

# **CONSTITUTION**

## **OF THE**

### **MONTGOMERY COUNTY ASSOCIATION OF ADMINISTRATORS AND PRINCIPALS**

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#### **Article I - Name**

The name of this organization shall be the Montgomery County Association of Administrators and Principals (MCAAP). This name change is effective July 1, 2009.

#### **Article II - Purposes**

The purposes of this association are to:

- Continually improve the educational process for students by helping members become more effective in their various roles as educational leaders.
- Provide a single, coordinated voice for members in working with the board of education and the superintendent of schools to promote and preserve sound administrative practices in the Montgomery County Public Schools.
- Address the interests of members through political and legislative action, community outreach and education.
- Initiate and encourage cooperative efforts with professional organizations and other groups having educational interests in order to promote and give leadership in matters of mutual concern.
- Represent members on positions pertinent to educational and professional concerns and to advance and protect the professional status and welfare of members.
- Serve as the collective negotiations representative of its members for purposes of improving their terms and conditions of employment in consonance with the principles of the laws of the State of Maryland.

#### **Article III - Membership**

Section 1. Membership in this association shall be open to all administrators and supervisors, both certificated and non-certificated, who are employed by the Montgomery County Public Schools as defined in the negotiated agreements. Other administrators and supervisors employed by Montgomery County Public Schools who are excluded by the laws of the State of Maryland for collective bargaining and not covered by the negotiated agreements may choose to be members with all benefits and privileges of membership excluding those under the negotiated agreements and as provided in Articles V and VII below.

Section 2. The association shall recognize only dues paying members as active members and participants in the conduct of association business. Representation fee payers shall not be considered active members for the purposes of association business; however, they shall be responsible for those representation fee payer obligations outlined in the negotiated agreements and Article IV, Section 3 below.

Section 3. The association shall permit former association members who have retired from the Montgomery County Public Schools to become associate members. The benefits, privileges, and dues of associate membership shall be reviewed and determined annually by the board of directors.

#### **Article IV - Dues, Leave Contributions, and Fiscal Year**

- Section 1. The annual membership dues of this association may be paid through payroll deduction or by annual payment. Associate membership dues from retirees shall be paid by annual payment. All payments shall be to the treasurer of the association.
- Section 2. Changes in the dues structure shall be recommended by the board of directors and ratified by the membership at a general membership meeting prior to the effective date of the change in the dues structure. The recommended changes shall be sent to each active member at least ten (10) days in advance of the meeting at which time it will be voted upon.
- Section 3. Pursuant to the Memorandum of Agreement between MCPS and the association and the negotiated agreements each dues paying member and representation fee payer shall contribute annually one (1) day or eight (8) hours of personal leave to an administrative leave bank maintained by MCPS on behalf of the association. The leave in the MCAAP Administrative Leave Bank shall be used to support the full-time president, the governance of the association, and other activities necessary to accomplish the purposes of the association.
- Section 4. The association shall operate on a fiscal year basis, September 1 through August 31 of the succeeding year.
- Section 5. There shall be an annual report and a compilation of the records each year. The compilation shall be conducted by October 1 following the close of the fiscal year. The annual report and compilation shall be submitted at the first general membership meeting of the succeeding fiscal year.

#### **Article V - Officers**

- Section 1. The officers of this association shall be president, vice-president of leadership development, secretary, and treasurer.
- Section 2. Officers shall be elected by the general membership by written or electronic ballot. A simple majority of ballots returned before a previously selected date will decide the election. Officers shall assume office on July 1. Bylaws shall be reviewed annually and revised as needed to implement the election process.
- Section 3. The term of office for the president shall be three (3) years with a term limitation of two (2) consecutive terms. The term of office for the vice-president of leadership development shall be three (3) years with a term limitation of two (2) consecutive terms. The term of office for the secretary and the treasurer shall be two (2) years with a term limitation of three (3) consecutive terms.
- Section 4. Only active members may vote or hold office. An active member who is employed in an excluded position as defined by the negotiated agreements may vote for but may neither run for nor hold office.
- Section 5. The president shall be granted administrative leave by MCPS, the employer, as provided in a separate Memorandum of Agreement between the association and the board of education's designee and which shall be approved as per the bylaws of the association. The officers shall not be employees of this association and will serve without salary from the association.

## Article VI – Duties of Officers and Executive Director

### Section 1. All of the officers shall

- a. Promote the purposes of the association as stated in its governing documents and policies.
- b. Have the authority to sign checks for duly authorized vouchers.
- c. Serve on the budget committee.
- d. Serve as the grievance committee.
- e. Advise the board of directors on policies and procedures.
- f. Respect the authority of the board of directors to approve policies and provide the direction of the association pursuant to the governing documents and policies of the association, the negotiated agreements and the general good of the association and membership.

### Section 2. The president shall perform duties as prescribed by the constitution and a job description approved by the board of directors. Such duties shall include:

- a. Preside over meetings of the general membership, board of directors, and special meetings as designated.
- b. Call special meetings of the general membership and board of directors.
- c. Appoint, with the consent of the board of directors, chairpersons and members of standing and special committees.
- d. Serve as ex-officio member of all committees.
- e. Act as delegate leader at all conventions or assemblies to which the association may send delegates.
- f. Chair the negotiations committees.
- g. Speak for or represent the official position of the association. The president's official designee or a person authorized by a vote of the membership of the board of directors may also speak for or represent the official position of the association.
- h. Report regularly to the board of directors on the issues and matters of interest to the governance and general membership.
- i. Advise the board of directors and supervise legislative, political and community action as approved by the board of directors.
- j. Advise, seek guidance from, and consult with the board of directors on matters affecting the basic purposes of the association and its membership and on all matters related to the negotiated agreements between MCPS and the association.
- k. Perform all other functions usually attributed to the office and as approved by the board of directors.

### Section 3. The vice-president of leadership development shall

- a. Assist the president in carrying out the work of the association.
- b. Coordinate educational and professional development outreach.
- c. **(Additional duties shall be derived from the job description as approved by the association and MCPS. They shall be inserted into this section of the constitution.)**
- d. Perform such other duties as may be assigned by the president or the board of directors.

### Section 4. The secretary shall

- a. Assist the president in carrying out the work of the association.
- b. Maintain the minutes of all meetings of the general membership, the board of directors and other special meetings as designated and submit them for approval by the board of directors.

- c. Determine if a quorum is present at all meetings of the association.
- d. Maintain a record of all votes
- e. Send a copy of the minutes of meetings of the association to a requesting member.
- f. Perform such other duties as may be assigned by the president or the board of directors.

Section 5. The treasurer shall

- a. Maintain the financial records of the association.
- b. Supervise the receiving and disbursing of funds and authorize all vouchers.
- c. Submit a monthly financial report to the board of directors.
- d. Chair the financial and investments committee.
- e. Advise and make financial recommendations to the board of directors as appropriate.
- f. Perform such other duties as assigned by the president or the board of directors.

Section 6. The executive director shall be appointed by the board of directors and shall serve as the general administrative officer of the association responsible for executing policies as assigned and carrying out directives assigned by the board of directors and/or the president. The executive director shall perform duties as prescribed by the constitution and the job description approved by the executive board. Such duties shall include:

- a. Promote the purposes of the association as stated in its governing documents and policies.
- b. Administer the business of the association; supervise and evaluate personnel; and maintain the office, all records and files.
- c. Serve as chief administrator and consultant to the president and board of directors on the negotiated agreements with the Montgomery County Board of Education.
- d. Oversee and be responsible for the maintenance of a current membership process and records.
- e. Speak for and represent the association as designated by policy, committee, or leadership of the association.
- f. Assist the president in the preparation of agendas for all meetings and oversee the distribution of notification and agendas of future membership meetings to association members.
- g. Assist the officers in their duties.
- h. Oversee the distribution of materials to association members.
- i. Assist, advise, and represent individual members as provided by association governing documents and policies.
- j. Chair the grievance committee
- l. Serve as liaison with all committees and consultants as designated.
- m. Perform such other duties and responsibilities as may be assigned by the board of directors or president.

**Article VII - Board of Directors**

Section 1. The board of directors shall be comprised of the officers of the association, chapter vice presidents, three (3) delegates from each chapter, and the executive director. Upon unanimous approval of the board of directors, the president may choose to invite a liaison from another organization with mutual interests to participate annually in the meetings and activities of the board of directors. The executive director and any invited liaisons shall be non-voting members.

Section 2. The designation of the chapters shall be approved by the membership and shall represent the administrative and supervisory categories within the certificated bargaining unit and the non-certificated supervisory unit. Effective July 1, 2007, there shall be established five chapters representing administrators and supervisors at the elementary school level, middle school level, high school level, central services, and non-certificated supervisors.

Section 3. The chapter vice presidents and chapter delegates of the board of directors shall be elected from the active membership of the chapters by the simple majority of those voting and will assume the seats on July 1. An active member who is employed in an excluded position as defined by the current negotiated agreements may vote for but may neither run for nor hold a seat on the board of directors. The term of office for the chapter vice presidents and chapter delegates shall be two (2) years with a term limitation of three (3) consecutive terms. To provide for a continuation of knowledge of association business, effective July 1, 2007 the term of office for members of the board of directors will be adjusted to phase in alternating expiration dates to assure alternating expiration dates in the future. To provide for a transition in the leadership of the chapters, an outgoing chapter vice president shall serve as past chair of the chapter for one year and shall serve as a non-voting member of the board of directors during the transition year.

Section 4. The chapter vice presidents shall

- a. Chair the respective chapters
- b. Serve as liaisons with the administrators and supervisors within the chapters and represent the will of the chapter membership in all matters affecting the association.
- c. **(Additional duties shall be derived from the evolution of the positions and the direction of the chapter membership. They shall be inserted into this section of the constitution.)**
- d. Participate in activities of the association, serve on committees as appointed by the president, and support efforts on behalf of the association and its members.

Section 5. The chapter delegates shall

- a. Serve as liaisons with the administrators and supervisors within the chapters and represent the will of the chapter membership in all matters affecting the association.
- b. **(Additional duties shall be derived from the evolution of the positions and the direction of the chapter membership. They shall be inserted into this section of the constitution.)**
- c. Participate in activities of the association, serve on committees as appointed by the president, and support efforts on behalf of the association and its members.

Section 6. The board of directors shall

- a. Oversee the affairs of the association.
- b. Promote cooperation with MCPS, other organizations or associations in promoting the interests and purposes of the association.
- c. Develop and approve appropriate job descriptions for the president and executive director.
- d. Advise, provide guidance and assign other duties to the president, other officers and executive director.
- e. Establish such committees as may be necessary to accomplish the purposes of the association. The president shall appoint members of the board of directors to participate on standing committees of the association unless otherwise provided in this Constitution.
- f. Oversee the nominations process and make recommendations for a president and a vice president of leadership development to be confirmed by the membership.

- g. Oversee the nominations and election process for the selection of the secretary, treasurer, chapter vice-presidents and other chapter leadership and representatives and the selection process of chapter delegates to the board of directors.
- f. Interpret the meaning or intent of any provision of the constitution and bylaws, association policies, and the negotiated agreements between the association and the Montgomery County Board of Education.
- g. Have the authorization to retain, contract or hire consultants, accountants, lawyers, staff, and others to complete association business.
- h. Approve policies and provide the direction of the association pursuant to the governing documents and policies of the association, the negotiated agreements and the general good of the association and membership.
- i. Have the authorization to make decisions for the association in emergency situations.
- j. Recommend budget for approval at the May general membership meeting.
- k. Recommend the nominee for president and vice-president of leadership development to be confirmed by the membership and the nominees for election for approval at the appropriate general membership meeting as provided by the governing documents of the association.
- l. Implement a recall process for members of the board of directors pursuant to the approved bylaws of the association.

Section 7. The incoming board of directors, meeting with the outgoing board of directors, shall review annually the purpose and function of the association's activities.

#### **Article VIII - Meetings**

Section 1. General membership meetings shall be held not less than two (2) times each year. A general membership meeting must be held during the month of May. The board of directors shall determine the time and place of all meetings.

Section 2. The board of directors shall meet no less than six (6) times a year, or as often as the president deems necessary.

Section 3. Members of the association shall be notified of regular meetings at least three (3) school days prior to a meeting. The president may call an emergency meeting and waive the three-day notice requirement.

Section 4. Special meetings may be called upon petition of ten percent (10%) of the active membership.

Section 5. All meetings shall be open to any active members who wish to attend except when the board of directors meets in announced closed session for specific reasons, or is meeting with the grievance committee, nominations committee, or another committee designated as a confidential meeting.

#### **Article IX - Committees**

Section 1. It is the policy of this association to establish standing and ad hoc committees to make recommendations to the board of directors and to carry out any functions assigned to them by the board of directors.

- Section 2. The committee functions, as approved by the board of directors, shall be published and made available upon request to the members of the association at the beginning of each school year.
- Section 3. The president of the association, with the concurrence of the board of directors, shall identify the standing committees annually and the ad hoc committees as needed and shall also appoint the chairperson and the members of all committees.
- Section 4. The president shall make appointments to MCPS committees as association representatives as the need may arise. Members of such committees shall report to the president and the board of directors upon request.

#### **Article X - Vacancies**

- Section 1. In the event of a vacancy in the office of president, the vice-president of leadership development shall serve as president for an interim period until such time as the board of directors is convened to select an acting president from the vice-president or officers of the board of directors. The acting president shall serve until a new president shall be nominated by the board of directors and confirmed by the membership.
- Section 2. In the event of a vacancy in the offices of president and vice-president of leadership development, the secretary shall assume the duties of the president in the interim period described above. The treasurer shall assume the duties of the secretary in the interim period described above.
- Section 3: In the event of a vacancy in the office of vice president of leadership development, the president, representing the board of directors, will work with MCPS to establish a process to fill the vacancy in a timely manner. The president shall confer with the board of directors on this matter.
- Section 4. Vacancies in the offices of secretary, treasurer or chapter vice-president shall be filled by a majority vote of the board of directors for a period not to exceed the remainder of the fiscal year in which the vacancy occurred. The positions shall then be subject to the regular nominations and elections process pursuant to the governing documents of the association.

#### **Article XI - Nominations and Elections**

- Section 1. The nominations committee shall screen candidates for president and/or vice president of leadership development and present at least two candidates for consideration to the board of directors and conduct the confirmation process.
- Section 2. The nominations committee shall consist of at least three (3) active members and a vice president who shall be selected by the board of directors and who shall serve as chair. No more than one other (1) member of the board of directors may serve on the nominations committee.
- Section 3. It shall be the duty of the nominations committee to make its recommendations of candidates to be nominated at the May general membership meeting. The nominations committee, upon consultation with the board of directors, shall recommend either a slate with only one candidate per position or a contested election with a minimum of two (2) candidates for each position to be filled. The nominations committee shall conduct the election.

Section 4. In a contested election, additional nominations, with the consent of the person being nominated, may be made at the May general membership meeting.

Section 5. The election shall be by written or electronic ballot and determined by the simple majority of the submitted ballots returned by a designated date on or about June 10.

### **Article XII -- Quorum and Parliamentary Authority**

Section 1. A majority of its voting members shall constitute a quorum for meetings of the board of directors.

Section 2. Members present at general membership meetings shall constitute a quorum.

Section 3. The rules contained in Robert's Rules of Order (Revised) shall govern the association in all cases where they are applicable and consistent with the constitution and bylaws.

### **Article XIII - Amendments**

Section 1. Amendments to the constitution and/or bylaws may be proposed in writing by any member of the association.

Section 2. The proposed amendment(s) shall be sent to each member of the association at least ten (10) days in advance of any general meeting, at which time it will be voted upon.

Section 3. The adoption of a proposed amendment to the Constitution shall be by a two-thirds majority of those voting on the amendment.

Section 4. An amendment shall become effective immediately upon adoption unless otherwise stated.

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*Approved October 1981*

*Revised and approved in February 1983*

*Revised and approved in May 1986*

*Revised and approved in December 1990*

*Revised and approved in May 1992*

*Revised and approved in May 1996*

*Revised and approved in May 2000*

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*Revised and approved in March 2007*

*Revised for name change in July 2009*

*Revised for fiscal year change in July 2017*