Constitution and Bylaws

Effective April 28, 2018
NYSUT MISSION STATEMENT

Through a representative democratic structure, New York State United Teachers improves the professional, economic and personal lives of our members and their families, strengthens the institutions in which they work, and furthers the cause of social justice through the trade union movement.
# Table of Contents

## Constitution

<table>
<thead>
<tr>
<th>Article</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. Name</td>
<td>1</td>
</tr>
<tr>
<td>II. Objectives</td>
<td>1</td>
</tr>
<tr>
<td>III. Affiliations</td>
<td>1</td>
</tr>
<tr>
<td>IV. Locals &amp; Councils</td>
<td>1</td>
</tr>
<tr>
<td>V. Membership</td>
<td>2</td>
</tr>
<tr>
<td>VI. Dues</td>
<td>2</td>
</tr>
<tr>
<td>VII. Officers</td>
<td>3</td>
</tr>
<tr>
<td>VIII. Representative Assembly</td>
<td>4</td>
</tr>
<tr>
<td>IX. Board of Directors</td>
<td>6</td>
</tr>
<tr>
<td>X. Executive Committee</td>
<td>8</td>
</tr>
<tr>
<td>XI. Referenda</td>
<td>9</td>
</tr>
<tr>
<td>XII. Amendments</td>
<td>9</td>
</tr>
</tbody>
</table>

## Bylaws

<table>
<thead>
<tr>
<th>Bylaw</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Locals &amp; Councils</td>
<td>10</td>
</tr>
<tr>
<td>B. Membership</td>
<td>11</td>
</tr>
<tr>
<td>C. Representative Assembly</td>
<td>12</td>
</tr>
<tr>
<td>PROCEDURES</td>
<td>12</td>
</tr>
<tr>
<td>REPRESENTATION</td>
<td>12</td>
</tr>
<tr>
<td>PROCEEDINGS FOR THE REMOVAL OF OFFICERS AND AT-LARGE DIRECTORS</td>
<td>12</td>
</tr>
<tr>
<td>D. Board of Directors</td>
<td>12</td>
</tr>
<tr>
<td>E. Referenda</td>
<td>13</td>
</tr>
<tr>
<td>F. Quorum</td>
<td>13</td>
</tr>
<tr>
<td>G. Parliamentary Procedure</td>
<td>13</td>
</tr>
<tr>
<td>H. Fiscal Year, Records and Reports</td>
<td>13</td>
</tr>
<tr>
<td>I. Principal Office</td>
<td>13</td>
</tr>
<tr>
<td>J. Special Rules of Order for Representative Assembly</td>
<td>13</td>
</tr>
</tbody>
</table>
CONSTITUTION
OF THE
NEW YORK STATE
UNITED TEACHERS

ARTICLE I
NAME
This organization shall be known as the New York State United Teachers (“NYSUT”).

As the successor of the New York State Teachers Association, the United Teachers of New York State, Inc. and the NEA/NY, NYSUT may also be publicly identified as “NYSUT NEA-AFT”.

ARTICLE II
OBJECTIVES
This constitution is adopted for the following purposes:
1. To promote the best interests of schools, higher education, and health care institutions of the state and to expand and improve these facilities of the state;
2. To identify and promote practices and strategies that enhance student achievement in safe and supportive learning environments;
3. To advance the standards of professions whose members form an organizational affiliation with NYSUT;
4. To secure the conditions necessary to the greatest efficiency of our members and the institutions where they work;
5. To promote the economic, personal and occupational well-being and the welfare of our members;
6. To promote policies, programs and training that enhance participation by underrepresented minorities in organizational decision-making committees and governance bodies;
7. To promote mutual assistance and cooperation among the locals of NYSUT;
8. To promote the common aims and objectives of the American Federation of Teachers and the National Education Association;
9. To expose and fight all forms of racism and discrimination;
10. To support the principles of the American labor movement;
11. To support a free trade union movement throughout the world.

ARTICLE III
AFFILIATIONS
This organization shall affiliate with the American Federation of Teachers, those organizations mandated by the AFT’s constitution/bylaws, and the National Education Association.

ARTICLE IV
LOCALS & COUNCILS
1. Definition.
   a) The local unit, as recognized by the Board of Directors of NYSUT, shall be the group of members who hold collective bargaining rights. The Board of Directors may recognize other groups which do not hold collective bargaining rights as local units. Only one unit shall be recognized in any one employment jurisdiction, with the exception that locals not competing for the same category of membership may be recognized upon approval of the Board of Directors after consultation with the existing local unit(s).
   b) The statewide student education organization shall be recognized as a local unit.
c) NYSUT may form retiree councils. The jurisdiction and responsibilities of such councils shall be determined by the NYSUT Board of Directors.

2. Recognition.

a) Locals and councils will be required to maintain unified membership with: (1) NYSUT; (2) the American Federation of Teachers and those organizations mandated by the constitution and bylaws of the American Federation of Teachers; and (3) where eligible, the NEA.

b) Each local shall forward to NYSUT for each current member of a local which was affiliated with NYSUT as of August 31, 2006, or which became affiliated with NYSUT after September 1, 2006, not as a result of unification with NEA/NY, full per capita dues for NYSUT as specified in Article VI §1 and for AFT/NEA organization membership in accordance with the NEAFT national affiliate dues agreement and a sum equal to the per capita dues for all non-members paying an agency fee.

c) Each local shall forward to NYSUT for each current member of a local affiliated with NEA/NY on or after April 1, 2005, per capita dues for NYSUT, as specified in Article VI §1, and for AFT/NEA organization membership in accordance with the NEAFT national affiliate dues agreement, and a sum equal thereto for all non-members paying an agency fee.

d) Each local and each council constitution or bylaws shall contain a statement that the local/council will show no discrimination toward individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability or political activities and beliefs. Each such constitution or bylaws shall contain a statement that the local or council, as may be applicable, is affiliated with NYSUT, the AFT and the NEA.

e) Additional procedures and criteria for recognition of locals and councils by NYSUT are prescribed in Bylaw A adopted by the Representative Assembly and/or policies adopted by the Board of Directors.

f) The Secretary-Treasurer shall file charges against any local which does not transmit its dues and equivalent agency fee amount in a timely manner. Any local, and any member thereof for whom a local fails to transmit dues within sixty (60) days after their payment by the member or their receipt by the local through an approved dues checkoff procedure, shall be considered in bad standing.

g) The Board of Directors shall determine the penalty for any local's failure to transmit dues and/or equivalent agency fee amount in a timely manner. Such penalty may be termination of recognition or any lesser penalty the Board deems required under the circumstances.

(Reference Bylaw A )

ARTICLE V
MEMBERSHIP

Membership shall be obtained only through per capita payment by a local of the required dues amount for any category of membership. Only persons for whom the appropriate per capita dues have been paid shall be considered members of NYSUT.

There shall be the following membership categories: inservice, student, special and associate. Individuals will be required to maintain unified membership with the American Federation of Teachers, the NEA where eligible and those organizations mandated by the Constitution and Bylaws of NYSUT and the American Federation of Teachers.

No member shall be subject to discipline by NYSUT without due process.

(Reference Bylaw B )

ARTICLE VI
DUES

1. The dues for inservice members on a monthly basis shall be the following, plus the current AFT/NEA per capita for
inservice membership in accordance with
the NEAFT national affiliate dues
agreement. Equivalent agency fee amounts
should be collected on the same schedule.

* Locals paid on a 10-month basis shall
follow the 10-month salary schedule.
Locals paid on a 12-month basis may follow
the 12-month salary schedule. Unless
otherwise specified, all dues changes
commence on September 1.

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<tr>
<th>Locals on</th>
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<th>10 - Month Schedule</th>
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<td>to $8,499</td>
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| $34,000 up | 37.80

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<td>$25,600 to $33,999</td>
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| $34,000 up | 31.50

2. Dues for Retired Members, Employees on
Unpaid Leave, Laid-off Employees, NYSUT
Staff, and Students shall be determined by
the Board of Directors with the approval of
the Representative Assembly.

3. All locals of NYSUT are obligated to
transmit per capita dues and equivalent
agency fee amount to NYSUT as long as
NYSUT is obligated to pay the dues and
equivalent agency fee amount to any national
affiliate.

4. At-large members and affiliated locals
within units where the bargaining rights
have been won by other member
organizations and where such other
organizations have obtained an agency shop
clause in the contract, shall pay per capita at
one-fourth the regular rate whenever those
at-large members of a local's members are
required to pay agency fees to another
organization.

5. The Board of Directors may set alternative
dues and service structures which can be
used for unique constituency groups which
are organized by the union. Such structures
may be reviewed at the following
Representative Assembly.

ARTICLE VII
OFFICERS

1. The officers of NYSUT shall be a President,
Executive Vice President, Second Vice
President and a Secretary-Treasurer. They
shall be eligible, at the discretion of the
Board of Directors, to serve NYSUT on a
full-time basis.

2. Eligibility.
To be eligible to seek or hold office, the
individual must have been a member in
good standing of NYSUT or NEA/NY for at
least two (2) years preceding the final date
for nominations.

No person shall be a candidate for more
than one NYSUT elective position at any
Representative Assembly.

3. Duties of the President.
The President shall:

a) be the chief executive officer of
NYSUT. It shall be her/his duty to
administer all of the affairs of NYSUT
and to execute policies of the
organization as determined by the
Representative Assembly and the Board
of Directors.

b) preside at all meetings of the
Representative Assembly, the Board of
Directors and the Executive Committee.

c) act as chief spokesperson for NYSUT.

d) represent NYSUT at conventions of
organizations with which it is affiliated.

e) appoint and establish the functions and
duties of all committees with the
approval of the Board of Directors.

f) call regular and special meetings of the
Board of Directors and the Executive
Committee.

g) call special meetings of the Repre-
sentative Assembly upon the written
petition of one-fifth (1/5) of the total
number of the Representative Assembly
registered at the last convention, or by
the majority vote of the Board of Directors.

h) appoint special assistants, with the approval of the Executive Committee, who will serve at her/his pleasure, manage her/his office, speak for and represent her/him, and who, if at time of appointment are inservice members of NYSUT, shall retain all rights pertaining thereto. Such appointments shall be limited to budgetary provisions for such employees. The special assistants shall continue to perform the same duties, as specified above, whenever an officer is serving in the President’s absence.

i) provide for special elections to fill any vacancies in the position of Directors representing Election Districts. Or, when a significant need for additional representation on the Board of Directors arises between elections, the President, with the approval of a two-thirds vote of the Board of Directors, may add up to two (2) temporary seats to the Board of Directors until the next convention. (Reference Article IX. 7. q.)

j) shall assign duties to the vice presidents.

k) fulfill such other duties as her/his office requires and as are consistent with this Constitution.

4. Duties of the Vice Presidents.
The duties of the Vice Presidents, in order of rank as follows: Executive Vice President, Second Vice President, shall be to assume the duties and responsibilities of the President in her/his absence and to perform such other duties as the President may designate.

5. Duties of the Secretary-Treasurer.
The duties of the Secretary-Treasurer shall be those usual to that office and to perform such other duties as may be required by the President or the Board of Directors.

Candidates for officer positions shall be nominated pursuant to a schedule and procedures established by the Board of Directors.

7. Elections.
Officers shall be elected on a roll call vote by a majority of the ballots cast at a Representative Assembly.

8. Terms of Office.
Duly elected officers shall serve a three (3) year term commencing at the end of the annual Representative Assembly at which they are elected and shall serve until the conclusion of the third Representative Assembly after which they assume office.

ARTICLE VIII
REPRESENTATIVE ASSEMBLY

a) The Assembly shall meet at least once annually at a time and place determined by the Board of Directors and at such other times as prescribed in this Constitution.

b) An exact record of the proceedings shall be made and shall be maintained at the headquarters of NYSUT.

c) On all roll call votes in the annual Assembly, each local represented shall be entitled to a number of votes equal to the membership as defined in Article VIII, §3(b). In the election of officers and directors, all voting shall be by roll call vote and each local represented shall be entitled to the number of votes equal to the membership as defined in Article VIII, §3(b). When a delegate leaves the Assembly, her/his place in the Assembly may be taken by an alternate, if any has been certified as provided in Article VIII, §2(a), and in the order as listed. No other transfer or substitution of voting rights shall be allowed.

d) The Representative Assembly will conduct all elections and roll-call votes by democratic processes that ensure that every member is represented; that preserve the individual integrity of every delegate’s vote; and that hold delegates accountable to members. In NYSUT officer elections, the
342 governing bodies of local affiliates may
direct whether their delegates will vote
by secret ballot.

e) Each local or retiree council delegation
shall designate the Chair of its
degregation.

(Reference Bylaw C.1)

f) The NYSUT Elections Committee shall
have the authority to resolve any and all
issues or disputes involving any
election. In initially presenting an issue
or dispute to the Elections Committee
for a ruling, the complaining party(ies)
shall promptly do so in writing. That
written submission shall: (a) specify all
of the provisions of the NYSUT
Constitution and Bylaws and each
provision of the Campaign and Election
Procedures which are claimed to be
violated, and (b) the facts supporting
each such violation. The decision from
the Elections Committee, responding to
the complaint, shall be in writing. Any
person aggrieved from a decision of the
NYSUT Elections Committee who
wishes to appeal the determination of
the NYSUT Elections Committee must
file, in writing, an appeal, within thirty
(30) days (absent a showing of
extenuating circumstances which shall
be set forth in the written appeal) from
the date the decision of the Elections
Committee is received, to the American
Federation of Teachers (“AFT”) (American Federation of Teachers,
Attn. Office of the Secretary-Treasurer,
555 New Jersey Ave. N.W.,
Washington, DC 20001) for processing
and determination in accordance with
the applicable procedures outlined in
Article VI, Section 14 of the
Constitution and Bylaws of the AFT. If
no appeal is filed from the ruling of the
NYSUT Elections Committee, or if an
appeal is filed in an untimely fashion,
the determination of the NYSUT
Elections Committee shall be deemed
final.

349 a) all duly registered representatives and
alternates registered in the absence of
local representatives.

b) elected officers and members of the
Board of Directors of NYSUT, the
NYSUT Executive Director, and
teacher members of the New York City
and State Teacher Retirement Boards
who are members of NYSUT.

c) representatives elected by retiree
councils, student NYSUT and such
other units as the Board of Directors
may recognize.

d) representatives elected by councils of
locals as recognized by the NYSUT
Board of Directors.

e) attendees of the NYSUT
Representative Assembly who are not
the elected officers of NYSUT, the
elected members of the NYSUT Board
of Directors, or the elected
representatives, as they are described in
subdivisions (a), (c) and (d), will hold
no voting privileges at the
Representative Assembly.

3. **Representation.**

a) Representatives to the Representative
Assembly shall be assigned to locals on
a one-member/one-vote basis.

b) Representation shall be based on the
number of inservice members for
whom a local has paid dues or an
agency fee at a minimum of one-eighth
dues level. Entitlement for locals is
based on the average number of
inservice members during the previous
12-month period.

c) The conduct of elections for delegates
and alternates to the Representative
Assembly shall be consistent with the
standards for elections developed under
Title IV of the Labor-Management
Reporting and Disclosure Act
(LMRDA) (“Landrum-Griffin”).
Representatives and/or alternates to the
Representative Assembly shall be
elected by a secret ballot vote by the
members in good standing of the local
unit. In no case shall either a
representative or alternate be appointed.
Members in good standing of each
local or retiree council must be given
suitable opportunity to nominate
candidates for the office of repre-
sentative and/or alternate. Any
candidate must be a member in good
standing at the time of nomination.

Notice of the offices to be filled, the
right to make nominations, and the
time, place and proper form for the
submission of nominations must be sent
to members at their last known home
address or be given a prominent place
in the local publication and on bulletin
boards. Written notice announcing the
time and place of election of
representatives and/or alternates must
be mailed to all members at their last
known home address at least fifteen
(15) days prior to the election. Notice
of nominations and of the election may
be combined in one notice.

Each local or retiree council must send
delivery service to the headquarters a
certified list of all elected
representatives and alternates not later
than forty-five (45) days prior to the
opening date of the Representative
Assembly. Only persons reported on
such lists will be eligible for
credentials.

Representatives from retiree councils,
student NYSUT, councils of locals, and
other special units shall be elected by
secret ballot in a manner consistent in
proportions to be deter-
mined by the
Board of Directors. Such
representatives shall be entitled to all
rights and privileges of a delegate.

Representatives and alternates must be
members in good standing of NYSUT
in order to maintain delegate status.

Powers and Duties.

Except for matters decided by refer-
endum, final authority in the
organization shall rest in the
Representative Assembly. A matter
decided by referendum may not be
taken up again at a Representative
Assembly before two years have elapsed.


The Board will meet at least four (4)
times each year, and when called (i) by
petition of one-half of its members, or
(ii) by a two-thirds vote of the
Executive Committee.

In the event of unforeseen
circumstances (e.g. Act of God,
iclement weather, etc.) any of the four
annual meetings of the Board of
Directors may be conducted through
electronic means by a two-thirds vote
of the Board of Directors.
c) Special meetings of the Board of Directors may be called to address matters where time is of the essence, and conducted through electronic means: (i) at the request of the President and by a two-thirds vote of the Board of Directors, or (ii) by petition of two-thirds of the members of the Board of Directors. Special meetings of the Board of Directors shall be in addition to the minimum four (4) regular meetings per year.

d) Special rules of order consistent with democratic principles will be formulated for conducting electronic meetings.

e) In addition to the minutes, an exact record of the proceedings shall be made and shall be maintained at the headquarters of NYSUT.

f) The Board of Directors by a vote of one-third of its members may elect to cast its votes according to the following procedure:

i) Each director E.D.'s 1 through 46 shall cast votes equal to the active equivalent membership for her/his E.D.

ii) Each director from E.D.'s 51 through 53 shall cast votes equal to the delegate entitlement of retiree councils represented in his/her election district.

iii) Each director at-large shall cast votes equal to the total active equivalent membership divided by the number of districts.

iv) Each officer shall cast votes equal to the active equivalent membership divided by the number of districts.

v) The active equivalent membership used to determine all weighted votes will be that membership used to determine delegate representation at the previous Representative Assembly.

2. Composition.

a) One (1) Director from each of the established geographic Election Districts.

b) One (1) Director at-large from each established cluster of two or more geographic Election Districts.

c) Elected officers of NYSUT.

d) One Director for each of the established Election Districts for public and private institutions of higher education, and one Director from the established Election District comprising community colleges.

e) One Director for each of the established Election Districts from the private elementary/secondary membership in New York State.

f) One Director for each of the established Election Districts from the non-school district employee membership in New York State.

g) One Director at-large from each established clustered Election District under subsections (d)-(f).

h) One Director from each established retiree election district.

i) Directors at-large, the number to be determined by the Board of Directors, for statewide constituency groups.

j) The Executive Director shall be an ex-officio member of the Board.

k) If not otherwise elected to a seat on the NYSUT Board of Directors, the senior NEA Director shall serve as an ex officio member of the NYSUT Board of Directors.

l) An AFT Vice-President who is not otherwise elected to a seat on the NYSUT Board of Directors, shall, upon the recommendation of the President, serve as an ex officio member of the NYSUT Board of Directors.

m) Ex officio members of the NYSUT Board of Directors shall serve without voting privileges.

3. Nominations.

Candidates for all Director positions shall be nominated pursuant to a schedule and procedures as previously established by the Board of Directors.
4. **Elections.**

a) Directors representing Election Districts shall be elected on a roll call vote by a majority of ballots cast by the representatives from their respective constituencies seated at the Representative Assembly.

b) In the event of a vacancy in the position of Election District Director, the President shall call a special election to elect a successor who shall serve for the remainder of the unexpired term. NYSUT members who were reported as the elected delegates to the most recently conducted Representative Assembly shall be eligible to vote in the election; a reported elected alternate to the most recently conducted Representative Assembly may vote in the absence of a delegate from the same local or council.

c) Directors at-large shall be elected on a roll call vote by a majority of the ballots cast by the Representative Assembly.

5. **Terms of Office.**

a) All Directors shall serve three (3) year terms commencing with the conclusion of the Assembly at which they are elected, and shall be elected concurrently with the NYSUT officers. Membership in good standing of NYSUT shall be a requisite for holding any elected office.

6. **Powers and Duties.**

The Board shall:

a) adopt an agenda for each meeting.

b) determine the time and place of the annual meeting of the Representative Assembly.

c) recommend an Order of Business and Rules of Procedure to the Representative Assembly.

d) recommend a legislative program to the Representative Assembly.

e) establish and adjust geographic director districts in accordance with the concept of one-member/one-vote and to cluster contiguous and non-geographic districts. (Reference Bylaw D)

f) establish the number of directors at-large for statewide constituency groups.

g) appoint an Executive Director.

h) define the duties of the Executive Director.

i) act upon management appointments as recommended by the President.

j) define employee units, recognize appropriate bargaining organization(s) and enter into written bargaining agreements with recognized employee organization(s).

k) implement policies established by the Representative Assembly.

l) establish NYSUT policy between Representative Assemblies.

m) approve an annual budget.

n) act upon extraordinary expenditures which require modification of the budget.

o) fill all officer and director at-large vacancies as may occur.

p) interpret the Constitution.

q) approve, by a two-thirds vote, the recommendation of the President to add up to two (2) temporary seats to the Board of Directors until the next convention when a significant need for additional representation on the Board of Directors arises between elections. (Reference Article VII. 3. i.)

**ARTICLE X**

**EXECUTIVE COMMITTEE**

1. **Procedures.**

The Executive Committee shall meet monthly during the school year and at other times as called (i) by the President or (ii) by petition of one-half of its members.

2. **Composition.**

a) Officers of NYSUT.

b) Fifteen members who shall be elected by and from the Board of Directors.
The Executive Director shall be an ex-officio member of the Committee, without voting privileges.

3. **Powers and Duties.**

   a) Employ an Executive Director and other managerial personnel with the approval of the Board of Directors.

   b) Prepare and make recommendations to the Board of Directors on policy matters for its consideration.

   c) Act on policy matters in place of the Board of Directors under emergency conditions.

4. **Elections and Terms of Office.**

   a) Director members of the Executive Committee shall be elected by a majority vote of the Board of Directors.

   b) Their terms of office on the Executive Committee shall be coterminous with their term of office as a Director.

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**ARTICLE XI**

**REFERENDA**

1. The highest level of governance in NYSUT shall be the referendum of the entire membership. Positions or policies established by referendum shall not be subject to reversal or modification by any NYSUT governing body or by a subsequent referendum for a period of at least two (2) years.

2. A referendum shall be held by

   a) order of a majority of the Representative Assembly, or

   b) order of a majority of the Board of Directors, or

   c) petition of at least ten (10) percent of the inservice members drawn from no fewer than twenty-five (25) locals.

3. Matters not subject to referendum are

   a) employment, assignment, promotion, discharge or compensation of staff.

   b) dues of NYSUT, NEA or AFT.

   c) amendment and/or interpretation of the constitution and bylaws.

   d) programs requiring a budgetary expenditure of funds.

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e) powers specifically assigned to other bodies by this Constitution.  
(Reference Bylaw E )

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**ARTICLE XII**

**AMENDMENTS**

1. An amendment to the Constitution or Bylaws may be proposed by (i) the Board of Directors or (ii) no fewer than one hundred (100) members drawn from at least five (5) Election Districts.

2. In order to be considered for adoption, a proposed amendment to the Constitution or Bylaws shall be submitted in writing to the Board of Directors at least sixty (60) days prior to the Representative Assembly at which it is to be considered.

3. A proposed amendment to the Constitution or Bylaws shall be published in an official publication of NYSUT at least thirty (30) days prior to the Representative Assembly at which it is to be considered.

4. Copies of a proposed amendment to the Constitution or Bylaws to be acted upon shall be available for each member of the Representative Assembly at least three (3) hours prior to vote upon the amendment.

5. This Constitution may be amended by a two-thirds vote and Bylaws by a simple majority vote of the members of the Representative Assembly present and voting, provided that an affirmative vote shall represent at least a majority of the registered members of the Representative Assembly.

6. In adopting any amendments to this Constitution or Bylaws, the Representative Assembly shall be deemed to have authorized the officers to take such legal or technical actions as may be necessary to make the required changes in this Constitution or Bylaws.
BYLAWS
OF THE
NEW YORK STATE
UNITED TEACHERS

A. LOCALS & COUNCILS

(Reference Article IV)

1. Recognition.

a) Locals and councils must submit their constitution or bylaws to the Board of Directors. Such documents shall contain provision for the election of officers, the composition and election of an executive committee, the election of representatives to the Representative Assembly of NYSUT, the AFT and NEA Conventions, amount of dues and protection of the rights of their members and procedures for amending their constitution or bylaws. Each local and council shall further contain a statement that the local or council will show no discrimination toward individuals on the basis of sex, religion, color, race, marital status, sexual orientation, gender identity, national or ethnic origin, age, disability, or political activities and beliefs.

b) Each such constitution or bylaws shall contain a statement that the local or council, as may be applicable, shall be affiliated with NYSUT, the AFT and the NEA.

c) Each local and council shall annually conduct a financial audit which shall be presented to both the local or council governing body and the members.

d) All local and council officers shall be elected with open nominations and by secret ballot. The principle of one-person, one-vote shall apply to all local/council elections. Generally recognized procedures for conducting a democratic election shall apply to such elections. Advanced notification of all qualifications for elected office shall be provided to the membership. No union funds or employer funds shall be utilized in any local election. A local or council may expend funds provided such expenditure is consistent with the standards applicable to a union election which is subject to and governed by Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA) (“Landrum-Griffin”).

e) NYSUT may periodically solicit from a local or council sufficient information to enable NYSUT to verify a local’s or council’s compliance with the requirements of this Bylaw A.

f) Locals and councils must annually submit to the Board of Directors notification of elected leadership and copies of all materials filed in compliance with law.

g) Following notice to the local, the filing of written charges and a hearing at which the local shall have the right to be represented before the Board, recognition of a local may be denied or terminated for cause by a two-thirds vote of the Board of Directors. Except in the case of non-payment of dues or equivalent agency fee amount, the local shall have the right to appeal the decision of the Board of Directors to the next subsequent Representative Assembly. In no event shall any local be placed in receivership or trusteeship by NYSUT.
B. MEMBERSHIP
(Reference Article V)

1. Inservice.

Inservice membership in NYSUT shall be open to any person, except chief school administrators, who engages in the practice of teaching, health care, or who performs other duties in New York State school districts or other public or private institutions and, further, who is a member in good standing of the AFT, the NEA (where eligible), and a NYSUT recognized local for which he/she is eligible.

Inservice membership shall also be open to any person employed in a school related professional (“SRP”) / educational support professional (“ESP”) position. This shall include but not be limited to those SRPs/ESPs employed as teaching assistants, teacher aides, classroom monitors, secretaries, office clerks, public library workers, all school bus drivers, and those employed in food service, custodial, maintenance and transportation positions.

Inservice membership shall be available only through a NYSUT recognized local, if one exists.

2. Student.

Student membership shall be open to any person preparing for the education or health care profession in any duly accredited higher education institution in New York State and, further, who is a member in good standing of the local student education organization for which he is eligible. Such membership shall be available only through said local if one exists.

3. Special Membership.

a) Through Recognized Locals.

Locals may establish special categories of members which may consist of part-time employees, per diem substitute employees, retirees who were inservice members of the local, and employees on unpaid leave, laid off employees previously employed in the employment jurisdiction not currently working and who are on a preferred recall list or any other employee who is eligible for membership whose salary is less than the basic teacher's salary.

b) Through Recognized Councils.

i) Retirees who are entitled to prepaid lifetime NYSUT and AFT membership and who are not entitled to membership in their prior local will be members through their active election district council.

ii) Retirees who were members of TRIF (Teacher Retirees in Florida) prior to September 1, 1991, need not rejoin their former locals or election district council.

iii) The Board of Directors may develop a plan to permit retirees who permanently and significantly relocate to change their council membership. Such change shall not include a change of local.

iv) Members who were retired members of locals prior to September 1, 1991 must maintain local membership.

v) Individuals who have purchased NEA/NY Life Retired Membership prior to September 1, 2006 will be entitled to full rights of participation as retired members in NYSUT.

c) Independent - This Category is open to NYSUT Staff.

4. Associate Membership.

a) Individual.

In jurisdictions where there is no local, employees may be admitted as associate NYSUT members without NYSUT voting rights but with rights to participate in benefit programs such as insurance, travel, and discount buying programs. The dues for associate NYSUT members shall be determined by the NYSUT Board of Directors.

b) Unique Constituency Groups.

Unique Constituency Groups, which are not locals, shall be afforded for their members and provided specific
services and benefits as determined by the Board of Directors. Such membership will not include voting rights.

5. Due Process
Following notice to the member, the filing of written charges and a hearing at which the member shall have the right to be represented before the Board or an appointed committee thereof, membership in NYSUT may be denied, suspended or terminated for cause by a two-thirds vote of the Board of Directors. Except in the case of non-payment of dues, the member shall have the right to appeal the decision of the Board of Directors to the next subsequent Representative Assembly.

C. REPRESENTATIVE ASSEMBLY

1. Procedures.
(Reference Article VIII.1)

a) A parliamentarian appointed by the President, shall be in attendance at all sessions of the Assembly.

b) The votes of a local or retiree council shall be divided evenly among the delegates present at the time of voting. Votes shall be evenly divided to four (4) decimal positions by the Elections Committee at the time of tabulation. Election results will be reported by rounding the results to zero decimal positions.

c) Except as otherwise provided for in this Constitution, roll call votes on any matter before the Assembly shall be ordered by at least a one-third vote of the representatives present supporting such roll call vote.

2. Representation.
(Reference Article VIII.3)

a) Locals shall receive one representative per one hundred (100) members or major fraction thereof; but any local with fewer than fifty-one (51) members will be entitled to one (1) representative.

b) The number of representatives shall be based on a twelve (12) month membership period ending no more than ninety (90) or less than ten (10) days prior to the Representative Assembly – the exact date to be determined by the Board of Directors.

c) Each established Retiree Council shall be entitled to three (3) delegates.

d) Each candidate for representative or alternate must be permitted to have as many observers as necessary at the polls and the counting of the ballots. The results of the election must be published and all election records, including ballots, must be preserved for a period of one (1) year by the election officials designated in the local unit's constitution and bylaws or by the secretary of such local unit if no other official is designated.

(Reference Article VIII.4i)

a) In any meeting of the Representative Assembly called for considering the removal of an officer or at-large Director, such officer or at-large Director shall have the right to be heard or represented on her/his own behalf following timely notice of said meeting.

D. BOARD OF DIRECTORS
(Reference Article IX.6e)

1. Powers and Duties.

a) No local shall be assigned to more than one election district without its consent. Where a local is entitled to more than one director, its directors shall be elected by representatives and from election districts established within that local. When redistricting is requested, consultation will take place between the local(s) involved and the Redistricting
E. REFERENDA
(Reference Article XI)

1. Procedures for a referendum shall be:
   
a) After receipt of order or request for referendum, it shall be the duty of the
   President to transmit the question to be voted on to the locals within two (2)
   weeks of its receipt by him/her. Following this, there shall be a period
   of six (6) weeks during which the proponents and opponents shall be
   given the opportunity to debate the issue through the regular channels of
   NYSUT, at the end of which time the
   President shall send to the individual
   members of all locals in good standing
   ballots upon which the members shall
   cast their votes and shall also send to
   members at-large ballots upon which
   members at-large shall also cast their
   votes.

   b) The President shall rent a postal deposit
   box. The individual members shall
   mail their ballots to the postal box. The
   closing date of the referendum shall be
   thirty (30) days from the date ballots
   are mailed from the NYSUT office. At
   the end of thirty (30) days, the
   President, or her/his representative,
   accompanied by at least two (2)
   representatives of each side of the issue
   on the ballot, shall remove the ballots
   and cause them to be counted. Ballots
   received after the opening of the postal
   box shall not be counted. In the alter-
   native, the President, with the consent
   of the Board of Directors, may engage
   an independent agency to conduct the
   ballots and to count the votes.

   c) The President shall notify the locals of
   the results of the referendum no later
   than two weeks following the receipt of
   the count. He/she shall also publish the
   results in an official publication of
   NYSUT.

F. QUORUM

For the purpose of the Representative
Assembly, a quorum shall be defined as one
more than one-half of the registered
attendees. For meetings of the Executive
Committee and Board of Directors, a
quorum shall be defined as one more than
half of the total members of such bodies.

G. PARLIAMENTARY
PROCEDURE

Meetings of all duly constituted bodies of
this organization shall be governed by the most
recent edition of Robert's Rules of Order, Newly
Revised, except as otherwise provided in this
Constitution or Bylaws.

H. FISCAL YEAR,
RECORDS AND REPORTS

1. The fiscal year of this organization shall
begin September 1 and end August 31.
2. NYSUT shall maintain all records and
reports required by law.

I. PRINCIPAL OFFICE

The principal office of this organization
shall be located in the City of Albany, New York,
or its environs.

J. SPECIAL RULES OF
ORDER FOR
REPRESENTATIVE
ASSEMBLY

Roll call procedures at a Representative
Assembly shall be as follows:

1. When a roll call vote has been ordered, the
   presiding officer shall at once call for the
   next item on the agenda, action on the
   pending motion being automatically post-
   poned pending the tabulation of the results
   of the roll call vote. No debate, amendment,
   or other motion affecting the question on
   which the roll call vote was ordered may be
   made after a roll call has been ordered.
2. The ballots shall be distributed to the ranking delegates of each delegation under the direction of the presiding officer of the Credentials Committee. (These ballots shall be prepared by the President or her/his designee.)

3. Each delegate voting shall enter on her/his ballot how she/he is voting and sign the ballot, and this record shall be included in the Convention proceedings.

4. The ranking delegate will collect the ballots from the delegates of her/his local or retiree council and return them to the Credentials Committee. No vote shall be accepted later than 1½ hours from the time voting commences unless the Credentials Committee extends the time due to extenuating circumstances.

5. The results of the roll call shall be reported by the Chair of the Convention or her/his designee from the Credentials Committee to the assembly immediately upon completion of the tabulation according to the following procedure:

   a) The total vote shall be read.

   b) If any five delegates request it, the vote by local shall be read.

   c) If any delegate challenges the vote of her/his local or retiree council, the roll of delegates from that local or retiree council shall be read, and each delegate shall rise as her/his name is called, and announce her/his vote.

   d) The report on the roll call shall then be revised to agree with the oral vote just taken.

   e) A copy of the roll call vote shall be posted showing the vote of each delegate, and shall remain posted until the end of the Assembly.]
NYSUT ELECTED LEADERSHIP

OFFICERS

Andrew Pallotta, President*
Jolene T. DiBranco, Executive Vice President*
J. Philipe Abraham, First Vice President and Secretary-Treasurer*
Paul Pecorale, Second Vice President and Acting Executive Director*

AT-LARGE DIRECTORS

Shelvy Young Abrams* (SRP) Richard Gallant Deborah Paulin (SRP)
Kevin Ahern Anne Goldman (Health Care) Debra Penny
Karen Arthmann Janella Hinds Patricia Puleo*
Carmen Alvarez Scaglione Raymond Hodges Stephen Rechner (Pvt. Hi Ed)
Barbara Bowen* Cheryl Hughes Angie Rivera
Thomas Brown Frederick Kowal* Sterling Roberson
Joseph Cantafio* John Kozlowski Andrew Sako* (Community Colleges)
Sandra Carner-Shafran* (SRP) Pamela Malone Howard Schoor
Donald Carlismo* Florence McCue Ronald Verderber
Selina Durio Maria Pacheco Wayne White
Michael Fabricant (Higher Ed.)

ELECTION DISTRICT DIRECTORS

1 Peter Stuhlmiller 17 Tomia Smith 33 Paul Egan
2 Michelle Licht 18 Barbara Hafner* 34 Richard Mantell
3 Joseph Najuch 19 Christine Vasilev 35 LeRoy Barr*
4 Eric Talbot 20 John Mansfield 37 Iris DeLutro
5 Adam Urbanski* 21 Kevin Coyne 38 Steven London
6 Andrew Jordan 22 Nancy Sanders 39 Kevin Peterman
7 Michael Emmi 23 Laura Spencer 40 Jamie Dangler
8 David Derouchie 24 Karen Alford 41 Rowena Blackman-Stroud
9 Jeanette Stapley 25 Dwayne Clark 42 Thomas Tucker
10 Anthony McCann 26 Evelyn DeJesus* 44 Philip Rumore*
11 Joseph Herringshaw 27 Amy Arundell 45 Paul Davis
12 Stacey Caruso-Sharpe 28 Arthur Pepper 46 Matthew Hill*
13 Kathleen Taylor 29 Mary Atkinson 51 Loretta Donlon
14 Sparrow Tobin 30 Anthony Harmon 52 Rosemary Catanzariti
15 Sean Kennedy 31 Michael Mulgrew* 53 Thomas Murphy
16 Jeffrey Yonkers 32 Elizabeth Perez

Honorary Members of NYSUT Board of Directors
Thomas Y. Hobart, Jr., President Emeritus, Alan B. Lubin, Executive Vice President Emeritus, and
Antonia Cortese, Board Member Emerita

NEA Board Members - NYSUT Board of Directors
Andy Sako – Senior NEA Board Member; Serena Kotch – Interim NEA Board Member
Sue Raichilson – Alternate NEA Board Member

*The NYSUT Executive Committee includes all those indicated by an asterisk.

Current as of March, 2018
Constitutional Amendments may be proposed by the Board of Directors or by a petition of 100 members drawn from at least 5 election districts.

Representative Assembly elects officers, at-large Directors of NYSUT, and State Federation Delegates to the American Federation of Teachers Convention and Directors to the NEA Board of Directors.

General Membership

Local Affiliates
Elect delegates, propose resolutions.

Representative Assembly
Adopts constitutional and bylaw amendments and resolutions.

Board of Directors
Adopts budget, submits constitutional/bylaw amendments and implements actions of Representative Assembly. Refers matters to committee for recommendations.

Executive Committee
Composed of 4 officers, 15 members elected by and from the Board of Directors, and the Executive Director (ex-officio).

Officers
Andrew Pallotta
President
Jolene T. DiBrango
Executive Vice President
Paul Pecorale
Second Vice President
J. Philippe Abraham,
Secretary-Treasurer

Election Districts
Delegates in each E.D. and Retiree Council elect members to the Board of Directors.

Committees and Task Forces appointed by President with approval of the Board of Directors.

Highest Level of Governance: Membership Referendum.
NYSUT Officers

Andrew Pallotta
President

Jolene T. DiBrango
Executive Vice President

Paul Pecorale
Second Vice President

J. Philippe Abraham
Secretary-Treasurer

Representing more than 600,000 professionals in education, human services and health care

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New York State United Teachers
Affiliated with AFT • NEA • AFL-CIO