

CONSTITUTION AND BY-LAWS
OF THE
PICKERINGTON EDUCATION ASSOCIATION

Pickerington Education Association

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**CONSTITUTION
OF THE
PICKERINGTON EDUCATION ASSOCIATION**

ARTICLE I - NAME

Section 1 The name of this organization shall be the Pickerington Education Association

Section 2 The Pickerington Education Association henceforth referred to as the Association, shall maintain affiliation with the Ohio Education Association, the National Education Association and the Central OEA/NEA.

ARTICLE II - PURPOSE

Section 1 The purpose of the Association shall be as follows:

1. Help set and promote the educational objectives of the local school system and of the state and nation;
2. Protect the welfare and advance the professional interests of its members;
3. Foster professional attitudes;
4. Establish and maintain helpful, friendly relationships within the membership and school community.

ARTICLE III - MEMBERSHIP

Section 1 Active membership in the Association shall be open to all certified employees employed by the Pickerington Local School District, except those classified as administrators, who agree to abide by the Code of Ethics of the Education Profession and pay annual dues as stipulated in this Constitution and By-Laws.

Section 2 All members shall be members of the Pickerington Education Association, the Ohio Education Association, the National Education Association and the Central OEA/NEA.

ARTICLE IV - OFFICERS

Section 1 The offices of the Association shall be President, Vice President, Secretary, and Treasurer. A member of the Association may not serve more than one of these positions concurrently. Officers may be re-elected for successive terms.

The Association may have either:

- A. One President, one Vice- President, one Secretary and one Treasurer.
- B. Two Presidents, one Vice- President, one Secretary and one Treasurer.
- C. One President, two Vice- Presidents, one Secretary and one Treasurer.

Section 2 All Officers shall hold office for a two-year term, beginning the last regular Executive Committee meeting of the year and running until the next election. The President(s) and Secretary shall be elected in even years. The Vice-President(s) and Treasurer shall be elected in odd years.

Section 3 Whenever any office becomes vacant due to death, incapacity, termination, resignation, retirement or recall, the office shall be filled for the remainder of the term by a majority vote of the Executive Committee.

ARTICLE V - EXECUTIVE COMMITTEE

Section 1 The Executive Committee shall be composed of the officers, and the building representatives.

Section 2 The Executive Committee shall:

- 1) Act as advisors to the officers, assign duties, be responsible for all committees of the Association and have such policy making authority as provided in this Constitution and By-Laws;
- 2) Act as the authoritative voice of the Association during the interim period between regular meetings;
- 3) Prepare recommendations for the considerations of the Association;
- 4) Carry out policies established at general membership meetings;
- 5) Be responsible for the financial affairs of the Association including a dues structure which will adequately fund a quality program;
- 6) Direct an independent audit of the Association's financial records at regular intervals not to exceed two (2) years;
- 7) Certify all election results;
- 8) Interpret the Constitution and By-Laws;
- 9) Approve all programs for the Association;
- 10) Plan and conduct a training meeting for new officers and building representatives during the month of August;
- 11) Ensure that the Association acts on an annual financial report presented by the Association Treasurer.
- 12) Report its transactions and those of the general membership meetings to all members.

Section 3 There shall be one (1) Association representative elected for a term of one year in each building for every fifteen members, or major fraction thereof with a minimum of one per building.

- 1) Association representatives may be re-elected for successive terms.
- 2) The one-person, one-vote principle shall be applied to the local representative governance body. Only elected Executive Committee Members have voting rights.
- 3) There shall be elected to the Executive Committee representation of ethnic minorities at least proportionate to the ethnic-minority membership in the Pickerington Education Association.

Section 4 A vacancy on the Executive Committee due to death, incapacity, termination, resignation, retirement or recall, shall be filled for the remainder of the term by a majority vote of the Executive Committee.

Section 5 No business or financial transaction involving a member of the Executive Committee or agent of the Association, or their spouse, children, or parents, or otherwise as described in the Section, shall conflict with the fiduciary responsibility of such person to the Association. Such relationships with the members of the Executive Committee include relationships with any person that would reasonable be expected to affect the person's judgment with respect to the transaction or conduct in question in a manner adverse with the Association.

EXAMPLES OF POSSIBLE CONFLICT WITH FUDICARY RESPONSIBILITY:

The association hired a business and the owner of that business is a relative of an officer who would be writing that business a check.

The association hires an accountant who is a spouse of an officer of the local.

ARTICLE VI - ELECTIONS

Section 1 The President shall appoint an Election Committee chairperson who will form an election committee. The duty of this committee shall be to conduct elections in accordance with the OEA Elections Manual and to present a slate of officers for each office. The committee shall meet prior to each election and prepare ballots to present to the membership.

- Section 2 Candidates may be placed on the ballot by the recommendation of the Executive Committee to the election committee, or upon presentation of a petition signed by at least fifteen (15) members of the Association. These petitions and recommendations must be submitted at least one week prior to the general election. No member shall be nominated to office without the knowledge and consent of the individual.
- Section 3 Elections of officers and Executive Committee members shall be conducted by secret ballot in each building during a designated period of time designated by the Elections Committee. All elections will have a consistent period of time for voting which will be stated in the Election Notification provided to active members.
- Section 4 The Chairperson of the Election Committee shall report the results of the election to the President who will report the results to the membership within seven (7) calendar days following the election.
- Section 5 All ballots, marked, unmarked, and voided, and all other records pertaining to the election of officers of this association and OEA and NEA delegates and alternatives, shall be preserved for one year from the date the election was held and such ballots and other records shall be made available to OEA officers upon request for inspection and examination.
- Section 6 Non-members of the Association shall not have the right to vote, hold office, or otherwise have privilege of Association membership.
- Section 7 Elections shall be decided by a simple majority vote.
- Section 8 General elections shall take place prior to the May Executive Committee Meeting.
- Section 9 All elections shall be conducted in accordance with the guidelines set forth in the OEA Elections Manual.
- Section 10 The elected officers shall be installed and assume duties at the last regular executive committee meeting of the school year, and complete an orientation meeting with the members of the previous Executive Committee.

ARTICLE VII - IMPEACHMENT OF OFFICERS

- Section 1 Officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.
- Section 2 Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Committee by at least thirty five

- percent (35%) of the members.
- Section 3 If, after a due process hearing, a two-thirds (2/3) vote of the Executive Committee shall sustain the charge, the office shall become vacant.
- Section 4 The officer may appeal the decision to a special meeting of the general membership. A two thirds (2/3) vote of the membership in attendance shall determine whether to sustain the impeachment.

ARTICLE VIII - COMMITTEES

- Section 1 The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.
- Section 2 Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.
- Section 3 The President, with the approval of the Executive Committee, shall appoint all committees.

ARTICLE IX - DUES

- Section 1 The local association shall have a dues structure adequate to fund an active program.

ARTICLE X - AMENDMENTS

- Section 1 Amendments to this Constitution may be made by a two-thirds (2/3) majority of those voting at any regular meeting provided that the amendments have been introduced at the preceding regular meeting and that copies of proposed amendments have been distributed to all members for discussion.

**BY-LAWS
OF THE
PICKERINGTON EDUCATION ASSOCIATION**

Bylaw I - MEMBERSHIP

- Section 1 The membership year shall coincide with the fiscal year of the Association, which shall be from September 1 to August 31.
- Section 2 Only members in good standing shall be eligible to vote on any Association business.
- Section 3 Non-members do not have the right to vote, to hold office or otherwise have privilege of Association membership.

Bylaw II - DUTIES OF OFFICERS

Section 1 President

- 1) Shall serve as the sole Association spokesperson and shall co-preside over all Executive Committee meetings with the Vice- President(s)
- 2) Shall represent PEA for all national, state, regional meetings, conventions and functions;
- 3) Shall be responsible for all correspondence to and from national, state and regional affiliations;
- 4) Shall be responsible for the distribution of all information from national, state and regional affiliations;
- 5) Shall represent the Association at all Pickerington Local School Board meetings;
- 6) Shall represent the Association at all community meetings and functions;
- 7) Shall appoint all committee positions, chairperson and appointed officer positions, subject to approval of the Executive Committee.
- 8) Shall represent the Association at all meetings with District administration;
- 9) Shall serve as a member of the negotiating team
- 10) Shall be responsible for all Member questions regarding the Master Agreement;
- 11) Shall be responsible for all Member complaints regarding possible violations of the master agreement;
- 12) Shall serve as Association liaison with the District administration regarding all matters relating to the master agreement;
- 13) Shall serve as an ex-officio member of all Association Committees.
- 14) Shall serve as a delegate to the OEA (and NEA if desired) Representative Assembly by virtue of her/his office.

Section 2 Vice President

- 1) Shall co-preside over all Executive Committee meetings, prepare their agendas and send notices of the Executive Committee Meetings to all committee members.
- 2) Shall preside over Association meetings in the absence of the President;
- 3) Shall organize and supervise Association activities and functions, which include but are not limited to scheduling dinners, conferences, and trainings.
- 4) Shall organize and supervise all Association committees.
- 5) Shall serve as ex-officio member of any Association committees as assigned by the President.
- 6) Shall attend any community, affiliate or District meeting in the absence of the President.
- 7) Shall prepare all correspondence and/or notices requested by the President.
- 8) Shall represent the Association at all meetings with District administration.
- 9) Shall serve as a member of the Negotiating Team.
- 10) Other Duties as Delegated by Association President.
- 11) Shall be responsible for all Association records, official files and supplies.
- 12) Shall maintain the official archives of the Association.
- 13) Shall serve as a delegate to the OEA (and NEA if desired) Representative Assembly by virtue of her/his office.

Section 3 Immediate Past Officers

- 1) May attend Association meetings for a period of one year after their term ends
- 2) Shall help with training/transition of new officers

Section 4 Secretary

- 1) Shall keep accurate minutes of all official meetings of the Association.;
- 2) Shall prepare all correspondence, communications, and/or notices requested by the President.
- 3) Perform such other duties as delegated by the president.
- 4) Serve on Association Committees as directed by the President
- 5) Attend meetings as requested by the President.
- 6) Prepare Building Representative Notebooks and assist in BR training.
- 7) Maintain official files of the Association including maintaining electronic copy of Association Constitution and Bylaws.
- 8) Establish and maintain membership information.
- 9) Maintain membership roll and conduct membership drive as Membership Chair.

Section 5 Treasurer

- 1) Shall receive and disburse all funds of the Association as authorized by the Executive Committee.
- 2) Shall maintain accurate records of all receipts and disbursements.

- 3) Shall keep updated and accurate information on membership records and non-members. Assist Membership Chair in establishing and maintaining Membership information.
- 4) Shall prepare an annual budget to be approved in October; by the Executive Committee
- 5) Shall work closely with all officers, including membership chair.
- 6) Shall keep track of association data and monitor grant timelines.
- 7) Shall prepare and distribute an annual financial report to the membership each May.
- 8) Shall prepare for an independent audit as authorized by the Executive Committee.
- 9) Shall be bonded as provided for by the National Education Association.
- 10) Shall file an annual report as required by the Internal Revenue Service.
- 11) Shall attend applicable Central OEA and NEA Workshops/meetings.
- 12) Perform such other duties as delegated by the President.
- 13) Attend meetings as requested by the President.
- 14) FCPE Committee and Budget Committee Chair.

Section 6 Building Representatives

- 1) Shall conduct beginning of the year membership meetings and submit all accurate paperwork to the membership chair.
- 2) Shall attend all Executive Committee meetings.
- 3) Shall provide a summary of recommended policies and other actions of the Executive Committee, copies of which should be available in several locations in each building.
- 4) Shall transmit proposals and recommendations from members to the Executive Committee for its consideration.
- 5) Shall assist in the distribution and collection of ballots of any election.
- 6) Shall attend all other official meetings of the Association, such as PLSD School Board and committee meetings or provide an alternate in his/her absence.
- 7) Shall act as a consultant to the individual member who has a professional problem and when necessary, seek needed assistance from the Association.
- 8) Shall conduct any additional duties requested by the Association President.

Bylaw III - MEETINGS

Section 1 The Executive Committee shall have regularly scheduled meetings at least once a month except for June, July, and January. Executive Committee meetings shall not exceed two hours unless extended by a two-thirds (2/3) vote of those present. The Secretary should distribute minutes to all Executive Committee members prior to the next meeting.

Section 2 General membership meetings shall be held at least twice per year with one scheduled in the fall and one scheduled in the spring, unless deemed unnecessary by the executive committee by 2/3 votes of those present at

executive committee meeting. General membership meetings may be called by the President, a majority vote of the Executive Committee, or by a petition to the President signed by at least (10%) of the active general membership. Such petitions shall state the purpose of the desired meeting and the business of that meeting shall be limited to consideration of the stated purpose.

Section 3 Business requiring a vote of the membership shall be conducted at a regular or called meeting. No proxy votes shall be allowed. The majority of those members present and voting shall be required to pass on such business.

Bylaw IV - QUORUM

Section 1 The quorum for the Executive Committee meetings shall be one more than 50%.

Section 2 The quorum for a general meeting shall be the membership present.

Bylaw V - RULES OF ORDER

Section 1 Robert's Rules of Order, Newly Revised (newest edition available) shall be the authority governing all matters of procedure not otherwise provided in this Constitution and By-Laws.

Bylaw VI - MEMBERSHIP YEAR

Section 1 The membership year and the fiscal year of the Pickerington Education Association shall be September 1-August 31. The official membership drive should be completed by September 30 if possible, yet application for membership is allowed any time during the school year.

Section 2 Membership shall commence upon payment of the dues or signed intent to do so. The Association shall provide prospective members with membership forms and payment shall be directed to the Treasurer.

Bylaw VII - DUES

Section 1 The local dues rate for the succeeding year shall be determined and set by the Executive Committee by May of each year.

Section 2 Every member shall also pay the dues required by the National Education Association, the Ohio Education Association, the Central OEA/NEA and UNISERV. The Association shall annually enter into a Due Transmittal Agreement with the Ohio Education Association.

Section 3 Membership is continuous unless the member who wishes to change his/her dues payment method gives notification to the Treasurer of the Association no later than September 15.

Section 4 Members who are half-time employees or less, shall pay dues according to the OEA Local Association Membership Enrollment Manual.

Bylaw VIII - EXPULSION OF MEMBERS AND DUE PROCESS

Section 1 The Executive Committee may, by a majority vote, suspend from membership or expel any member for one or more of the following reasons:

1. Violation of the Code of Ethics of the Education Profession;
2. Conviction of a felony;
3. Actively engaging in, or actively supporting activities directed against the Constitutional purpose of the Association by means other than those that are consistent with this Constitution and By-Laws.

Section 2 No member may be censured, suspended or expelled without a due process hearing before the Executive Committee. This hearing shall include an appropriate appellate procedure. Any member expelled from the association shall immediately become a fee-payer in accordance with the Master Agreement.

Bylaw IX - RENUMERATION OF OFFICERS

Section 1 Reimbursement of Dues

1. Executive Officers, i.e. The President, Vice President(s), Secretary, and Treasurer shall receive a stipend equal to the amount of the individual's annual dues for the Pickerington Education Association.
2. The members of the Negotiating Team shall receive a stipend based upon the availability of funds and as recommended and approved by the Executive Committee.
3. In the event that a member of the Negotiating Team is also an officer, that member may receive both stipends after a review and a majority vote by the Executive Committee.
4. In the event that any person receiving a stipend leaves the position during the term of the position the member shall reimburse the Association for a pro-rated amount of the dues for the portion of the term not served after a review and a majority vote by the Executive Committee.

Section 2 Stipends

1. The President shall be a release position per the Master Agreement.
2. The President shall receive a stipend equal to 15% of the base teacher's salary, step 0 (according to the Master Agreement).
3. The Vice President(s) shall receive a stipend equal to 15% of the base teacher's salary, step 0 (according to the Master Agreement).
4. The Treasurer shall receive a stipend equal to 10% of the base teacher's salary, step 0 (according to the Master Agreement).
5. The Secretary shall receive a stipend equal to 10% of the base teacher's salary, step 0 (according to the Master Agreement).
6. Committee Chairpersons may receive a stipend based upon the availability of funds and as recommended by the Association President and approved by the Executive Committee.
7. Executive Officers may receive an additional summer stipend based upon the availability of funds and as recommended by the Association President and approved by the Executive Committee.

Bylaw X - COMMITTEES

Section 1 The Association shall have such standing committees as are necessary to carry out the responsibilities and programs of the Association. These include but are not limited to the following:

1. **Negotiations-** shall be composed of a minimum of one representative from each building level. Additional representative shall include special areas and Special Education. Shall assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional advice and input, upon the request of the bargaining team during active negotiations period.
2. **Constitution and Bylaws-** shall review the Constitution and By-Laws for required updates and will submit amendments to OEA every five years. ; will meet to clarify issues about the Constitution and By-Laws as the need arises. The committee will also provide each member with his/her own copy of the Constitution and By-Laws.

3. **Elections**- Charged with the responsibility to protect the integrity of an election or vote and ensure that an election is conducted in accordance with the Guidelines set forth in the OEA Elections Manual and with Local, State and National Constitutions.
4. **Grievance**- maintenance of, and membership advocacy in, grievance procedure.
5. **Professional Development**- pre-service, continuing, and in-service educational opportunities.
6. **Human Relations**- promotion of understanding, unity, and communication among all groups within the school and school district communities.
7. **Communications**- provide for effective member communication.
8. **Legislative/FCPE**- candidate endorsement/campaigning, FCPE collections, levy/bond campaigning, seek membership involvement in relevant local, state, and national political affairs.
9. **Budget/Fundraising**- prepares a budget giving estimates of income and expenditures (including a separate estimate for each committee) for the future fiscal year. Plans and conducts fundraising to support association activities such as, but not limited to PEA scholarship.
10. **Audit**- checks accuracy of accounting procedures.

Section 2 The aforesaid committees will be formed in August or September of each year. Chairpersons shall be appointed by the President or Vice-President(s) annually. Each committee shall establish its missions and goals at its first meeting with help from the President or Vice President(s).

Section 3 Ad-hoc (temporary) committees may be formed as necessary to achieve the Association program.

Section 4 All Association members shall be informed of the formation of a committee so that they may join if they so desire.

Section 5 The chairperson for each committee shall become a nonvoting member of the Executive Committee.

- Section 6 The chairperson of each committee shall be responsible for maintaining the official committee notebook, providing a written summary of meetings to the President or Vice President(s) of the Association, and turning in the completed notebook/project summary to the Vice President(s) at the end of each year. Necessary sub-committees may be appointed, as needed, by the committee chairperson.
- Section 7 All actions of the committees are subject to the approval of the Executive Committee by a majority vote.

Bylaw XI - BARGAINING AND CONTRACT

- Section 1 Members of the Bargaining Team will be appointed by the Association President from the Negotiations Committee and approved by the Executive Committee. The Bargaining Team shall have at least two members from the elementary grades (K-6), at least two members from the secondary grades (7-12), and additional representation from special areas and special education. The President will present the names to the Executive Committee prior to negotiations. The Bargaining Team will determine the observers.
- Section 2 The OEA/NEA UNISERV consultant, if requested by the Association, shall be spokesperson for the Association.
- Section 3 The President will be a member of the Association Bargaining Team and will appoint the bargaining chairperson.
- Section 4 The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and Executive Committee.
- A. If the President is not an active member of the bargaining team, the President will be an ex-officio member of the Association bargaining team.
 - B. Members of the bargaining team need not necessarily be from the negotiations committee.
 - C. Necessary sub-committees may be appointed, as needed, by the committee chairperson.
 - D. The bargaining team shall have the authority to bargain in good faith; make proposals, counterproposals, and concessions; and make tentative agreement on a contract with representatives of the Board of Education.
 - E. While negotiations are in progress, periodic reports to members

maybe made by the bargaining team.

- Section 5 In preparation for bargaining, the negotiations committee shall make reports and recommendations to the Executive Committee.
- Section 6 The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB).
- Section 7 The OEA/NEA UniServ Consultant shall be the Association's designated bargaining representative.
- Section 8 Written copies of the tentative agreement summary should be given to the general membership prior to ratification.
- Section 9 Conduct all ratifications of collective bargaining agreements in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.
- Section 10 A vote on a tentative agreement to the contract or on a fact-finding report shall be made by written ballot.
- A. No absentee or proxy votes will be allowed on contract ratification votes or fact-finding reports.
 - B. The first vote on contract ratification or a fact-finding report will be to accept or reject the contract/report as presented.
 - C. All ballots used in a vote regarding a contract ratification or fact-finding report, after tabulation, will be sealed and retained by the Association Treasurer for three (3) years or duration of contract, whichever is greater.
 - D. The President will communicate required details of the ratification vote to the employer's designated representative.
- Section 11 The designated representative for the Association is authorized to give timely notice of intent to strike to the Pickerington Local School District Board of Education, SERB upon approval of the membership and in keeping with provisions of ORC 4117.14(D)(2).
- Section 12 Non-members of the Association are not eligible to vote on a fact-finder report or contract ratification.

Bylaw XII - AMENDMENTS

- Section 1 Amendments, alterations, additions, or deletions to these Bylaws shall be made by a majority of those voting.
- Section 2 Changes shall be proposed upon the initiative of the Constitution Committee or upon presentation to the Executive Committee of a petition signed by twenty (20) percent of the current active membership. All proposed changes shall be submitted in writing to all active members at least ten (10) days prior to action.

Bylaw XIII - DISSOLUTION OF THE ASSOCIATION

- Section 1 Any member in good standing may present a petition of the Association in writing at a general membership meeting. The petition for dissolution must contain the signature of three-fourths (3/4) of the total membership.
- Section 2 Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next general membership meeting.
- Section 3 The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of the dissolution.
- Section 4 The effective date of dissolution shall be thirty days from the date of the vote, thus allowing for the disposal of assets and liabilities.
- Section 5 In the event of dissolution of this Association, all assets remaining after payment of all obligations shall be distributed the Special Olympics of Ohio provided that it is an entity recognized as exempt from Federal taxation. In the event that the Special Olympics of Ohio is not then recognized as tax exempt, such assets shall then pass to the United Way (Fairfield County) provided that is recognized as exempt from Federal taxation.

Bylaw XIV - ENABLING PROVISION

- Section 1 This Constitution and By-Laws shall become effective no later than April 30, 2019 following its adoption, and shall remain in effect until amended according to the regulations herein provided.