

Oak Harbor Education Association Constitution

(Revised May 2003)

ARTICLE I - NAME

- A. The name of this Association shall be the Oak Harbor Education Association.
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ARTICLE II - PURPOSE

- A. The purpose of the Oak Harbor Education Association shall be to advance the interests of the profession of teaching and to promote the cause of education in the Oak Harbor School District and the State of Washington. The Oak Harbor Education Association will also collectively bargain for certified employees as covered by Washington and/or Federal laws.
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ARTICLE III - MEMBERSHIP

- A. The membership of the Oak Harbor Education Association shall consist of a class of active members and other such classes as may be provided in the By-Laws. The Constitution and By-Laws shall prescribe eligibility of membership in such classes.
- B. Membership shall be open, as provided in the By-Laws, to all persons who shall agree to (a) subscribe to the goals and objectives of the Oak Harbor Education Association, the Washington Education Association, and the National Education Association; (b) abide by their Constitutions and By-Laws; and (c) adhere to the Code of Ethics of the Education Profession, if engaged in teaching or other educational work.
- C. Membership shall be subject to review and discontinuance as provided in the Constitution and By-Laws.
- D. Membership shall not be denied to individuals on the basis of race, creed, national origin, sex, age, or marital status.
- E. Any person who transfers into the district during the current year, and is a paid-up member in the local from which he transferred and meets the other WEA membership requirements, shall be given all rights and privileges until the end of the WEA membership year. This particular membership is only authorized when the other local officers, and states in writing, that a reciprocal membership agreement will be offered, on a like basis, to the OHEA transferees. Written communication by the applicant showing all such qualifications shall activate the membership.
- F. The membership year and the fiscal year for the Oak Harbor Education Association shall be September first to August thirty-first inclusive.

- G. Membership shall be permanent, or continuing from year to year, except on resignation, retirement, death, expulsion or discontinuance as provided in the By-Laws.
- H. Only active members shall have the right to vote, to seek and/or hold an elective or appointive office in the Association.
- I. The OHEA Representative Council shall have the power to censure, suspend or expel any member for cause by a two-thirds (2/3) vote, after due process including notice and hearing. The Representative Council shall have power to reinstate members pursuant to the requirements in the Washington Education Association By-Laws.
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ARTICLE IV - DUES AND ASSESSMENTS

- A. Dues of the Oak Harbor Education Association shall be established by a two-thirds (2/3) vote of the general membership voting by secret ballot.
- B. The annual dues of an active member shall not exceed .0087 of the Oak Harbor base pay for the current contractual year; a percentage of .0043 shall be used as working funds for the Association, the remainder shall be used inclusively for employer obligations incurred under Article III, Section 9 of the Negotiated Agreement. Dues must be paid for the entire year and except as provided in the By-Laws, may not be prorated for a partial year's membership. Dues may be collected in installments, as provided by the WEA Board, but termination of employment prior to the payment of all installments shall not excuse the payment of the balance of the dues.
- C. Payment of the state, local, and national dues shall be accompanied and conditional upon the payment of each.
- D. The OHEA may levy special assessments on its members as provided in the By-Laws.
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ARTICLE V - REPRESENTATIVE COUNCIL

- A. Determination of the policies and programs of the OHEA shall be vested in the Representative Council as hereinafter provided. The Representative Council shall adopt a set of standing rules. The Representative Council shall meet at least once every other school month at a time and place set forth by the President and may meet in special session at the direction of the Representative Council, by order of the Executive Board, or President, or by written petition of at least 25 percent of the general membership.
- B. The Representative Council shall approve the budget, approve negotiations proposals, ratify the negotiations package after a ballot vote by the general membership, approve appointments for standing committees, act on reports of committees, approve resolutions and other policy statements, and shall 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. It may adopt such rules governing the conduct of the Association, and the conduct of meetings as are consistent with the Constitution and By-Laws. It shall be the final judge of the qualifications and

elections of officers and Faculty Representatives. Powers not delegated to the Association shall be vested in the Representative Council.

- C. The Representative Council shall consist of the Executive Board and at least one delegate from each faculty-unit within the district for the first twelve members, such faculty-units shall be entitled to an additional delegate for each twelve active members of the Association or major fraction thereof. Representatives will serve a term of one year and shall be elected within the first week of school.
- D. Additional delegates may be elected at large by a secret ballot by the membership in order to comply with the requirements of the NEA Constitution and By-Laws for ethnic-minority representation. Nominations for at-large delegates for these positions shall be by the ethnic-minority members. At-large delegates shall take office upon their election and serve for a one-year term; they may be re-elected if the at-large position is still required.
- E. Only active members of the Association shall be eligible to be delegates or to vote for the election of delegates and such members shall vote in one-faculty-unit only.
- F. Voting members of the Representative Council shall be the building delegates, at-large delegates, Executive Board members, and officers of the Association, except for the President who will vote only to break a tie.
- G. Any member of the Association who is not a member of the Representative Council, may attend its meetings, shall be identified as a non-voting member, but may receive permission to speak.
- H. The building Representatives shall call faculty meetings of the Association members to discuss Association business, shall solicit committee members as the Association may require, and shall organize and oversee the subsequent elections of faculty representatives, the enrollment of members, and two-way communication within the building.

ARTICLE VI - OFFICERS

- A. The officers of the Oak Harbor Education Association shall be the President, Vice President, Secretary, Treasurer, and immediate Past-President.
- B. The initial term of office for the President shall be 2 years. All subsequent and sequential terms shall be one year. The term of office for the Vice President shall be one year.
- C. The President shall take office on the first day of August. The President shall preside over meetings of the Executive Board, and the Representative Council, appoint chairpersons and members of standing committees with the approval of the Representative Council, appoint special committees, and be an ex-officio member of all standing committees, and shall be the executive officer of the Association. The President shall work a minimum of 637 hours per year on Association business, and shall keep an accurate log including (a) date, (b) time spent and (c) brief description of action. This information shall be available for review upon request by delegates at each Rep Council meeting.

D. In the event the President is unable to serve for his or her full term of office, the Vice President shall assume the office of President for the balance of the unexpired term. The Vice President shall perform the following functions as requested: attend contract maintenance meetings with the President, attend coordinated bargaining meetings, attend WEA sponsored workshops, and perform other functions so designated by the President.

E. The Vice President shall be elected by secret ballot following open nominations by the general membership and shall assume office for one year on the first day of August. The Vice President shall assist the President in his or her duties and assume the responsibilities and duties of the President in his or her absence or at his or her request.

Should there occur a vacancy in the office of President after the OHEA general elections, the Representative Council shall call a special election to elect a new President for the next term.

F. The Secretary shall be elected by secret ballot following open nominations by the general membership and shall assume office for one year on the first day of each calendar school year. The Secretary shall maintain files and be responsible for keeping accurate minutes and disseminating copies to involved members of all Executive Board, Representative Council, and General meetings.

G. The Treasurer shall be elected by secret ballot following open nominations by the general membership and shall assume office for one year on the first day of each calendar school year. The Treasurer shall hold the funds of the Association and disburse them, in accordance with the annual budget. The Treasurer shall distribute membership forms and collect the membership dues from the membership working with the district office business department, and transmit amounts due to the WEA. The Treasurer shall maintain a roll of the members. The Treasurer shall keep accurate accounts of receipts and disbursements, shall report to each meeting of the Representative Council and the Executive Board, and shall prepare an annual financial statement for publication to members as directed by the Executive Board. The Treasurer shall assist the Budget Committee in the initial drafting of the annual budget.

H. The immediate past-President, who shall assume the office after having served as President, shall take office on the first day of each calendar school year. The immediate past-President shall advise the Executive Board, and assist the President at the latter's request.

I. Delegates to the Uniserv Council shall be elected by secret ballot following open nominations for one year terms and shall assume office upon the first day of the next school year. WEA-RA delegates shall be elected by secret ballot following open nominations for one RA and assume their duties upon election. To meet WEA guidelines, all efforts should be made to assure that at least one of the six Uniserv delegate positions be served by a minority.

J. The NEA delegate(s) shall be elected by secret ballot following open nominations for one year terms and shall assume office upon certification of their election.

K. If a vacancy occurs for any office other than President, the Representative Council shall call a special election to fill that vacancy for the balance of the unexpired term.

- L. Any officer may be recalled or removed, with or without cause, by a two-thirds (2/3) vote of the general membership. Voting is by secret ballot at a special election called by the Representative Council upon the petition of one-third (1/3) of the members.

ARTICLE VII - EXECUTIVE BOARD

A. The Executive Board shall consist of the following: the President, Vice President, Treasurer, Secretary, immediate past-President, one Middle School member, one High School member, one Intermediate Elementary member, one Primary Elementary member, one Special Education member, and one Special Services member. Board members may be elected by Representative Council in order to establish representation from each staff group at the discretion of the Representative Council. The term of each Executive Board member, except for the first term of a new President, is one year. Each term begins on the first day of the calendar school year, except for the terms of the President, Vice President and at-large Board members.

1. The following eligibility guidelines govern Executive Board positions:

- a) Primary Elementary Member: any Classroom Teacher of grades K-2 children. In the case of a split grade, the member could choose for which position to run. For example, a 2/3 teacher could run for the Primary Elementary Member position or the Intermediate Elementary Member position, but not both within the same election.
- b) Intermediate Elementary Member: any Classroom Teacher of grades 3-5 children.
- c) Middle School Member: any Classroom Teacher of any discipline of grades 6-8 children, except Special Ed or Special Services Teachers.
- d) High School Member: any Classroom Teacher of any discipline of grades 9-12 children, except Special Ed or Special Services Teachers.
- e) Special Education Member: any member who holds an educational staff associate (ESA) certificate and/or a special education endorsement and who is currently providing special education services. Members who are eligible for this position include School Psychologists, Speech and Language Pathologists, Physical Therapists, Educational Specialists, Occupational Therapists, and Special Education Teachers.
- f) Special Services Member: any member who is not a general education classroom teacher and who is not a special education teacher or provider. Members who are eligible for this position include Counselors, Chapter-Title 1/LAP Teachers, the Home Connection Teacher, Librarians, the English as a Second Language (ESL) Teacher, and Elementary Specialists (such as Music, Art, and P.E.).

B. It shall be the duty of the Executive Board to carry out the program and policies of the Representative Council and to exercise the general authority of the Representative Council between its meetings, and other authority as directed by the Representative Council. The Board shall have the authority to interpret the Constitution and By-Laws. The Board shall develop and adopt standing rules for the Board, committees, and commissions, and assume duties as Representative

Council directs. The Board shall recommend a set of, and amendments to a set of, standing rules for adoption by the Representative Council.

- C. Additional Board members may be elected at large by a secret ballot by the membership in order to comply with the requirements of the NEA Constitution and By-Laws for ethnic minority representation. Nominations for at-large Board members for these positions shall be by the ethnic-minority members, if possible. At-large members shall take office upon their election and serve for a one (1) year term. They may be re-elected if the at-large position is still required.
- D. Any Board member or officer may be recalled or removed, with or without cause, by a two-thirds (2/3) vote of the general membership voting by secret ballot at a special election to be called by the Executive Board upon the petition of one-third (1/3) of the membership.
- E. The officers of the OHEA shall be the officers of the Executive Board.
- F. The Executive Board shall arrange meetings of the membership for discussion of professional issues.

ARTICLE VIII - COMMITTEES AND COMMISSIONS

- A. Standing committees may be authorized by the Representative Council and may be abolished by the Representative Council. The membership term, and number of members on the committee shall be determined by the Executive Board unless otherwise determined by the Representative Council.
- B. Standing committees shall be Negotiations, Bargaining Support, Communications, Social, Human Relations, Political Involvement, and Grievance.
- C. Commissions may be authorized or abolished by the Representative Council or the Executive Board. The membership terms, and number of members of the Commissions shall be determined by the Executive Board for each Commission, unless otherwise determined by the Representative Council.
- D. Committees and Commissions shall carry out policies and programs of the OHEA as directed by the Representative Council, President, or Executive Board.
- E. OHEA designated representatives to any joint District/OHEA committee, task force, or working group must report all activities to the OHEA President. Any action taken by any of the aforementioned groups shall not be contractually binding unless that action is agreed to by the OHEA President and the District Superintendent or ratified by the OHEA membership.

ARTICLE IX - PARLIAMENTARY AUTHORITY

A. The current edition of Sturgis Standard Code of Parliamentary Procedure governs this organization in all parliamentary situations that are not provided for in the law or in its charter, Constitution, By-Laws or adopted rules.

ARTICLE X - AMENDMENTS

A. This Constitution may be amended by any regular or special meeting of the Representative Council by a two-thirds (2/3) vote of all delegates present and voting, provided, (1) that the amendment shall have been proposed in writing at the meeting next preceding the one at which action is taken, and provided further that the text of the proposed amendment shall have been published in an official publication of the OHEA or a written copy furnished to each member of the Association.

ARTICLE XI - RATIFICATION

A. This Constitution shall be ratified upon the vote of two-thirds (2/3) of the Representative Council and shall take effect immediately.
