

## **ALLEGANY COUNTY EDUCATION ASSOCIATION BYLAWS**

### ***ARTICLE I. NAME***

The name of this organization shall be the Allegany County Education Association, Incorporated, hereinafter known as the Association.

### ***ARTICLE II. AFFILIATION***

The Association shall be affiliated with the National Education Association, under its bylaws and rules, and the Maryland State Education Association under its bylaws and rules.

### ***ARTICLE III. PURPOSE***

The purposes of the Allegany County Education Association are as follows:

**Section 1.** To unify and strengthen the public school system and to secure, improve and maintain the proper environment, resources, and working conditions necessary to support quality education.

**Section 2.** To enable members to speak with a common voice on issues pertaining to education and to present individual and common concerns before the Board and all appropriate bodies, elected and appointed.

**Section 3.** To work for the welfare of school children, the advancement of education, and the improvement of educational opportunities for all.

**Section 4.** To negotiate with the Board of Education for educational employees as set forth by Articles 6-404 and 6-505 of the Annotated Code of Maryland.

**Section 5.** To hold property and funds and to employ staff for the attainment of these purposes.

**Section 6.** To employ such persons, firms, and corporations, as may be necessary or desirable to communicate the educators' positions, programs, and points of view to the general public, to enhance public education, and to fulfill the mission of the Association.

## ***ARTICLE IV. MEMBERSHIP***

### **Section 1. General**

- a. Membership in the Association shall be open to all employees of the Board of Education of Allegany County who agree to abide by the Code of Ethics of the education profession and who are designated as part of the non-supervisory certificated and Unit IV non-certificated bargaining units pursuant to Title 6, Subtitles 4 and 5 of the Education Article.
- b. Membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.
- c. Members of the Association shall also be members of the Maryland State Education Association and the National Education Association.

**Section 2. Revocation of Membership** - According to procedures adopted by the Representative Assembly, the Board of Directors may suspend from membership or expel any member who has violated the Code of Ethics of the profession or disagrees with the purpose of the Association as expressed in Article III. An Association member, previously suspended or expelled, may be reinstated.

**Section 3. Membership Period** – The membership year shall be September 1 through August 31.

## ***ARTICLE V. DUES***

**Section 1.** The Representative Assembly shall set the annual dues for the Association.

**Section 2.** Members on leave without pay may maintain their annual membership by paying the NEA annual dues, ten percent (10%) of MSEA dues, and ten percent (10%) of ACEA dues.

## ***ARTICLE VI. ANNUAL MEETING***

There shall be at least one annual meeting of the membership.

## ***ARTICLE VII. REPRESENTATIVE ASSEMBLY***

**Section 1.** The legislative body of the Association shall be the Representative Assembly.

**Section 2.** The Representative Assembly shall consist of the Board of Directors and one or more representatives from each worksite.

**Section 3.** At each worksite, members in good standing shall elect annually one Association representative to the Representative Assembly for each ten members or major fraction thereof with preference to have certificated and Unit IV non-certificated representatives.

**Section 4.** Association representatives shall attend the regular meetings of the Representative Assembly. In the event a worksite is not represented for several consecutive meetings of the Assembly, the president may declare the office vacant and appoint or call for a member faculty election to complete the unexpired term.

**Section 5.** The Association representatives shall call faculty meetings of the Association members to discuss Association business, conduct elections, enroll members, be liaison for Association communications, and represent the concerns of their faculty membership.

**Section 6.** The Representative Assembly shall be the primary policy-making body of the Association. It shall establish and adopt Association policies and objectives, approve the budget, set the dues for the Association, act on reports of committees and the Board of Directors, approve resolutions and other policy matters, fill all vacant offices on the Board of Directors as specified in these bylaws and adopt procedures for implementing the Code of Ethics of the Profession and those to be followed in censuring, suspending, and expelling members. It may adopt such rules governing the conduct of meetings as are consistent with these Bylaws.

**Section 7.** The Representative Assembly shall meet monthly during the school year or at call of the president, a majority of the Board of Directors, or a majority of the Representative Assembly.

## ***ARTICLE VIII. OFFICERS***

**Section 1.** The officers of the Association shall consist of a president, a first vice-president, a non-certificated vice-president, a secretary, and a treasurer.

Members must be active members of the Association for at least two years before being considered by the Nominations and Elections Committee as a nominee for office.

**Section 2.** The President shall be automatically elected as a delegate to the NEA Representative Assembly. Additional delegates shall be nominated and elected from the at-large membership within budgeted amounts.

**Section 3.** The duties of the officers are as follows:

- a. The president shall preside over meetings of the Board of Directors, Representative Assembly, special meetings, and general membership meetings; appoint standing committees and special committees subject to Board of Directors approval; be ex-officio member of all committees, except the Nominations and Elections Committee; shall serve as one of the approved signatories on all checks along with the treasurer, and be the executive officer of the Association. The president shall serve as spokesperson for the Association, and perform such functions as may be approved by the Board of Directors/Representative Assembly or which are customarily performed by the president of an association including the right to delegate certain duties to the officers. The president shall appoint a Nominations and Elections Committee in accordance with Article X, Section 1 (a), and also shall appoint a Budget Committee and other special committees as may be necessary.
- b. The first vice-president shall act for the president in the absence of the president, shall assume the office of the presidency should the office for the unexpired term become vacant, shall work closely with any committee as the president may suggest, shall serve as one of the approved signatories on all checks along with the treasurer, and shall perform the functions usually attributed to the office.

- c. The non-certificated vice-president shall assist the president in carrying out the activities and programs of the Association and shall serve as one of the approved signatories on all checks along with the treasurer.
- d. The secretary shall keep accurate minutes of all meetings and shall maintain official files for the Association.
- e. The treasurer shall hold the funds of the Association and disburse them upon authorization by the president, subject to the Board of Directors approval if not within the budget; shall transmit dues of the state and national associations; shall keep accurate accounts of receipts and disbursements; shall report to each meeting of the Representative Assembly; shall prepare an annual financial statement for members; shall maintain official files for the position, and shall be bonded. Each check must be signed by the treasurer and the president or first vice-president or Unit IV non-certificated vice-president.
- f. The president and the treasurer shall be authorized as the legal agents for ACEA in all contractual matters and can be empowered to enter into contracts on behalf of the organization. All contracts must first be approved by the Board of Directors and signed by both the president and the treasurer.
- g. Terms and succession of the officers are as follows:
  - (1) The officers shall serve for two years and may be re-elected.
  - (2) Whenever the offices of both president and first vice-president become vacant between elections, the Board of Directors shall select a president pro tem until the Representative Assembly can fill the vacancies unless otherwise specified herein.
  - (3) Whenever a majority of the Board of Directors shall determine that an officer has been grossly negligent of the duties defined in the Bylaws or is incapacitated, it shall recommend to the Representative Assembly that the office be declared vacant. If the Assembly so votes, by two-thirds majority of the full RA, it shall immediately elect a replacement to fill the unexpired term, except in the case of the presidency and as otherwise specified herein.

**Section 4.** Officers shall officially begin their terms of office at the June Board of Directors meeting.

#### ***ARTICLE IX. BOARD OF DIRECTORS***

**Section 1.** The Board of Directors shall consist of the officers and seven (7) at-large executive representatives elected from and by the entire membership, and two (2) at-large positions reserved for and elected by Unit IV non-certificated members of the Association. It shall be the executive authority of the Association and shall have the power to employ staff.

**Section 2.** The members of the Board of Directors shall be automatically elected as delegates to the State Association's Representative Assembly. Additional delegates and alternate delegates shall be nominated and elected from the at-large membership.

**Section 3.** The Board of Directors shall be responsible for the management of the Association, shall approve all expenditures within the approved budget, shall carry out the policies established by the Representative Assembly, shall report its transactions and those of the Assembly to the members, shall recommend policies for adoption by the Assembly, and shall approve the annual budget for adoption by the Assembly. Powers not delegated to the Association or the Representative Assembly shall be vested in the Board of Directors.

**Section 4.** The Board of Directors shall approve two negotiating teams, one for the certificated and one for Unit IV non-certificated bargaining, to be recommended by the president, to conduct negotiations with the Board of Education.

**Section 5.** The Board of Directors shall meet monthly during the school year or at call of the president or the call of the majority of the Board of Directors. Each member of the Board of Directors shall be entitled to a \$75 per semester expense reimbursement as long as the member has attended 70% of the Board of Directors and Representative Assembly meetings, unless said member is excused by notifying the president prior to the meeting.

**Section 6.** The elected representatives of the Board of Directors shall serve a two year term. The term of office shall commence on *(dependent on ratification)*

**Section 7.** Any vacancy in the elected representative positions on the Board of Directors shall be filled by the Representative Assembly until the next regularly scheduled election.

## **ARTICLE X. ELECTIONS**

**Section 1.** Nominations shall be carried out through the following procedures:

- a. The president shall appoint a Nominations and Elections Committee comprised of a minimum of three (3) members of the Association at the October Representative Assembly meeting, but no later than October 31. No officers or members of the Board of Directors of the Association shall serve on the Nominations and Elections Committee. The Nominations and Elections Committee shall oversee the election of officers and representatives of the Association and prepare guidelines to include, but not be limited to: (i) open nominations; (ii) provision for the distribution and collection of nominating forms and preparation of the candidate slate; (iii) provision for the publication of the list of nominations prior to and during the election; (iv) provision for secret ballot election by the membership; and (v) provision for the tally of the ballots.
- b. The Nominations and Elections Committee shall solicit nominations for candidates who wish to run for an ACEA office or to be a delegate to the MSEA or NEA Convention. All nominations shall be submitted on the prescribed form. Any member in good standing of the Association may nominate or be nominated as a candidate for office with the approval of the individual being nominated.

**Section 2.** Members shall vote for officers and delegates by ballot in accordance with procedures developed by the Nominations and Elections Committee and approved by the Board of Directors. The election date shall be set by the Nominations and Elections Committee and approved by the Board of Directors. The Nominations and Elections Committee shall report the results of the elections

to the Representative Assembly which shall be the final judge of any election dispute. Any such election dispute must be presented to the Committee within five (5) work days of the announcement of the results. The election of all officers and delegates shall conform with requirements of the NEA, MSEA, and ACEA.

#### ***ARTICLE XI. AUTHORITY***

Roberts Rules of Order, latest revision, shall be the parliamentary authority for the Association on all matters not covered by these Bylaws.

#### ***ARTICLE XII. QUORUM***

A majority of worksites shall constitute a quorum for the Representative Assembly and a majority of the members of the Board of Directors will constitute a quorum. For membership meetings, a quorum shall be twelve percent (12%) of the membership, but not fewer than thirty (30) members.

#### ***ARTICLE XIII. COMMITTEES***

The following committees are standing committees of the association:

##### **Negotiations**

##### **Membership**

##### **Nominations and Elections**

##### **Communication**

#### **ARTICLE XIV. CONTRACT RATIFICATION**

**Any Tentative Agreement shall be ratified by the membership in accordance with the following:**

- A. The Tentative Agreement shall be published to the membership at least two weeks prior to the conduct of voting.**
- B. During the two week period there shall be at least one informational meeting prior to the conduct of voting.**



- C. The ratification of the Tentative Agreement shall be voted on by the respective bargaining unit members.**
- D. The vote shall be conducted in accordance with provisions adopted by the Nominations & Elections Committee.**
- E. A majority of those voting is required in order to ratify the Tentative Agreement.**

#### **ARTICLE XIV. AMENDMENTS**

**Section 1. Proposed amendments to these Bylaws may be proposed by the Board of Directors, upon recommendation of its bylaws committee, the Representative Assembly, or by a petition to the Board of Directors signed by 20% of the general membership.**

**Section 2.** The Representative Assembly may adopt amendments to the Bylaws by a two-thirds majority of the members' vote as reported by their Association representatives, provided the amendments have been introduced at an earlier meeting of the Representative Assembly and that copies of the proposed amendments have been distributed to each voting member of the Association within each worksite.

**For Purposes of Transition to a Merged Local:**

***The current, existing Board of Directors of ACESC shall merge with the existing ACTA Board of Directors. The ACESC President shall assume the position of Unit IV Non-Certificated Vice President and the remaining officers and board members of ACESC shall serve as at-large delegates until the regular election cycle.***

Revised 11-30-95

Distributed 4-15-96

Revised 8-97

Ratified 1-28-98

Revised 5-10-2005

Ratified 6-2-2005

Revised 6-5-12

Modified 2-9-15

Bylaws Committee:

Kimberly Sloane

Sally Buser

Dawn Riley-Shepetuk

Michelle Saville

John Reuschlein

Bylaws were amended for the sake of merging with ACESC and voted on by the membership May 26 – 29, 2015. The NEC committee counted the votes and determined that the two-thirds majority threshold of members voting was met for amending the bylaws. The ACESC members voted May 26—29, 2015 to dissolve. The votes counted met the two-thirds majority threshold to dissolve. As a consequence of the voting of members the ACTA member and ACESC members became the Allegany County Education Association (ACEA).

Bylaws were Amended and Adopted by the ACEA Representative Assembly on May 17, 2021, in accordance with *ARTICLE XIV.AMENDMENTS, Section 2.*