

CONSTITUTION AND BYLAWS OF THE BOONE COUNTY EDUCATION ASSOCIATION, INC.

Revised February 22, 2022

PREAMBLE

The Boone County Education Association, Inc. believes it is the right of every child in our society to receive an education, publicly provided and equally distributed. We believe that public school teaching is a profession of merit; thus, we are committed to the promotion of the right of the teacher to help set the standards for his/her profession, to participate in self-governance, and to promote the welfare of all who are engaged in that profession.

ARTICLE I-NAME

The name of this Corporation shall be the Boone County Education Association, Inc.

ARTICLE II-PURPOSE

Section 1 – To work for the welfare of the school children, and the advancement of education, and the improvement of instructional opportunities for all.

Section 2 – To develop and promote the adoption of such ethical practices, personnel policies and standards of preparation and participation as mark a profession.

Section 3 – To unify and strengthen the teaching profession through professional negotiation as well as other means necessary to support the teaching profession.

Section 4 – To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the Board of Education and other legal authorities.

ARTICLE III-MEMBERSHIP

Section 1 – Active Members:

- a. Active membership in the Corporation shall be open to personnel who have or are eligible to hold a valid Kentucky teaching certificate and who work in any K-12 public education facility that exists within the boundaries of the Boone County School district or who work in a facility that serves the students of the Boone County School district.
- b. Active membership shall be continuous until the member leaves the system, resigns from the Corporation or fails to pay membership dues.

Section 2 – Retired Members: Active members who retire may continue as non-paying members of the Boone County Education Association, Inc. provided they retain KEA and NEA retired Member status.

Section 3 – Part Time Teachers: Membership shall be open to part time teachers (4 hours or less) according to the dues schedule set by Corporation. Dues for membership to BCEA will be half that of a full time teacher’s dues.

Section 4 – Reserve Membership: Reserve membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Corporation.

Section 5 – Rights and Privileges: Retired members, reserve members, and part time members of the Corporation shall have all rights and privileges of active members except to vote or hold office in the Corporation.

ARTICLE IV-OFFICERS

The officers of the Corporation shall consist of a president, a vice president, a corresponding secretary, a recording secretary, a treasurer, and a parliamentarian.

ARTICLE V-EXECUTIVE COUNCIL

Section 1: The Executive Council shall consist of the elected officers, six members elected at large, one BCEA-R (as an ex-officio member), and ethnic minority representatives elected according to the established bylaws. This shall be the executive authority of the Corporation. The chairpersons of the Calendar, Grievance and Professional Negotiations committees shall be non-voting members of the Council if they do not hold an elected office.

- a. For the purpose of this section "Minority" means American Indian; Alaskan native; African-American; Hispanic, including persons of Mexican, Puerto Rican, Cuban, and Central or South American origin; Pacific Islander; or other ethnic group underrepresented in the school.

Section 2: Under personnel policies adopted by the Representative Council and within the annual budget, the Executive Council shall have power to employ a staff for the efficient management of the Corporation.

Section 3: Officers of the Corporation may be impeached for violation of the NEA Code of Ethics of the Education Profession, for misfeasance, for malfeasance or for nonfeasance in office.

- a. Impeachment proceeding against any officer may be initiated by serving the officer with detailed, written notice of the allegations against him/her. A copy of the written notice shall be provided to each member of the Executive Council.
- b. If, after a due process hearing, a two-thirds (2/3) majority vote of the Executive Council shall sustain the charge, the office shall become vacant.
- c. The officer may appeal the decision of the Executive Council to a special meeting of the general membership, which shall also afford due process. If a majority vote of the general membership sustains the charge, the office shall become vacant and may be filled in accordance with the BCEA Constitution and Bylaws.

ARTICLE VI-REPRESENTATIVE COUNCIL

Section 1: The legislative and policy-forming body of the Corporation shall be the Representative Council.

Section 2: The Representative Council shall consist of the Executive Council, one or more representatives from each school faculty.

Section 3: Any member of the Corporation who is not a member of the Representative Council may attend its meetings.

ARTICLE VII-AFFILIATION

The Representative Council may adopt amendments/or revisions to this Constitution by a 2/3 majority of those voting at any regular meeting provided that amendments/or revisions have been introduced at the preceding regular meeting of the Representative Council and that copies of proposed amendments have been immediately distributed to members of the Council for faculty discussion.

BYLAWS

ARTICLE I-MEETINGS

Section 1 – Executive Council: The Executive Council shall meet on the third Tuesday of each school month or at the call of the president, or at the request of three members of Council. The President, with input from the Executive Council, may alter the meeting schedule in months where holidays interfere with the normal 3rd Tuesday meeting day.

Section 2 – Representative Council:

- a. The Representative Council shall meet on the fourth Tuesday of each school month or at the call of the president or at the request of three members of the Council.
- b. The president or designee shall prepare the agenda for each meeting and shall circulate it to all members of the Representative Council as soon as possible before the next meeting of the Representative Council so that the representatives will have time to discuss it with their faculty members in advance of the meeting.
- c. Summer meetings, after the school term is completed, will be called at the discretion of the Representative Council, Executive Council or President.
- d. The President, with input from the Executive Council, may alter the meeting schedule in months where holidays interfere with the normal 4th Tuesday meeting day.

Section 3 – General Membership Meetings: The Executive Council may call a meeting of the general membership. Special meetings may be called as needed, at the request of the President, or by a majority of the members of the Representative Council or the Executive Council.

ARTICLE II-QUORUM

A majority of their members shall be a quorum for the Representative Council, Executive Council, and all committees.

ARTICLE III-POWER OF OFFICERS

Section 1 – President:

- a. The President shall preside over meetings of the Executive Council, appoint the chairperson of committees, appoint special committees, be an ex-officio member of all committees, and shall be the executive officer of the Corporation.
- b. The President and his/her designee shall visit each building twice a year and publish a monthly communication to all members.
- c. The President or his/her designate shall be the official representative of the Corporation and shall perform all other functions usually attributed to this office.
- d. The BCEA President, who was elected in accordance with Article X- ELECTIONS OF OFFICERS, shall serve as a delegate to the KEA Delegate Assembly and the NEA Representative Assembly as one of the BCEA allotted seats. In the event the BCEA President is unable to serve, a delegate or alternate will serve in their stead.

Section 2: The President (or Vice President acting in their stead) shall not meet with the Superintendent, during their regularly scheduled monthly meeting, without another member of Executive Council present. All efforts shall be made to include ALL Executive Council members at least once per school year. At such time the President is not submitting quarterly reports to the Superintendent, the President will submit quarterly reports to the Executive Council.

Section 3 –Vice President:

- a. He/she shall work closely with one or more committees, as the President may deem necessary.
- b. The Vice President may act for the President should the President be unable to perform the duties of the President.

Section 4 – Immediate Past President: The immediate past President shall advise the Executive Council and assist the President at the latter's request.

Section 5 – Recording Secretary:

- a. The Recording Secretary shall keep accurate and official minutes of all meetings of the Executive Council and Representative Council.
- b. He/she shall take attendance at the Executive Council and Representative Council meetings. The attendance shall be made part of the official minutes.

Section 6 – Corresponding Secretary: The Corresponding Secretary shall assist the president in Corporation correspondence as needed.

Section 7 – Treasurer:

- a. The Treasurer shall hold the funds of the Corporation and disburse them upon authorization by the Executive Council and/or the Representative Council.
- b. He/she shall maintain a roll of the members.
- c. He/she shall keep accurate accounts of receipts and disbursements, shall prepare an annual financial report for publication to the Representative Council.
- d. He/she shall keep the President and Executive Council informed of the financial condition of the Corporation.
- e. He/she shall serve on the Budget Committee and assist in the drafting of the annual budget.
- f. He/she shall prepare the financial records of the Corporation for an independent audit.
- g. He/she, with the aid of the President and Vice President, shall file the appropriate federal and state forms.
- h. The treasurer shall have the option of using up to four Corporation days per year to conduct the business of the Corporation.

Section 8 – Parliamentarian:

- a. The Parliamentarian shall serve at all Corporation meetings.
- b. He/she shall ensure parliamentary procedure according to Robert’s Rules of Order.

Section 9 – Retired BCEA Member: A retired BCEA member shall serve in a non-voting, advisory capacity on the Executive Council.

ARTICLE IV-POWER OF THE EXECUTIVE COUNCIL

Section 1: The Executive Council shall be responsible for the Corporation, approve expenditures, carry out policies established by the Representative Council, report its transactions and those of the Representative Council to the members, and suggest policies for consideration by the Representative Council.

Section 2: The Executive Council shall represent the Corporation according to policies established by the Representative Council. It may make decisions binding the Corporation in those matters.

Section 3: If no candidate for President is found the Executive Council shall assume the responsibilities of the Corporation.

Section 4: Voting members of the Executive Council shall be entitled to the same rights and privileges as the Representative council members.

Section 5: The Corporation shall have power to hold tangible property and funds and to employ a staff if necessary upon the approval of the Representative Council.

Section 6:

- a. All Executive Council members shall receive \$100.00 per semester after 75% attendance of all regular meetings.
- b. The chairperson and the chief negotiator of the Professional Negotiations Committee shall each receive \$200.00 per year except during full contract negotiation years when they will receive \$250.00.

ARTICLE V-POWERS OF THE REPRESENTATIVE COUNCIL

Section 1:

- a. The Representative Council shall approve the budget, set the dues for the Corporation, act on reports of committees, approve resolutions and other policy statements, and shall adopt procedures for implementing the Code of Ethics of the Education Profession and those to be followed in censuring, suspending, and expelling members for cause or for reinstating members.
- b. It may adopt such rules governing the employment of staff, the conduct of the Corporation, and the conduct of meetings as are consistent with this Constitution and Bylaws.
- c. It shall be the final judge of the qualification and election of officers and Faculty Representatives, except in cases of election appeals to the KEA Board and Review Board.
- d. Powers not delegated to the Executive Council, the officers or other groups in the Corporation shall be vested in the Representative Council.

ARTICLE VI-QUALIFICATION, TERMS AND SUCCESSION OF EXECUTIVE OFFICERS

Section 1 - President and Executive Council:

- a. All officers and members of the Executive Council shall be members of the Kentucky Education Association, National Education Association, and Boone County Education Association, Inc.
- b. They shall have been members in the Boone County Education Association, Inc. for at least one school year prior to their election term of office and shall maintain their membership in good standing during their term of service.

Section 2: The President and Vice President shall serve a three-year term and may be re-elected without an intervening term.

Section 3: The officers, other than President or Vice President, shall serve for two years and may be re-elected without an intervening term.

Section 4: The Immediate Past President shall serve for one year in a non-voting advisory role at the request of the current President.

Section 5: The terms of the office of the Executive Council shall be elected on a staggered term to provide for experienced leadership within the council.

- a. The officers for Recording Secretary, Treasurer and three members-at-large will be elected in odd numbered years.
- b. The Corresponding Secretary, Parliamentarian and four members-at-large will be elected in even numbered years.

Section 6: If a vacancy occurs in the office of President, the Vice-President shall immediately assume the duties of President. A vacancy occurring in any other office may be filled by appointment of the President with the approval of the Executive Council until the next regularly scheduled BCEA Election of Officers. At that meeting, and after a period of at least 15 days for open nominations, a secret ballot election shall be conducted to fill the vacancy.

Section 7: Whenever there is a vacancy on the Executive Council or in any office other than President, the President shall nominate a successor who shall take office and fill the unexpired term upon confirmation by a majority vote of the Executive Council.

ARTICLE VII-REPRESENTATIVE COUNCIL

Section 1:

- a. In each public school building in the Boone County School System, Boone County Education Association, Inc. members in good standing with the Boone County Education Association, Inc. shall elect one Faculty Representative to the Representative Council for each ten members or major fraction thereof.
- b. Schools with less than $\frac{1}{2}$ of the designated ratio plus 1 shall be given the option of clustering with another school for the purpose of electing a representative.
- c. Where more than one such Representative is elected, those duly elected representatives may designate one of themselves to be the Senior Faculty Representative.
- d. Elections shall be held during August at the beginning of the school year with elected members taking their seats at the September meeting of the Representative Council following their election.

- e. The Secretaries shall be given a list of the building representatives and alternates from each school prior to the September meeting of the Representative Council following the election.

Section 2 – Alternates to the Representative Council:

- a. Two alternates may be elected in each public school in Boone County to serve only in the absence of the regularly elected representatives of their school.
- b. These alternates shall have the same voting privileges that the Constitution gives to the regularly elected representatives.

Section 3: The Faculty Representatives, with the Senior Faculty Representatives as chairman, shall call meetings of the Corporation members to discuss Corporation business, shall appoint such faculty committees as the Corporation may require, and shall organize and oversee the subsequent elections of faculty representative, the enrollment of members and two-way Corporation communication within the building.

Section 4: One building representative, recording secretary, treasurer, and retired representative shall receive \$15.00 per meeting attended.

ARTICLE VIII-COMMITTEES

Section 1 – Special Committees:

- a. Each year, the President shall, with consultation of Executive Council, appoint members to serve on an Elections Committee, a Membership Committee, a Budget Committee, and such other special committees as may be necessary and shall discharge them upon completion of their duties.
- b. Chairpersons for each committee will be chosen from and by the committee members.
- c. The Elections Committee shall investigate any reported violations of the election rules and report their findings to the Representative Council. The Representative Council shall decide if a new election should be held if violations have been found.

Section 2 – Standing Committees:

- a. The Boone County Education Association, Inc. shall have the following Standing Committees whose members shall serve for a two year term.
 - 1. Professional Negotiations
 - 2. Calendar
 - 3. Grievance

4. Sick Leave Bank
- b. Negotiations Committee:
 1. The President shall solicit from each building at least one member to serve on the Professional Negotiation Committee.
 2. The BCEA, Inc. Negotiations Team shall be granted the authority to finalize proposals while in active negotiations.
 3. The President shall appoint, with the approval of the Executive Council, a Chief Negotiator of the Professional Negotiation Committee.
 4. The duties of the Professional Negotiations Chairperson shall include, but not be limited to:
 - a) Take notes/record proceedings of all meetings or delegate these jobs to another committee member.
 - b) Make copies of notes for all committee members and give originals to the BCEA President.
 - c) Give copies of the TAs (Tentative Agreements) to the BCEA President for the files.
 - d) Prepare all agreements reached with the Boone County Board of Education within timelines for membership ratification Other duties as deemed necessary by the BCEA President
- c. Calendar Committee:
 1. Each building may choose one faculty representative to serve on the Calendar Committee.
 2. The Calendar Committee will be composed of a chairperson and other sub-committees as needed or spoken to in the contract.
 3. The Calendar Committee shall be concerned with the formation and passage of the school calendar.
 4. The chairperson shall receive \$150.00 per year.
- d. Grievance Committee:
 1. The Grievance Committee will be of the current BCEA President, who will serve as the Grievance Chair, and 3 other appointed Executive Council or Building Representative members.
- e. Sick Leave Bank Committee:
 1. The purpose of the Sick Leave Bank is to provide sick leave to contributors to the Bank after their accumulated leave has been exhausted – and more specifically to provide such leave from the Bank in the event of prolonged illness as stated in Article VII, Section 7.2 of the negotiated contract.
 2. The President of BCEA or designee shall serve on the Committee.
 3. The BCEA President shall appoint two members to serve on the Sick Leave Bank Committee: one for a one-year term and one for a two year term.
 4. The chairperson of the Sick Bank Committee will receive a \$150 stipend.

Section 3 – Review Committee:

- a. Review Committee structure:
 1. It will be composed of five Corporation members that are appointed by the President with majority approval of the Executive Council.
 2. No member of the Committee can hold an office in the Local, State, or National Corporation while serving on this committee.
 3. Each member of the Committee shall serve a two year term with an unfilled term being filled as described in a-1 of this section.
 4. The Review Board can establish its rules of procedure with majority approval of the Representative council.
 5. The President, according to the bylaws, shall appoint the first committee with two members having a one year term, two members having a two year term, and one member having a three year term.
 6. As these terms expire the President, according to the bylaws, will fill the vacated positions with members having two year terms.
- b. Powers of the Review Committee:
 1. Investigate violations of the code of ethics of the United Teaching Profession.
 2. Censure, suspend, or expel a member or members found in violation of the ethics code by a majority vote of the Committee.
 3. Determine the length of suspension of a member.
- c. Activation of Review Committee:
 1. A request may be submitted to the Committee by a majority of the Executive Council or
 2. A request may be submitted to the Committee by a majority of the Building Representatives or
 3. A request may be submitted by 50% of the Corporation membership.
- d. Appeals:
 1. A member may appeal the decision of the Review Board to the Representative Council.
 2. A majority vote by the Representative Council will determine the outcome of the appeal.
- e. Due process of all members shall be guaranteed.

ARTICLE IX-GENERAL ELECTION POLICY

An election held to fill any position or positions in the organization shall be in accordance with the following principles:

- a. One person-one vote
- b. Open nominations
- c. Secret ballot
- d. Majority vote
- e. If the number of candidates for any elected position is less than or equal to the number of candidates allotted for the position they may be accepted by acclamation as long as the

candidates meet all other qualifications according to NEA, KEA and BCEA, Inc. constitution and by-laws.

ARTICLE X-ELECTIONS OF OFFICERS

Section 1 – Nominations:

- a. Every three years the active members of the Corporation in each building during the month of January may nominate candidates for President and Vice President. Every two years the active members of the Corporation in each building during the month of January may nominate candidates for Corresponding Secretary and Recording Secretary, Treasurer, Parliamentarian and members-at-large of the Executive Board. Nominations for the retired BCEA members will be made by the membership of BCEA retired members. A Building Representative from each school shall deliver all nominations in writing to the Committee on Elections.
- b. In addition, the President shall, with consultation of Executive Council, appoint a chairperson and three other members to the Committee on Elections from the Building Representatives who are not running for election to the Council during the December Building Representative meeting. The membership will include a member from an Elementary School, a Middle School, and a High School.
- c. The Committee on Elections shall publish to the members a 50 word bio on each candidate.
- d. No dues-paying member shall be denied the opportunity to vote for officers and delegates of the Corporation. Dues-paying members are defined as being certified active members of the teaching profession.
- e. No member shall appear more than once on the election ballot.
- f. Nominations will be closed by January 31, names and bios of nominees will be published to the membership by February 5.

Section 2 – Balloting:

- a. Elections shall be held by March 31 during a 5 workday voting window, in accordance with the procedures developed by the Committee on Elections and approved by the Representative Council.
- b. The Committee on Elections shall report results to the President who shall release them to be published.
- c. New officers shall begin their term on June 1.

Section 3 - Appeals of Elections:

A voting member of the local association who feels that the election has not been in accordance with the election criteria (as printed above), may issue an appeal to the BCEA Executive Council in the following manner:

- a. An appeal must be made within ten (10) working days after the election.
- b. The appeal which must be in writing and must state the exact criteria allegedly violated shall be presented to the BCEA President.
- c. The appeal must be signed by the candidate or a member.
- d. Within ten (10) working days of receiving the appeal, the BCEA President shall call a meeting of the Executive Council for the purpose of hearing the appeal.
- e. The Executive Council may call witnesses or take written signed statements from both parties to the question.
- f. The Executive Council shall guarantee that all parties to the appeal will be given equal opportunity to present their case.
- g. The Executive Council will make a decision and inform all parties.
- h. If any party is not satisfied with the decision of the Executive Council, he or she may appeal the decision to the KEA Executive Committee.
- i. The appeal, which must be in writing and must state the exact criteria allegedly violated, shall be presented to the KEA President.
- j. The appeal shall be signed by the candidate or a member. A copy of the challenge shall be presented to the BCEA President.
- k. Within fifteen (15) working days of receiving the challenge, the KEA President shall call a meeting of the KEA Executive Committee for the purpose of hearing the challenge.
- l. The KEA Executive Committee may call witnesses or take written signed statements from both parties to the question.
- m. The KEA Executive Committee shall guarantee that all parties to the challenge will be given equal opportunity to present their case.
- n. The KEA Executive Committee shall make a decision and inform all parties.
- o. If any party is not satisfied with the decision of the KEA Executive Committee, he or she may appeal the decision to the KEA Board of Directors.
- p. Notice of the appeal shall be presented to the KEA President in writing within ten (10) working days of receipt of the notice from the KEA Executive Committee.
- q. The appeal shall be presented at the next regularly scheduled meeting of the KEA Board of Directors.

Section 4: If the council formed under Section 1 of this Article does not have a minority member, the President, in a timely manner, shall be responsible for organizing a special election to elect an additional member. In this case the executive council will be expanded by one voting member.

ARTICLE XI-CORPORATION EXPENSES

Section 1: The Boone County Education Association, Inc. will reimburse any individual or individuals for verified expenses encountered representing the Corporation with approval of the budget committee. Mileage reimbursement will be at the same rate as used by KEA.

Section 2: The Boone County Education Association, Inc. will pay the annual BCEA-KEA-NEA dues of the President and Vice President during his/her term of office.

Section 3: The Boone County Education Association, Inc. may provide available funds for the President's full or half-time release from teaching duties in order to conduct Corporation business. This will be contingent upon the contractual agreement between the School Board and the Corporation.

ARTICLE XII-CORPORATION DUES

The dues of the Boone County Education Association, Inc. shall be calculated at the rate of .003225 based on Rank III, zero (0) years' experience on the negotiated teachers' salary schedule.

ARTICLE XIII-MAJORITY VOTE

The following items shall be approved by the majority of the membership:

1. Negotiated Contract
2. Negotiated Calendar
3. Negotiated Salary Schedule
4. New Constitution

ARTICLE XIV-COMPOSITION OF GOVERNING BODIES

The governing bodies shall be the parliamentary authority for the Corporation on all questions not covered by the Constitution and Bylaws and such standing rules as the Representative Council may adopt.

ARTICLE XV-AMENDMENT

These bylaws may be amended by majority vote at any regular meeting of the Representative Council provided that proposed amendments have been previously studied by the Executive

Council and that copies have been sent to Building Representative two calendar weeks in advance of the meeting.

ARTICLE XVI-MEMBERSHIP YEAR

The membership year for the organization shall run from September 1 to August 31 of the following year.

ARTICLE XVII-IN EFFECT

This constitution and Bylaws shall become effective immediately upon adoption. The present officers of the Corporation shall continue to serve as officers of the Corporation until the newly elected officers are installed as provided for in Article X, Section I of this document.

ARTICLE XVIII-DISSOLUTION

In the event that BCEA should dissolve, all proceeds from the organization will go to another 501C-5.

Rev. February 22, 2022