

## **Hardee Education Association/United Constitution and Bylaws**

### **CONSTITUTION OF THE HARDEE EDUCATION ASSOCIATION/UNITED**

#### **ARTICLE 1 NAME**

The name of this association shall be the **Hardee Education Association/United.**

#### **ARTICLE II PURPOSES AND OBJECTIVES**

##### Section 1.

To work for the continuous improvement of instruction in Hardee County toward the end that every child obtains the best education this community can offer him.

##### Section 2.

To encourage by every means possible the adoption of such ethical practices, personnel policies and standards of preparation and participation necessary to assure a professional staff which can provide the highest possible quality of instruction.

##### Section 3.

To seek improvement of the wages, hours and working conditions through the legislative and collective bargaining process.

##### Section 4.

To enable members to speak with a common voice on matters pertaining to public education and to present their individual and common interest before the Board of Public Instruction, the community, and appropriate legal authorities.

##### Section 5.

To protect the civil and human rights to which all school employees are entitled in a free society.

##### Section 6.

To develop in the profession and with the public a better understanding of the issues and objectives in the area of school employee rights.

##### Section 7.

To promote mutual assistance and cooperation among all teacher organizations and public employee organizations in Florida.

## **ARTICLE III MEMBERSHIP**

### **Section 1. ACTIVE MEMBERS**

A. Any employee of the Hardee County School Board who is eligible to belong to a certified bargaining unit and not primarily engaged in Administration and/or supervisory duties, who subscribes to the objectives of the organization, and who makes the appropriate payment of annual dues, shall be an active member of the Hardee Education Association/United.

B. Active members whose employment does not require certification shall hold membership in appropriate chapters of the organization. Those job classifications to be included within a chapter shall include only those classifications determined by PERC as constituting an appropriate bargaining unit

C. Active members shall be continuous until the member leaves the school system, resigns from the Association, fails to pay membership dues, or has his membership revoked.

D. Active members of the Hardee Education Association/United shall also be members of state and/or national organizations(s) as designated by a majority of those voting within the membership and dues shall be transmitted on a per capita basis to said organizations.

### **Section 2. RESERVE MEMBERS**

Any person who has been an active member of this Association may upon request, revert to a reserve membership whenever his employment status (retirement or leave of absence) does not qualify him/her for active membership. Reserve members shall not be entitled to vote or hold office. They shall receive services as authorized by the Executive Board. Dues for reserve membership shall be equal to the amount of dues for the state and national affiliates.

### **Section 3. Interpretation of Article III**

It shall be the responsibility of the Executive Board subject to the approval of the Board of Directors.

## **ARTICLE IV OFFICERS**

### **Section 1.**

The officers of the Association shall consist of a President; First Vice-President; Secretary-Treasurer; Vice-President for Membership, Services and Activities; Vice-President for Legislative and Political Action; and Vice-President for Professional Issues.

### **Section 2.**

The officers shall be elected for a term of two (2) years accordance with Article X of the Bylaws.

### **Section 3.**

Each candidate for election shall have been a member of the Hardee Education Association/United for at least one continuous year immediately preceding the start of the applicable term of office.

## **ARTICLE V EXECUTIVE BOARD**

### **Section 1.**

The Executive Board shall consist of the Officers. The immediate past president will sit on the Executive Board in an advisory capacity for a period of one (1) year.

### **Section 2.**

Any member of the Association may attend regular meetings of the Executive Board.

## **ARTICLE VI BOARD OF DIRECTORS**

### **Section 1.**

The legislative and policy-forming body of the Association shall be the Board of Directors.

### **Section 2.**

The Board of Directors shall consist of the Executive Board and one or more site representatives or designated alternates from each work site who shall be chosen in the manner prescribed in the Bylaws.

### **Section 3.**

Any member of the Association who is not a member of the Board of Directors may attend the meetings, shall sit apart from the voting body, but may receive permission to speak.

## **ARTICLE VII AFFILIATION**

The Hardee Education Association/United shall affiliate with such regional, state or national organizations or associations that best meet the purposes and objectives of the Association. This affiliation shall be determined by the majority of the general membership voting.

## **ARTICLE VIII AMENDMENTS**

This constitution may be amended by two-thirds (2/3) majority of the members voting, provided that:

1. The amendment is introduced at a regular meeting of the Board of Directors.
2. Copies of the proposed amendments are distributed to all members of the Association at least two weeks prior to the voting date.
3. The work site representative shall be responsible for the balloting in his school and shall report the vote when requested by the Board of Directors. Balloting shall be conducted in accordance with procedures established by the Executive Board.

## **BYLAWS**

### **ARTICLE 1 MEMBERSHIP**

#### **Section 1. CLASS OF MEMBERS**

Membership shall comply with the FEA, NEA, AFT, and AFL-CIO requirements in all classes. Active membership shall be limited to Hardee County Classroom teachers who hold a valid certificate, and who pay dues and ESP bargaining unit employees who pay dues. Teacher is defined as any category included in or to be included in the Bargaining Unit represented by the Association or any current officer in the Florida Education Association. ESP is defined as any non-supervisory employee who is included in the bargaining unit or any current officer of the Florida Education Association.

#### **Section 2. ELIGIBILITY FOR MEMBERSHIP**

Any employee of the Hardee County School Board who is eligible to belong to a certified bargaining unit and not primarily engaged in Administration and/or supervisory duties, who subscribes to the objectives of the organization, and who makes the appropriate payment of annual dues, shall be an active member of the Hardee Education Association/United.

#### **Section 3. DUES OR FEES**

Annual dues will be set by the Executive Board and voted on by the Board of Directors. Dues will include all National and State Affiliates who set their dues amounts levied on the local. ESP members will pay dues equal to 50% of the Professional members if their annual salary is in excess of \$10,800 and 25% if their annual salary is less than \$10,799 There are three (3) dues levels: level 1 teachers, level 2 ESP with annual salary of \$12,800 and up and level 3 for ESP's whose annual salary is less than \$12,800.

#### **Section 4. RESIGNATION**

A Member who wishes to resign must request a form from and will submit his/her resignation on the approved form to Hardee Education Association/United who will then submit it to and to the Hardee County School Board payroll office.

## **ARTICLE II MEETINGS**

### **Section 1. EXECUTIVE BOARD**

The Executive Board shall meet at least once each month, and may meet at the call of the President or at the request of three (3) members of the Board of Directors. A complete set of minutes shall be furnished at the next regular Executive Board Meeting.

### **Section 2. BOARD OF DIRECTORS**

The Board of Directors shall meet once each month. The President shall prepare the agenda for each meeting and shall circulate it to all members of the Board so that work site representatives have time to discuss it with their members in advance of the Board meeting. Any member of the Association may request that any item be added to the agenda by contacting the President prior to the meeting.

### **Section 3. SPECIAL MEETINGS**

Special meetings of the Board of Directors shall be held at the call of the President or upon written request to the President from three (3) members of the Board of Directors. Reasons for the Special meeting must be stated in the request and shall be included in the notification to each member of the Board of Directors.

### **Section 4. GENERAL MEMBERSHIP MEETING**

The Executive Board shall arrange at least one meeting of the membership each year.

### **ARTICLE III QUORUM**

A quorum of the Board of Directors, Executive Board and Committees shall consist of a majority of the members. A simple majority of the members in attendance shall constitute a quorum for the transaction of business at a general meeting of the Association at which a simple majority will rule.

### **ARTICLE IV POWER OF OFFICERS**

#### **Section 1. PRESIDENT**

The President shall preside over meetings of the Executive Board and Board of Directors. During these meetings the President shall not have a vote, except when the need arises to unlock a tie vote. He/she will appoint the chairmen and members of committees with the approval of the Executive Board, appoint special committees, be ex-officio member of all committees except the nominating committee and shall act as the Chief Executive Officer of the Association. He/she shall be responsible for seeing that all officers, boards, councils, committees and individuals perform their duties and he/she is to initiate action to replace those that do not. The President shall represent the Association when and where necessary before the Public, State and Federal entities either personally or through delegates, and shall perform other functions usually attributed to this office.

#### **Section 2. FIRST VICE-PRESIDENT**

The First Vice-President shall perform the duties of the President in his absence or inability to serve. He/she shall carry out any other duties assigned to him/her by the President. The First Vice-President shall become President when the Presidency becomes vacant.

#### **Section 3. SECRETARY-TREASURER**

The Secretary-Treasurer shall keep accurate minutes of all meetings of the Executive Board and Board of Directors, shall maintain official files, and shall assist the President with Association correspondence. Copies of the minutes of each meeting shall be sent to the President and to each site representative to be posted in each work site. He/she shall hold the funds of the Association and disburse them upon authorization of the Executive Board. In May of each year, the Secretary-Treasurer shall present to the Board of Directors an itemized report of the financial transactions of the Association for the past year with copies of said report made available to interested members upon request. Required State and Federal reports shall be made and the Secretary-Treasurer's books shall be audited annually before the installation of officers.

#### Section 4. VICE-PRESIDENT FOR PROFESSIONAL ISSUES

The Vice-President for Professional Issues shall be responsible for enhancing the professionalism of all Association members. General duties shall include attending and implementing appropriate workshops which address the professional concerns of school employees. Specifically, the task may consist of studying research in curricula and teaching techniques, assessment instruments, class sizes, in-service training, equipment, compensation, working conditions, and other matters perceived by the membership to be Union related.

#### Section 5. VICE-PRESIDENT FOR MEMBERSHIP SERVICES AND ACTIVITIES

This office shall make recommendations and upon approval shall plan and execute a dynamic program to insure the growth and vitality of the Association. Duties shall include the preparation and distribution of newsletters and /or bulletins; arrangements of social programs and entertainments and make every effort to make use of other sources of publicity in newspaper, media, personal contacts, etc. to insure proper membership image and visibility. He/she shall act as Chairman of any committees necessary to carry out assigned duties. As such, he/she shall solicit and appoint committee members, schedule and otherwise organize said committee in order to achieve a satisfactory and representative conclusion.

#### Section 6. VICE-PRESIDENT FOR LEGISLATIVE AND POLITICAL ACTION

The duties for this office shall include considering recommendations of the AFT, FEA/U, State AFL-CIO, other affiliates and the local pertaining to all levels of government. He/she shall initiate recommendations, present the record of government officials, and shall act as Chairman of any committee(s) necessary to carry out assigned duties, and otherwise organize said committee in order to achieve satisfactory and representative conclusion.

### **ARTICLE V POWERS OF THE EXECUTIVE BOARD**

#### Section 1.

The Executive Board shall be responsible for the management of the Association, approve appointments of committee chairmen and members, prepare a budget, approve all expenditures, carry out policies established by the Board of Directors, report its transactions and those of the Board to the members, and suggest policies for consideration by the Board of Directors.

#### Section 2.

The Executive Board or their designee(s) shall represent the Association in negotiating policies with the governing and appropriating bodies of the school system. Within policies established by the Board of Directors it may make tentative decisions binding the Association in these matters

pendent ratification by a majority of the membership voting.

## **ARTICLE VI POWERS OF THE BOARD OF DIRECTORS**

### Section 1.

The Board of Directors shall approve the budget, set the dues of the Association, act on reports of committees, and approve resolutions and other policy statements.

### Section 2.

The Board of Directors shall have the power to adopt, amend, or rescind actions of the Executive Board.

### Section 3.

The Board of Directors shall be the sole judge of the qualifications of its members, and shall have the power to remove any member from the Board of Directors for the neglect of duty.

### Section 4.

The Board of Directors shall adopt procedures to be followed in censuring, suspending, or expelling members of the Association when the need arises.

### Section 5.

Powers not delegated to the Executive Board shall be vested in the Board of Directors.

## **ARTICLE VII WORK SITE REPRESENTATIVES**

### Section 1.

At each work site, the members in good standing of this association shall elect for one (1) year one Worksite Representative for each fifteen members or major fraction, thereof. These site representatives shall sit on the Board of Directors. Elections shall be held in May, and these site representatives shall take their seats at the next regularly scheduled meeting of the Board of Directors.

### Section 2.

Work site representatives shall attend the regular meeting of the Board of Directors unless they render prior excuses to the President.

### Section 3.

The work site representatives shall call meetings of the Association members within their work site to discuss Association business and when requested, shall report member decisions. They shall appoint such committees as the Association may require, and shall organize and oversee the subsequent elections of work site representatives, the enrollment of members in local, state, and national associations, and shall provide opportunity for two-way communication within the school.

#### Section 4.

When a vacancy occurs, the President shall declare the seat vacant and call for a work site election, or appoint a member to fill out the term. The President may delegate to a member in good standing the responsibility of conducting this special election.

### **ARTICLE VIII COMMITTEES**

#### Section 1. STRUCTURE

There shall be committees as deemed necessary by the Executive Board or the Board of Directors. They shall have as many members as deemed necessary. Each committee may, with the approval of the Executive Board, organize special subcommittees and task forces for specific activities from the membership of the Association. No member shall be placed on any committee without consent of that member.

#### Section 2. MEETINGS

Each committee shall meet as directed and shall at the call of the Chairman hold sufficient special meetings in order to report according to a calendar developed by the Executive Board.

#### Section 3. REPORTS

Each committee shall choose a secretary who shall keep a continuing record of activities. Reports which require action will be presented to the Executive Board. Progress reports will be made to the Executive Committee.

#### Section 4. RELATION TO EXECUTIVE BOARD

The Executive Board shall assist the President in appointing members of the committees and in filling unexpired terms as vacancies occur. It shall assist committees in defining their immediate and long range objectives. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

#### Section 5. RELATION TO STATE

The committees shall coordinate their efforts with the objectives and programs of corresponding units of state associations.

## **ARTICLE IX SPECIAL COMMITTEES**

Each year the President shall appoint an Audit Committee, a Budget Committee and any other special committees as may be deemed necessary and shall discharge them upon completing of their duties. These committees shall operate according to rules approved by the Board of Directors. No officer of the Association shall serve on the Audit Committee.

## **ARTICLE X ELECTIONS**

### **Section 1. NOMINATIONS**

- A. A nominating committee shall be created each election year in February and shall be composed of one member from each work site as appointed by the President and approved by the Board of Directors.
- B. The active members of the Association may nominate candidates for officers and directors during the month of March. The work site steward shall deliver all nominations in writing to the nominating committee.
- C. The nominating committee may make such nominations as necessary to ensure that there is a minimum of two candidates for each office where possible.
- D. The nominating committee shall report all nominations to the Board of Directors at the April meeting. Members of the Board may nominate other candidates from the floor. Elections shall be held in accordance with the procedures established by the Executive Board, which are to be consistent with the requirements of Title IV of the Labor-Management Reporting and Disclosure Act (LMRDA).

## **ARTICLE XI VACANCIES**

### **Section 1.**

The Executive Board shall confirm the existence of a vacancy in an elective or appointive position.

### **Section 2.**

Whenever the office of the President shall become vacant the First Vice-President shall succeed to the office of President.

### **Section 3.**

Whenever the office of the Association other than President shall become vacant during the officer's first year of his term, the Association shall elect a replacement to fill the remainder of the unexpired term.

### **Section 4.**

Whenever an office other than the President shall become vacant during that officer's second year of his term, the Board of Directors shall elect a

replacement to fill the remainder of the unexpired term.

Section 5.

Whenever a vacancy arises simultaneously in the offices of President and First Vice-President, the Secretary-Treasurer shall fill the office of the President in the interim until a successor is determined through a special election under Section 3 or Section 4, depending on the time remaining in the unexpired term.

Section 6.

Whenever a vacancy occurs on the Board of Directors the members in the school or work site concerned shall fill the vacancy. In the event the members in the school or worksite concerned do not determine a successor, the President may appoint a member to fill out the remainder of the term.

**ARTICLE XII FINANCE**

Section 1.

The per capita dues assessment of teacher members shall be that amount as certified by the Board of Directors at its regular August meeting. Any increase in local per capita dues shall be approved by the majority of the Board of Directors voting.

**ARTICLE XIII PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, Newly Revised, shall be the authority on all questions and procedures not specifically stated in this Constitution and its Bylaws.

**ARTICLE XIV – PAYMENT COMPLIANCE AND NSF POLICY**

Section 1. Monitoring of Payments

All dues payments, including electronic dues (e-dues), shall be monitored through the official e-dues report. Any instance of non-sufficient funds (NSF) or a bounced check shall be recorded and reviewed by the Treasurer or designated officer.

Section 2. NSF and Bounced Check Consequences

A. A fee of \$25.00 shall be added to the member's outstanding dues for each instance of a bounced check or NSF transaction.

B. Upon the second occurrence of a bounced check or NSF transaction within a calendar year, the member's membership shall be canceled until all outstanding dues and associated fees are paid in full.

### Section 3. Reinstatement Conditions

A. To reinstate membership after cancellation due to NSF or bounced checks, the member must:

1. Pay all outstanding dues and fees in full.
2. Make all future payments via cashier's check or cash only. Personal checks will no longer be accepted.

### Section 4. Annual Membership Cancellation

If a member incurs two bounced checks or NSF transactions in a calendar year, their membership shall be canceled for the remainder of that year, regardless of subsequent payment.

**ARTICLE XV SCHEDULE**

This Constitution and Bylaws shall be in effect as of the date of its adoption, and shall supersede all former Constitutions and Bylaws.

Revised

May/72

Revised

May/73

Constitution Amended  
Sept/74

Revised

May/78

Revised

Aug/85

11

Revised

Mar/87

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May/90

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