

# EOEA CONSTITUTION

## **ARTICLE I – Name**

This Association shall be called the Eastern Ohio Education Association.

## **ARTICLE II – Purpose**

The purpose of this Association shall be to promote the interests and welfare of the teachers, students, and public schools within the EOEA District and to fulfill the duties of a district in the organizational structure of the United Education Profession.

## **ARTICLE III – Affiliation**

This Association shall affiliate with the Ohio Education Association in the manner prescribed in the constitution of that organization.

## **ARTICLE IV – Membership**

Section 1. Active members shall be members of EOEA, their respective locals, OEA, and NEA. Active membership shall be open to any person who is engaged in the profession of education in the EOEA District, including school nurses, educational support personnel, and those on official leaves of absence, who hold a valid certificate, where required and who maintains membership in local and district affiliates and the NEA where eligible, and who is not eligible for any other class of membership as defined herein.

Section 2. Associate membership shall be open to any person who is interested in advancing the cause of public education but who is not eligible for any other class of membership in the Association.

Section 3. Retired membership shall be available to those who were active members when they retired.

Section 4. Students residing in the district and interested in teaching shall be eligible for non-voting membership.

Section 5. Membership fees for all of the above classifications shall be in accordance with the Bylaws.

## **ARTICLE V – Time and Place of Meetings**

Section 1. The time and place of any meeting or any Representative Assembly shall be fixed by the Board of Directors.

Section 2. There shall be at least one (1) Representative Assembly each year.

## **ARTICLE VI – Officers, Committees, and Commissions**

Section 1. The officers of the Association shall be a President, Vice-President, and Past President. Length of terms shall be two (2) years and no officer may serve more than two (2) consecutive terms in his or her elected office.

Section 2. The Board of Directors shall hire an Executive Director. The Board of Directors shall determine the compensation, direct the services and annually evaluate the performance of the Executive Director.

Section 3. The Board of Directors of the Association shall consist of the officers, the Eastern representative on the OEA Board of Directors, the Eastern member of the OEA-R Advisory Council, an Eastern member on the Division of Higher Education governance body, and unit representatives. Unit representatives shall be elected from the following groups: teachers by county, educational support personnel/DD members, and OEA-Students. One representative will be elected for every 500 members or major fraction thereof from each unit. Each unit shall have at least one (1) representative. Units with more than one representative shall be in compliance with the OEA Constitution. The term of each unit representative shall be three (3) years, with an equal number elected each year. Shorter initial terms may be needed to facilitate this balanced election. Minority members shall be elected to the governance body in

proportion to the ethnic minority membership in EOEA through the year 1999. An alternate representative shall be elected for each representative, to serve in place of said representative, when and only; duly elected representative cannot attend meetings.

Section 4. The EOEA Representative on the OEA Board of Directors shall be elected at the Spring Representative Assembly after the manner and for the term prescribed by the OEA Constitution.

Section 5. There may be a Resolution-Legislative Committee, composed of no more than six (6) members. Serving, as ex-official members will be EOEA representatives to the OEA Legislative and Resolutions Commissions and the OEA Board of Directors.

Section 6. A Nominations/Elections Committee, composed of three (3) members appointed by the President, and approved by the Board of Directors, shall serve for a period of one (1) year. The Eastern representative to the OEA Convention Planning Committee shall chair this committee.

Section 7. A Constitution and Bylaws Committee, composed of at least three (3) members appointed by the President and approved by the Board of Directors shall serve for one (1) year.

Section 8. A Screening Committee, composed of five (5) members appointed by the President and approved by the Board of Directors shall serve for one (1) year.

Section 9. A Budget Committee, composed of at least three (3) members appointed by the President and approved by the Board of Directors shall serve for two (2) years.

#### **ARTICLE VII – Duties of the Officers, Committees, and Commissions**

Section 1. It shall be the duty of the President to preside at all meetings of the EOEA, all meetings of the Board of Directors, and all Representative Assemblies, and shall be an ex-official member of all established committees and commissions. The President shall perform all duties ordinarily pertaining to the office.

Section 2. The Vice-President shall, in the absence of the President or in case of a vacancy in office, assume the duties of the President. The Vice-President shall attend all meetings of the EOEA, Board of Directors, and Representative Assemblies. The Vice-President shall be an active member of the Public Relations Committee.

Section 3. The Past-President shall preside at any EOEA meeting to which the President and Vice-President are unable to attend. This person shall also be expected to attend all meetings previously stated in Article VII, Section 2.

Section 4. The Executive Director shall keep a record of the proceeding of the Association and the Board of Directors and preserve a record thereof. The Executive Director shall receive all money, shall pay authorized bills, keep a record of receipts and expenditures, and perform other duties as assigned. The Executive Director shall be bonded by the Association in such amount, as the Board of Directors shall determine, but not less than the total financial assets of the Association.

Section 5. The Board of Directors shall be responsible for the program of all meetings, shall designate a depository for the funds of the Association shall perform all other duties and exercise such other functions as ordinarily pertain to the body, and shall be allowed necessary expense in carrying out its duties. The Board of Directors shall establish ad hoc or special committees as deemed necessary.

Section 6. The Resolutions representative to the OEA Resolutions Commission shall present a Resolutions report annually at the EOEA Spring Representative Assembly.

Section 7. The Legislative representative to the OEA Legislative Commission shall present a Legislative report annually at the EOEA Fall Representative Assembly.

Section 8. The Nominations/Election Committee shall prepare a slate of candidates to be elected at the Spring Representative Assembly and supervise the election process for the district.

Section 9. The Vice-President shall be responsible for establishing communications within the Association and shall act as liaison with the public media.

Section 10. The Constitution and Bylaws Committee shall review the document, record and recommend changes to the Board of Directors and prepare the text of proposed changes for vote at a representative assembly.

Section 11. The Screening Committee shall screen all OEA and NEA candidates as designated by the Board of Directors and prepare a report for the Board and the Spring Assembly delegates. The Committee shall also review and refine the candidate questionnaire.

Section 12. The Budget Committee shall prepare an annual budget based on projected income for approval at the Spring Assembly. Said budget shall be presented to the Board of Directors for input prior to the Assembly.

### **ARTICLE VIII – Nominations**

Section 1. The nominating of candidates shall be in accordance with one the following methods, after prior approval and consent has been obtained from the person eligible to be nominated.

- a. By the Nominating Committee appointed by the President. This Committee shall submit its report to the Board of Directors 45 days prior to election.
- b. By letter of intent sent to the Executive Director at least 60 days prior to the elections.
- c. Nominations may be made from the floor at the Spring Representative Assembly.

Section 2. The Executive Director shall publish the names of all nominees submitted to the Executive Director in an official newsletter prior to the Representative Assembly. The Newsletter is to be mailed to each local President and each elected EOEA and OEA delegate.

### **ARTICLE IX – Elections**

Section 1. Elections to positions listed in Article VI shall be held at the Spring RA and shall be by a majority of the voting elected delegates in attendance. Unit representatives shall be elected by their respective constituents. In case no candidate receives a majority, the two (2) candidates with the most votes will be eligible for a runoff election using a write-in ballot. All elections will be open nomination and secret ballot.

Section 2. In the event the Spring Representative Assembly is postponed or cancelled, the incumbent officers shall continue in their respective positions until their successors are elected at the next scheduled meeting of the Assembly.

Section 3. All ballots marked, unmarked, and voided, and all other records pertaining to the elections of the OEA, NEA, and EOEA delegates and alternates shall be preserved for one (1) year after the election. Such ballots and other election records shall be made available to OEA officers for inspection and examination.

### **ARTICLE X – Vacancies**

Section 1. In case the President is unable to take office or is unable to complete his/her term, the Vice-President shall fill or complete the uncompleted term.

Section 2. In the event the Vice-President cannot serve, the Board of Directors by a 2/3 vote shall appoint an acting President to fulfill the unexpired term. The presiding officer in this interim shall be the senior member of the Board of Directors. (In the event this should occur the Presiding officer shall call a special meeting of the Board of Directors within 15 days to appoint an acting President.)

Section 3. In the event of a vacancy on the Board of Directors, the Board of Directors shall appoint a successor no later than 30 working days to fill the unexpired term.

Section 4. In the event of a vacancy in the position of Executive Director, the President shall assume the position of interim Executive Director. The President shall appoint a search committee within 15 working days from the Board of Directors members to publicize the vacancy, interview candidates, and recommend to the Board of Directors a successor for this position. This process shall be completed within 90 days following the appointment of said Committee. The Vice-President shall be appointed as the chairperson of the Search Committee.

Section 5. In the event of a vacancy in the position of EOEA Representative to an OEA Committee or Commission the President shall appoint a successor with the approval of the Board of Directors. A person appointed to fill a vacancy shall serve the unexpired term.

Section 6. Any official or representative who fails to perform his/her duties through misfeasance, malfeasance, or nonfeasance may be removed, after a due process hearing, by a 2/3 vote of the entire Board of Directors.

#### **ARTICLE XI – Representative Assembly and Delegates**

Section 1. There shall be a Representative Assembly, which shall be the legislative body of the Association. It shall be composed of all members of the EOEA Board of Directors, delegates elected from EOEA affiliates, and all OEA delegates from EOEA.

Section 2. The EOEA recognizes as units for the election of delegates and alternates to the Representative Assembly the various independent school districts known as city, county, exempted village, other Eastern affiliates, and higher education units.

- a. The basis of representation shall be one (1) delegate and one (1) alternate for each 40 members, or fraction thereof, in each of the units in Section 2 above.
- b. The President of the local organization or the election committee in each of the units entitled to representation shall arrange for the election of the delegates and alternates and certify their names to the Executive Director no later than 21 days prior to the Representative Assembly, along with a copy of the ballot.
- c. In the absence of a local teachers organization, three (3) EOEA members, with approval of the EOEA Executive Director may conduct an election and certify the elected delegates.

Section 3. In accordance with OEA Bylaws, an elected OEA delegate shall be seated as a delegate in his/her respective District Representative Assembly. In the event an OEA delegate cannot attend the District Representative Assembly, his/her alternate shall be seated as the delegate to the District Representative Assembly. These seats are over and above the number of allocated local delegates to the District Representative Assembly.

Section 4. Any duly elected delegate of this Representative Assembly shall be allowed to vote upon any question coming before it. Any member of the Association present, who is not a delegate, must secure 2/3-vote consent of the Assembly before speaking. Only delegates can make a motion or vote on a question.

Section 5. A quorum for the purpose of conducting Association business shall be defined as a majority vote of the delegates present and voting at the EOEA Representative Assembly.

#### **ARTICLE XII – Amendments**

Section 1. This constitution may be amended at a meeting of the Representative Assembly by a 2/3 vote of the delegates present and voting, provided notice of the proposed amendments shall have been given in writing to the delegates not less than 10 days before the Assembly.

Section 2. Proposed amendment changes may be submitted by the way of the following:

- a. Constitution and Bylaws Committee.
- b. A petition signed by at least 35 certified EOEA delegates.
- c. A petition signed by at least 75 active EOEA members from at least 2 EOEA locals.

#### **ARTICLE XIII – Ethics**

All members shall abide by the Code of Ethics of the Education Profession as adopted by the OEA and NEA.

#### **ARTICLE XIV – Property and Dissolution**

In the event the Association is dissolved, its property and/or assets not needed for the payment of its debts and expenses shall be divided proportionally among each county of the EOEA District to a charity or charities to be determined by the Board of Directors. In the absence of such a selection or determination by the Board of Directors, it may be made by a court competent jurisdiction.

**ARTICLE XV – Constitutional Precedence**

Section 1. In the event a conflict occurs between this Constitution and that of the Ohio Education Association, the OEA Constitution shall take precedence.

Section 2. In the event the Constitution is in conflict with Federal or State Law, those articles in conflict will become null and void. Corrections and implementing language shall be submitted to the next EOEAs Representative Assembly.

Adopted November 14, 1966  
Amended through April 18, 1996  
Amended April 16, 2007  
Amended April 23, 2009

## EOEA BYLAWS

Section 1. Robert's Rules of Order, Newly Revised shall be the official word in all matters of parliamentary procedure.

Section 2. The dues of members shall be as follows:

- a. Active members – Annual dues shall be 2.5% of the previous year's OEA dues rounded to the nearest half-dollar or equal to the previous year's amount whichever is greater.
- b. Associate members - one half of active dues.
- c. Student member - one half of active dues.
- d. Retired members - \$30.00 lifetime.

Section 3. The fiscal year of the Association shall begin on September 1 and end on August 31. An annual audit of the financial statement shall be performed by a CPA and appropriate documents forwarded to OEA by November 15 of each year.

Section 4. All elected officers shall assume their duties on September 1 following the Spring Representative Assembly.

Section 5. Minutes of the most recent Board of Directors meeting and Representative Assembly shall be posted on the Association's web site.

Section 6. In the event that when nominations are closed during the Spring RA there is only one (1) candidate on the ballot for an office, the secret ballot election shall be dispensed with and the unopposed candidate shall be declared elected to the office. Write-in voting will be prohibited for all elections.

Section 7. These Bylaws may be changed at any meeting of the Representative Assembly by a majority vote of the delegates present and voting.

Amended 23 April 1992  
Amended 16 November 2006  
Amended 16 April 2007  
Amended 10 April 2014