

Date: 3/8/19
Re: Berkshire Professional Association Bylaws – FINAL DRAFT
To: Bylaws Committee, Berkshire Chapter of MCCC
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From: June Tooley

Adapted from:
MASSACHUSETTS COMMUNITY COLLEGE COUNCIL
OUTLINE OF MODEL BYLAWS FOR CHAPTERS

[http://www.mccc-union.org/Documents/Modelo/o20Chapter%20B\)laws.pdf](http://www.mccc-union.org/Documents/Modelo/o20Chapter%20B)laws.pdf)

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ARTICLE I: NAME

The name of the association shall be the Berkshire Professional Association (Berkshire Chapter of MCCC), 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 units, and who are dues-paying 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 units, and who are dues-paying 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 dues-paying unit member shall have one (1) vote, regardless of workload.
- b. Any dues-paying member may hold office unless specifically restricted by the MCCC or chapter policies and, as an office holder, have one (1) vote.
- c. In the event the Adjunct Representative is not teaching a course in a semester following annual elections, he or she shall be permitted to serve out the term of office:
 - provided he or she continues to pay dues and has been a unit member for at least the two most recent years;
 - provided s/he has taught at least one course during the academic year in which the election was held;
 - and provided that s/he also agrees to meet the responsibility of attending Leadership Team meetings and chapter meetings.

This right shall not extend to an elected representative who voluntarily leaves employment after election.

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 year until May 31st.
- c. Officers shall serve a one year term of office and may stand for re-election.
- d. Election of officers shall take place In April.
- e. The current stipend for each of the Leadership Team's members is \$120.00 per semester.

Section 2: Powers and Duties of Officers

- a. The President shall:
 - 1) preside at Leadership Team meetings
 - 2) appoint the chair and members of the ad hoc committees, other committees or teams, and representatives of the Association on committees formed under the collective bargaining agreement (like MACER) or by the administration of the college;
 - 3) be an ex officio member of all committees except the Nominations and Elections Committee;
 - 4) shall make every effort to represent the chapter as a delegate to the MCCC Delegate Assembly;
 - 5) perform any other functions usually attributed to the office;
 - 6) serve as the chapter grievance officer;
 - 7) determine possible bargaining impact of all proposals submitted to the Educational Affairs Committee except Requests for New Course Approvals;
 - 8) may appoint a member to assist with parliamentary procedure, serving as a resource for the group;
 - 9) and shall keep the membership informed of all statewide and chapter information.
- b. The Vice President shall:
 - 1) preside at meetings of the Leadership Team 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) shall make every effort to 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 Leadership Team and the membership;
 - 2) maintain official records and assist the President with the Association's communications;
 - 3) may 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 Leadership Team and membership;
 - 3) keep the President and the Leadership Team 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 dues-paying members. Changes in membership information shall be reported to the Treasurer of the MCCC;
 - 7) may 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.
- b. Election of the Director shall take place in April at the same time as the election of officers.
- 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) serve on the Leadership Team and report to the Leadership

- Team and the membership;
- 4) make every effort to 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 Leadership Team and by majority vote of dues-paying 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 Leadership Team 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 dues-paying members must be presented to the Leadership Team 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 Leadership Team 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 Leadership Team's meeting. The Leadership Team 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 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: LEADERSHIP TEAM

Section 1: Members

- a. The Leadership Team shall be composed of the officers, the MCCC Director, and three members at large, one (1) of whom shall be a unit professional, one (1) adjunct faculty member and one (1) full-time faculty member.
- b. At-large members shall serve a one year term of office and may stand for reelection. Election of at-large members should take place in April 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 Leadership Team 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 ad hoc 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 Leadership Team and dues-paying members.
 - 2) This committee shall consist of at least three (3) dues-paying Members appointed by the President subject to the approval of The Leadership Team. 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 dues-paying 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) dues-paying Members appointed by the President subject to the approval of The Leadership Team. 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 in compliance with the deadline;
 - b) publish the names of those candidates for elective office no later than two weeks preceding the date of the election;
 - c) prepare ballots (electronic or paper), 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 dues-paying member of the chapter;

Section 2: Other Ad hoc Committees

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

Section 3: Reports

The chair of each committee shall report to the Leadership Team and/or the membership on the work of the committee or on items requiring action.

ARTICLE VII: MEETINGS

Section 1: Leadership Team Meetings

The Leadership Team shall meet on a regular basis during the academic year on a schedule to be determined by the Leadership Team. Any three of its members 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 Leadership Team, or
- (c) by request of at least seven dues-paying members.

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 Leadership Team.
- b. For membership meetings, the quorum shall be 15% of the dues-paying 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 dues-paying members present and voting at any regular or special meeting of the Association, or by fifteen votes in favor, whichever is greater.

Section 2:

The proposed amendments shall be made available to dues-paying members of the Association at least one week in advance of the meeting.

Section 3:

Amendments may be proposed by any dues-paying member or group of dues-paying members.

These bylaws will be reviewed by the Bylaws Committee every third year to ensure that they represent current practice.

---Adopted by the Berkshire Chapter on April 2, 2019