

# **Helena Education Association**

## **Constitution**

**2017**

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## **Constitution**

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# **Helena Education Association Constitution**

## **Article I. Name, Purpose, Governance**

### **Section 1. Name**

The name of the organization shall be the Helena Education Association, an affiliate of the MEA-MFT, National Education Association, American Federation of Teachers and the AFL-CIO.

### **Section 2. Purpose**

- A. Represent members in their employer relations.
- B. Negotiate and bargain to maintain and improve professional standards and economic security for all members.
- C. Work for the welfare of school children, the advancement of public education, and the improvement of instructional opportunities.
- D. Promote professional attitudes and ethical conduct among school employees.
- E. Encourage educators to exercise their rights and privileges as citizens and to provide leadership in civic affairs.
- F. Enable members to speak with a common voice on matters pertaining to the education profession and educational reform.
- G. Hold property and funds for the attainment of these purposes.

### **Section 3. Governance**

The association shall be governed by its Constitution, Bylaws, Policies, and such other actions as the Board of Directors, Representative Council, and the membership may take consistent therewith.

## **Article II. Membership**

### **Section 1. Membership**

The membership of the Association shall consist of the following classifications: active, retired, and associate.

## **Section II. Right of Membership**

The Association shall not deny membership on the basis of race, color, national origin, creed, gender, sexual orientation, age, handicap, martial status, or economic status.

## **Article III. Legislative Authority**

The authority to established Association policies and objectives, to adopt an annual budget and establish dues, and to exercise final authority on all matters of the Association shall be vested in the general membership.

## **Article IV. Officers**

### **Section 1. Association Officers**

The officers of the Association shall be president, first vice-president, second vice-president, secretary, and treasurer.

### **Section 2. Terms of Office**

- A. All terms shall be two years. The President and First Vice-President shall be elected in even numbered years. The Second Vice-President, Secretary, and Treasurer shall be elected in odd numbered years.
- B. Terms of office shall be from July 1 to June 30.

### **Section 3. Vacancy**

- A. When a vacancy occurs in the office of the President, the First Vice-President shall assume the *office for the remainder of that school year until March elections are held to elect a new President. Election procedure shall be in accordance with Article IX. Nominations and Elections.* If a vacancy occurs in the office of the First Vice-President, the Second Vice-President will assume office until an election can be held to replace the First Vice-President. Election of a replacement must occur within thirty days.
- B. When a vacancy occurs in both the office of President and First Vice-President, the Second Vice-President shall immediately assume the office until a secret ballot election can be held to elect a new President and First Vice-President after two weeks of open nominations.
- C. When a vacancy occurs in any other office, the President, or if necessary, the Board of Directors will appoint a replacement at the next meeting until a secret ballot election can be held after two weeks of open nominations.

### **Section 4. Recall**

- A. Officers and members of the Board of Directors of the Association may be recalled for failure to properly perform the duties of office. The officers and/or Directors of the Association may also be recalled for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

- B. Recall proceedings against an officer may be initiated by written petition signed by at least 20% of members submitted to the Board of Directors or by 50% vote by the Board of Directors or Representative Council.
- C. After a recall petition is presented to the Board of Directors or a recall vote is passed by the Representative Council or Board of Directors, a due process hearing shall be held. The hearing shall be held no sooner than five days and no later than fifteen days after such action. A 2/3 vote of the Board of Directors shall sustain the charge, and the office shall become vacant immediately.
- D. When the recall vote of the Board of Directors declares the office vacant, the responsibilities of the vacated position shall be delegated to the Board of Directors until the vacancy is filled.
- E. Within seven days of the hearing, the officer or director may announce to the Board of Directors the intention to appeal the decision. The Board of Directors, in turn, will call a special general membership meeting to be held within seven days of the announcement of the appeal. At such meeting a secret ballot will be cast on the appeal.
- F. Should an elected officer or director be recalled, the Board of Directors shall proceed immediately to fill the vacancy in a manner prescribed in Article IX of the Bylaws.

#### **Article V. Board of Directors**

- A. The Board of Directors shall consist of the Association officers and these Directors at Large: four high school (two from each high school), two middle school (one from each middle school), four elementary (from four different schools) and three paraeducators (from three different schools).
- B. Terms of office shall be two year terms with half of the Directors at Large being elected annually
- C. Directors at Large shall be elected as follows:
  - 1. Each high school shall elect two directors.
  - 2. Each middle school shall elect one director whose vote shall be weighted 1.5.
  - 3. All elementary teachers shall elect their four directors. A building primary election may be necessary in order to select a nominee. No more than one nominee per elementary building shall be placed on the election ballot.
  - 4. Paraeducators shall elect their three directors. A building primary election may be necessary in order to select a nominee. No more than one nominee per building shall be placed on the election ballot.

#### **Article VI. Representative Council**

The Representative Council shall consist of the Association Officers, the Board of Directors, and representatives elected from each building. A minimum of one representative shall be elected from each building. Building representatives shall be elected on the basis of building membership, with one representative for every fifteen members of the major fraction thereof. A building may be represented by a representative or by two representatives in a shared position.

### **Article VII. Meetings**

- A. Meetings of the Board of Directors shall be determined at their first meeting in August.
- B. Meetings of the Representative Council shall be determined in the fall of the year.
- C. Regularly scheduled general meetings of the Association shall be determined in the fall of the year.
- D. Meetings of the Board of Directors and Representative Council shall be open to all members. Members attending these meetings shall sit apart from the voting bodies, but may address the bodies upon recognition by the presiding officer.

### **Article VIII. Committees**

#### **Section 1. Standing Committees**

Members of standing committees shall be appointed by the President, pending confirmation by the Board of Directors.

#### **Section 2. Ad Hoc Committees**

Ad Hoc committees as are needed to address the Association purposes, may be established by the President, Board of Directors, or Representative Council. Members of Ad Hoc committees may be appointed by the President, pending confirmation by the Board of Directors, or may be appointed by the Board of Directors of the Representative Council.

### **Article IX. Nominations and Elections**

#### **Section 1. Officers**

- A. Nominations for the Officers shall be presented in writing by the nominations committee at the general membership meeting. Nominations may also be made from the floor.
- B. Elections shall be held in accordance with the Bylaws and election procedures mandated in Association Policies.

#### **Section 2. Board of Directors**

- A. Nominations for the Board of Directors shall be presented in writing by the nominations committee at the general membership meeting. Nominations

may also be made from the floor by the appropriate level and building representatives.

- B. Elections shall be held in accordance with the Bylaws and election procedures mandated in Association Policies.

### **Section 3. Representative Council**

- A. The elections for Representative Council members shall be held in each building. Elections shall take place at the beginning of the school year as promptly as possible.
- B. Alternates shall also be elected at this time.
- C. Representative positions may be shared by no more than two members. Shared positions will be entitled to only one vote. Any change in the representative requires a building election.

### **District 11 and Representative Assembly Delegates**

- A. Members interested in serving as a Representative Assembly Delegate will submit their names to the President. Should the number of interested members not exceed the allowable number of delegates, the Board of Directors shall confirm the Representative Assembly delegates.
- B. Should the number of interested members exceed the allotted number of delegates, they shall be elected in accordance with the Bylaws and Policies.
- C. Additional alternates to MEA-MFT RA shall be selected from the delegates to Representative Assembly in the descending order of votes received, and the ballot shall so state.

### **Article X. Governance Review**

#### **Section 1. Governance Review Committee**

- A. The judicial authority of the Association shall be vested in the governance review committee.
- B. The Constitution and Bylaws shall be reviewed by this committee upon the request of the President, Board of Directors or Representative Council.

#### **Section 2. Composition**

- C. The governance review committee shall be composed of six members appointed by the President and confirmed by the Board of Directors.
- D. A member of the governance review committee shall not be an elected officer of the Helena Education Association.

### **Article XI. Amendments**

Amendments to this Constitution must be submitted in writing at any regular Representative Council meeting. A copy of proposed amendments shall be distributed to the membership within two weeks. The amendment(s) shall be read and discussed at the next Representative Council meeting. Within sixty days of submission, a 2/3 majority vote of the general membership by secret ballot is needed for approval.

**Article XII. Parliamentary Procedures**

*Robert's Rules of Order*, latest revised edition, shall be the parliamentary authority governing all matters of procedure not otherwise provided in this Constitution or Bylaws.