

Highlands County Education Association

Constitution

ARTICLE 1 - NAME

The Name of this association shall be the Highlands County Education Association.

ARTICLE II- PURPOSE

Section 1: To aid and assist members in obtaining and extending the benefits of mutual assistance and collective bargaining.

Section 2: To develop a better understanding (among the profession and the public) of the issues and problems in the area of educational employee's rights.

Section 3: To advance the civil and academic rights of the teaching profession.

Section 4: To encourage all School Board Employees, without regard to race, creed, sex, color, national origin, to share equally in the full benefits of this organization, the Florida Education Association, The American Federation of Teachers, and the National Education Association.

Section 5: To provide for involvement of minority members in the association activities.

Section 6: To work for legislation that will safeguard and promote the principal of free collective bargaining and enforce the rights of teacher educational employees and oppose legislation hostile to these objectives.

Section 7: To promote and use all appropriate media, to advance and protect the teaching profession and the individual rights of the members of the teaching profession.

Section 8: To safeguard the democratic character of the education employees' association for protection of the rights of the teaching profession and its individual members, through the organization of the Highlands County Education Association and the organization with which it affiliates.

Section 9: To encourage School Board Employees to register and vote, to exercise their full rights and responsibilities of citizenship, and to become involved politically.

Section 10: To promote the human and civil rights and the educational welfare of all students.

Section 11: To work for the continuous improvement of instruction in Highlands County toward the end that every child obtains the best education this community can offer.

Section 12: To work towards the improvement of teacher education and professional development.

Section 13: To develop and promote and adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Section 14: To unify and strengthen the teaching profession and to secure and maintain the salaries, retirement, job security, professional and sick leave, and other working conditions necessary to support teaching as a profession.

ARTICLE III - AFFILIATION

Section 1: The Association shall affiliate with the National Education Association (NEA), American Federation of Teachers (AFT) and Florida Education Association (FEA) and will operate under the respective rules of each organization.

Section 2: Service Unit - The association shall hold membership in the Peace River Basin Service Unit Council (PRBSU) under the rules of said Council.

Section 3: Central Labor Council - The Association shall hold membership in the West Central Florida Federation of Labor and the Florida AFL-CIO.

ARTICLE IV- MEMBERSHIP

Section 1: ACTIVE MEMBERSHIP

- a. Active membership shall be open to any person who is engaged in or who is on a limited leave of absence from professional education work. Active members shall hold or shall be eligible to hold a baccalaureate or higher degree of the regular teaching, vocational or technical certificates of Rank III or higher.
- b. Active membership shall be continuous until the member leaves the school system, resigns from the association, or fails to pay membership dues.
- c. Active members of the association shall also be members of the Florida Education Association, Florida AFL-CIO, American Federation of Teachers and the National Education Association.
- d. Only Active members are eligible to vote on Association affairs.
- e. The fiscal and membership year shall be from August 1 through July 31.

Section 2: STAFF MEMBERS

Staff membership shall be open to any person employed by the organization or any of its affiliates in the professional staff position.

Section 3: REVOCATION OF MEMBERSHIP

According to procedures adopted by the Representative Council, the Executive Committee, after due process may suspend from membership or expel any member who shall have violated the Code of Ethics of the Florida Education Association and may reinstate a member who has previously been suspended or expelled from the Association.

Section 4: NON-RENEWED OR DISMISSED

Members in the status of dismissal or renewal shall be allowed to retain membership in the Highlands County Education Association until such time as their status is clarified.

ARTICLE V - OFFICERS

Section 1: The officers of the Association shall consist of a president, a 1st vice-president, a ~~2nd~~ ~~vice-president~~, a secretary, and a treasurer.

Section 2: Qualification for office. Each candidate for office shall be an active member for at least 12 calendar months prior to nomination.

ARTICLE VI - EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall consist of the officers, the chief negotiator, if they are a member and the immediate past president.

Section 2: The Executive Committee shall be the executive authority of the Association and shall be responsible for the general operation of the association between regular meetings of the Representative Council.

ARTICLE VII - REPRESENTATIVE COUNCIL

Section 1: The legislative and the policy forming body of the Association shall be the Representative Council.

Section 2: The Representative Council shall consist of the Executive Committee, one or more representatives or designated alternate from each school district worksite.

Section 3: Any member of the Association, who is not a member of the Representative Council, may attend its meetings. The member shall sit apart from the voting body but may have permission to speak.

ARTICLE VIII - AMENDMENTS

This constitution may be amended by a two-thirds majority of members voting, provided that:

1. The amendment is introduced at a regular meeting of the Representative Council and approved by the Council.
2. Copies of the proposed amendments are distributed to all members of the Representative Council to be distributed to all members and posted on the Rep Board at each school at least two weeks prior to voting.
3. An Association Representative shall be responsible for balloting in his/her school and shall report the vote when requested by the Representative Council.

ARTICLE IX - DISTRIBUTION OF ASSETS ON DISSOLUTION

Upon the liquidation, dissolution or termination of the Highlands County Education Association, none of the assets which may remain after the satisfaction of all outstanding claims shall be made available to any individual; nor to any corporation or other organization except those which qualify as exempt from federal income tax under Section 501 of the internal Revenue Code of 1954, and the amendments thereto. These assets will be distributed according to a membership vote, prior to dissolution to local non-profit organizations.

ARTICLE X - DELEGATES

The delegates to the Florida Education Association Representative Assembly shall be elected by secret ballot vote consistent with the procedures applicable to officer elections.

ARTICLE XI - DISAFFILIATION

The Highlands County Education Association may not disaffiliate with the FEA without notifying the FEA Officers and the FEA Board of Directors of its intentions to disaffiliate. Such notice of intention to disaffiliate shall state the reasons why the organization desires to disaffiliate and

Shall be supported by a statement that the desire to disaffiliate has been presented to a duly convened membership meeting of the Highlands County Education Association and that the membership has approved of the intention to disaffiliate by a majority vote of the entire membership of the organization by secret written ballot.

The Highlands County Education Association may disaffiliate only upon fulfillment of all of its legal and financial obligations to the FEA.

BYLAWS

BYLAW 1- POWER OF OFFICERS

Section 1: **President** - The President shall preside over meetings of the Executive Committee and the Representative Council, appoint the chairpersons and members of standing committees, appoint special committees, be ex-officio member of all standing committees, and shall be the executive officer of the Association except when it employs an Executive Secretary. The President shall represent the Association before the public either personally or through delegates and shall perform all other functions usually attributed to this office.

Section 2: **1st and 2nd Vice President** - The Vice Presidents shall assist the President in carrying out the work of the Association and shall assume all duties of the President in case of absence or resignation of the President. The 1st Vice-President shall serve as committee whip and as ex-officio member of all committees.

Section 3: **Secretary** - The Secretary shall keep accurate minutes of all meetings of the Executive Committee and Representative Council, shall maintain official files, and shall assist the President with Association correspondence. The Secretary shall maintain the membership of the Association and be the membership committee chair.

Section 4: **Treasurer** - The Treasurer shall hold the funds of the Association and disburse them upon authorization by the Executive Committee. The Treasurer shall maintain a roll of the members. The Treasurer shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Representative Council, and shall prepare an annual financial statement for publication to members at the first and last general membership meetings. The Treasurer shall keep the President and Executive Committee informed of the financial condition of the Association, shall assist the Budget Committee in the initial drafting of the annual budget and shall file such reports with the Internal Revenue Service or the Department of Labor as are required by law. A yearly audit is to be made. A detailed financial report reflecting actual line-item balances, shall be compiled at the end of each month and submitted to Executive Council.

Section 5: Completed FEA, NEA, AFT membership forms, necessary supporting dues and any reports requested by the Board shall be submitted as mutually agreed by FE A and the Association.

Section 6: Dues

- 1) Membership dues payable to FEA from the Highlands County Education Association shall be:
 - a) that amount set by the annual FEA Representative Assembly based upon the budget adopted

- b) the amount of the PRBSU dues as set by the Council
 - c) the amount for the Central Labor Council dues
 - d) the amount for the AFL-CIO dues
 - e) the amount of AFT dues per member for members of the Highlands County Education Association,
 - f) the amount of NEA dues per member adjusted for NEA Life Membership contracts in effect for members of the Highlands County Education Association. Per capita tax payable to the FEA by this Association shall include fair shares collected by the Highlands County Education Association.
- 2) The Representative Council at the May Representative Council meeting shall vote HCEA dues adjustments deemed necessary.

Section 7: Terms and Succession

- a. The officers shall serve for three-year terms. The President may serve no more than four terms without an intervening term.
- b. Whenever the offices of both President and Vice President shall become vacant between elections, except as provided in By-law IV, Section 1, the remaining members of the Executive Committee shall choose one of their number to serve as President pro temp until the Representative Council can fill the vacancies.

BYLAW II- ELECTIONS

Section 1: Officers and Delegates

- a. The election of officers and delegates shall be conducted in accordance with the standards developed under Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA).
- b. Section 2: Building Representatives

Elections shall be in accordance with procedures developed by the Committee of Elections and approved by the Representative Council.

BYLAW III- POWER OF THE EXECUTIVE COMMITTEE

Section 1: Under personnel policies adopted by the Representative Council and within the annual budget, the Executive Committee shall have power to employ staff for the efficient management of the association.

Section 2: The Executive Committee shall be responsible for the management of the Association, carry out policies established by the Representative Council, report its transactions and those of the Council to the members, and suggest policies for consideration by the Council. The Executive Committee shall approve all expenditures. (All fiscal transactions shall require the signatures of two (2) Executive committee members.)

Section 3: The Executive Committee shall consist of the Officers, the Immediate Past President, and the Chief Negotiator if they are a member of the association.

Section 4: The Executive Committee shall develop workshops and training conference for all representatives.

Section 5: The Executive Committee shall represent the Association in negotiating personnel policies with the governing and appropriating bodies of the school system. Within policies established by the Representative Council it may make decisions binding on the Association in these matters. The Committee shall delegate its powers to the Bargaining team. The Executive Committee shall call for the ratification vote of the Proposed Negotiated Contract no sooner than one (1) week following its presentation to unit members

BY-LAW IV - POWERS OF THE REPRESENTATIVE COUNCIL

The Representative Council shall approve the budget, authorize the participation in the Service Unit, set the dues for the Association, act on reports of committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Bill of Teacher Rights of the National Education Association and those to be followed in censuring, suspending, and expelling members for just cause or for reinstating members. It may adopt such rules governing the employment of staff, the conduct of the Association, and the conduct of meetings as are consistent with this Constitution and Bylaws. It shall be the final judge of the membership qualifications and election of officers and Association Representatives. Powers not delegated to the Executive Committee, the officers, or other groups in the Association shall be vested in the Representative Council.

BYLAW V - RECALL

Section 1: An Executive Officer or Executive Committee member may be removed from office by a recall election of the membership which may be initiated by either the executive Committee or the membership at large within sixty (60) days of receipt of petition of one (1) of the following manners:

- a. The Representative Council may request a recall election by a two thirds (2/3) vote of its members, or
- b. The membership at large may request a recall election by petition of fifteen percent (15%) of the active members.

By election of the active membership conducted by the Representative Council, an officer may be recalled by a majority of votes cast in the election, providing that two thirds (2/3) of the membership participate in the election. Should an elected officer of the Executive Committee member be recalled, the Representative Council will proceed to fill the vacancy in the manner prescribed and conducted by proceedings set forth by the election committee and approved by the Representative Council.

Section 2: A member of the Representative Council may be recalled by the constituency he/she represents by an election of those represented initiated in one (1) of the following methods:

- a. Two thirds (2/3) vote for the recommendation of such an election by the Representative Council; or
- b. By the membership of corresponding constituency he/she represents in a recall election prescribed and conducted by proceedings set forth by the election committee and approved by the Representative Council.

BYLAW VI - MEETINGS

Section 1: Executive Committee - The Executive Committee shall meet each school month, at the call of the President, or at the request of three (3) members of the Committee.

Section 2: Representative Council - The Representative Council shall set the yearly meeting dates on the first Representative Council meeting of the school year. The President, with the advice and consent of the Executive Committee, shall prepare the agenda for each meeting and shall circulate it to all members of the Council so that representatives have time to discuss it in advance of the council meeting.

Section 3: Special meeting - Special Meetings of the Representative Council may be held at the call of the President, or upon written request of the Executive Committee from twenty five per cent (25%) of the association representatives, or upon petition of five per cent (5%) of the members. Business to come before special meetings must be stated in the call, which shall be sent in writing to each representative.

BYLAW VII - QUORUM

A majority of their members **present** shall be a quorum for the Representative Council, Executive Committee, and committees.

BYLAW VIII - COMMITTEES

Section 1: The President may appoint committees as deemed necessary to carry out the functions of the Association and may dismiss them when their business is completed.

Section 2: The Negotiating Committee will consist of the Chief Negotiator and any member approved to serve on it as appointed by the President and approved by Executive Committee.

BYLAW IX - AUTHORITY

Roberts Rules of Order, Revised, shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Representative Council may adopt.

BYLAW X - AMENDMENT

These Bylaws may be amended by majority vote at any regular meeting of the Representative Council provided that proposed the Executive Committee has previously studied amendments and that copies have been sent to Association Representatives two calendar weeks in advance of the meeting.

A copy of the latest revision of these documents shall be submitted to the Florida Education Association annually, with the date of the latest revision included on the face of the document.

