces for the Executive Board and Representative Assembly and committee work, handle all deposits, transferring of all bills, receipts and banking materials to the bookkeeper; including payroll, keep the officers and the Representative Assembly informed of the financial condition of the Association, assist the Budget Committee in the initial drafting of the annual budget, maintain the Association Website with input from the President and Vice-President. The Secretary-Treasurer will be paid in equal monthly installments totaling .35 of the CBA base salary (BA level 1) September 1-August 31.

## ARTICLE VI REPRESENTATIVE ASSEMBLY

### Section 1 - Accountability

The Representative Assembly, comprising members of the Association as defined in Section 3 of this article, derives its powers from and shall be responsible to the membership.

### Section 2 - Definition

The legislative and policy-forming body of the Association shall be the Representative Assembly.

### Section 3 - Composition

The Representative Assembly shall consist of the President, Vice-President, Executive Board members, one or more representatives from each school faculty, NEA-NH delegates, NEA delegates and Regional Representative(s) to the NEA-NH Executive Board. Chairpersons of standing committees shall be members of the Assembly with all of the rights and privileges of the Assembly, including the right to vote.

### Section 4 - Duties of Representative Assembly The Representative Assembly shall:

- A. Approve resolutions and act on committee reports;
- B. Be the final judge of the qualifications and elections of officers, and faculty representatives;
- C. Exercise final authority in all matters of the Association;
- D. Adopt the annual budget;
- E. Establish dues;
- F. Direct the Executive Board to provide necessary staff for the efficient management of the Association;
- G. Adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring;
- H. Amend the Articles of Agreement and By-Laws in accordance with Article XVII hereto;
- I. Adopt the rules and agenda governing its meetings;
- J. Enact such other measures as may be necessary to achieve the goals and objectives of the Association, which are not in conflict with the Articles of Agreement or the By-Laws.

- K. Be responsible to assist in the recruitment of membership in their buildings.
- L. Be responsible for monthly communications to inform members in their buildings of Union news.
- M. Shall participate in activities determined by the Leadership Team and/or Representative Assembly.
- N. Shall be responsible for all Level 1 grievances and issues at the building level.

## ARTICLE VII AFFILIATION

The Association shall affiliate with the National Education Association under its rules and the NEA-New Hampshire under its rules.

## ARTICLE VIII MEETINGS

### Section 1 - Executive Board

The Executive Board shall meet regularly each month, excluding July, at the call of the President, or at the request of at least three members of the Board. The calendar is set by the President with the approval of the Executive Board. These meetings will be face-to-face unless remote meeting formats need to be utilized in times of emergency and/or crisis. Any regular meeting may be omitted at the discretion of the President, with just cause.

### Section 2 - Representative Assembly

The Representative Assembly shall meet regularly each ~~school~~ month, excluding July, with a special meeting in August for training and to prepare for Orientation and the start of the School Year. The calendar of meetings is set by the President with the approval of the Executive Board. The President shall prepare an agenda for each meeting and circulate it at least one (1) week prior to a scheduled meeting to all members of the Assembly so that the representatives have time to discuss it with their members in advance of the Assembly meeting. Any regular meeting may be omitted at the discretion of the President, with just cause.

### Section 3 - Special Meetings

Special meetings of the Representative Assembly may be held at the call of the President or upon written request of the Executive Board from five representatives. Business to come before special meetings must be stated in the call, which shall be sent in writing to each member of the Representative Assembly.

### Section 4 - General Membership Meetings

The Executive Board shall arrange meetings of the general membership as deemed necessary.

## ARTICLE IX QUORUM

A majority of their members shall be a quorum for the Representative Assembly, Executive Board and committees.

## ARTICLE X BUILDING REPRESENTATIVE

### Section 1

In each public school in Manchester, members of this Association shall elect for a term of three (3) years, one building representative to the Representative Assembly for each fifteen members or major fraction thereof. However, there shall be at least one representative from each school having a minimum of five members. Where more than one such representative is elected, one shall be designated the Senior Building Representative. The Senior Building Representative will be chosen by the representatives as the person in charge of union activity in the building and will be the lead for training and representing members. The Senior Building Representatives, in consultation with their representative team, will determine when to hold monthly 10 minute meetings to inform members of union information after the Representative Assembly. Building-level elections shall be held in May after appropriate periods for filing and campaigning, and Representatives shall take their seats at the first Representative Assembly meeting of the school year. Alternate representatives may be elected at the building-level. These members may attend the monthly Representative Assembly in place of a Building Representative if deemed needed by the Senior Building Representative. The Secretary/Treasurer needs to be notified prior to the Representative Assembly for the purposes of record-keeping. If replacing a seated representative, the Alternate will have voting rights at the Representative Assembly.

### Section 2

Building Representatives shall attend the regular meetings of the Representative Assembly unless the President grants prior excused absence. After three unexcused absences of a Building Representative, the President may declare the seat unfilled and call for a building-level election to fill out the term. The Senior Building Representative, or their designee, shall organize a special election, with support from the MEA Leadership as needed. In the case of a building with only 1 representative, and the seat needs to be filled in the midst of a term, the President will direct the Executive Board member assigned to that specific building to lead and assist with an election. If no more than one member is interested in the position, that person will be declared the senior representative.

### Section 3

The Building Representatives, with the Senior Building Representative as chairperson, shall call meetings of its members to discuss Association business, shall appoint such member committees as the Association may require and shall organize and oversee the subsequent elections of building Representatives: the enrollment of members in local, state and national education associations: and be responsible for member-to-member communication within the building.

### Section 4

Building Representatives shall be members of the Manchester Education Association for a minimum of one (1) year prior to their election and shall maintain their membership in good standing during the term of service.

## ARTICLE XI NEA-NH DELEGATE

### Section 1 - Eligibility

NEA-NH delegates shall have been active members of the Manchester Education Association for at least one (1) year prior to their election and shall maintain their membership in good standing during their term of service.

### Section 2 - Election

NEA-New Hampshire Delegates shall be elected in the month of November in accordance with Article XVI of these By-Laws and with Article VI of the NEA-New Hampshire By-Laws.

### Section 3 - Terms and Vacancies

The term of NEA-New Hampshire Delegate shall be for three years in accordance with NEA-New Hampshire By-Laws. Said term shall begin at the December meeting of the Representative Assembly.

### Section 4 - Duties

- A. NEA-NH Delegates shall attend a pre-assembly budget hearing sponsored by NH-NEA.
- B. NEA-NH Delegates shall be responsible for presenting business of the State Association to the MEA both before and after meetings of the NEA-NH Assembly of Delegates.
- C. NEA-NH delegates shall be members of and attend the regular meetings of the MEA Representative Assembly and shall have voting privileges.

## ARTICLE XII NEA DELEGATE

### Section 1- Eligibility

NEA Delegates shall have been active members of the Manchester Education Association for at least two (2) years prior to their election and shall maintain their membership in good standing during their term of service.

### Section 2 - Election

NEA Delegates shall be elected in the month of November in accordance with Article XVI of these By-Laws.

### Section 3 - Terms and Vacancies

The term of NEA Delegate shall be one (1) year beginning at the December meeting of the Representative Assembly.

### Section 4 - Duties

- A. NEA Delegates shall be responsible for presenting the business of the National Education Association to the MEA both before and after meetings of the NEA Representative Assembly and shall attend pre-assembly hearings and caucuses.
- B. NEA Delegates shall be members and attend the regular meetings of the MEA Representative Assembly, and shall have voting privileges.

### Section 5 - Other

The MEA President shall be an automatic delegate to the NEA Representative Assembly.

The MEA Vice-President shall also be an automatic delegate if they so choose to attend.

The President and/or the Vice-President may attend any National Council of Urban Education Associations Conference, of which the MEA is a member.

## ARTICLE XIII NH-NEA Regional Council

### Section 1 - Single Unit NH-NEA Regional Council

- A. Whenever the MEA shall maintain a single unit of Regional Council, governance of said unit shall be that of the MEA. The Regional Council Chairperson shall be the MEA President; the Regional Council Executive Board shall be the MEA Executive Board; the Regional Council Board of Incorporators shall be the MEA Representative Assembly.
- B. MEA Regional Representative(s) to the NEA-New Hampshire Executive Board shall be the liaison between the MEA and the NH-NEA and shall attend MEA and NEA-NH Executive Board meetings. This representative (s) shall attend the MEA Executive Board meetings for support and consultation and shall not be a voting member of this board unless they hold a role of officer in the MEA. They shall be a member of the MEA Representative Assembly, shall attend the regular meetings of the MEA Representative Assembly and shall have voting privileges at such meetings.
- C. Regional Representative(s) to the NEA-NH Executive Board shall be elected by the MEA members in accordance with the NEA-New Hampshire By-Laws.
- D. The term of office shall be defined in accordance with NEA-New Hampshire By-Laws.

### Section 2 - NH-NEA Regional Council

Whenever the MEA shall join with other local associations to form a Regional Council, the MEA's Incorporators and Executive Board Representative(s) to the region, in accordance with Regional Council By-Laws, shall be as follows:

#### A. Duties

Regional Council Representatives shall be responsible for presenting the business of the Council to the MEA Executive Board before and after scheduled Regional Council meetings. Representative(s) shall be members of the MEA Representative Assembly, shall attend the regular meetings of the MEA Representative Assembly and shall have voting privileges at such assembly.

#### B. Terms and Appointments

The Regional Council Representative(s) shall be in accordance with the Regional Council By-Laws and will include the President, Vice-President. Any other member(s) will be designated by the President from the members of the Executive Board or Representative Assembly. Appointments will be made yearly.

## ARTICLE XIV STANDING COMMITTEES

### Section 1 - Structure

A. There shall be standing committees carrying out the specific functions outlined below. The Committees shall have members selected by the President ~~and~~ representing the different groups in the Association. Members shall be appointed by the President for one (1) year terms, with the exception of the Committees on Negotiations, Bargaining, and Budget whose terms will be determined by the President and confirmed by the Executive Board. Each committee may organize special sub-committees for the purpose of special activities on behalf of the membership of the Association.

B. Committee Chairpersons shall be appointed by the President with the approval of the Executive Board for a one (1)-year term, renewable yearly by the President with approval of the Executive Board.

### Section 2 - Meetings

Each standing committee shall meet according to a calendar developed by the Chairperson with notification to the Executive Board of all scheduled meetings. Committees may hold special meetings at the call of the Chairperson.

### Section 3 - Reports

Each committee shall choose a secretary who shall keep a continuing record of activities. Chairpersons shall report in writing monthly to the Executive Board and the Representative Assembly and shall prepare an annual written report summarizing objectives, action programs, gains and unreach goals, which the Executive Board shall make available to the members and which shall become a part of the continuing committee record in the Association files.

### Section 4 - Titles and Duties

- A. Committee on Teacher Rights shall concern itself with the interpretation, maintenance and enforcement of teachers' constitutional, contractual and statutory rights. They shall design and facilitate representative training and member information and other areas of concern as determined by the Executive Board. The Vice-President shall be the Chairperson of this committee. This is a committee that by nature demands the highest levels of confidentiality. Only the President shall determine the members of this committee, with input from the Vice-President and current Committee members.



- B. Committee of Communication and Action shall seek to develop year-round public understanding of the purposes and programs of the Association, the values and importance of education and support the Bargaining Team. The committee shall maintain internal communication within the Association and communicate the impact of the members of the Association on public education and supporting public education in general. The committee shall coordinate with the Vice-President to maintain internal communication within the Association. The committee shall organize activities which serve the needs of the membership and those MEA community projects that promote fellowship between the Association and the community. All press releases and interviews regarding Association business, including contractual situations, emergency/crisis situations, and other Association business will be conducted by the President and/or his/her designee.
- C. Committee on Political Action and Awareness shall have concern for local political action and elections affecting the interest of the Association and its members and for the exercise of civic responsibilities by its members. The committee shall inform members on all pending or enacted legislation of interest to teachers. It shall promote and develop activities leading to the passage of desirable educational legislation. The committee is responsible for fundraising activities to support the MEA-PAC Fund; the money to be used to support pro-education and pro-labor candidates (Mayor, Board of Aldermen, Board of School Committee). The committee will facilitate candidate interviews, information and forums to inform members of candidate positions, records and beliefs. The committee will present to the Executive Board list of candidate recommendations. The PAC Chairperson(s) will recommend the fiscal amounts of disbursements for each category of candidate (Mayor, BOSC, BOMA) for approval by the Executive Board. The PAC Chairperson(s) may return to the Executive Board to request additional funds for any particular candidate or specific race. The expenditure of the PAC funds will also include the MEA merchandise program to support efforts to promote and expand visibility and Association branding within the Manchester community. The committee shall also maintain a high level of community involvement and confidentiality.
- D. Committee on Negotiations shall conduct fact-finding, explore, survey, and study all areas of teacher welfare, salaries, fringe benefits, retirement, insurance, and general working conditions for the purposes of negotiations. The committee shall continuously maintain confidentiality, as well as all records and data necessary to its function. Members of the Committee on Negotiations shall be nominated by the President and approved by the Executive Board and shall be members representing various levels of instruction. The committee will be disbanded upon the approval of the members of the Bargaining Team. The Bargaining Team may consult with the Committee on Negotiations if so desired or deemed necessary by the Chairperson of the Bargaining Team.
- E. Bargaining Team: For the purposes of negotiating the Master Agreement, a

Bargaining Team shall be chosen by the President from the Negotiations Committee and approved by the Executive Board. The president shall select the chair of the bargaining team from its members. Whenever possible, the Bargaining Team shall consist of 2 representatives from each level (Elementary, Middle School and High School) and an At-Large Position. Of these members, one member needs to have actively served on Negotiations for the last two contracts, at least one (1) member who has served on Negotiations for the immediate past contract, and only one member of the Executive Board. The President shall be a member ex-officio of the bargaining team. The Bargaining Team shall be responsible for the crafting of all proposals for the purpose of negotiations. The Bargaining Team may consult with the remaining members of the Committee on Negotiations if so desired or deemed necessary by the Chairperson of the Bargaining Team.

- F. Committee of Elections shall be responsible for the conduct of nominations and elections of the Association as provided for in these By-Laws, for special elections authorized by the Representative Assembly and for any other items on which votes are taken by written or electronic ballot(s). The committee shall prepare and check the ballot(s) for accuracy, supervise the voting, act as judge and constable of the election or ballot vote, and perform other appropriate duties as authorized. The committee shall consist of the chairperson and as many members necessary to equal the ratio of the elected Executive Board members. No officer of the Association or candidate shall serve on the Committee on Elections. All election procedures shall be in accordance with the Election Committee's rules for conducting the election of MEA officers and board members, and NEA and NEA-NH delegates.
- G. Committee on Budget shall, whenever possible, consist of the President's designee as Chairperson, Secretary-Treasurer, two members of the Executive Board, and three members from the Representative Assembly, all appointed by the President. The committee shall formulate the budget for presentation to the Representative Assembly no later than the May meeting. Final action shall take place no later than the June meeting of the Representative Assembly.
- H. Committee on Sick Bank shall consist of three members from the Association (one of whom will be the Chair of the Committee) and three committee members chosen by the Superintendent. They will monitor, review, and determine member use of these funds. They shall determine, in collaboration with the appropriate District agent, the process for application and timelines needed. The committee shall make recommendations to the Executive Board and Representative Assembly regarding the yearly fees and notifications to members.
- I. Committee on Scholarship shall prepare scholarship applications for the MEA Scholarship and the Scott McGilvray Scholarship as available. The Chair of the Committee will send the updated application to the President for publication on

the website, and send an electronic copy to each of the Manchester High Schools guidance departments. The Committee will determine deadlines for acceptance of each scholarship, and ensure that applications have arrived in a timely manner. Committee members shall read the applications in their entirety, ensure that the parent/grandparent of an applicant to the MEA Scholarship is enrolled in EduCash for the current year, and determine appropriate awards. The Committee Chair will send notice of awards to the appropriate high schools, and inform the President of the scholarship awards.

- J. Committee on EduCash shall collect funds for EduCash which are in turn used to fund Scholarships. The Committee Chair will direct the committee to mail letters to retired MEA members, and send information to all current members asking for donations to EduCash. The Chair will work with the Secretary/Treasurer to determine funds raised, and if there are funds enough for EduCash drawings, perform the drawings, and request winnings to be mailed to winners.
- K. Committee on Bylaws shall review the Bylaws of the Association annually to propose changes or updates to the Executive Board. Upon approval of the Executive Board, the proposed changes shall be brought forward to the Representative Assembly at the May meeting, and a vote to accept or reject the total changes will occur at the June meeting.

#### Section 5 - Relation to the Executive Board

The Executive Board shall assist the President in appointing the Chairperson(s) of standing committees to fill all unexpired terms as vacancies occur and shall assist with planning for representative training each year. It shall require and assist the committees in defining their immediate and long-range objectives and the mission and goals of the MEA. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

#### ARTICLE XV SPECIAL/AD HOC COMMITTEES

Special/Ad Hoc committees may be established by the Representative Assembly, the Executive Board or by the President for the purpose of accomplishing a specific task within a limited period of time.

Examples of Ad Hoc Committees may be:

Committee on Instruction and Professional Development shall explore and develop programs to meet standards for recertification, to provide opportunities for pre-service, continuing, and in-service professional education and to create and maintain rapport between the Association and neighboring institutions of higher education. The committee shall study and advise the Association in matters regarding recertification, staff development, and accountability.

Committee on Technology shall explore and monitor the use of technology in the District in collaboration with the appropriate District agent(s), communicate the needs of members to the Executive Board, and participate in District-Association committee

work as directed by the Executive Board. Other responsibilities may be required related to the MEA website as determined by the Leadership Team of the Association.

## ARTICLE XVI ELECTIONS

### Section 1 - Nominations

Nominations -- Members of the Association will open nominations for the President, Vice-President and Executive Board at the January Representative Assembly.

Nominations will close at the February Representative Assembly.

Nominations for NEA and NEA-NH delegates will open at the October Representative Assembly and will close at the November Representative Assembly.

Members of the Assembly may nominate other candidates from the floor. However, all nominees must agree in writing for said position.

### Balloting

A. By March 31, the MEA election process for the eligible officers' positions will be completed. By November 31, the MEA election process for the eligible delegate positions (NEA and NEA-NH) will be completed.

NOTE: ALL CANDIDATE LITERATURE IS THE SOLE RESPONSIBILITY OF THE CANDIDATE.

B. During a year where the MEA President and Vice-President shall be elected, all officers will be elected at the MEA office, unless electronic balloting is used.

C. For paper ballots: The designated site will be open for member voting over two (2) work days determined by the Elections Committee Chair. Members of the Elections Committee will monitor and supervise the polling site. At the Discretion of the Election Committee Chair, additional members may be trained to assist with the functions of the polling site. All Election Committee members as well as members assisting at the designated site will be allowed to vote at the site under the supervision of an Elections Committee member.

D. All members voting on-site must produce a photo ID and be checked for current membership in the Association. No member will be allowed a ballot without both of these requirements being met.

E. Absentee ballots shall be limited in scope and access. Members on Leave of Absence who have maintained their membership status and those members with "compelling need" (out of Manchester on all days of voting, on personal or professional business, or out-of-work ill on voting days), may apply for an absentee ballot ONLY through the Chairperson of the Elections Committee.

F. For electronic balloting: The window to vote shall be for two (2) consecutive days, determined by the Chairperson of the Elections Committee. The process for electronic balloting shall be determined by the Executive Board with consultation of the Chairperson on Elections.

### Reporting Results

The Chairperson of the Elections Committee shall report the results to the President who shall cause them to be published and reported electronically within 24 hours to all members. He/she shall also report the results at the next Representative Assembly. The new officers shall be installed at the first Representative Assembly meeting of the new school year.

In the event of any person running unopposed for the MEA office, NEA delegate, or NEA-NH delegate, the MEA Representative Assembly will vote to declare that person as the elected official for said office. The Secretary will cast one ballot for acceptance of said candidate(s). Once the Representative Assembly votes to close nominations on MEA, NEA-NH, and NEA Elections, no write-ins will be accepted.

### Section 2 - Elections of Delegates

Delegates to the National Education Association and NEA-New Hampshire shall be elected in compliance with their By-Laws and rules.

## ARTICLE XVII MEA CONTRACT RATIFICATION PROCEDURE

After a tentative agreement is reached and presented to and accepted by the MEA Executive Board, a date will be set for clarification of changes in the tentative agreement. All members will receive a copy of the tentative agreement prior to the clarification meeting. During said meeting, only questions pertaining to clarification of changes will be allowed.

There will be an additional meeting for debate immediately following the clarification meeting. Pros and Cons will be addressed. On this date, those attending the meeting will be given a chance to cast a vote by paper ballot. This vote will be overseen by the Elections Committee at the same site, in a different room. Voting will open one (1) hour after the start of the clarification meeting and will close at least one hour after the meeting for debate has been completed.

A second day of voting, to be held the day following the clarification and debate meetings, will take place at the office of the MEA. The voting will take place from 3:00 PM to 7:00 PM, and can continue past 7:00 should the Elections Committee deem it necessary. All eligible paper ballots will be counted by the Elections Committee at the completion of the two (2)-day voting process. The ratification shall be in accordance with the Elections Committee's rules for the conduct of contract ratification.

The Elections Committee Chairperson shall verify all results and notify the President as soon as the results are confirmed.

The President or his/her designee shall inform the members of the Executive Board and the Senior Building Representatives as soon as the election results are verified and confirmed. The President or his/her designee shall inform the membership electronically within 24 hours of the election results.

Electronic Meeting and Balloting may be held in lieu of in person meetings and paper balloting.

1. Electronic Meetings may be held. The platform should allow those invited to

attend and be heard for clarifying, and debate. The explanation of the proposed changes to the CBA can be recorded and sent to all members for them to view before the live meetings. Live meetings must be held at least four (4) times before voting days, in order to allow all members to connect to a meeting and ask questions if they so choose. The Bargaining Team must be on all live meetings.

2. Electronic Voting may be held. The platform must allow for only one vote per member.

a. The Vice President and the Elections Committee Chairperson will coordinate verification of emails and sending the emails to the platform. If the Executive Board chooses to utilize the same platform used by NEA-NH, the Vice President and the Elections Committee Chairperson will coordinate getting all valid member emails to the Public Relations Coordinator of NEA-NH.

b. Voting will take place for the two (2) days following the live meetings for clarification and debate. Voting will open at 7:00am on the first day, and close at 7:00pm on the second day.

c. The Election Committee Chairperson and the committee will receive the report from the platform. After verifying that both received the same results, the Chair will inform the President. The President or his/her designee will inform the Executive Board and the Senior Building Representatives, the general membership, and any other necessary parties.

## ARTICLE XVIII AMENDMENT PROCEDURE

The Representative Assembly may amend the Articles of Agreement by a two-thirds majority of those voting at any regular meeting provided that amendments have been introduced at the preceding meeting immediately distributed to members of the Assembly for faculty discussion.

These By-Laws may be amended by majority vote at any regular meeting of the Representative Assembly provided that proposed amendments have been previously studied by the Executive Board and that copies have been sent to Building Representatives two calendar weeks in advance of the meeting.

## APPENDIX

- A. The transitional constitution and By-Laws of the Manchester Education Association from the Manchester Teachers' Guild became effective in April of 1966.
- B. The Manchester Education Association passed its corporate Articles of Agreement and By-Laws in 1969.
- C. The By-Laws were amended in 1972, 1979, 1980, 1981, 1982, 1986, 1987, 1988, 1989, 1991, 1997, 2006, 2010, 2012, 2015, 2016, 2020, and 2021.

Oath of Office

I, \_\_\_\_\_, do solemnly swear to uphold the Articles of Agreement and By-Laws of the Manchester Education Association and, to the best of my abilities, fulfill the duties and obligations of the position of \_\_\_\_\_.