

# MCCC MODEL CHAPTER BYLAWS



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## INTRODUCTION

Chapters must have bylaws under which they operate. On January 25, 2002 the MCCC Board of Directors established model chapter bylaws to assist those chapters who either did not have bylaws or could not find them, which amounts to the same thing. These bylaws were also established as a model for chapter bylaws. Further, the MCCC Board created a policy that, where a chapter's bylaws are silent, and where these bylaws do address the issue, these model bylaws are the governing policy.

At its June 17, 2011 meeting, the Board updated these model bylaws.

Philip Mahler  
Treasurer / Webmaster  
August 24, 2011

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## MCCC POLICY

### CHAPTER BYLAWS

Chapter Bylaws must be in compliance with MCCC Bylaws. The Board of Directors will take all necessary steps to insure compliance.

MCCC model bylaws serve as enforceable chapter bylaws until such time as a chapter establishes bylaws. The model bylaws will serve for all purposes not addressed by a chapter's bylaws.

Chapters will maintain an electronic of their most recent chapter-approved bylaws on file in the MCCC office. These Chapter Bylaws will be submitted annually with the chapter's annual financial report. If the chapter does not have bylaws, it shall submit a statement to that effect.

The MCCC Model Chapter Bylaws will be reviewed on an annual basis by the MCCC Bylaws Committee.

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# MODEL CHAPTER BYLAWS

May, 2011

## 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 implement DCE MCCC policies
- F. 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 full or part-time work of a professional nature in the field of education, who are in the bargaining unit, and who are members of the MCCC.
- B. 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 unit member shall have one (1) vote, regardless of work load.
- B. Any member may hold office unless specifically restricted by the MCCC or chapter policies.

## ARTICLE IV OFFICERS, MCCC DIRECTOR, OTHER OFFICERS, AND CHAPTER APPOINTEES

### 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 1 of the year in which regular elections are held and shall serve for a period of one (1) year until May 31. Chapter bylaws may specify that officers serve for a period of two years.
- C. Officers may stand for re-election.
- D. Election of officers shall take place in April or May.

### 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) represent the chapter as a delegate to the MCCC Delegate Assembly.
- 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) represent the chapter as a delegate to the MCCC Delegate Assembly.

- 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) 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 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) 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 1 of the year in which regular elections are held and shall serve-until May 31.
- D. The Director shall do the following:
  - 1. Chapter Representation
    - a) Attend Board meetings and, where absence is unavoidable, provide advance notice to the MCCC President of a chapter alternate.
    - b) Notify chapter membership of Board activities, and where feasible, solicit member input prior to Board action.
    - c) Where feasible, regularly attend chapter meetings inclusive of Executive, MACER, and membership meetings.
    - d) Maintain close communications with the chapter president.
  - 2. MCCC Representation
    - a) Represent the chapter as a delegate to the MCCC Delegate Assembly.
    - b) Participate in the annual MCCC Fall Conference
    - c) Communicate MCCC positions/concerns to local College administration in conjunction with chapter leadership, the Massachusetts Legislature, and any other institution as deemed appropriate by the MCCC
    - d) Assist the Chapter in compliance with MCCC mandates (i.e. submission of annual Financial and Incorporation Reports)

#### 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 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 active members constituting twenty percent of the full time equivalent of active chapter membership 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. a recommendation on the recall to the membership.
  - 3) The recall ballot shall ask for a yes or a no vote to the question: “Shall ----- be removed from
  - 4) 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 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, Section 4 for filling a vacancy shall apply.

## SECTION 7 OTHER OFFICERS AND CHAPTER APPOINTEES

- A. The chapter may create positions, and appoint or elect chapter members to those positions, to help fulfill its and the MCCC's goals and objectives.
- B. Appointments are made by the chapter executive committee.
- C. The terms of office and appointments are for one (1) or two (2) years.

# ARTICLE V EXECUTIVE COMMITTEE

## SECTION 1 MEMBERS

- A. The Executive Committee shall be composed of the officers, the MCCC Director, ~~and~~ two members at large, one (1) of whom shall be a day unit member and one (1) a Division of Continuing Education unit member.
- B. At large members shall serve a one (~~1~~)-year term of office (two (2) years if stipulated in chapter bylaws) 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 do the following:

- 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.

# 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 30.
- 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 30.
  - 3) This committee shall have the authority and responsibility to:
    - a) adhere to MCCC chapter election policies (See *Policy Manual - Elections*)
    - b) place in nomination candidates for office who have submitted a formal application;
    - c) publish the names of those candidates for elective office no later than five (5) working days preceding the date of the election;
    - d) prepare ballots, supervise the conduct of elections, and certify the results;
    - e) 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 appoints, subject to the approval of the Executive Committee, the chair and members of ad hoc committees.

#### SECTION 4 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 except MACER chooses a secretary who records 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 Executive Committee member may request additional meetings.

#### SECTION 2 MEMBERSHIP MEETINGS

Membership meetings will be held at least twice per semester. An agenda shall be prepared and distributed for each meeting.

#### SECTION 3 SPECIAL MEETINGS

Special meetings may be held (a) at the call of the President, (b) by a majority of the Executive Committee, or (c) by petition of 10 percent of the full-time equivalent 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 percent of the full-time equivalent of the members of the Association.

### ARTICLE VIII PARLIAMENTARY AUTHORITY

*Robert's Rules of Order, Newly Revised* shall govern the proceedings of the chapter.

## 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 providing the notice requirement has been met.

### 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 IV            OFFICERS, MCCC DIRECTOR, AND CHAPTER APPOINTEES**

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:

Day and DCE MACER are contractual rather than organizational structures; therefore, their responsibilities and composition are determined through collective bargaining and administration of the agreements. As such, neither MACER should 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.

*Approved by the Board of Directors in June 2011*