

Bucyrus Education Association Constitution



Revised on 2/24/2005

Kevin Fourman President

Article I: Name

Section A The name of this organization shall be the *Bucyrus Education Association*.

Section B The Bucyrus Education Association, henceforth referred to as the Association, shall maintain affiliation with the North Central Ohio Education Association, The Ohio Education Association, and the National Education Association.

Article II: Purpose

Section A The purpose of the Association shall be to:

1. Help set and promote the educational objectives of the local school system and of the state and nation;
2. Protect the welfare and advance the professional interests of its members;
3. Foster professional attitudes;
4. Establish and maintain helpful, friendly relationships within the membership and school community.

Article III: Membership

Section A All certified or licensed personnel employed by the Bucyrus City Schools Board of Education, except those classified as administration, shall be eligible for active membership.

Section B Active members shall be members of the Bucyrus Education Association, the North Central Ohio Education Association, the Ohio Education Association, and The National Education Association.

Section C All members shall abide by the Code of Ethics of the education profession.

Article IV: Officers

Section A The Officers of the association shall be the President, Vice President, Secretary and Treasurer.

Section B All Officers shall hold office for a two-year term. The President and Secretary shall be elected in even years. The Vice President and Treasurer shall be elected in odd years.

Article V: Executive Committee

Section A The Executive Committee shall be composed of the officers of the Association and Association representatives.

Section B The Executive Committee shall:

1. Act as advisors to the officers, assign duties, be responsible for all committees of the Association, and have such policy making authority as provided in this Constitution and Bylaws;
2. Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings;
3. Prepare recommendations for the consideration and action of the Association;
4. Carry out policies established at general meetings;
5. Report its transactions and those of the general membership to all members;
6. Direct an independent audit of the Association's financial records at regular intervals not to exceed two years.

Section C There shall be one Association representative in each building or unit of representation for every ten (10) members or fraction thereof.

Section D It is the policy of this Association and it shall take all legally permissible steps to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.

Section E Certified or licensed members shall be elected to the Executive Committee in proportion to their respective membership in the Bucyrus Education Association.

Article VI: Elections

Section A The president shall appoint a Nominating Committee whose duty it shall be to present a slate of officers for each office. Candidates for office may also be submitted by petition signed by at least fifteen (15) active members or by nomination from the floor.

Section B No member shall be nominated for office without the knowledge and consent of the individual.

Section C The president shall appoint an Elections Committee whose duty it shall be to conduct elections in accordance with the OEA Elections Manual and to resolve all challenges or protests to an election. No nominee for office shall serve concurrently on the Elections Committee.

Section D Elections of officers and Executive Committee members shall be conducted by secret ballot in each building during one school day designated by the Elections Committee.

Section E The Elections Committee shall report the results of the election to the total membership within five (5) calendar days following the election.

- Section F** Newly elected officers shall be installed and assume their offices at the last meeting of the school year.
- Section G** All ballots, marked, unmarked, and voided, and all other records pertaining to the election of officers of this Association and OEA and NEA delegates and alternates, shall be preserved for one year from the date the election was held and such ballots and other records shall be made available to OEA officers upon request for inspection and examination.
- Section H** Non-members of the Association, including fee payers, shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

Article VII: Impeachment of Officers

- Section A** Officers of the Association may be impeached for violation of the Code of Ethics of the Education Association Profession, or misfeasance, malfeasance, or nonfeasance in office.
- Section B** Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Committee by at least twenty-five percent (25%) of the members.
- Section C** If, after a due process hearing, a two-thirds (2/3) vote of the Executive Committee shall sustain the charge, the office shall become vacant.
- Section D** The officer may appeal the decision to a special meeting of the general membership.

Article VIII: Committees

- Section A** The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.
- Section B** Ad Hoc (temporary) committees may be formed as necessary to achieve the Association program.
- Section C** All committees shall be appointed by the President with the approval of the Executive Committee.

Article IX: Dues

- Section A** The local association shall have a dues structure adequate to fund an active program. The dues rate shall be established according to Bylaws Article 2.

Article X: Amendments

- Section A** Amendments to this constitution may be made by a two-thirds (2/3) majority of those voting at any regular meeting provided that the amendments have been introduced at the preceding regular meeting and that copies of proposed amendments have been distributed to all members for discussion.

Bucyrus Education Association Bylaws

Article 1: Meetings

Section 1-1 The Executive Committee shall meet monthly or at the call of the President.

Section 1-2 The general membership meetings shall be held at least once each semester. Additional meetings may be called by the President, a majority vote of the Executive Committee, or a petition to the President signed by at least 10% of the active membership. Such petitions shall state the purpose of the desired meeting and the business of that meeting shall be limited to consideration of the stated purpose.

Article 2: Quorum

Section 2-1 The quorum for the Executive Committee meetings shall be one more than fifty percent (50%).

Section 2-2 The quorum for a general meeting shall be the membership present.

Article 3: Duties of Officers

Section 3-1 President

(A) Preside over all Association meetings and prepare their agendas;

(B) Represent the Association on all matters of Association policy.

Section 3-2 Vice President

(A) Preside over Association meetings in the absence of the President;

(B) Perform such duties as delegated by the President.

Section 3-3 Secretary

(A) Keep accurate minutes of all official meetings of the Association;

(B) Maintain official files of the Association;

(C) Perform such other duties as delegated by the President.

Section 3-4 Treasurer

(A) Hold the funds of the Association and disburse them upon authorization of the Executive Committee;

(B) Maintain records of receipts and disbursements;

(C) Maintain membership rolls;

(D) Prepare financial reports for meetings of the Executive Committee and an Annual Financial Statement to be distributed to the membership;

(E) Prepare an independent audit as authorized by the Executive Committee.

Section 3-6 Association Representative

- (A) Report recommended policies and other actions of the Executive Committee to members in his/her building or unit of representation;
- (B) Transmit proposals and recommendations from members in his/her building or unit of representation to the Executive Committee for its consideration;
- (C) Assist the membership committee in the collection of dues and forms;
- (D) Assist the election committee in the collection of ballots;
- (E) Attend all official meetings of the Association or provide an alternate in his or her absence;
- (F) Act as a consultant to the individual member who has a professional problem and when necessary, seek needed assistance from the Association.

Article 4: Committees

Section 4-1 There shall be the following committees:

- (A) Negotiations- Assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional advice and input, upon request of the bargaining team, during active negotiations.

Section 4-2 Ad hoc or temporary committees may be created to deal with short term issues and projects.

Article 5: Bargaining and Contract Ratification Procedures

Section 5-1 The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and Executive Committee.

- (A) If the President is not an active member of the bargaining team, the President will be an ex-officio member of the Association bargaining team;
- (B) Members of the bargaining team need not necessarily be from the negotiations committee;
- (C) Necessary sub-committees may be appointed, as needed, by the committee chairperson;
- (D) The bargaining team shall have the authority to bargain in good faith, make proposals, counter-proposals, make concessions, and make tentative agreement on a contract with representatives of the Board of Education;
- (E) While negotiations are in progress, periodic reports to members may be made by the bargaining team.

Section 5-2 In preparation for bargaining, the negotiations committee shall make reports and recommendations to the Executive Committee.

- Section 5-3** The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).
- (A) The OEA/NEA Labor Relations Consultant shall be the Association's designated representative for the purpose of dealing with SERB.
- Section 5-4** Written copies of the tentative agreement summary should be given to the general membership prior to ratification.
- Section 5-5** A vote on a tentative agreement to the contract or on a fact-finding report shall be made by written ballot.
- (A) No absentee or proxy votes will be allowed on contract ratification votes or fact finding reports.
- (B) The first vote on contract ratification of a fact finding report will be to accept or reject the contract/report as presented.
- (C) All ballots used in a vote regarding a contract ratification of fact-finding report, after tabulation, will be sealed and retained by the Association Treasurer for three (3) years or the duration of the contract
- (D) The President will communicate required details of the ratification vote to the employer's designated representative.
- Section 5-6** The designated representative for the Association is authorized to give timely notice of the intent to strike to the Board of Education and SERB, upon approval of the membership and in keeping with provisions of ORC 4117.14(D) (2).
- Section 5-7** Non-members of the Association are not eligible to vote on a fact-finding report or contract ratification.
- Article 6: Dues**
- Section 6-1** The dues rate for the succeeding year shall be determined by the April meeting of the Executive Committee.
- Section 6-2** Every member shall also pay the dues required by the district, state, and national associations with which this local is affiliated.
- Section 6-3** The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.
- Article 7: Membership Year**
- Section 7-1** The membership year of the Association shall be September 1 to August 31.

Article 8: Expulsion of Members

Section 8-1 According to procedures adopted by the Association, the Executive Committee may censure, suspend from membership, or expel any member for one or more of the following reasons:

(A) Violation of Code of Ethics of the Education Profession;

(B) Conviction of a felony;

(D) Actively engaging in or actively supporting activities directed against the constitutional purposes of the Association to bring about changes in the Association by means other than those that are consistent with the Association's Constitution.

Section 8-2 The Executive Committee may reinstate members previously suspended or expelled.

Article 9: Due Process

Section 9-1 The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include appropriate appellate procedure.

Article 10: Authority--Parliamentary Procedure

Section 10-1 Robert's Rules of Order, Newly Revised shall be the authority governing all matters of procedure not otherwise provided in this constitution, bylaws, or standing rules.

Article 11: Amendments

Section 11-1 Amendments, alterations, additions, or deletions to these bylaws shall be made by a majority vote of the total active membership of the association.

Section 11-2 Change shall be proposed upon the initiative of the Executive Committee or upon presentation to the Executive Committee of a petition signed by 20% of the current active membership. All proposed changes shall be submitted in writing to all active members at least ten (10) days prior to action.

Article 12: Dissolution of Associations

Section 12-1 A petition for dissolution of the Association may be presented in writing to a meeting of the general membership by any member in good standing and must contain the signature of three-fourths (3/4) of the total membership of the Association.

Section 12-2 Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next general meeting.

Section 12-3 The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.

Section 12-4 The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.

Section 12-5 In the event of dissolution of the Association, all assets of the organization remaining after payment of all obligations shall be distributed to Bucyrus Community Foundation provided that it is an entity recognized as exempt from Federal taxation.

Article 13: Enabling Provision

Section 13-1 This constitution and these bylaws shall become effective December 11, 2001 following their adoption, and shall remain in effect until amended according to regulations herein provided.

Section 13-2 Elections shall be held in 2002 for two-year terms for President and Secretary and one-year terms for Vice President and Treasurer. An election will be held in 2003 for two-year terms for Vice President and Treasurer.