

Ferguson-Florissant National Education Association By-Laws

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 by-laws.

Article I- Affiliation

Section 1- Goals and Objectives

The goals and objectives of this Association shall be consistent with those of the United Education Profession. 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. Additional goals and objectives that are unique to the needs of the Association may be adopted by the Representative Assembly.

Section 2- National Unity

As an integral part of the United Education Profession, the Association ratifies the Charter, Constitution, and By-Laws of the National Education Association and the Missouri National Education Association, declares its close relationship to the NEA and unity with its components, and affirms its interdependence with the program, governance, and administrative structure of the NEA and MNEA.

Section 3- International Unity

Recognizing that its responsibilities as a professional organization transcend national boundaries, the Association pledges its cooperation with organizations of teachers throughout the world and may be affiliated with Education International.

Article II- Membership

There shall be five (5) classes of membership in the Association: Active, Associate, Retired, Reserve and Honorary.

Section 1- Active members

A. Certified Active members

- a. 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.
- b. Active membership shall be continuous until the member leaves the school system, resigns from the Association under Section 6 Article II, fails to pay or authorize payroll deduction of membership dues, or who has membership revoked under Section 5 of Article II.

c. Active members of the Association shall be members of the National Education Association and the state affiliate of NEA.

d. 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.

e. 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 ($\frac{1}{2}$) active membership dues.

B. Educational Support Active Members

a. Educational Support Membership shall be open to any employee of the school district who is not on the certificated pay scale or equivalent.

b. Educational Support Membership shall be continuous until the member leaves the school system, resigns from the Association under Section 6 of Article II, fails to pay or authorize payroll deduction of membership dues, or who has membership revoked under Section 5 of Article II.

c. Educational Support staff shall be members of the National Education Association and the state affiliate of NEA.

Section 2- Associate Membership

a. 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.

b. Associate members shall pay dues at the rate of one-half ($\frac{1}{2}$) the active member dues.

c. 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.

Section 3- Retired Membership

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

Section 4- 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.

Section 5- 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.

Section 6- 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.

Section 7- 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 8- Membership and Fiscal Year

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

Section 9- Rights and Responsibilities

No member may be censored by, suspended, or expelled from the Association, without a due process hearing, which shall include an appropriate appellate procedure.

Article III- 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- Oath of Office

I, _____, do willingly accept the responsibility and duties of the office of _____ of the Ferguson-Florissant National Education Association; and I further pledge to perform the duties of this office to the best of my ability, and to faithfully execute the duties that are prescribed in the Constitution and By-Laws of this Association.

Article IV- Powers of the Officers

Section 1- President

- a. 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. The Association shall reimburse the President and/or the Vice-Presidents for any pay lost due to the performance of Association business. The amount reimbursed to either the President or Vice-Presidents shall not exceed the equivalent of ten days pay and shall be payable only if compensation has been requested from, and denied by, the district. In addition, the President and/or Vice-Presidents shall receive an annual gasoline allowance for travel to participate in Association business. Any such reimbursement shall be subject to the approval of the Executive Board.

Section 2- Vice-Presidents

A. 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.

B. 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.

Section 3- 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.

Section 4- 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 under Section 4c Article XV.

Section 5- 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.

A. Immediate Past-Treasurer

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

Section 6- Qualifications

All officers shall be a member of this Association and will have served as a Representative in good standing on the Representative Council (per Section II Article IX) 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 (see Article XV Section 4).

Section 7- Bonding

All elected officers of the Association shall be bonded.

Section 8- Terms 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 and Immediate Past-Treasurer may succeed themselves.

c. Whenever the offices of both President and both First and Second Vice-President shall become vacant or the offices of both the Treasurer and the Second Vice-President shall become vacant or the office of Secretary shall become vacant, the Representative Council shall elect a person to serve out the term of the vacated office. Vacancies of all other offices shall be filled according to Section 3 Article VI of the By-Laws.

d. All vacant offices shall be filled by a special election within a period of four weeks, during the school year.

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

Article V- Executive Board

Section 1- Membership on Board

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. 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.

Section 2- Hiring of Staff

Under personnel policies adopted by the Representative Council and the annual budget, the Executive Board shall have power to employ a staff for the efficient management of the Association, subject to the approval of the Representative Council.

Section 3- Officer Negligence

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.

Article VI- Powers of the Executive Board

Section 1- Managing the Association

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

Section 2- General Meeting

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

Section 3- Filling Vacancies

The Executive Board shall have the power to temporarily fill all vacancies.

Section 4- School Board Candidate Screening

The Executive Board shall be responsible for screening school board candidates. A majority of the screening committee shall be comprised of members of the Executive Board. Committee members must be present for all interviews for their vote to count. Previously endorsed candidates shall have preference for early endorsement. If the committee chooses not to recommend a previously endorsed candidate, it must provide a rationale for denial of endorsement to the Executive Board. Recommendations of the screening committee shall be submitted to the Executive Board for approval.

Article VII- Representative Council

Section 1- Membership on Council

The Representative Council shall consist of the Executive Board and one or more member representatives of each school district building.

Section 2- Council Authority

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.

Section 3- Officer Negligence

Whenever, after a hearing, a two-thirds majority of the Representative Council shall agree that an officer has been grossly negligent of the duties defined in the By-Laws or is incapacitated, they shall declare the office vacant.

Section 4- 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.

Article VIII- Powers of the Representative Council

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

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

Article IX- Representatives

Section 1- Election and Term

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.

Section 2- Attendance at Council Meetings

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 3- Building 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 4- Alternates

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.

Article X- 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.

Article XI- Authority

Section 1- Parliamentary Authority

Robert's Rules of Order 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.

Section 2- Parliamentarian

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

Article XII- Amendments

Section 1- Initial Approval

All amendments to these By-Laws shall be submitted in writing to the Representative Council for approval. To be approved, By-Law 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 two weeks prior to the approval of the amendment(s).

Article XIII- Meetings

Section 1- Executive Board

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.

Section 2- Representative Council

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.

Section 3- Special Meetings

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 4- General Member Meetings

The Executive Board shall arrange at least one meeting of the general membership each year for discussion of professional issues.

Article XIV- Quorum

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.

Article XV- Standing Committees

Section 1- Structure

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.

Section 2- Meetings

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

Section 3- Reports

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 4- Titles and Duties of Association Committees

A. Committee on Professional Negotiations

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.

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. Within policies established by

the Representative Council, the Negotiations Committee may make decisions binding the Association to these matters, if ratified by the membership. The committees will keep the Representative Council, Executive Board, and general membership informed of progress experienced during negotiations.

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. The Second Vice-President shall be an ex-officio member of the Membership Committee.

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. The First Vice-President shall be an ex-officio member of the Political Action Committee.

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 endorsement (see Article VI Section 4).

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.

Section 5- Relation to the Executive Board

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. It shall require and assist committees to define their immediate and long range objectives. It shall review committee plans as necessary and shall decide any jurisdiction differences between committees.

Section 6- Relation to State and National Associations

The Standing Committees shall seek to understand and relate to the objectives and programs of corresponding units of State and National Affiliates and shall counsel with them.

Article XVII- Delegates to Governance Affiliates (NEA and MNEA)

Section 1- President and Vice-Presidents to Governance Affiliates

Governance Affiliates' delegates and alternates shall be chosen as stated in the Governance Affiliates By-Laws. The President and Vice-Presidents of the Association shall serve

as members of any delegation representing this Association to Governance Affiliates unless they are excused for cause by the Executive Board.

Section 2- Delegate Election

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 3- Other Delegates

Other delegates as needed shall be elected by the Representative Council.

Section 4- Minority Delegate 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 XVIII- Elections

Section 1- Nominations

A. Offices for Nomination

The members of the Representative Council may nominate a candidate for President, First Vice-President, Second Vice-President, Secretary, Treasurer, MNEA delegates, and NEA delegate(s).

B. Dates of Nomination

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. Nominations Presented to Representative Council

The Elections Committee shall report all nominations to the Representative Council at the March meeting.

D. Office Without a Nomination

If no candidate is nominated for an office, a Nominating Committee shall be appointed immediately to find candidates for the office(s). They shall report their nominations to the Elections Committee within one week of their appointment.

E. Publishing Nominees Information

The Elections Committee shall publish brief information on each candidate to the members.

F. Nominees Addressing the Representative Council

Candidates for office of President shall be given an opportunity to speak at a Representative Council meeting prior to the election.

G. Petitioning to Add a Nomination

Candidates for office not nominated by the above procedure shall be put on the ballot if a position for nomination for office signed by twelve (12) members is received by the Elections Committee six (6) school days before the election. For these candidates, subsection d and e above will be carried out if the petitions are received in sufficient time to allow this.

H. 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.

Section 2- Balloting

A. Voting

After the period of open nominations (Article XVIII Section 1), 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. All elections shall be in accordance with the one-person, one-vote principle.

B. Publishing Voting Results

The Elections Committee shall report results to the President who shall cause them to be published.

C. Installation and Terms of Office

New 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 3- Special Election of Officers

When special elections are needed to elect officers between annual elections, the procedures as specified in Section 1 above shall be followed as closely as possible. New officers shall be installed at the next meeting of the Representative Council.

Section 4- Other Special Elections

Voting for all items that must be approved by the general membership shall be done in accordance with the procedures developed by the Elections Committee and approved by the Representative Council.

Article XIX- Initiative, Referendum, Recall

Section 1- Initiative

a. A petition containing the signatures of fifteen (15) percent of the membership will be sufficient to submit any proposition to a vote of the membership as requested in the petition.

b. All petitions must contain the same wording, and such wording must be clear as to the action desired.

c. Signatures on the petition shall be certified accurate by the Executive Board.

d. The legality of such petitions shall be decided by the Representative Council.

e. In any event, it is the duty of the Executive Board and the Representative Council to submit any such legally submitted petitions to be voted on by ballot of the membership within one month of receiving the petition or show cause for delay.

Section 2- Referendum

The Representative Council may refer any proposition, including amendments to the By-Laws, to a vote of the membership (Article XII).

Section 3- Recall

a. Any officer or representative may be recalled by two-thirds vote of the electing body. The Executive Board shall supervise any such action under rules and policies of the Representative Council.

b. Any committee chairperson may be recalled by a two-thirds vote of the Representative Council.

c. Grounds for recall are: Violation of oath and/or failure to execute office correctly.

d. Any person undergoing recall procedures shall, at his/her discretion, have the right to a public or private hearing.

e. Any vacancy occurring due to recall is to be filled according to the By-Laws and the policies of the Representative Council.

Article XX- Financial Guidelines

The attached Financial Guidelines are the guidelines by which members and officers of the Ferguson-Florissant NEA conduct the business of the Association.