

Massachusetts Community College Council

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To: MCCC Chapter Leaders
From: Philip Mahler, President
Subj.: Model Bylaws
Date: February 4, 2002

On behalf of the MCCC Board of Directors I want to thank the 2000 - 2002 MCCC Bylaws Committee

Yoav Elinevsky
Robert Gillies
Philip Mahler (ex officio)
Gail Stuart
Carolyn Tetrault (chair)

for their excellent work on the attached model bylaws, which were accepted by the MCCC Board of Directors on January 25, 2002.

The project of developing a set of model bylaws for chapters had been talked about for some time within the MCCC leadership and I am especially grateful that this committee has delivered this document to us.

The intention behind these bylaws is to be helpful to chapters that want some guidance on developing or improving their own chapter bylaws. Indeed we get occasional requests from chapters for a set of model bylaws.

A chapter is best served when it has clear guidelines and expectations for its leadership and membership. The purpose of this document is therefore to provide a minimal framework for creating, modifying, or updating your chapter's bylaws. It is a guide, not a prescription. Chapter bylaws should be periodically reviewed by chapter leadership or perhaps a special chapter committee. The attached document reflects examination of all of the available chapter bylaws, and should therefore be a useful tool with which to examine any specific set of bylaws.

I encourage someone at each chapter to look at their current chapter bylaws in the light of this document and bring a thoughtful reaction to the chapter's Executive Committee.

**MODEL BYLAWS FOR CHAPTERS
OF THE
MASSACHUSETTS COMMUNITY COLLEGE COUNCIL**

MCCC BYLAWS COMMITTEE:

Yoav Elinevsky

Robert Gillies

Philip Mahler (ex officio)

Gail Stuart

Carolyn Tetrault (chair)

Accepted by the MCCC Board of Directors
January 25, 2002

MASSACHUSETTS COMMUNITY COLLEGE COUNCIL

OUTLINE OF MODEL BYLAWS

FOR CHAPTERS

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ARTICLE I NAME

The name of the association shall be the (Chapter) Professional Association, hereinafter referred to as the Association.

ARTICLE II OBJECTIVES

The objectives of the organization known as the chapter, the campus level body of the MCCC, are as follows:

- a. to maintain and improve the quality of education at the college,
- b. to uphold high professional standards,
- c. to represent the interests of the chapter with the administration of the college,
- d. to serve as a liaison between the chapter members and the MCCC and MTA,
- e. to conduct all chapter level business of the MCCC.

ARTICLE III MEMBERSHIP

Section 1 Membership

- A. Full time and part time chapter members are those employed by the college who are engaged in work of a professional nature In the field of education, who are in the bargaining unit, and who are members of the MCCC.
- B. Adjunct chapter members are those employed by the college who are engaged In work of a professional nature in the field of education, who are in the bargaining unit, and who are members of the MCCC.
- C. Retired members are former active members who obtained a retired member status in the MCCC.

Section 2 Membership Year

The membership year of the Association shall coincide with that of the MCCC.

Section 3 Voting and Office Holding Privileges

- A. Each full time unit member shall have one (1) vote, regardless of work load.
- B. Each part time or adjunct unit member shall have one-fourth (1 /4) vote, regardless of work load.
- C. Any member may hold office unless specifically restricted by the MCCC or chapter policies and, as an office holder, have one (1) vote.

ARTICLE IV OFFICERS AND MCCC DIRECTOR

Section 1 Officers

- A. The officers of the Association shall be a President, Vice President, Secretary, and Treasurer.
- B. Officers shall take office on June 1st of the year in which regular elections are held and shall serve for a period of [*one (1) or two (2) years*] until May 31st.
- C. Officers shall serve a [*one (1) or two (2) year*] term of office and may stand for re-election.
- D. Election of officers shall take place In April.

Section 2 Powers and Duties of Officers

A. The President shall:

- 1) preside at meetings of the Executive Committee and membership;
- 2) appoint the chair and members *of* the standing committees, other committees or teams, and representatives of the Association on committees formed under the collective bargaining agreement or by the administration *of* the college;
- 3) be an ex officio member *of* all committees except the Nominations and Elections Committee;
- 4) ordinarily represent the chapter as a delegate to the MCCC Delegate Assembly;
- 5) perform any other functions usually attributed to the office.

B. The Vice President shall:

- 1) preside at meetings of the Executive Committee and membership in the absence *of* the President;
- 2) assume the duties of the President in case of the death, resignation, retirement, or recall *of* the President or in the event the President is unable to perform the duties of that office;
- 3) ordinarily represent the chapter as a delegate to the MCCC Delegate Assembly;
- 4) perform any other functions usually attributed to the office.

C. The Secretary shall:

- 1) keep minutes of the meetings of the Executive Committee and the membership;
- 2) maintain official records and assist the President with the Association's communications;
- 3) ordinarily represent the chapter as a delegate to the MCCC Delegate Assembly.

D. The Treasurer shall:

- 1) hold the funds of the Association and disburse them in accordance with appropriate authorization;
- 2) keep accurate account of receipts and disbursements and report to each meeting of the Executive Committee and membership;
- 3) keep the President and the Executive Committee informed of the financial condition of the Association
- 4) prepare and file an annual financial statement as directed by the Treasurer of the MCCC;
- 5) prepare and file statements with supporting documentation with the Treasurer of the MCCC to obtain reimbursement for office expenses in accordance with MCCC policy;
- 6) maintain a roll of the members. Changes in membership information shall be reported to the Treasurer of the MCCC;
- 7) ordinarily represent the chapter as a delegate to the MCCC Delegate Assembly.

Section 3 MCCC Director

- A. The Association's representative on the MCCC Board of Directors shall be elected for a term of one (1) year and may stand for reelection. The President of the Association shall not be precluded from election as the MCCC Director.
- B. Election of the Director shall take place in April.
- C. The Director shall take office on June 1st of the year in which regular elections are held and shall serve for a period of one (1) year until May 31st.
- D. The Director shall:
 - 1) attend scheduled meetings of the MCCC Board of Directors;
 - 2) maintain close communications with the President of the Association;
 - 3) report regularly to the Executive Committee and the membership;
 - 4) ordinarily represent the chapter as a delegate to the MCCC Delegate Assembly.

Section 4 Vacancy

- A. If an officer is unable to serve for any reason for a period of time longer than six months, that office may be declared vacant by recommendation of the Executive Committee and by majority vote of members present and voting at a membership meeting.
- B. In the case of a declared vacancy or of the resignation of the President, the Vice President shall automatically serve the remainder of the President's term of office.
- C. If the Vice President replaces the President as a result of a vacancy or resignation, the office of Vice President shall not be filled if the remaining term of office until the next election is less than six months. If, however, the remaining term of office until the next election is six months or more, notice shall be given for an election to fill the Vice President's position.
- D. In the case of a declared vacancy or of a resignation of an officer other than the President or Vice President, notice shall be given for an election to fill the position for the remaining term of office.

Section 5 Resignation

- A. An officer may submit a resignation - normally in writing - to the President (or in the case of the President's resignation, to the Secretary). The Executive Committee shall act on a motion to accept the resignation at its next regular meeting or at a special meeting.
- B. The duties of a position must not ordinarily be abandoned until a resignation has been accepted or at least until there has been reasonable opportunity for it to have been accepted.

Section 6 Recall

- A. Any officer may be removed from office in the following manner.
 - 1) A petition bearing the signatures of twenty percent of the active members must be presented to the Executive Committee at a meeting or through one of the officers.
 - 2) The petition must include the signatures of the petitioners, the name and office of the officer in question, and the reasons for the recall request. It should be accompanied by supporting documentation.
 - 3) The Executive Committee shall meet within ten working days of receipt of the petition to plan for a recall vote. The recall vote must be conducted within twenty

working days of the Executive Committee's meeting. The Executive Committee may or may not choose to make a recommendation on the recall to the membership.

- 4) The recall ballot shall ask for a yes or a no vote to the question: "Shall ----- be removed from office?"
 - 5) If two thirds of those casting ballots vote yes, the officer shall be considered removed from office.
- B. If an officer is removed by means of a recall vote, the office shall be considered vacant, and the provisions in Article IV for filling a vacancy shall apply.

ARTICLE V EXECUTIVE COMMITTEE

Section 1 Members

- A. The Executive Committee shall be composed of the officers, the immediate past president, and two members at large, one (1) of whom shall be a day unit member and ordinarily one (1) a Division of Continuing Education unit member. If the MCCC Director is someone other than the president of the Association, that person shall also be a member of the Executive Committee.
- B. At large members shall serve a [one (1) or two (2) year] term of office and may stand for reelection. Election of at large members should take place in April and may be held at the same time as the election of officers.

Section 2 Powers and Duties

Within the Association's Bylaws and policies approved by the membership, the Executive Committee shall be responsible for the management of the Association. It shall have the authority and responsibility to:

- a. adopt procedures and rules for conducting the business of the Association,
- b. appoint coordinators as needed to carry out the business of the Association and the MCCC,
- c. receive and act upon reports and recommendations from committees,
- d. recommend policies or changes of policy to the membership,
- e. implement changes of policy approved by the membership,
- f. adopt an annual budget for the operation of the Association,
- g. employ staff as needed for the efficient management of the Association.

ARTICLE VI COMMITTEES

Section 1 Committees

There shall be the following standing committees: Bylaws and Rules Committee and Nominations and Elections Committee.

A. Bylaws and Rules Committee

- 1) The purpose of this committee is to receive proposed amendments to the bylaws for review and to make recommendations concerning them to the Executive Committee and members.

- 2) This committee shall consist of at least three (3) members appointed by the President subject to the approval of the Executive Committee. The term of office shall be for one (1) year and shall begin on September 30th.

B. Nominations and Elections Committee

- 1) The purpose of this committee is to provide equal access to nomination procedures to all members of the Association and to assure each candidate for office equal treatment in the election process.
- 2) This committee shall consist of at least three (3) members appointed by the President subject to the approval of the Executive Committee. The term of office shall be for one (1) year and shall begin on September 30th.
- 3) This committee shall have the authority and responsibility to:
 - a) place in nomination candidates for office who have submitted a formal application;
 - b) publish the names of those candidates for elective office no later than two weeks preceding the date of the election;
 - c) prepare ballots, supervise the conduct of elections, and certify the results;
 - d) safeguard the ballots for a period of one (1) year and allow inspection of the ballots by any active member of the chapter.

Section 2 Ad hoc Committees

Ad hoc Committees may be established by the President and/or the Executive Committee as deemed necessary. The President shall appoint, subject to the approval of the Executive Committee, the chair and members of ad hoc committees.

Section 3 Reports

The chair of each committee shall report to the Executive Committee and/or the membership on the work of the committee or on items requiring action. Each committee shall choose a secretary who shall record the activities of the committee and assist the chair with communications as necessary.

ARTICLE VII MEETINGS

Section 1 Executive Committee Meetings

The Executive Committee shall meet on a regular basis during the academic year on a schedule to be determined by the Executive Committee. Any two (2) or three (3) members of the Executive Committee may request additional meetings.

Section 2 Membership Meetings

Meetings of the membership shall be held at least once per semester. An agenda shall be prepared and distributed for each meeting.

Section 3 Special Meetings

Special meetings of the membership may be held (a) at the call of the president, (b) by a majority of the Executive Committee, or (c) by petition of 10% of the membership. Business to come before special meetings must be stated in the call to meeting, which shall be communicated to the membership prior to the meeting.

Section 4 Quorum

- A. A majority of its members shall be a quorum for the Executive Committee.
- B. For membership meetings, the quorum shall be 10% of the members of the Association.

ARTICLE VIII PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised shall govern the proceedings of the chapter in all cases to which they are applicable, provided that they are not inconsistent with the bylaws of the MCCC.

ARTICLE IX AMENDMENTS

Section 1. These bylaws may be amended by a two-thirds (2/3) vote of the members present and voting at any regular or special meeting of the Association.

Section 2. The proposed amendments shall be made available to members of the Association at least three calendar weeks in advance of the meeting.

Section 3. Amendments may be proposed by any individual or group of the Association.

APPENDIX

NOTES ON OPTIONAL MATTERS

ARTICLE III MEMBERSHIP

Model concerning chapter dues if desired:

Section 4. Chapter Dues

Chapter dues may be assessed. The amount of chapter dues to be assessed would be decided by the chapter members annually upon proposal by the chapter's Executive Committee. Such dues are unrelated to the dues assessed by the MCCC/MTA/NEA.

ARTICLE IV OFFICERS AND MCCC DIRECTOR

Sections related to additional chapter representatives:

1. At least two current chapter bylaws contain references to representatives other than officers and the MCCC Director. These include some type of building or work area representative, a "part time" representative, a professional staff representative, and/or a DCE representative. Some of these designations may refer to overlapping categories or positions.
2. The chapter should determine whether building or work area representatives function primarily with decision making responsibilities or as channels of communication. If these representatives are part of the organizational and decision making structure, they should be included in the bylaws in an appropriate article. If these representatives serve primarily as channels of communication, they would be more correctly included in statements of the chapter's personnel policies rather than in bylaws.
3. Some references relate to a person who is appointed rather than elected and who has a specific function, for example, a grievance coordinator. This type of appointed position should be detailed in statements of the chapter's personnel policies rather than in bylaws.
4. Representation in the Bylaws should be limited to the five (5) titles of office noted and to a chapter's organizational structures such as the Executive Committee.

ARTICLE VI COMMITTEES

Management Association Committee on Employee Relations:

MACER is a contractual rather than an organizational structure; therefore, its responsibilities and composition are determined through collective bargaining and administration of the agreement. As such, MACER should not appear in the bylaws of the chapter. The chapter should develop its own policies and/or procedures concerning MACER representation.

ELECTIONS

Neither the MCCC nor the MTA bylaws include guidelines for elections. The chapter's Nominations and Elections Committee has the responsibility to establish procedures for the conduct of elections, preferably subject to the approval of the Executive Committee and to a vote of the membership.