

NCOEA BYLAWS

ARTICLE I – AFFILIATION

1-1 Provisions of the Association Bylaws shall be in keeping with the Constitution and Bylaws of the Ohio Education Association related to district affiliates.

ARTICLE II - MEMBERSHIP

2-1 Active membership may be obtained in the Association by paying the dues as stated in these Bylaws and meeting the eligibility requirements stated in this article.

2-2 Eligibility for active membership shall be open to any person employed by an education institution, agency, or organization in this district, including those on layoff and official leaves of absence, who agree to the Code of Ethics adopted by the Ohio Education Association. Active members shall also be members of the National Education Association, The Ohio Education Association, and local association, where eligible for membership.

2-3 Officers, committee members, delegates and eligible voters shall be active members with the exception of the office of Immediate Past President, who may be retired and/or the OEA-R Board of Director member who is also from NCOEA and therefore is eligible to vote.

2-4 Retired teachers may become retired members of NCOEA 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.

2-5 Education students may become student members of NCOEA by payment of established dues. They are eligible to attend functions open to all regular members.

2-6 Area membership of the NCOEA shall include those counties and locals assigned by the OEA Reapportionment Committee when approved by the District Executive Committee. Member Associations of NCOEA are located in the counties of Ashland, Crawford, Huron, Knox, Morrow, and Richland.

ARTICLE III - FISCAL AND OFFICIAL YEAR

3-1 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.

3-2 The fiscal year of the Association shall be from September 1 through August 31.

ARTICLE IV – OFFICERS

4-1- All officers shall be elected by secret ballot by the Spring Representative Assembly. They shall take office June 1 of the next official year.

4-2 The President shall be the executive officer and official representative of the Association. The President shall conduct and prepare agendas for executive committee meetings and Representative Assemblies, appoint a Public Relations and Publications Chairperson, appoint a Nominations and Elections Chairperson, appoint members to the NCOEA Standing Committees , with the approval of NCOEA Executive Committee. The President shall plan and execute policy in accordance with any resolutions passed by the Executive Committee or the Representative Assembly. The President shall attend all Uniserv Council meetings within NCOEA or will appoint an officer designee to attend in his or her place.

4-3 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.

4-4 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 NCOEA 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, with the advice and approval of NCOEA's Executive Committee, to fulfill the duties until such time as the Representative Assembly is able to elect a new vice-president.

4-5 The Immediate Past President shall serve as a voting member of the NCOEA Executive Committee and assume the duties of the President in the absence of both the President and Vice President. The Immediate Past President shall serve as the chairperson of the district Workshop Committee.

4-6 The President shall upon election be declared first alternate to the OEA Board of Directors. The Vice President shall upon election be declared elected second alternate to the OEA Board of Directors. The Past-President shall, upon taking office, be elected third alternate to the OEA Board of Directors. The alternate shall serve only for temporary absences of the NCOEA-OEA Board of Directors member and not for more than three consecutive absences.

4-7 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, business of NCOEA cannot be conducted in the best interests of the Association.

4-8 The Secretary shall keep records of all official meetings of NCOEA, and the Executive Committee, and shall assume such other duties as directed by the President of NCOEA. 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.

4-9 Newly elected officers shall assume office at the conclusion of the official year and shall serve a term of three (3) years, effective with the NCOEA-RA 2019 elections. No individual shall serve as president or vice president for more than two (2) consecutive terms.

ARTICLE V – DUES

5-1 There shall be annual membership dues as set forth by the Representative Assembly.

5-2 Dues of active members who perform contractual duties half-time or less and who are not paid full time salaries and/or wages shall follow the membership dues schedule listed in 5-3.

Article 5-3 The dues for membership are:

- \$13.00 for active educators working full-time
- \$6.50 for active educators working half-time or less
- \$6.50 for Education School Professionals working full-time
- ~~\$3.25~~ \$1.63 for Education School Professionals working half time or less
- \$1.00 for retired members
- \$1.00 for student members

ARTICLE VI - FUNCTIONAL BODIES

6-1 The functional bodies of NCOEA are:

- The NCOEA Representative Assembly
- The Executive Committee
- Committees designated in the OEA Constitution and Bylaws
- The NCOEA Standing Committees which are Nominations and Elections, Constitution and Bylaws, Public Relations, Communications, and Publications, District Workshops/In Service Committee, and Finance and Budget Committee.
- OEA Committees that NCOEA Representatives serve. The NCOEA Representative will be designated as the chairperson of the correlating NCOEA Committee.
- Necessary ad-hoc committees

- Staff

6-2 THE NCOEA REPRESENTATIVE ASSEMBLY

- A. 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.
1. The fall meeting shall be the primary business meeting.
 2. The spring meeting shall convene to adopt the annual budget, hold elections, and conduct any other necessary business.
 3. If deemed necessary by the NCOEA Executive Committee, one of the Representative Assemblies may be cancelled.
- B. The functions of the Representative Assembly shall be to:
1. Establish Association policies and objectives.
 2. Adopt the annual budget.
 3. Elect the President, the Vice President, Recording Secretary, OEA Board of Directors member(s) as needed.
 4. Establish dues.
 5. Adopt rules and agenda governing its meetings.
 6. Amend the Constitution and Bylaws as provided herein.
 7. 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.
 8. Hear reports of Committees.
- C. 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.
- D. 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 6-2.C.
- E. 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.
- F. 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.

- G. Where proportional representation of the ethnic groups does not occur in the total delegates elected, the Executive Committee shall appoint such delegate(s).
- H. 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:
 - 1. Officers
 - 2. Executive Committee
 - 3. Past Presidents who are actively engaged in education in the North Central District.
 - 4. District-at-Large delegates to the OEA Representative Assembly.
- I. 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.
- J. 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.
- K. 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.

3. THE EXECUTIVE COMMITTEE

- A. The NCOEA Executive Committee shall consist of the President, Vice President, OEA Board of Directors, the NCOEA Representatives elected from each of the seven (7) regions, and the chairpersons of NCOEA/OEA Committees, and one member-at-large from each of the following units: OEA Retired, Higher Education Personnel, Student Representative, Educational Support Professionals, and any officially recognized OEA Caucus (OEA Women's Caucus and DLAMC).
- B. 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.

- C. A brief summary of minutes of all NCOEA Executive Committee meetings shall be made by the secretary to be placed in each Chalkdust, and/or be posted on the NCOEA website.
- D. Implement the motions and resolutions approved by the Representative Assembly.
- E. Devise and put into operation other measures not inconsistent with the objectives of the Association.
- F. Fix the time and make all necessary arrangements for the meetings of the Representative Assembly.
- G. Employ all persons of the Executive Staff, fix their salaries, and define their duties.
- H. Present an annual report to the Representative Assembly of all activities of the Association.
- I. Interpret the constitution and bylaws.
- J. Have the power by reason of a national emergency or natural calamity, to suspend or eliminate any scheduled meeting of the Representative Assembly.
- K. Establish and maintain standards and procedures for granting or withdrawing units of representation or departments.
- L. Approve all appointments made by the NCOEA President.
- M. Receive and review all programs of various committees, or departments of the NCOEA.
- N. A quorum for all NCOEA Executive Committee meetings shall be defined as the sum of the members present and voting.

6-4 The Committees shall be those designated in the OEA Constitution and Bylaws.

Article 4 A. The NCOEA representatives to the OEA Committees shall serve as chairpersons of their District Committees. The President shall appoint members from the district to these Committees. Committee Chairpersons shall submit written reports to the Executive Committee.

Article 4 B. 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.

6-5 THE NCOEA STANDING COMMITTEES SHALL BE:

- Nominations and Elections
- Constitutional Proposals
- Public Relations and Publications
- District Workshops
- Professional Services Evaluations Committee

6-6 THE STAFF

A. The Executive Secretary-Treasurer shall:

1. Be charged with all administrative functions of the NCOEA and with the supervision and administration of such other responsibilities so stated in the contract.
2. 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.
3. Be custodian of funds and receive and distribute communications in the name of the Association.
4. Be custodian of all records of the Association.

B. Other staff shall be employed by the Executive Committee as needed for special purposes.

ARTICLE VII. NCOEA NOMINATION AND ELECTION PROCEDURES

7-1 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.

7-2 Thirty (30) days prior to the elections, candidates will be notified of competition.

7-3 All voting for NCOEA officers, committees, or Representatives of the OEA Board of Directors 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.

7-4 All ballots, marked, unmarked and voided, and all other records pertaining to the election of officers, committees, Representatives to the OEA Executive Committee 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).

7-5 The election of representative(s) to the OEA Executive Committee shall be in accordance with the OEA Constitution and guidelines set forth in The OEA Elections Manual. Vacancies which occur during an unexpired term shall also be filled in accordance to the OEA Constitution.

7-6 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.

Article VIII. NCOEA REGIONAL UNITS

8-1 The boundaries of each Regional Unit shall be established by the Executive Committee.

8-2 Each Regional Unit 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 Each Regional Unit shall elect one (1) representative for each-hundred fifty (150) members or fraction thereof based on the previous year's membership.

- These representatives shall serve a two (2) year term beginning June 1.
- In the event a vacancy occurs in regional representation, the regional unit may elect or appoint a replacement.
- A regional unit 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.

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:
Ten percent (10%) of the active NCOEA members of the region; or
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.

Article IX. FISCAL PROCEDURES

9-1 The records of the Association shall be audited at least once each official year, on or before October 31st, 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.

9-2 The official budget of the Association shall be prepared by the Finance and Budget Committee and recommended to the Representative Assembly for approval. Expenditures shall be made in accordance with procedures established by the Executive Committee.

9-3 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.

ARTICLE X. DISSOLUTION OF-NCOEA

10-1 A petition for dissolution of NCOEA may be presented in writing to a meeting of the NCOEA Representative Assembly by any member in good standing and must contain the signatures of three-fourths (3/4) of the total delegates of the Association.

10-2 Upon receipt of the petition for dissolution by the total delegates, the Association shall act upon the petition at the next representative assembly.

10-3 The Association shall be considered dissolved if three-fourths (3/4) of the total delegates vote by secret ballot in favor of dissolution.

10-4 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.

10-5 In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to the Ohio State Student Scholarship fund provided that it is an entity recognized as exempt from federal taxation. In the event that the Ohio State Student Scholarship Fund is not then recognized as tax exempt, such assets shall then pass to the Richland County Foundation provided that is recognized as exempt from federal taxation.

ARTICLE XI. 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.

ARTICLE XII. ENABLING PROVISION

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

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.

Revised and adopted April 9, 2018