

CONSTITUTION
OF THE
OAK HILLS EDUCATION ASSOCIATION

Date Adopted: May 12, 1992
Date of Latest Revision: August 16, 2017

ARTICLE I:
NAME

- Section 1.** The name of this organization shall be the Oak Hills Education Association.
- Section 2.** This Association shall maintain affiliation with the Southwestern Ohio Education Association, the Ohio Education Association and the National Education Association.

ARTICLE II:
PURPOSE

- Section 1.** The purpose of the Association shall be:
- a. Help set and promote the educational objectives of the local school system and of the state and of the nation;
 - b. Protect the welfare and advance the professional interests of its members;
 - c. Foster professional attitudes;
 - d. Establish and maintain helpful, friendly relationships within the membership and school community.

ARTICLE III:
MEMBERSHIP

- Section 1. Membership.**
- a. Membership in the Association shall be open to all full or part time salaried teachers, counselors, librarians and nurses (as defined by OEA) having no evaluative responsibilities, who are employed in the schools of the Oak Hills Local School District who join the Oak Hills Education Association, the Southwestern Ohio Education Association, the Ohio Education Association, the National Education Association, and agree to abide by the Code of Ethics of the Education Profession.
 - b. Membership shall be continuous until the member leaves the school system, resigns from the Association by written letter sent to membership chair.
- Section 2. Revocation of Membership.**
- a. According to the procedures adopted by the Executive Committee, the Committee may suspend from membership or expel any member who shall have violated the Code of Ethics of the Education Profession; may cancel the membership of any member convicted in a court learned in the law of crime involving moral turpitude; and may reinstate a member who has previously been suspended or expelled by the Association.
 - b. The Association guarantees that no member may be censured, suspended or expelled without a due process hearing which shall include an appropriate appellate procedure.
- Section 3. Membership Year.**

The membership year shall be from September 1 through August 31.

ARTICLE IV:
OFFICERS

Section 1. The officers of the Association shall be the President, Vice President, Immediate Past President, Secretary, and Treasurer.

ARTICLE V:
EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be composed of the elected officers of the Association and the association representatives.

Section 2. The Executive Committee shall:

- a. Act as advisors to the officers, assign duties, be responsible for all committees of the Association, and have such policy making authority as provided in this Constitution and Bylaws;
- b. Act as the authoritative voice of the Association on positions affecting the Association during the interim period between regular meetings;
- c. Prepare recommendations for the consideration and action of the Association;
- d. Carry out policies established at general membership meetings;
- e. Report its transactions and those of the general membership to all members;
- f. Direct an independent audit of the Association's financial records at regular intervals not to exceed two (2) years.
- g. Any member of the Association who is not a member of the Executive Committee, may attend its meetings.
- h. Building Representation is determined as: one representative per 15 members, 15:1 in a building.

Section 3. It is the policy of this Association and it shall take all legally permissible steps through the year 2021 to achieve governance and delegate representation of ethnic minority at least proportionate to the ethnic minority membership in the Association.

Section 4. No business or financial transaction involving a member of the Executive Committee or agent of the association, or their spouse, children, or parents, or otherwise as described in this section, shall conflict with fiduciary responsibilities of such person to the Association. Such relationships with any person that would be reasonably be expected to affect the person's judgement with respect to the transaction or conduct in question in a manner adverse to the Association.

ARTICLE VI:
ELECTIONS

Section 1. The President shall appoint a Nominating Committee whose duty it shall be to present a slate of officers for each office. Candidates for office may also be submitted by a petition signed by at least fifteen (15) active members.

Section 2. No member shall be nominated for office without the knowledge and consent of the individual.

- Section 3.** Election of officers shall be conducted by secret ballot in each building during a maximum of four school days designated by the Nominating Committee.
- Section 4.** The Nominating Committee shall report the results of the election to the total membership within five (5) calendar days following the election.
- Section 5.** Newly elected officers shall be installed and assume their office at the last meeting of the school year.
- Section 6.** All ballots, marked, unmarked and voided, and all other records pertaining to the election of officers of this Association and OEA and NEA delegates and alternates, shall be preserved for one year from the date the election was held and such ballots and other records shall be made available to OEA officers upon request for inspection and examination.
- Section 7.** Nonmembers of the Association shall not have the right to vote, hold office, or otherwise have privilege of Association membership.
- Section 8.** All elections will be conducted in accordance with the guidelines set forth in the OEA Elections Manual.

ARTICLE VII:
IMPEACHMENT OF OFFICERS

- Section 1.** Officers of the Association may be impeached for violation of the Code of Ethics of the Education Association Profession, or misfeasance, malfeasance, or nonfeasance in office.
- Section 2.** Impeachment proceedings against an officer may be initiated by written petition submitted to the Executive Committee by at least twenty five percent (25%) of the members.
- Section 3.** If, after a due process hearing, a two thirds (2/3) vote of the Executive Committee shall sustain the charge, the office shall become vacant.
- Section 4.** The officer may appeal the decision to a special meeting of the general membership.

ARTICLE VIII:
COMMITTEES

- Section 1.** The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.
- Section 2.** Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.
- Section 3.** All committees shall be appointed by the President with the approval of the Executive Committee.

ARTICLE IX:
DUES

Section 1. Amount.

The annual dues for membership in this Association shall be .0014 times the first year salary for the Bachelors degree as of September 1 each year. Such dues shall be rounded to the nearest dollar. Such dues will adequately fund a quality program.

Section 2. Dues Reimbursement.

Upon satisfactorily fulfilling all constitutionally required duties prescribed for Association officers in Article III of the Bylaws, reimbursement of dues and stipends for Officers shall be in accordance with the following (in years funds are available):

- a. President reimbursement = Full dues and \$450 stipend.
- b. Vice President reimbursement = Full dues and \$350 stipend.
- c. Treasurer reimbursement = Full dues and \$200 stipend.
- d. Secretary reimbursement = Full dues and \$200 stipend.
- e. Building Representative reimbursement = \$100 stipend.
- f. Membership Coordinator = \$300.00

ARTICLE X:
AMENDMENTS

Section 1.

Amendments to this Constitution may be made by a two thirds (2/3) majority of those voting by secret ballot 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 to all members for discussion.

BYLAWS
OF THE
OAK HILLS EDUCATION ASSOCIATION

ARTICLE I -- MEETINGS

1-1 Executive Committee.

The Executive Committee shall meet on a regular monthly basis. The dates shall be established at a meeting of the Executive Committee in August. The President may call special meetings or a special Executive Committee meeting may be called at the request of two-thirds (2/3) of the members of the Committee.

1-2 General Membership Meetings.

The Association shall meet on dates established by the Executive Committee prior to the first meeting and announced at that meeting for any school year. There shall be a minimum of one (1) general membership meeting per year. Special meetings of the General Membership may be called by the President or by request of ten percent (10%) of the membership. The business to come before special meetings shall be stated in the call, which shall be made to the Building Representatives and/or in the newsletter. No proxy votes shall be accepted at a General Membership Meeting where voting occurs.

ARTICLE II -- QUORUM

2-1 The quorum for Executive Committee meetings shall be more than fifty percent (50%).

2-2 The quorum for a general meeting shall be the membership present.

ARTICLE III -- DUTIES OF OFFICERS

3-1 The President.

- a. Must attend one or more of the following: The OEA Leadership Academy, the OEA Representative Assembly, the NEA Representative Assembly.
- b. Must attend or make sure that all school board meetings are represented by someone from the Executive Committee;
- c. Shall preside over meetings of the Executive Committee and meetings of the Association.
- d. Shall nominate, for Executive Committee approval, the chairpersons and members of the standing committees, the negotiations team, delegates to the UniServ Service Council; appoint special committees, and be an ExOfficio member of all standing committees. May, if he/she so desires, delegate the appointment of other members to the chairpersons of the committees, but the final approval must be made by the Executive Committee and it must be recorded in the minutes. If the Executive Committee does not approve an appointment made by the President, they may nominate and elect, by secret ballot, a member to fill the position.
- e. Shall be the executive officer of the Association except when it employs an executive secretary.
- f. The President shall represent the Association before the public either personally or through delegates, and shall perform all other functions usually attributed to this office.

3-2**The Vice President.**

- a. Must attend one or more of the following: the OEA Leadership Academy, the OEA Representative Assembly, the NEA Representative Assembly.
- b. Must attend or make sure that all school board meetings are represented by someone from the Executive Committee.
- c. Must run Educators Political Action Committee (EPAC) drive.
- d. Must contact each secondary Building Representative monthly.
- e. Preside over Association meetings in the absence of the President.
- f. Perform such other duties as delegated by the President

3-3**The Treasurer.**

- a. Must attend OEA Leadership Academy or two (2) locally sponsored workshops.
- b. Must run as a delegate or alternate to OEA-NEA Representative Assemblies if no other candidates can be found, unless the Association votes not to send representatives to these conferences.
- c. Must run membership campaign.
- d. Shall hold the funds of the Association and disburse them upon authorization of the Executive Committee which also may delegate to the Treasurer the authority to establish special accounts. He/she shall collect annual dues through the Building Representatives, and transmit amounts due to the Ohio Education Association and other professional associations as soon as monies are collected.
- e. Shall maintain a roll of the members.
- f. Shall keep accurate accounts of receipts and disbursements which shall be reported at each meeting of the Association.
- g. Shall prepare an annual financial condition of the Association and shall assist the Budget Committee in the initial drafting of the annual budget.

3-4**The Secretary.**

- a. Must attend OEA Leadership Academy or two (2) locally sponsored workshops.
- b. Must run as a delegate or alternate to OEA/NEA Representative Assemblies if no other candidates can be found, unless the Association votes not to send representatives to these conferences.
- c. Must conduct all elections.
- d. Must contact each elementary Building Representative monthly.
- e. The Secretary shall assist the President with Association correspondence; take attendance at Executive Committee meetings, provide copies of all minutes and reports to absent members, and send reminders of upcoming meetings.
- f. The Secretary shall keep an accurate record of all meetings of the Executive Committee and the Association and shall maintain official files.

3-5**The Building Representatives.**

- a. Must attend each Executive Committee meeting or send a proxy.
- b. Must attend New Teachers Luncheon.
- c. Must attend one (1) school board meeting.
- d. Must attend locally sponsored workshops/activities.
- e. Must run as a delegate or alternate to OEA/NEA Representative Assemblies if no other candidates can be found, unless the Association votes not to send representatives to these conferences.
- f. Report recommended policies and other actions of the Executive Committee to members in his/her building or unit of representation.
- g. Transmit proposals and recommendations from members in his/her building or unit of representation to the Executive Committee for its consideration.
- h. Assist the membership committee.

- i. Attend all official meetings of the Association or provide an alternate in his/her absence.
- j. Act as a consultant to the individual member who has a professional problem and, when necessary, seek needed assistance from the Association.

3-6 The Immediate Past President.

- a. Shall advise the Executive Committee and assist the President at the latter's request.

3-7 Qualification for Officers.

Any candidate for the office of President shall be full-time salaried classroom teachers, counselors, librarians or nurses.

3-8 Term Succession.

- a. The officers shall serve one (2) year and may be reelected without an intervening term.
- b. A vacancy in the office of President due to death, incapacity, termination, resignation, retirement or recall shall be filled by the Vice President who shall complete the unexpired term.

In the event a vacancy occurs in the office of both the President and Vice President, the vacancy shall be filled by election of the general membership in accordance with the OEA Elections Manual.

A vacancy in the office of Vice President, Secretary or Treasurer shall be filled by election of the general membership in accordance with the OEA Manual.

3-9 Building Rep Term

- a. The building reps will be elected yearly. They can serve more than one year if elected annually.

ARTICLE IV -- POWER OF THE EXECUTIVE COMMITTEE

4-1 The Executive Committee shall be responsible for the management of the Association, approve all expenditures, establish special accounts when needed, carry out policies established by the Association, report its transactions to the Association, and suggest policies for consideration of the Association.

4-2 The Executive Committee shall approve the budget, 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 and for reinstating members.

ARTICLE V -- COMMITTEES

5-1 There shall be the following standing committees:

- a. Negotiations preparation and pursuance of membership goals in collective bargaining;
- b. Grievance maintenance of and membership advocacy in grievance procedures;
- c. Instructional and Professional Development (IPD) preservice, continuing and inservice educational opportunities;
- d. Human Relations promotion of understanding, unity and communication among all groups in the school and school district communities;
- e. Communications membership newsletter, press releases, public relations;

- f. Legislative candidate endorsement/campaigning, EPAC fund collections, levy/bond campaigning, seek membership involvement in relevant local, state and national political affairs;
- g. Budget prepares a budget giving estimates of income and of necessary expenditures (including a separate estimate for each committee), for the future fiscal year;
- h. Audit checks accuracy of accounting procedures.

ARTICLE VI -- BARGAINING

- 6-1** The Association shall be represented in collective bargaining by an authorized team of Association Representatives appointed by the President and Executive Committee.
- 6-2** The OEA/NEA Labor Relations Consultant, at the request of the Association, shall be spokesperson for the Association.
- 6-3** The President will be an ad hoc member of the Association bargaining team.
- 6-4** The Ohio Education Association shall be the State Association for purpose of representation of the Association with the State Employment Relations Board (SERB).
- 6-5** The OEA/NEA Labor Relations Consultant shall be the Association's Designated Representative for the purposes of dealing with SERB.
- 6-6** The negotiations committee shall be charged with the responsibility to assess membership concerns prior to bargaining, develop initial proposals of the Association, and provide additional advice and input, upon request of the bargaining team, during active negotiations.
- 6-7** Necessary subcommittees may be appointed, as needed, by the committee chairperson.
- 6-8** The negotiations committee will make reports and recommendations to the Executive Committee as requested by the President.
- 6-9** Members of the bargaining team need not necessarily be from the negotiations committee.
- 6-10** The bargaining team shall have the authority to bargain in good faith, make proposals, counterproposals, make concessions, and make tentative agreement on a contract with representatives of the Board of Education.
- 6-11** While negotiations are in progress, periodic reports to members may be made by the bargaining team.

ARTICLE VII -- CONTRACT RATIFICATION/APPROVAL OF MEMORANDUMS

- 7.1** Written copies or summaries of the tentative agreement will be given to the General Membership prior to ratification.
- 7.2** When a tentative agreement has been reached in contract negotiations, ratification of the tentative agreement may be done at a general membership meeting called for that purpose or a ballot shall be mailed to the members of the Association for the ratification vote. A

simple majority of those members present and voting shall constitute ratification or, in the case of a mail ballot, a simple majority of the returned ballots shall constitute ratification.

- 7.3** At ratification meetings, only Association members will be allowed to vote. Voting must be by secret ballot. Proxy voting will only be allowed with written authorization from the member for whom the proxy vote is being cast. The written authorization must be signed by both the member giving authorization and at least one witness. No member will be allowed to cast a proxy vote for more than one absent member.
- a. the first vote on contract ratification or a factfinder report will be to accept or reject the contract/report as presented;
 - b. All ballots used in a vote regarding a contract ratification or factfinder report will be sealed and retained by the Association Treasurer for three (3) years;
 - c. The President will communicate required details of the ratification vote to the Board of Education's Designated Representative.
- 7.4** When voting by mail ballots, the ballots must be returned to the elections committee who will meet at a pre-determined time and place and the committee will tabulate the ballots and report the results to the Association President, the executive committee, and the OEA Labor Relations Consultant on that same day. Building representatives will be responsible for posting the results of the ratification vote. If the ratification vote takes place when school is not in session, the members will be provided with phone numbers and times to call for vote results.
- 7.5** The Association may enter into memorandums of understanding with the school district on contract matters by having the memorandum approved by a majority vote of the members of the executive committee at a regularly scheduled meeting of the executive committee. The Association President must provide a copy of the memorandum to members of the executive committee at least one week prior to the meeting in which the vote on the memorandum is to take place.
- 7.6** Conduct all ratifications of collective bargaining agreements in accordance with the guidelines for ratification of collective bargaining agreements and fact finder reports as set forth in the OEA Elections Manual.
- 7.7** Nonmembers of the Association are not eligible to vote on a contract ratification or a fact-finder's report. (This is recommended, but not a legal requirement.)
- 7.8** The Designated Representative is authorized to give timely notice of intent to strike to the Board of Education and SERB, upon approval of the membership and in keeping with provisions of ORC 4117.14 (D)(2).

ARTICLE VIII -- DUES

- 8-1** The dues rate for the succeeding year shall be determined by the August meeting of the Executive Committee.
- 8.2** Every member shall also pay the dues required by the district, state and national associations with which this local is affiliated.
- 8.3** The Association shall annually enter into a Dues Transmittal Contract with the Ohio Education Association.

ARTICLE IX -- MEMBERSHIP YEAR

- 9.1 The membership year of the Association shall be September 1 to August 31.

ARTICLE X -- EXPULSION OF MEMBERS

- 10.1 According to procedure adopted by the Association, the Executive Committee may suspend from membership or expel any member for one or more of the following reasons:
- a. Violation of the Code of Ethics of the Education Profession;
 - b. Conviction of a felony;
 - c. Actively engaging in, or actively supporting activities directed against the constitutional purposes of the Association to bring about changes in the Association by means other than those that are consistent with the Association's Constitution.
- 10-2 The Executive Committee may reinstate members previously suspended or expelled.

ARTICLE XI -- DUE PROCESS

- 11.1 The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure.

ARTICLE XII -- AUTHORITY-PARLIAMENTARY PROCEDURE

- 12.1 Robert's Rules of Order, Newly Revised shall be the authority governing all matters of procedure not otherwise provided in this constitution, bylaws or standing rules.

ARTICLE XIII -- ELECTION OF OFFICERS

- 13.1 **Nominations.**
- a. Candidates for the offices of President, Vice President, Secretary, Treasurer and Building Representatives may be placed on the ballot by the Committee on Nominations and Elections or upon presentation of a declaration of intent which shall be presented to the Committee as early as the end of February by the Building Representatives.
 - b. The Committee shall report all nominations to the Executive Committee as early as the March meeting. Members may nominate other candidates from the floor at a General Membership Meeting.
 - c. The Committee may publish to the member's brief information on each candidate and shall prepare and publish the ballots.
 - d. The election of officers shall be by majority vote except when the ethnicminority membership of the Executive Committee falls below the proportion of the ethnicminority membership of the Association. In such a case a bylarge position shall be added and the ethnicminority candidate with the largest number of votes shall be elected.
- 13.2 **Balloting.**
- a. All nominations shall be open nominations. All elections shall be by secret ballot. The Committee on Nominations and Elections will present a slate of candidates with at least two (2) names, if possible, listed for each office. Other candidates may be added to the ballot by petition as per section 121 of this article. Written consent from any candidate

must be received before printing the ballots. Ballots shall be printed and presented to the Building Representatives by the committee. The Building Representatives shall distribute, collect and forward the ballots to the chairperson of Nominations and Elections.

- b. In all cases members shall vote for those candidates who will be their representatives only.
- c. All ballots for elections of officers and OEA and NEA delegates will be preserved for one (1) year and such ballots will be available for examination.

13.3 Term of Office.

The term of office shall be from July 1 to June 30 in accordance to the district calendar.

ARTICLE XIV -- ELECTION OF DELEGATES TO THE OEA REPRESENTATIVE ASSEMBLY

14.1 Qualification.

Delegates to attend the annual Ohio Education Association Representative Assemblies shall be elected from among the Association membership in accordance with OEA regulations.

14.2 Nomination and Election.

The nomination and election of delegates shall be made in accordance with the regulations prescribed by the Constitution and Bylaws of the OEA.

14.3 The President of the Association shall automatically serve as the first delegate.

ARTICLE XV -- ELECTION OF DELEGATES TO THE NEA REPRESENTATIVE ASSEMBLY

15.1 Qualification.

Delegates may be elected from the Association membership to the Representative Assembly of the National Education Association. The number of delegates shall be determined by NEA regulations.

15.2 The President of the Association shall automatically serve as the first delegate. If the President declines to attend, then the person with the highest number shall take his/her place.

ARTICLE XVI -- AMENDMENTS

16.1 The Association may adopt amendments to the Bylaws by a majority of those voting by secret ballot provided that such amendments have been introduced in writing to all members at least ten (10) workday preceding a regular or called meeting of the Association. Ballots are to be distributed to all members within three (3) workdays after such meeting, and returned to Building Representatives within five (5) workdays.

ARTICLE XVII -- DISSOLUTION OF ASSOCIATION

17.1 A petition for dissolution of the Association may be presented in writing to a meeting of the general membership by any member in good standing and must contain the signature of threefourths (3/4) of the total membership of the Association.

- 17.2** Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next General Membership Meeting.
- 17.3** The Association shall be considered dissolved if three fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.
- 17.4** The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.
- 17.5** In the event of dissolution of this Association, all assets of this organization remaining after payment of all obligations shall be distributed to the Oak Hills Scholarship Fund provided that it is an entity recognized as exempt from Federal taxation. In the event that the Oak Hills Scholarship Fund is not then recognized as tax exempt, such assets shall then pass to the STRS and Oak Hills school libraries provided that they are recognized as exempt from Federal taxation.

ARTICLE XVIII -- ENABLING PROVISION

- 18.1** This Constitution and these Bylaws shall become effective April 1, 2018 following their adoption, and shall remain in effect until amended according to regulations herein provided.

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