

NORTH CENTRAL OHIO EDUCATION ASSOCIATION Constitution

ARTICLE I - NAME

The name shall be known as the North Central Ohio Education Association.

ARTICLE II - PURPOSE

Section 1. The purpose of this organization shall be to promote the interests of public education, to advance the standards of the education profession, and to secure the conditions necessary for the greatest efficiency of education personnel and schools.

Section 2. In carrying out the above purposes, the NCOEA shall have the power to receive, hold, and administer funds and property and to enjoy the advantage of a non-profit corporation under Ohio laws.

ARTICLE III - MEMBERSHIP

Section 1. The NCOEA shall have three types of members: (a) active members; (b) retired members; (c) student members, as set forth in the Bylaws.

Section 2. Members shall adhere to the Code of Ethics of the Education Profession.

Section 3. The Association shall not deny membership to individuals on the basis of race, creed, national origin, or sex, nor shall any organization which so denies membership be affiliated with the Association.

ARTICLE IV - OFFICERS

The officers of the Association shall be President, Recording Secretary, Vice President and Immediate Past President.

ARTICLE V - FUNCTIONAL BODIES

Section 1. There shall be an Executive Committee which represents the membership on a proportional basis.

Section 2. There shall be two (2) Representative Assemblies as established by the Bylaws.

Section 3. There shall be such departments of the Association as may be established by the Bylaws or the Representative Assembly upon the recommendation of the Executive Committee.

Section 4. There shall be such Commissions and Committee as established by either the Bylaws, the Representative Assembly, or the Executive Committee.

Section 5. The Representative Assembly and the Executive Committee shall adopt standing rules which govern its conduct and are consistent with the Constitution and Bylaws.

Section 6. There shall be an Executive Staff, which shall consist of an Executive Secretary-Treasurer and such other staff members as shall be employed under the terms of the Constitution and Bylaws.

ARTICLE VI - REPRESENTATIVE ASSEMBLY

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

Section 2. The Representative Assembly shall be composed of delegates determined by procedures set forth in the Bylaws.

ARTICLE VII - EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall represent the membership on a proportion basis.

Section 2. The Executive Committee shall be composed of the three (3) elected officers, Immediate Past President, the District's OEA Executive Committee member(s), and other representatives as prescribed in the Bylaws.

Section 3. Ethnic minority representation shall be guaranteed at least proportional to their membership in the Association as prescribed in the Bylaws.

ARTICLE VIII - RELATIONS WITH OTHER ASSOCIATIONS

The Association shall be affiliated with the Ohio Education Association and the National Education Association. Local units may affiliate with the NCOEA provided they are eligible to affiliate with the OEA.

ARTICLE IX - AMENDMENTS

Section 1. Amendments to this Constitution or to the Bylaws may be proposed in writing signed by 5 NCOEA delegates, and read by title at any business meeting of the Representative Assembly. Amendments may also be proposed by a majority vote of the Executive Committee.

Section 2. The text of such amendments shall be printed in a publication available to all members of the Association at least fifteen (15) days prior to the first opportunity for voting.

Section 3. A proposed amendment to the Constitution or Bylaws may be debated, refined

and / or amended by the delegate at the Representative Assembly prior to voting.

Section 4. Amendments to this Constitution require a two-thirds vote of the accredited members of the Representative Assembly present and voting and shall be effective at the conclusion of that session of the Assembly.

Section 5. Amendments to the Bylaws require a simple majority of the accredited members of the Representative Assembly present and voting and shall be effective at the conclusion of that session of the Assembly.

August 17, 1994

NCOEA BYLAWS

1. OFFICIAL YEAR

- 1-1 The official year of the Association shall be from June 1 through May 31. The terms of office for all officers and members of established committees will coincide with these dates, except where specifically provided in the Constitution or Bylaws.
- 1-2 The fiscal year of the Association shall be from Sept. 1 through August 31.

2. MEMBERSHIP

- 2-1 Active members shall be those who fulfill educational roles and affiliated school support personnel units recognized and described by the OEA Constitution, including those who are on official leaves of absences and those who are unified members of the local association, where eligible, and the NCOEA, the OEA, and the NEA.
- 2-2 Officers, commission and committee members, delegates and eligible voters shall be active members.
- 2-3 Retired teachers may become retired members of the Association if they are members of the OEA and NEA Division of Retired Teachers and by payment of established dues. They are eligible to attend functions open to all regular members.
- 2-4 Education students may become student members of the Association by payment of established dues. They are eligible to attend functions open to all regular members.
- 2-5 There shall be annual membership dues as set forth by the Representative Assembly.

- 2-6 Dues of active members who perform contractual duties half-time or less and who are not paid full time salaries and / or wages shall be one half (1/2) of the dues of active members.
- 2-7 Area membership of the NCOEA shall include those counties and locals assigned by the OEA Reapportionment Committee when approved by the District Executive Committee.

3. OFFICERS

- 3-1 All officers shall be elected by secret ballot by the Spring Representative Assembly. They shall take office June 1 of the next official year.
- 3-2 The President shall be the executive officers and official representative of the Association. The President shall conduct meetings, prepare agendas for Executive Committee meetings and Representative Assembly meetings, appoint a Public Relations and Publications Chairperson, appoint a Nominations and Elections Chairperson, appoint members to the NCOEA Standing Committees, plan and execute policy in accordance with any resolutions passed by the Executive Committee or the Representative Assembly.
- 3-3 In the event of death, disability, resignation or absence of the President, such duties shall fall to the Vice President, until such time as the Representative Assembly is able to elect a new President.
- 3-4 The Vice President shall be chairperson of the Constitutional Proposals Committee and the chairperson of the district Workshop Committee (in the absence of an immediate past president), shall serve on the Convention Planning Committee and shall revise and administer the distribution of the Executive Committee handbook. In the event of the death, disability, or resignation of the vice-president, the president shall appoint an acting vice-president to fulfill the duties until such time as the Representative Assembly is able to elect a new vice-president.
- 3-5 The Immediate Past President shall serve as the chairperson of the district Workshop Committee.
- 3-6 The President shall upon election be declared first alternate to the OEA Executive Committee. The Vice President shall upon election be declared elected second alternate to the OEA Executive Committee. The Past-President shall upon taking office be elected third alternate to the OEA Executive Committee. The alternate shall serve only for temporary absences of the NCOEA-OEA Executive Committee member and not for more than three consecutive absences.
- 3-7 The Representative Assembly may be called into session by the Executive Committee at any time for the purpose of electing officers whenever vacancies occur to the extent that, in the opinion of a majority of the Executive Committee, the business of the

Association cannot be conducted in the best interests of the Association.

3-8 The Secretary shall keep records of all official meetings of the Association, and the Executive Committee, and shall assume such other duties as directed by the President of the Association. In the event of the death, disability, or absence of the Secretary the President shall appoint an acting Secretary to fulfill the duties and / or unexpired term.

3-9 Newly elected officers shall assume office at the conclusion of the official year and shall serve a term of two (2) years. No individual shall serve as president or vice president for more than two (2) consecutive terms.

4. FUNCTIONAL BODIES

4-1 The Executive Committee shall:

- a. Implement the motions and resolutions approved by the Representative Assembly.
- b. Devise and put into operation other measures not inconsistent with the objectives of the Association.
- c. Fix the time and make all necessary arrangements for the meetings of the Representative Assembly.
- d. Employ all persons of the Executive Staff, fix their salaries, and define their duties.
- e. Present an annual report to the Representative Assembly of all activities of the Association.
- f. Interpret the Constitution and Bylaws.
- g. Have the power by reason of a national emergency or natural calamity, to suspend or eliminate any scheduled meeting of the Representative Assembly.
- h. Establish and maintain standards and procedures for granting or withdrawing units of representation or departments.
- i. Approve all appointments made by the NCOEA President.
- j. Receive and review all programs of various committees, commissions or departments of the NCOEA.
- k. A quorum for all NCOEA Executive Committee meetings shall be defined as the sum of the members present and voting.

4-2 The Commissions shall be those designated in the OEA Constitution and Bylaws.

- 4-3 The Committees shall be those designated in the OEA Constitution and Bylaws.
- 4-4 The NCOEA Standing Committees shall be Nominations and Elections, Constitutional Proposals, Public Relations and Publications, and District Workshops.
- 4-5 The NCOEA representatives to the OEA Commissions and Committees shall serve as chairpersons of their District Commissions and Committees. The President shall appoint members from the district to these Commissions and Committees. Commission and Committee Chairpersons shall submit written reports to the Executive Committee.
- 4-6 In order to accomplish specific tasks for limited periods of time the President may appoint, with the approval of the Executive Committee, those ad hoc committees as are deemed necessary.

5. THE STAFF

- 5-1 The Executive Secretary-Treasurer shall:
 - a. Be charged with all administrative functions of the NCOEA and with the supervision and administration of such other responsibilities so stated in the contract.
 - b. Act as business manager of the Association; contract for all housing, programs, and related activities; and assume other duties as assigned by the Executive Committee.
 - c. Be custodian of funds and receive and distribute communications in the name of the Association.
 - d. Be custodian of all records of the Association.
- 5-2 Other staff shall be employed by the Executive Committee as needed for special purposes.

6. NOMINATION AND ELECTION PROCEDURES

- 6-1
 - A. Nominations for officers shall be by declaration of intent by candidates sent to the Executive Secretary-Treasurer at least forty-five (45) days prior to the election, by a nominating committee at least thirty (30) days prior to the election, or by nomination from the floor of the Representative Assembly.
 - B. All voting for NCOEA officers, commissions, committees, OEA Executive Committee Representatives or DCT Advisory Council Representatives shall be by secret ballot of the Representative Assembly. However, should there be only one (1) name in nomination for an office and there are no nominations from the floor, the

secret ballot will be negated and that person will be declared elected. Write-in voting shall be prohibited in all elections.

- 6-2 All ballots, marked, unmarked and voided, and all other records pertaining to the election of officers, commissions, committees, OEA Executive Committee Representatives and/or alternates, shall be preserved for one year from the date of the election. All such ballots and other records shall be made available to OEA officers (or authorized legal authorities) upon written request for inspection and examination within 15 working days of receipt of such request (or as directed by such legal authorities).
- 6-3 The election of representative(s) to the OEA Executive Committee and the shall be in accordance with the OEA Constitution. Vacancies which occur during an unexpired term shall also be filled in accordance to the OEA Constitution.
- 6-4 Recall of officers.
- a. Officers of the Association may be recalled for misfeasance, malfeasance or nonfeasance of duty.
 - b. Proceedings of recall against an officer may be initiated by written petition listing the specific charge(s).
 - c. Petitions against elected officers must be signed by:
 1. Two hundred (200) active members representing at least three (3) different local associations; or
 2. Ten percent (10%) of the delegates to the preceding Representative Assembly.
 - d. Written notice listing the specific charges and the right to appear at all full and fair hearings before the Executive Committee and Delegate Assembly must be sent to those so named in the petitions at least ten (10) days before such a hearing.
 - e. An affirmative two-thirds (2/3) vote for the Executive Committee shall be required to order a recall hearing on these charges.
 - f. A hearing before the Representative Assembly shall be held within thirty (30) days of the Executive Committee decision.
 - g. A two-thirds (2/3) vote of the Representative Assembly shall be required to sustain the charges, recall the officer, and declare the position vacant.

- h. If the position is declared vacant, it shall be filled by the order of ascendancy in office or by the election of the Representative Assembly.

7. EXECUTIVE COMMITTEE

- 7-1 The Executive Committee shall consist of the President, Vice President, Recording Secretary, Immediate Past President, the District's OEA Executive Committee member(s), the NCOEA Representatives elected from each of the seven (7) regions, and the chairpersons of NCOEA/OEA Commissions and Committees, and one member-at-large from each of the following units: OEA Retired, Higher Education Personnel, Teacher Education Students, and School Support Personnel.
- 7-2 If, following the Executive Committee's elections, proportionate minority representation has not occurred, the Executive Committee shall appoint an individual or individuals to assure this representation.
- 7-3 A brief summary of minutes of all NCOEA Executive Committee meetings shall be made by the secretary to be placed in each *Chalkdust*.

8. REGIONS

- 8-1 The boundaries of each Region shall be established by the Executive Committee.
- 8-2 Each Region is responsible for electing its representative(s) by a secret ballot of its delegates at the spring Representative Assembly. Should there be only one name in nomination for a regional representative position and there are no nominations from the floor, the secret ballot will be negated and the person shall be declared elected. If a region has not presented nominations from the floor of the Assembly the secret ballot shall be negated and that position declared vacant.
- 8-3
 - a. Each region shall elect one (1) representative for each two hundred fifty (250) members or fraction thereof based on the previous year's membership.
 - b. These representatives shall serve a two (2) year term beginning June 1.
 - c. In the event a vacancy occurs in regional representation, the regional committee may elect or appoint a replacement.
 - d. A regional committee shall consist of regional Executive Committee Representatives and the local presidents in that region or their designees. One of the regional representatives shall chair the regional committee.
 - e. To assure the Executive Committee continuity from year to year, regions with more

than one representative shall maintain staggered elections so that at least one (1) regional representative will remain for his/her second year on the Executive Committee while the other(s) is/are newly elected to begin his/her/their two year terms.

- 8-4 The Regional Committee shall meet whenever it is necessary to resolve regional business and to determine items which are to be presented to the Executive Committee. The regional chairperson shall call the Regional Committee into meeting.
- 8-5 Regional Representatives may conduct delegate briefings for delegates and alternates to the NCOEA Representative Assembly within two (2) weeks prior to the Assembly. The Regional Representatives shall establish the agenda for the delegate briefing.
- 8-6 Recall of Regional Representatives
- a. Regional Representatives may be recalled for misfeasance, malfeasance or nonfeasance of duty.
 - b. Proceedings of recall against a Regional Representative may be initiated by written petition listing the specific charge.
 - c. Petitions against Regional Representatives must be signed by:
 1. Ten percent (10%) of the active NCOEA members of the region; or
 2. Ten (10) members of the Executive Committee.
 - d. Written notice listing the specific charges and the right to appear at all full and fair hearings before the Executive Committee must be sent to those named in the petitions at least ten (10) days before such hearings.
 - e. An affirmative two-thirds (2/3) vote of the Executive Committee shall be required to sustain a recall.

9. REPRESENTATIVE ASSEMBLY

- 9-1 The Representative Assembly shall meet twice each year, spring and fall, at a place designated either by a previous Assembly or by the Executive Committee.
- a. The fall meeting shall be the primary business meeting.
 - b. The spring meeting shall convene to adopt the annual budget, hold elections and conduct any other necessary business.

- 9-2 The functions of the Representative Assembly shall be to:
- a. Establish Association policies and objectives.
 - b. Adopt the annual budget.
 - c. Elect the President, the Vice President, Recording Secretary, OEA Commission and Committee members, OEA Executive Committee member(s), and DCT Advisory Council member(s) as needed.
 - d. Establish dues.
 - e. Adopt rules and agenda governing its meetings.
 - f. Amend the Constitution and Bylaws as provided herein.
 - g. Enact such other measures as may be necessary to achieve the goals and objectives of the Association which are not in conflict with the Constitution and Bylaws.
 - h. Hear reports of Commissions and Committees.
- 9-3 The Representative Assembly shall be composed of delegates chosen from local associations. There shall be allotted one (1) delegate and one (1) alternate for each fifty (50) active members of the local or fraction thereof based on the previous year's membership.
- 9-4 The local association's elected delegate(s) to the Ohio Education Association's Representative Assembly shall serve as delegate(s) to the District's Representative Assembly. If necessary a separate election shall be held by the local association to obtain the additional delegate(s) as prescribed in Bylaw 9-3.
- 9-5 All delegates and alternates to the Assembly must have been elected by the members of the affiliated local unit. They shall serve a one year term. The method of election shall be that adopted by the local unit and by the Ohio Education Association.
- 9-6 An official notification of elected delegates and alternates must be sent to the Executive Secretary-Treasurer by the president of the affiliated local at least fifteen (15) days before the session of the Assembly to which they are delegates.
- 9-7 Where proportional representation of the ethnic groups does not occur in the total delegates elected, the Executive Committee shall appoint such delegate(s).
- 9-8 Unless elected by a secret ballot of the membership, the following by virtue of their office shall be voting delegates with all the rights of a delegate except the right to vote in elections for OEA officers:

- a. Officers
 - b. Executive Committee
 - c. Past Presidents who are actively engaged in education in the North Central District.
 - d. District-at-Large delegates to the OEA Representative Assembly.
- 9-9 The number of delegates allowed by the Executive Committee may be appealed to the Representative Assembly, whose judgment shall be considered as final for such appeal. The Standing Rules adopted by the Assembly shall apply wherever pertinent.
- 9-10 There shall be a Credentials Committee appointed by the President, subject to the approval of the Executive Committee, to examine and certify the status of all delegates and alternates to the assembly.
- 9-11 If, in any affiliated local, no election of delegates is held or reported before the fifteen (15) day deadline, any five (5) active local members may convene and call a meeting to elect delegate(s) to the Assembly. The names of delegates elected in this manner are to be sent to the Executive Secretary-Treasurer five (5) days before the Assembly. The Credentials Committee shall rule as to the acceptance of such delegates in such a manner as to insure representation of the affiliated local.

10. FISCAL PROCEDURES

- 10-1 The records of the Association shall be audited at least once each official year by a professional auditor. The result of such audit is presented to the Executive Committee by the Executive Secretary-Treasurer before the next proposed budget is prepared.
- 10-2 The official budget of the Association shall be prepared by the Executive Secretary-Treasurer in consultation with the Executive Committee, and subject to the approval of the Representative Assembly. Expenditures shall be made in accordance with procedures established by the Executive Committee.
- 10-3 No expenditures may be made which violate any provision of the Constitution or Bylaws. Interpretation of such violations are to be made by the Executive Committee.

11. RULES OF ORDER

11-1 *Robert's Rules of Order, Newly Revised*, shall be the authority on parliamentary procedure at any meeting of the duly constituted bodies of the Association.

11-2 For the purpose of voting a plurality will be necessary to elect.

12. ENABLING PROVISION

12-1 Upon approval of this Constitution and Bylaws by a two-thirds (2/3) vote of delegates of the Association present and voting, the Constitution and Bylaws are ratified.

Revised April 23, 2001