

# BCEA

Constitution  
and  
Bylaws

**CONSTITUTION AND BYLAWS**  
**of the**  
**BLOUNT COUNTY EDUCATION ASSOCIATION**  
(Revised May 2011)

**CONSTITUTION**

**ARTICLE I - NAME AND AFFILIATION**

Section 1 - The name of the Association shall be the Blount County Education Association (BCEA).

Section 2 - This organization shall be affiliated with the Tennessee Education Association (TEA) and with the National Education Association (NEA), and shall meet the minimum standards for affiliation as set forth in the TEA and NEA governance documents.

**ARTICLE II - PURPOSES**

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

Section 2 - To unite and strengthen the teaching profession and to secure and maintain the salaries, retirement, tenure, professional and sick leave, and other working conditions necessary to support teaching as a profession.

Section 3 - To develop and promote the adoption of such ethical practices, personnel policies, and standards of preparation and participation as mark a profession.

Section 4 - To enable members to be represented with a common voice on their individual and common interests before the Board of Education and other legal authorities.

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

## ARTICLE III - MEMBERSHIP

Section 1 - Membership in the Association shall consist of the following classifications: professional, educational support professionals (ESP), and retired. All questions regarding such matters as classification, eligibility, and privileges of members shall be determined by the Executive Board and approved by the Representative Assembly of the Association.

### Section 2 - Professional Members

- a. Professional membership in the Association shall be open to all professional personnel employed in the schools of Blount County who hold an earned bachelor's or higher degree or the regular teaching, vocational, or technical certificate required by their employment. Professional membership is limited to persons who support the purposes and goals of the Association and who agree to abide by the Code of Ethics of the Education Profession. A professional member is entitled to all rights and privileges of membership in this local Association.
- b. Professional members of the Association shall also maintain membership in the Tennessee Education Association and the National Education Association.
- c. Membership shall become effective at time of enrollment in accordance with the provisions of this Constitution and Bylaws and with the policies and regulation adopted by the Representative Assembly of the Association. Professional membership shall be continuous until the member leaves the school system, resigns from the Association, fails to pay membership dues, or fails to comply with all rules and regulations of this local Association. Members no longer wishing to be a part of the professional associations must notify the Membership Chairperson of BCEA.

### Section 3 - Educational Support Professional (ESP)

Persons employed and actively engaged as teaching assistants, substitute teachers, or in clerical, secretarial, school nurse, or non-professional supervisory work in the schools of Blount County and who are not eligible for professional membership, may upon enrollment as an ESP member have all the rights and responsibilities of professional members except for the following: the right to vote, the right to hold office, or the right to represent the Association. ESP shall be eligible to have a committee of ex-officio non-voting delegates to the local Representative Assembly under policies established by the

Association. ESP members shall be eligible to have representation in a joint coordinating committee with the local Association.

#### Section 4 - Retired Members

Professional members who retire may continue as honorary members for life. They shall not be eligible to vote, hold office, or represent the Association.

#### Section 5 - Discipline of Members

According to procedures adopted by the Representative Assembly, the Executive Board upon recommendation by the local Professional Responsibilities Committee may suspend from membership or expel any member who shall have violated the Code of Ethics of the Education Profession, and may cancel the membership of any member convicted in a court learned in the law of a crime involving moral turpitude. The member concerned must, however, have been given due notice of such an action, and must have had an opportunity for a hearing before the Executive Board. The Executive Board may reinstate a member who has previously been suspended or expelled from the Association. Any such action taken by the Executive Board may be appealed to the Representative Assembly of the Association.

### **ARTICLE IV - OFFICERS**

#### Section 1 - Officers

The officers of the Association shall consist of a president, vice-president, immediate past-president, secretary, and treasurer. The parliamentarian shall be an appointed ex-officio officer.

#### Section 2 - Method of Selection

The president, vice-president, secretary, and treasurer shall be elected by secret ballot by the membership at large according to procedures outlined in Article IX of the Bylaws and/or Article V section 3 of the Constitution. The parliamentarian shall be appointed by the president and approved by the Executive Board, without voting privileges in Executive Board or Representative Assembly meetings. However, he/she shall have the same

privileges to vote as any other member in a general membership meeting of the Association.

### Section 3 - Terms and Succession

- a. The officers shall serve a two year term or until their successors are duly elected and qualified.
- b. Officers shall have been members of the local, state, and national associations for at least one year prior to their election, shall have served on the Representative Assembly a minimum of one year, and shall maintain their membership in good standing during their terms of service.
- c. Whenever the office of president becomes vacant between elections due to death, resignation, inability to act, or other cause, the vice-president shall become president for the remainder of that term; whenever the office of vice-president, or that of the secretary and/or treasurer shall become vacant between elections, except as provided in Article V, Section 3 of the Constitution, the remaining members of the Executive Board shall choose one of their members to serve in those positions until the Representative Assembly can fill the vacancy through a secret ballot election, assuring that proportional ethnic, minority, and administration representation is maintained. If the position of parliamentarian shall become vacant, the vacancy shall be filled as provided for in Article IV, Section 2 of this Constitution.
- d. New officers shall be installed at the May meeting of the Association. The term of elected officers of this local Association shall begin immediately following the meeting at which the installation occurred.

## **ARTICLE V - EXECUTIVE BOARD**

Section 1 - The Executive Board shall consist of the officers and four (4) members elected at large. In the event that any Executive Board Member holds a TEA or NEA Board Seat, he/she shall have the option to be an optional member at the BCEA Executive Board for the duration of his/her TEA or NEA Board term.

Section 2 - Membership of the Executive Board shall reflect a representative of ethnic, minority, and administration members at least proportional to the minority membership in this Association. There shall be proportional representation of classroom teacher members and administrator members. Any member who serves as a teaching principal shall not be considered an administrator. The four members at large shall be elected for two years on staggered terms, providing they have been members of the local, state, and national associations for at least one year

prior to their election and shall maintain their membership in good standing during their terms of service.

Section 3 - Whenever a majority of the Executive Board shall agree that any officer that has been grossly negligent of the duties defined in the Bylaws or is incapacitated, they shall recommend to the Representative Assembly of the Association that the office be declared vacant. If the Assembly Association so votes by a two-thirds majority it shall immediately elect a replacement to fill the unexpired term.

Section 4 - Under personnel policies adopted by the Representative Assembly and within the annual budget, the Executive Board shall have power to employ a staff for the efficient management of the Association. The elected officers of the association shall receive a stipend as determined by the Executive Board and approved by the Representative Assembly. Changes to the rate of the stipend may be made by the Executive Board but shall not be effective until after the terms of officers in office at time of the rate change has ended.

Section 5 - The Executive Board shall have the power to approve or disapprove all expenditures of the association. A budget shall be presented to the Executive Board by the Treasurer in conjunction with the President at the first Executive Board meeting of each school year. The approved budget shall be presented to the Representative Assembly for approval per Article VI - Representative Assembly Section 1.

## **ARTICLE VI - REPRESENTATIVE ASSEMBLY**

Section 1 - The legislative and policy-forming body of the Association shall be the Representative Assembly. The Representative Assembly has the authority to approve, disapprove, or amend the budget presented it from the Executive Board at its first Representative Assembly meeting of the year.

Section 2 - The Representative Assembly shall consist of the Executive Board, one or more representatives elected from each school faculty, one or more representatives from the central administrative office as determined under the Bylaws (Article VI, Section 1), and the chairpersons of the standing committees. The election of delegates shall follow the same provisions for representation of minorities, classroom teachers, and administrators as provided under Article V, Section 2 of this Constitution.

Section 3 - Any member of the Association who is not a member of the Representative Assembly may attend its meetings and may receive permission to speak.

## **ARTICLE VII - AMENDMENTS**

The Representative Assembly may adopt amendments to this Constitution by a two-thirds majority of those voting at any regular meeting provided that a quorum is present and that the amendments have been introduced at the preceding regular meeting of the Representative Assembly and that copies of the proposed amendments have been distributed at least three (3) weeks in advance of the vote to members of the Assembly for faculty discussion.

# **BYLAWS**

## **ARTICLE I - MEETINGS**

### **Section 1 - Executive Board**

The Executive Board shall meet on the first Wednesday of each calendar month of the school year at 4:15 p.m. or the day immediately preceding the Representative Assembly if the first Wednesday falls after the first Thursday, or at the call of the president, or at the request of one-half of the members of the Board.

### **Section 2 - Representative Assembly**

The Representative Assembly shall meet on the first Thursday of each calendar month of the school year at 4:15 p.m. The Executive Board shall prepare the agenda for each meeting and shall circulate it to all members of the Assembly in advance of the Assembly meeting.

### **Section 3 - Special Meetings**

Special meetings of the Representative Assembly may be held at the call of the president, by a majority of the members of the Executive Board, or upon written request to the Executive Board from ten percent (10%) of the faculty representatives. Business to come before special meetings must be stated in the call, which shall be sent in writing to each representative.

## **ARTICLE II - QUORUM**

A quorum at any meeting shall consist of a simple majority present. This includes meetings of the Executive Board, Representative Assembly, and Committees.

## **ARTICLE III - POWERS AND DUTIES OF OFFICERS**

### **Section 1 - Duties of the President**

- a. Preside over all meetings of the Association, Representative Assembly, and the Executive Board or may appoint a designee to preside in his/her place.
- b. Appoint all members of any committees and serve as ex-officio member

- c. Be the official spokesperson of this Association before the public either personally or through delegates on all matters of policy pertaining to the Association.
- d. Subject to Executive Board directives and oversight, supervise and control the property and affairs of the Association, and sign any legal documents obligating the association and/or its funds as expressly authorized by the Executive Board to sign, execute, and acknowledge on behalf of the association.
- e. Perform any steps necessary to implement the decisions of the Executive Board and the membership and perform such other duties usually incidental to such office.

## **Section 2 - Duties of the Vice-President**

- a. In the absence of the president, or in the event of the president's death, resignation, or inability to act, or at the direction of the president, perform all duties of the president; and when so acting, the vice-president shall have all the powers of and be subject to all the limitations upon the president.
- b. Perform such other duties usually incidental to such office or as may be assigned by the President or the Executive Board.
- b. Serve as ex-officio member of all committees

## **Section 3 - Duties of the Immediate Past-President**

- a. Shall advise the Executive Board and assist the president at their request.

## **Section 4 - Duties of the Secretary**

- a. Shall keep accurate minutes of all meetings including the Executive Board and Representative Assembly.
- b. Shall maintain the official files of the association and act as custodian of records;
- c. shall assist the president with Association correspondence and posting of notices and Representative Assembly agenda;

## **Section 5 - Duties of the Treasurer**

- a. Shall hold the funds of the Association and disburse them upon authorization of the Executive Board and keep accurate accounts of receipts and disbursements,
- b. Maintain a roll of members,
- c. Give a financial report at the Representative Assembly meetings and prepare an annual financial report for publication to members as directed by the Executive Board,
- d. Keep the president and Executive Board informed of the financial condition of the Association,
- e. Shall serve on the Financial Committee.

## **Section 6 - Duties of the Parliamentarian**

- a. Advise the presiding officer in responding to points of order and parliamentary inquiries
- b. Keep copies of the Association's Constitution and Bylaws, Executive Board Policies, and the most recent copy of Robert's Orders Newly Revised and have available at all meetings

## **Section 7 - Successor**

Each officer shall have the obligation of instructing his/her successor in the duties of that office and working with him/her as needed during the year following his/her election.

## **ARTICLE IV - POWERS AND DUTIES OF THE EXECUTIVE BOARD**

Section 1 - The Executive Board shall be responsible for the management of the Association, approve all expenditures, carry out policies established by the Representative Assembly, act as emergency power in the management of the affairs of this local Association in the interim between regular meetings of the Representative Assembly, prepare the agenda for each Representative Assembly meeting and circulate it to all members of the Assembly so that representatives have time to discuss it with their faculty members in advance of the Assembly meeting, reports its transactions and those of the Assembly to the members, and suggest policies for consideration by the Assembly. The Board shall act as a presidential advisory board.

Section 2 - The Executive Board shall develop workshops and training conferences for all representatives.

Section 3 - The Executive Board shall represent the Association in negotiating personnel policies with the governing and appropriating bodies of the school system. Within policies established by the Representative Assembly it may make decisions binding the Association in these matters. The Board may delegate its power to negotiate to another committee or representative.

## **ARTICLE V - POWERS AND DUTIES OF THE REPRESENTATIVE ASSEMBLY**

The Representative Assembly shall approve the budget, set the dues for the Association, 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 reinstating members. It may adopt such rules governing the employment of staff, the conduct of the Association, and the conduct of meetings as are consistent with this Constitution and Bylaws. It shall be the final judge of the qualifications and election of officers and faculty representatives. Powers not delegated to the Executive Board, the officers, or other groups in the Association shall be vested in the Representative Assembly.

## **ARTICLE VI - FACULTY REPRESENTATIVES**

Section 1 - In each public school in Blount County, faculty members who are members in good standing of this Association shall elect through open nominations and secret ballot for a term of one (1) year faculty representatives and alternates to the Representative Assembly based on the following membership total:

1 - 14 members	1 F/R	1 alternate
15 - 24 members	2 F/R	2 alternates
25 - 34 members	3 F/R	3 alternates
35 - 44 members	4 F/R	4 alternates
45 - 54 members	5 F/R	5 alternates
55 - 64 members	6 F/R	6 alternates
65 + members	7 F/R	7 alternates

Representation in the Representative Assembly is based on one (1) faculty representative and one (1) alternate per ten (10) members of the major fraction of

ten. The number of faculty representatives a school will be allowed is to be based on the number of Association members in the school in May. If at any time during the ensuing year, the Association membership in any given faculty changes so as to qualify the school for additional representatives or for fewer representatives, the school should adjust accordingly and notify the president of such change. There shall be at least one (1) representative from each building. Representatives must be members in good standing, been a member of the Association at least one (1) year prior to his/her election and shall maintain his/her membership in good standing during the term of service.

Section 2 - For purposes of representation, each faculty shall be considered a building. The central administration personnel shall be considered a building. Other system-wide organized groups may petition the Executive Board to be considered a building. All active members not attached to any specific building shall select a building for purposes of representation. Any questions concerning assignment of members to buildings shall be determined finally by the Executive Board.

Section 3 - At the same time BCEA officers are elected, each school shall elect by secret ballot the number of faculty representatives and alternates to which it is entitled. Nominations for these positions shall be open. Schools entitled to more than one (1) faculty representative shall designate the person who shall be chairperson of the faculty delegation. The designee will be chosen by that school's faculty representative. Their terms of office shall be one (1) school year. Any delegate or alternate may be eligible for re-election. The total composition of the Representative Assembly shall reflect a proportional representation of ethnic minorities and administration as there are professional members in the Association. If this representation is not reflected after the normal election process, additional representation shall be nominated and elected at large to fulfill this requirement.

Section 4 - Faculty representatives shall attend the regular meeting of the Representative Assembly. After two consecutive absences of a representative or his/her alternate, the president may ask that faculty to hold an election to secure a replacement to fill out the term. The president may designate a member in good standing to organize this special election.

Section 5 - Each member of the Representative Assembly in attendance or his/her alternate shall have one (1) vote. The president shall cast a ballot only in case of a tie vote. Action on all matters coming before the Representative Assembly, unless otherwise provided in this Constitution and Bylaws, shall require a majority vote of all members present and voting.

Section 6 - Referendum: By majority vote, the Representative Assembly may submit any question to a referendum of the membership. It shall be the duty of the president to conduct the referendum if demanded by petitions signed by at least ten percent (10%) of the current membership representing at least one-half of the schools and with no more than twenty-five (25) names from any faculty unit being counted toward required total.

Section 7 - The faculty representatives shall call faculty meetings of the Association members to discuss Association business, shall appoint such faculty committees as the Association may require, and shall organize and oversee the subsequent elections of faculty representatives, the enrollment of members in the United Teaching Profession, and two-way Association communication within the building. In the event a faculty representative is a candidate for an election, then the faculty shall select alternates to oversee the election.

## **ARTICLE VII - STANDING COMMITTEES**

### Section 1 - Structure

All committees shall reflect the composition of the total membership with at least proportional representation for ethnic minorities. Appointments shall be made by the president with approval by a majority of the Executive board. The committee member shall be appointed for overlapping terms of two years. The chairperson of each committee shall be selected by the membership of the respective committee. It is recommended that chairpersons of standing committees shall have served for at least one (1) year on the said committee before taking committee office. Each committee may, with the approval of the Executive Board, organize special subcommittees and task forces for specific activities from the membership of the Association.

### Section 2 - Meetings

Each standing committee shall meet regularly at the call of the chairperson.

### Section 3 - Reports

Each committee shall choose a secretary who shall keep a record of activities. Chairpersons shall report to the Executive Board and shall prepare an annual written report summarizing objectives, action programs, gains, and unaccomplished goals which the Executive Board may distribute to the members and which shall become a part of the continuing committee record in the Association files. Each

committee shall develop annual program plans, develop a budget request based on these plans, and submit the request to the Financial Committees prior to the formulation of the annual budget.

#### Section 4 - Relation to the Executive Board

The Executive Board shall assist the president to appoint members of the standing committees at the regular meeting in May and to fill all unexpired terms as vacancies occur thereafter, and may plan for an organizational committee conference. It shall require and assist committees to define their immediate and long-range objectives. It shall review committee plans as necessary and shall decide any jurisdictional argument between committees.

#### Section 5 - Relation to State and National Association

The standing committees shall seek to understand and relate to the objectives and programs of corresponding units of the TEA and NEA and shall counsel with them.

#### Section 6 - Titles and Duties

a. **Membership Committee** - shall be responsible for the following:

- (1) Membership - to organize, coordinate, and conduct a continuing program for unified membership enrollment; to inform members of the policies, programs, and accomplishment of the Association at all levels; and to provide a contact in connection with dues problems or questions concerning the membership status of members.
- (2) Orientation - to develop and conduct programs for the orientation of new teachers to the community, the school system, and the association.

b. **Communication Committee** - will clarify for the public understanding: the purposes and programs of the Association; the values and importance of education; and, in cooperation with the administration, the educational philosophy and programs of the school. It will develop procedures by which the Association can work cooperatively with parents and the public in civic, fraternal, and social organizations, and through all available channels of communication. It will seek to provide for effective internal and external communications programs. It will organize and oversee the following:

- (1) News media releases
- (2) Newsletter

(3) Liaison with other community groups

(4) Email

c. **Public Relations Committee** - the Instructional Professional Development (IPD) Committee will explore and develop action programs to raise and maintain standards for certification, employment, and assignment; to improve opportunities for pre-service, continuing, and professional development; and to create and maintain rapport between the Association and neighboring or closely related institutions of higher education. It will exercise professional concern in programs involving student teachers or relating to the concept of professional autonomy. It will plan and coordinate programs for the general membership meetings of the Association. It will work closely with the local negotiating committee formulating and promoting activities relating to improve instruction and professional development. It will organize and oversee the following:

(1) Workshops

(2) Read Across America

(3) Space Week

(4) America Education Week

(5) Teaching Licensing

(6) School Bell Awards

d. **Negotiations Committee** - shall explore and prepare action programs as deemed necessary in all areas of teacher welfare including but not limited to salaries, leaves of absences, fringe benefits, insurance and general working conditions; committee shall also be responsible for budget and contract analysis. The Negotiations Committee shall include the entire negotiating team plus any other deemed necessary by the president. The primary purpose of the committee shall be to prepare the initial contract proposals and provide the necessary background materials for the negotiating team and throughout the negotiations process.

(1) Salary - to develop supportive data and research statistics, develop knowledge and understanding of school finance, property taxation, and other financial resources available from local, state, and federal funds; to make recommendations which will aid in bringing about adequate financial support for public education and recommend policies and procedures which will gain community support and community involvement in the campaign for better educational programs.

(2) Employee Benefits - investigate insurance coverage and group policies which might be made available to members such as life, health, income protection, annuities, and accident and travel insurance, and investigate

and recommend other available and potential employee benefits on behalf of the membership.

- (3) Working Conditions - monitor the physical environment, schedules, and other factors which may impact working conditions for reasonableness, comfort, and safety; monitor provisions of the negotiated contract with respect to all working conditions, and formulate recommendations for the negotiating team to remedy, modify, and/or address any factors which are found to be unacceptable.
- (4) Monitor discount programs available through affiliates to the benefit of the membership.
- (5) The negotiating team shall consist of a minimum of five members appointed by the president.

e. **Grievance Committee** - shall be legally responsible for an orderly, efficient, and uniform enforcement of the negotiated contract. Grievance procedures are outlined in the contract.

- (1) The Association and the Executive Board have the responsibility to make sure Associations funds (in budget) are available for processing grievances.
- (2) As the official administrative body of the Association, the Executive Board has the responsibility for the grievance processing function and direct Association grievance personnel (i.e., grievance chairperson, grievance committee members, school grievance representatives) in the exercise of this function.
- (3) The Executive Board is responsible for approval of the president's appointments to the Grievance Committee. The Grievance Committee, led by the grievance chairperson, as directed by the Executive Board, shall implement the grievance process and policies.
- (4) The Association shall inform and provide training for Association officers and representatives in the proper functioning of the grievance procedure and in their responsibilities in that process.
- (5) The Association encourages and will pursue the settlement of grievances at the lowest step possible in the grievance process.
- (6) The Association, as exclusive representative, is available to investigate grievances and to represent any member of the bargaining unit at pre-arbitration steps of the grievance procedure. The Association pledges to perform these functions without discrimination toward any member of the bargaining unit.
- (7) Any member of the bargaining unit whose grievance is subject to a negative or positive Grievance Committee recommendation will be

informed of the recommendation as soon as possible and will have the opportunity to present his/her case before the Executive Board prior to a final decision by the Executive Board.

(8) Appeals to the arbitration step of the grievance process will be made by the Executive Board upon recommendation of the Grievance Committee or after appeal by the grievance.

(9) The Grievance Committee and the Executive Committee shall consider the following criteria prior to a recommendation or decision to arbitrate a grievance dispute:

- a. Is the grievance winnable?
- b. Can a settlement be reached short of arbitration?
- c. Will the grievance, if won at arbitration, establish good or bad precedent for the future interpretation of the contract?
- d. Is the grievance frivolous?
- e. Is the grievance of minimal value?
- f. How does the grievance, if won at arbitration, impact upon the legitimate rights of the bargaining unit majority?
- g. Are Association funds available?

a. **Scholarship Committee** - shall consist of the treasurer and others appointed by the president. This board shall select the recipients of the scholarships and be responsible for the scholarship fund drive and disbursement of the funds. The three scholarship named in honor of outstanding educators from our group who have deceased are:

- (1) **Hugh Coulter** was Superintendent of Blount County Schools from 1950 until 1969, the time of his death. Prior to that position he had been a teacher and a principal in the county system, had taught in Mercer County, WV, and in Maysville, NC.
- (2) **Leroy Gooden** taught and coached at Walland High School (1956-61), was Superintendent of Blount County Schools from 1969 until 1974, and at the time of his death in 1976 was principal of Louisville School. Mr. Gooden served several years as a member of Blount County Court. He worked devotedly in the planning stages of the vocational programs and in laying the groundwork for the two present comprehensive high schools in the county.
- (3) **R.C. Giffin** served as assistant principal of Everett High School from 1951 until his retirement in 1973. Prior to that he had taught at Lanier (1927-31 and 1932-51) and had taught at Everett (1931-32). Mr. Giffin died in 1976.

## ARTICLE VIII - SPECIAL AD HOC COMMITTEES

Each year the president shall appoint a Social Committee and other special ad hoc committees as may be necessary, and shall discharge them upon completion of their duties. These committees shall operate according to rules approved by the Representative Assembly.

- a. Social Committee - shall plan, seek out and carry out social functions for the purpose of creating a sense of belonging and reward. This committee shall consist of three members and will plan and develop social events throughout each year.

## ARTICLE IX - ELECTIONS

### Section 1 - Nominations

- a. The president shall appoint the Election Committee from the Representative Assembly. It shall consist of an officer, a registrar, and three judges.
- b. The professional members in good standing of the Association shall nominate by securing the signatures of ten (10) legal voters of the Association, and the petition shall then be submitted to the election committee. The committee shall report all nominations to the Representative Assembly. Members of the Assembly may nominate from the floor if necessary. Information on the petition shall include: candidate's name, school, any desired position(s) and list of signatures. (Petitions forms are available from the election committee.)
- c. The committee shall publish to the members a list of all candidates. The committee shall be responsible for the preparation, distribution, and collecting of ballots at a primary and final election.
- d. Each building shall be a voting precinct. The Election Committee shall make available to the building a roster of legal voters of that building and ballots. Hours of voting shall be announced by the building committee in charge of the election in that building.
- e. In electing delegates to the NEA Representative Assembly, if there are not at least two people running for each position, alternates may be nominated from the floor. Those who petition to run as delegates and are not elected will serve as alternates (in order of their vote.) Those who run as alternates will serve after them. The incoming president shall be listed first on the ballot with "incoming president" beside his/her name.

## Section 2 - Voting

- a. At all elections, members shall vote by secret ballot
- b. The ballots shall be counted by the Election Committee named by the local Association president. If no candidate receives the majority of the votes cast, a run-off election shall be held between the two candidates who have received the largest number of votes. This committee shall submit detailed procedures to be printed and distributed to the membership at least two (2) weeks in advance of the election. The Election Committee shall report results to the president who then shall publish the results immediately.
- c. After the polls are closed the Association Representative shall take the roster, unused ballots, and the cast ballots to the Election Committee at the BCEA Office.

The Election Committee shall be responsible for counting the votes, contacting the candidates, and reporting the results to the president.

## Section 3 - Procedures for Elections

- a. The date, time, and place of an election must be announced, and posted at least two (2) days before the event.
- b. The polls shall be set up for one (1) hour before or after school or until all members have had an opportunity to vote.
- c. Each member must sign for a ballot. He/She must not leave the designated area while marking ballot. The member will place his/her ballot in an envelope and seal it. The Association Representative will mark across the seal.
- d. The Association Representatives will be responsible for conducting the election.
- e. Any candidate in a contested election may have a poll watcher present at the counting of the votes.
- f. The ballots and sign-in sheets must be brought by an Association Representative to the BCEA Office by 5:00 on the date of the election or votes will not be considered.
- g. Our Constitution and Bylaws requires a secret ballot, but not a locked ballot box. If your faculty feels it is necessary to have a locked box, it will be the responsibility of the complainant to provide it.
- h. Anyone who has a legitimate need to vote absentee, will request a ballot from their Association Representative within the two (2) days before the election. All other rules for the election apply.
- i. The time frame to challenge the results of an election (in a contested race) is within ten (10) days after the election. The candidate must appear before the

Election Committee chairperson and the Executive Board within these ten (10) days.

## **ARTICLE X - DUES**

Section 1 - All dues, including BCEA, TEA, and NEA, shall be deducted as prescribed by the members contract between the BCEA and the member.

Section 2 - The amount of BCEA dues shall be determined by the Executive Board pending approval by the Representative Assembly. (The current rate is .0024 times the base salary.)

Section 3 - Professional members shall also pay annual dues to TEA and the NEA

Section 4 - Dues of Educational Support Professional members shall be equal to one-half the amount of active members.

Section 5 - Retired members shall pay no annual dues.

Section 6 - Any professional or ESP member who is granted an official leave of absence from official duties may retain membership status by paying membership dues directly to the Association.

Section 7 - The membership year shall extend from August 1 of one year to July 31 of the next year.

Section 8 - Teachers who are elected to posts after January 1 of the school year shall be invited and encouraged to become members for the sum of fifty percent (50%) of the local and TEA dues in effect at the time of their appointment, plus appropriate NEA dues.

## **ARTICLE XI - FISCAL YEAR**

The fiscal year of this Association shall be August 1st to July 31st.

## **ARTICLE XII - AUTHORITY**

Robert's Orders Newly Revised shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Representative Assembly may adopt.

## **ARTICLE XIII - ASSOCIATION LEAVE**

When the need arises officers, committee chairpersons, and other Association leaders may take leave to attend to Associational business without loss of pay. This leave shall be in addition to other leave provisions provided by the Board of Education. The president of the BCEA shall initiate each request for such Associational leave and submit the request to the Director of Schools at least five days in advance (when possible.)

## **ARTICLE XIV - TEA AND NEA DELEGATES**

Nominations of delegates to TEA and NEA Representative Assemblies shall be selected from the membership and elected by the membership by secret ballot. It is suggested that members of the Executive Board and Representative Assembly be considered first for nominations. The Association shall make an effort to send full representation to each of these assemblies.

## **ARTICLE XV - AMENDMENTS**

These Bylaws may be amended or repealed by a two-thirds vote of those present and voting at any regular meeting of the Representative Assembly provided that the proposed amendment(s) has been presented to the Representative Assembly in regular session, received a motion and second, and allowed to lie on the table from one (1) regular meeting to the next regular meeting. During this time interval, the faculty representatives shall have an opportunity to discuss the amendment(s) with their faculties and return to the Assembly for discussion and the final vote. The amendment(s) must be submitted in triplicate to the presiding officer: one each for the president, the secretary, and the person making the motion.