

## **ARTICLE I. NAME/AFFILIATION**

- A. The name of this Association shall be the Harford County Education Association and shall hereinafter be referred to as the Association or HCEA.
- B. This Association shall be affiliated with the Maryland State Education Association (“MSEA”) and the National Education Association (“NEA”).

## **ARTICLE II. PURPOSE**

The purpose of this Association shall be:

- to work consistently for the welfare of educators and students of Harford County;
- to represent the educators of Harford County in negotiations regarding their wages, hours and working conditions;
- to promote confidence, respect and cooperation among all who are directly or indirectly engaged in educational work in this county;
- to unify and strengthen educators as to enable members to speak with a common voice in all matters of mutual concern and to represent individual and common interests of members before the Board of Education and other authorities;
- to promote educational welfare, to protect and advance the interests of its members, to foster professional zeal and to advance educational standards.

## **ARTICLE III. MEMBERSHIP**

- A. Active membership in the Association shall be open to members employed by Harford County Public Schools who are designated as part of the HCEA bargaining units as determined with the Board of Education relative to both certificated and non-certificated school-based employees.
- B. Other categories of membership may be determined by the Representative Assembly.
- C. Active members have the right to nominate and vote in Association elections, hold Association office, be active in Association committees, have their voice heard on Association matters, and attend and participate in the deliberations of Association meetings as defined in the Bylaws and Association procedures.
- D. All members shall subscribe to the purpose(s) of the Association.
- E. Active membership begins when an authorized representative of the Association receives payment of dues or a membership form authorizing payroll deduction and shall be continuous until the member leaves employment with the Harford County Public Schools, resigns from the Association, or fails to pay membership dues.
- F. The active membership year shall begin on September 1 and shall end August 31.
- G. A person shall not be eligible for active membership in the Association unless he or she maintains membership in MSEA and NEA.
- H. A member may withdraw from Association membership by notifying the Association in writing at any time. In order to revoke the annual dues authorization, a member must send a letter via US mail to the Association during the designated drop period identified on the membership application.

## **ARTICLE IV.            OFFICERS**

- A. The officers of the Association shall be the President, Certificated Vice-President, ESP Vice-President, Secretary and Treasurer.
- B. Only active members of the Association may hold these offices.
- C. Terms of officers shall be three years. Officers' terms shall begin on July 1 and end on June 30. After having been elected to a full term in the office, the President, Certificated Vice-President, ESP Vice-President, Secretary and Treasurer shall serve no more than two full consecutive terms in the elected office.
- D. 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.
- F. The elected officers of the Association shall serve as delegates to the MSEA and the NEA Representative Assembly.
- G. Duties
  - 1. The President shall have the following powers and duties:
    - a. To preside over meetings of the Board of Directors, Representative Assembly and Association membership;
    - b. To represent the Association as its spokesperson;
    - c. To appoint the members of all Association committees and committee chairs subject to approval of the Board of Directors and serve as an ex-officio member-of all committees, except the Nominations and Elections Committee;
    - d. To report on his/her activities at each meeting of the Board of Directors, Representative Assembly and membership;
    - e. To sign jointly with the Certificated Vice President, Treasurer or HCEA Office Manager for any disbursement from the Association's funds;
    - f. To perform such duties as may be assigned from time-to-time by the Board of Directors or Representative Assembly;
    - g. To delegate duties not specified herein to officers, directors and others; and
    - h. To carry out other duties customarily performed by the president of an Association.
  - 2. The Certificated Vice-President shall have the following powers and duties:
    - a. To perform the duties of the President in the absence of the President; and
    - b. To perform such duties as are delegated by the President;
    - c. Serve as Chairperson of a standing HCEA committee at the direction of the President;
    - d. Serve s a joint signatory with the President, Treasurer or HCEA Office Manager;

- e. Performs the duties as outlined in the job description in the HCEA Policies and Procedures Handbook.
3. The Non-Certificated Vice-President shall have the following powers and duties:
  - a. To perform the duties of the President in the absence of the President and Certificated Vice President; and
  - b. To perform such duties as are delegated by the President;
  - c. Serve as Chairperson of a standing HCEA committee at the direction of the President.
  - d. Performs the duties as outlined in the job description in the HCEA Policies and Procedures Handbook.
4. The Secretary shall have the following powers and duties:
  - a. To keep accurate minutes of all meetings of the Board of Directors, the Representative Assembly and the membership;
  - b. To prepare such minutes for reproduction and distribution;
  - c. To maintain all official Association files;
  - d. To assist with Association correspondence; and
  - e. To carry out other duties customarily performed by the secretary of an Association.
5. The Treasurer shall have the following powers and duties:
  - a. To receive all monies of the Association, ensure that they are deposited into Association accounts, and that an accurate accounting is kept of all Association funds;
  - b. To pay out disbursements of \$500 or less consistent with the approved budget; disbursements above \$500 for budgeted expenses with the approval of the Board of Directors and unbudgeted disbursements above \$500 with approval of the Representative Assembly consistent with Article VI.G.2;
  - c. To sign jointly with the President, Certificated Vice-President, or HCEA Office Manager for any disbursement from the Association's funds;
  - d. To make regular financial reports to the Board of Directors and Representative Assembly;
  - e. To assist in the preparation of the Association's annual budget;
  - f. To ensure that a review of the Association's financial records is conducted each year and that materials are available for a formal audit if one is required;
  - g. To ensure that tax and other required governmental forms are prepared and submitted in a timely manner; and
  - h. To carry out other duties customarily performed by the treasurer of an Association.

## H. Vacancies

- a. The Certificated Vice-President shall fill a vacancy in the office of President until the next regularly scheduled election.
- b. The seat held by an Officer shall be declared vacant 1) upon the receipt of a letter of resignation from the Officer in question, 2) upon that Officer missing two consecutive Board of Directors meetings without notice or 3) upon that Officer missing four meetings of the Board of Directors in any school year.
- c. Any vacancy of an Officer shall be filled by appointment by the Representative Assembly until the next regularly scheduled election.

## **ARTICLE V.                   BOARD OF DIRECTORS**

- A. Powers: The Board of Directors shall have the following powers and duties:
  - 1. To 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.
  - 2. It shall approve and recommend an annual budget to the Representative Assembly at the April meeting.
  - 3. To approve budgeted expenditures above \$500 consistent with the adopted budget.
  - 4. To determine benefits of membership not delineated Article III.
  - 5. To approve committee appointments recommended by the President; and receive the minutes and reports of all committee meetings.
  - 6. To determine whether or not a grievance shall be supported by the Association in arbitration.
  - 7. To 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.
  - 8. To approve suggested criteria from the Scholarship Committee and choose the recipient(s) of the Association scholarship from the finalists recommended by the Scholarship Committee.
  - 9. To implement any other policies established by the Representative Assembly.
- B. Composition
  - 1. The Board of Directors shall be composed of the elected officers of the Association and seven (7) elected directors.
  - 2. Directors shall represent members according to the following guidelines: One (1) certificated member designed for each of the following levels: Elementary, Middle, and High; Two (2) Certified At-Large members; and Two (2) ESP At-Large Members.
  - 3. In the event of a change of level during the term of a director, that director shall continue to represent the level from which he or she was elected for the remainder of the term.

**C. Terms of Office**

1. Directors shall assume office on July 1 and shall serve a term of two years.
2. Directors shall serve no more than three (3) consecutive terms in the office to which each is elected.
3. Only active members of the Association may hold the position of director.

**D. Meetings and Duties**

**1. Meetings**

- a. 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.
- b. 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 so long as there is provision for the distribution of information and discussion by the directors. Any action so taken shall be ratified by the Board at its next meeting.

2. Duties: The duties of members of the Board of Directors shall include, but not be limited to:
  - a. Communicate on a regular basis with assigned Association Representatives.
  - b. Attend Representative Assembly Meeting.
  - c. Serve on a committee and/or as a liaison to a committee.
  - d. Attend meetings at the request of the President.
3. A simple majority of filled positions will constitute a quorum of the Board of Directors.

**E. Vacancies**

1. The seat held by a Director shall be declared vacant 1) upon the receipt of a letter of resignation from the Director in question, 2) upon that Director missing two consecutive Board of Directors meetings without notice or 3) upon that Director missing four meetings of the Board of Directors in any school year.
2. Any vacancy on the Board of Directors shall be filled by appointment by the Representative Assembly until the next regularly scheduled election.

**ARTICLE VI. REPRESENTATIVE ASSEMBLY**

- A. The Representative Assembly shall consist of the officers, directors, and Association Representatives elected annually from each building/worksit in the county on the basis of one (1) representative for every ten (10) active members in the building or at the worksite.
- B. Only active members of the Association may vote for and be elected as Association Representative.
- C. Association representatives shall be elected at the building/worksit through open nominations and by secret ballot or by acclamation when only one candidate is nominated for a position.
- D. Building/worksit representation should reflect as much as possible the job categories assigned to the building/worksit, with a minimum of one representative from each bargaining unit represented at the site.

- E. Alternates for representatives who are unable to attend a meeting may be elected on a yearly basis. Alternates may also be appointed on a month-to month basis but only for a period of three months or less, after which time an election should be held.
- F. The Representative Assembly shall meet at least once a month during the school year at a time and place designated by the Board of Directors. Special meetings may be called by the Board of Directors or a petition signed by [25%] of the elected representatives.
- G. The Representative Assembly shall be the primary policy-making body of the Association. It shall:
  - 1. Establish and adopt Association policies and objectives;
  - 2. Enact such measures as may be necessary to achieve the objectives of the Association;
  - 3. Establish and/or discontinue non-standing committees and task forces for that purpose;
  - 4. Adopt the Association's annual operating budget and establish dues;
  - 5. Review and adopt guidelines and calendar for elections by October 31 of each year in accordance with [Article VII – the Election Article] of these bylaws; and
  - 6. Fill vacancies among officers and on the Board of Directors as specified in [Article IV Offices and Article V Board of Directors] of these bylaws.
- H. All active members of the Association may attend Representative Assemblies. Only elected members of the Representative Assembly or their alternates are entitled to speak on Association business and vote on motions.
- I. Representatives from 18 worksites in the Harford County Public Schools shall constitute a quorum at meetings of the Representative Assembly.
- J. An Association Representative shall be responsible for:
  - 1) Calling meetings of the Association members in their building/worksit to discuss Association business;
  - 2) Assisting in enrolling members in the Association; and
  - 3) Serving as a communication link between members and the Association.

## **ARTICLE VII.           ELECTIONS**

- A. The Nominations and Elections Committee (shall hereinafter be referred to as the NEC) shall prepare guidelines for the nomination, accreditation and election of officers, directors and local delegates to MSEA and NEA Conventions. Election guidelines for local delegates to MSEA and NEA Conventions shall be consistent with the MSEA and NEA requirements.
- B. The NEC shall present the proposed guidelines and an election calendar annually to the Representative Assembly for review and adoption by October 31. Elections shall be held in accordance with the guidelines adopted by the Representative Assembly.

- C. These election guidelines shall include provision for the following:
  - 1) Open nominations;
  - 2) The distribution and collection of nominating forms and preparation of the candidate slate;
  - 3) The publication of the list of nominations prior to and during the election;
  - 4) Secret ballot election by active members only;
  - 5) Conformity with the one-person one-vote rule;
  - 6) The tally of the ballots or the validation of the results from an on-line election;
  - 7) The election of officers and directors by a majority of the valid ballots cast or by acclamation where only one candidate is nominated;
  - 8) Announcement of election results to the membership within one week of the close of the election.
- D. The NEC shall be the final arbiter of election disputes. Any election challenge must be presented to the Committee within five (5) workdays of the announcement of the results.
- E. The NEC shall ensure that guideline provisions in sections C.4, C.5, C.6 and C8 of this Article are implemented in votes taken on bylaws amendments, recall of an officer or director and contract ratification.

## **ARTICLE VIII. STANDING AND OTHER 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. Sick Leave Bank
- B. The President with the advice and consent of the Board of Directors may remove any member so appointed.
- C. Other ad hoc committees and task forces may be established by the Board of Directors and Representative Assembly to carry out their duties and program.
- D. 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.
- E. 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.

## **ARTICLE IX. RECALL**

- A. An officer or director may be recalled for an unlawful act or for misconduct or gross negligence in office.
- B. Recall proceedings against an officer or director may be initiated by written petition submitted to the Board of Directors by at least fifteen (15) percent of elected members of the Representative Assembly; by 25% of the active membership; or by majority vote of the Board of Directors.
- C. Upon receipt of such petition or upon such action by the Board of Directors, the officer or director named shall be suspended from duty pending the outcome of the recall process.
- D. Having been appointed according to [Article X], the Review Board shall hold a due process hearing. If a two-thirds (2/3) majority of the Review Board sustains the charge against the officer or director, ballots shall be prepared for a membership vote on the recall.
- E. A 2/3 majority of members voting on recall shall be required-to recall. Upon recall, the office shall be declared vacant.

## **ARTICLE X. REVIEW BOARD/JUDICIAL PANEL**

- A. When required, a Review Board shall be appointed by the President and approved by the Representative Assembly. Members of the Review Board shall hold no elected office in the local Association.
- B. The Review Board shall adopt its own rules of procedure consistent with due process and these bylaws.
- C. A Review Board may be appointed as in Section A to review, rule on, and/or propose remedial action on:
  2. Alleged ethical violations by any member serving in an elected or appointed capacity,
  3. The censure, suspension, or expulsion of a member,
  4. The action of the Board of Directors or Representative Assembly regarding consistency with bylaws.

## **ARTICLE XI. CONTRACT RATIFICATION**

- A. Active members of the Association who are also members of the bargaining unit governed by a proposed contract are eligible to vote on the ratification of that proposed contract or negotiated agreement. A majority of those voting is necessary to ratify the proposed contract.

- B. At least one informational meeting shall be held prior to the ratification vote. This meeting shall be held as close in time as possible to the determination of the final proposal and within a week 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 an entirety to the membership and shall be available for at least 7 days prior to the scheduled ratification.
- C. The complete and final language and monetary details of proposed contract changes must be distributed physically or electronically to those eligible to vote on the contract prior to or simultaneous with the vote on ratification.
- D. The ratification vote may be held at a meeting of those eligible to vote, at a meeting of the Representative Assembly, by paper ballot or by electronic vote.
- E. Notice of the ratification meeting or a paper ballot or electronic vote shall be provided to those eligible to vote at least three (3) days prior to the scheduled event.
- F. If the vote is conducted at a Representative Assembly meeting, a straw poll of eligible voters must be conducted by Representatives in each building/worksites. Each site's representatives' votes on ratification must reflect the outcome of the site's straw poll.
- G. The Nominations and Elections Committee shall be responsible for verifying the eligibility of voters, tallying, verifying and announcing the outcome of the ratification vote.

## **ARTICLE XII. AMENDMENTS**

- A. Amendments to these Bylaws may be proposed by the Board of Directors, by recommendation of the Bylaws Committee with approval of the Board of Directors, by the Representative Assembly, or by a petition to the Board of Directors signed by 20% of the general membership.
- B. The proposed amendments, and the notice of the method by which the vote on said amendments will be taken, shall be distributed to the membership at least 30 days prior to that meeting/vote. This notice shall include the details on the manner in which the vote will be conducted whether in a meeting or through a paper ballot or electronic vote.
- C. A two-thirds (2/3) vote of the members attending a regular or special meeting of the membership or the Representative Assembly or a 2/3 vote of members voting by paper or electronic ballot shall be necessary to approve an amendment.
- D. Unless otherwise provided for in the vote on the amendment, all amendments shall take effect on the following August 1, consistent with terms of office as defined in [Article IV, Section C].

## **ARTICLE XIII. PARLIAMENTARY PROCEDURES**

The most recent edition of Robert's Rules of Order shall be the parliamentary authority for the Association on all questions not covered by these bylaws or by the rules of procedure adopted by the Board of Directors or Representative Assembly.