

Helena Education Association

Bylaws

2018

Helena Education Association Bylaws

Article I. Rules of Governance

Section 1. Rules

The rules contained in the Association's Constitution, bylaws, and policies shall govern the Association in all cases in which they are applicable.

Section 2. Majority Vote

A simple majority vote will be required for the passage for all matters placed before the general membership, Board of Directors, and Representative Council with the exception of amendments to the Constitution and bylaws. Policies may be changed by a simple majority vote before the Representative Council.

Article II. Membership

Section 1. Active

- A. Active membership in the Association shall be available to all public employees who qualify for membership according to the Bylaws of the MFPE.
- B. Active membership in the Association shall not be available to full-time principals, assistant principals, superintendents, or assistant superintendents.

Section 2. Retired

Retired membership shall be open to any person who has held active membership in the Association and who has retired from regular employment in public education.

Section 3. Associate

Associate membership shall be open to any person who is interested in advancing the cause of public education and who is not eligible for any other class of membership in the Association. Associate members do not have the right to hold office nor the right to be voting members of the Association.

Section 4. Membership Year

The membership year shall cover September 1 through August 31. All members shall be continuous from year to year unless revoked in writing during the annual termination period.

Article III. Finances

Section 1. Dues

- A. Persons whose dues are delinquent may not participate in the Association's activities.
- B. Dues for initial active membership may be prorated after November 1.
- C. Proposed changes in dues must be presented in writing to the Board of Directors and the Representative Council.-Building representatives are mandated to hold meetings to discuss proposed changes in dues.
- D. The Representative Council shall vote on the proposed changes in dues, as directed by their building members, at their first meeting following a one month layover from the initial proposal.
- E. A change in dues shall become effective the following membership year.

Section 2. Budget

The annual budget shall be adopted for the following membership year at the April meeting of the Representative Council.

Section 3. Audit

- A. Annually, the President shall appoint an audit committee, independent of the Officers and the Board of Directors. The audit of HEA and HEA PACE shall be completed after the close of the fiscal year. The committee shall submit an audit report of the year's fiscal transactions to the first regularly scheduled Representative Council meeting following the audit.
- B. The audit committee shall be composed of three HEA members from three separate buildings.

Section 4. Bonding

Officers with responsibilities for handling receipts and disbursements of Association funds are insured by the NEA Association Liability Insurance.

Article IV. Officers

Section 1. Eligibility

A candidate for office shall be an active member.

Section 2. Duties of the President

The President shall:

- A. Serve as chief officer of the Association.
- B. Serve as official spokesperson of the unit or appoint a designee.
- C. Perform duties as designated in the Constitution and bylaws, and

duties designated by the Board of Directors and/or Representative Council, and those detailed in policy, and such other duties as stated in *Robert's Rules of Order*.

- D. Sign contracts, memoranda of agreement, and other instruments connected with the business affairs and professional activities of the Association, provided such contracts, agreements and other instruments have been previously approved by the Board of Directors.
- E. Establish a calendar of meetings at the first fall meeting of the year.
- F. Prepare the agendas for the Board of Directors, Representative Council, and general meetings.
- G. Preside at all meetings of the Association: Board of Directors, Representative Council, and general meetings.
- H. Serve as co-signatory with the treasurer on Association fiscal accounts.
- I. Appoint chairpersons and members of standing committees of ad hoc committees unless otherwise specified by the Board of Directors of Representative Council. Presidential appointments shall be submitted to the Board of Directors for confirmation.
- J. Serve as *ex officio* (without vote) on all committees unless otherwise specified.
- K. Serve as a delegate to the National Education Association Representative Assembly, American Federation of Teachers Convention and MFPE Representative Assembly.
- L. Attend leadership conference of the MFPE.
- M. Delegate duties to the other officers and members of the Board of Directors.
- N. Attend all Helena School District #1 Board meetings or designate the First Vice-President or another official designee. (Whoever represents the Association at the School Board of Trustee meetings must sign the District roll as the official Association representative.)
- O. Represent the Association before the Helena School District #1 Central Administration and Board of Trustees.
- P. The President shall be authorized to approve expenditures up to \$200.

Section 3. Duties of First Vice-President

The First Vice-President shall:

- A. Act as *interim* president when the president is temporarily unable to perform the duties of office and when a vacancy occurs in the office of the president.
- B. Attend all Helena School District #1 Board meetings in the absence of the President.
- C. Act as chair of Contract Maintenance Committee.
- D. Assist the President in carrying out the work of the Association.
- E. Serve as a delegate to the National Education Association Representative Assembly or American Federation of Teachers Convention and MFPE Representative Assembly.

- F. Attend leadership conference of the MFPE.
- G. Perform duties as designated by the constitution, bylaws, and duties designated by the Board of Directors and/or Representative Council, and those detailed in policy.
- H. Meet annually with School District Personnel to clarify vacancy, transfer, and assignment language as in our negotiated agreement.

Section 4. Duties of the Second Vice-President

The Second Vice-President shall:

- A. Assist the President and the First Vice-President in carrying out the work of the Association.
- B. Serve as chair of the membership committee.
- C. Serve as a delegate to the National Education Association Representative Assembly or American Federation of Teachers Convention, should the First Vice President be unable to attend and MFPE Representative Assembly.
- D. Attend leadership conference of the MFPE.
- E. Serve as the facilitator of the Association calling tree.
- F. Serve as the parliamentarian for the Board of Directors, Representative Council, and general membership meetings.
- G. Perform duties as designated in the constitution and bylaws, and duties designated by the Board of Directors and/or Representative Council, and those detailed in policy.

Section 5. Duties of the Secretary

The Secretary shall:

- A. Keep accurate minutes of all meetings of the Board of Directors, Representative Council, and general meetings of the Association. Said minutes should be rendered within a reasonable period of the meeting to all Association members.
- B. Maintain the official files and assist the President with Association correspondence.
- C. Serve as a delegate to the MFPE Representative Assembly.
- D. Serve as a delegate to the National Education Association Representative Assembly or the American Federation of Teachers Convention if the Association membership number calls for and additional delegate.
- E. Perform duties as designated in the constitution and bylaws, and duties designated by the Board of Directors and/or Representative Council, and those detailed in policy.

Section 6. Duties of the Treasurer

The Treasurer shall:

- A. Receive all funds and be responsible for their safekeeping and accounting.
- B. Keep accurate accounts of receipts and disbursements and regularly

- report such transactions and the financial condition of the Association to the Board of Directors and the Representative Council.
- C. Assist the Second Vice-President with the membership rolls.
 - D. Assist the Budget Committee in preparing the annual budget for review by the Board of Directors and presentation to Representative Council for their vote.
 - F. Perform duties as designated by constitution and bylaws, and duties designated by the Board of Directors and/or Representative Council, and those detailed in policy.
 - G. Serve as a delegate to the MFPE Representative Assembly.

Article V. Board of Directors

Section 1. Duties of the Board of Directors

The Board of Directors shall:

- A. Function as the executive authority of the Association.
 - 1. Be responsible for managing the affairs of the Association, authorizing any budgeted expenditures over \$200, and carrying out the adopted policies and business of the Association.
 - 2. Conduct the business of the Association when school is not in session.
- B. Employ personnel as needed.
- C. Implement the policy and programs adopted by the Representative Council.
- D. Give direction to the Officers of the Association.
- E. Make recommendations to the Representative Council.
- F. Create or discontinue special committees as needed to carry out the business of the Association.
- G. Authorize publication as may be necessary to carry out the program of the Association and to present information and material to the membership and the general public.
- H. Determine regulations governing elections and other balloting.
- I. Be bound by any policy of the Representative Council consistent with these Bylaws.

Section 2. Meetings of the Board of Directors

The Board of Directors shall:

- A. Meet monthly, except for July.
- B. Hold special meetings for a specifically stated purpose called only upon twenty-four hour notice to each member of the Board.
- C. Conduct business only when a quorum (greater than 50% of the members of the Board and representation for at least one member from each level) is present.
- D. Hold office from July 1 to June 30.

Article VI. Representative Council

Section 1. Duties of the Representative Council

The Representative Council shall:

- A. Represent the general membership on all matters of the Association.
- B. Provide a forum to address professional issues and concerns of its members.
- C. Adopt Association policies and establish objectives.
- D. Adopt an annual budget and establish dues.
- E. Authorize unbudgeted expenditures of a miscellaneous or contingency nature.
- H. Review Representative Assembly resolutions and direct the Association's District 3 delegates on issues.
- I. Serve one-year terms, taking office on June 1 following the building elections.

Section 2. Meetings of the Representative Council

The Representative Council shall:

- A. Meet no less than seven times while school is in session.
- B. Hold special meetings for a specifically stated purpose called only upon twenty-four hour notice to each member of the Council.
- C. Conduct business only when (greater than 50% of the members of the Council and representing not less than half of the buildings) is present.

Article VII. Association Meetings

Section 1. Calendar of meetings

- A. An orientation for the Board of Directors and the Representative Council shall be held in August.
- B. The calendar of meetings for the Board of Directors, the Representative Council, and general Association meetings shall be established by the President and approved by the Representative Council at their first fall meeting of the year.

Section 2. Meetings

- A. The Board of Directors shall meet no less than once a month excluding July.
- B. The Representative Council shall meet no less than seven times while school is in session.
- C. Additional meetings of these bodies may be called by the President, by a majority of the Board of Directors, by a majority of the Representative Council, or by a petition signed by twenty members of the Helena Education Association.
- D. The spring general meeting of the Association shall be held to nominate officers and Board of Directors.

- E. A quorum for any general membership meeting consists of the Board of Directors and not less than 50% of the building represented by members of the Representative Council.
- F. If, during any meeting of the Association, the numbers of voting members is reduced below a quorum, discussion may continue but no action may be taken.

Article VIII. Representative Assembly Delegates

- A. Elections -- see Constitution Article IX, Section 4.
- B. Meetings
 - 1. Delegates are required to attend Little Representative Assembly.
 - 2. Delegates must attend both days of the MFPE Representative Assembly.

Article IX. Standing and Ad Hoc Committees

Section 1. Standing Committees

- A. The president shall appoint by October 1, pending confirmation by the Board of Directors, such committees as may be necessary to achieve the Association's program unless otherwise designated in the bylaws. All committees shall receive specific charges from the president and members shall be discharged upon completion of those charges.
- B. The president shall appoint the members of the negotiation committee and secure confirmation by the Board of Directors. The negotiation committee members shall participate in training whenever possible.
- C. Standing committees shall consist of the following:
 - Audit
 - Budget
 - Calendar
 - Contract Maintenance
 - Extra Duty
 - Governance Review (Constitution and Bylaws)
 - Health Benefits
 - HEA PACE
 - Membership
 - Negotiation
 - Nominations/Elections
 - Professional Development
 - Educator/Para Educator of the Year
- D. Each committee shall be representative of elementary, middle, and senior high levels wherever possible.
- E. Nothing in the Constitution or Bylaws shall be interpreted to prevent the formation of subcommittees.
- F. A quorum, consisting of a majority of the members of the committee,

must be present for any official meetings.

- G. The chair of the committee shall inform all committee members of actions taken in a timely manner and report on committee activities to the Board of Directors and Representative Council.

Section 2. Ad Hoc

- A. Ad Hoc committees shall receive specific charges from the President or Board of Directors or Representative Council and shall be discharged upon completion of those charges.
- B. A quorum, consisting of a majority of the members of the committee, must be present for any official meeting.
- C. The chair of the committee shall inform all committee members of actions taken in a timely manner and report on committee activities to the Board of Directors and Representative Council.

Article X. Nominations and Elections(2.14.12)

Section 1. Composition

- A. The Nominations committee shall consist of five members, two of which shall be appointed by the President with the remaining three elected by the Representative Council.

Section 2. Procedures

- A. The elections shall be by secret ballot.
- B. The election shall be by plurality vote.
- C. In any event of a vacancy, an election to fill that office shall be held by secret ballot within thirty days of the vacancy. *In regards to a vacancy in the office of the President, an election will be held that coming March.*
- D. The terms of office for the Representative Council shall be one year beginning July 1 following the elections and ending June 30.
- E. The term of office for the Association Officers and Board of Directors shall be two years with half of the Officers and Directors being elected annually beginning July 1 and ending June 30.
- D. The terms of office for Representative Assembly Delegates shall be from their election until the following fall elections.
- E. Anyone whose name appears on the ballot shall not be present at the ballot counting.
- F. If members of the committee are not available to count ballots, the president shall appoint temporary counters.

Article XI. Governance Review

Section 1. Composition of Committee

- A. The Governance Review Committee shall consist of six members, appointed by the President and confirmed by the Board of Directors. The committee shall choose a chair from its members.

Article XII. Amendments

Section 1. Procedure

- A. Amendment(s) to the Bylaws must be submitted in writing to any regular Representative Council meeting. A copy of proposed changes shall be distributed to the membership within two weeks for building discussion. Voting will take place within sixty_days after the proposed changes are initially submitted to the Representative Council. A two-thirds majority vote by the Representative Council is needed for approval.