|  |
| --- |
| **STOW TEACHERS ASSOCIATION** |
| **CONSTITUTION and BYLAWS** |
|  |
|  |
|  |

| . |
| --- |
|  |

**Revised August 16, 2023**

**STOW TEACHERS ASSOCIATION**

**CONSTITUTION 2023**

**ARTICLE I – NAME AND AUTHORITIES OF GOVERNANCE**

**SECTION 1. Name.**

The name of this organization shall be Stow Teachers Association.

**SECTION 2. Governance.**

This Association shall maintain affiliation with the Northeastern Ohio Education Association, the Ohio Education Association, and the National Education Association.

**ARTICLE II – PURPOSES**

**SECTION 1. Purposes:**

**a**. To promote the professional growth and practices of members in an ethical manner.

**b.** To promote legislation pertinent to the welfare of schools and the teaching profession.

**c.** To promote the educational welfare of the local school system.

**d.** To promote bonds of cooperation and respect, not only among members but also between members and the administration, the Board of Education, and the community.

**e.** To create in the community a more complete understanding of the teaching profession and the importance of its objectives.

**f.** To provide an effective link between members and the district, state, and national organizations.

**g.** To promote teacher participation in the formulation of educational and personnel policies.

**h.** To secure and maintain adequate salaries, professional security, and other improvements to benefit the educational program.

**i**. To speak as an advocate for members before the Board of Education and other legal authorities.

**j**. To effectively communicate educational issues and news affecting the membership.

The association shall have all power necessary and proper to act for the attainment of these

goals. Nothing in this Constitution or in the Bylaws shall be construed to prevent the

Association from pursuing objectives which are consistent with the stated goals of the

Association.

**ARTICLE III. MEMBERSHIP**

**SECTION 1. Membership Eligibility: Provisions and Limitations.**

Any certified person subscribing to the CODE OF ETHICS of the Education Profession who is employed either full-time or part-time by the public schools of the Stow-Munroe Falls School District (except those excluded by the Recognition Clause of the Collective Bargaining Agreement between the Stow Board of Education

and the Stow Teachers Association) may become an active member of this Association by paying an annual dues amount as stipulated in the Bylaws of this Constitution.

**a.** All members shall abide by the Code of Ethics of the Education Profession.

**b**. Active members shall be members of the Stow Teachers Association, NEOEA,

OEA, and NEA.

**c.** Retired members of this Association shall, upon request, be entitled to honorary membership provided they belong to the OEA and NEA Retired Teachers.

**d.** The Stow Teachers Association shall have the same membership and/or fiscal year as that of NEA and OEA.

**ARTICLE IV–EXECUTIVE OFFICERS**

**SECTION** **1. Executive Officers.**

The officers of this Association shall be the President, Vice-President, Secretary, and Treasurer.

**SECTION 2. Qualifications for Executive Officers.**

All candidates for the office of President, Vice-President, Secretary, and Treasurer shall have been Active members of the Association for at least two (2) years immediately preceding the election. All executive officers shall maintain Active membership in the Association.

**SECTION 3. Elections, Terms, and Stipends**

**a.** The President, Vice-President, Secretary, and Treasure shall be nominated at and elected by the Active Members present and voting at the annual Spring General Membership Meeting in accordance with this Constitution, the Bylaws, and the Standing Rules.

**b.** All officers: President, Vice-President, Secretary, and Treasurer shall be elected

for terms of two years, beginning August 1 and ending July 31. The terms of the President and the Secretary shall expire in the even-numbered years, and the terms of the Vice-President and Treasurer shall expire in odd-numbered years. All officers may seek re-election.

**c**. Starting in 2024/2025, the stipend of the Vice-President, Secretary, and

Treasure shall be eight percent (8%) of the base salary and the President’s stipend shall be seventeen percent (17%) of the base salary.

**SECTION 4**. The duties of each office, established by the Executive Board prior to Constitution and Bylaws revision, shall be defined and contained in the Bylaws of the Stow Teachers Association.

**SECTION** **5. Succession and Vacancies:**

**a.** A vacancy in the office of President shall be filled by the Vice-President, who

shall complete the unexpired term. If declined by the Vice-President, the vacancy shall be filled by the vote of the Executive Board.

**b.** A vacancy in the office of Vice-President, Secretary, or Treasurershall be filled

by an appointment of the President with the approval of the Executive Board.

The appointee shall complete the unexpired term. Such appointment shall be

presented by the President at a regularly scheduled Executive Board meeting.

Approval of the appointment shall require a two-thirds (2/3) majority vote of those present and voting.

**SECTION 6. Impeachment.**

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

**b.** Impeachment proceedings against an officer may be initiated by a written petition submitted to the Executive Board by at least twenty-five percent (25%) of the members.

**c.** After receiving the petition, the Executive Board will notify the officer. The officer will have no fewer than 30 days to prepare for a due process hearing with the Executive Board.

**d.** If, at the conclusion of the due process hearing, a two-thirds (2/3) secret vote of the Executive Board in attendance shall sustain the charge, the office shall become vacant.

**e.** The officer may appeal the decision to a special meeting of the General Membership.

**ARTICLE V. EXECUTIVE BOARD**

**SECTION 1. Composition**

The Executive Board shall be composed of the officers of the Association and the Association Building Representatives.

**a.** There shall be one Association Representative in each building or unit of representation for every twenty (20) members or fraction thereof. The representative shall be elected to a one-year term which begins with the first Executive Board meeting of the new school year. If a building fails to elect an adequate number of representatives or if vacancies should occur, the Association President may appoint representatives from that building.

**b.** The current building representatives will hold elections in May for representatives to serve the following year and report the results by May 31st.

**c.** Any building representative may be removed by the action of the Executive Board when a representative is willfully absent from three consecutive Executive Board meetings.

**d.** It is the policy of this Association to achieve governance and delegate representation of ethnic minorities at least proportionate to the ethnic minority membership in the Association.

**e.** The Executive Board will determine mileage compensation for representatives who attend at least three (3) meetings in a term year.

**SECTION** **2. Function**

The Executive Board 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.** Prepare recommendations for the consideration and action of the Association.

**c.** Carry out policies established at General Membership meetings.

**d.** Report its transactions and those of the general membership to all members.

**e.** Direct an independent audit of the Association’s financial records at regular intervals, not to exceed two years.

**f**. Serve as a Grievance Committee; carry out the “duty of fair representation;” review grievances and determine whether to pursue the grievance to arbitration.

**SECTION 3.** No business or financial transaction involving a member of the Executive Committee/Board of Directors or agent of the Association, or their spouse, children, or parents, or otherwise as described in this Section, shall conflict with the fiduciary responsibility of such a person to the Association. Such relationships with the members of the Executive Committee/Board of Directors include relationships with any person that would reasonably be expected to affect the person’s judgment with respect to the transaction or conduct in question in a manner adverse to the Association.

**ARTICLE VI - ELECTIONS**

**SECTION** 1. Elections Committee.

**a.** The President shall appoint an Elections Committee (usually three to five members)

with the approval of the Executive Board.

**b.** No nominee for office shall serve concurrently on the Elections Committee.

**c.** Purpose: to protect the integrity of an election or vote and ensure that an election is

conducted in accordance with local, state, and national association constitutions.

**SECTION 2. Duties.**

Duties of the Elections Committee include conducting elections in accordance with the

OEA Elections Manual and resolving all challenges or protests to an election.

**a.** The Chairperson shall prepare a slate of openings for each office, as

needed to be presented at the Spring General Membership meeting. (President, Vice-President, Secretary, Treasurer, OEA RA Delegates, NEA RA Delegates)

**b.** Nominations may be made from the floor at the Spring General Membership

meeting. Make sure each nominee has been offered the opportunity to decline

the nomination. No member shall be nominated for office without the

knowledge and consent of the individual.

**c.** Hear and decide any challenge which may be made concerning the eligibility

of any nominee.

**d**. Make sure that proper notice of the election has been given. For OEA and

NEA RA Delegates, the Landrum-Griffin Act requires the Notice of Election

must be mailed to each member at the member’s last known address at least

fifteen (15) days before the election.

**e.** Prepare or supervise the preparation of the ballots.

**f.** Supervise the issuance and return of the ballots.

**g.** Count the ballots and certify the results of the election.

**h.** Hear and decide any protests which may be filed concerning the conduct of the

election. A ten-day time limit is considered reasonable.

**i.** Make a report to the membership concerning the results of the election and,

subject to acceptance, the decisions made on any protests. The Elections

Committee shall report the results of the election to the total membership

within five calendar days following the election.

**j.** Maintain order and decorum during the ballot counting process.

**SECTION 3. Voting Logistics**

**a.** The elections shall be by secret ballot in each building during a school day designated by the Executive Board at the first Executive Board meeting of the

year. There will be no write-in candidates on the ballots. If a candidate is

running unopposed, his/her name will not be present on the ballot. The

candidate is seated through acclamation.

**b.** 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.

**c.** Non-members of the Association shall not have the right to vote, hold an

office, or otherwise have privileges of Association membership.

**ARTICLE VII - COMMITTEES**

**SECTION 1. Committees**

**a.** The Association shall have such standing committees as are necessary to carry out the responsibilities and program of the Association.

**b.** Ad hoc (temporary) committees may be formed as necessary to achieve the Association program.

**c.**  All committee members shall be appointed by the President or the designee with the approval of the Executive Board.

**ARTICLE VIII- DUES**

**SECTION 1.** The Association shall have a dues structure adequate to fund an active program. The dues rate shall be established according to the Bylaws.

**ARTICLE IX AMENDING THE CONSTITUTION AND BYLAWS**

**SECTION 1. Proposal of Amendments**

Amendments to the Constitution or Bylaws may be proposed by one or more of the following:

**a.** By a majority vote of the Constitution and Bylaws Committee, or

**b.** By a majority vote of the Executive Board, or

**c.** By petition signed by at least ten percent (10%) of the membership.

**SECTION 2. Amendment of the Constitution and/or Bylaws**

**a.** A proposed amendment to the Constitution and/or Bylaws shall be presented in writing to the Constitution and Bylaws Committee.

**b**. The text of the proposed amendment shall be printed or electronically sent to all members at least thirty (30) days prior to its consideration.

**c.** A proposed amendment to the Constitution and/or Bylaws shall be read by title, and

may be debated, refined, and/or amended by the members at the same membership meeting at which it is presented.

**d.** The Constitution and/or Bylaws may then be amended by a majority vote of the members present and voting at the General Membership meeting.

**SECTION 3. Voting on Amendments.**

Amendments shall be subject to the following regulations:

**a.** Voting on proposed amendments to this Constitution or to the Bylaws shall be by secret ballot only when a majority vote cannot be clearly determined.

**b**. All amendments shall take effect immediately following their adoption by majority vote.

**ARTICLE X-PARLIAMENTARY AUTHORITY**

**SECTION** 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.

**STOW TEACHERS ASSOCIATION**

**BYLAWS**

**1. MEETINGS**

**1.1**. The Executive Board shall meet monthly or at the call of the President.

**1.2.** General meetings of the Association shall be held two (2) times a year, in the fall and in the spring. All members must be notified of the time, date, and place of a general meeting at least ten (10) days in advance. Special general meetings may be called at any time by the President upon notification of the membership.

**1.3.** A general meeting of the membership may be called by the members of the Association by submitting a petition to the President containing signatures of at least fifteen percent (15%) of the total membership and representation, with names from at least two buildings. Such petitions shall state the purpose of the desired meeting, and the business of that meeting shall be limited to consideration of the stated purpose.

1~~.~~4. The quorum for the Executive Board meetings shall be one more than fifty percent (50%) of the total number of STA Board members.

**1.5.** The quorum for a general meeting shall be the members present.

**2.** **DELEGATES**

**2-1**. One delegate and one alternate for every fifty (50) active members shall be elected from among the Ohio Education Association (OEA) membership to attend the semi-annual OEA Representative Assemblies held in the fall and spring.

**2.2.** One delegate for every one hundred-fifty (150) members or fraction thereof to attend the annual convention of the National Education Association (NEA) -example 226-376= 2 delegates.

**2.3.** One delegate and one alternate shall be elected for the NEOEA Representative Assembly.

Delegates who attend the local OEA, NE), NEOEA meetings and conferences will be

compensated at the current mileage rate until the current budgeted amount is exhausted. Executive

Board may approve an increase in the budgeted amount, if financially able to, when/if needed.

**2.4.** The President of the Stow Teachers Association will automatically be one of the delegates to

NEA, OEA, and NEOEA. A statement to this effect with his/her name shall appear on the ballot.

The newly elected STA President will assume NEA-OEA delegate status at the fall OEA

convention in the year in which he/she is elected.

**2.5.** The nomination and election of delegates shall be in accordance with the regulations of the

Constitution of the OEA and the Landrum- Griffin Act.

**3. DUTIES OF OFFICERS AND BUILDING REPS**

**3.1 President:**

**(a)** Preside over all Association and Executive Board meetings and prepare the agenda with input from the officers.

**(b)** Respond and/or follow through with all concerns of the Executive Board

**(c)** May sign, with the Treasurer, checks authorized by the Executive Board as needed

to fulfill the two-signature requirement.

**(d)** Represent the Association, along with the Vice-President as needed, on all matters

of Association policy.

**(e)** Represent the Association, along with the Vice-President, during all Grievance

Procedures.

**(f)** Promotes the purposes of the STA as stated in the Constitution Article II.

**(g)** Coordinate the Association’s activities.

**(h)** Serve as an ex-officio member of all Association committees.

**(i)** Shall be bonded.

**3.2 Vice-President:**

**(a)** Preside over Association and Executive Board meetings in the absence of the

President.

**(b)** Represent the Association, along with the President, during all Grievance

Procedures.

**(c)** Serve as Interim President until a new election is held in case of a vacancy in that

office.

**(d)** May sign, with the Treasurer, checks authorized by the Executive Board as needed

to fulfill the two-signature requirement.

**(e)** Perform such other duties as delegated by the President.

**(f)** Oversee STA committees

**(g)** Scholarship Coordinator

**(h)**  Oversee FCPE

**(i)**  Represent the Association along with the President in all matters of Association

policy as needed.

**(j)** Shall be bonded.

**3.3 Secretary:**

**(a)** Maintain membership rolls.

**(b)** Keep accurate minutes of all official meetings of the Association.

**(c)** Maintain official files of the Association, including electronic copies of the Association’s Constitution and Bylaws.

**(d)** Produce and maintain all correspondence and documents as needed and/or

authorized by the President.

**(e)** Perform such other duties as delegated by the President.

**(f)**  May sign, with the Treasurer, checks authorized by the Executive Board as needed

to fulfill the two-signature requirement.

**(g)** Shall be bonded.

**3.4 Treasurer:**

**(a)** Hold the funds of the Association and disburse them upon authorization of the

Executive Board.

**(b)** Maintain records of receipts and disbursements.

**(c)** Prepare financial reports for meetings of the Executive Board and an annual

financial budget to be distributed to the membership.

**(d)** Prepare all tax forms required by the local, state, and federal government, or work with those who assist the Association.

**(e)** Prepare for an independent audit by the Executive Committee at least every three

years or upon a change in the Treasurer.

**(f)** Perform such other duties as delegated by the President.

**(g)** Shall be bonded.

**3.5 Building Representatives:**

**(a)** Report recommended policies and other actions of the Executive Board to

members in his/her building or unit of representation.

**(b)** Transmit proposals and recommendations from members in his/her building or unit

of representation to the Executive Board for its consideration.

(**c)** Assist in the collection of dues.

**(d)** Assist in the collection of ballots.

**(e)** Attend official meetings of the Association or provide an alternate in his/her

absence.

**(f)** Act as a consultant to the individual member who has a professional problem and,

when necessary, seeks assistance from the Association.

**(g)**  Carry out the duty of fair representation which means review grievances and

determine whether to pursue the grievance to arbitration

**(h)** Review/vote on expenditures, appointments, and other Association business.

**4. COMMITTEES**

**4.1** The Association shall have such standing committees as are necessary to carry out the

responsibilities and programs of the Association.

**4.2** The Association shall have the following standing committees:

1. **Negotiations**- assess membership concerns prior to bargaining, develop initial proposals

of the Association, provide additional advice and input, upon the request of the

Bargaining Team and provide for assimilation of ideas from other committees.

**(b) Elections-** charged with the responsibility to protect the integrity of an election or vote and ensure that an election is conducted in accordance with the guidelines set forth in the OEA Election Manual and with local, state, and national constitutions; supervise all elections involving STA members.

**(c)** **Professional Rights and Responsibilities-** study the policies of the Stow Board of Education and Administration and recommend changes in their policies necessary to protect the rights of the professional staff; recommend philosophy on the ethics professed by the STA.

**(d) Constitution and Bylaws-** keep the Constitution up to date; follow the rules and procedures set forth to change the Association’s Constitution or Bylaws; review and submit (through the Secretary) the Association’s Constitution and Bylaws to OEA when amended or every five years.

**(e) Scholarships-** reviews applications and makes recommendations as to the recipients.

**4.3** Ad hoc committees may be formed as necessary to achieve the Association program.

**4.4** Members of the bargaining unit may volunteer for committees: however, the President of the

Association may form committees by appointment, with the approval of the Executive Board, to

achieve representation from all levels.

**5. BARGAINING PROCEDURE**

**5.1**  The Association shall be represented in collective bargaining by an authorized team of Association

representatives appointed by the President and the Executive Board.

**5.2**  If the President is not an active member of the Bargaining Team, the President shall be ex-officio

member of the Association Bargaining Team.

**5.3** The Ohio Education Association represents the Association on all matters concerning the

Association before the State Employment Relations Board (SERB).

**5.4**  The Negotiations Committee shall be charged with the responsibility to assess membership concerns

prior to bargaining, develop initial proposals for the Association, and provide additional advice and

input upon request of the Bargaining Team during active negotiations.

**5.5** Necessary sub-committees may be appointed, as needed, by the chairperson of the Negotiations

Committee.

**5.6** The Negotiations Committee shall make reports and recommendations to the Executive Board as

requested by the President.

**5.7** Members of the Bargaining Team need not necessarily be from the Negotiations Committee.

**5.8**  The Bargaining Team shall have the authority to bargain in good faith, make proposals and

counter proposals, make concessions, and make a tentative agreement on a contract with the

representatives of the Board of Education.

**5.9** While negotiations are in progress, periodic reports shall be given to the general membership by the

Bargaining Team.

**5.10** Written copies of the tentative agreement shall be given to the general membership prior to

ratification.

**5.11** 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.

**5.12** A vote on a tentatively agreed to contract or on a fact-finding report shall be made by written ballot

with the following stipulations:

**(a)** No absentee or proxy votes shall be allowed on contract ratification or fact-finder report votes.

**(b)** The first vote on contract ratification or a fact-finder report shall be to accept or reject the contract/report as presented.

**(c)** All ballots used in a vote regarding contract ratification or fact-finder report will be sealed and retained by the Association for three (3) years.

**(d)** The President shall communicate the required details of the ratification vote to the Board of Education’s designated representative.

**5.13** 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).

**5.14**  Non-members of the Association are not eligible to vote on a fact-finder’s report or contract

ratification.

**6.**  **DUES**

**6.1** Dues to the Stow Teachers Association shall be determined annually by the executive Board.

**6.2** Dues for a member who is contracted half-time and who is not paid a full-time salary shall be one-

half (1/2) of the established amount for that school year; dues for a member who is contracted quarter-time or less and who is not paid a half-time salary shall be one-fourth (1/4) of the established amount for that school year.

**6.3** Every member shall also pay the dues required by the district, state, and national associations with

which this local is affiliated.

**6.4** The Association shall annually enter a Dues Transmittal Contract with the OEA.

**7. MEMBERSHIP YEAR**

**7.1** The membership year and the fiscal year of the Association shall be September 1 through August 31.

**7.2** The membership drop period is August 1- 31. A member wishing to revoke his/her Association

membership must notify the Association President in writing only during the drop periods.

**8. EXPULSION OF MEMBERS**

**8.1** According to procedures adopted by the Association, the Executive Board may censure, 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.

**8.2** The Executive Board may reinstate members previously suspended or expelled.

**9. DUE PROCESS**

**9.1** The Association guarantees that no member may be censured, suspended, or expelled without a due

process hearing, which shall include an appropriate appellate procedure.

**10. APPEAL RIGHTS**

**10.1** A member shall have the right to make an appeal to the Executive Board on professional matters of

concern.

**10.2** The decision of the Executive Board on an appeal shall be final.

**11. DISSOLUTION**

**11.1** 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 three-fourths (3/4)

of the total Association.

**11.2** Upon receipt of the petition for dissolution by the total membership, the Association shall act upon

the petition at the next General Membership meeting.

**11.3** The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote,

by secret ballot, is in favor of dissolution.

**11.4** 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.

**11.5**  In the event of dissolution of this Association, all assets of this organization remaining after

payment of all obligations shall be distributed to the Stow Schools Foundation if it is an entity

recognized as exempt from federal taxation. If the Stow Schools Foundation is not recognized as

tax-exempt, such assets shall then pass to an appropriate charitable organization of the membership’s choice if it is designated exempt.

**12. ENABLING PROVISION**

-

**12.1** This Constitution and Bylaws shall become effective immediately following adoption by a majority

vote of the membership.

**12.2** The Constitution and Bylaws shall remain in effect until amended according to the regulations

provided herein.