

CONSTITUTION OF THE BEXLEY EDUCATION ASSOCIATION

(REVISED AND EFFECTIVE ON MAY 1, 2018 PENDING MEMBERSHIP VOTE ON APRIL 23, 2018)

ARTICLE I – NAME

Section A: The name of this organization shall be the Bexley Education Association.

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

ARTICLE II – PURPOSE

Section A: The purposes of this Association shall be to promote, in cooperation with the School Board and administrative offices, the education objectives of the local school system and of the state and nation; to protect the welfare and advance the interest of its members; to foster professional attitudes, and to establish and maintain helpful, friendly memberships within the membership and school community.

Section B: This Association shall cooperate with the purposes of the Ohio Education Association, the National Education Association, and the Central OEA/NEA.

ARTICLE III – MEMBERSHIP

Section A: All certificated and/or licensed personnel employed by the Bexley Board of Education (except those classified as administration) shall be eligible for active membership.

Section B: Active members of the Association shall also be members of the Ohio Education Association, the National Education Association, and the Central OEA/NEA.

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, Treasurer, and Immediate Past President.

Section B: Term of Office. The President, Vice President, Secretary, and Treasurer shall each serve for one term of office for one school year, and may seek additional consecutive terms of office with the approval of the Executive Committee. There shall be no limit to the number of terms of office. The Association Representatives shall be elected to one-year terms at unit building elections.

Section C: Resignation of Officers. In the event the Association President resigns, leaves the school district, or otherwise ceases to serve as an officer of the Association, the Vice President shall automatically become President.

If both President and Vice President of the Association resign, leave the school district or otherwise cease to serve as officers of the Association, the Immediate Past President shall serve as Acting President, or if unable, the Chairman of the Finance and Negotiations Committee shall serve as Acting President until a special election can be held.

In the event other officers of the Association resign, leave the school district, or otherwise cease to serve as Association officers, Vice President shall conduct a special election to fill the vacated officers. During the interim, the Executive Committee may appoint an acting-officer to assume temporary responsibility for the duties of the vacated position.

Section D: Impeachment of Officers. 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. Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Committee by at least twenty-five (25) percent of the members. If, after a due-process hearing, a two-thirds (2/3) vote of the Executive Committee sustains the charge, the office shall become vacant. The officer may appeal the decision to a special meeting of the general membership.

ARTICLE V – EXECUTIVE COMMITTEE

Section A: The Executive Committee shall be composed of the officers of the Association and the elected delegates from each building unit.

(1) The one-person, one-vote principal shall be applied to the Executive Committee with one Association Representative for each 10 (ten) members of major fraction thereof.

(2) There shall be elected to the Executive Committee representation of ethnic minority at least proportionate to the ethnic minority of membership in the BEA.

Section B: If the retiring President no longer continues to be an active member of the Bexley City Schools Staff, the last preceding President yet a member of the staff shall be a member of the Executive Committee.

Section C: The Executive Committee shall serve as the agency through which the policies of the Association will be put into effect and have general supervision of all activities sponsored by the Association. The Executive Committee shall authorize the necessary expenditures. All claims must be presented to the Executive Committee. The Executive Committee will review and approve a budget prepared by the Treasurer for the approval of the membership. The Executive Committee will also appoint an auditing committee or will contract with a CPA for the purpose of auditing the Association books.

Section D: The Executive Committee shall meet at the call of the President.

Section E: No business or financial transaction involving a member of the Executive Committee 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 may be placed on the ballot by the Elections Committee or upon presentation (10 days or more prior to election) of a petition signed by at least 10 members of the Association.

Section C: The annual election of officers and elected committee members shall take place during the month of April and the elections shall be by ballot.

Section D: The officers and committee members may be installed and assume duties at the last regular meeting of the school year.

Section E: Election of officers shall be conducted by open nominations and secret ballot. All ballots, marked, unmarked and void, 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 F: Non-members of the Association, including fee payers, shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

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

Section H: Notice of all elections will be provided either by school mailbox or email at least 2 calendar days prior to the election.

ARTICLE VII – 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 VIII – 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 V.

ARTICLE IX – 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.

BY-LAWS OF THE BEXLEY EDUCATION ASSOCIATION

(REVISED AND EFFECTIVE SEPTEMBER 1, 2015)

ARTICLE I – MEETINGS

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

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

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

ARTICLE III – DUTIES OF OFFICERS

Section 3-1 President

- (A) Presides over all Association meetings and prepares their agendas;
- (B) Represents the Association on all matters of Association policy;
- (C) Serves as ex-officio member of all Association committees;
- (D) Is responsible for calling special meetings and coordinates the Association activities;
- (E) Familiarizes himself/herself with the program, policies, personnel, and procedures of the local, sectional, state, and national association;
- (F) Delegates responsibilities to key personnel, especially to the Vice President;
- (G) Fosters the enrollment of membership in the local, sectional, state, and national associations;
- (H) Maintains contact of a professional nature with other school leaders and the general public;
- (I) Supervises with care the appointments of necessary committees and the selection of committee chairpersons;
- (J) Exercises general supervision over the budget;
- (K) Makes arrangements for delegates to state and national meetings;
- (L) Seeks out and trains future leaders;
- (M) Supervises the compilation of an up-to-date file for succeeding officer;
- (N) Is automatically a delegate to the OEA Representative Assembly unless he/she chooses to have an elected delegate in his/her place;
- (O) Attend Executive Committee meetings;
- (P) Shall receive a stipend of \$2,000 and dues paid.

Section 3-2 Vice President

- (A) Presides over Association meetings in the absence of the President;
- (B) Performs all the duties of the President in his/her absence;
- (C) Familiarizes himself/herself with the plans and the program of the Association;
- (D) Chairs the Steering Committee;
- (E) Presides over special elections;
- (F) May plan meetings of a professional nature for the membership as noted below:
 - a. Arrange for speakers, panel members, or discussion leaders;
 - b. Plan, organize, and conduct all national and state sponsored activities such as National Teacher Day, National Education Week, etc.;
 - c. Organize and conduct elections;
 - d. Plan, organize, and conduct social events;
- (G) Shall receive a stipend of \$1,125 and dues paid.

Section 3-3 Immediate Past President

- (A) Serves as consultant to the Executive Committee.

Section 3-4 Secretary

- (A) Keeps accurate minutes of all official meetings of the Association and forward it to the members;
- (B) Maintains official files of the Association;
- (C) Handles the correspondence of the Association;
- (D) Notifies officers, committees, and delegates of appointments and meetings;
- (E) Sends members notices of regular and special meetings of the Association;
- (F) Communicates all proceedings of the Association to all members;
- (G) Presides over Association meetings in the absence of the President and Vice President;
- (H) Shall receive a stipend of \$1,125 and dues paid.

Section 3-5 Treasurer

- (A) Receives and deposits to the account of the local Association all monies belonging to the Association;
- (B) Maintains accurate records of all financial transactions;
- (C) Reports in detail the current financial transactions and financial condition of the Association at regular meetings;
- (D) Pays out such funds as authorized by the action of the Association;
- (E) Presents for audit all necessary records to the proper persons designated by the Executive Committee;
- (F) Prepares the budget for the coming year;
- (G) Makes remittances and reports of state and national membership to the proper officers;
- (H) Prepares an annual financial report for the Association;
- (I) Shall receive a stipend of \$1,125 and dues paid.

Section 3-6 Association Representative

- (A) Reports recommended policies and other actions of the Executive Committee to members in his/her building;
- (B) Transmits proposals and recommendations from members in his/her building to the Executive Committee for its consideration;
- (C) Assists the membership committee in the collection of dues;
- (D) Assists the membership committee in the collection of ballots;
- (E) Attends all official meetings of the Association or provides an alternate in his/her absence (such alternate shall not vote);
- (F) Acts as a consultant to the individual member who has a professional problem, and when necessary, seeks needed assistance from the Association.

Section 3-7 BEA Professional Development Coordinator

- (A) Receive BEA PD forms and approves reimbursement amounts in accordance with the current BEA PD payout structure;**
- (B) Communicate with members and problem solve when necessary;**
- (C) Provide accurate and current records of all professional development receipts to the Treasurer by the prescribed quarterly deadlines;**
- (D) Shall receive a stipend of \$500 and dues paid.**

ARTICLE IV – COMMITTEES

Section 4-1 There shall be the following committees:

- (A) Executive
- (B) Finance and Negotiations
 - a. Fifteen members (three from each building) shall be appointed by the President, with approval of the Executive Committee. The BEA will strive to obtain a balance between men and women and in varying degrees of experience.
 - b. The members of the committee are asked to serve for a three year term. It is desired to have a third of the rotating committee being newly appointed each year.
 - c. The chair of the committee shall be appointed by the President.
 - d. A secretary shall be selected by the Finance and Negotiations Committee so that all meetings may be a matter of record.
 - e. A Negotiations Team shall be appointed by the President, with the approval of the Executive Committee.
 - f. The Executive Committee shall review the membership and functions of the Finance and Negotiations Committee and the Negotiations Team at the beginning of the contractual year.
 - g. Duties to include
 - i. Studying state and national salary trends and local school financing;
 - ii. Keeping the membership, administration, and Board of Education informed of such trends;

- iii. Modifying or changing existing policies and agreements wherever needed, or establishing new policies and agreements through negotiation with the Board of Education;
 - iv. Preparing the written ballot by which Association members can ratify a final agreement at a called business meeting (no proxy ballots will be accepted; application for absentee ballot must be approved by the Executive Committee);
 - v. Working with administration, staff, and Board of Education on all matters concerning teachers' welfare;
 - vi. Informing the staff or interested parties of the progress of this committee, through writing or by called business meetings.
 - vii. Conduct all ratifications of collective bargaining agreements in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.
 - 1. Non-members of the Association are not eligible to vote on a fact finder's report or contract ratification.
 - h. The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB) OR the National Labor Relations Board (NLRB).
- (C) Duties of the Membership Coordinator will be specified by the President with the approval of the Executive Committee.
- a. Duties to include:
 - i. Foster membership in the local, district, state, and national associations;
 - ii. Conduct membership enrollment campaigns.
 - b. Shall receive a stipend in the form of dues paid.
- (D) Duties of Ad Hoc Committees will be specified by the President with the approval of the Executive Committee.
- (E) Duties of the Finance and Negotiations Chair will be specified by the President with the approval of the Executive Committee.
- (F) Duties of the Professional Development Chair will be specified by the President with the approval of the Executive Committee and shall receive a stipend in the form of dues paid.
- (G) Duties of a Web Master Chair shall be appointed by the President, with the approval of the Executive Committee and shall receive a stipend in the form of dues paid.
- (H) Duties of a Technology Coordinator shall be appointed by the President, with the approval of the Executive Committee and shall receive a stipend in the form of dues paid.
- (I) Elections Committee
- a. Charged with the responsibility to protect the integrity of an election or vote and ensure that an election is conducted in accordance with the guidelines set forth in the OEA Election Manual and with local, state, and national constitutions.

ARTICLE V – DUES

- Section 5-1 The dues rate for the succeeding year shall be determined **no later than** the April meeting of the Executive Committee **of the Bexley Education Association**.
- Section 5-2 Every member shall pay the dues required by the Ohio Education Association, the National Education Association, the Central OEA/NEA, **and the Executive Committee of the Bexley Education Association**.
- Section 5-3 The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.
- Section 5-4 **If there is a rate proposal, the increase shall not be more than 5% of the current local dues rate.**

ARTICLE VI – FISCAL YEAR AND MEMBERSHIP YEAR

- Section 6-1 The fiscal and membership year of the Association shall be September 1 to August 31.

ARTICLE VII – AUTHORITY – PARLIAMENTARY PROCEDURE

- Section 7-1 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 VIII – 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 the Code of Ethics of the Education Profession. B. Conviction of a felony. C. 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.
- Section 8-3 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 IX – AMENDMENTS

- Section 9-1 Amendments, alternations, additions, or deletions to these Bylaws shall be made by a majority vote of the total active vote of the Association.
- Section 9-2 Changes shall be proposed upon the initiative of the Constitution Committee or upon presentation to the Executive Committee of a petition signed by twenty (20%) percent 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 X – DISSOLUTION OF ASSOCIATION

- Section 10-1 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 10-2 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 10-3 The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.
- Section 10-4 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 10-5 In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to Bexley Education Foundation provided that it is an entity recognized as exempt from Federal taxation. In the event that Bexley Education Foundation is not then recognized as tax exempt, such assets shall then pass to Bexley Public Library provided that is recognized as exempt from Federal taxation.

ARTICLE XI – ENABLING PROVISION

- Section 11-1 This Constitution and these Bylaws shall become effective immediately following their adoption, and shall remain in effect until amended according to regulations herein provided.

ARTICLE XII – DUE PROCESS

- Section 12-1 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 XIII – BARGAINING AND CONTRACT RATIFICATION

Section 13-1 The Association shall be represented in collective bargaining by an authorized bargaining team of Association Representatives appointed by the President.

A. If the President(s) are not an active member of the bargaining team, the President(s) 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, counterproposals, and 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 13-2 In preparation for bargaining, the negotiations committee shall make reports and recommendations to the Executive Committee.

Section 13-3 The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).

Section 13-4 The OEA/NEA UniServ Consultant shall be the Association's designated bargaining representative.

Section 13-5 Written copies of the tentative agreement summary should be given to the general membership prior to ratification.

Section 13-6 Conduct all ratifications of collective bargaining agreements in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.

Section 13-7 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 or 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 or fact-finding report, after tabulation, will be sealed and retained by the Association Treasurer for three (3) years or duration of contract, whichever is greater.

D. The President(s) will communicate required details of the ratification vote to the employer's designated representative.

Section 13-8 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 provisions of ORC 4117.14(D)(2).

Section 13-9 Non-members of the Association are not eligible to vote on a fact finder's report or contract ratification.