

# **Ferguson-Florissant National Education Association Constitution and Bylaws**

## **Constitution of the Ferguson-Florissant National Education Association**

### **Preamble**

We, the members of the Ferguson-Florissant NEA, in order to promote and advance the cause of education and secure and maintain for ourselves all the benefits of the United Education Profession, affirm the rights and responsibilities of our Association as an integral part of the United Education Profession and do hereby establish these Constitution and bylaws.

### **Article I Name**

The name of the organization shall be the Ferguson-Florissant National Education Association (Association and/or FFNEA).

### **Article II Goals and Objectives**

The goals and objectives of this Association shall be stated in the Preamble. The Association shall have all power necessary and proper to take action for the attainment of these goals: all within the meaning of Section A501 C5 of the Internal Code. Nothing in the Constitution or Bylaws shall be construed to prevent the Association from pursuing objectives that are consistent with the stated goals of the Association.

### **Article III Membership**

#### **Section 1: Classes of Membership**

There shall be three (3) classes of membership in the Association: Active, Retired, and Reserve.

#### **Section 2: Membership and the Fiscal Year**

The membership year and fiscal year shall be from September 1 through August 31.

#### **Section 3: Membership Dues**

The FFNEA local dues shall be determined annually by the Executive Board and not to exceed the previous year's base teacher's salary x 0.0023 rounded to the nearest dollar.

#### **Section 4: Property Interest of Members**

All rights, title and interest, both legal and equitable, of a member in and to the property of the Association shall end up the termination of membership.

## **Article IV Officers**

### **Section 1: Officer Titles**

The officers of this Association shall be a president, first and second vice-president, immediate past-president, a secretary, and a treasurer.

### **Section 2: Duties and Powers of the Officers**

- a. **President:** The President shall preside over the meetings of the Executive Board, the Representative Council, and general meetings, appoint the chairperson and members of standing committees and special committees (subject to the approval of the Representative Council) except the Professional Negotiations Committee, be an ex-officio member of all standing committees, and executive officer of the Association. The President shall represent the Association to the district and before the public either personally or through delegates, and shall perform all other functions usually attributed to this office.
- b. **First Vice-President:** The First Vice-President of the Association and shall perform the functions usually attributed to the office. The First Vice-President shall represent the President at the latter's request. S/He shall be representative of the Association along with the President of all affiliated organizations. S/He shall work with or serve as the Association PAC chairperson. S/he will accurately collect and report necessary information requested by the state affiliate. S/He shall be an ex-officio member of a majority of the standing and/or special committees.
- c. **Second Vice-President:** The Second Vice-President shall represent the President at the latter's request. S/He shall be representative of the Association along with the President of all affiliated organizations. S/He shall work with or serve as the Membership chairperson and maintain official rosters and communication lists. S/he shall serve as the Vice-Treasurer and assist the Treasurer in their duties. S/He shall serve as alternate for the Treasurer and shall fill the office of Treasurer should it become vacant.
- d. **Immediate Past-President:** The Immediate Past-President shall serve as a historian and mentor for the President. This office may be held in conjunction with another office.
- e. **Secretary:** The Secretary shall keep accurate minutes of all meetings of the Executive Board, Representative Council, and General Meetings, and shall maintain official files. The Secretary shall maintain accurate attendance records of the Executive Board and Representative Council Meetings. S/He will serve as chairperson for the Public Relations Committee.
- f. **Treasurer:** The Treasurer shall hold the funds of the Association and disburse them upon authorization by the Executive Board. S/He shall be assisted in collecting dues by the Membership Committee. S/He shall maintain a roll of the membership in all affiliated organizations, and shall remit dues to these organizations. S/He shall keep both the President and Executive Board informed of the financial condition of the Association. S/He shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Representative Council, and shall prepare an annual budget

for approval by members of the Executive Board. The Treasurer's accounts shall be audited at the end of each fiscal year. Both the current year budget and the audit findings from the previous year shall come before the Executive Board at the September meeting.

The immediate past-treasurer shall assist the Treasurer in all the above at the request of the Treasurer.

### **Section 3: Bonding**

All elected officers of the Association shall be bonded.

### **Section 4: Qualifications**

All officers shall be a member of this Association and will have served as a Representative in good standing on the Representative Council for at least one year previous to taking office. In addition, candidates for President shall have at some point been a member of the Executive Board for at least one year, be a current member in good standing, and have served on at least one Association committee.

### **Section 5: Terms of Office and Succession**

- a. The President, Vice-Presidents, Secretary, and Treasurer shall serve for a one-year term.
- b. All officers except the Immediate Past-President may succeed themselves.

## **Article V Executive Board**

### **Section 1: Powers**

The Executive Board shall:

- be responsible for the management of the Association
- approve all expenditures within the limits of the annual budget and expenditure guidelines
- carry out policies established by the Representative Council
- report its transactions and those of the Representative Council to the members
- suggest agenda items for Association committee meetings
- suggest policies for consideration by the Representative Council
- participate in screening process for School Board candidates

### **Section 2: Membership on the Board**

All officers and the chairperson of the Professional Negotiations Committee (elected by the Committee) and the chairperson of the Employee Rights and Grievance Committee (appointed by the President) shall be de facto members of the Executive Board. The Representative Council shall elect one member for every seventy-five Active Association members, or major fraction thereof, the minimum being five, and one member for every seventy-five ESP members, or major fraction thereof, the minimum being one, to serve on the Executive board with the officers.

### **Section 3: Meetings**

The Executive Board shall meet monthly during the school year, at the call of the President, or at the request of three members of the Executive Board.

The Executive Board shall call a general membership meeting to discuss professional issues annually.

### **Section 4: Vacancies**

All Executive Board vacancies shall be filled within a period of four weeks during the school year by the Representative Council.

## **Article IV Representative Council**

### **Section 1: Powers**

The legislative and policy forming body of the Association shall be the Representative Council. Except as otherwise provided by this Constitution, the Representative Council shall have full authority to act for the Association.

The Representative Council shall:

- act on reports of committees
- approve resolutions and other policy statements
- adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members
- adopt such rules governing employment of staff, the conduct of the Association, and the conduct of meetings as are consistent with the Constitution and By-Laws
- be the final judge of the qualifications and election of officers and its own Representatives

Powers not delegated to the Executive Board, the officers, or other groups in the Association, shall be vested in the Representative Council.

### **Section 2- Responsibilities**

The Representatives, with the Senior Representative as chairperson, shall:

- call building meetings of the Association at least annually
- appoint such building committees as the Association may require
- submit candidates for standing committees to the President or President-Elect
- organize and oversee the subsequent elections of Representatives
- oversee the enrollment of building members
- assist with two-way Association communication within the building

### **Section 3: Membership**

The Representative Council shall consist of one or more representatives from each school or building unit, and the chairpersons of standing committees. Members of the Executive Board shall be members of the Representative Council.

### **Section 4: Attendance**

Representatives shall attend regular meetings of the Representative Council unless they receive prior excuse from the President. After two unexcused absences of a Representative, the President may declare the seat unfilled and call for a building election to fill out the term. The president may designate a committee to organize this special election. The President may choose instead to designate this Representative “not in good standing” which would prevent the Representative from representing the Association at national or state Association conferences and assemblies and from being a candidate for Association office the following year.

### **Section 5: Election and Term of Office**

In each district building, members of the Ferguson-Florissant NEA who are in good standing of the Association shall elect for a term of two years one Representative to the Representative Council for each fifteen members or major fraction thereof.

Each building may elect alternate(s) for their representative(s). The alternates may represent their building during the absence of a regular representative and shall have the same voting rights as the regular representative.

### **Section 6: Meetings**

The Representative Council shall meet monthly at the call of the President during the school year. A meeting of the general membership may stand in the stead of a meeting of the Representative Council. Special meetings of the Representative Council may be held at the call of the President, upon request of the Executive Board or upon written request of five building representatives. The business to come before the Representative Council in special meetings must be stated in the call.

### **Section 7: Members Speaking at Council Meeting**

Any member of the Association who is not a member of the Representative Council, may attend its meeting, shall sit apart from the voting body, but may receive permission to speak.

## **Section VII Committees**

### **Section 1: Appointment**

Except in the case of the Committee on Professional Negotiations, the Executive Board shall assist the President to appoint members of the standing committees and to fill all unexpired terms as vacancies occur.

Members from each bargaining unit of the Association are eligible to petition the Committee on Professional Negotiations to join the committee. For this committee, both the chairperson(s) and the potential candidates to join the committee are voted on by standing members of the committee.

## **Section 2: Standing Committees**

There shall be 9 (nine) standing committees performing the specific Association functions as outlined. Each committee may, with the approval of the Executive Board organize special sub-committees and task forces for specific activities from the membership of the Association.

The standing committees shall be: Professional Negotiations, Instruction and Professional Development, Public Relations, Membership, Political Action, Employee Rights and Grievances, Minority Affairs, Communication, and Association Election.

## **Section 3: Meetings**

Each standing committee will meet at the call of the chairperson and/or the President of the Association.

## **Section 4: Reports and Records**

Each committee shall choose a secretary who shall keep a continuing record of the activities. The chairperson shall report as necessary to the Representative Council and the Executive Board and shall prepare an annual written report summarizing objectives, action programs, gains, and unreachable goals, which the Executive Board may distribute to the members and shall become a part of the continuing committee record of in the Association files.

## **Section 5: Ex-Officio Members**

The following committees have ex-officio members:

Committee on Professional Negotiations: President

Committee on Public Relations: Secretary

Membership Committee: Second Vice-President

Political Action Committee: First Vice-President

## **Section 6: Duties of Standing Committees**

### **A. Committee on Professional Negotiations**

The Committee on Professional Negotiations shall develop Association positions on salary, fringe benefits, other economic benefits and all other matters of professional concern and shall compile data for support of such positions in negotiations. See Article VIII.

### **B. Committee on Instruction and Professional Development**

The Committee on Instruction and Professional Development inform members of all workshops and training conferences available to them.

### **C. Committee on Public Relations**

The Committee on Public Relations shall seek to develop community understanding of and support for the purposes and programs of the Association, the value of public education, and, in cooperation with Administration, the educational philosophy and programs of the schools. The committee will work cooperatively with administration, parents, and the public in civic, fraternal, and social organizations and through all available channels of communication. The Secretary will serve as the chairperson of this committee.

#### **D. Membership Committee**

The Membership Committee shall organize and conduct unified local, state, and national membership enrollment among members and non-members and shall report upon the progress of such membership drives to the Executive Board, the Representative Council, and the State Affiliate. The Membership Committee shall advertise special services for members of the Association.

#### **E. Political Action Committee**

The Political Action Committee shall have broad concern for local, state, and national legislation affecting the interests of schools, educational employees, and the Association. It shall encourage members to exercise their civic and political rights and keep them informed about new legislation.

It shall organize and oversee the work of the following sub-committees:

1. Legislation- to study Federal and State legislation and develop activities in support of desirable bills and in opposition of those which are undesirable.
2. Citizenship- to educate members and the public on the civic rights and responsibilities of educational employees and develop programs that will encourage wide exercise of them.
3. Interview- to conduct interviews of candidates seeking Association recommendation.

#### **F. Committee on Employee Rights and Grievances**

The Committee on Employee Rights and Grievances shall represent Association members on all matters pertaining to their rights individually or collectively. It shall also develop a program of orientation to the Grievance Procedure for members of the Association. The Employee Rights Chairperson will receive an annual allowance for gasoline for Association travel. Any such reimbursement shall be subject to the approval of the Executive Board.

#### **G. Minority Affairs Committee**

The Minority Affairs Committee shall work to ensure and encourage minority participation in the local Association. The Minority Affairs Committee chairperson will be responsible for collecting data on minority participation in Association events and committees.

#### **H. Communication Committee**

The Communications Committee shall inform members of the policies, programs, services, accomplishments, and needs of the Association. This committee shall develop and monitor a procedure for the rapid dissemination of accurate information to the membership and shall be responsible for publishing the official Association newsletter.

#### **I. Association Election Committee**

The Association Election Committee shall conduct a publicize elections dealing with Association officers and business and shall see to it that the issues are clearly defined and the qualifications of the candidates made known. This committee shall also see to it that the results of any Association election are made known to the members.

## **Article VIII Professional Negotiations**

### **Section 1: Composition**

The Committee on Professional Negotiations shall consist of no fewer than 6 and more than 10 members. Members from each bargaining unit of the Association are eligible to petition the Committee on Professional Negotiations to join the committee. For this committee, both the chairperson(s) and the potential candidates to join the committee are voted on by standing members of the committee.

### **Section 2: Powers**

The Committee on Professional Negotiations shall have the authority to bargain in good faith, including the right to modify proposals and make concessions on behalf of the Association subject only to ratification of the entire contract by the membership.

The Committee on Professional Negotiations shall be responsible for representing the bargaining unit at the bargaining table and shall have the authority to reach on the spot tentative agreement on any and all items.

### **Section 3: Referral to Representative Council and Ratification**

The Committee on Professional Negotiations shall refer the tentative agreement package to the Representative Council. It is only with the approval of the Representative Council that the agreement package may be presented to the general membership for a vote to ratify or reject.

### **Section 4: Responsibilities**

The Committee on Professional Negotiations shall give a standing report to the Executive Board and the Representative Council at the monthly meetings. The committee is also responsible for preparing updates and reports for the general membership.

## **Article IX Affiliations**

### **Section 1: National Affiliation**

The Association shall enter into a reciprocal contractual agreement between the Ferguson-Florissant NEA Local and the National Education Association as stated in the NEA Constitution.

### **Section 2: State Affiliation**

The Association shall affiliate with the Missouri NEA as regulated in the Missouri NEA's Constitution and bylaws.

## **Article X Elections**

### **Section 1: Election of Officers and Terms of Office**

- a. Officers of the Association are elected to a one-year term.

- b. The Representative Council may nominate for the above listed officers and delegates from the floor at the February meeting. On or before the third Monday of February, the members of the Association may submit additional nominations, in writing, to the members of the Election Committee. The members may nominate candidates for President, First Vice-President, Second Vice-President, Secretary, Treasurer, MNEA delegates, and NEA delegate(s).
- c. Officers shall be installed at the May meeting of the Representative Council. The term of office will be from the day following the last teacher contract day of the current school year until the last teacher contract day of the following school year.

## **Section 2: Recall**

- a. Whenever a majority of the Executive Board shall agree that an officer has been grossly negligent of the duties defined in the By-Laws or is incapacitated, they shall recommend to the Representative Council that the office is to be declared vacant. If after a hearing the Representative Council so votes by two-thirds majority, it shall declare the office vacant.
- b. All vacant offices shall be filled by a special election within a period of four weeks, during the school year.

## **Section 3: Delegate Elections**

- a. Delegates to the NEA Representative Assembly shall be elected in compliance with the NEA Constitution and Bylaws.
- b. Delegates to the Missouri NEA Representative Assembly shall be elected in compliance with the Missouri NEA Bylaws.

Sufficient delegates and alternates to represent the Association at the representative assemblies of the NEA and MNEA shall be elected by the membership at the regular election in March. The NEA delegates and alternates shall hold office immediately. The MNEA delegates shall take office with the alternates at the beginning of the next membership year. A member may be a delegate or alternate to both NEA and MNEA.

## **Section 4: Election Procedures**

After the period of open nominations, in March, members shall vote for officers and delegates by secret ballot, in accordance with procedures developed by the Election Committee and approved by the Representative Council.

## **Section 5: One Person, One Vote**

All elections shall be in accordance with the one person, one vote principal.

## **Section 6: Ethnic Minority Representation**

The Association shall take such steps as are legally permissible to achieve ethnic minority representation at least proportionate to its ethnic minority membership on elective and appointive bodies.

## **Article XI Amendments**

### **Section 1: Approval by Representative Council**

All amendments to these Bylaws shall be submitted in writing to the Representative Council for approval. To be approved, Bylaw amendments must be accepted by a majority of the Representative Council.

### **Section 2: General Membership Override**

If not approved by the Representative Council, the amendment may be adopted by a two-thirds vote of the general membership. Copies of the proposed amendment(s) shall be made available to the general membership 30 days prior to the approval of the amendment(s). Proposed amendments shall be accompanied by a written rationale.

### **Section 3: Electronic Notification and Meetings**

Unless indicated otherwise in the Constitution and Bylaws, all communications, including meeting notes, may be sent electronically. The membership, officers, committees and other ad hoc groups are authorized to meet by electronic means so long as all members may simultaneously hear each other and participate during the meeting, in adherence to Association policies.

## **Bylaws of the Ferguson-Florissant National Education Association**

### **Bylaw 1: Membership**

#### **Section 1: Eligibility for Membership**

##### **a. Certified Active members**

- Active membership in the Association shall be open to all personnel employed by the Ferguson-Florissant School District who are on the certified pay scale or equivalent.
- Active membership shall be continuous until the member leaves the school system, resigns from the Association, fails to pay or authorize payroll deduction of membership dues, or who has membership revoked.
- Active members of the Association shall be members of the National Education Association and the state affiliate of NEA.
- Professional personnel on leave of absence or FMLA (Family Medical Leave Act) leave shall be considered to be employed in the district for membership purposes, and be eligible for active membership.
- Active members employed for less than fifty (50) percent of the normal schedule for a full-time member shall pay dues at the rate of one-half (½) active membership dues.

## **b. Educational Support Active Members**

- Educational Support Membership shall be open to any employee of the school district who is not on the certificated pay scale or equivalent.
- Educational Support Membership shall be continuous until the member leaves the school system, resigns from the Association, fails to pay or authorize payroll deduction of membership dues, or who has membership revoked.
- Educational Support staff shall be members of the National Education Association and the state affiliate of NEA.

## **c. Associate Membership**

- Persons employed in the schools of the Ferguson-Florissant system who are not eligible to become active members may, upon payment of dues, enroll as associate members with all the rights and responsibilities of active members except the right to vote, hold office, or to represent the Association.
- Associate members shall pay dues at the rate of one-half ( $\frac{1}{2}$ ) the active member dues.
- Associate members rights are limited by the Constitution. This is not to be construed to mean that they may not serve on Association committees, form caucuses within their classes and elect caucus officers, charge caucus dues, or represent members of the caucuses.

## **d. Retired Membership**

Retired membership shall be open to any person that was eligible for Active membership prior to retirement.

## **e. Reserve Membership**

Reserve membership shall be open to those Active members on leave of absence from their educational positions for a period of at least six months but not more than three years.

## **f. Honorary Membership**

Active or Association members who retire or other persons decided by the Representative Council shall be eligible for Honorary Membership which requires no payment of dues and grants all rights and responsibilities of active membership, except the right to vote, hold office, or to represent the Association.

## **G. Revocation of Membership**

According to the procedures adopted by the Representative Council, the Executive Board may suspend from membership or expel any member who shall have violated the ethics of the education profession; may cancel the membership of any member convicted in court learned in the law of a crime involving moral turpitude; and may reinstate a member who has previously been suspended or expelled from the Association.

## **H. Withdrawal from Membership**

Members who wish to withdraw their membership from the Association must submit a dated letter with a handwritten signature stating as such to the local Association president.

Members must submit this letter, either physically or electronically, by August 31 in order to withdraw from the Association for the upcoming fiscal year.

## **Section 2: Rights, Responsibilities, and Limitations to Membership**

- The Association shall not deny membership to individuals on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, marital status, or economic status.
- The right to vote and hold elected office or appointed positions shall be limited to Active memberships unless otherwise provided.
- Membership shall be continuous, unless terminated for cause.
- No member may be censored by, suspended, or expelled from the Association, without a due process hearing, which shall include an appropriate appellate procedure.

## **Section 3: Powers**

- The legislative authority of the Association shall be vested in the membership.
- Powers not delegated by the bylaws shall be vested in the membership.

## **Section 4: Dues Transmittal and Enforcement Procedures**

- The Association shall enter into a contract with the Missouri NEA governing the transmittal of Missouri NEA dues and National Education Association dues to the Missouri NEA.
- The Association shall transmit dues to the Missouri NEA as stated in Article 1, Section 5 of the Missouri NEA's Bylaws: Dues Transmittal and Enforcement Procedures.
- If the Association fails to transmit dues in accordance with Missouri NEA Bylaws, Article 1, Section 5, the Association shall have no right to participate in the Missouri NEA Representative Assembly other than to elect officers and vote on dues increases.

## **Bylaw 2: Meetings**

### **Section 1: Frequency and Notice**

The Association shall meet annually, unless otherwise authorized by the President.

Members shall be notified of the time and place of membership meetings not less than fifteen (15) days before the meeting.

### **Section 2: Quorum Requirements**

A majority of their voting membership shall be a quorum for the Representative Council, Executive Board, and committees. Thirty-five percent of the Association members of a

building shall constitute a quorum for a building meeting. A majority of the total membership shall be a quorum for a General Membership Meeting.

**Section 3: Parliamentary Authority**

*Robert's Rules of Order Newly Revised* shall be the parliamentary authority of the Association on all questions not covered by the By-Laws and such standing rules as adopted by the Representative Council.

A Parliamentarian may be appointed by the President for each meeting.