

SWOEA CONSTITUTION

Article I

Names, Goals, and Authorities for Governance

- Section 1. **NAME.** This Association shall be called the Southwestern Ohio Education Association.
- Section 2. **GOALS.** The goals of this association shall be to initiate and support those actions, services and social programs which will:
- a. Provide optimum educational opportunity for children;
 - b. Advance the cause of education and teaching as a profession through leadership, service, research and responsibility; and
 - c. Promote strong local professional associations.
- Section 3. **GOVERNANCE.** The Association shall be governed by this Constitution, the Bylaws, the Standing Rules and such other actions as the Representative Assembly and the Executive Committee may take consistent therewith.

Article II

Membership

- Section 1. **CLASSES OF MEMBERSHIP.** Membership in the Association shall comprise a class of active members and such other classes as may be provided by the Bylaws.

Section 2. **MEMBERSHIP ELIGIBILITY.**

- a. Membership, as provided in the Bylaws, shall be open to all persons actively engaged in the profession of teaching, or in other educational work, or to persons interested in advancing the cause of public education who shall agree to subscribe to the goals of the Association and abide by its Constitution and Bylaws.
- b. Members shall adhere to the Code of Ethics of the Education Profession.
- c. The Association shall not deny membership to individuals on the basis of race, creed, national origin, or sex, nor shall any organization which so denies membership be affiliated with the Association.

Article III

Officers - Executive Committee

Section 1. **OFFICERS.** The Officers of this Association shall be the President, Vice President, and Treasurer. (04/12/03)

Section 2. **EXECUTIVE COMMITTEE.** The Executive Committee of this Association shall be the Officers, Zone Representatives, and SWOEA Unit Representatives to the Ohio Education Association Board of Directors. In addition, any member of SWOEA holding an OEA or NEA elected office shall be a voting member of this committee and shall be counted in the quorum. (04/12/08)

Article IV

The Representative Assembly

Section 1. The Representative Assembly shall be the governing body of the Association.

Section 2. The Representative Assembly shall be composed of delegates determined by procedures set forth in the Bylaws.

Article V

Committees, and Presidents Plus One

- Section 1. **COMMITTEES.** Standing committees shall be organized as prescribed in the Bylaws.
- Section 2. **SPECIAL COMMITTEES.** Special committees and additional standing committees may be authorized to meet specific needs of this Association in accordance with the Constitution and Bylaws.
- Section 3. **PRESIDENT PLUS ONE.** A President Plus One meeting of local association presidents may be established as prescribed in this constitution and the Bylaws.

Article VI

Affiliations

- Section 1. **OEA AFFILIATION.** The Association shall affiliate with the Ohio Education Association in the manner prescribed in the constitution of the Ohio Education Association so that this Association shall be entitled to participate in benefits to be derived from the Ohio Education Association and shall have a voice in determining its policies.
- Section 2. **NEA AFFILIATION.** The Association shall affiliate with the National Education Association in the same manner prescribed in the constitution of the National Education Association.

Article VII

Terms of Office

- Section 1. The President, Vice President and Treasurer shall serve a term of three (3) years and may be elected for only one (1) additional consecutive term.
- Section 2. Zone representatives shall serve a term of two (2) years and may be elected for only two (2) additional consecutive terms. (4/29/06)
- Section 3. An Ethnic-minority Representative as established in the Bylaws shall serve a term of one (1) year and may be appointed for up to a maximum of six (6) terms. (4/29/06)
- Section 4. The terms of Officers, Zone Representatives, and Ethnic-minority Representatives shall be September 1 through August 31 of the year in which a successor is elected.
- Section 5. Zone Representatives in even numbered zones shall be elected in even numbered years. Zone Representatives in odd numbered zones shall be elected in odd numbered years.

Article VIII

Amendment of Constitution and Bylaws

- Section 1. **PROPOSAL OF AMENDMENTS.** Amendments to the Constitution or Bylaws may be proposed by:
- a. A majority vote of the Constitution and Bylaws Committee; or
 - b. A majority vote of the Executive Committee; or
 - c. Petition signed by at least twenty (20) or more certified SWOEA Representative Assembly delegates; or
 - d. Petition signed by a total of one hundred (100) or more active members from at least two (2) local associations.

Section 2. **AMENDMENT OF THE CONSTITUTION.**

- a. Each amendment proposed by sections 1b, 1c or 1d shall be presented in writing to the Constitution and Bylaws Committee. (4/29/06)
- b. All proposed amendments will be read by title to the Representative Assembly. Provided that the other requirements of this section have been met, it will then be voted on at the following Representative Assembly. (4/29/06)
- c. The text of the proposed amendment(s) shall be printed in an official communication sent to all local presidents at least thirty (30) days prior to its consideration. Delegates will receive such communication through their local president. The text of the proposed amendment(s) will also be posted on the SWOEA website. (4/29/06)
- d. The Constitution may then be amended by a two thirds (2/3) vote. (4/29/06)

Section 3. **AMENDMENT OF THE BYLAWS.**

- a. A proposed amendment to the Bylaws shall be presented in writing or by email to the Constitution and Bylaws Committee postmarked or time-stamped email no later than sixty (60) days prior to the Representative Assembly. (4/18/15)
- b. The text of the proposed amendment(s) shall be printed in an official communication sent to all local presidents at least thirty (30) days prior to its consideration. Delegates will receive such communication through their local president. The text of the proposed amendment(s) will also be posted on the SWOEA website. (4/29/06)
- c. Proposed amendments to the Bylaws may be acted upon at the same Representative Assembly at which they are presented.
- d. The Bylaws may be amended by a majority vote.

Section 4. **VOTING ON AMENDMENTS**

- a. Voting on proposed amendments shall be by secret ballot.
- b. Unless otherwise provided, all amendments shall take effect at the beginning of the fiscal year following their adoption.

SWOEA BYLAWS

1. MEMBERSHIP

1-1. Membership Year

The year shall be from September 1 through August 31. The fiscal year shall run concurrently with the membership year.

1-2. Classes

- a. There shall be four (4) classes of membership in the Association: Active; Student; Retired; and Associate. Any member of the OEA within the territory of the district shall be eligible for a class of membership in accordance with these Bylaws. (4/18/15)
- b. Active membership shall be open to any person employed by an education institution, agency or organization in Ohio within the territories of the district, including layoff and official leave of absence who agrees to the Code of Ethics of the Education Profession and who is not eligible for any other class of membership as defined herein. All members shall meet the unification requirements of local, SWOEA, OEA and NEA. (4/18/15)
- c. Student membership shall be open to any student, undergraduate, or graduate, enrolled in a teacher education program in an accredited college or university within the territory of the district. Such a member shall not currently hold, nor previously have held, an employment contract with any education institution which would qualify the member for active membership.
- d. Retired membership shall be open to any officially retired member who has worked within the territory of the district. (4/18/15)
- e. Associate membership shall be open to any person who is interested in advancing the cause of public education, but who is not employed by an education institution, agency, or organization, and who is not eligible for any other class of membership in the Association.

1-3. **Rights and Limitations**

- a. The right to vote and to hold elective office or appointive position shall be limited to active members except as provided in the Constitution and Bylaws.
- b. All members shall be eligible for SWOEA services, assistance in the protection of professional and civil rights, and the receiving of reports and publications of the Association.
- c. Any person who changes professional or occupational positions shall be transferred to the class of membership applicable to that new position. A member shall not remain in a class of membership for which the individual is no longer eligible.
- d. Student members shall be eligible to be voting delegates to the Representative Assembly.

1-4. **Membership Dues**

The annual membership dues shall be as follows:

- a. Dues of active members shall be 4% of the OEA dues rounded to the nearest dollar.
- b. Dues of active members who are regularly employed for fifty (50) percent of less but greater than twenty-five (25) percent of the normal schedule for a full time employee, who are not employed as substitutes, and School Support Personnel shall be one-half (1/2) of the active dues as established in Bylaw 1-4a plus one-half of any SWOEA voted additional levy, as appropriate. Dues for active members who are regularly employed for twenty-five (25) percent or less of the normal schedule for a full-time employee, or School Support Personnel, who are not employed as substitutes, shall be one-quarter (1/4) of the active dues, as appropriate. (4/23/05)
- c. Dues of student members shall be as established by OSEA. (04/12/03).
- d. Dues of retired members shall be one-half the dues established in Bylaw 1-4a. Retired Life membership dues shall be \$30.00.
- e. Dues of Associate Members shall be one-half the dues as established in Bylaw 1-4a, plus one-half any additional levy.

1-5 **Expulsion of Members**

The Expulsion of Members shall be as followed:

- a. According to procedures adopted by the Association, the Executive Committee may censure, suspend from membership, or expel any member for one or more of the following reasons:
 - 1) Violation of the Code of Ethics of the Education Profession; or
 - 2) Conviction of a felony; or
 - 3) Activity engaging in or actively supporting activities directed against the constitutional purposes of the Association to bring about changes in the Association's Constitution.
- b. The Executive Committee may reinstate members previously suspended or expelled. (Entire Section Amended 04/12)

1-6 **Due Process**

- a. The Association guarantees that no member may be censured, suspended, or expelled without a due process hearing, which shall include an appropriate appellate procedure.
- b. The due process hearing shall be in front of SWOEA Executive Committee. (Entire Section Amended (04/12)

2. OFFICERS AND EXECUTIVE COMMITTEE: POWERS AND DUTIES

2-1. **Qualifications**

All officers and Executive Committee members shall be unified members.

2-2. **Expenses**

Officers and Executive Committee members may be compensated for their expenses.

2-3. **Powers and Duties of the President**

The President shall:

- a. Be the executive officer of the Association before the public, either personally or through delegation.
- b. Preside over meetings of the Executive Committee and all other meetings of this Association except as provided elsewhere and shall vote only in case of a tie, or when a ballot vote is taken.

- c. Appoint the Chairpersons, members, and Liaisons of all standing committees, and special committees with the approval of the Executive Committee.
- d. Be an ex-officio member of all standing committees except the Nominations and Elections Committee.
- e. Serve as chairperson of the Reapportionment Committee.
- f. Be a delegate to the OEA Representative Assembly.
- g. Oversee the expenditure of funds of this Association.
- h. Cause to be prepared the agenda for the Executive Committee meetings, President Plus One and the program for the Representative Assembly.
- i. Review Association policies and recommend priorities to be considered by the Executive Committee.
- j. Submit an annual report of the Association's program and activities to the Spring Representative Assembly.
- k. Be first alternate to the SWOEA Unit Representatives to the OEA Board of Directors. (04/12/08)
- l. Perform all other duties and exercise such other functions as ordinarily pertain to that office and those assigned by the Executive Committee or the Representative Assembly.

2-4. **Powers and Duties of the Vice President**

The Vice President shall:

- a. Act for the President when the President is unable to perform the duties of that office.
- b. Be responsible for coordinating all committees and be an ex-officio member thereof.
- c. Be second alternate to the SWOEA Unit Representatives to the OEA Board of Directors. (04/12/08)
- d. Perform all other duties and exercise such other functions as ordinarily pertain to that office and those assigned by the President.

2-5. **Powers and Duties of the Treasurer**

The Treasurer shall:

- a. Collect all receipts of this Association for deposit in a bank approved by the Executive Committee.
- b. Disperse funds upon authorization of the Executive Committee.
- c. Keep records of receipts and disbursements.
- d. Report to each meeting of the Executive Committee and the

- Representative Assembly.
- e. Prepare annual financial statement for publication to members.
 - f. Serve as chairperson of the Budget Committee in preparing the annual budget.
 - g. Submit the books for audit at the end of each fiscal year.
 - h. Be bonded; such bonding to be provided by the Association, as required.
 - i. Be third alternate to the SWOEA Unit Representatives to the OEA Board of Directors. (04/12)
 - j. Perform all other duties and exercise such other functions as ordinarily pertain to that office and those assigned by the President.
 - k. Have, on a recommendation of the Budget Committee, the authority to freeze the dues for up to one year.

2-6. **Powers and Duties of the Executive Committee**

A quorum for Executive Committee meetings, unless otherwise stated in these Bylaws, shall be a majority of the members of the Executive Committee.

The Executive Committee shall:

- a. Meet once a month at a regular time and place and at such other times as may be called by the President or by a majority of its members.
- b. Implement motions and resolutions approved by the Representative Assembly.
- c. Act for the Association and make policy decisions between meetings of the Representative Assembly within policies prescribed by the Representative Assembly.
- d. Set the time and place for all regular meetings of the Association.
- e. Have available, upon request, copies of its minutes to all members.
- f. Designate a depository for the funds of the Association.
- g. Have the right to recommend, by a two thirds (2/3) vote of all members, the recall of a representative of the district.

Following such recommendation for recall, the SWOEA Executive Committee shall provide a just cause hearing. A two thirds (2/3) vote of all the Executive Committee shall be required for recall.

- h. Allow the Executive Committee member to appeal the decision to a special meeting of the membership from which elected.
- i. Perform all other duties and exercise such other functions as ordinarily pertain to that body.
- j. Have, on a recommendation of the Budget Committee, the authority to freeze the dues for up to one year.

3. REPRESENTATIVE ASSEMBLY

3-1. Meetings

The semi-annual meeting of the Representative Assembly shall be held in the fall and spring.

- a. The fall meeting shall convene to act on legislative items and conduct necessary business.
- b. The spring meeting shall convene to adopt the annual budget, hold an election, act on resolutions, and conduct necessary business.
- c. The Representative Assembly shall be called to order with a minimum of forty (40) delegates present.

3-2. Functions

The Representative Assembly shall:

- a. Establish Association policies and objectives.
- b. Elect the President, Vice President, Treasurer, SWOEA Zone Representatives and SWOEA Unit Representatives to the OEA Board of Directors. (04/08)
- c. Adopt the annual budget.
- d. Establish dues.
- e. Adopt the rules and agenda governing its meetings.
- f. Amend the Constitution and Bylaws as provided herein.
- g. Enact such other measures as may be necessary to achieve the goals and objectives of the Association, which are not in conflict with the Constitution and Bylaws.

3-3. Allocation of Delegates

- a. Active Units

- (1) Allocation of delegates shall be on the basis of active membership in the Association.
- (2) Allocation of delegates will be in the ratio of one (1) delegate and one (1) alternate for each fifty (50) active members of the local association or major fraction thereof.
(4/18/15)

- b. Retired Teachers Association Unit
Any OEA-R delegate retiring from the SWOEA district who is an OEA Representative Assembly delegate will also be a delegate to the SWOEA Representative Assembly. (4/18/15)

3-4. **Voting Delegates**

The following shall be voting delegates:

- a. Officers
- b. Executive Committee members
- c. Delegates as defined in Bylaw 3-3 (4/29/06)

3-5. **Election and Certification of Delegates**

- a. All candidates for delegates and alternates to the SWOEA Representative Assembly shall be unified members. (4/18/15)
- b. All delegates and alternates shall be elected annually for one-year terms.
- c. A list of delegates and alternates shall be sent to the SWOEA Convention Planning chairperson not later than twenty five (25) days in advance of the fall Representative Assembly.
- d. Those local association delegates elected to OEA Representative Assembly shall be the duly elected SWOEA Representative Assembly delegates plus additional elected delegates and alternates to meet the allocation ratio according to Article 3, Section 3, subsection a-2. (4/18/15)
- e. Alternate delegates will replace voting delegates when the voting delegate cannot serve.

4. UNIT AND ZONE STRUCTURES

4-1. Electoral Units

- a. Each unit shall have a membership comprising approximately three thousand (3,000) active members. (04/12/03)
- b. No county shall be split unless absolutely necessary.
- c. No school district shall be split under any circumstance.
- d. The units shall be geographically logical.

4-2. Zone Structure

- a. Zones shall be established with no more than ten (10) and no less than three (3) local districts exclusive of those members in the classes of membership covered by (b) below. Adjustment of zone boundaries shall be made by the Reapportionment Committee in March, 2005 and every three years thereafter. The report of the Reapportionment Committee requires approval of the Executive Committee for implementation. (4/23/05)
- b. Each of the following classes of membership shall be recognized as a district wide zone, with each zone being guaranteed at least one representative.
 - (1) Higher Education
 - (2) School Support Personnel
 - (3) Ohio Student Education Association
 - (4) SWOEA Retired (04/12/03) (4/23/05)

4-3. Ethnic Minority Representation

Ethnic minority representation shall be guaranteed at least proportional to the Association ethnic minority membership. If the ethnic minority membership of the Executive Committee falls below the proportion of the ethnic minority membership in the Association, an ethnic minority candidate(s) for an at-large position will be recommended by the President and voted on by the Executive Committee, by majority vote. (4/29/06)

5. NOMINATIONS AND ELECTIONS

5-1. Nomination

- a. Nomination for SWOEA Officers and Zone Representatives shall be by declaration of intent. Such declaration shall be placed in the hands of the Chairperson of the Convention Planning Committee no

later than sixty (60) days prior to the spring Representative Assembly.

- b. In the event that fewer than two candidates have declared for each office or Zone Representative position, the Nominations and Elections Committee shall make every effort to provide at least two (2) candidates for each elective position not later than thirty (30) days prior to the spring Representative Assembly.
- c. The final list for nominations to all SWOEA elective positions according to paragraphs a. and b. above shall be published in the delegate handbook.
- d. Nominations with a second may be made from the floor with approval of the person so nominated. Such nominations for Zone Representatives must be made by delegates from their respective zone.

5-2. **Elections**

- a. SWOEA Unit Representatives to the OEA Board of Directors shall be elected in accordance with the OEA Constitution and Bylaws.
- b. A printed secret ballot shall be prepared by the Nominations and Elections Committee, containing the names of the candidates who have met the provisions of Section 5-1, paragraph a., b., and d. Spaces for write-in votes shall be provided.
- c. The Nominations and Elections Committee shall tabulate and announce the election results. In case of a tie vote the Committee shall determine the procedure to break the tie, subject to the approval of the Representative Assembly.
- d. The Treasurer will preserve all ballots, marked, unmarked and voided, and all other records pertaining to elections of SWOEA officers, OEA officers, OEA and NEA delegates and alternates for one (1) year from the election, and make such ballots and other records available to SWOEA officers and OEA officers and/or designee(s) for inspection and examination. (04/08)
- e. All elections conducted by SWOEA shall be in accordance to the OEA Constitution and Bylaws. (04/12)

6. SUCCESSION AND VACANCIES

- 6-1. Vacancies in any office may occur by death, resignation, recall or ineligibility, removal from office by the Representative Assembly or Executive Committee for malfeasance, misfeasance, or nonfeasance of duty or ineligibility for active membership in SWOEA.
- a. A vacancy in the office of President shall be filled by the Vice President, who shall complete the unexpired term.
 - b. In the event of a vacancy in the office of Vice President, the Executive Committee by a two thirds (2/3) vote of the committee shall elect an acting Vice President to fulfill the unexpired term. (4/29/06)
 - c. In the event a vacancy occurs in the office of both President and Vice President, the Executive Committee by a two-thirds (2/3) vote of the committee shall elect an acting President. (4/29/06)
 - d. In the event of a vacancy in the office of Treasurer, the Executive Committee by a two thirds (2/3) vote of the committee shall elect an acting Treasurer to fulfill the unexpired term. (4/29/06)
 - e. In the event of a vacancy occurs with the SWOEA Unit Representative to the OEA Board of Directors shall be filled in accordance with the OEA Constitution and Bylaws. (04/12)
 - f. A vacancy on the Executive Committee except above shall be filled from the same constituency by a majority vote of the Executive Committee to fulfill the unexpired term is still eligible for two (2) terms.

7. COMMITTEES

7-1. **Standing Committees** (4/12)

The Committees of this Association shall be:

- a. Constitution and Bylaws
- b. Resolutions
- c. Convention Planning
 - (a) Credentials
 - (b) Nominations and Elections
- d. Legislative
- e. Public Relations
 - (a) Newslines

- (b) Website
- f. Peace and Civil Rights
- g. Awards
- h. Professional Development
- i. Committee on Organizational Development
- j. Scholarship

7-2. **Reapportionment Committee**

The Reapportionment Committee shall include the President, the Vice President, the Chairperson of the Constitution and Bylaws Committee and the SWOEA Unit Representatives to the OEA Board of Directors. One non-officer member shall be appointed by the President with the approval of the Executive Committee. (4/29/06)

7-3. **Special Committees**

Special Committees shall be formed to meet the specific needs of this Association and local associations. (4/29/06)

8. RULES OF ORDER

8-1. **Rules of Order**

Robert's Rules of Order Newly Revised shall be the authority of parliamentary procedure at any meeting of the duly constituted bodies of the Association.

9. DISSOLUTION OF ASSOCIATION

9-1. **Dissolution and Assets**

- a. A petition for dissolution of the Association may be presented in writing to Representative Assembly meeting by any member in good standing and must contain the signature of three-fourths (3/4) of the total membership of the Association.
- b. Upon receipt of the petition for dissolution by the total membership, the Association shall act upon the petition at the next Representative Assembly meeting.
- c. The Association shall be considered dissolved if three-fourths (3/4) of the total membership vote by secret ballot in favor of dissolution.
- d. The effective date of dissolution shall be thirty (30) days from the date of the vote, thus allowing for the disposal of assets and liabilities.

- e. In the event of dissolution of the Association, all assets of this organization remaining after payment of all obligations shall be distributed to all eligible local associations within SWOEA in a manner proportional to membership. In the event that any locals are not eligible, then their assets will be distributed to the Neediest Kids of All or any other charitable organization dedicated to helping children in southwest Ohio, provided that it is an entity recognized as exempt from Federal taxation. (Entire section amended 04/08)

SWOEA CONSTITUTION and BYLAWS

As Amended April 18, 2015