

ASSOCIATION OF BAY COUNTY EDUCATORS

CONSTITUTION

ARTICLE I The name of the Association shall be the Association of Bay County Educators hereinafter referred to in this document as the Association.

ARTICLE II **Purposes**

 Section 1 To serve as the leader in protecting public education in Bay County.

 Section 2 To establish and maintain high standards in the performance of professional services.

 Section 3 To improve educational opportunities for the children and adults of Bay County and the State of Florida.

ARTICLE III **Membership**

 Section 1 **Qualifications:** The qualifications of members of the Association shall be prescribed in the Bylaws.

 Section 2 **Manner of Admission:** Educators shall be admitted to membership in the Association on written application, and payment of dues, as prescribed in the Bylaws.

 Section 3 **Classes of Membership:** Membership may be classified as provided in the Bylaws.

 Section 4 **Suspension and Revocation:** The membership of any member may be suspended or revoked in the manner and upon the grounds as prescribed in the Bylaws.

ARTICLE IV **Officers**

 Section 1 The officers of the Association shall consist of a President, a Vice President, a Secretary, and a Treasurer.

Section 2 The officers, the immediate Past-President, and six (6) members elected at large which comprise the Executive Board, shall be the executive authority of the Association. There shall be two (2) from the elementary level, one (1) from the middle school level, one (1) from the senior high level, one (1) alternative school representative and one (1) minority affairs representative beginning in the 2021-2022 election year.

Section 3 The powers, duties, and terms of office of the Executive Board shall be prescribed in the Bylaws.

Section 4 The election procedure shall be prescribed in the Bylaws.

ARTICLE V Representative Council

Section 1 The Representative Council shall consist of the Executive Board and one or more Association Representatives from each school faculty and county level instructional personnel, as outlined in Article V Section 1 of the bylaws. Chairpersons of standing committees who are not already members of the Representative Council shall be non-voting members.

Section 2 The Representative Council shall be the legislative and policy formulating body of the Association.

Section 3 Any member of the Association who is not a member of the Representative Council may attend its meetings and receive permission to speak but shall be ineligible to vote.

Section 4 The powers, duties, and terms of office shall be prescribed in the Bylaws.

ARTICLE VI Unification

Section 1 The Association shall be unified under the rules of the Florida Education Association and the National Education Association (FEA-NEA).

Section 2 The Association shall be affiliated with the Florida AFL-CIO and the American Federation of Teachers.

ARTICLE VII Amendments

At any regular meeting the Representative Council may adopt amendments to this Constitution by a three-fourths (3/4) majority vote of the Representative Council provided that amendments have been introduced at the preceding regular meeting of the Representative Council and that copies of the proposed amendments have been distributed to members of the Council for general membership discussion a minimum of twenty (20) working days prior to voting.

ASSOCIATION OF BAY COUNTY EDUCATORS

BYLAWS

ARTICLE I Membership

Section 1 Membership in the Association shall be open to all those eligible without regard to race, creed, color, gender, sexual orientation, or national origin.

Section 2 Membership in the Association shall be divided into the following classes:

A. Active Membership

1. **Qualifications:** Those currently under contract in Bay County who are governed by the Collective Bargaining Agreement with ABCE, who hold an earned bachelor's or higher degree or who hold a regular vocational or technical certificate, and who agree to abide by the Code of Ethics of the Education Profession.
2. **Rights:** Active members shall be entitled to vote on matters before the general membership, to hold office, and to receive any appropriate services of the Association.

B. Life Membership

The Executive Board may award honorary life membership.

- A life membership is not an active membership, and does not confer rights as defined in Active Membership, unless the member also qualifies as defined in Section 2.A.1.

C. Special Status

Special Status membership is open to any person who is on an extended personal or medical leave of absence of at least three (3) months. This status must be requested from and granted by the Executive Board on a case-by-case basis.

- Section 3 Dues shall be paid to the Association as follows:
- A. The fiscal membership year shall be from September 1 through August 31.
 - B. To retain membership in the Association, each person shall be a member of FEA, NEA, AFT and the Florida AFL-CIO.
 - C. The annual dues, which shall be paid by each member of the Association to the state and national affiliates, shall be set forth in their respective constitutions and bylaws. The dues for ABCE shall be established by the Representative Council.
 - D. A person who commences membership after the fall membership drive shall pay in accordance with ABCE-FEA-NEA policies.
 - E. Payroll deduction shall be prescribed in the ABCE Master Contract. The Executive Board may each year establish a cut-off date for payroll deduction and cash memberships.
 - F. Members who are employed for half or less of the normal workday shall pay one-half (1/2) of the active dues.
 - G. Teachers in the process of dismissal or non-renewal shall be required to retain membership in the Association until such time as their status is clarified. Any teacher who is under such action and ceases membership in the Association shall no longer be entitled to the benefits of Active Membership, effective immediately upon ending their membership.
 - H. Dues for Special Status members shall be \$1.00 per month.

Section 4 Suspension, Revocation, and Reinstatement

- A. The Executive Board may revoke/suspend membership for any cause enumerated in Section 1001.42 of the Florida Statutes.
- B. The Executive Board may reinstate a member who has previously been suspended or expelled from the Association.

- C. The Executive Board shall prescribe the procedure by which membership may be suspended, revoked, or reinstated; provided, however, that such procedure shall require that no membership may be suspended or revoked without affording to the member due process of law, which shall include:
1. a specification of the charges against him/her;
 2. notice of hearing with the right to present evidence and to interrogate all witnesses by himself/herself or through counsel;
 3. the right to appear before the Executive Board before its final determination of suspension or revocation and to make argument before such Board individually and through counsel;
 4. reasonable time between the service of any notice of hearing and the date of such hearing.

ARTICLE II Officers

Section 1 Qualifications, Terms, and Succession

- A. All candidates for office shall be teacher members in good standing of the Association. All candidates for President and Vice president shall have been a local member for three (3) years.
- B. The officers shall serve for two years starting on the first day after post-school and may be re-elected without an intervening term. The President and Secretary shall begin their two-year term on the even year election cycle. The Vice-President and Treasurer shall begin the two-year term on the odd year election cycle.

Section 2 Powers and Duties of Officers

- A. **President:** The President shall
- preside over meetings of the Executive Board and Representative Council
 - recommend the chairperson of standing committees with the approval of the Executive Board at the first meeting of the new Executive Board
 - serve on the Service Unit Council
 - appoint special committees
 - serve on FEA Governance Board
 - be an ex-officio member of all standing committees
 - be the executive officer of the Association.
 - submit to FEA-NEA documents as requested.
 - represent the Association before the public, either personally or through Delegates
 - perform all other functions usually attributed to the office.
 - be to represent the members as one of the delegates at the FEA Assembly.
 - represent the members as a delegate at the NEA Delegate Assembly and/or the AFT Convention.
- B. **Vice President:** The Vice President shall
- perform the functions usually attributed to the office.
 - work closely with one or more standing committees as the President may suggest.
 - become President should the presidency become vacant.
 - preside over meetings of the Executive Board and Representative Council, and/or other meetings as directed by President, in the absence of the President or the President's designee.
 - be an ex-officio member of all standing committees,
 - serve on the Service Unit Council,
 - perform such other duties as may be designated by the President or the Executive Board.
 - Advice and assist the President.
- C. **Secretary:** The Secretary shall
- keep accurate minutes of meetings of the Executive Board and Representative Council
 - perform such other duties as may be designated by the President or the Executive Board.

- D. Treasurer: The Treasurer shall
- hold funds of the Association and disburse them in accordance with the adopted budget.
 - serve as Chair of the Finance Committee
 - oversee transmittal of dues to the Florida Education Association, NEA, AFT, CLC and AFL-CIO.
 - keep accurate accounts of receipts and disbursements and shall report to each meeting of the Representative Council.
 - keep the President and Executive Board informed of the financial condition of the Association.
 - perform such other duties as may be designated by the President, the Executive Board, or office policy.

Section 3 Vacancies

- A. A vacancy in the office of President shall be filled by the Vice President.
- B. The Representative Council shall specify the procedure for filling any other vacancy on the Executive Board. Such positions shall hold office until the end of the position's current election cycle.

ARTICLE III Executive Board

Section 1 The Executive Board shall be the executive authority of the Association and shall be composed of the following: President, Vice President, Secretary, Treasurer, Immediate Past President, two (2) Elementary Representatives, one (1) Middle School Representative, one (1) High Representative, one (1) Alternative School Representative and one (1) Minority Affairs Representative. Executive Board Members shall serve a term of two (2) years.

Section 2 Nominations

- A. Nomination forms for the FEA-DA, NEA-RA, AFT-NC and Executive Board shall be distributed in January.

- B. The Elections Committee shall report all nominations to the Representative Council at the February meeting. Members may nominate other candidates from the floor, but members nominated must be present to accept the nomination. During the month of March, members shall vote for Executive Board Members and all delegates by secret ballot in accordance with election procedures as established by the Elections Committee.
- C. The Elections Committee shall publish at the January meeting of the Representative Council any changes to the procedures of the upcoming elections and shall train the Association Representatives for electoral procedures.

Section 3 Elections

During the month of March, members shall vote for Executive Board Members and all delegates by secret ballot, in accordance with established elections procedures. A simple plurality vote shall be required for a candidate to be elected. Candidates shall not count ballots. The Elections Committee shall report results to the President, who shall immediately notify all candidates and cause the results to be published.

The following Executive Board Members shall be elected by the entire membership in the following manner to serve a two-year term:

EVEN YEAR ELECTIONS

- 1. President
- 2. Secretary
- 3. One (1) Elementary School Representative
- 4. One (1) High School Representative
- 5. One (1) Middle School Representative

ODD YEAR elections

- 1. Vice-President
- 2. Treasurer
- 3. One (1) Elementary School Representative
- 4. One (1) Minority Affairs Representative
- 5. One (1) Alternative School Representative

Section 4 Installation

New officers shall be installed prior to the last day of post school and shall assume activities on the first day after post school. An officer who is elected to be installed and as a result would hold more than one seat upon the executive board shall vacate or decline all but one seat on the council. Such vacant seats shall be addressed at the May meeting of the Representative Council, per Article II Section 3.

Section 5 Powers and Duties of Executive Board Members

All power not delegated to the Executive Board, the officers, or other groups in the Association shall be vested in the Representative Council. The Executive Board shall be responsible for the management of the Association, approve unbudgeted expenditures, transfer budgeted funds in an emergency situation, carry out policies established by the Representative Council, report its transactions and those of the Council to the members, and suggest policies for consideration by the Council. The Executive Board shall establish program goals and provide for periodic evaluation of program areas.

Executive Board Members are also responsible for contacting the Senior Association Representatives at the schools they represent a minimum of once a month to assist in the dissemination and collection of Association information to and from schools, report member concerns to the Executive Board and/or the bargaining committee for consideration in the collective bargaining process.

Section 6 Authority to Negotiate

The Executive Board shall represent the Association in negotiations with the School District. The Executive Board may delegate its power to negotiate to another committee or representative.

Section 7 Meetings

The Executive Board shall have at least one regular monthly meeting during the school year. During any month with fewer than eighteen school days, the executive board may conduct the business of the meeting electronically, if the majority of the board agrees to such. Special meetings may be called by the President or at the request of three members of the Executive Board. If three consecutive absences of regularly scheduled meetings occur, the person will be dropped from the Board.

Section 8 Recall

A member of the Executive Board of the Association may be removed from office by a recall election initiated by a petition signed by ten percent (10%) of the active membership or by a two-thirds (2/3's) vote of the Executive Board.

The recall election shall be carried out in a manner prescribed by the Elections Committee.

A majority vote of the membership shall decide whether or not the Executive Board member is recalled.

Should an Executive Board member be recalled by such an election, the Representative Council shall proceed immediately to fill the vacancy created by the recall election. (See Article III, Section 3, Bylaws)

ARTICLE IV Representative Council

Section 1 Membership and Term of Office

In each school/center, faculty members who are members in good standing of the Association shall elect for a term of one (1) year, one (1) Association Representative to the Representative Council for each ten (10) members or major fraction thereof.

Election of Association Representatives and the Senior Association Representative shall take place within the first twenty (20) working days of the new school year. The Election Committee will distribute the procedure for these elections no later than the first (1st) day of pre-planning each year.

Where more than one such representative is elected from a center, one shall be designated the Senior Association Representative by the Association Representatives from that center. If a center has less than six members, it shall be entitled to one Association Representative. Members of the Executive Board are automatically voting members of the Representative Council.

Section 2 Meetings

The Representative Council shall have at least eight (8) regular monthly meetings during the school year, in distinct months. Special meetings of the Representative Council may be held at the request of the President or upon written request to the Executive Board from five (5) Association Representatives. Business to come before special meetings must be stated in the call, which shall be sent in writing to each representative.

Section 3 Powers

The Representative Council shall approve the budget, take action on reports of committees, and approve resolutions and other policy statements. Powers not delegated to the Executive Board, the officers, or other groups in the Association shall be vested in the Representative Council.

Section 4 Duties

Association Representatives shall attend the regular meetings of the Representative Council. The Association Representatives, with the Senior Association Representative as Chairperson, shall be responsible for facilitating two-way communication between the Executive Board and/or office staff and the members in their building. They shall organize and oversee the Association's elections, including subsequent elections of Association Representatives, contract voting, Teacher of the Year, and the recruitment of members. The Senior Association Representative shall be responsible for working collaboratively with site-based administration to ensure adherence of contract language and notifying the President in case of a death of a member or the member's immediate family.

Section 5 Quorum

One-fourth (1/4) of voting members present at a regularly scheduled meeting of the Representative Council shall constitute a quorum.

ARTICLE V Committees

Section 1 Provisions shall be made for the following standing committees:

- A. Election
- B. Membership
- D. Instruction and Professional Development
- E. Legislative
- F. Negotiations/Bargaining
- G. Retirement and Recognitions
- H. Building
- I. Constitution & Bylaws
- J. Communications
- K. Finance
- L. FYRE
- M. Grievance

Section 2 Meetings

Each committee shall meet at the call of the Chairperson, the President, or the Executive Board.

After two (2) consecutive absences of standing committee meetings; the member shall be notified by the President that one more absence shall require action by the Executive Board that may result in removal from the committee.

ARTICLE VI Service Unit Council

The President and Vice President shall be two of the ABCE representatives to the Service Unit Council. Nominations for the additional seats on the Service Unit Council will be taken on the floor at the May AR meeting. Once nominations are closed, the Representative Council will hold a secret ballot vote and representatives will be elected by the Representative Council. Should a vacancy occur, the President shall, upon approval of the Executive Board, appoint a member to fill the vacancy.

ARTICLE VII All council members are designated as the eligible NEA State delegate candidates.

When twenty percent (20%) of the active members request in writing, the general membership shall vote by secret ballot to approve or disapprove any actions taken by standing committees, the Executive Board or Representative Council of the Association of Bay County Educators. The decision of the membership shall be binding on the standing committees, the Executive Board and the Representative Council.

If such a ballot is necessary, the election will be carried out by the Elections Committee in accordance with established guidelines with the approval of the Representative Council.

ARTICLE VIII Amendments

These Bylaws may be amended by majority vote at any regular meeting of the Representative Council provided that proposed amendments have been sent to Association Representatives two calendar weeks in advance of the meeting.

ARTICLE IX Parliamentary Authority

Robert's Rules of Order shall be the parliamentary authority for the Association on all questions not covered by the Constitution and Bylaws and such standing rules as the Representative Council may adopt.

At any meeting of the association or councils thereof, a parliamentarian may be appointed by the presiding authority of the meeting.

Adopted by the ABCE Rep Council 5/12/92 and revised 4/12/94, 1/10/95, 5/9/95, 9/9/97, 3/11/03 and October 12, 2004, accepted by the association assembly council on 11/08/2011. Stipend language added 2/13/07 AR Meeting. Revised August 2016, accepted by the association assembly council on 1/17/2017. Revised September 2020, accepted by the association assembly council on 10/20/2020.