

# **BYLAWS OF DORCHESTER EDUCATORS**

## **ARTICLE I Name and Affiliation**

SECTION 1: The name of this organization shall be “Dorchester Educators”, hereinafter referred to as the “Association” or “DE”.

SECTION 2: This Association shall be affiliated with the Maryland State Education Association (MSEA) and the National Education Association (NEA). In recognition of the fact that MSEA has provided and will continue to provide assets, resources and staff to establish and strengthen DE, DE agrees and acknowledges that it is subject to all provisions contained within the MSEA Bylaws.

## **ARTICLE II Purposes**

SECTION 1: The purpose of this Association shall be to promote the educational welfare, to protect and advance the interests of its members, to foster professional zeal and to advance educational standards.

SECTION 2: To unify and strengthen school employees as to enable members to speak with a common voice on all matters of mutual concern and to represent individual and common interests of members before the Board of Education and other legal authorities.

SECTION 3: To develop and promote a continuing program to secure and maintain better employment benefits, uniform practices, and improvements in terms and conditions of employment.

## **ARTICLE III Membership**

SECTION 1: Membership in the Association shall consist of active membership and such other categories of membership as provided herein:

- a. Any certificated or non-certificated employee of the public schools of Dorchester County is eligible to be an active member of the designated bargaining unit.
- b. Any person, who was a member of Dorchester Educators upon retirement, is eligible to be a retired member.

- c. Any person who has made an outstanding contribution on behalf of public education and who has been approved by the Association for such honor may be named an honorary member.
- d. All active and retired members shall be members of the MSEA and NEA.

SECTION 2: Rights and Duties

- a. All active members shall be entitled to attend regular meetings of the Association, to receive its publications, vote on business of the Association and hold elected office.
- b. Retired members and honorary members may attend meetings, receive publications, and participate on committees. Retired members may serve in and vote for delegate positions. The Executive Board shall determine any other rights, limitations, or conditions of membership.
- c. All members shall agree to abide by the Bylaws, policies and principles of the Association.

SECTION 3: Dues

- a. Dues for active and retired members shall be set by the Representative Council at an amount necessary to meet the annual budget.
- b. Dues are payable at the beginning of each school year and may be deducted from salary checks through payroll deduction for active members.
- c. Membership shall be continuous until the member leaves the Dorchester County Public School system, resigns from the Association or fails to pay membership dues.
- d. The membership year shall begin on September 1 and shall end August 31.
- e. To affect a resignation, a member must, in writing, notify the Association between June 30<sup>th</sup> and August 31<sup>st</sup> of his/her intent to resign.

ARTICLE IV

Officers

SECTION 1: The officers of this Association shall be (a) President, (b) Vice-President, certificated, (c) Vice President Non-certificated, (d) Secretary, and (e) Treasurer.

SECTION 2: The term of office for all officers and Board members shall be for two (2) years beginning August 1 to July 31 of the year in which a successor is elected. The officers may be re-elected.

SECTION 3: All officers must be active members of this Association for a period of at least two calendar years prior to their nomination for office. The president and vice-president must have at least 2 calendar years' experience in office of Executive Board, Representative Council or any combination.

SECTION 4: Vacancies, occurring in all offices and Board positions of the Association between elections, shall be filled by the Representative Council, except for the office of President or otherwise provided herein.

SECTION 5: Vacancies occurring in the office of President shall be filled by one of the Vice-Presidents, after an election by the Representative Council is held to determine which Vice-President, will fill the vacancy in the office of President. Vacancies occurring in the office of Vice President shall be appointed until the next regularly scheduled election from the appropriate classifications.

SECTION 6: The election of all officers shall be through open nominations, by secret ballot, by majority vote, and in conformity with the one-person, one-vote rule.

SECTION 7: The elected officers of the Association shall serve as Delegates to the MSEA and the NEA Representative Assembly.

#### ARTICLE V Duties of Officers

SECTION 1: The President shall preside at all meetings of this Association, shall call special meetings when necessary, is an ex officio member of all committees except the Auditing Committee and the Election and Credentials Committee, shall appoint all Committees members and committee chairpersons, including special committees, except the Elections and Credentials Committee, and shall have the power to appoint any special Committee during his/her term of office. The President may assign staff to implement any provision of these Bylaws. The President is one of the two optional signatories on any check drawn on the Association's banking account(s).

SECTION 2: A Vice President shall perform the duties of the President in his/her temporary absence. The Vice-Presidents shall serve as co-chairs of the Membership Committee, shall perform any necessary duties associated with the office, and shall provide the next Vice-President with all information necessary for a smooth transition of duties.

SECTION 3: The Secretary shall keep the minutes of all meetings, shall keep an accurate record of all motions and other business of importance, shall accept and file all committee reports and copies of official Association correspondence. The Secretary may serve as one of the two required signatures on Association checks. The Secretary shall also keep an up to date list of all retired teachers and those about to retire.

SECTION 4: The Treasurer shall receive all funds of the Association and shall deposit them in a local bank in the name of the Association, shall prepare a quarterly financial statement of the Association and shall submit in writing a summary report at the end of his/her term of office. The Treasurer shall be an ex officio member of the Membership Committee and shall be one of the two required signatures on any check drawn on the Association's account(s). The Treasurer shall make all Association financial records available to an auditor or audit committee at the end of the fiscal year. Funds shall be disbursed within the limits of the Association's budget over the signatures of the Treasurer and the President or Secretary. The treasurer shall also present a Financial Report of the Association monthly.

SECTION 5: Members-at-Large shall attend all meetings of the Executive Board and Representative Council.

## ARTICLE VI General Meetings

SECTION 1: General meetings may be called by the President, at the request of the majority of the Representative Council or on the written petition of any forty (40) members of this Association. At least one general membership meeting will be held per year.

SECTION 2: Robert's Rule of Order Revised shall govern the proceedings of this Association, always, except when they are not consistent with these Bylaws

SECTION 3. The President may appoint at the beginning of each school year, a Parliamentarian, who shall serve as the advisor in matters concerning these Bylaws.

ARTICLE VII  
The Executive Board

SECTION 1: The Executive Board of the Association shall consist of all of the elected officers of the Association, four (4) certificated members elected at-large, and two (2) non-certificated members elected at-large. A representative from all committees, retirees, and the officially appointed DE negotiators shall be invited to attend Executive Board meetings when necessary.

SECTION 2: The Executive Board of the Association shall handle all administrative and executive affairs of this Association; and implement the policies established by the Representative Council. This Board may also take such legislative action as may from time to time be necessary, except as provided under Article VIII.

SECTION 3: The Executive Board of the Association shall meet once a month September through May as directed by the President. Special meetings may also be called at the pleasure of the President or at the request of a majority of the Executive Board.

SECTION 4: The President shall not have the right to vote except in cases of tie voting in which case the President of this Association may cast the tie-breaking vote.

SECTION 5: A simple majority of filled positions will constitute a quorum at the Executive Board meeting.

SECTION 6: The following shall be standing committees of the Executive Board, with each committee to be chaired by a Member-at-Large of the Executive Board, except the Nominations, Elections and Credentials committee:

- a. Instructional and Professional Development (IPD)
- b. Legislation and Citizenship
- c. Membership/Communications
- d. Audit/Budget
- e. Elections and Credentials
- f. Negotiations
- g. Hoc committees may be added as needed.

ARTICLE VIII  
Representative Council

- SECTION 1: All legislative power of this Association not otherwise delegated by these Bylaws shall be vested in the Representative Council.
- SECTION 2: The Representative Council shall consist of the officers of this Association Executive Board members and Representatives from each work location. The officers of this Association shall not have the right to vote on the Council deliberations, except in cases of tied voting in which case the President of this Association may cast the tie-breaking vote.
- SECTION 3: Each work location shall be entitled to one or more Representative, according to the following:  
One (1) representative for each ten (10) members of a unit or major fraction thereof. Each work location will have at least one certificated and one non-certificated Representative; for the purpose of this calculation, the membership totals shall be at the time of the nomination of the Representative.
- SECTION 4: Representatives shall serve for one Association year from August 1 to July 31. They may be re-elected.
- SECTION 5: The Representative Council shall be the primary policy-making body of the Association. It shall:
- a. Adopt the agenda and rules governing its meetings;
  - b. Establish and adopt Association policies and objectives;
  - c. Adopt the annual operating budget;
  - d. Establish dues;
  - e. Fill vacancies as specified herein;
  - f. Enact such other matters as may be necessary to achieve the objectives of the Association.
- SECTION 6: Regular meetings of the Representative Council shall be held monthly September through May. Special meetings may be called by the President or at the request of one-fourth of the Representative Council members.
- SECTION 7: A quorum of the Representative Council shall consist of at least one (1) Representative each, from one-third of the represented schools.
- SECTION 8: Any member may attend the meetings of the Representative Council with voice but not vote.

SECTION 9: The Representative Council shall elect an Elections committee. This committee shall consist of five (5) members and shall choose its own chairperson.

SECTION 10: The Representative Council shall have the right to override any legislative action taken by the Executive Board by a two-third (2/3) vote at the next regular Council meeting.

SECTION 11: The elected Representatives shall, in addition to attending Council meetings, serve as a communication link between members and the Representative Council and shall assist in enrolling members in the Association.

## ARTICLE IX Elections

SECTION 1: An Election Committee shall be elected by the Representative Council, to serve for two years. The committee shall consist of five (5) members, at least one of whom shall be a non-certificated employee. The committee shall prepare guidelines for the nomination, accreditation of officers, delegates and other representatives on the Executive Board. These guidelines should be presented to the Representative Council for review and adoption by December 31. The guidelines shall include but not be limited to the following:

- a. Open nominations;
- b. Provision for the distribution and collection of nominating preparation of the candidate slate;
- c. Provision for the publication of the list of nominations prior to and during the election;
- d. Provide for secret ballot election by membership
- e. Provision for the tally of ballots;
- f. Provision for the election of officers and representatives of the Executive Board by a majority of the valid ballots cast or by acclamation, where only one (1) candidate is nominated.
- g. To handle and disburse all credentials as may be required by authorized members to attend local, state and national functions requiring said credentials.

SECTION 2: All elections shall be conducted by the Election committee.

SECTION 3: 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 and shall conform to the stated deadlines.

SECTION 4: The Elections Committee shall count the votes and shall announce the results of the election. In the event of a tie vote, a run-off election will be conducted. The Committee shall be the final arbiter of election disputes. Said disputes must be presented to the Committee within five (5) work days of the announcement of the results.

SECTION 5: Voting on negotiated agreement shall be by secret ballot conducted by paper, electronically or at a general membership meeting and in accordance with the following:

- a. A copy of the negotiated agreement must be made available to all members at least one (1) week prior to the voting.
- b. Notice of the ratification meeting shall be announced to the membership at least three (3) days prior to the scheduled event.
- c. Only active members of the Association may vote on the ratification of the proposed contract, except where otherwise statutorily required.
- d. Ratification shall be determined by a simple majority of the votes cast.

## ARTICLE X 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 two (2) years concurrent with the Association election cycle.

### Section II – Qualifications

- a. Members of the Judicial Panel shall be Active members of the DE, 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 25% 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 member 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 XI RECALL**

### Section I - Reason for Recall

Officers of the Association or Board Members at Large may be recalled for violation of the "Code of Ethics of the Education Profession", 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 at Large 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 twenty-five (25) percent of the membership. Upon receipt of the petition, the officer or Board member at large may be suspended pending further proceedings.

## **Article XII Finances**

**SECTION 1:** The fiscal year shall be from September 1 to August 31 to coincide with MSEA and NEA.

SECTION 2: In the event that the Association is no longer operational, all Association assets will be liquidated and the moneys will be placed in a trust through MSEA, for organizational purposes.

### Article XIII Reimbursement of Delegates

SECTION 1: The delegates to the MSEA Representative Assembly shall have their expenses paid by the Association.

SECTION 2: Expenses shall be advanced to the local NEA delegate equivalent to the amount paid state NEA delegates. Receipts for expenses must be submitted along with a record of expenses.

SECTION 3: All members of the Association traveling on official Association business shall be entitled to reimbursement for mileage at the current IRS rate plus attendant expenses. Receipts for expenses must be submitted along with a record of expenses.

### Article XIV Bylaw Amendments

SECTION 1: Proposed amendments to these Bylaws may be proposed by the Executive Board, upon recommendation of the Bylaw Committee, the Representative Council or by a petition signed by twenty percent (20%) of the general membership. All proposed amendments must be presented to the Executive Board prior to distribution to the membership.

SECTION 2: A two-thirds vote of those members present and voting at a general membership meeting, provided a quorum is present and the proposed amendment or amendments have been presented in writing to each of the active members at least two weeks prior to voting, shall be necessary to approve an amendment. In lieu of voting on a proposed amendment at a general membership meeting, the Executive Board may direct the vote to be taken at the various work locations by the Representative Council members, using secret paper or electronic ballots.

SECTION 3: Amendments shall become effective immediately upon adoption.