
Education

Association

of

Pekin

Bylaws



FOREWORD

The bylaws of a local association are the rules by which the organization agrees to conduct itself. This document establishes the rights and responsibilities for the association members and states how the association will organize itself. The local bylaws must be in conformance with the IEA-NEA bylaws and the NEA Constitution and bylaws. Local's bylaws may differ from one another because of the unique history and structures found in each local.

The revisions put forth in this document were approved by the general membership December 17, 2012.

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BYLAWS

Article I – Name and Objective

Section 1 - Name

The name of this organization shall be the Education Association of Pekin (EAP), an affiliate of the Illinois Education Association and the National Education Association.

Section 2 - Objective

The objective of the Association shall be to advance public education in Illinois and to promote the welfare of the members of the bargaining unit.

Article II - Membership, Affiliation and Non-Discrimination

Section 1 - Membership

Membership shall be open to all full and part-time certified and non-certified personnel employed by District 108 excluding positions referenced in the recognition clause of the collective bargaining agreement. Membership shall be defined as active or fair share fee-payers.

Section 2 - Affiliation

This organization shall be affiliated with, and comply with the Bylaws of the Illinois Education Association and Constitution and Bylaws of the National Education Association. If there are any conflicts or inconsistencies between these bylaws and the bylaws or constitution of the state or national organization, the state or national documents shall govern.

Section 3 - Privileges

Active members shall have full membership services and privileges, including voting, holding office, serving on committees and commissions, serving as a delegate to IEA and NEA assemblies, participating in fringe benefits provided by the Association and related enterprises, and such other rights and privileges as are conferred through the Association governance.

Fee-payers shall pay fair share fees to the Association established with the rules and regulations of the Illinois Education Labor Relations Board (IELRB) and are entitled rights outlined in the IEA's Fair Share Handbook.

Section 4 - Censure and Discipline

A. In the event a charge is filed against a member calling for the censure, suspension, or expulsion of the member, the Executive Board excluding the WEB Chair shall conduct a due process hearing and rule on the charge. The decision of the Board may be appealed to the Welfare and Ethics Board excluding the Association Co- Presidents and the Association 1st Vice President and from there to the IEA Review Board.

- B.** The local shall deny membership to an individual while that individual is denied membership in the IEA pursuant to NEA Bylaw 2-3.d.
- C.** The basis of charges against an Association member or officer shall include any (1) or more of the following offenses:
- i. Violation of the Association Bylaws
 - ii. Mishandling, misappropriating or otherwise misusing Association funds
 - iii. Failure to perform legitimate Association obligations during a strike or lockout by District 108.
 - iv. The commission of any unlawful, dishonest, dishonorable, or discreditable act in connection with Association duties or responsibilities
 - v. Any effort by (1) or more Association members to undercut or reduce the effectiveness of work and/or programs of the Executive Board
 - vi. Threatening with violence or assaulting any Association member in connection with Association duties or responsibilities.

Section 5 - Non-Discrimination

This organization shall not deny membership based upon race, color, national origin, religion, gender, sexual orientation, age, disability, marital status or economic status.

Article III – Governance

Section 1 - Executive Officers

The Executive Officers of the Association shall be the Co-Presidents, 1st Vice-President, 2nd Vice President, Secretary, Corresponding Secretary, and Treasurer.

Section 2 - Executive Board

The Executive Board shall consist of all Executive Officers, WEB Chair, Region Representatives, and Association Representatives.

Section 3 – Association Representatives

Each building is entitled to one voting representative as a member of the Executive Board.

Section 4 - Recall

Any Executive Board member may be removed by a (2/3) vote of those members voting at a general membership meeting when a majority of the general membership is present. Such recall election shall be conducted by the 1st Vice President or designee from the Executive Board upon receipt of a petition stating the specific grounds of the recall and containing the signatures of (30) percent of the general membership.

Article IV - Executive Officers

Section 1 - Duties

- A. Co-Presidents.** The Co-Presidents shall be the Chief Officers, with the power and the duty to enforce and interpret the Bylaws, carry out Association policies between Executive Board meetings, sign contracts and agreements, represent the Association before the public either personally or through designees, appoint and remove members of all Association committees and joint committees as outlined in the collective bargaining agreement with the consent of the Executive Board, serve as ex-officio members on all committees, cause a budget to be constructed and an annual audit to occur, and preside over meetings of the Executive Board, and the membership. The Co-Presidents shall attend meetings of the Communication Committee, Finance Committee, Insurance Committee, School Board and have the option to serve as a member of Region Council. Further, the Co-Presidents shall have the power and duty to perform all acts generally associated with the nature of the office and such other duties applicable to the office as prescribed by the parliamentary authority adopted herein which are not inconsistent with the Bylaws.
- B. 1st Vice-President – (Support Staff Member).** The 1st Vice-President shall have the powers and duties of a Co-President in the absence or inability to serve as a Co-President, shall act as Co-President pursuant to the Bylaws, and shall otherwise have such powers and duties as may be assigned by the President. The 1st Vice President shall function as the Elections Committee Chair and be in charge of all elections.
- C. 2nd Vice President – (Certified Staff Member).** The 2nd Vice President shall serve as the Association Membership Chair and be responsible for continuous update of information concerning membership and dues. In the event both Co-Presidents cannot serve, the 2nd Vice President shall serve as a Co-President with the 1st Vice President.
- D. Recording Secretary.** The Recording Secretary shall maintain the official files of the Association. The Recording Secretary shall keep accurate minutes of each meeting of the Executive Board and each general meeting of the membership, and shall be responsible for notifying members of regular and special meetings. The Recording Secretary shall maintain an official copy of the Bylaws of the Association and a copy of the current collective bargaining agreement, and maintain a record of Association Advocate winners and Association Scholarship winners.
- E. Corresponding Secretary.** The Corresponding Secretary shall handle correspondence for the Association such as hospitality/sunshine courtesies for members, and disseminate and collect scholarship information serving as Scholarship Committee Chair.
- F. Treasurer.** The Treasurer shall maintain accurate records of expenses and income, report such records at the Executive Board meetings and meetings of the general membership. The Treasurer shall be responsible for the payment of bills and for the transmitting of dues to the IEA as per IEA policies. The Treasurer shall present the books for annual audit in August prior to the submission of the proposed budget. The Treasurer shall prepare and present a proposed budget for Executive Board

approval by the August Executive Board meeting. General membership approval of the budget will occur in September.

Section 2 – Terms

A. Term. The term of office for Executive Officers shall be (2) years. One Co-President, 2nd Vice President, and Corresponding Secretary shall be elected on even numbered years. The other Co-President, 1st Vice President, Recording Secretary, and Treasurer shall be elected on odd numbered years. Officers may succeed themselves.

B. Transfer of Records. Each officer shall transfer records to the Association within (10) days of leaving office.

Section 3 – Vacancies

Vacancies occurring by reason of death, resignation, incapacity or other factors shall be filled by special election of the membership or by acclamation of the Executive Board within (30) days of the vacancy.

A. Co-President. A vacancy in the office of the Co-Presidents shall be filled by the 1st Vice-President until a special election of the membership or by acclamation of the Executive Board within (30) days of the vacancy.

Article V - Association Representatives (ARs)

Section 1 – Duties and Responsibilities

Association Representatives shall be members of the Association selected to provide two-way communication between the Association and the members, distribute materials to members personally, and conduct information meetings. The ARs shall recruit volunteers for Association jobs and activities, generate support for Association positions and programs, serve as the Elections Committee, and conduct all elections of the Association according to guidelines found in Article VIII. The Association shall provide training for ARs, keep the ARs informed of Association activities and positions, and provide incentives for attracting and retaining ARs.

Section 2 – Selection

In May, each building shall determine its Association Representative for Executive Board. A building may have more than one Association Representative but is entitled to one vote on Executive Board business. Members unable to attend meetings should send an alternate.

Article VI – Region Council Representatives

Section 1 – Duties and Responsibilities

Region Council Representatives shall be members of the Association who provide two-way communication between the Association and IEA’s Region Council. Region Council representatives shall determine their attendance at all scheduled Executive Board meetings with attendance of at least one meeting required. Region Council representatives shall serve as the Association’s Legislative Committee.

Section 2 – Selection

Selection of Region Council representatives shall occur during the annual elections. Region Council representatives shall be elected from the Active membership following the Association’s election guidelines.

Article VII – Executive Board

Section 1 – Duties

The Executive Board shall conduct and supervise the business of the organization, annually recommend a budget for adoption by the membership, undertake such expenditures as are necessary and reasonable for the operation of the organization, consent to the appointment of committees, plan and recommend programs to the membership, approve expenditures, and consent to the fillings of vacancies.

Section 2 – Vacancies

If a vacancy occurs within the Executive Board, excluding Executive Officers, the building where the vacancy occurs shall select a new Association Representative.

Section 3 - Meetings

A. Quorum. A majority of the members of the Committee must be present to conduct business, and a majority vote of those present shall rule.

B. Regular Meeting. The Executive Committee shall meet monthly during the school term, and may meet as many additional times as necessary or reasonable to transact its business. Regular monthly meetings of the Executive Board are open to all members.

C. Special Meetings. Special meetings may be called by the Co-Presidents, or shall be called upon the written request of (20) percent of the Executive Board members. Except in cases of emergency, at least (2) days notice shall be given to all Executive Board members and business shall be limited to that contained in the notice.

Article VIII - Elections

Section 1 - Elections Committee

A. Composition. The Elections Committee shall be composed of the Association Representatives with the 1ST Vice President serving as the Chairperson.

B. Duties. Establish procedures subject to the approval of the Executive Board for nomination of candidates, dissemination of notices concerning the election, and conduct the election and tabulation of the ballots which shall be consistent with procedures established by the IEA Elections Committee or parliamentary authority.

Hear initial election challenges.

C. Vacancies. Should a temporary or permanent vacancy occur on the Committee, whether because a member becomes a candidate for office or for any other reason, then the vacancy shall be filled in the same manner as the original appointment.

Section 2 – Election Procedures

A. Calendar. The Elections Committee shall establish a local election calendar with nominations and election timelines at the August Association meeting.

B. Conduct. All elections shall be conducted by open nomination and secret ballot following IEA's Election Committee guidelines. Secret ballot elections may be dispensed and candidates affirmed for the office when only one candidate per office is on the ballot and all positions are filled.

C. Nominations. Reasonable notice shall be given for nomination to all offices to be filled. Notice shall include time, place, and method for submitting nominations. In the event more than one candidate for a position occurs, then a candidate resume form shall be completed and returned to the 1ST Vice President or designee who shall disseminate the information to the membership.

D. Write-In Provisions. A write-in provision is required if the number of declared candidates is less than the number of positions available.

In cases of elections where the local officer will also serve as a delegate to the IEA and/or NEA Representative Assembly, a write-in provision is required.

E. Eligibility. All active dues paying members must be afforded the opportunity to vote in any election representing active members. All active members with Association committee membership experience or AR experience may run for office. This does not include fair share fee-payer members.

F. Notice. A (5) day notice of local elections may be given by posting or by other means.

G. Use of Dues. No dues may be used in support of a candidate for any Local, Regional, State or National Association office.

H. Offices Governed by this Article. All Local Officers, Delegates to IEA Representative Assembly, and Delegates to NEA Representative Assembly are governed by these Bylaws.

I. Election Results. Elections shall be determined by plurality. In the case of a tie vote, a coin toss in the presence of the Executive Board shall determine the winner. The results of the election must be published in a timely manner which allows members to obtain the information without unusual effort.

J. Beginning of Terms. All elected Association positions and AR terms begin on August 1 following the May election or selection.

K. Contract Ratification. Ratification shall be by plurality vote through a secret ballot election held at a central location following IEA/NEA election guidelines.

Section 3 - Election Challenges

Any member(s) desiring to challenge the conduct of any election shall file a written challenge according to the procedures as follows:

A. Local Level - Initial challenges to all local elections governed by this Article shall be with the 1st Vice President. Such challenges must be made no later than (5) calendar days of issuance of the election results.

The 1st Vice President shall contact the UniServe Director at the IEA office to notify him/her of any election challenges.

B. Region, State and National Level - Consult the region, state, and national governing documents for additional challenge procedures and timelines, especially for offices which serve as delegates to the IEA and NEA Representative Assemblies.

Article IX - Arbitration and Grievance Appeal

The Executive Board shall decide whether or not a grievance shall be processed to final and binding arbitration. Recommendations should be provided to the Executive Board from the Grievance Committee. The affected member (or a designated representative if there are more than one grievant) shall have a right to address the Executive Board before the Board decides whether to take the matter to arbitration.

Article X - Committees

Section 1 - Appointment

Committees may be established on a standing and/or ad hoc basis by the Executive Board. The Co-Presidents shall appoint members annually to all committees and name the chairperson with the consent of the Executive Board unless specified differently within these Bylaws. If the Co-Presidents cannot reach consensus on any appointments, the list will be submitted to the Executive Board for a final decision.

Section 2 - Standing Committees

There shall be the following standing committees: Grievance, Legislative, Welfare and Ethics, Elections, and Scholarship.

A. Grievance Committee .The Grievance committee shall assist members in the application of the grievance procedure. It will make recommendations whether to arbitrate grievances to the Executive Board.

B. Legislative Committee. The Legislative Committee shall work with IEA Government Relations to help promote activities which lead to the passage of desirable state and federal legislation for schools.

C. Welfare and Ethics Board. The Welfare and Ethics Board shall be an elected committee responsible for negotiating the collective bargaining agreement, as well as be responsible for monitoring and enforcing the agreement. The Welfare and Ethics Board shall meet monthly in closed-session to conduct business. Members of Welfare and Ethics shall also be appointed by the President to the collective bargaining agreement's Communications Committee.

i. Request for Audience. The Welfare and Ethics Board shall receive requests for audience in writing prior to the regular scheduled closed-session meetings.

ii. Membership. Membership shall be elected by the Association's active general membership and consist of (13) members elected in the following manner with no more than (2) members being from the same building:

- (2) Certified teachers each from primary and PFEC – pre-K through grade 3
- (2) Certified teachers each from Intermediate – grade 4 through grade 6
- (2) Certified teachers each from junior high – grade 7 through grade 8
- (1) At-large representative from any level
- (3) Non-certified from any level
- The Association Co-Presidents
- The Association 1st Vice President

During negotiations, WEB membership may expand through joint appoint of the Association President and the WEB Chair. The (2) member building limit will not apply to appointments. These appointments will last for the duration of the negotiation process.

iii. Qualifications. Members of Welfare and Ethics must have had three consecutive years of district employment at the time of election or appointment.

iv. Terms. The term of office shall be three years. The terms shall be staggered. Vacancies will be addressed as per Section 3, page 5.

v. Negotiation and Term. During negotiations, WEB members who began the negotiations process shall continue negotiations until the contract is ratified even though a member's term has expired.

vi. Welfare and Ethics Chair. The chair person of Welfare and Ethics will be selected annually by the members of WEB. The chair person must have had one year of WEB experience. The WEB chair shall also be a member of the Grievance Committee.

D. Election Committee. The Election Committee shall assist the 1st Vice President in conducting all Association elections. The 1st Vice President shall serve as the committee Chair.

E. Scholarship Committee. The Scholarship Committee shall distribute and collect all applications for Association scholarships and grants. The committee shall review and award all scholarships and grants.

Article XI - Meeting of the Membership

A. (2) annual meetings of the membership shall be held

B. Special meetings of the membership may be called by the Co-Presidents, a majority of the Executive Board, or a petition by (30) percent of the membership. Except in case of emergency, at least (2) days notice shall be given. The Recording Secretary shall notify the membership as soon as possible.

Article XII - Voting

Unless otherwise provided herein, the adoption of all business by the Executive Board and the membership shall be by a majority of those voting.

Article XIII - Parliamentary Authority

This Association shall be governed by Robert's Rules of Order, Newly Revised.

Article XIV - Dues

Local dues shall be established by the Executive Board. The IEA-NEA dues shall be transmitted to the IEA-NEA as per IEA-NEA policies. The books and records of the organization shall be open to inspection by any member upon reasonable request.

Article XV – Compensation and Reimbursement

Section 1 – Compensation

A. Upon the request of the Association President, Association leave days guaranteed by the collective bargaining agreement may be used to conduct Association business. Guidelines set within the collective bargaining agreement will apply.

B. The dues of the Association Co-Presidents will be paid by the Association up to \$595, each.

Section 2 – Reimbursement

The Co-Presidents shall be permitted to spend up to \$100, individually between meetings for Association items and materials. If more funds are needed, a request will be made to the Executive Board prior to the expenditure.

Article XVI - Savings Clause

In the event a portion or portions of these Bylaws are found to be inconsistent with state or federal law, such portions to the extent that they violate the law shall be deemed deleted and of no force and effect.

Article XVII - Amending Procedures

Amendments to these Bylaws may be made at any regular or special meeting of the general Association membership provided that such amendment(s) have been proposed to the Association, submitted in writing to the Recording Secretary, and approved by the Executive Board.

Proposed revisions of these Bylaws shall be submitted to the full membership for vote at a regular or special meeting and majority vote of those present shall rule, provided that all members of the Association have been sent notice of the date and place of the meeting and the proposed revision(s) at least (14) days prior to the meeting.

An ad hoc Bylaws Committee, established by the Executive Board, shall review the Bylaws no later than five years from the last revision.

Adopted December 17, 2012
