

**11/1/2016 CONSTITUTION and BYLAWS: Collier County Education Association**

**REVISED AS PER 1/9/18 RATIFICATION VOTE**

CONSTITUTION of the COLLIER COUNTY EDUCATION ASSOCIATION

ARTICLE I—NAME

The name of this organization is the Collier County Education Association (CCEA), a nonprofit, incorporated organization located in Collier County of the State of Florida.

ARTICLE II—OBJECTIVES

Section 1: The CCEA is a local association of the teaching profession in the State of Florida established to achieve, through the avenues of collective bargaining, petitioning, legislative activity and educating, the following objectives:

- a. To operate the Association in a manner designed to ensure the full and effective participation of all members, thereby establishing and maintaining an independent and self-governing body.
- b. To work for the continuous improvement of the teaching and learning conditions in the district school system of Collier County with the goal that every child may realize his/her maximum potential.
- c. To advance the professional interests of educators by promoting and protecting the rights and welfare of our members, and working to further the consistent development of the profession.
- d. To achieve improvement in the wages, hours, and working conditions for public educators through the legislative and collective bargaining process.
- e. To work among the citizens of Florida for broad support of public education and to encourage improved attitudes toward teaching as a profession.
- f. To secure and obtain adequate financial support for public education in Florida.
- g. To protect and support active members as employees in disputes with employers or with those acting on behalf of employers.

- h. To work to assure nondiscrimination within the profession based upon one's race, creed, **gender, sexual preference, gender identification**, social, political or economic status or national origin.
- i. To encourage and promote involvement of the **A**ssociation and its members in community affairs.
- j. To enable members to speak with a common voice on matters pertaining to the teaching profession and to present their individual and common interests before the District School Board, its agents, and the community.
- k. To ally with other organized teacher and labor groups in the pursuit of common goals and objectives.
- l. To promote mutual assistance and cooperation among all teacher organizations and public employee organizations in Florida.
- m. To hold property and funds, as a single organization or in concert with similar organizations, in order to employ a staff for the attainment of these objectives.

### ARTICLE III—MEMBERSHIP

#### Section 1: Individual Membership

- a. Active Members
  1. Any employee of Collier County Public Schools who is a qualified and certificated member of the instructional bargaining unit and who makes the appropriate payment of annual dues or selects the payroll dues deduction process during the open-enrollment period shall be an active member of the Collier County Education Association.
  2. Active membership shall be continuous until the member leaves the school system, submits a written resignation, fails to pay membership dues, or has his membership revoked.
  3. Active members of the Collier County Education Association also shall be members of the state and/or national organization(s) as designated by the Representative Council.
- b. Associate Members

Any person not qualified for active membership and not eligible for membership in another bargaining unit, and who is not primarily engaged in administrative and/or managerial duties within the District School System of

Collier County may become an associate member upon application. Associate members shall pay dues and receive services only as authorized by the Executive Board.

Section 2: Local Association Affiliates

Associations of non-instructional employees of the District School System of Collier County, organized for the purpose of representing their membership as bargaining agents, may affiliate with the Collier County Education Association in accordance with Article IX of the Constitution. Members of affiliated associations shall not be entitled to vote or hold office in CCEA and shall through their affiliate association pay per capita dues and receive services as authorized by the Executive Board of CCEA.

Section 3: Membership and all rights and privileges in the Collier County Education Association shall not be denied because of race, creed, gender, sexual preference, gender identification, social, political or economic status or national origin.

Section 4: Interpretation of Article III shall be the responsibility of the Executive Board subject to approval of the Representative Council.

Section 5: Membership Year

The membership year shall be from September 1 through August 31.

Section 6: Open-Enrollment Period

An open-enrollment period shall consist of an employee's initial sixty (60) contract days of employment or the first (60) days of each new school year.

Section 7: Qualifying for Membership Outside of the Open-Enrollment Period

Any employee qualified for membership under Section 1 above may be accepted for membership outside of the open-enrollment period upon a majority vote of the Executive Board.

#### ARTICLE IV—OFFICERS

Section 1: a. All officers shall be elected for a term of two (2) years as noted and shall constitute the Executive Board of the Collier County Education Association:

1. President (2-year term)
2. First Vice President (2-year term)
3. Second Vice President (2-year term)

4. Secretary (2-year term)
5. Treasurer (2-year term)
6. Seven District Vice Presidents, elected on a proportional basis by and from the membership represented within the geographical areas as determined by the Executive Board (2-year term)

b. They shall be elected in accordance with Article VIII of the Bylaws.

Section 2: Active membership in good standing for three (3) school years (not required to be consecutive) shall be required to hold office.

#### ARTICLE V—GOVERNANCE STRUCTURE

Section 1: The Representative Council

The organization shall be governed by elected representatives of the membership known as the Representative Council, subject to the provisions of this Constitution and its Bylaws. The Council shall formulate the policies of the organization, and it shall have the power to adopt, amend or rescind actions of the Executive Board. It shall be the sole judge of the qualifications of its members, including the power to remove the same from office for neglect of duties; be the final arbitrator in all disputed elections and interpretations of this Constitution and its Bylaws and approve the organization's annual goals, budget and committee appointments as recommended by the Executive Board.

Section 2: The Executive Board

The Executive Board shall:

- a. Execute the policies of the organization.
- b. Consider all matters of concern to the organization.
- c. Report all recommendations and actions to the Representative Council.
- d. Approve all personnel contracts, retainers and fees.

- e. Recommend to the Representative Council the organization's annual goals, budget and committee appointments.
- f. And, determine the time and place of its meetings.

Actions of the Executive Board shall be binding as the actions of the organization unless amended or rescinded by the Representative Council.

#### ARTICLE VI—VACANCIES

- Section 1: The Executive Board shall determine when a vacancy exists in an elective or appointive position.
- Section 2: Vacancies in elective or appointive positions shall be filled by the Executive Board. Should a vacancy develop in the position(s) of Representatives, the members from the school or center concerned shall fill the vacancy as soon as possible. The position will be considered vacant until notification of a replacement has been delivered to the CCEA office. A replacement may be any member in good standing assigned to that school or center.

#### ARTICLE VII—QUORUM

- Section 1: Membership
- One-fourth (1/4) of the active membership shall constitute a quorum at meetings of the membership.
- Section 2: Representative Council
- At any regularly scheduled meeting of the Representative Council, a quorum shall consist of not less than one-third (1/3) of the body's active members in attendance. In the case of a special-called meeting, a quorum shall consist of not less than a majority of its active members in attendance. An active member shall mean one who has attended at least one regular meeting since his/her election. Any member designated as an alternate at any school or center may represent any member of the Representative Council absent from the same school or center.
- Section 3: Executive Board

A majority of its members shall constitute a quorum at meetings of the Executive Board.

#### ARTICLE VIII—INITIATIVE AND REFERENDUM

- Section 1: Ten percent (10%) of the active members may initiate a proposition or may demand a referendum of any action of the Representative Council. The Executive Board shall submit same to the entire membership within thirty (30) days following certification thereof. The Executive Board shall be allowed two (2) weeks to certify the signatories.
- Section 2: Recall should be in accordance with Article IX of the Bylaws.

#### ARTICLE IX—AFFILIATION

- Section 1: The Collier County Education Association shall affiliate with or allow affiliation by such regional, state or national organizations or associations as shall be determined by the Representative Council to best meet the needs of the membership and the objectives of the organization, subject to ratification of the membership. Such ratification on a question of affiliation shall require an affirmative vote by at least two-thirds (2/3) of the active members voting by secret ballot, provided that at least one-third (1/3) of the active members shall have cast ballots. Twelve full calendar months must elapse between ratification votes dealing with the question of affiliation.
- Section 2: Affiliation shall signify that a mutually satisfactory agreement regarding services to be offered in exchange for an appropriate per capita dues transfer has been reached between the Executive Boards of the respective associations.

#### ARTICLE X—AMENDMENTS

- Section 1: Amendments may be proposed by ten percent (10%) of the active members, a majority of the Representative Council or by two-thirds (2/3) of the Executive Board.
- Section 2: This Constitution may be amended by two-thirds (2/3) vote of the active members voting by secret ballot, provided that at least one-third (1/3) of the active members shall have cast ballots, and that notice, in writing, of the proposed amendment shall have been filed with the President, and shall have

been read at a meeting of the Representative Council at least fifteen (15) school days before it is to be acted upon, in accordance with the provisions of Section 3 of this Article.

Section 3: Any adopted amendment(s) shall become effective immediately upon ratification unless otherwise specified in the amendment.

#### ARTICLE XI—ELECTION

Section 1: Election of officers and delegates shall be by secret ballot in accordance with Article VIII of the Bylaws.

BYLAWS OF THE CONSTITUTION

ARTICLE I—PARLIAMENTARY AUTHORITY

Robert's Rules of Order, newly revised, shall be the authority on all questions or procedures not specifically stated in this Constitution and its Bylaws.

ARTICLE II—OFFICERS

Section 1: The officers shall assume their duties May 1.

Section 2: President

The President shall be the chief policy officer of the organization, and as its chief policy leader shall:

- a. Represent the organization as spokesperson on matters of policy, or delegate responsibility for such representation.
- b. Preside at all meetings of the governing bodies of the organization, and shall prepare the agenda for these meetings.
- c. Make reports to the Executive Board and Representative Council.
- d. Appoint chairpersons and all members of committees as provided for in this Constitution, and serve as an ex-officio member of all appointive bodies or affiliates authorized by the governing bodies.
- e. Charge all appointed bodies with their duties and responsibilities.
- f. Prepare, with the assistance of the First Vice President and Treasurer, a goal-oriented budget for submission to the Executive Board. The tentative budget, following adoption by the Executive Board, shall be recommended to the Representative Council for its approval.
- g. Perform duties assigned by this Constitution and those duties customarily assumed by the chief officer of an organization.
- h. Sign all checks of the organization along with the Treasurer.



Section 3: First Vice President

The First Vice President shall be an officer who shall, in absence of or inability of the President to perform his **or her** duties and functions, exercise said duties and functions. The First Vice President shall assist the President in carrying out his **or her** duties and exercise all other duties and functions as assigned by the President and prescribed by this Constitution and Bylaws.

It shall be the primary responsibility of this officer to serve as liaison to all Annual Committees of the organization and to coordinate the organization's membership program.

Section 4: Second Vice President

The Second Vice President shall be the officer who shall, in the absence of or inability of the President and First Vice President to perform their duties and functions, exercise said duties and functions. The Second Vice President shall assist the President in carrying out his **or her** duties and exercise all other duties and functions as assigned by the President and prescribed by this Constitution and Bylaws.

It shall be the primary responsibility of this officer to serve as liaison to all Task Force Committees of the organization and foster the participation of minority members in the affairs of the organization.

The Second Vice President shall be knowledgeable regarding Robert's Rules of Order, newly revised, and shall use such knowledge in an advisory role to the President or presiding officer at governance meetings. Upon challenge by any member at any membership or governance meeting, a majority vote of those members present at that meeting shall determine the proper procedures to continue the business before the body.

Section 5: Secretary

The Secretary shall take roll and keep accurate minutes of all Association governance meetings and shall assist the President with the correspondence of the organization as requested.

Section 6: Treasurer

The Treasurer shall assure that all funds are deposited in the appropriate organization accounts at the financial institution(s) designated by the Executive

Board and disbursed in accordance with the approved budget or as directed by the Executive Board. He **or she** also shall assure the proper collection of the organization's dues and assessments and transmission of the amounts due to those regional, state, national, or other affiliates designated by the Representative Council.

The Treasurer, together with the President and First Vice President, shall prepare a goal-oriented budget for submission to the Executive Board. He **or she** also shall oversee the keeping of accurate financial records and supervise the development of no less than quarterly written financial statements and annual budget reports for distribution to each member of the Representative Council. The Treasurer shall be one of the association officers eligible to co-sign all checks **s** of the organization.

Section 7: Area Vice Presidents (7)

The Area Vice Presidents shall advise and assist the President; assist in promoting membership in the Collier County Education Association; assist in direct communication with the membership in their respective geographic areas; serve as **chairpersons** or consultants to the committees upon assignment of the President; and perform such other duties as they may be assigned.

Section 8: Members holding the office of President, First Vice President, Second Vice President, Secretary and Treasurer shall be limited to two consecutive two-year terms. Area Vice Presidents shall be eligible to hold two or more consecutive **two-year** terms. All incumbents shall be eligible to hold any other office upon completion of their present terms or upon resignation from their present offices.

### ARTICLE III—MEMBERSHIP

Section 1: Membership in this organization shall be classified as individual (active and associate) and local association affiliate.

Section 2: Active Membership

Any teacher of the Collier County Public Schools, upon payment of annual dues in accordance with the provisions of Article III of the Constitution, shall be a member of the Collier County Education Association. The term "teacher" shall mean any person who is a member of the instructional bargaining unit CCEA.

Section 3: Associate Membership

All current or past non-managerial employees of public education institutions not eligible for active membership in CCEA, all retired teachers, substitutes and interns are eligible for associate membership upon payment of annual dues as designated by the Executive Board.

Section 4: Local Association Affiliate Membership

All non-managerial personnel such as, but not limited to, paraprofessionals, aides, secretaries, and other supportive personnel shall be eligible for local association affiliate membership in the Collier County Education Association by and through their active membership in a local association affiliated with CCEA in accordance with Article IX of the Constitution.

Section 5: Each active member shall be entitled to one (1) vote when present at membership meetings or when designated in the manner set forth in the Constitution by ballot.

Section 6: All meetings of the membership, the Representative Council and the Executive Board shall be open to active members at all times, except for executive sessions as provided for in the standing rules of each governing body. Presence at governance meetings shall be limited to active members and staff except by invitation of the President or Executive Board.

Section 7: The membership must ratify by secret ballot or at a called general meeting(s) negotiated agreements with the District School Board of Collier County in a manner to be determined by the Executive Board.

#### ARTICLE IV—REPRESENTATIVE COUNCIL

Section 1: The legislative and policy-forming body of the organization shall be the Representative Council. It shall consist of the Executive Board and the elected Faculty Representatives or their Alternates from each school or supportive service faculty.

Section 2: The Representative Council acts in a quasi-judicial manner on behalf of the organization in all matters pertaining to elections, interpretations of the Constitution and Bylaws, qualifications and tenure of its members and that of the organization, and in such other matters as are delegated to it by the

Constitution or the Bylaws or by the membership or inherent in its powers as a governing body of the organization. The Representative Council may promulgate rules any time setting forth its procedures in such cases.

- Section 3: Notice of meetings of the Representative Council must be provided not less than three (3) school days in advance in the manner set forth for its notice of meetings of the membership.
- Section 4: In schools with more than one Faculty Representative, the CCEA members of that school shall designate one Faculty Representative as the Senior Faculty Representative. The Faculty Representative(s) of a school shall call membership meetings, chaired by the Senior Faculty Representative, within his/her school in order to provide an opportunity for two-way communication between the school members and the governance bodies of the organization.
- Section 5: The Association members at each school shall select Alternate Representatives to act in the absence of Faculty Representatives.
- Section 6: The President shall prepare and distribute the agenda to all Representative Council members at least three (3) school days prior to the next Representative Council meeting.
- Section 7: Emergency meetings may be called at the discretion of the President or by a majority of the Executive Board.

#### ARTICLE V—EXECUTIVE BOARD

- Section 1: The Executive Board shall expedite in every way possible the legislative and executive business of the Representative Council. It shall consider all matters presented for consideration of the Council between meetings and shall make a report with recommendations at each meeting of the Council. It shall serve as an executive body in all matters delegated to it. All actions taken by the Executive Board shall be binding **unless** repealed.
- Section 2: The Executive Board, upon recommendation of the President, may require a member to resign as a chairperson or member of any committee.
- Section 3: The Executive Board, in establishing a time and place of any meeting of the membership, shall give not less than ten (10) school days notice. Notice for all meetings shall be deemed sufficient upon mailing to the members the

information pertaining thereto at either his/her home or his/her school address or email; or by posting same upon the CCEA bulletin board at each school; or by publishing same in the organization's newsletter, provided that the same is mailed /emailed or delivered within the time limits herein specified.

#### ARTICLE VI—MEETINGS OF THE ORGANIZATION

- Section 1: The time and place for the meetings of the membership and/or special meetings shall be designated by and at the call of the Executive Board.
- Section 2: Meetings of the Executive Board shall be scheduled each school month with the exception of December, and other meetings may be called by the President with approval of the Executive Board. A scheduled meeting may be canceled only by a majority vote of the Executive Board.
- Section 3: Meetings of the Representative Council shall be scheduled each school month with the exception of December, and other meetings may be called by the President with the approval of the Executive Board. A scheduled meeting may be canceled only by a majority vote of the Representative Council.
- Section 4: The President shall prepare and distribute the agenda to all Executive Board members at least three (3) school days prior to the next Executive Board meeting.

#### ARTICLE VII—COMMITTEES

- Section 1: Annual Committees
- Annual committees may be appointed by the President. Such appointments shall be subject to the approval of the Executive Board and Representative Council. Annual committees may be appointed to work in the areas of: facility/equipment review, nominations/elections, scholarship programs, community projects, legislation, economic services, collective bargaining, and such other areas of concern deemed appropriate to the goals and objectives of the organization.
- Section 2: Task Force Committees
- Task Force committees may be established for the purpose of accomplishing a specific task within a limited period of time. Task Force committees so established shall be appointed by the President, subject to approval of the Executive Board and Representative Council.

- Section 3: The committees shall report to the Representative Council and/or Executive Board regarding matters within their respective task assignment area annually or upon completion of their assigned task.
- Section 4: The actions of any committee shall be subject to review by the Executive Board.
- Section 5: Any member in good standing shall be eligible to serve on any committee, or to act as chairperson of any committee. A stipend may be provided to or retracted from the Chairperson of any committee upon 2/3 approval of the Executive Board.

#### ARTICLE VIII—NOMINATIONS AND ELECTIONS

- Section 1: The CCEA Elections Committee shall be responsible for securing nominations and conducting elections for all offices in the organization subject to the approval of the Representative Council.
- Section 2: Election procedures shall be established not less than thirty (30) calendar days prior to elections; failure in this regard, however, shall not be deemed to invalidate any election, provided only that the procedures established and adopted are fair and impartial to all candidates and validly protect the interests of members.
- Section 3: Nominations for officers and delegates shall be in writing, executed by the nominee and the designated number of sponsoring members, and shall be delivered or postmarked at least (15) calendar days prior to the election to the CCEA Elections Committee or its designated agent.
- Section 4: The President shall certify the results of all elections at the Executive Board and the Representative Council meetings following the election.
- Section 5: Vice Presidential geographical areas shall be established by the Executive Board. Candidates for such office must be assigned in the respective geographical areas at the time of their election. A transfer out of his/her geographical area shall terminate his/her office at the conclusion of his/her term of office.
- Section 6: Election of Representatives and Alternates shall be conducted by the active membership in each school, provided that the procedures adopted guarantee the full exercise of the franchise to all members. The CCEA Elections Committee may, at any time promulgate rules and regulations

governing elections for Representatives and Alternates. Disputes in such elections shall be referred to the Executive Board for determination, provided that any aggrieved person may appeal to the Representative Council.

- Section 7: a. All officers shall be elected by a majority of votes cast. If candidates do not receive a majority, a run-off election shall be held.
- b. All delegates shall be elected by a plurality of votes cast. In the event of a tie, a run-off election shall be held.
- Section 8: Representatives and delegates shall take office upon certification.

#### ARTICLE IX—RECALL

- Section 1: Any elected officer of the Executive Board may be recalled by a majority vote of the general membership.
- Section 2: A petition signed by at least ten (10) percent of the active members of the organization shall bring recall action to the vote of the membership.

#### ARTICLE X—REPRESENTATIVES

- Section 1: Representative and Alternates shall be elected from the Collier County Education Association's active members of each school at a unit meeting in the ratio of one (1) Representative and Alternate for each ten (10) active members of CCEA or major fraction thereof, provided that no school or work center shall have less than one (1) Representative or Alternate.
- Section 2: Election of Representative and Alternates shall coincide with the election of officers. Each Representative and Alternate shall hold office for the term of one (1) year. Any school having a change in membership affecting representation shall make adjustments immediately and certify such change to the President who shall recommend to the Executive Board appropriate action.
- Section 3: A teacher, in order to serve as a Representative or Alternate, shall be an active member, in good standing, of the Collier County Education Association.
- Section 4: A vacancy of a Representative or Alternate shall be filled in accordance with Article VI of the Constitution.

ARTICLE XI—FINANCE

Section 1: Annual Dues

Annual dues of the organization for all membership classifications shall be determined by a majority vote of the Representative Council upon recommendation of the Executive Board.

Section 2: Annual Budget

The annual budget of CCEA, based on the objectives set forth in Article II of the Constitution and the goals approved by the Representative Council, shall be developed by the Executive Board and adopted by the Representative Council.

ARTICLE XII—AMENDMENTS

Section 1: These Bylaws may be amended by a two-thirds (2/3) vote of those Representatives present and voting at a Representative Council meeting, providing that the amendment(s) has been read at the preceding Representative Council Meeting; or at the direction of the Executive Board, these Bylaws may be amended by a majority vote of members of the general membership voting by secret ballot, provided that at least one-third (1/3) of the general membership have cast ballots.