

# **Proposed Amended Constitution NYSUT Retiree Community College Council #39**

## **I. Name**

This organization shall be known as NYSUT Community College Retiree Council #39.

## **II. Purposes**

- A.** To promote the best interest and welfare of NYSUT Community College Retiree Council #39 members;
- B.** to promote mutual assistance and cooperation with other organizations with which it is associated;
- C.** to promote the aims and objectives of the New York State United Teachers (NYSUT) and its national affiliates;
- D.** to promote the mutual communication and assistance with NYSUT in-service members; and
- E.** to provide NYSUT Community College Retiree Council #39 members with support and appropriate information.

## **III. Affiliations**

The NYSUT Community College Retiree Council #39 is affiliated with the New York State United Teachers (NYSUT) and its state and national affiliates.

## **IV. Membership**

Membership in this NYSUT Community College Retiree Council #39 shall be open to all community college retirees who are eligible for membership in NYSUT.

## **V. Voluntary Dues/Activity Fees**

The voluntary contributions to the NYSUT Community College Retiree Council #39 shall be whatever the member chooses.

## **VI. Fiscal Year**

The NYSUT Community College Retiree Council #39 fiscal year shall be July 1 - June 30.

## **VII. Officers and their duties**

### **A. Officers**

The officers of NYSUT Retiree Community College #39 shall be president, vice president, secretary and treasurer.

### **B. Duties of the President** The president shall:

- 1.** be chief executive officer of NYSUT Community College Retiree Council #39, administer all affairs and execute all policies of the NYSUT Community College Retiree Council #39;
- 2.** preside at all meetings of the Board of Directors and general membership meetings;
- 3.** represent the NYSUT Community College Retiree Council #39 with all external groups;
- 4.** appoint and establish the function of all committees with the approval of the Board of Directors;
- 5.** serve as ex-officio member of all committees;
- 6.** call regular and special meetings of the Board of Directors and general membership meetings;

7. serve as first delegate to the NYSUT Representative Assembly and AFT convention;
8. prepare and distribute an agenda at least fourteen days before all Board of Directors and general membership meetings; and
9. fulfill such other duties as the office requires and as are consistent with this constitution.

#### **C. Duties of the Vice President**

The vice president shall:

1. assist the president, shall have full authority to act for the President in her/his/their absence or incapacity, and shall perform such other duties as may be assigned by the president; and
2. serve as a delegate to the NYSUT Representative Assembly and the AFT convention.

#### **D. Duties of the Secretary**

The secretary shall:

1. maintain and distribute, as appropriate, minutes of general membership meetings and the Board of Directors meetings;
2. be responsible for all correspondence; and
3. serve as first alternate delegate to the NYSUT Representative Assembly and the AFT convention.

#### **E. Treasurer**

The treasurer shall:

1. be responsible for reporting to the Board of Directors all financial activities of the NYSUT Community College Retiree Council #39;
2. prepare and submit an annual financial statement to the Board of Directors and to the AFT;
3. sign all requests for monies that must be signed by the treasurer and the president;
4. serve as a delegate to the NYSUT Representative Assembly and the AFT convention; and
5. submit to the IRS any required annual documents.

#### **F. Nominations**

1. A nominating committee composed of five (5) voluntary members in good standing shall be appointed by the president in March of each year in which elections are scheduled.
2. The nominating committee shall propose a slate of officers and directors-at large.
3. Notwithstanding 1. and 2. above, the nominating committee shall give each member a reasonable opportunity to nominate candidates for office and director-at large positions:
  - a. Notice of the office and/or director-at large positions to be filled, the right to make nominations, the time, and proper form for submission of nominations shall be distributed to all members by newsletter and website.
  - b. Nomination procedures shall be determined by the Board of Directors.
  - c. Any member is eligible for nomination for office and director-at-large position.
  - d. No member may hold more than one officer position at the same time.

#### **G. Election**

1. Notice announcing the time period of the mail election conducted by NYSUT Headquarters shall be placed in the RC39 newsletter well before the election.
2. Written notice announcing the time frame of elections shall be mailed, by NYSUT Headquarters, to each member in good standing at her/his/their last known home address at least fifteen (15) days prior to the election.

3. Election shall be by secret mail ballot conducted by NYSUT Headquarters.
4. NYSUT Headquarters shall preserve all election records, including ballots for a period of one (1) year.

#### **H. Terms of office**

Duly elected officers and directors-at large shall serve a three (3) year term, beginning July 1. All officers and directors-at large shall remain in office until her/his/their successor assumes the office.

#### **I. Vacancies**

1. If the office of the president becomes vacant, the vice president shall assume that office.
2. If any other office or director-at large becomes vacant, it shall be filled by an election within the Board of Directors and that person shall hold office until the next election is held by the general membership.

### **VIII. Board of Directors**

#### **A. Composition**

The Board of Directors shall be composed of the duly elected officers, the immediate past president and two directors at-large.

#### **B. Election**

The directors-at-large shall be elected by secret ballot at the same time as the officers and in the same manner.

#### **C. Duties**

The Board of Directors shall:

1. Approve an annual budget;
2. set dues and activities fees when and if appropriate;
3. act upon expenditures as may be required;
4. interpret the constitution;
5. act on policy matters for the NYSUT Community College Retiree Council #39;
6. create committees when appropriate;
7. present reports on its activities and plans on the website and in the newsletter;
8. approve resolutions to be submitted to the NYSUT Representative Assembly and the AFT convention;
9. if serving as a delegate, make timely reports to the Board of Directors and the general membership regarding the activities and the policies of the respective organizations;
10. make policy recommendations to the membership for their consideration;
11. perform all other duties as enumerated in this constitution; and
12. perform such duties as are deemed necessary by the Board of Directors.

#### **D. Meetings**

The Board of Directors shall meet at least twice during the year. Special meetings may be called by the president or by petition of a majority of the Board of Directors. Meetings can be in-person or by video conferencing such as Zoom.

#### **E. Resignations and Removals**

1. Any member of the Executive Board may resign at any time by giving written notice to the president or secretary. Such resignation shall take effect at the time specified therein, if no time was specified, then on delivery.
2. Any member or officer of the Board of Directors may be removed for cause by vote of the majority of the Board of Directors. No officer or director at-large shall be removed without cause.

## **IX. Delegates to Representative Assemblies**

Delegates to the NYSUT Representative Assembly and national governance bodies shall be the president, vice president and treasurer. If there are to be more than three delegates, the other delegates shall be chosen from the alternate delegates by a majority of the Board of Directors.

## **X. General Membership Meetings**

### **A. Meetings**

1. Meetings of the general membership may be called by the president, by a majority of the Board of Directors or by petition of ten percent (10%) of the membership.
2. Meetings may be held by video conferencing.

### **B. Quorum**

A quorum is defined to be at least ten (10) members in good standing participating in a general membership meeting which can be in-person or by video conferencing such as Zoom.

## **XI. Protection of Rights of Members**

### **A. Rights and Privileges**

Every member of this NYSUT Community College Retiree Council #39 shall have equal rights and privileges to nominate candidates, to hold office, to vote in elections or referendum, to attend membership in-person or video conference such as Zoom meetings and to participate in deliberations and voting upon the business of the NYSUT Community College Retiree Council #39.

### **B. Discrimination**

This NYSUT Community College Retiree Council #39 shall show no discrimination toward any individual or group of individuals on the basis of gender, sexual orientation, creed, color, race, national origin, political activities or religious beliefs.

## **XII. Amendments**

**A.** An amendment to this constitution may be proposed by:

1. A majority of the Board of Directors;
2. No fewer than ten per cent (10%) of the membership.

**B.** A proposed amendment must be distributed, by postal mail or in the newsletter, to each member at least fourteen (14) days before the ratification vote is due.

**C.** An amendment may be ratified by a two-thirds (2/3) vote of those responding to a mail ratification vote.

**D.** This constitution is to be reviewed, as needed, but no longer than a period of three years, whether revised or not.

## **XIII. Parliamentary Authority**

Meetings of all duly constituted bodies of this NYSUT Community College Retiree Council #39 shall be governed by Robert's Rules of Order, Newly Revised, except as otherwise provided in this constitution.

## **XIV. Enabling Procedure**

### **A. Constitution**

1. This constitution shall become effective upon ratification by the majority of the members responding to a postal mailing for that purpose.
2. It shall be reviewed by the Board of Directors at a date determined by the Board but no later than three (3) years following its adoption.