

# **Constitution of the Webster County Education Association**

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

### Section 1. Name

The name of this organization shall be the Webster County Education Association, an affiliate of the West Virginia Education Association and the National Education Association.

### Section 2. Purpose

1. Promote the continuing development and support of a highly trained, self-governing work force of educators.
2. Protect the employment rights of Webster County Education Association members and advocate for the professional and employment interests of all West Virginia educators.
3. Promote the involvement of educators in decision-making that concerns their day-to-day work.
4. Develop and maintain Association governance structures and programs, which encourage broad participation and involvement in the Association.
5. Provide leadership in the formation and work of coalitions dedicated to achieving economic health for Webster County and the State of West Virginia.
6. Promote democratic processes and procedures for the development of public policy, and provide leadership in the formulation of policies affecting the quality of public education in Webster County and the State of West Virginia.
7. Attain a level of just salaries and benefits to compensate and retain skilled, competent professional educators in Webster County and the State of West Virginia.

### Section 3. Governance

The Association shall be governed by this Constitution and by such other actions as may be taken by its membership consistent therewith.

## **Article II. Membership**

### Section 1. Active Membership

Active membership in the Association shall be available to all local professional and service personnel employed by or on limited leave from the Webster County School System. Principals and administrative employees are not eligible for local Association membership.

### Section 2. Rights of Membership

The Association shall not deny membership to individuals on the basis of race, creed, gender, orientation, national origin, or religious affiliation.

### Section 3. Membership Year

The membership year shall be September 1 to August 31.

### Section 4. Obligations of Membership

- a. Active members shall adhere to the “Code of Ethics of the Education Profession.”
- b. Active members shall support the stated purposes and objectives of the Association.
- c. Active members shall hold appropriate membership in the West Virginia Education Association and the National Education Association.

### Section 5. Continuation of Membership

Active membership shall be continuous until the member leaves the school system, resigns from the Association, or fails to pay membership dues.

## **Article III. Legislative Authority**

### Section 1. General Membership

The authority to establish Association policies and objectives to adopt an annual budget and establish dues, and to exercise authority on all matters of the Association shall rest in the Executive Committee. The general membership retains the authority to approve decisions related to budget adoption, establishment of dues, and establishment of policy.

### Section 2. Meetings

- a. The Association shall meet ~~on a monthly basis no less than once each calendar~~ **quarter**. Such meetings shall be scheduled by the Association President. The regular May meeting shall be designated the annual meeting.
- b. Special meetings of the general membership may be called for by the President, by majority vote of the Executive Committee, or by the petition of at least twenty-percent of the membership.
- c. Representatives from two of the schools shall constitute a quorum for regular or special membership meetings.

## **Article IV. Officers and Executive Committee**

## Section 1. Officers

The officers of the Association shall consist of a president, vice president, a secretary, and treasurer and one director elected by the membership at large.

## Section 2. Executive Committee

The Executive Committee consisting of the five above-named officers shall function as the executive authority of the Association. The Executive Committee shall be responsible for managing the affairs of the Association, approving budget expenditures, carrying out the adopted policies of the Association and acting for the Association between meetings of the general membership. In the event an officer position is shared between two individuals, the office shall constitute one vote. The Executive Committee shall have the authority to create additional director positions as needed to provide at least proportional representation of classroom teachers and service personnel.

## Section 3. Meetings

The Executive Committee shall meet at ~~least monthly during the school year~~ **no less than once every two months.** Four members shall constitute a quorum. The President or a majority of the Executive Committee may call an emergency meeting of the Executive Committee upon reasonable notice to the members thereof. Attendance at the meeting shall constitute waiver of any objection concerning sufficiency of notice.

## Section 4. Terms of Office

- a. The terms of office of all officers shall be two years. President and secretary shall be elected in **even odd** years. Vice president and treasurer shall be elected in **odd even** years.
- b. If a vacancy occurs in the office of president, the vice president shall immediately assume the duties of president and election of a new president shall occur at the next regularly scheduled general membership meeting to fill the unexpired term. A vacancy occurring in any other office shall be filled by appointment of the president, approved by a majority vote of the Executive Committee for the remainder of the unexpired term.

## Section 5. Impeachment of Officers; Censure, Suspension, or Expulsion of a Member

No member of the Association may be censured, suspended or expelled from Association membership without a due process hearing conducted by a committee appointed by the president. A member who has been censured, suspended, or expelled from Association membership may appeal such decision to the West Virginia Education Association. In the event of potential censure, suspension, or expulsion of the president, the hearing committee shall be appointed by the vice president.

Officers of the Association may be impeached for violation of the Code of Ethics of the Education Profession, misfeasance, for malfeasance, or for nonfeasance in office.

A member of the Association may be censured, suspended, or expelled by the Executive Committee for serious violations of Article II, Section 4.

- a. Impeachment proceedings against an officer, or disciplinary proceedings against a member, may be initiated by written petition submitted to the Executive Committee by at least thirty-five percent of the members of the Association.
- b. Any officer or member charged in such a petition shall receive a copy of the petition, which must contain a clear statement of the conduct, which the petitioners allege, constitutes the impeachable offense or the basis for disciplinary action.
- c. The Executive Committee shall mail or deliver a copy of the petition to the charged party within two days of receipt thereof.
- d. A hearing shall be set before the Executive Committee at least twenty days after the charged party receives notice of the petition. A notice of the date, time, and place, of said hearing shall be provided to the charged party with the petition.
- e. At the hearing, the persons bringing the charges against the member, or officer, carry the burden of proving the charges contained in the petition.
- f. The charged party shall have the right to be present during the hearing; question the witnesses for the petitioners; present evidence in his/her defense; and be represented by counsel.
- g. If, after the full hearing, a two-thirds vote of the Executive Committee shall sustain the charge, the office shall become vacant in the case of impeachment. In the case of discipline of a member, if a two-thirds vote of the Executive Committee shall sustain the charge, the Committee must then vote as to whether the discipline shall be censure, suspension, or expulsion from membership. The vote on the form of discipline shall be carried by a majority of the Executive Committee present.
- h. Any impeached officer or disciplined member may appeal the decision of the Executive Committee to the WVEA Review Board. The charged party shall be entitled to a full hearing upon appeal.

## Section 6. Nomination and Election of Officers

~~The President shall biennially, during the March meeting, appoint a Nominating Committee which shall be charged with the responsibility of securing candidates for pending vacancies in such a manner as will ensure at least proportional representation of ethnic minorities and proportional representation of classroom teachers and service personnel. Nominations for officers and executive committee members may be made by any member attending the May annual meeting. Any active members attending shall have the right to make nominations or to be nominated either to the Nominating Committee or~~ on the floor of the annual meeting. The election of officers shall occur at the annual meeting. Elections shall be held according to the one person, one vote principle. Election shall be by secret ballot and shall require a majority of all votes cast. Elected officers shall assume office at the beginning of the next membership year unless the election is to fill a vacancy, in which case the elected officer shall assume the office immediately.

## Section 7. Election Procedure

- a. Notice is given to all members that a meeting will be held at a specific time and place for the purpose of electing officers. Special rules such as: no proxies, attendance required to vote, proof of membership, etc. should also be included in the notice.
- ~~b. An election committee of at least two persons checks the name of each member from a master list and gives the member a ballot.~~
- ~~c. Provisions shall be made to the member to cast their ballot privately and then the ballot shall be placed in a closed ballot box. Two members, one selected by the president, and other selected by the secretary shall watch the ballot box to prevent vote manipulation. Members shall vote by secret ballot and given to two officers not standing for election or re-election who, in the company of witnesses, shall immediately count the votes and declare a winner.~~
- d. Members cannot vote by proxy and must vote in person.
- e. Once all ballots are cast, the election committee counts the votes, records the results, and reports the results to members, tabulated, and winners declared, the President shall report the results to members.

## Section 8. Proportional Representation by Educational Position

Every effort shall be made so that the Executive Committee be composed of the same proportions of classroom teachers and service personnel as exist within the membership. In the event that the Executive Committee does not reflect that proportionality, the Executive Committee shall create sufficient new offices to achieve proportionality. All members shall have the right to offer eligible nominations for the new office(s) and the membership, at its next regularly scheduled meetings, shall vote by secret ballot for the new officers.

## Article V. Duties of Officers

### Section 1. President

- a. Preside over all Association meetings and prepare their agenda;
- b. Represent the Association on all matters of Association policy;
- c. Serve as ex officio member of all Association committees;
- d. Encourage membership recruitment and retention efforts;
- e. Attend school board meetings when possible.

### Section 2. Vice President

- a. Preside over Association meetings in the absence of the President;

- b. Perform such other duties as delegated by the President;
- c. Attend school board meetings when possible;
- d. Encourage membership recruitment and retention efforts.

#### Section 3. Secretary

- a. Keep accurate minutes of all official meetings of the Association;
- b. Maintain official files of the Association;
- c. Supervise the newsletter;
- d. Maintain membership rolls;
- e. Encourage membership recruitment and retention efforts;
- f. Attend school board meetings when possible;
- g. Perform such other duties as delegated by the President.

#### Section 4. Treasurer

- a. Hold the funds of the Association and disburse them upon proper authorization of the Executive Committee;
- b. Maintain records of receipts and disbursements;
- c. Encourage membership recruitment and retention efforts;
- d. Attend school board meetings when possible;
- e. Prepare financial reports for meetings of the Executive Committee and an annual financial statement to be distributed to the membership;
- f. Perform such other duties as delegated by the President.

### **Article VI. Committees**

#### Section 1.

The President shall appoint, with the advice and consent of the Executive Committee, a ~~Nominating Committee, an Election Committee, and Audit Committee~~, and such other committees as may be necessary to achieve the Association's program and goals. All committees shall receive specific charges from the President and shall be discharged upon completion of those charges. The President may also create and appoint ad hoc committees in special and extenuating circumstances.

## **Article VII. State and National Delegates**

### **Section 1**

All Association delegates to State and National governance bodies shall be elected in conformance with the respective requirements of those organizations.

## **Article VIII. Finances**

### **Section 1. Dues**

At the annual meeting of the Association, the membership will adopt a budget for the following membership year and establish a dues schedule sufficient to fund the budget.

### **Section 2. Audit**

~~The President~~ Treasurer shall facilitate an annual audit in conjunction with WVEA staff of the Association's finances, which and shall submit an Audit Report on the prior year's financial transactions to the first regularly scheduled membership meeting each year.

## **Article IX. Authority**

### **Section 1. State and National Affiliation**

The Association shall comply with all affiliation requirements of the West Virginia Education Association and the National Education Association. Any part of this Constitution found to be in conflict with the constitution or bylaws of either the West Virginia Education Association or the National Education Association shall be declared null and void.

### **Section 2. Parliamentary Procedure**

Robert's Rules of Order, Newly Revised shall be the authority governing all matters of procedure not otherwise provided in this Constitution.

## **Article X. Review**

This Constitution shall be reviewed at least once every five years to determine its compliance with WVEA/NEA standards.

## **Article XI. Amendments**

The members may adopt amendments to this Constitution by a two-thirds 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 electronically to members for discussion.