



# Governing Documents

**Constitution**  
**By Laws**  
**Standing Rules**



*The constitution of this association shall dictate the purpose of the association, the manner in which members determine the association's governance, and can be changed only by a vote of the membership.*

*The by laws of the association which are attached shall dictate the operations of the association and are set by the membership to guide the leadership.*

# Constitution

## **Article I: Name**

*The name of the association will be the Penfield School Transportation Association hereafter referred to as the association in these governing documents.*

## **Article II: Purpose**

The association exists to:

1. Promote a high level of professionalism among its members.
2. Function as the exclusive bargaining agent in all contractual agreements with the Penfield Central School District.
3. Represent the members of the association in matters that affect, wages, working conditions, terms of employment, and general work related welfare.

## **Article III: Members**

There shall be three levels of membership in the association.

1. Active members: All individuals hired by the Penfield Central School District involved with the transport of students in a non-supervisory capacity will be members. Membership specifically includes all bus drivers, attendants and may include any other transportation personnel that choose to be represented by the association in collective bargaining.
  - a. Active members will pay dues unless covered by part b of this section. Dues will only be paid for the School calendar year.
  - b. Dues will not be paid when a member is not working for entire pay period for any of the following reasons: Leave of absence (family, medical, unpaid, other) bereavement, and jury duty.
  - c. Drivers will pay \$2 for every pay period that they work at least one hour. A driver that works the entire school calendar year will pay \$38.
  - d. Attendants will pay \$1 for every pay period that they work at least one hour. An attendant that works the entire school calendar year will pay \$19.
2. Associate: Any individuals that support the objectives of the association but is not represented by the association in collective bargaining. There will be no dues for associate members and they do not have voting rights.
3. Alumni: Former or retired members, active or associate, that want to continue to support the objective of the association. There will be no dues for alumni members and they do not have voting rights.



## Article IV: Executive Committee

The executive committee will be the governing body of the association.

1. The executive committee will be composed of 4 officers and 4 representatives.
2. The officers will be: President, Vice President, Treasurer, and Secretary.
3. Elections shall be conducted annually for all indicated officers and representatives. The election will be by secret ballot at a time set by the secretary between May 1 and May 15.
4. Qualification:
  - (a) An officer must have been a member of the association for 2 years prior to their election.
  - (b) A representative must have been a member of the association for 1 year prior to their election.
5. Terms of office for all executive committee members are 2 years.
  - (a) Officers will be elected in the years ending with an odd digit.
  - (b) Two representative seats will be elected each year.
    - i. Four representatives will be elected in the election conducted in 2001. The president will randomly determine which two representatives will serve for 2 years and which 2 representatives for one year.
    - ii. Henceforth, 2 representatives will be elected on staggered 2-year terms.

## Article V: Membership Meetings

1. The secretary must schedule a meeting of the entire membership after the first day of school and before September 30.
2. Membership meetings must also be scheduled:
  - (a) 10 to 30 days prior the elections described in Article IV.3. of this constitution for nominations.
  - (b) 10 to 20 days after the elections described in Article IV.3. to include a vote of ratification of the election results and to budget money for the months of July and August
3. Scheduling of membership meetings will require a 10 business day notice to the entire active membership
  - (a) by agreement of any two executive committee members or,
  - (b) discretion of the president or,
  - (c) Request of any 5 active members of the association.
4. A simple majority is necessary to approve any routine business item.
5. A quorum to conduct business will be 8 members or 10% of the membership whichever is lower.
6. A paper ballot provided to all active members is necessary to vote on a major items.  
Major items are:



- (a) ratification of a contractual proposal between the district and our collective bargaining unit.
  - (b) amendment to this constitution whose procedures are outlined in Article V
  - (c) amendment to the Extra Trip Practices and Procedures
  - (d) election of an officer (s) and/or representative (s)
  - (e) any other item requested by written petition of five active members or two members of the executive committee.
7. A major item must be placed on the agenda of a membership meeting and a quorum vote will be necessary to send the ballot to the entire membership stating:
- a. The issue to be voted on.
  - b. When the ballot will be counted which will be no more then 5 days and no less the 2 days.
  - c. Who will count the ballot
  - d. A list of the eligible members
  - e. When the issue would take effect.

### **Article V: Amendment**

The constitution of this association may be amended:

- 1. By an active member submitting the text for the amendment at a scheduled meeting of the entire membership.
- 2. The secretary must schedule a date for a vote not more then 30 days and not less then 14 days after submission of the proposed amendment.
- 3. A 2/3 vote of the membership is required for passage provided a quorum is met.



# By Laws

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*The by laws of the association work in conjunction with the requirements set by the membership in the association's constitution.*

## **Article I: Executive Committee**

The duties and responsibilities of the Executive Committee are as follows:

1. President - presides over executive committee and general membership meetings.
2. Vice President – duties are the same as the President in the absence of the President.
3. Secretary keeps minutes of meetings, posts a copy of the minutes after each meeting, posts notices and agenda of meetings, takes attendance and handles correspondence.
4. Treasurer – collects dues, pays bills and has a treasurer's report at each meeting. The treasurer is also to provide receipt books to all those collecting money. Expense vouchers to be turned in to the Treasurer once a month.
  - (a) The association's treasury funds will be used to pay all current expenses.
  - (b) Funds used for any other purpose must be approved by majority vote of the general membership.
  - (c) Expenditure from the coffee fund can be made by the President, Treasurer or a shopper approved by the president for up to \$400 for canteen related expenses or up to \$100 for other expenditures.
  - (d) Expenditures from the following funds require:
    - Dues accounts signatures of both secretary and vice president
5. Four Representatives
  - (a) represent the membership's thoughts, feelings, and complaints to the executive committee.
  - (b) Each representative will handle one of the functions listed below assigned by the president.
    - Caring Club & Membership
    - Canteen
    - Seniority List
    - Social and Service
    - Extra Trip Practices and Procedures
    - Nominations and recognition
6. Vacant Executive Committee Position
  - a. If the office of President is vacated for any reason, the Vice-President automatically fills the office for the remainder of the term.
  - b. If the Office of Vice President, Treasurer or Secretary is vacated for any reason, the President will appoint an existing representative to that position.
  - c. If a representative seat becomes vacant



*(Continued from page 5)*

1. Nominations will be accepted by any member at a membership meeting
2. Election of a new representative will be by secret ballot
7. Collective Bargaining Procedure  
Contract [initial proposal] negotiations are prepared in advance by the entire committee.
8. Meetings with the District Office

The President and one of the officers of his/her choice will attend other business matters with the district office.

### **Article II: Membership**

1. Grievance and/ or complaint
  - (a) The member shall be responsible first to go to the director of transportation to resolve any grievance, complaint, and problem. The member may ask for another member of the association to be present at any such meetings.
  - (b) A member may present his situation to the executive committee in the event that the problem is not resolved after the second step of the grievance procedure.
2. Ratification of Negotiated Agreement  
The negotiated contract is to be ratified by the general membership for the association.
3. Votes of the membership
  - (a) When voting on issues other than elections, majority vote rules by attendance.
  - (b) Issues must be posted one week prior to a general membership meeting.
  - (c) Issues will be voted on by the members in attendance
  - (d) Absentee ballots will be available for members not able to attend, if requested.
4. Additional holiday paid

The additional holiday (floating holiday) referred to in the contract's Fringe Benefits, Holiday section (Article X, Section 7) will be presumed to be the Wednesday before Thanksgiving unless the membership votes for another day or that Wednesday is a scheduled day of school.

### **Article III: Revision of by laws**

The by laws that govern the operations of this association may be changed:

1. By any executive committee member submitting a proposed change at meeting of the executive committee
2. The secretary must schedule a date for a vote not more then 30 days and not less then 14 days after submission of the proposed change.
3. Approved by 6 votes of the executive committee.



# Ratification

11/28/01 - Article II, Paragraph 4 added

7/24/04 - Article 1, Paragraph 4, c and d added.

11/4/09 — sunshine fund changed to caring fund, retirement fund discontinued

12/2/10 —Amendment to Constitution:

1. Article IV, Paragraph 3, elections to be conducted between January 15 to February 15 instead of May 1 and June 7.
2. Article V, paragraph 5 and 6 added

12/2/10 —Amendment to By Laws

1. Article 1, Paragraph 5(b)(2) Membership added, (6) nominations and recognition added.
2. Article 1, Paragraph 7, deleted are the words: The four officers will do final negotiation with the district office
3. Article II, Paragraph 2 deleted in entirety covering votes of the membership.

Statement -

This document accurately states the Association's Constitution and By Laws amended by a vote of the membership on December 2, 2010.

Charles Smeltzer, President

Cheryl De Witt, Secretary

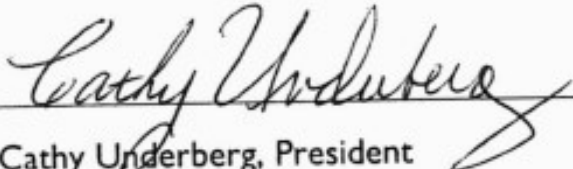


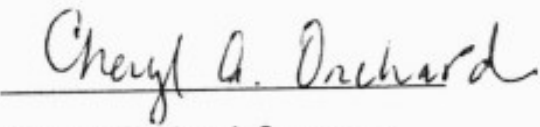
**10/12/2012 —Amendment to Constitution:**

- 1. Article IV, Paragraph 3, elections to be conducted between June 01 to June 15 instead of January 15 to February 15.**

**Statement -**

This document accurately states the Association's Constitution and By Laws amended by a vote of the membership on October 12, 2012.

  
Cathy Underberg, President

  
Cheryl Orchard, Secretary



10/05/2021—Amendment to Constitution:

Article III, paragraph 1. amended to make dues for active drivers \$2 instead of \$1. Also amended that dues will be paid for all active members by the pay period instead of every two weeks.

Article III, paragraph 2. amended to clarify that associate member do not have voting rights.

Article III, paragraph 3. added retired members without voting rights.

Statement—

This document accurately states the Association’s Constitution, By Laws and Standing Rules as amended by a vote of the membership on October 5, 2021.

A handwritten signature in blue ink, appearing to read "Sandra Dron", written over a horizontal line.

Sandra Dron, President

A handwritten signature in blue ink, appearing to read "Raymond H. Hart", followed by the date "10/13/2021", written over a horizontal line.

Raymond H. Hart, Secretary



2/11/2022—Amendment to Constitution:

**Article IV: Executive Committee**

The executive committee will be the governing body of the association.

- 3. Elections shall be conducted annually for all indicated officers and representatives. The election will be by secret ballot at a time set by the secretary between May 1 and May 15. ~~June 1 and June 15.~~

**Article V: Membership Meetings**

- 1. The secretary must schedule a meeting of the entire membership after the first day of school and before September 30.


**2. Membership meetings must also be scheduled:**

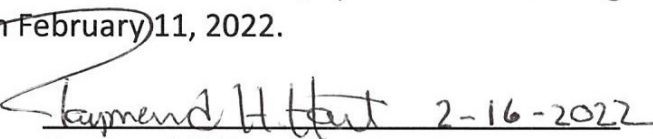
(a) 10 to 30 days prior the elections described in Article IV.3. of this constitution for nominations.

(b) 10 to 20 days after the elections described in Article IV.3. to include a vote of ratification of the election results and to budget money for the months of July and August

Statement—

This document accurately states the Association’s Constitution, By Laws and Standing Rules as amended by a vote of the membership on February 11, 2022.

  
\_\_\_\_\_  
Sandra Dron, President

  
\_\_\_\_\_  
Raymond H Hart, Secretary



# Standing rules

*Standing rules of the association are rules adopted that will stay in force until further action is taken by the membership, executive committee or officer.*

*Standing rules are adopted:*

- 1) simple majority of the membership at a properly scheduled membership meeting,*
- 2) decision by an officer or executive committee and submitted to the membership at the following scheduled membership meeting.*

*Ultimately the membership has the final say for continued adoption of these standing rules.*

Topic	Adopted	By who	Action taken
<b>Fund raising</b>	06 Nov-11	President and communicated to Executive committee	See memo, addendum 1—this memo clarifies the association current interpretation of Board of Education Policy 7450 Raising Funds as the policy applies to our organization. <ol style="list-style-type: none"> <li>1. The treasurer is to be alerted of any fund raising to be conducted under the auspices of our association prior to any collections.</li> <li>2. An individual has the option to contact the district for the fund raiser should they choose not to involve the association.</li> <li>3. The treasurer may ask the individual for approval from the membership or executive committee if they want clarification about the activity.</li> <li>4. The individual collecting the funds is responsible to submit an accounting to the treasurer.</li> </ol>
<b>Caring Fund</b>	09 Nov-04	Membership vote	The balance of the former sunshine fund has been placed in a dedicated bank account to be used for cards, postage, stationary and other materials to acknowledge individuals that our association cares about. Each year the treasurer is responsible to have the bank signature cards up to date for the volunteer responsible for the fund. The caring fund custodian is responsible to provide a yearly accounting or when the treasurer request.
<b>Gratuities</b>	11 Jan-18	Membership vote	A vote of the membership must be conducted prior to any disbursement of association funds for gratuities. The treasurer may continue to budget funds even though the membership may ultimately decide not to spend the funds.
<b>Archive Ballots</b>	21 Nov-1	Membership vote	All ballots of the membership will require that; <ol style="list-style-type: none"> <li>1. Two current members count the ballots</li> <li>2. The original ballots are kept by the secretary in a sealed envelop and kept for at least 365 days.</li> <li>3. a list of all eligible current members is stored with the ballots.</li> <li>4. The ballots are available for review by a current member.</li> </ol>

These standing rules are reflected in the minutes of these meetings:

*Raymond H. Hart* 11/1/2021  
 Raymond H. Hart, Secretary



# Addendum 1

*Serving the Community of the Penfield Central School District*

2075 Five Mile Line Road, Penfield, New York 14526 / email: [psta@rochester.rr.com](mailto:psta@rochester.rr.com) / [www.penfieldbus.com](http://www.penfieldbus.com)



November 8, 2006

To: Executive Committee, Sandy Capone, John Costantini, Gail Trabalzi, and Linda Reigle.

From: Ray Hart

Re: Collecting funds in the break room

CC: Gina Cioppa

Gina contacted me on Tuesday, November 7 regarding the collection of money in the break room. Gina said that she had been approached by one of our members who felt that they were representing the sentiments of other members. The member was concerned that too many collections were being conducting. The member was also concerned that collections were for varying degree of importance.

I communicated to Gina the following position:

1. Dorothy Miller as the coordinator of member services is our point person for our activities in the break room. Dorothy passes along efforts that she feels need consideration or approval by the executive committee.
2. PSTA keeps an accounting of all funds that we collect and will provide a summary on request to the district.
3. Any effort that PSTA chooses not to involve itself with will be referred to Gina for her permission. PSTA does not involve itself with individual's efforts such as Girl Scout cookies, School fund raisers, Avon, etc. Those are clearly efforts for Gina to consider.

I have spoken to the member that approached Gina with my concerns. We discussed how this is the type of issue that they should free to discuss with their rep, an officer and put on the agenda of a member meeting. I would ask everyone on the executive committee to consider whether further action is needed. Hack would be glad to include an agenda item at either a member or executive committee meeting.

## Executive Committee

Raymond Hart  
President

Harold Marchant  
Vice President

Daniel Marsh  
Treasurer

Alan Whitecomb  
Secretary

J. Edward Bulau  
Social Events

Loretta Hutchinson  
Service Projects

Dorothy Miller  
Member Services

Patricia Slaucenburg  
Canteen Operations

Sandra Spaulding  
Past President



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# Addendum 2

## Membership Ballot item template for:

- Election of any executive committee member
  - When referred for a vote of the entire membership at a member meeting
  - Any contractual related item such as ratification of a labor contract, a memorandum of agreement or understanding, amendment of the Extra trip practices and procedures.
- 

I make the motion that:

Which will be submitted to a membership vote on (no more than 5 days and no less than 2 days:

To be counted on (date) \_\_\_\_\_

by (two [2] active members who will count the ballots):