

**MIAMI TRACE
EDUCATION ASSOCIATION
{MTEA}**

**CONSTITUTION
&
BYLAWS**

MTEA CONSTITUTION

ARTICLE I - NAME

Section 1 The name of this organization shall be the Miami Trace Education Association.

Section 2 This Association shall maintain affiliation with the Central OEA/NEA, Inc., the Ohio Education Association and the National Education Association.

ARTICLE II - PURPOSE

Section 1 The purpose of the Association shall be to:

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

ARTICLE III - MEMBERSHIP

Section 1 All certified personnel employed by the Miami Trace Board of Education (except those classified as administrators) shall be eligible for active membership.

Section 2 Active members shall be members of the Miami Trace Education Association, OEA/NEA, Inc., the Ohio Education Association and the National Education Association.

Section 3 All members shall abide by the Code of Ethics of the Education Profession as adopted by the Ohio Education Association and the National Education Association.

ARTICLE IV – OFFICERS

Section 1 The officers of the Association shall be the President, Vice President, Secretary and Treasurer.

ARTICLE V – EXECUTIVE COMMITTEE

Section 1 The Executive Committee shall be composed of the elected Officers of the Association and the elected Building Representatives.

Section 2 There shall be one association representative elected for a term of two (2) year(s) in each building or unit of representation for every ten (10) members or fraction thereof. Each representative has one vote on the Executive Committee.

Section 3 The Executive Committee shall:

- (1) Enact policy for the Association as provided in this Constitution and Bylaws;
- (2) Act as the voice of the Association on positions affecting the Association;
- (3) Prepare recommendations for the consideration and action of the Association;
- (4) Carry out policies established at general membership meetings;
- (5) Be responsible for all committees of the Association;
- (6) Report its transactions to all members;
- (7) Direct an independent audit of the Association's financial records at regular intervals not to exceed two years.

Section 4 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 in proportion to the ethnic minority membership in the Association.

Section 5 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 1 The President shall appoint, subject to the approval of the Executive Committee, a Nominating Committee of not less than two (2) or more than five (5) members which shall prepare a slate of nominees for each office. Candidates for office may also be submitted by a petition signed by at least fifteen (15) active members or by nomination from the floor.

Section 2 No member shall be nominated for office without the knowledge and consent of the individual.

Section 3 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 4 Election of officers shall be conducted by secret ballot in each building during one school day designated by the Elections Committee during the month of April.

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

Section 6 Newly elected officers shall be installed and assume their office at the last meeting of the school year.

Section 7 All ballots (marked, unmarked and voided) and all other records pertaining to the election of officers of this Association and OEA/NEA delegates and alternates shall be preserved for one (1) 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 8 Non-Members of the Association shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

Section 9 Officers will be elected by Acclamation if only one (1) candidate is nominated and accepts the nomination for that office.

ARTICLE VII – IMPEACHMENT OF OFFICERS

Section 1 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 2 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.

Section 3 If, after a due-process hearing, a two-thirds (2/3) vote of the Executive Committee sustains the charge, the office shall become vacant.

Section 4 The officer may appeal the decision to a special meeting of the general membership.

ARTICLE VIII – COMMITTEES

Section 1 The Association shall have such standing committees as are necessary to carry out the responsibilities and programs of the Association.

Section 2 Ad Hoc (temporary) committees may be formed as necessary to achieve the Association program.

Section 3 All committees shall be appointed by the President with the approval of the Executive Committee.

ARTICLE IX – DUES

Section 1 The Association shall have a dues structure adequate to fund an active program.

ARTICLE X – AMENDMENTS

Section 1 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.

Section 2 A quorum of the membership must be present at the meeting.

MTEA BYLAWS

ARTICLE 1 – MEETINGS

Section 1 The Executive Committee shall meet monthly and/or at other times at the call of the President.

Section 2 A 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 10% of the active membership. Such petitions shall state the purpose of the desired meeting and the business of the meeting shall be limited to consideration of the stated purpose.

ARTICLE II – QUORUM

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

Section 2 The quorum for a general membership meeting shall be twenty-five (25) percent of the membership.

ARTICLE III – DUTIES OF OFFICERS

Section 1 President

- (1) Preside over all Association meetings and prepare their agendas;
- (2) Represent the Association on all matters of Association policy;
- (3) Serve as an ex-officio member of all Association committees;

Section 2 Vice-President

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

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

Section 3 Secretary

- (1) Keep accurate minutes of all official meetings of the Association;
- (2) Maintain official files of the Association;
- (3) Perform such other duties as delegated by the President.

Section 4 Treasurer

- (1) Hold the funds of the Association and disburse them upon authorization of the Executive Committee;
- (2) Maintain records of receipts and disbursements;
- (3) Maintain membership rolls;
- (4) Prepare financial reports for meetings of the Executive Committee and an annual financial statement;
- (5) Prepare for an independent audit as authorized by the Executive committee;
- (6) Shall be bonded;
- (7) Chair the Budget Committee;

Section 5 Building Representative

- (1) Report recommended policies and other actions of the Executive Committee to members in his/her building or unit of representation;
- (2) Transmit proposals and recommendations from members in his/her building to the Executive Committee for its consideration;
- (3) Attend all official meetings of the Association or provide an alternate in his/her absence;

- (4) Perform other duties as delegated by the President.

Section 7 Terms of Office

(1) The term of office shall be two (2) years for President commencing with the Executive Committee meeting in May. There is no limit to the number of terms the President may be elected to serve. Elections will be held in even years.

(2) The term of office shall be two (2) years for Vice-President commencing with the Executive Committee meeting in May. There is no limit to the number of terms the Vice-President may be elected to serve. Elections will be held in odd years.

(3) The term of office shall be two (2) years for Treasurer commencing with the Executive Committee meeting in May. There is no limit to the number of terms the Treasurer may be elected to serve. Elections will be held in odd years.

(4) The term of office shall be two (2) years for Secretary commencing with the Executive Committee meeting in May. There is no limit to the number of terms the Secretary may be elected to serve. Elections will be held in even years.

(5) The term of office for the Building Representative is two (2) years commencing with the Executive Committee meeting in May. There is no limit to the number of terms a Building Representative may be elected.

Section 8 Vacancy

(1) In the event the office of Vice President, Secretary or Treasurer becomes vacant, the President shall appoint, with approval by a majority vote of the Executive Committee, an interim officer to fill the vacant office until the term of office expires.

(2) In the event the office of President becomes vacant, the Vice President shall assume the duties of the President.

(3) In the event a Building Representative position becomes vacant, the president shall appoint a new person to complete the term.

ARTICLE IV - OFFICER REIMBURSEMENT

Section 1 President

(1) \$250 per quarter August – May (10 months) for a total of \$1,000.00

(2) For reimbursement of internet and phone service for MTEA business

(3) Paperwork required: Monthly phone bill and internet bill

Section 2 Vice President

(1) \$62.50 per quarter, August – May (10 months) for a total of \$250.00

(2) For reimbursement of internet and phone service for MTEA business

(3) Paperwork required: Monthly phone bill and internet bill

Section 3 Treasurer

(1) \$125 per quarter, August – May (10 months) for a total of \$500.00

(2) For reimbursement of internet and phone service for MTEA business

(3) Paperwork required: Monthly phone bill and internet bill

Section 4 Secretary

(1) \$62.50 per quarter, August – May (10 months) for a total of \$250.00

(2) For reimbursement of internet and phone service for MTEA business

(3) Paperwork required: Monthly phone bill and internet bill

ARTICLE V – COMMITTEES

Section 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 the request of the bargaining team, during active negotiations.

B. 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.

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

ARTICLE VI – BARGAINING AND CONTRACT RATIFICATION

Section 1 The Association shall be represented in collective bargaining by a committee of Association members appointed by the President and Executive Committee.

Section 2 The OEA/NEA Labor Relations Consultant, at the request of the Association, shall be the spokesperson for the Association.

Section 3 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.

Section 4 The Ohio Education Association shall represent the Association on all matters concerning the Association before the State Employment Relations Board (SERB)

Section 5 The negotiations committee shall be charged with the responsibility to assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional input during active negotiations.

Section 6 In preparation for bargaining, the negotiations committee will make reports and recommendations to the Executive Committee.

Section 7 Members of the bargaining team shall be members of the negotiations committee.

Section 8 The bargaining team shall have the authority to bargain in good faith; make proposals, counter proposals and concessions; and make tentative agreement on a contract with representatives of the Board of Education.

Section 9 Written copies of the tentative agreement will be given to the general membership prior to ratification.

Section 10 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 11 The Association's designated representative 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 12 Non-members of the Association are not eligible to vote on a fact finder's report or contract ratification.

ARTICLE VII – DUES

Section 1 The dues rate for the succeeding school year shall be determined by the April meeting of the Executive Committee.

Section 2 Every member shall also pay the dues required by Central OEA/NEA, Inc., OEA and NEA with which this local is affiliated.

Section 3 The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.

ARTICLE VIII – MEMBERSHIP YEAR

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

Section 2 Membership for new members begins upon receipt of completed membership form that is signed and dated.

ARTICLE IX – EXPULSION OF MEMBERS

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

ARTICLE X – DUE PROCESS

Section 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.

Section 2 Due process procedures include providing the accused member with adequate notice of the charges, a right to a hearing, and the right to be represented.

ARTICLE XI – DISSOLUTION OF ASSOCIATION

Section 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 signatures of three-fourths (3/4) of the total membership of the Association.

Section 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 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 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 5 In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to a charity or other organization provided that it is an

entity recognized as exempt from Federal taxation. In the event that the chosen charity or organization is not then recognized as tax exempt, such assets shall then be passed to another charity or organization chosen provided that it is recognized as exempt from Federal taxation.

ARTICLE XII – AUTHORITY/PARLIAMENTARY PROCEDURE

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

ARTICLE XIII – REPRESENTATIVE ASSEMBLY

Section 1 President and/or Vice President, or other designated officer will serve as automatic delegates to the OEA Representative Assembly by virtue of office. In the event an officer declines participation, a Building Representative or other active Association member shall be nominated.

ARTICLE XIV – AMENDMENTS

Section 1 Amendments, alterations, additions or deletions to these Bylaws shall be made by a majority vote of the total active membership of the Association.