

Information Technology Professionals Association Constitution

ARTICLE I – NAME

The name of this association shall be the Information Technology Professionals Association, of the Broome-Tioga Board of Cooperative Educational Services, hereinafter referred to as ITPA.

ARTICLE II - PURPOSE

The purposes of the ITPA are as follows:

- A. To work for the improvement of its members' professional opportunities.
- B. To secure the conditions necessary to provide the greatest rewards for its members in their work environments.
- C. To promote the welfare and well-being of its members.
- D. To promote the unity and strength of its members, enabling them to speak with a common voice on matters pertaining to the ITPA staff and to present their individual and common interests before the Board of Education, Broome Tioga BOCES management, and other legal authorities.
- E. To expose and fight all forms of racism and discrimination.
- F. To promote mutual assistance and cooperation with other organizations with which it is associated.

ARTICLE III - AFFILIATION

The ITPA shall be affiliated with the New York State United Teachers (NYSUT) and its national affiliates.

ARTICLE IV – DUES

The ITPA dues structure is determined by NYSUT annual charges and ITPA local dues. Payment of these dues shall be made through a payroll deduction during the September through June pay periods.

ARTICLE V – MEMBERSHIP

Section 1 – Active Members

Active members include all employees (including those on paid or on unpaid leave) of the BOCES in titles represented by the Association who have enrolled in membership and show dues are current and paid in full. Active members have all rights which generally accompany membership including and not limited to:

The right to attend all properly called Association membership meetings; and

The right to receive any document or communication widely distributed by the Association leadership to the Association membership; and

The right to vote on any matter put before the general membership including ratification of the tentative agreement for the successor Collective Bargaining Agreement; and

The right to serve as an officer or as a representative of the Association; and

The right to nominate a candidate and to vote in said election.

Section 2 – Special Members

Special members include all retired employees of the BOCES who previously held membership in the Association. Special members have the following rights:

The right to attend all properly called Association membership meetings; and

The right to receive any document or communication widely distributed by the Association leadership to the Association membership.

Section 3

Membership shall be continuous, until the member's employment is terminated, either voluntarily or involuntarily, with Broome-Tioga BOCES and/or the SCRIC with the only exception being in the instance of the member's retirement.

ARTICLE VI – MEMBERS' RIGHTS

Section 1

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Every active member of this association shall have equal rights

Section 2

Every active member of this association shall have privileges to nominate candidates; to hold office; to attend general membership and Executive Board meetings; to participate in deliberations of ITPA business; and to vote in any and all general elections.

Section 3

No member, active or special, of this association may be fined, suspended, expelled, dismissed from office, or in any way disciplined by this association, unless the member has been served written specific charges, given a reasonable time to prepare a defense, and offered a full and fair hearing at an Executive Board meeting.

Section 4

This association will show no discrimination toward individuals on the basis of sex, creed, color, national origin, political activities, religious belief, age, sexual orientation, gender identity or disability.

ARTICLE VII – RESTRICTIONS OF RIGHTS FOR AGENCY FEE MEMBERSHIP

Section 1

A member who elects not to become an active member of this association shall not be entitled to the privileges of nominating candidates; to holding office; to attending general membership and Executive Board meetings; to participate in deliberations of ITPA business; or to vote in any and all general elections.

Section 2

The ITPA participates in a Long-Term Disability policy through NYSUT Member Benefits. In order to participate, this plan requires 100% participation.

ARTICLE VIII – OFFICERS & COMMITTEE MEMBERS

The following officers will be elected by a passing vote of the ITPA active membership:

Officers (elected)

- A. Co-Presidents (2) – 2 year term
- B. Secretary – 2 year term
- C. Treasurer – 2 year term
- D. Collaborative Bargaining Team Representative – 2 year term
- E. Delegates to NYSUT Representative Assembly and other affiliates

Employees (Appointed by Executive Committee)

- A. Webmaster – 2 year term
- B. Auditors (3) – 1 year term

ARTICLE IX – OFFICER & COMMITTEE MEMBER STIPENDS

- A. Co-Presidents (2) - \$575.00 per year, per Co-President
- B. Secretary - \$575.00 per year
- C. Treasurer - \$575.00 per year
- D. Collaborative Bargaining Team Representative - \$575.00 per year
- E. Webmaster - \$400.00 per year
- F. Auditor - \$100.00 per Auditor

Stipends may be paid in the full amount at the end of each term, or in half, 6 months into the term and at the end of the term. A claim must be processed for each stipend.

ARTICLE X – TERMS OF OFFICE

All of the elected positions are a two-year term, with half (1/2) of the officers' terms expiring each year. Odd years, a Co-President, and Secretary will be elected. Even years, the other Co-President, Treasurer, and CBT Representative will be elected. Employees serve at the pleasure of the Executive Board and may be changed by majority vote at any meeting.

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(Employee stipends may be prorated for time served during the current year if they are dismissed or leave the position)

ARTICLE XI – RESPONSIBILITIES AND DUTIES OF OFFICERS & COMMITTEE MEMBERS

Section 1 – Co-Presidents

- A. Be the chief executive officers of the ITPA.
- B. Call regular and special meetings of the Executive Board and preside at all such meetings.
- C. Appoint the chairperson and members of all standing and special committees.
- D. Represent the ITPA before the public, either personally or through delegates.
- E. Perform all other functions that usually devolve upon this office.
- F. Act as a liaison between the Board of Education, Broome Tioga BOCES management, and other legal authorities.
- G. Serve on the Executive Board
- H. Approve all expenditures from ITPA bank account.

Section 2 – Secretary

- A. Keep accurate minutes of all meetings of the Executive Board and the ITPA.
- B. Prepare and distribute the ITPA meeting agendas.
- C. Maintain official files and a roll of members.
- D. Assist the Co-Presidents with ITPA correspondence.
- E. Serve on the Executive Board.
- F. Provide orientation information to new members.

Section 3 – Treasurer

- A. Be responsible for the funds of the association and disburse them upon authorization of the Co-Presidents.
- B. Keep the Co-Presidents informed of the financial condition of the ITPA.
- C. Keep accurate accounts of receipts and monthly disbursements.
- D. Verify monthly NYSUT statements.
- E. Prepare and present quarterly statements to the Executive Board.
- F. Assist NYSUT in annual fiscal audit.
- G. Present to the Executive Board a proposed annual budget. ~~Perform fiscal audit for AFT.~~
- H. Maintain Monthly Income and Expense reports.
- I. Serve on the Executive Board.
- J. Submit 990N & ePostcard for Tax-Exempt status

Section 4 - Collaborative Bargaining Team Representative (CBT Representative)

- A. Attend and participate in all scheduled CBT meetings and negotiations.
- B. Serve on the Executive Board.

Section 5 - Webmaster

- A. Develop and maintain ITPA web site

Section 6 – Auditors’ Duties

- A. Perform audit by August 15th with Treasurer present.
- B. Treasurer will provide all financial reports and ledgers to auditors.
- C. A stipend of \$100 will be granted upon a successful completion of the audit. Auditors will supply comments to the Executive Committee.
- D. An auditor can only serve 3 consecutive years. Any previous auditor may serve again after skipping at least 1 year.
- E. Auditors will be selected at random from volunteers.

ARTICLE XII – EXECUTIVE BOARD

Section 1 – Composition

The Executive Board shall consist of all the officers, that is, the Co-Presidents, Secretary, Treasurer, and CBT Representative.

Section 2 – Responsibilities

The Executive Board shall:

- A. Serve as the executive authority of the ITPA
- B. Work for the recognition of the ITPA and concern itself with all matters involving the welfare of the association.
- C. Be responsible for the management of the ITPA, approve all expenditures, carry out policies, and establish new policies.
- D. Approve an annual budget. Oversee all expenditures.

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Section 3 - Meetings

There will be meetings as needed to conduct business and vote on new proposals. No business can be voted on without the majority of the members present. A majority vote of the members present is sufficient to conduct business.

Section 4 – Finances

The funds used by the organization are entrusted to the ITPA by the membership. The Executive Board has a fiduciary duty to expend the membership funds wisely and in the interest of those members they represent. Individuals should not be required to subsidize the ITPA, therefore, reasonable and authorized expenditures should be promptly reimbursed. These policies apply to all who incur expenses on behalf of the ITPA. Two signatures from President/Co-President required for approval.

Administration:

It is the responsibility of the Executive Board to ensure expenses incurred for travel and other activities essential to the function. Expenses should be reasonable and justified.

Claims/Expense Reports:

Claims are legal documents. The information on them is used in judging the eligibility of the request. Copies or original receipts are acceptable. The IRS requires each claim to show the following:

- A. Meals – Assign a maximum allowable amount for each meal. If paying for more than one, list names on the receipt. The ITPA will adhere to the NYS per diem rates.
- B. Mileage Rate for Personal Car Usage – Use of the IRS rate published at the time of travel will be used.
- C. Parking & Tolls – These fees must be substantiated with receipts or an EZ pass report
- D. Public Transportation – Detail of the circumstances, along with a receipt, will be required.

Advances:

The ITPA does not allow advances.

Miscellaneous:

- A. When expenditure requires payment to the treasurer or signing co-president, the claim form must have a signature from another executive officer.
- B. The Executive board has the right to have miscellaneous expenses.

ARTICLE XIII – STANDING COMMITTEES

Section 1 – Standing Committees

- A. Sick Bank Committee
Representation will consist of 2 ITPA members with one being co-President
- B. Collaborative Bargaining Team
Representation consists of 3 members of ITPA, both Co-Presidents and the CBT Representative.
- C. Grievance Committee
Representation consists of Co-Presidents of ITPA

Section 2– Structure

Members shall be appointed by the Co-Presidents and approved by the Executive Board with the exception of the Grievance Committee, which will consist of the Co-Presidents, and the Collaborative Bargaining Team, which will consist of the Co-Presidents and the CBT Representative.

Section 3 – Meetings

The chairperson or any committee member may request a meeting and setup the agenda.

Section 4 – Reports

Each committee will prepare a written report upon request of either co-president and present it to the Executive Board. The chairperson will report as requested to the Executive Board.

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ARTICLE XIV – RESPONSIBILITIES AND DUTIES OF THE STANDING COMMITTEES

Section 1 – Sick Bank Committee

As outlined by the Sick Bank Membership Form

Section 2 – Collaborative Bargaining Team

CBT will deal directly with BOCES management representatives in matters related to contract negotiations. They will have the authority and duties as outlined in the ITPA contract.

Section 3 – Grievance Committee

This committee shall concern itself with all grievances of the ITPA active members and agency fee members. A grievance is any breach or alleged breach of the ITPA contract. This committee shall investigate any such complaints presented by any active member or agency fee member.

ARTICLE XV – NOMINATIONS

- A. Each active member shall be given reasonable opportunity to nominate candidates for office.
- B. Notice of the offices to be filled, the right to make nominations, and the time, place, and proper form for submission of nominations will be mailed or emailed to each active member.
- C. Nominations procedures shall be determined by the Executive Committee.
- D. Any active member in good standing is eligible for nomination for office.

ARTICLE XVI – VOTING

- A. **Quorum** – If a vote is taken at a general meeting of the ITPA, or via electronic ballot, there must be a quorum for the vote to be valid. A quorum (the minimum number of active members required to be present, including absentee ballots) is defined as one-third of all active members. An absentee ballot will be acceptable, except in the case of ITPA Officers Elections.
- B. **Passing Vote** – If a proposal is voted on at a general meeting by the ITPA, more than one-half of those active members voting (those present plus absentee ballots) must vote in favor of the proposal for it to pass. In the case of a tie, another meeting will be scheduled.
- C. **Valid Vote** – In order for an active member's vote to be valid when voting occurs at a general meeting, that active member can either vote at the meeting or through an absentee ballot, or via electronic ballot.
- D. **Absentee Ballot** – An absentee ballot may be in the form of email or a via electronic ballot.

ARTICLE XVII – ELECTION of OFFICERS

- A. Elections will be held in May, with the duly elected officers taking office July 1 of each year with the following exceptions:
 - 1. If the current negotiations are not finalized the present officer's term will end when the current contract negotiations are finalized.
 - 2. If there are no nominees for the pending vacancy the currently serving officer may be reelected by a vote of the Executive Board. The duly elected officers will take place within 30 days.
- B. If any elected position becomes open with fewer than six (6) months left in the term, the Executive Board must nominate and elect a replacement within thirty (30) days. The CBT Representative will perform the duties of the vacated Co-President until a new Co-President is elected. If there are more than six (6) months left in the term of the office, the Executive Board must arrange a special general membership election within thirty (30) days.
- C. Election shall be by secure electronic ballot
- D. A ballot will be emailed to each active member in good standing at least ten (10) days prior to the end of the election.
- E. The results of the election shall be sent to the membership and/or published on ITPA website within five (5) days.
- F. The Secretary shall preserve all election records, including ballots, for a period of one (1) year.

ARTICLE XI – CONSTITUTIONAL AMENDMENTS

An amendment to this Constitution may be proposed by either a majority vote of the Executive Board or not less than 10 percent (10%) of the active membership. A proposed amendment will be distributed via email, web, or in writing to each active member, at least five (5) days before prior to the ratification vote. A passing vote, as specified in Article XVI, of those present at the general membership meeting, or via the web, will ratify the amendment.

Ratified January 2022