

HCEA BYLAWS

THE HARFORD COUNTY EDUCATION ASSOCIATION

BYLAWS

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ARTICLE I – NAME

The name of this organization shall be the Harford County Education Association, and shall hereinafter be referred to as either the Association or the HCEA.

ARTICLE II – AFFILIATION

The Association shall be a local affiliate of the Maryland State Education Association and the National Education Association.

ARTICLE III - PURPOSES

The purposes of the Association shall be

- A. to work consistently for the welfare of the teachers and pupils of Harford County;
- B. to represent the teachers of Harford County in negotiations regarding their wages, hours and working conditions;
- C. to unify and strengthen the teaching profession throughout the county;
- D. to present a clear interpretation of the schools to the public; and
- E. to promote confidence, respect and cooperation among all who are directly or indirectly engaged in educational work in this county.

ARTICLE IV – MEMBERSHIP

Section I – Classes

The classes of membership in the Association shall be Active, Honorary, and Retired.

Section II – Eligibility Requirements

- A. Active membership shall be open to any person properly certificated and employed by the Harford County Public Schools and who pays annual dues to HCEA, MSEA, and NEA. Any person on leave of absence while serving as an elected Officer of the HCEA, MSEA, and/or NEA shall be considered an active member.
- B. Honorary membership may be conferred by the Representative Assembly upon any deserving persons.
- C. Retired membership shall be open to any educator who was an active HCEA/ MSEA /NEA member at the time of his/her retirement and was eligible to receive a pension through the State Retirement and Pension System of Maryland. Retired members must maintain their membership within the-MSEA/NEA retired category.

Section III – Rights, Conditions, and Limitations

- A. Members shall subscribe to the purposes of the Association and shall abide by its Bylaws.
- B. Members engaged in educational work shall adhere to the Code of Ethics of the Education Profession.
- C. Active members of the Association shall also be members of the Maryland State Education Association and the National Education Association.
- D. Honorary members shall have none of the rights or obligations of active or retired membership in the Association.
- E. The right to run for and to hold elective office in the Association shall be limited to Active members.
- F. The right to vote in the Association shall be limited to Active members.
- G. The Board of Directors shall determine all other benefits of membership.
- H. Active membership begins when an authorized representative of the Association receives payment of

dues or a membership enrollment form authorizing payroll deduction and shall be continuous until the member leaves the Harford County Public School system, resigns from the Association, or fails to pay membership dues. Requests for termination of membership must be done in accordance with the language outlined on the membership application.

- I. HCEA Retired will pay minimal dues as determined by the HCEA Board of Directors may use the HCEA phones, office and materials for the purpose of publicizing and holding HCEA Retired meetings, will receive Association publications, serve on certain committees and be invited to take part in HCEA social functions.
- J. Retired members may not hold office in HCEA, vote, serve on the negotiating team, or serve as an HCEA committee chairperson.

Section IV – Membership Year

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

ARTICLE V – DUES

Section I – Setting of Dues

- A. The Representative Assembly shall fix the annual dues of Active members.
- B. Active members who pay by cash in installments are legally bound to pay full dues for the year.

Section II – Prorating of Dues

- A. Active members whose assignments are .5 or less of a normal assignment shall pay one-half of the regular dues of the Association.
- B. The annual dues in the year of official retirement shall be prorated for the period between September 1 and the date of retirement, if the member retires prior to May 1.
- C. The annual dues for active members who join the Association for the first time after the completion of the Fall membership drive or who return to educational employment from a leave of absence after the completion of the Fall membership drive, shall be the annual dues prorated on a monthly basis for the remaining portion of the membership year.
- D. The dues for an active member who is on an extended approved leave of absence without pay shall be 50% of the dues otherwise payable for the period of the unpaid leave.
- E. The dues for an active member called to military duty shall be waived for the duration of their military leave.

ARTICLE VI – REPRESENTATIVE ASSEMBLY

Section I – Powers

The Representative Assembly shall be the primary policy-making body of the Association. Specifically, the powers of the Representative Assembly shall include but not be limited to the following:

- A. To formulate basic Association policies and positions;
- B. To adopt the general objectives of the Association in the form of Resolutions,
- C. To report the actions taken by the Assembly to the general membership;
- D. To enroll members;
- E. To elect a Nominations and Credentials Committee;
- F. To elect a Judicial Panel;
- G. To elect a Board of Tellers;
- H. To call for reports of officers and committees;
- I. To receive a proposed budget at its April meeting and adopt a budget at its May meeting;
- J. To establish dues;
- K. To fill all vacancies occurring in the offices of the Association; except as otherwise provided in these bylaws.
- L. To amend the Bylaws in accordance with Article XV and
- M. To enact such other measures as may be necessary to achieve the objectives of the Association.

Section II – Allocation of Delegates

- A. The Representative Assembly shall be composed of the Officers of the Association, the HCEA representatives of the Maryland State Education Association, the At-Large members of the HCEA Board of Directors, and the elected Representatives of the work sites.
- B. The members at each work site shall annually elect one person for every ten (10) HCEA members or fraction thereof in that site as of the May membership count. In the case of the opening of a new site, members shall elect Association Representatives within one month of the opening.

Section III – Meetings

- A. The Representative Assembly shall meet on the third Thursday of every month, September through May, unless otherwise arranged by the Representative Assembly.
- B. The Representative Assembly may adopt such rules governing the conduct of meetings that are consistent with these Bylaws.
- C. Duly registered Representatives, Officers, and members of the Board of Directors of the Association may make, second, and/or speak to motions.
- D. Duly registered Representatives, Officers, and members of the Board of Directors may vote on all issues.
- E. The voting membership of a work site may direct the vote of its Association Representative(s).
- F. Members of the Association are encouraged to attend the Representative Assembly and may speak to motions. However, they may not make, second, or vote on motions.

Section IV – Quorum

Attendance of Association Representatives from eighteen (18) schools in Harford County Public Schools shall constitute a quorum at meetings of the Representative Assembly.

Section V – Duties of Faculty Representative

- A. The Faculty Representative shall:
 1. Call meetings of the Association members in their buildings to discuss Association business;
 2. Assist in enrolling members in the Association; and
 3. Serve as a communication link between members and the Representative Assembly.

ARTICLE VII – OFFICERS

Section I – Officers

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

Section II – Qualifications

Officers shall be Active members of HCEA/MSEA and NEA.

Section III – Terms of Office

- A. The President, the Vice-President, and the Secretary-Treasurer shall each serve a term of three years, beginning August 1 following their election and continuing through July 31 of the year in which a successor is elected. The President's and Vice-President's terms of office shall run concurrently.
- B. The President, the Vice-President, and the Secretary-Treasurer shall serve no more than two consecutive terms in the office to which each is elected.
- C. The election of all officers shall be through open nomination, by secret ballot, by majority vote, and in conformity with the one-person one-vote rule.

Section IV – Duties

- A. President
The President shall be a full-time officer of the Association. The President shall:
 1. Preside over meetings of the Board of Directors, the Representative Assembly, and any caucuses of the Association;
 2. Appoint the chairpersons and members of any committees with the advice and consent of the Board of Directors, unless otherwise provided for in the Bylaws;
 3. Serve as a member, ex-officio, of all committees; with the exception of Nominations and Credentials, the Board of Tellers, and Judicial Panel;
 4. Serve as the chief spokesperson of the Association;
 5. Serve as an official delegate to the Representative Assemblies of the Maryland State Education Association and the National Education Association;
 6. Prepare the agendas of the Board of Directors and the Representative Assembly;

7. Nominate the chairperson and members of the Negotiating Team, with the advice and consent of the Board of Directors;
8. Develop programs for consideration by the Board of Directors and the Representative Assembly;
9. Implement policies and programs of the Association as developed by the Board of Directors and the Representative Assembly;
10. Prepare a monthly report of activities for the Board of Directors. This report may be distributed to the members through the Association Representatives or by publication;
11. Serve as a joint signatory with the Vice President, Treasurer and HCEA Office Manager for disbursement from the Association's funds;
12. Serve as coordinator of all HCEA committees; and
13. Perform all other duties implied by the office of the President, outlined, in part, by the job description of the President in the HCEA Policies and Procedures Handbook.

B. Vice-President

The Vice-President shall:

1. Preside at any sessions of the Association in the absence of the President or at the request of the President;
2. Serve as an official delegate to the Representative Assemblies of the Maryland State Education Association and the National Education Association;
3. Serve as Chairperson of the HCEA Government Relations Committee
4. Assume the position of President in the event the President is unable to complete his/her term of office. The Vice President will remain Acting-President for the duration of the un-expired term.
5. Serve as a joint signatory with the President, Treasurer and HCEA Office Manager for disbursement from the Association's funds;
6. Perform all other duties implied by the office of Vice-President, outlined, in part, by the job description of the Vice-President in the HCEA Policy and Procedures Handbook; and

C. Secretary-Treasurer

The Secretary-Treasurer shall:

1. Preside at any sessions of the Association in the absence of the President and the Vice-President or at the request of the President or Vice-President;
2. Serve as an official delegate to the Representative Assemblies of the Maryland State Education Association and the National Education Association;
3. Chair the Budget Committee;
4. Oversee the fiscal activities of the Association and report directly to the Board of Directors;
5. Provide for an annual audit or comprehensive review of the Association books by a Certified Public Accountant;
6. Record and publish minutes of the meetings of the Board of Directors and Representative Assembly;
7. Serve as a joint signatory with the President, Vice President and HCEA Office Manager for disbursement from the Association's funds;
8. Perform all other duties implied by the office of Secretary-Treasurer, outlined, in part, by the job description of the Secretary-Treasurer in the HCEA Policy and Procedures Handbook.

D. Vacancies

An office shall be declared vacant 1) upon the receipt of a letter of resignation from the officer in question, 2) upon that officer's missing two consecutive Board of Directors meetings without notice or 3) upon that officer's missing four meetings of the Board of Directors in any school year absent some extenuating circumstance.

ARTICLE VIII – BOARD OF DIRECTORS

Section I – Powers

- A. The Board of Directors shall serve as an administrative body to carry out the business of the Association between meetings of the Representative Assembly, provided that none of its acts shall conflict with actions taken by the Assembly. It shall report its actions to the Assembly and may recommend policy for consideration by the Assembly. It shall respond to emergencies with actions that are not contrary to the policies of the Association and which do not involve expenditures in excess of the appropriations in the major budget categories as authorized by the Assembly.
- B. It shall approve and recommend an annual budget to the Representative Assembly at the April meeting.
- C. It shall determine benefits of membership not delineated Article IV Section III.
- D. It shall approve committee appointments recommended by the President.
- F. The Board of Directors shall, upon receipt of a request from a grievance or his/her agent, determine whether or not a grievance shall be supported by the Association in arbitration.
- G. The Board of Directors shall employ a staff for the efficient management of the Association and shall negotiate Agreements concerning salary, wages, benefits, and other working conditions with this staff.
- H. The Board of Directors shall approve suggested criteria from the Scholarship Committee and choose the recipient(s) of the Association scholarship from the finalists recommended by the Scholarship Committee.
- I. The Board of Directors shall be the Board of Directors of the Corporation.

Section II – Composition

- A. The Board of Directors shall be composed of the elected officers of the Association, HCEA members serving in an elected, statewide office of the Maryland State Education Association, Board of Directors, and the members as provided in the Bylaws.
- B. Members of the Board of Directors shall represent members according to the following guidelines: One (1) member designed for each of the following levels: Elementary, Middle and High; and Two(2) At-Large members.
- C. In the event of a change of level during the term of a member, that person shall continue to represent the level from which he or she was elected.

Section III – Terms of Office

- A. Members of the Board of Directors shall assume office on June 1 and shall serve a term of two years.
- B. HCEA members of the Maryland State Education Association Board of Directors shall assume office on the HCEA Board of Directors upon assuming MSEA office and shall continue to serve for the duration of their MSEA terms of office.
- C. Members of the Board of Directors shall serve no more than three (3) consecutive terms in the office to which each is elected.

Section IV – Meetings and Duties

- A. Meetings
 - 1. The Board of Directors shall meet at least twice monthly during the school year on a day to be determined by the Board, unless, in the judgment of the President, such meetings are unwarranted.
 - 2. In case of an emergency and in the judgment of the President, decisions may be made by a poll of the Board of Directors by electronic voting. Any action so taken shall be ratified by the Board at its next meeting.
- B. Duties
 - The duties of members of the Board of Directors shall include, but not be limited to:
 - 1. Communicate on a regular basis with assigned Association Representatives.
 - 2. Attend Representative Assembly Meeting.
 - 3. Serve on a committee and/or as a liaison to a committee.
 - 4. Attend meetings at the request of the President.

Section V - Vacancies

The seat held by a Board of Directors member shall be declared vacant 1) upon the receipt of a letter of resignation from the Board Member in question, 2) upon that Board member's missing two consecutive Board of Directors meetings without notice or 3) upon that Board member's missing four meetings of the Board of Directors in any school year.

Section VI - Quorum

One more than half of the duly elected members of the Board of Directors shall constitute a quorum.

ARTICLE IX – JUDICIAL PANEL

Section I – Composition

The Judicial Panel shall be composed of five (5) active members and one (1) alternate member elected by the Representative Assembly at the September meeting. Members of the Judicial Panel shall serve for one (1) year from the date of their election.

Section II – Qualifications

- A. Members of the Judicial Panel shall be Active members of the HCEA, MSEA, and NEA.
- B. No Officer or member of the Board of Directors may serve as a member of the Judicial Panel.

Section III – Jurisdiction

Upon request of the Representative Assembly, Board of Directors, or petition of 10% of the Association's members, a Judicial Panel shall be authorized to take such actions as herein specified:

- A. To recall an officer, or a members of the Board of Directors; the officer shall have the right to appeal to the Representative Assembly.
- B. To censure, suspend, or expel a member for willful violation of the Code of Ethics of the Education Profession, or of the Bylaws of the Association.
- C. To vacate, censure, lift suspension, or reinstate a member.
- D. To review an action of the Representative Assembly or Board of Directors for consistency with the Bylaws and to recommend to the appropriate body remedial action if necessary.

Section IV – Rules of Procedure

- A. Upon notification of a complaint, the judiciary panel shall elect a chair and adopt its own rules of procedures in order to guarantee due process in its proceedings.
- B. Due process shall include, but not be limited to the following:
 - 1. Provision for copies of full charges to the charged party.
 - 2. The right to a representative of choice at the individual's own cost from the moment of the notification of charges;
 - 3. A hearing, to occur within two (2) weeks of receipt of charges by the chairperson of the Panel;
 - 4. The right to confront and cross-examine accusers and to call witnesses;
 - 5. Adherence to the "best evidence" rule; and
 - 6. The right to appeal to the Representative Assembly as specified herein.

ARTICLE X – ELECTIONS

Section I – Duties

The Nominations and Credentials Committee shall prepare guidelines for the nomination and accreditation of the Officers and other members of the Board of Directors. The guidelines and an election calendar shall be presented annually to the Representative Assembly for review and adoption by October 1. These guidelines shall include but not be limited to the following:

- A. open nominations by individual members;
- B. provision for the distribution and collection of nominating forms and preparation of the candidate slate;
- C. provision for the publication of the list of nominations prior to and during the election;
- D. provision for secret ballot election by the membership;
- E. provision for the tally of the ballots by the Board of Tellers;
- F. provision that the Vice-President, Secretary-Treasurer and members of the Board of Directors may be elected by acclamation when only one candidate is nominated for the office in question. The President cannot win by acclamation.
- G. provision that, in the event that a candidate for the office of President, Vice President or Secretary-Treasurer does not receive a majority (50% plus one vote) of the votes cast, there shall be a runoff election between the top two vote getters;
- H. provision for meeting the appropriate requirements of the Constitution and Bylaws of the National Education Association;

- I. Completion of all elections by May 15th.

Section II – Delegates to MSEA and NEA Conventions

Local delegates to the MSEA and NEA Representative Assemblies shall be elected in accordance with the guidelines prepared by the Committee and adopted by the Representative Assembly. Such guidelines shall be consistent with the requirements contained in the Bylaws of MSEA and NEA.

- A. In the case of the elections of the President, Vice-President, and Secretary-Treasurer, the ballot shall state that these persons shall simultaneously be elected to serve as delegates to the Representative Assemblies of the Maryland State Education Association and the National Education Association in the years in which these persons serve as officers.
- B. The HCEA Board of Directors will determine funding levels for delegates.
 1. Priority for funding shall be given to officers who have been elected to serve as delegates to the Representative Assemblies of the Maryland State Education Association and the National Education Association in the years in which these persons serve as officers.
 2. Funding for other elected delegates who have been elected to serve as delegates to the Representative Assemblies of the Maryland State Education Association and the National Education Association shall be allocated according to votes cast.

Section III – Election Disputes

The Nominations and Credentials Committee shall be the final arbiter of election disputes. Said disputes must be presented to the Nominations and Credentials Committee within five (5) work days of the announcement of the results.

ARTICLE XI – COMMITTEES

Section I – Appointment to Standing Committees

- A. The President shall appoint, with the advice and consent of the Board of Directors, members to the following standing committees and designate the chairperson of each, unless otherwise provided in the Bylaws or the Policy and Procedures Handbook:
 1. Budget
 2. Bylaws and Resolutions
 3. Membership
 4. Government Relations
 5. Negotiations
 6. Scholarship
 7. Instructional and Professional Development
 8. Sick Leave Bank
- B. The President with the advice and consent of the Board of Directors may remove any member so appointed.
- C. Members of the Nominations and Credential Committee, the Board of Tellers and the Judicial Panel shall be elected by the Representative Assembly in accordance with Bylaws and the Policy and Procedures Handbook.

Section II – Special Committees

- A. The Board of Directors may establish special Committees or task forces.
- B. The President shall appoint, with the advice and consent of the Board of Directors, members of such committees and task forces and shall designate the chairperson of each.
- C. The President with the approval of the Board of Directors may remove any member so appointed.

Section III – Responsibilities

- A. Standing Committees shall act in accordance with the following General Charge to Committees and with Specific Activity Charges as described in the Policy and Procedures Handbook:
 1. support the Association’s policies and strategic mission;

2. advise the Board of Directors through the President of recommendations for policy and program activities to achieve strategic objectives; and
 3. Submit in a timely manner to the Budget Committee a program and operations budget request, which will carry out the Association’s strategic objectives for the subsequent fiscal year.
- B. A report of any special committee or task force shall be presented to the body which recommended its establishment.

ARTICLE XII – RECALL

Section I - Reason for Recall

Officers of the Association or Board Members may be recalled for violation of the “Association Code of Ethics, Conflict of Interest”, for an unlawful act, for misconduct in office, or for gross negligence in office.

Section II – Initiation of Recall Procedure

Recall proceedings against an officer or Board Members may be initiated by written petition submitted to the Judicial Panel by at least twenty-five (25) percent of the certified delegates to the Representative Assembly or ten (10) percent of the membership. Upon receipt of the petition, the officer or Board member at large may be suspended pending further proceedings.

Section III – Procedures

Following receipt of charges, the Judicial Panel shall deliberate in accordance with rules of procedure outlined in Article X, Section IV of the Bylaws. A vote of four-fifths (4/5) of the Panel shall be required to recall the accused person. A verdict, on appeal to the Representative Assembly, may be overturned by a two-thirds (2/3) vote of those present and voting.

ARTICLE XIII - CONTRACT RATIFICATION

Section I - Notification

Notice of the ratification vote shall be announced to the membership at least seven (7) days prior to the scheduled ratification vote.

Section II - Eligibility

The proposed contract shall be voted on by active members of the Association, except where otherwise statutorily required.

Section III – Proposed Changes

There shall be at least one informational meeting prior to the ratification vote. If an informational meeting is not held, however, any proposed changes to the contract shall be explicitly delineated and distributed electronically with the proposed contract in its entirety to the membership and shall be available at least seven (7) days prior to the scheduled ratification.

Section IV – Voting

The ratification vote shall be held at a general membership meeting or by electronic ballot.

Section V – Verification

The Board of Tellers shall be responsible for tallying and verifying votes cast.

Section VI – Adoption

A majority vote of those voting is required in order to adopt the proposed contract.

Section VII – Ratification Disputes

The Nominations and Credentials Committee shall be the final arbiter of ratification disputes. Said disputes must be presented to the Nominations and Credentials Committee within five (5) work days of the announcement of the results.

ARTICLE XIV – RULES OF ORDER

Unless inconsistent with these Bylaws and any Special Rules of Order, Roberts Rules of Order, latest revision, shall prevail at all meetings of the Association.

ARTICLE XV – AMENDMENTS

Section I – Initiation

Any proposed amendments to the Bylaws, from individual members or bodies of the Association, shall be submitted to the Bylaws and Resolutions Committee on or before the date of the February Representative Assembly.

Section II – Preparation

- A. Amendments so initiated shall be prepared by the Bylaws and Resolutions Committee for Presentation at the March Representative Assembly meeting.
- B. Final drafts of proposed Bylaw amendments shall be submitted to all Association Representatives at least twenty (20) days prior to the vote on Bylaw changes.

Section III – Action

- A. The Bylaws may be amended by a two-thirds (2/3) vote of those present and voting members of the Representative Assembly at the April meeting.
- B. Unless otherwise provided, all amendments shall take effect immediately following the adjournment of the Representative Assembly at which they were adopted.