

Circleville Education Association Constitution

Article I. Name

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

Section B. The Circleville Education Association, henceforth referred to as the Association, shall maintain affiliation with the Central OEA/NEA, the Ohio Education Association and the Nation Education Association.

Article II. Purpose

The purpose of the Association shall be to:

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

Article III. Membership

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

Section B. Active members shall be members of the Central OEA/NEA, 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 President, Vice – President, Secretary, and Treasurer.

Section B. The officers of the Association shall be entitled to an annual stipend, which shall be paid at the conclusion of the school year. In order to be eligible for the stipend, the officer must faithfully perform his/her duties and attend each executive committee meeting or be excused by a majority vote of the executive committee members in attendance. The amounts of the stipends are as follows:

- President \$1000
- Vice President \$500
- Secretary \$500
- Treasurer \$600

Section C. Term of Office – All officers shall hold office for a one year term.

Section D. Successions and Vacancies – Whenever the office of President becomes vacant due to death, incapacity, termination, resignation, retirement, or recall, the Vice-President shall automatically assume the presidency for the remaining part of the term. A vacancy in the office of Vice-President, Secretary, or Treasurer shall be filled for the remainder of the term by a majority vote of the Executive Committee.

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:

- Act as the 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.
- Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings.
- Prepare recommendations for the consideration and action of the Association.
- Carry out policies established at general membership meetings.
- Report its transactions and those of the general membership to all members.
- Direct an independent audit of the Association’s financial records at regular intervals not to exceed two years.
- By majority vote, authorize the president to enter into MOUs/MOAs with the school district.

Section C. Each building shall have one association representative for every 25 members. Each association representative shall be elected following the elections protocol for a one-year term.

Section D. Association representatives shall be entitled to an annual stipend of \$250 to be paid at the conclusion of the school year. In order to be eligible for the stipend, the representative must faithfully perform his/her duties and attend

each executive committee meeting or be excused by a majority vote of the executive committee members in attendance.

CEA shall pay registration, parking, and lodging for representatives attending OEA and Central meeting/functions. Meals shall be reimbursed at the per diem rate of up to thirty (\$30.00) dollars. CEA will reimburse one (1) hotel room for males and one for females. Hotels will be reimbursed at the current OEA hotel rate. Anything above the OEA rate will be the representative's financial responsibility. Itemized receipts are required.

Association members shall be reimbursed for mileage, at the current accepted IRS rate, while serving in the capacity of an official CEA representative to OEA or Central meetings/functions. CEA encourages carpooling for the fiscal integrity of the Association.

Section E. 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 F. No business or financial transaction involving a member of the Executive Committee/ Board of Directors or agent of the Association, or their spouse, children, or parents, or otherwise as described in this Section, shall conflict with the fiduciary responsibility of such person to the Association. Such relationships with the members of the Executive Committee/ Board of Directors include relationships with any person that would reasonably be expected to affect the person's judgment with respect to the transaction or conduct in question in a manner adverse to the Association.

Article VI. Elections

Section A. 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 B. Candidates for office are considered nominated by either submitting their name to the elections chairperson or by being nominated from the floor of the general membership elections meeting.

Section C. No member shall be nominated for office without the knowledge or consent of the individual.

Section D. Election of the 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 calendar days of the election.

Section F. Newly elected officers shall be installed and assume their office on July 1st.

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 of 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 Profession or for 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 of the members.

Section C. If, after a due-process hearing a two-thirds vote of the Executive Committee sustains 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 Programs 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 rates shall be established according to OEA Bylaw 2-4.

Article X. Amendments

Section A. Amendments to this Constitution may be made by a two-thirds 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.

By-Laws

Article I. Meetings

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

Section B. The general membership meeting shall be held at least once each semester. Additional meetings may be called by the President, a majority of the Executive Committee, or a petition to the President signed by at least ten percent of 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 II. Quorum

Section A. The quorum for the Executive Committee meetings shall be one more than fifty percent.

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

Article III. Duties of Officers

Section A. President

- Preside over all Association meetings and prepare their agendas.
- Represent the Association on all matters of Association policy.
- Serve as ex-officio member of all Association committees.
- Serve as a delegate to the OEA Representative Assembly by virtue of office.

Section B. Vice-President

- Preside over Association meetings in the absence of the President.
- Perform such duties as delegated by the President.
- Serve as a delegate to the OEA Representative Assembly by virtue of office.

Section C. Secretary

- Keep the minutes of all official meetings of the Association.
- Maintain official files of the Association.
- Perform such other duties as delegated by the President.

Section D. Treasurer

- Hold the funds of the Association and disburse them upon authorization of the Executive Committee.

- Maintain records of receipts and disbursements.
- Maintain membership rolls.
- Prepare financial reports for meetings of the Executive Committee and an annual financial statement to be distributed to the membership.
- Prepare for an independent audit as authorized by the Executive Committee.
- Shall be bonded.
- Chair the budget committee.

Section E. Association Representative

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

Section F. The duties of any of the above positions, and any resulting stipend(s), may be shared by multiple members.

Article IV. Committees

Section A. A majority vote of the executive committee is necessary to form committees and approve chairpersons. Committees may include the following:

- 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.
- Elections – charged with the responsibility to protect the integrity of an election or vote and ensure that an election is conducted in accordance with local, state, and national constitution.
- Grievance – maintenance of, and membership advocacy in, grievance procedures.
- Professional Development – pre-service, continuing, and in-service educational opportunities.
- Human Relations – promotion of understanding, unity, and communication among small groups in the school and the school district communities.
- Communications – membership newsletters, press releases, and public relations.

- Legislative – candidate endorsement/campaigning, EPAC fund collections, levy/bond campaigning, seek membership involvement in relevant local, state, and national political affairs.
- Budget – prepares a budget giving estimates of income and expenditures (including a separate estimate for each committee) for the future fiscal year.
- Audit – checks accuracy of accounting procedures.

Section B. Necessary sub-committees may be appointed, as needed, by the committee chairperson.

Article V. Bargaining and Contract Ratification

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

- 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.
- Members of the bargaining team need not necessarily be from the negotiations committee.
- Necessary sub-committees may be appointed, as needed, by the committee chairperson.
- The bargaining team shall have the authority to bargain in good faith; make proposals, counterproposals, and concessions; and make tentative agreement on a contract with representatives of the Board of Education.
- While negotiations are in progress, periodic reports to members may be made by the bargaining team.

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

Section C. The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).

Section D. Written copies of the tentative agreement summary should be given to the general membership prior to ratification.

Section E. All ratifications of collective bargaining agreements will be conducted in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.

Section F. The designated representative for the Association is authorized to give timely notice of intent to strike to the Board of Education and SERB upon approval of the membership and in keeping with the provisions of ORC 4117.14(D)(2).

Section G. Non-members of the Association are not eligible to vote on a fact-finder's report or contract ratification.

Article VI. Dues

Section A. The annual dues of the Association shall be fifty dollars.

Section B. The dues rate of the Association may be changed by the Executive Committee.

Section C. Every member shall also pay the dues required by the district, state, and national associations with which this local is affiliated.

Section D. The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.

Article VII. Membership Year

Section A. The membership year of the Association shall be September 1 to August 31.

Article VIII. Expulsion of Members

Section A. 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 the Code of Ethics of the Education Profession.
- Conviction of a felony.
- 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 B. The Executive Committee may reinstate members previously suspended or expelled.

Article IX. Due Process

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

Article X. Authority- Parliamentary Procedure

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

Article XI. Amendments

Section A. Amendments, alterations, additions, or deletions to these Bylaws shall be made by a majority vote of the total active membership of the association.

Section B. Changes shall be proposed upon the initiative of the Constitution Committee or upon presentation to the Executive Committee of a petition signed by twenty percent of the current active membership. All proposed changes shall be submitted in writing to all active members at least ten days prior to action.

Article XII. Dissolution of Associations

Section A. A petition of 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 signatures of three-fourths of the total membership of the Association.

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

Section C. The Association shall be considered dissolved if three-fourths of the total membership vote by secret ballot in favor of dissolution.

Section D. The effective date of dissolution shall be thirty days from the date of the vote, thus allowing the disposal of assets and liabilities.

Section E. In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed _____ provided that it is an entity recognized as exempt from federal taxation. In the event that _____ is not recognized as tax exempt, such assets shall then pass to _____ provided that it is recognized as exempt from Federal taxation.

Article XIII. Enabling Provision

Section A. This Constitution and these Bylaws shall become effective September 29, 2016, following their adoption, and shall remain in effect until amended according to regulations herein provided.