

# **Constitution and Bylaws of the N. St. Paul-Maplewood-Oakdale Education Association**

July 2014

## **Preamble**

We, the members of the North St. Paul-Maplewood-Oakdale Education Association, Education Minnesota, National Educational Association, and American Federation of Teachers, believe that the active participation of non-supervisory licensed education personnel in the development of educational policy is essential for a sound education in a democratic society, have joined together, as herein defined in this Constitution and Bylaws, for the purpose of exerting a collective and positive influence on education in Independent School District No. 622.

North St. Paul-Maplewood-Oakdale Education Association shall provide a united voice for public education, leadership in education innovation, dedication to Minnesota students and families, and an unwavering commitment to the welfare of our members.

North St. Paul-Maplewood-Oakdale Education Association shall be a local organization that provides unstinting professional service to its members by building and maintaining a strong, effective local and by promoting instructional advocacy. North St. Paul-Maplewood-Oakdale Education Association shall be committed to democracy in the workplace and within the organization.

If any provision of this constitution and bylaws conflict or violate the constitution and bylaws of Education Minnesota, NEA, or AFT, the provision of the state and national organizations shall supersede those contained herein.

## **ARTICLE I**

### **Name**

The name of this organization shall be the North St. Paul-Maplewood-Oakdale Education Association, hereinafter referred to as the Association.

## ARTICLE II

### Purpose

The purpose of the Association shall be to provide an organizational structure through which the collective voice and power of the Association may effectively bring about and maintain conditions and standards of the educational environment which are compatible with the desires of the membership.

## ARTICLE III

### Membership

Section 1. All certified/licensed personnel, except the superintendent and those who possess a Tier 1 license, currently employed in the North St. Paul-Maplewood-Oakdale Public Schools are eligible for membership in the Association, provided they pay unified dues, which shall include membership in the North St. Paul-Maplewood-Oakdale Education Association, Education Minnesota, and the American Federation of Teachers.

Section 2. For the purpose of this constitution the term “school year” shall mean that period of time beginning with the first day, all certified/licensed employees must be present to fulfill their contractual obligations as specified by the official school calendar.

Section 3. Membership in the Association shall be continuous. Dues shall be determined annually by the Executive Board of the Association prior to the first meeting of the general membership of the school year. Dues shall be payable effective the first pay period in October. A payroll deduction agreement for the collection of dues shall be construed as payment. IMPACE and NEAPAC collections will be according to Ed. MN/NEA bylaws. Any assessments authorized by the Executive Board shall be payable within a reasonable period of time. Membership shall cease upon failure to pay dues and/or assessments, or by resignation.

Section 4. All members of the Association shall be represented in all negotiations with the Board of Education by the person or persons officially designated by the Executive Board for that purpose.

Section 5. Membership for teachers who have retired from the North St. Paul-Maplewood-Oakdale School district shall be available at 10% of local dues for non-voting status. Retired members may choose to have unified membership as well. Dues must be paid by September 30.

## ARTICLE IV

### Officers

The officers of the Association shall be president, vice-president, secretary, and treasurer.

## ARTICLE V

### Executive Board

Section 1. The Executive Board shall consist of the officers of the Association and the duly elected building representatives from each building.

Section 2. The Executive Board shall have the Executive and Legislative authority of the Association and thereby the power and authority of implementation of policies of legislation determined by the Board. A minimum of 30% of the members present may call for any motion to be presented to and voted on by the general membership.

Section 3. Building representatives of the Executive Board shall be elected as follows: One member per 25 members in a building, or greater fraction thereof. If a building has less than 25 members, it will have one representative on the Executive Board.

# **BYLAWS**

## **ARTICLE I**

### **Meetings**

Section 1. Regular meetings of the Executive Board shall be held at 4:00 p.m. on the first Monday of each month during the school year. The place of such meetings shall be publicized at least one week in advance.

Section 2. Special meetings of the Executive Board shall be held at the call of the president at their discretion or upon receipt of a written request signed by one-third of the Executive Board.

Section 3. The president, upon receipt of a written request, will call a General Membership Meeting under the following conditions:

- A. When the request is signed by 2/3 of the Executive Board or
- B. When the request is signed by the Chief Negotiator.

Section 4. A quorum of the building representatives may, by majority vote, pass all legislation except amendments to the constitution and bylaws (Article VI, Section 1) master contract ratification (Article I, Section 5). Any member of the Executive Board may request a roll call or secret ballot vote subject to the approval of one-sixth of the members present.

Section 5. The membership will approve or reject a master contract as follows:

- A. When the membership votes in their buildings, it will follow the same procedures for Elections (Article IV, Section 9). Approval will be by a majority of votes cast.

Section 6. Any member of the Association may attend any meeting of the Executive Board.

Section 7. There shall be meetings of the general membership of the Association during the school year for the purpose of discussion of professional issues.

Section 8. A quorum for the Executive Board and each committee shall consist of the majority.

Section 9. When the entire Association is brought together for a meeting where business is to be conducted, a quorum shall be the majority of the membership present.

All other procedural matters shall be governed by Robert's Rules of Order.

## ARTICLE II

### Terms of Office and Duties of Officers

Section 1. The president shall preside at all meetings of the Executive Board, and shall be an ex-officio member of the Association. The president shall serve as a delegate to the Education assemblies, both the Education Minnesota Representative Assembly and the National Education Association convention. The president will appoint a parliamentarian, with approval of the Executive Board.

Section 2. The vice-president is a member of the Executive Board and may serve in an ex-officio capacity to any part of the association. The vice-president shall perform the duties and have the powers of the president in the absence of the president to act.

Section 3. The secretary shall keep minutes of the meetings of the Association and the Executive Board. The secretary shall be responsible for the reproduction and distribution of the minutes of each Executive Board and Association meeting to the general membership no later than one week following the meeting of the Board. The secretary shall also perform such duties as the president may request.

Section 4. The treasurer shall be responsible for the financial transactions and maintenance of the financial records of the Association. A monthly report shall be presented to the Executive Board. The treasurer shall also perform such duties as the president may request.

Section 5. Whenever a two-thirds majority of the Executive Board shall agree that the president has been grossly negligent of the duties and responsibilities as defined in the constitution and bylaws, or is incapacitated, the vice-president shall fill the position. Whenever a two-thirds majority of the Executive Board shall agree that an officer, other than the president, has been grossly negligent of the duties and responsibilities as defined in the constitution and bylaws, or is incapacitated, the Board shall remove said officer and fill the vacancy.

### Section 6. Terms and Succession

A. The term of office of the president and vice-president shall be for two years from July 1 to June 30. The president shall be elected during even-numbered years. A presidential candidate must have served a minimum of one year on the Executive Board.

B. The term of office of the vice-president shall be for two years from July 1 to June 30. The vice-president shall be elected during odd-numbered years.

C. The treasurer shall be elected for a two-year term in odd-numbered years. The treasurer's term shall be September 1 to August 31. This aligns with the fiscal year for our budget.

D. The secretary shall be elected for a two-year term in even-numbered years. The secretary's term shall be July 1 to June 30.

E. Whenever any office, other than the presidency is vacated, the Executive Board shall fill the vacancy. Nominations will be taken at the upcoming executive board meeting. If there is more than one nomination, there will be a secret ballot vote with the majority of the vote determining the position. The nominee receiving the most votes will be announced.

F. When the office of the presidency is vacated, the vice-president shall assume the office.

G. Whenever the office of president and vice-president are both vacated between elections, the membership shall elect a new president and vice-president for the remainder of the term.

H. If a vacancy of a building representative should occur on the Executive Board, it shall be the duty of the represented school to elect a member from the general membership. Building representative elections will follow the same procedures as officer elections.

I. Officers may be reelected.

Section 7. Each building representative or alternate shall attend all meetings of the Executive Board. After two consecutive absences of either the representative or their alternate, the president may declare a vacancy to be filled through an election in the building where this vacancy occurred.

Section 8. If there is more than one building representative in a building, the representative with the most votes will be referred to elsewhere in the bylaws as the senior representative. If there is only one building representative in a building, said representative shall be referred to elsewhere in the bylaws as the senior representative. The building representatives shall be responsible for conducting building meetings, and distributing or posting all communications from the Executive Board.

Section 9. The building representative(s) in each building shall hold elections for the new representative(s) prior to June 1.

Section 10. A term of office shall be from July 1 to June 30, one year, inclusive.

Section 11. Whenever a two-thirds majority of those members in a building agree that a building representative from their building has been grossly negligent of the duties defined in the constitution and bylaws, or is incapacitated, the Association members in the said building may remove the member and elect a replacement.

### ARTICLE III

#### Committees

Section 1. The Executive Board will direct the president to appoint committees. Standing committees of the Board will include Governmental Relations (GRC), Quality Steering Committee (QSC), Communications, Member Rights, Membership, Negotiations, Election Committee, QComp Governance Board, and other committees as deemed necessary. These committees shall operate as directed by the Executive Board.

Section 2. The president and Executive Board shall at the June meeting, present a slate of nominees for the standing committees named in Section 1, except the Negotiations Committee.

Section 3. The chairperson of each committee shall be appointed by the president with the approval of the Executive Board.

Section 4. The membership committee shall consist of a chairperson and a membership assistant.

Section 5. Each committee shall submit an annual report to the Executive Board by May 1<sup>st</sup> or upon completion of its duties.

#### Section 6. Negotiations Committee

A. There shall be a Negotiations Committee of members in addition to the Chief Negotiator consisting of Executive Board and members from buildings or groups not represented by the Executive Board.

B. The Negotiations Committee shall be responsible to the Executive Board and the general membership.

## ARTICLE IV

### Elections

Section 1. The President shall appoint an election committee each November. The election committee shall consist of four members representing a variety of programs throughout the district.

Section 2. All nominations will be open and handled through building representatives. Nominations must be submitted by January 15<sup>th</sup>. Biographies of the candidate are due by the 4<sup>th</sup> Friday of January. Voting will take place in February. The Executive Board will nominate willing candidates from the floor. The Board shall disseminate appropriate information concerning each candidate to the general membership.

Section 3. The election committee shall distribute a ballot to each member via email through the online voting platform. The committee shall report the results of the election to the Executive Board and the Association. The nominee receiving the most votes will be announced.

Section 4. The election committee shall present a slate of candidates for election to the following positions as indicated: a) Education Minnesota-NEA Delegates: January nomination, February elections; b) Officers, Executive Board, Relicensure Committee: January nominations, February elections.

Section 5. Voting NEA Constitution Provision for Election.

A. Shall be according to the principle of one person-one vote.

B. A person eligible to vote may not do so by proxy.

C. Election will be by secret ballot.

D. Balloting: To be elected, a candidate for an elected position governed by these bylaws must receive a majority of the votes cast for that position. If the number of candidates on any ballot in any race is equal to or less than the number of positions to be filled, the candidate shall be declared elected.

Section 6. Terms of office must be printed on the election ballots.

Section 7. Election will be decided by majority vote.

Section 8. NEA and Education Minnesota delegates' term will be one (1) year.

Section 9 The election committee shall be responsible for the following procedure by working with and through the senior representative in each building:

A. Directions: The election committee will share directions with the building representatives no later than 12 hours prior to the start of the election. Building representatives will share the directions with members at their buildings.

B. Hours: The election will be open for 36 hours, beginning at 6:30 AM on the first day and ending at 6:30 PM on the second day.

C. Ballot Box - Online platform. The voting platform will be decided upon by the NSPMOEA Elections Committee and will be reviewed every 2 years to evaluate anonymity, cost-effectiveness, and efficiency.

D. Certification of Result: The election committee will meet after school on the school day after the election to review the results on the election platform and certify the results.

## ARTICLE V

### Membership Discipline

“Disciplinary action” in the form of censure, suspension for one calendar year, or permanent expulsion, shall not be taken against any member except for cause. “Cause” shall relate to conduct prejudicial to the purpose of the Association which may include any one or more of the following:

A. Failure to remain a member in good standing with Education Minnesota and NEA.

B. Substantial violation of the Code of Ethics of the Education Profession.  
(Appendix A.)

C. Violation of local association policy in crisis situations affecting the entire school district.

D. Other good and sufficient cause whereby the conduct of the member would be prejudicial to the purpose of the Association.

Such action shall be initiated by a complaint of a majority of the officers of the local Association, with written notice to the member of the proposed action to be taken and the reasons thereof.

Such notice shall also include the statement that the member has ten (10) calendar days in which to request a hearing before the Executive Board, at which the member is entitled to a representative of their choice to answer the charges and examine those making them. A quorum shall be present. The hearing will be private or public at the choice of the member and the decision, secret ballot, and simple majority shall be communicated in writing to the member, accompanied by a memorandum of findings of fact, within ten (10) days of the close of the hearing. A tie vote with the president voting shall indicate no action will be taken.

Any member censured, suspended, or expelled under these provisions shall have the right of appeal to the Executive Board, within ten (10) days of receipt of the decision. The appeal hearing shall be presided over by the local association president who shall grant a procedure, which includes witnesses and the right of cross-examination. A quorum shall be present. The decision shall be made by a secret ballot and a simple majority of the Executive Board. In the event of a tie, with the president voting, no action shall be taken.

Action to expel or suspend shall be communicated to the Education Minnesota President and Executive Director, the membership division, and the Education Minnesota PR&R Council Chairperson.

A member who is expelled or suspended from membership in the local association shall have the right to appeal to the Education Minnesota Board of Directors in accordance with such policies and procedures as the Board may adopt.

Appeal to the National Education Association shall be governed by the policies and procedures adopted by the NEA.

## ARTICLE VI

### Amendments

Section 1. The Executive Board may amend the bylaws and/or the constitution by a two-thirds majority of those voting. However, a notice of the proposed amendment shall be filed in writing with the secretary and presented to the Executive Board at a regular meeting preceding the meeting at which it is to be voted upon. All members of the Association shall be provided with a copy of the amendment so that they may discuss it with their building representative(s).

Appendix A

CODE OF ETHICS FOR MINNESOTA TEACHERS

[PDF](#) | [Web Link](#)