

By-Laws of the Park city Education Association

Article I (Membership)

Section 1.1 **Members.**

In order to qualify for active membership in the Association, in addition to the qualification imposed by the Articles of Incorporation for the Association, a person must:

- A. Make Payment of the annual dues and such other fees as may be required in the By-Laws.
- B. Have an earned bachelor's degree or higher, or hold a regular vocational or technical certificate, or hold a regular legal certificate or letter of authorization applicable to his/her educational work.
- C. Also be members of the Utah Education Association and the National Education Association.

It shall be the duty of the Executive Board to determine eligibility of applicants for membership in the Association.

Section 1.2 **Membership Year.**

The term of Membership shall extend from September 1 to August 31.

Section 1.3 **Associate Members.**

Active members upon retirement and persons employed by Park City Board of Education who are not eligible to become active members, may, upon payment of dues. Enroll as associate members with the same membership representation rights as regular members.

Section 1.4 **Revocation of Membership.**

- A. The Executive Board shall give written notice to the member whose censure, suspension, or cancellation of membership is under consideration, by mailing to the member's last known address or delivering to the member personally, a written document setting the time and place of a hearing before the Executive Board and setting forth in reasonable detail the basis upon which the matter is to be considered. Said notice shall be given not less than seven (7) calendar days prior to the date of the hearing.
- B. At the hearing the member shall be given an opportunity to be heard, may present witnesses and may be represented by counsel.
- C. During the hearing the member shall be permitted to examine the evidence against. Him/her and to cross examine and witnesses against the member.
- D. After due consideration of the matters presented burring the hearing, the Executive Board shall issue a written determination stating its findings of facts

and conclusions. A copy of such determination shall be either delivered to that member or mailed to the member's last known address.

The determination, if a suspension, shall state the terms and conditions of the suspension, its duration, and the circumstances under which the member may be re-instated.

Section 1.5 **Re-instatement of an Expelled or Suspended Member**

Upon application of an expelled member or at the termination of a suspension period, the Executive Board shall review the qualifications and immediate background of the member for the purpose of determining whether membership will be objectionable to the Association, or that the term of suspension has expired. Upon due consideration of all factors, the Executive Board shall notify the member of re-instatement in writing, delivered to the member, or mailed to the member's last known address.

Article II
(Dues)

Section 2.1 **Membership Dues**

Membership dues in the Association shall be \$62.00 per year.

Section 2.2 **Payment**

New Membership Forms and continuing rosters shall be turned over to the Eastern Utah UniServ office, the roster will be sent to the clerk of the Board to make deductions from the member's salary for the purpose of paying membership dues.

Section 2.3 **Continuing Membership**

Dues for continuing members shall be assessed according to the prevailing dues schedule for each new membership year. Written notice of cancellation of continuous must be given to the Membership Office of the Utah Education Association by September 15th preceding each new membership year.

Article III
(Membership Meetings)

Section 3.1 **General Meetings**

A general meeting of the members of the Association may be held upon such date after the opening of the school as may be determined by the Executive Board.

Section 3.2 **Special Meetings**

Special meetings of the Association may be held at the call of the Executive board, or that the request of five (5) members, notice thereof shall be given to all members through their Association Representatives (ARs).

Section 3.3 **Quorum**

The members of the Association present at any meeting of the Association shall constitute a quorum authorized to do business for the Association.

Section 3.4

Majority

A majority of the votes entitled to be cast by the members present at duly constituted meeting shall be necessary for adoption of any matter voted on by the members unless a greater proportion is otherwise required by the by-laws of the Association, its Articles of Incorporation, of the laws of the State of Utah.

Section 3.5

Procedure

Robert's Rules of Order shall be the standard authority in governing the proceedings of this Association insofar as said rules do not conflict with the Articles of Incorporation of these by-laws.

Section 3.6

No Proxies

All voting power of the members must be exercised in person. There shall be no use of proxies.

Article IV

(Officers and their Duties)

Section 4.1

President

A. Term

The president shall hold office for two years beginning on the 1st of June.

B. Duties

The president shall preside as Chair of the Executive Board and as such shall be entitled to vote in case of a tie vote upon any matter. The President shall preside over meetings of the Executive Board and at meetings of the membership. The President shall appoint committee Chairs and give direction for committee activities with the advice and consent of the Executive Board. The President shall direct the affairs of the Association as its administrative officer and shall perform such other duties as may be imposed upon him/her by the Articles of Incorporation or these by-laws.

C. Payment

The President shall be paid \$1,000.00 by the Association for performance of his/her duties.

Section 4.2

Vice President

A. Term

The Vice-President shall be selected to office for the term of two years (2) beginning on June 1st following the general elections conducted by the Association.

B. Duties

During the Vice-President's term, he/she shall perform the functions usually attributed to the office of Vice-President and shall assist the President in the performance of his/her duties.

C. Payment

The Vice-President shall be paid \$500.00 by the Association for performance of his/her duties.

Section 4.3 Secretary

A. Term

The secretary shall hold office for two (2) years beginning on June 1st following being elected by the general membership by secret ballot.

B. Duties

The secretary shall be responsible for taking minutes at all Executive Board and General Membership meetings.

C. Payment

The secretary shall be paid \$250.00 by the association for performance of his/her duties.

Section 4.4 Treasurer

A. Term

A treasurer shall hold office for two (2) years beginning on June 1st following election by the general membership by secret ballot.

B. Duties

She/he shall be responsible for the accounting of the memberships' dues money.

C. Payment

The Treasurer shall be paid \$250.00 by the Association for performance of his/her duties.

Section 4.5 Qualifications

No person shall be nominated or appointed to any elective office including the office of Association Representative (AR) unless such person shall have been a member in good standing immediately preceding the date of such person's nomination or appointment.

Section 4.6 Vacancies

A vacancy in the office of President shall be filled by the Vice-President for the unexpired term of the replaced President. Vacancies in all other offices shall be filled for their unexpired terms by appointment of the Executive Board.

Article V

(Executive Board)

Section 5.1 Membership

The Executive Board shall consist of eleven (11) members; a President, Vice-President, Secretary, Treasurer and seven (7) Association Representatives (AR's) one from each school.

- Section 5.2** **Meetings**
Meetings of the Executive Board may be held at such times and places as may be determined by the President of the Association.
- Section 5.3** **Alternates**
An alternate for each Association Representative (AR) shall be permitted to attend Executive Board and may vote as a member in the absent of the Association Representative (AR) from their school.
- Section 5.4** **Quorum**
Six (6) Executive Board members present in person at any meeting of the Board shall constitute a quorum, and any business may be transacted by a majority vote of the board members present at such meeting. In case of a tie bite on any matter or issued, the President shall then be entitled to vote.
- Section 5.5** **Vacancies**
Any vacancy in any office held in the Association may be filled by a majority vote of the Executive Board except as otherwise provide in the Articles of Incorporation and these by-laws.
- Section 5.6** **Information to Members**
The Executive Board shall keep the members of the Association Advised on all matters of interest to the members.
- Section 5.7** **Delegates**
The Association shall send delegates to the House of Delegates of the Utah Education Association and to the National Education Association as provided for in the Articles of Incorporation of the Association. Election to the Executive Board shall constitute election as an above mentioned delegate. The Executive Board shall fulfill all the Constitution and By-law requirements of said Association in assigning allocated credentials to such duly elected delegates or alternate delegates.
- Section 5.8** **Civic Participation**
The Executive Board may appoint members to represent the Association in worthwhile civic, business, and other organizations, and may authorize the Executive Board to pay and dues required by such organizations or the representatives so appointed.
- Section 5.9** **Expenditure of Funds**
The Executive Board may be by majority vote, authorize the payment from the general fund of the Association, expenses incurred by a member of the Association while on official business for the Association or the payment of such other expenses as are deemed necessary by the Executive Board.
- Section 5.10** **Research**
The Executive Board may conduct or direct research on problems pertinent to the welfare of the Association and may authorize the payment of any expenses in connection therewith.

Section 5.11 **Publications**

The Executive Board may provide for official publications for the Association.

Article VI

(Association Representatives)

Section 6.1 **Election**

Association Representatives (ARs) and alternates shall be elected at each school by and from the members present during the Association meeting in each building in May, their term of office beginning on the first of June, The Association Representative (AR), or alternate of the current year, or if one is not present, a member appointed by the President, shall supervise the election of said Representative.

Section 6.2 **Duties**

The Association Representative (AR) shall be chair of the members at their respective schools and on charge of the Association Activities at such school. The Association Representative (AR) shall be responsible for reporting to the membership each month during the school year.

Section 6.3 **Payment**

The Association Representatives (AR) shall be paid \$50.00 by the Association for performance of his/her duties.

Section 6.4 **Meeting and Reports**

Association Representatives (ARs) shall attend all meetings of the Executive Board and report all matters of interest considered to members at their respective schools. The Association Representative (AR) shall also keep the Executive Board advised of the desires and needs of the members at their respective schools.

Section 6.5 **Collection of Dues**

The Association Representative (AR) shall act as agents to verify the annual dues for the Association form the members in their respective schools and shall turn the verification of enrollment over to the office of the Association.

Section 6.6 **New Members**

The Association Representative (AR) shall contact persons eligible for membership at their respective school, and particularly new teachers, explain the purpose of the Association to them, and endeavor to enroll such persons as members of the Association.

Article VII

(Delegates)

Section 7.1 **Organization**

Delegates assigned an allotted credential by the Executive board to represent the Association in the House of Delegates of the Utah Education Association after being advised of their assignment by the President as such delegates, shall meet at such time and place as the executive board may direct and issues at hand.

Section 7.2

Duties

It shall be the duty of such delegates to represent the Association in the said House of Delegates in such a manner as may be provided in the Articles of Incorporation or By-laws of the Utah Education Association.

Section 7.3

Reports

The President of the Association shall report to the next regular meeting of the Representative Assembly all matters of interest that are considered at each meeting of the said House of Delegates.

Section 7.4

Delegates to the National Education Association

Delegates to the National Education Association elected by the members shall perform such duties and make such reports as may be directed by the Executive Board.

Article VIII
(Elections)

Section 8.1

Nominating Committee

The Executive board shall at the March meeting select a Nominating Committee of three (3) members, one of whom shall be named chair by the Executive board.

Section 8.2

Nominations

The Nominating Committee shall present in nomination by posting in each school building the names of at least two (2) candidates for each elective office to be filled, Additional nomination for each office may be made by ending the names of the nominees to the chair of the Nominating Committee, All nominations must be made by 4:30 p.m. on the last Friday of March.

Section 8.3

Consent

No persons may be nominated either by the Nomination Committee or otherwise unless written consent of the person whose name is to be placed in nomination to run for any office, shall be first filed with the chair of the Nominating Committee.

Section 8.4

Qualifications

Only members in good standing shall be eligible for nomination to any elective office.

Section 8.5

Primaries

If more than two (2) nominees are named for any office, the names of such nominees shall be placed upon a primary ballot and a primary election shall be held within two weeks following the close of nominations. The two (2) candidates for each office on the primary ballot receiving the highest number of votes shall be declared the candidates for the final elections and their names shall be placed upon the official ballot.

Section 8.6

Election Date

The final election shall be held within five (5) days following the primary election. If there is no primary election, the final election will then be five (5) days after the close of the nominations.

Section 8.7

Tie Vote

In case of a tie vote there would be a second election for that office within seven (7) school days of the first election.

Section 8.8

Declaration of Results

When ballots have been delivered to the nominating Chair, the nomination committee shall proceed to count the ballots, Candidates receiving the highest number of votes for their respective offices shall be declared elected and shall be so notified in writing by the Executive Board within one week after the date of the election.

Section 8.9

Write-Ins

Write-in candidates may be entered on the ballot in any election provided the written consent of said candidate whose name is to be written in is filed with the Committee Chair, together with proof of eligibility, by 4:30 p.m. on the Day before the election.

Section 8.10

Right to vote

All members of the Association with voting privileges are entitled to vote for candidates running for the office.

Section 8.11

Assumption of Duties

The term of office of all incoming officers and members of the Executive Board shall be June 1st to May 31st.

Article IX
(Negotiations)

Section 9.1

Negotiations Committee

The Executive board shall establish a Negotiations Team to consist of:

- A.** *The President (or Vice President if no PCEA release time is funded for the President)*
 - a.** *No additional stipend will be paid for PCEA president to serve on the Negotiations Committee*

- B.** *Two PCEA members selected by Executive Board*
 - a.** *A stipend of \$1000 will be paid to Negotiations Team members upon ratification of a contract.*
 - b.** *Negotiations Team members will serve a minimum of two years, with a maximum of two new members per contract negotiation.*
 - c.** *Negotiations Team members will participate in NEA/UEA/Eastern UniServ sponsored training on school finance AND bargaining prior to the onset of negotiations.*

Section 9.2 **Duties**

It shall be the duty of the Negotiations Team to:

- A. Solicit input from members and develop a prioritized negotiations directive to present to the PCEA General Membership for approval no later than the onset of negotiations, typically April 1.*
- B. Report to and communicate with the Executive Board on a regular basis during contract negotiations.*
- C. Negotiate with the Park City Board of Education the Association's proposals and goals.*

Section 9.3 **Tentative Settlement**

When the Negotiations Team Has reached a tentative settlement with the Park City Board of Education, the Team will then meet With the Executive Board for their recommendation to the General Membership.

Section 9.4 **General Membership Ratification**

The president of the Association shall call a General Membership Meeting to accept or reject the tentative settlement of the Negotiation Team. Said membership meeting shall be announced one (1) week before meeting is to happen. The Negotiations Team will present the tentative settlement and answer questions of the membership.

Section 9.5 **Ratification Vote**

One week following the General Membership Meeting, a ballot will be sent to every member to ratify the negotiations settlement. Ballots will be due back into the association within one Week At which time ballots will be counted and the result will be announced.

Section 9.6 **Impasse**

In the event of any impasse, defined by the Association as such, all Association members shall be obligated to abide by such sanctions as the Association sets forth.

Article X
(Affiliation)

The Association shall affiliate with the Utah Education Association and the National Education Association and such additional organizations as deemed necessary by the Executive Board.

Article XI
(Amendments)

The By-laws may be amended by a majority vote of those Association members voting, taken by secret ballot, provided that notice of such proposed amendments shall have been posted in each school for a period of at least two (2) weeks prior to the date of the voting on any such amendment.