

**CONSTITUTION  
OF THE  
HERRICKS TEACHERS'  
ASSOCIATION  
NYSUT, AFT, AFL-CIO  
LOCAL NO. 2723  
NEW HYDE PARK, N.Y.  
11040  
REVISED 2001, 2025  
Amended 2004, 2011, 2016 and  
2025**

**Herricks Teachers' Association**  
AV/Computer Technicians- Bus Drivers- Cleaners  
Clerical Staff- Custodial- Grounds Crew  
Instructional Aides- Maintenance Staff- Monitors  
Nurses- Secretaries- Teachers- Teaching Assistants  
Technicians- Therapists- Transportation Staff



Working together for our students  
and with our community

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**Article I- Name**

The name of this organization will be the Herricks Teachers' Association.

**Article II- Purposes**

- Section 1. To represent the clerical staff, secretaries, teachers' aides, monitors, custodians, cleaners, maintenance staff, grounds crew, laborers, AV and computer technicians, automotive servicer/bus drivers, bus driver/cleaners, teachers, teaching assistants, registered nurses, therapists, guidance counselors, social workers, school psychologists, library media specialists, transportation staff, information specialists, data analysts, and teachers of academic extended school year program of Herricks Union Free School District for collective negotiations with respect to their terms and conditions of employment and administration of their grievances.
- Section 2. To work for the welfare of school children and the advancement of education within a tradition of democracy.
- Section 3. To develop and promote such ethical practices and behavior, personnel policies and standards of preparation as characterize a profession, and to secure, through collective bargaining, the conditions of work essential to professional conduct.
- Section 4. To enable members to speak with a common voice on matters pertaining to "*public education*" and to present their individual and common interests before the administration and other legal authorities.
- Section 5. To unify and strengthen "*public education*" and to secure and maintain the salaries, retirement, tenure, leaves of absence policies and other working conditions.
- Section 6. To promote mutual assistance and cooperation among all the locals of the New York State United Teachers.
- Section 7. To hold property and funds and to employ a staff for the attainment of the above purposes.

**Article III- Membership**

Section 1. Active Members

- a. Active membership in the Association will be open to all full-time and part-time personnel contractually employed by the Herricks Union Free School District, except the superintendent, assistant superintendents, principals, assistant principals, district directors, administrative assistants, coordinators, department chairpersons,

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cafeteria staff, confidential and managerial employees, dean of students, maintenance supervisors, and director of facilities.

- b. Active membership will become effective upon payment of dues or authorization of dues deduction and will be continuous until the member leaves the school system, resigns from the association, fails to pay annual dues by the first Monday after the first payday in October or by another date set by the Governing Board, or is suspended or dismissed from the Association.
- c. Those members on official leaves of absence may, upon payment of dues established by the Governing Board, continue their membership with all the rights and responsibilities of active members except the right to vote, hold office, or represent the Association.

**Section 2.     Retired Members**

Retired membership in the Association will be granted to persons enrolled in the Herricks Retired Educators Chapter, in accordance with the chapter's constitution and by-laws.

**Section 3.     Honorary Members**

Honorary membership may be created for any person by a majority vote of the Governing Board. Such members will not be entitled to vote, hold office, or represent the Association.

**Section 4.     Non-Discrimination Clause**

The Association is committed to providing a positive and respectful environment that is free of discrimination and harassment, regardless of an individual's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other characteristic of personal identity. We ask all members to conduct themselves consistent with the values of equity and equality.

**Article IV- Executive Council**

- Section 1.**     The Executive Council will be responsible for the management of the Association. It will implement policies established by the Governing Board, report its transactions and those of the governing Board to the members, and suggest policies for consideration by the Governing Board.

- Section 2.**     The Executive Council will consist of the elected officers.

- Section 3.**     Elected officers will assume their duties at the "*Newly Elected Governing Board*" meeting and continue to hold office until the conclusion of the "*Incumbent Governing Board*" meeting in June of the second year of a two-year term of office.

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- Section 4. The Executive Council will serve as the Grievance Committee of the Association. Each Bargaining Unit's appropriate Vice President will Serve as the Committee's Chairperson.
- Section 5. Any vacancies in the Executive Council must be filled by a special election held within sixty (60) days of the known vacancy.
- Section 6. The functions of the Executive Council will be the following:
- a. to implement decisions of the membership.
  - b. to formulate plans for the proper functioning of the Association.
  - c. to take such actions as may be necessary between meetings of the Governing Board. Such action will be subject to review by the Governing Board and the membership.
  - d. to call special meetings of the memberships.

**Article V- OFFICERS**

- Section 1. The officers of the Association will be elected by the active membership and will consist of a President; Executive Vice President; Vice President of Clerical, Secretaries, Nurses, Therapists, Clerical Staff, Bus, Front Desk, School Monitor and Teacher Aides; Vice President of the Custodial, Custodians, Cleaners, Maintenance Staff, Grounds Crew, Laborers, AV and Computer Technicians, Automotive Servicer/Bus Driver and Transportation Staff, Bus Driver/Cleaner, Information Specialist and Data Analysts; Vice President of Elementary Schools; Vice President of Secondary Schools; Vice President of Teaching Assistants; and a Secretary-Treasurer.
- Section 2. Any member of the HTA is permitted to run for the position of President and Executive Vice President. The following positions must be held by full-time teachers: Vice President of Elementary Schools (Elementary school teacher), Vice President of Secondary Schools (Secondary school teacher). The position of Vice President of Teaching Assistants must be held by a full-time teaching assistant. The position of Vice President of Clerical, Secretaries, Nurses, Therapists, Clerical Staff, Bus, Front Desk, School Monitor and Teacher Aides, must be held by a contractual, full-time clerical, secretarial, nurse, therapist, clerical staff, bus, front desk, school monitor, or teacher's aide member. The position of Vice President of Custodial, Custodians, Cleaners, Maintenance Staff, Grounds Crew, Laborers, AV and Computer Technicians, Automotive Servicer/Bus Driver and Transportation Staff, Bus Driver/Cleaner and Information Specialist must be held by a contractual, full-time custodial, custodian, cleaner, maintenance staff, grounds crew, laborer, AV or computer technician, automotive servicer/bus driver, transportation staff, bus driver/cleaner, or information specialist member. The position of Secretary-Treasurer may be held by any full-time member.

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**Article VI- DUTIES & RESPONSIBILITIES OF OFFICERS**

- Section 1.     The President will do the following:
- a.   be the chief executive officer and public spokesperson for the Association.
  - b.   preside over meetings of the Executive Council, Governing Board, and the general membership.
  - c.   appoint, with the approval of the Governing Board, all committee chairpersons and will be an ex-officio member of all appointed committees except those for Nominations and Balloting.
  - d.   serve as the Association's representative on the Parent Teacher Association (PTA) Council.
  - e.   sign all vouchers, with the Treasurer, for the expenditure of Association funds.
  - f.   organize and oversee the Committee on Professional Practices, Rights and Responsibilities.
  - g.   serve as the chief delegate to all State and National conventions.
  - h.   serve as the Association's representative to the District Coordinating Council.
- Section 2.     The Executive Vice President will do the following:
- a.   conduct all scheduled meetings in the absence of the President and assume the duties of the President in the absence of the President.
  - b.   serve as co-chair on the District Curriculum Council
  - c.   organize and oversee the Committee on Professional Negotiations
  - d.   serve as the Association's representative to Election District #19 (ED #19)
- Section 3.     The Vice President of Clerical (Secretaries, Nurses, Therapists, Clerical Staff, Bus, Front Desk, School Monitors and Teacher Aides) will do the following:
- a.   be responsible for securing and disseminating information regarding services available to members, including insurances.
  - b.   serve as the Association's representative to Herricks Community Fund.
- Section 4.     The Vice President of Custodial (Custodians, Cleaners, Maintenance Staff, Grounds Crew, Laborers, AV and Computer Technicians, Automotive Service/ Bus Drivers, and Transportation Staff, Bus Driver/Cleaner, Information Specialists and Data Analysts) will do the following:
- a.   organize and chair the Association's Committee on Health and Safety.
  - b.   serve as the Association's representative to the Five-Year Capital Planning Committee.

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- Section 5.     The Vice President of Elementary Schools will do the following:
- a.   serve as the Association's representative to the Special Education Parent Teacher Association (SEPTA).
  - b.   organize and chair the Committee on Public Relations.
  - c.   serve as the Association's representative to the Herricks Community Center Advisory Board.
- Section 6.     The Vice President of Secondary Schools will do the following:
- a.   organize and coordinate the annual Vote/Cope Drive.
  - b.   serve as the Association's representative on the Committee of 100.
  - c.   inform the membership of relevant State and National pending legislation and organize, when necessary, letter-writing campaigns for legislative purposes.
  - d.   serve on the Herricks Teacher Center Consortium's Policy Board.
- Section 7.     The Secretary/ Treasurer will do the following:
- a.   have charge of all funds of the Association.
  - b.   serve as the Association's delegate to the New York State Teachers' Retirement Convention.
  - c.   disburse all funds of the Association, with the signature of the President or Executive Vice President, which have been approved by the Governing Board.
  - d.   be responsible for the collection of dues.
  - e.   deposit all funds of the Association in a bank in the name of the Association.
  - f.   keep accurate account of receipts and disbursements, reports to each meeting of the Governing Board, and prepare a monthly financial statement to distribute at each Governing Board Meeting.
  - g.   prepare and submit an annual Association budget for approval of the Executive Council and Governing Board.
  - h.   submit all financial records annually to an outside independent CPA, who will prepare an annual financial report, which will be distributed to the Governing Board at its meeting in November.
  - i.   submit, upon the election of a new Secretary/Treasurer, all financial records to said person.
  - j.   file all necessary tax and financial forms with the appropriate offices.
  - k.   transmit the appropriate dues to the State and National Associations.
  - l.   keep an accurate record of Association membership.
- Section 8.     The Vice President of Teaching Assistants will do the following:
- a.   be responsible for securing and disseminating information regarding member benefits.
  - b.   be responsible for the Association's newsletter.

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- c. organize and coordinate charitable events and activities that may be sponsored by the Association.
- d. keep informed of District events, coordinate and disseminate information so as to motivate members to participate in District events.

Section 9. The responsibilities enumerated in Article VI are assigned to specific officers with the understanding that they may be assumed by different officers. It is expected that all these duties will be performed by the officers of the Association.

**Article VII- GOVERNING BOARD**

Section 1. The legislative and policy-making body of the Association will be the Governing Board.

Section 2. Members of the Governing Board will be active members of the Association, except as provided in Section 5 of this Article.

Section 3. The Governing Board will consist of the Executive Council, one or more representatives from each building, and one representative from the Herricks Retired Educators Chapter (HREC).

Section 4. Each Member of the Governing Board will have one (1) vote.

Section 5. The seat allocated to the HREC will be filled by an HREC member who was an active member of the Association immediately prior to retirement. The HREC may designate an alternative to vote in the absence of its representatives. Any alternate designate must meet the requirements for the regular representative from the HREC.

Section 6. Any member of the Association who is not a member of the Governing Board may attend its meetings and may receive permission to speak but may not vote.

Section 7. Any vacancies in the Governing Board must filled by a special election held within sixty (60) days of the known vacancy.

Section 8. The Governing Board will do the following:

- a. approve the annual Association budget at its Old Governing Board meeting in June.
- b. set the dues for all categories of members.
- c. set a stipend for compensation of Officers and other paid positions.
- d. act on reports of committees.
- e. approve resolutions and other policy statements.
- f. adopt procedures, if necessary, for implementing a code of ethics.
- g. implement procedures to be followed in suspending and expelling members for cause (see Article XX) or reinstating members.

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- h. confirm nominations of all committee chair positions not assigned to one of the officers.
- i. conduct meetings which are consistent with this Constitution.

Section 9. Powers not delegated to the Executive Council, the Officers or other groups in the Association will be vested in the Governing Board.

**Article VIII- BUILDING REPRESENTATIVES**

Section 1. Election

- a. In each building all members in good standing of this Association will elect, on the first day of school in June, for a term of two years, one Building Representative and one Alternate (if there are nominees for this position) for each nineteen (19) members or full-time equivalents, or major fraction thereof. There will be, at least, one (1) Building Representative from each building. Elections for the Building Representatives will be held on alternating years from those of the Executive Council elections.
- b. The term of office will begin at the New Governing Board meeting in June and terminate at the conclusion of the Old Governing Board meeting of the second June of a two-year term of office.
- c. At the April Governing Board meeting, the tSecretary/Treasurer will certify the number of Building Representatives to be accorded each building as determined by the current membership in the building.

Section 2. Building Representatives and/or Alternate(s) will attend all meetings of the Governing Board.

Section 3. The Building Representatives will do the following:

- a. elect/select members for such building and other committees as the Association may require.
- b. organize and oversee the annual election of officers and delegates in accordance with accepting balloting procedure.
- c. delegate the conducting of Building Representative elections in their respective building.
- d. enroll members in the Association, NYSUT and AFT.
- e. provide for two-way communication within their respective building.
- f. assist the Vice President of Secondary Schools with the annual Vote/Cope Drive.
- g. maintain an Association bulletin board in their respective building.
- h. assist in grievances at the building.



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Section 4. Building Representatives must have been members of the Association for, at least, one school year prior to their election and will maintain their membership, in good standing, during their term of office.

Section 5. Building Representatives may be present at any or all steps of a grievance in which a member of their respective building is involved.

Section 6. Entitlement

- a. As a result of the consolidation of the Administration Building and Community Center, the combined building is now entitled to a total of three (3) Building Representatives consisting of one (1) Building Representative from each of the three major groups working in the Community Center.

Secretarial, Clerical Aids and Monitors	1 Building Rep
Custodians, Cleaners, Maintenance, Technicians	1 Building Rep
Transportation, Automotive Service/ Bus Driver	1 Building Rep

- b. In each elementary school, at least, one (1) of the building Representatives must be a member of the Clerical, Custodial, and Aides/Monitors bargaining units. The remaining Building Representatives will be elected from the Teacher and Teaching Assistant bargaining units. In the absence of any votes cast for a member of the Clerical, Custodial, and Aides/Monitors bargaining units, the position will be filled by a member of the Teacher or Teaching Assistant bargaining units.

- c. In each secondary school, at least, two (2) of the Building Representatives must be a member of the Clerical, Custodial, and Aides/Monitors bargaining units. The remaining Building representatives will be elected from the Teacher and Teacher Assistant bargaining units. In the absence of any votes cast for a member of the Clerical, Custodial, and Aides/Monitors bargaining units, the position will be filled by a member of the Teacher or Teaching Assistant bargaining units.

Section 7. Each Building Representative position may be held by only one (1) member.

**Article IX- MEETINGS**

Section 1. Executive Council

- a. Officers will meet at the call of the President or at the request of three officers of the Executive Council.
- b. The Executive Council will meet, at least, twice each month or more often upon call of the President or of three members of the Executive Council.

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**Section 2.     Governing Board**

- a. At the April meeting, the Governing Board will set the dates, sites and times of meetings for the forthcoming school year. They will meet, at least, once a month when school is in session.
- b. The President, with the assistance of the Executive Council, will prepare an agenda for each meeting and will circulate it to all members of the Governing Board so that the Building Representatives have time to discuss it with their faculty members in advance of the Governing Board meeting.
- c. Special meetings of the Governing Board may be held at the call of the President or upon written request to the Executive Council from seven (7) Building Representatives. Business to come before special meetings must be stated in the call. Each member must be given, at least, twenty-four (24) hours of notification.

**Section 3.     General Membership**

There will be at least one meeting “for each of the 5 collective bargaining units annually.”

**Section 4.     Building**

It is the responsibility and obligation of the Building Representatives to conduct monthly meetings in their respective buildings.

**Article X- QUORUM**

A simple majority of the designated members will constitute a quorum for the Executive Council, Governing Board, any committee, and general membership meetings.

**Article XI- CHAIRS OF THE NOMINATING & BALLOTING COMMITTEES**

At the Newly Elected Governing Board Meeting in June, the President will nominate and appoint, with the consent of the Governing Board, a chair of the Nominating Committee and a chair of the Balloting committee, and will charge them accordingly to rules approved by the Governing Board. No Officer of the Association will serve on either the Nominating or on the Balloting Committee.

**Article XII- NOMINATIONS, BALLOTING AND ELECTIONS FOR OFFICERS, DELEGATES, AND BUILDING REPRESENTATIVES**

**Section 1.     Nominations for Officers and Delegates**

- a. Nominations for Officer and Delegate positions will be sought by the Nominations Committee, the chair of which is nominated by the President and approved by the Governing Board. The Nominations Committee will notify all active members, in good standing, of the time, place and method of nominating individuals

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for all Officer positions. This notification must be in writing and sent, at least, thirty (30) days prior to the close of nominations. The Nominations Chair will acknowledge all nominations and assist in preparing the ballot with the Balloting Chair. All nominations must be received by the Nominations Committee Chair by 12:00 p.m. on the day on which nominations close.

- b. The active members of the Association, during the last week of March and the first week of April, may nominate candidates for any Association Officer position and/or Delegate position in the Association. All such nominations will be delivered in writing to the Nominating Committee Chair.
- c. The Nominating Committee Chair will report all nominations to the Governing Board at the April meeting. Members of the Governing Board may nominate other candidates at the meeting.
- d. Nominations for office may also be made by petition; such petition must be signed by not less than 10% of the certified membership as of March of that year and must be submitted to the Nominating Committee Chair, at least, five (5) days before the day of the official voting in order to be included on the official ballot.
- e. The position papers for all candidates will be available online. In the case of any contested positions, the Nominating Committee Chair must distribute position papers to the members who vote for the contested office(s).
- f. If no slate of Officers is presented and an election for Officers cannot be held, the Governing Board will conduct all business of the Association until Officers are elected.

**Section 2.     Balloting for Officers and Delegates**

- a. Elections will be conducted by the Balloting Chair, who is nominated by the President and approved by the Governing Board. The Balloting Chair, in conjunction with the Nominations Committee Chair, will prepare the ballot, present the ballot to the Governing Board for its approval, be available to receive the ballots and tally sheets on the day of the election, and will certify the results of the election to the Executive Council and Governing Board.
- b. On the third Wednesday in May, members will vote for Officers and delegates by secret ballot in accordance with procedures developed by the Balloting Committee and approved by the Governing Board.
- c. The Balloting Committee Chair will report results to the President, will publish them, and will notify the candidates of the outcome of the election as soon as possible. New Officers and Delegates will assume office at the June meeting of the *Newly Elected* Governing Board.

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- d. The candidates for President, Vice-Presidents, Secretary/Treasurer, and Delegates will be elected upon receiving a majority of the votes cast. In the event that a candidate fails to receive a majority of the votes cast, a run-off election between the two candidates receiving the greatest number of votes will be conducted within ten (10) school days.

Section 3.     Balloting for Building Representatives

Deadlines to declare intent to run for building representatives will be at noon on the Friday immediately after the School Budget vote. On the first day of June of an election year, on which school is in session, each building will hold elections for the Building Representative and Alternates for the forthcoming school year. These elections will be conducted by two members who are not seeking office.

Section 4.     Terms of Office

The terms of all Officers, Building Representatives and Delegates will be two years from the *Newly Elected* Governing Board Meeting in June to the conclusion of the *Incumbent* Governing Board Meeting in June of the second year. Those elected as Building Representatives and those elected as Officers will take office at the *Newly Elected* June Governing Board Meeting, except when special elections are held to fill vacancies. All candidates for any elected office will be members in good standing for a period of at least one (1) year before their nomination and will maintain their good standing for the duration of their office.

- Section 5.
- a. Only active members in good standing may vote in elections of the Association and serve as Delegates to the New York State United Teachers (NYSUT) Representative Assembly and American Federation of Teachers (AFT) Convention. Members of the HREC may vote in elections within their own chapter as governed by their constitution and by-laws.
  - b. Each member's vote will count as one full vote. This will have no effect on the calculation of the building representative entitlement.

- Section 6.
- a. One Alternate Delegate seat to the NYSUT Representative Assembly and the AFT Convention will be reserved for a member of the HREC, who will be chosen in accordance with the constitution and by-laws of the HREC, and will have been a member of the Association immediately prior to retirement.
  - b. The name of the HREC Alternate Delegate will be submitted to the Chair of the Balloting Committee no later than the Friday prior to the general election.

- Section 7.
- At least one (1) Delegate position to the NYSUT Representative Assembly and the AFT Convention will be reserved for a representative from Clerical, Custodial, Aides (Blue, Green, Salmon Contracts).

- Section 8.
- The election for all Officer and Delegate positions will be held on the third Wednesday in May of each year.

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Section 9. The election of Building Representatives will be held on the first day of June when school is in session.

**Article XIII- BALLOTING PROCEDURES**

Section 1. Balloting Chair will do the following:

- a. Distribute copies of the approved ballot to Building Representatives at least two school days before the election.
- b. Distribute an official tally sheet to each building.
- c. Distribute official lists of eligible voters to each building as determined by the records of the Association and Building Representatives.
- d. Notify all Building Representatives that ballots were sent and state to whom the official ballots were sent.
- e. Inform Building Representatives where the central depository for election ballots will be.
- f. Authorize the Balloting Chairperson/Association's secretary to contact each school on the day of the election with the results.

Section 2. Building Representatives/Designees will do the following:

- a. Be responsible for conducting the election in their respective building and for accounting for all ballots distributed to their building.
- b. Open and recount the packet of official ballots delivered to their respective building as soon as it is received. If the count is not correct, notify the Association secretary **immediately**.
- c. Use the official Association list for their respective building to distribute ballots. Ballots **must** be distributed **by hand** to each Association member qualified to vote. **Under no circumstances** are ballots to be left in mailboxes.
- d. Be responsible for travelers. It is understood that shared members must vote in the building to which they are assigned. Such members must find their Building Representatives/ Designee to vote. Building Representatives/Designees must make themselves available to shared members.
- e. Be responsible for the ballot box and placement thereof. All ballots returned by the voting membership **must** be placed, **by each voting member**, into a **sealed** ballot box, in the presence of a Building Representative/ Designee. A ballot cast by any other means is to be marked void.

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- f. Count all ballots cast and record results at the close of the polls in their respective building. At least two Building Representative/ Designees will accurately count all ballots. All ballots distributed to a building **must** be returned with the tally sheet.
- g. The Building Representatives or their Designees who counted the ballots will complete and sign the tally sheet.
- h. Attach all ballots not clearly marked, or in any way suspect, to tally sheet for consideration and certification by the Balloting Chair. These ballots should not be included in the official tally.
- i. Take the used and unused ballots and signed tally sheet to the designated central depository. The person who returns the ballots **must be a signee** of the tally sheet.
- j. Remain at the designated central depository until the returned ballots are certified by the Balloting Chair.

Section 3.      After the Election, The Balloting Chair will:

- a. Receive the sealed ballots and one signed tally sheet from each building.
- b. Spot check each building's count and do all recounting required with assistance from the building's Building Representative/ Designee.
- c. Account for all ballots that were distributed.
- d. Sign the tally sheet and make two copies. One is to be returned to each school, one to be filed with each building's sealed ballots, and the last to be filed with the election records of the Balloting Chair.
- e. Store sealed ballots and tally sheet from each building as per legal requirements.
- f. Summarize and certify the results of the election and notify candidates of these results.
- g. Report the final results of the election to the Governing Board of the Association.

Section 4.      Electronic Voting

If a means of electronically conducting the balloting process, that both maintains the integrity of the process as outlined in this Article and allows for equitable participation of the membership, the Governing Board may approve its use by a two-thirds (2/3) majority vote.

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**Article XIV- BALLOTING GUIDELINES AND SAMPLE BALLOTS**

**Section 1.     Standardized Ballot**

All ballots will be prepared in the office of the Association for use in official elections of the Association. Such elections include Delegates and Alternates of NYSUT and AFT, Officers of the Association, and special elections called by the Governing Board. A sample ballot will be sent to each building. Those conducting elections for Building Representatives will have the option of formulating their own ballots for the election of Building Representatives in June. Those choosing to formulate their own ballot will submit the ballot to the Ballot Chair by noon three school days before the election.

**Section 2.     General Guidelines in Preparing the Ballot**

- a. All names of candidates will be listed in alphabetical order under the appropriate office each seeks.
- b. Names will be typed in upper- and lower-case letters.
- c. **Squares** will appear to the right of each candidate's name.
- d. Spaces for **write-in-candidates** must equal the number of choices the voter has for each office or delegate position.
- e. In a contested election, ballots should be printed on color paper.

**Section 3.     Invalid Ballots**

A ballot will be considered invalid if the following conditions(s) exist(s):

- a. It is not clearly marked.
- b. More than the accepted number of candidates is marked.
- c. A write-in candidate is not an active member of the Association.
- d. Ballots are not submitted by the close of the polls in each building as established by the Building Representatives.
- e. If a ballot is to be judged invalid for any of the reasons above, only that category where the irregularity occurred will be invalidated-  
**not the entire ballot.**

**Section 4.     Eligible Voter**

Voting members will include those presently actively employed by the District who paid their full dues to the Association for the year in which the election occurs. This is in accordance with provisions of this Constitution. This eligibility statement does not apply in any election where retirees may vote.

**Section 5.     Absentee Ballots**

- a. Absentee ballots must be obtained from the Association secretary during regular business hours, 9:00 am to 12:00 pm & 1:00 pm to 3:00 pm. The ballot must be cast when received in the HTA Office no sooner than 14 days before and no later than 12 pm on the Friday of the week prior to the Officer and Delegate Election.

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Herricks I.D. and signature will be required to receive the absentee ballot.

- b. The standardized ballot as outlined in Section 1. of Article XIV will be used.
- c. The member will place the completed ballot in a locked box in the HTA Office. These ballots are subject to the provisions established in Sections 1,2,3, and 4 of Article XIV. The Balloting Chair will secure and account for all absentee ballots.

**Article XV- VACANCIES**

Section 1.     Officers

- a. Whenever a majority of the Executive Council agrees that an Officer has been grossly negligent of the duties defined in this Constitution, is incapacitated, or vacates the office, they will recommend to the Governing Board that the office be declared vacant.
- b. The Governing Board will:
  - i. select from its own membership a committee of five (5) to investigate said vacancy with due process observed. The committee shall report its findings to the Governing Board within seven (7) school days;
  - ii. by a three-fourths (3/4) majority of its membership, excluding the Executive Council, declare the office not vacant or vacant.
- c. Upon declaring an office vacant, the Governing Board will immediately choose one of its members to serve as officer pro tempore.
- d. The Governing Board will then notify the Chair of the Nominating Committee and the Balloting Chair to hold an election within thirty (30) days.
- e. In the event that a member of the current Governing Board is elected by the general membership to fill a vacated office, that member must resign the previously elected office before assuming the responsibilities of the vacated office.

Section 2.     Building Representatives

Upon petition to the Governing Board of a majority of the membership of a building to declare a particular Building Representative office vacant, procedures outlined in Article VII, Section 7, and parts (b) and (d) of this Article will be followed.

Section 3.     Committee Chairs

- a. Upon petition to the Governing Board by a majority of said committee, the President, the Executive Council or the Governing



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Board, that a chair be removed from the office, the Governing Board will:

- i. select from its membership a committee of five (5) to investigate the charges with due process observed. The committee will report its findings to the Government Board within seven (7) school days;
  - ii. by a two-thirds (2/3) vote of its membership declare the chair vacant or not.
- b. The President, according to the procedure outlined in this Constitution, will recommend the appointment of a new chair.

**Article XVI- PROFESSIONAL NEGOTIATIONS**

- Section 1. The Professional Negotiations Committee will be the official representative of the Association in all negotiations with the Board of Education in all matters of concern to any member, any group of members, or all members of the Association. As necessary, the Committee will create sub-committees with designated responsibilities.
- Section 2. The Professional Negotiations Committee will be comprised of the President, Executive Vice President, other officers appropriate to the negotiation, and additional members consistent with the Association's practice.
- Section 3. The Professional Negotiations Committee will communicate (both in writing and at specific meetings) with the membership in order to survey their requests for bargaining items. The proposals for a successor Agreement will be presented to the Governing Board, in December, for its approval or revisions.
- Section 4. Central Administration and the Board of Education will be notified, in writing, during the first week in January of the year in which the present Contract expires, that the Association is ready to negotiate a successor agreement.

**Article XVII- CONTRACT RATIFICATION**

- Section 1. When the provisions for a new Contract have been accepted by both the Association's and District's negotiating teams, a general membership meeting (of those members affected by that Contract) will be held to distribute, discuss, explain and answer questions concerning the changes for the new Contract.
- Section 2. Each Building's Representative(s) from the negotiating committee is/are required to hold a building meeting for the purpose of discussing the Contract proposals between the general membership meeting and the day of ratification vote.

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- Section 3. On the third weekday after the general membership meeting, the Building Representatives will conduct in their respective building, a secret ballot election for the purpose of approving or rejecting the new Contract. The result of this vote will be counted and forwarded to the Balloting Chair in the same manner which is followed in the election for Officers and Delegates.
- Section 4. The general membership meeting must be held on a Monday or a Tuesday to ensure that this process is concluded within one week.

**Article XVIII- DUES**

- Section 1. New York State United Teachers and National Education Association/American Federation of Teachers  
Dues for the state and national affiliates are established by the respective organizations. All Association members must also be members of NYSUT and NEA/AFT.
- Section 2. Herricks Teachers' Association
- a. There will be several levels of local dues.
  - b. The local dues for each school year must be approved and adopted by the Incumbent Governing Board in June of the preceding year.
  - c. Schedules will be distributed to the building reps at the June Governing Board meeting.

**Article XIX- COMPENSATION**

- Section 1. The recommended annual salary increase for the HTA officers will not exceed the percentage increase reflected in the Teachers' Contract for that year. Any changes in compensation for Officers must be approved by the Governing Board at its meeting in April, and presented to the membership in their respective buildings before the *Incumbent* Governing Board Meeting in June. Any changes will be effective September of the following year.

For each school year, the annual compensation for the various positions in Section 2 will be approved as budgeted items by the *Incumbent* Governing Board in June and published for the membership each September. Officers' stipends will be paid as straight salary with no provisions for additional benefits.

- Section 2. Officers: To be reported to the membership annually
- a. President (No automobile allowance)
  - b. Executive Vice President
  - c. All other Vice Presidents- (Clerical, Custodial, Teaching Assistants, Elementary, and Secondary)
  - d. Secretary/ Treasurer

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Section 3. Building Representatives - \$1500.00 for the 2024-2025 school year, and shall increase every year thereafter by the percentage increase reflected in the Teachers' Contract for that year.

Section 4. Other

- a. Teacher Center Policy Board Chair
- b. Balloting Chair
- c. Nominations Committee Chair
- d. Professional Negotiations Committee Member (excluding Officers)
- e. Health and Safety Committee Members
- f. Curriculum Council Members
- g. Site Based Team Members
- h. Teacher Center Policy Board Members
- i. PTA Building Liaisons
- j. Constitution Committee Members
- k. PTA Council Liaisons
- l. SEPTA Building Liaison
- m. HTA Webmaster
- n. HTA Public Relations Coordinator

The Governing Board will form committees and set stipends as needed by the Association. All Professional Negotiating Committee and Constitution Committee members will be paid on an annual basis (excluding Officers).

Section 5. Additional representatives may be needed to serve on other building, district and/or HTA committees. These individuals will be compensated as per the guidelines established.

**Article XX- SUSPENSION AND REVOCATION OF MEMBERSHIP**

Section 1. The right to due process will be included in all deliberations involving suspension or revocation of membership.

Section 2. According to procedures outlined below in Sections 3 and 4, the Executive Council may suspend or dismiss from membership any member who will have violated the purposes of the Association set forth in Article II of this Constitution or the right of colleagues, and may expel, by vote of five (5) of its members, any member convicted in a court of law of a crime involving moral turpitude.

Section 3. Upon presentation to the Executive Council of a written charge by member or members that any other member has violated Article II of this Constitution, the Executive Council will-charge the Professional Practices, Rights and Responsibilities Committee to investigate said charges and to present its findings to the Governing Board within sixty (60) days. Upon receipt of the report of the

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Professional Practices, Rights and Responsibilities Committee, by a two-third (2/3) vote of the Governing Board, excluding the Executive Council, either indict the charged member or dismiss said charges.

Section 4. Upon receipt of an indictment, or a failure to dismiss, by the Governing Board, the Executive Council will, within seven (7) days, by a vote of at least five (5) of its members, decide to dismiss the indictment, suspend, or expel the member; immediately thereafter notifying the member of its action.

Section 5. A Member may revoke authorization to renew his/her membership by sending a written signed notice of revocation via certified US Mail to the Union office between the window period of August 1-31.

A member wishing to be reinstated must request reinstatement by sending a written signed notice of reinstatement via certified US Mail to the Union office between the window period of August 1-31.

Reinstatement can occur no earlier than a period of one year from the time membership revoked.

The Executive Council reserves the right to determine reinstatement rights of a non-member.

If the period of non-membership was greater than one year the non-member shall pay a reinstatement fee equal to one year's HTA dues.

The Executive Board may, at its sole discretion, declare an amnesty period during which any of the aforementioned requirements and conditions for reinstatement of membership are modified, reduced or eliminated.

**Article XXI- AMENDING PROCESS**

This Constitution may be amended by either of two ways:

Section 1.

- a. Proposed amendments will be introduced at a regular Governing board meeting.
- b. A majority of the membership of the Governing Board will approve the proposed amendment no earlier than the next regular Governing Board meeting no later than the second regular Governing Board Meeting.
- c. The proposed amendment will be read at a meeting in each of the buildings within thirty (30) days of the Governing Board's approval.

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- d. The proposed amendment will be submitted to the membership for ratification no less than thirty (30) nor more than sixty (60) days following the Governing Board's approval.
- e. The proposed amendment must be approved by a majority of two-thirds (2/3) vote of at least fifty percent (50%) of the eligible membership by secret ballot.

Section 2.

- a. The proposed amendment will be presented to the Governing Board by a petition from one-half (1/2) the total membership.
- b. The proposed amendment will be read at a meeting in each building within sixty (60) days of receipt by Governing Board.
- c. The proposed amendment will be submitted to the membership for ratification not less than sixty (60) nor more than ninety (90) days following receipt by the Governing Board.
- d. The proposed amendment must be approved by a majority of two-thirds (2/3) vote of at least fifty percent (50%) of the eligible membership by secret ballot.