

Twinsburg Education Association Constitution and By-laws

Revised 2021

TEA Constitution

Article I -- Name

- Section A The name of this organization shall be the Twinsburg Education Association
- Section B The Twinsburg Education Association, henceforth referred to as the Association shall maintain affiliation with the Northeastern Ohio Education Association, Ohio Education Association, and the National Education Association.

Article II – Purpose

- Section A The purpose of the Association shall be to:
- (1) Help set and promote the educational objectives of the local school system and of the State, and of the Nation;
 - (2) Protect the welfare and advance the professional interest of its members;
 - (3) Foster professionalism
 - (4) Establish and maintain helpful, friendly relationships within the membership and among the school community.
 - (5) The Association is the sole and exclusive representative for all members of the certified bargaining unit.

Article III – Membership

- Section A All certificated person employed either full or part time by the public schools of Twinsburg City, excluding all administrative and supervisory personnel, may become an active member in this association by paying annual dues as stipulated in the bylaws of this constitution. Non-members are not permitted to vote or to participate in governance.
- Section B Active members shall belong to the Twinsburg Education Association, Northeastern Ohio Education Association, Ohio Education Association and the National Education Association.
- Section C All members shall abide by the Code of Ethics of the Education Profession as adopted by the OEA and the NEA.
- Section D Life association membership shall be extended to members retiring under provision of the school employees retirement laws. A one-time fee of \$20 shall be applied. Retirees have non-voting status.

Article IV – Officers

- Section A The Officers of the Association shall be the President, Vice President, Secretary, Treasurer, and Immediate Past President.
- Section B The Officers shall hold office for one-year, beginning April 1 through March 31.

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Section C Whenever the office of President becomes vacant due to death, incapacity, termination, resignation, retirement or recall, the Vice President shall automatically assume the Presidency for the remaining part of the term.

A vacancy in the office of Vice President, Secretary, or Treasurer shall be filled for the remainder of the term by majority vote of the Executive Committee.

Article V - Executive Committee

Section A The Executive Committee shall be composed of the elected officers of the Association, the Building Representatives and any local members who hold (an elected) office for NEOEA, OEA or NEA.

Section B The Building Representatives shall hold office for one-year, beginning October 1 through September 30.

Section C The Executive Committee shall:

- (1) Act as advisor to the officers, assign duties, be responsible for all committees of the Association and have such policy making authority as provided for in this Constitution and By-Laws.
- (2) Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings.
- (3) Prepare recommendations for the consideration and action of the Association.
- (4) Carry out the policies established at general membership meetings.
- (5) Report its transactions and those of the general membership to all members.
- (6) Direct an independent audit of the Association's financial records at regular intervals not to exceed two years.
- (7) Ensure the Association acts on an annual financial report presented by the Association Treasurer.
- (8) Only Elected Executive Committee Members have voting rights.

Section D There shall be one association representative on each building or unit of representation for every ten (10) members or major fraction thereof. Each representative has one vote on the Executive Committee.

Section E It is the policy of this Association and it shall take all legally permissible steps to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.

Section F 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 the majority vote of the Executive Committee.

Section G 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 this Section, shall conflict with the fiduciary responsibility of such person to the Association. Such relationships with the

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members of the Executive Committee include relationships with any person that would reasonably be expected to affect the person's judgement with respect to the transaction or conduct in question in a manner adverse to the Association.

Article VI -- Elections

- Section A The Nominating Committee will consist of the building Representatives whose duty it shall be to present a slate of officers for each office. See Bylaw 11, Section 2
- Section B A member may be nominated as a write in candidate for an elected position within the Association. The elected member will be asked by the Executive Committee if they are willing to accept the position.
- Section C The President shall appoint an Election Committee whose duty it shall be to conduct elections in accordance with the OEA Elections Manual and to resolve all challenges or protest to an election. No nominee for office shall serve concurrently on the election committee unless uncontested.
- Section D Election of officers shall be conducted by secret ballot by the process outlined in the Bylaws during one of three designated school days defined by the Election Committee.
- Section E Newly elected officers shall be installed and will assume their offices on the first Monday of the month following the election.
- Section F All ballots, marked, unmarked and voided, and all other records pertaining to the election of officers of this Association and OEA delegates and NEOEA and NEA delegates and alternates, shall be preserved for one year from the date of the election and shall be made available to OEA officers upon request for inspection and examination.
- Section G Non-members of the Association shall not have the right to vote, hold office, or otherwise have privilege of Association membership.

Article VII – Impeachment of Officers

- Section A Officers of the Association may be impeached for violation of the Code of Ethics of the Education Association Profession, or misfeasance, malfeasance, or nonfeasance in office.
- Section B Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Committee by at least twenty-five (25) percent of the members.
- Section C If after a due process hearing, a two-thirds vote of the Executive Committee shall sustain the charge, the office shall become vacant.
- Section D The officer may appeal the decision to a special meeting of the general membership.

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Article VIII – Committees

Section A The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.

Article IX – Dues

Section A The local association shall have a dues structure adequate to fund an active program. The dues rate shall be established according to Bylaw 6.

Article X – Amendments

Section A 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.

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TEA BYLAWS

Bylaw 1 Meetings

- Section 1-1 The Executive Committee shall meet monthly during the school year or at the call of the President in person or through group text, email or conference call.
- Section 1-2 The general membership meetings shall be held at least twice per school year e.g. one in the fall and one in the spring. Additional meetings may be called by the President, a majority vote of the Executive Committee, or a petition to the President signed by at least ten (10) percent of the active membership. Such petitions shall state the purpose of the desired meeting and the business of that meeting shall be limited to the consideration of the stated purpose.

Bylaw 2 Quorum

- Section 2-1 The quorum for the Executive Committee meetings shall be one more than fifty (50) percent.
- Section 2-2 The quorum for a general meeting shall be the membership present.

Bylaw 3 Duties of Officers

- Section 3-1 President
- A. Preside over all Association and Executive Committee meetings and prepare their agendas.
 - B. Represent the Association on all matters of Association policy.
 - C. Serve as an ex-officio, non-voting member of all Association committees.
 - D. The President shall be responsible for calling special meetings, and coordinating the Association activities.
 - E. The President shall be a co-signer for disbursements with regard to the Association budget.
 - F. The president shall attend board meetings and OEA functions provided for local leaders.
 - G. The President shall have custody of all non-financial books, records, and supplies that are the property of the Association, and shall keep all non-financial books, records, and supplies on such order that they are up to date.
 - H. The President and other officers may serve unlimited consecutive one-year terms, but must not serve the year of an announced retirement.
- Section 3-2 Vice President
- A. Preside over Association meetings in the absence of the President.
 - B. Perform other duties as delegated by the President.
 - C. The Vice-president shall be a co-signer for disbursements with regard to the Association budget.
 - D. The Vice-president may serve unlimited consecutive one-year terms.
- Section 3-3 Secretary
- A. Keep accurate minutes of all the official meetings of the Association.
 - B. Maintain official files of the Association including maintaining electronic copy of Association Constitution and Bylaws.
 - C. The secretary shall be a co-signer for disbursements with regard to the Association budget.
 - D. Perform other such duties as delegated by the President.
 - E. The Secretary may serve unlimited consecutive one-year terms.

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Section 3-4 Treasurer

- A. Hold the funds of the Association and disburse them upon authorization of the Executive Committee.
- B. The Treasurer shall be a co-signer for disbursements with regard to the Association budget.
- C. Maintain records of receipts and disbursements.
- D. Maintain membership rolls.
- E. Prepare financial reports for meetings of the Executive Committee and an annual financial statement to be distributed to the membership.
- F. Prepare all tax forms required by state and federal government or work with those who assist the association.
- G. Prepare for an independent audit as authorized by the Executive Committee.
- H. Bonded through NEA/OEA
- I. Chair the Budget Committee and FCPE (Fund for Children and Public Education) Drive(s).
- J. The Treasurer may serve unlimited consecutive one-year terms.

Section 3-5 Compensation

- A. Officers are compensated for their time. Their pays are tied to the base salary for the school year they are elected. This is paid using the negotiated Teacher professional Organization, TPO. This amount can be paid either, monthly, quarterly, half a year, or all at once.
 - a. President 7% or .07 x base
 - b. Vice President 4% or .04 x base
 - c. Secretary 4% or .04 x base
 - d. Treasurer 5% or .05 x base

Section 3-6 Immediate Past President

- A. Preside over Association meetings in the absence of the President and Vice President.
- B. Perform other such duties as delegated by the President.

Section 3-7 Building Representative

- A. Report recommended policies and other actions of the Executive Committee to members on his/her building or unit of representation.
- B. Transmit proposals and recommendations from members in his/her building or unit of representation to the Executive committee for its consideration.
- C. Assist the treasurer in the collection of dues.
- D. Serve on the Nomination/ Election committee in the collection of ballots.
- E. Attend all official meetings of the Association or provide an alternate.
- F. Act as a consultant to the individual member who has a professional problem and, when necessary, seek assistance from the Association.
- G. Serves as an advocate for the grievance procedure.
- H. Each building will elect representatives for a term of one year by October 1.
- I. In the absence of duly elected Building Representatives, the TEA president shall appoint person(s) to act as building representatives.

Bylaw 4 – Committees

- Section 4-1 All committees shall be appointed by the president on an “as needed basis’ WITH THE EXCEPTION OF THE Executive Committee, which consists of the elected officers and all of the building representatives.

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- (1) Negotiations - assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional advice and input, upon request of the bargaining team, during active negotiations.
- (2) 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 Election manual and with the local state, and national constitutions.
- (3) Grievance - maintenance of, and membership advocacy in, grievance procedure.
- (4) Communications - creating membership newsletter or other digital communications, and providing press releases for public relations.
- (5) Social - responsible for planning events for members and guests
- (6) LPDC - responsible for maintaining teacher certification in compliance with ORC.
- (7) Teacher evaluation - responsible for attending district and Association teacher evaluation meetings, seeking information from membership, providing collective input and reporting back to membership, when necessary.
- (8) Labor management - attend scheduled meetings between the Association and the Administration. Bring non-contractual issues to the table for discussion and improvement.
- (9) Master Teacher - charged with designating teachers in the school district as Master Teachers.

Section 4-2 Necessary subcommittees may be appointed, as needed, by the committee chairperson.

Bylaw 5 Bargaining and Contract Ratification Procedures

- Section 5-1 The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and the 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. The Negotiations Committee shall assess membership concerns prior to bargaining, develop initial proposals, and to provide ongoing support and input to the Bargaining Team during negotiations.
 - C. Subcommittees will be appointed as needed by the Chairperson of the Negotiation Committee.
 - D. The Negotiations Committee will make regular reports to the Executive Committee.
 - E. Members of the Bargaining Team shall be selected from the Negotiations Committee by the president and subject to the approval of the Executive Committee
 - F. The Bargaining Team shall have the authority to bargain in good faith, make proposals, counter proposals, concessions and tentative agreement on a contract with representatives of the Board of Education.
- Section 5-2 The OEA/NEA Uniserv consultant shall be the Association's designated representative for the purpose of dealing with (State Employment Relations Board) SERB
- Section 5-3 The Ohio Education Association represents the Association on all matters concerning the Association before the State Employment Relations Board (SERB)
- Section 5-4 Written copies of the Tentative Agreement (T.A.) shall be made available to members prior to ratification.
- Section 5-5 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

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Election Manual.

Section 5-6 Votes on a T.A. of fact-finding report shall be by written ballot.

- A. No absentee ballots or proxy votes will be allowed on T.A. or fact finder reports.
- B. The first vote on contract ratification of a fact finder report will be to accept or reject the contract or report as presented.
- C. All ballots used in a vote regarding a contract ratification / fact finder report will be sealed and retained by the treasurer for three (3) years.
- D. The President will communicate required details of the ratification vote to the Board of Education's designated representative.

Section 5-7 The Designated Representative of the TEA is authorized to give timely notice of intent to strike to the BOE and SERB, upon approval of the membership and in keeping with the provisions of ORC 4117.14 (D) (2).

Section 5-8 Non-members of the Association are not eligible to vote on any of these issues.

Bylaw 6 Dues

Section 6-1

- A. Dues for active members shall be established annually by the TEA, the NEOEA, the OEA, and the NEA with which this association will be a united affiliate. The dues rate for the succeeding year shall be determined by the April meeting of the Executive Committee, unless currently in bargaining then the dues will be determined when the contract is ratified.
- B. TEA dues will be .0027 of the BA base salary. Full time members pay full dues, half or quarter time members pay half dues.
- C. The President, Vice-president, Secretary and the Treasurer shall be paid stipends for expenses for twelve months to conduct the business of the Association. Stipends will be established by the Executive Committee. (President-7% of base salary, Vice-president-4% of base salary, Secretary-4% of base salary and Treasurer-5% of base salary) All salaries are paid using the negotiated Teacher Professional Organization, TPO.
- D. Officers or members acting on behalf of the TEA shall be reimbursed for expenses incurred. Such expenses must be approved by the Executive Committee.
- E. The fiscal year of the Association shall be September 1 to August 31.

Section 6-2 Every member shall also pay the dues required by the district, state, and national associations with which this local is affiliated.

Section 6-3 The association shall annually enter into a Dues Transmittal Agreement with the Ohio Education Association (eDues).

Bylaw 7 Membership Year

Section 7-1 The membership year of the Association shall be September 1 to August 31.

Bylaw 8 Expulsion of Members

Section 8-1 According to procedures adopted by the Association, the Executive Committee may suspend from membership or expel any member for one or more of the following reasons:

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- A. Violation of the Code of Ethics of the Education Profession
- B. Conviction of a felony
- C. Actively engaging in, or actively supporting activities directed against the constitutional purposes of the Association, to bring about changes in the Association by means inconsistent with the Association's Constitution.

Section 8-2 The Executive Committee may reinstate members previously suspended or expelled.

Bylaw 9 Due Process

Section 9-1 The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate procedure.

Bylaw 10 Authority – Parliamentary Procedure

Section 10-1 Robert's Rules of Order, Newly Revised (11th edition) shall be the authority governing all matters of procedure not otherwise provided in this constitution or bylaws.

Bylaw 11 Election Procedures

Section 11-1 The election of officers will take place by the fourth week in March.

Section 11-2 The Nominating Committee

- (1) Shall be composed of the Building Representatives.
- (2) Shall contact each active member of the Association to invite them to run for office.
- (3) Shall present the slate of officers to the general membership by the first Monday in March.

Section 11-3 The Election Committee

- (1) Shall consist of the Nomination Committee with the exception of those who are running for office. Such vacancies will be filled by appointment of the President.
- (2) Shall prepare the ballots and oversee the balloting and tabulation of ballots.
- (3) Shall post the results of the balloting the day after tabulation takes place. (within three days after tabulation takes place. Allows time to contact write-ins to determine if they accept the elected position.)

Section 11-4 Balloting Procedure

- (1) Proxy voting is not allowed.
- (2) A ballot box will be set up in a designated spot in each building and manned by members of the election committee.
- (3) Members will sign for their ballots and vote in their designated building during times specified in each building.
- (4) The ballot box will be taken to a designated meeting place for tallying by the Election Committee.
- (5) Preserve all ballots, marked, unmarked, and voided, and all other records pertaining to elections for one year from the election, and make such ballots and other records available to OEA officers and/or designees(s) for inspection and examination.

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Section 11-5 Campaign Procedures

- (1) Campaign literature must be in good taste and presented to the members personally or placed in their mailboxes.
- (2) The Election Committee may or may not hold a “Meet the Candidates Night” at the executive committee monthly meeting prior to the election or at a special meeting prior to the election of officers.

Bylaw 12 Amendments

Section 12-1 Amendments, alterations, additions or deletions to these Bylaws shall be made by a majority vote of the members participating in the election.

Section 12-2 Changes shall be proposed upon the initiation of the Constitution Committee or upon presentation to the Executive Committee of a petition signed by 20% 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 13 Dissolution of the Association

Section 13-1 A petition for the dissolution of the Association may be presented in writing to a meeting of all active members by any member in good standing and must contain the signatures of (3/4) three-fourths of the total membership of the Association.

Section 13-2 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 13-3 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 13-4 The effective date of the dissolution will be thirty (30) days from the date of the vote, allowing time for the disposal of assets and liabilities.

Section 13-5 In the event of dissolution of this Association, all assets of the organization remaining after payment of all obligations shall be distributed at the discretion of the Executive Board provided that it is an entity recognized as exempt from Federal taxation. .

Bylaw 14 Enabling Provision

Section 14-1 This Constitution and these Bylaws shall become effective September 15, 2021, following their adoption, and shall remain in effect until amended according to regulations herein provided.

Kimberly Fink - TEA President

Jim Lipinski - TEA Vice President

Cheryl Wilner - TEA Secretary

Russell Chappell - TEA Treasurer